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10-24-2008

### October 24, 2008: There is no pro-life vote in this election

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#### Repository Citation

Ledewitz, B. (2008). October 24, 2008: There is no pro-life vote in this election. Retrieved from <https://dsc.duq.edu/ledewitz-hallowedsecularism/202>

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Title: There is no pro-life vote in this election

Date: 2008-10-24T16:22:00.001-04:00

10/24/2008--The controversy over the remarks by Duquesne Law School's former Dean, Nicholas Cafardi, and his activities on behalf of Catholics for Obama, led me to wonder whether there is a genuine pro-life vote that one could cast in this Presidential election. I should explain that I call myself pro-life, although I don't think the term really fits. I would like to see Roe v. Wade overruled and in theory I believe that life begins at conception, but I am completely inconsistent about these commitments. I would never want to see the law of homicide applied to pregnant women and doctors and I support exceptions to anti-abortion laws, such as the health of the mother, which make no sense if one really believes that life begins at conception. Nevertheless, I apply the term pro-life to myself because in the current political context, anyone who thinks the abortion decision is not a private one for the woman herself is obviously not pro-choice.

I concluded that there is not a pro-life vote one could realistically cast for President this November. There are only two choices possible for President. One is Senator Obama, who supports Roe. The other is Senator McCain, who does not say he wants to appoint Justices to overturn Roe, but says he will appoint "strict constructionists" and we are supposed to infer that such Justices will vote to overturn Roe. This is all bull, since the only way to overturn Roe is with a "litmus test" for Supreme Court appointments and I have no idea why the pro-life movement does not demand this pledge of McCain or any other candidate for the Presidency. The pro-life movement has never demanded any such thing.

Anyway, assuming that Roe is overturned, it is pure speculation whether even one single legal abortion would be prevented. Overturning Roe just puts the matter back on the states. Some states will support legalized regimes and others restrictive ones, but there is certain to be a constitutional right of travel and pro-choice money for anyone who needs it to get an abortion. I doubt even minors can be prevented from obtaining an abortion in such a regime. It is true that in a post-Roe world, abortion will be more inconvenient, and that might cause some women to not bother to get an abortion, but anyone that uncertain might as well have been convinced by serious pro-adoption advertising, with a lot less trouble. Even Obama might do that.

A pro-life vote would have to be for someone who would constitutionalize the right to life, either by interpreting the word "life" in the fourteenth amendment to include the unborn, which no Justice has committed to doing and which only Thomas would even consider, or federalizing the issue by constitutional amendment or a preemptive federal statute, which Senator McCain has not committed to doing.

I am not a single issue voter. Certainly, anyone who is should vote for Senator McCain over Senator Obama. Overruling Roe is not insignificant. But no one should think that a vote for McCain is really a pro-life vote.