

***A Word from Woody. . .***  
**“Texas’ Bold New Law”**

Something shifted in the universe on September 1<sup>st</sup>. Did you feel it?

The U.S. Supreme Court refused to block the Texas abortion law, known as Senate Bill 8 (hereafter, SB 8). SB 8 was passed by the Texas state legislature in May of this year and was challenged all the way to the highest court. This bill is known as the nation’s strictest abortion law, and officially took effect on September 1st. It is important to know what it states and what are the possible implications for the future.

In essence, SB 8 bans an abortion on a fetus after its heartbeat can be detected, which is roughly six weeks in the mother’s womb. The only exception to this ban is if the mother’s life is in danger. Thus, post-six-week pregnancies due to rape or incest are banned under SB 8. A woman who has an abortion after the six weeks cannot be prosecuted. However, those who perform or induce an abortion, as well as those who knowingly aid or abet the performance or inducement of an abortion, can be prosecuted. Such civil action can be brought by anyone who is not an officer or employee of a state or local government entity. In other words, only private citizens can bring a civil suit against those involved in carrying out the abortion and can do so not later than the fourth year after the abortion. Defendants who are found guilty will be charged no less than \$10,000 for each abortion performed, plus costs and attorney’s fees.

Current U.S. Attorney General Merrick Garland has called SB 8 “clearly unconstitutional” (*The Times-Picayune*, October 15, 2021, 13A). However, others have found the 1973 *Roe vs. Wade* decision, which legalized abortion across the nation, highly unconstitutional. While our U.S. Constitution does not mention abortion, a strong argument can be made from the Constitution that protects the life of the unborn. We read in the preamble to the Constitution, “We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity. . .” If the unborn are persons with rights—which I am convinced they are—then the phrase “our Posterity” certainly applies to them. The unborn are worthy of the “Blessings of Liberty”. Obviously, many reject the idea of the

unborn as persons with rights and thus believe a woman has a constitutional right to an abortion, but this position finds no clear support in our Constitution.

What are some possible implications of SB 8? At least four come to mind. First, we can expect many states, such as Arkansas, Florida, and South Dakota, to copy Texas in getting such bills passed into law and to be successfully defended in the courts. In fact, a Mississippi abortion law which is believed to challenge *Roe vs. Wade* will be heard by the U.S. Supreme Court on December 1<sup>st</sup>. Second, we can expect pro-choice proponents, including the Biden administration, to continue their frantic effort to block SB 8. If you have been following the news on this you will recall that on October 7<sup>th</sup> a federal judge, a President Obama appointee, suspended the bill, which gave six of Texas' roughly 12 abortion clinics hope of re-opening. However, thankfully within 48 hours the 5<sup>th</sup> U.S. Circuit Court of Appeals, located in New Orleans, reinstated SB 8. Third, we can expect a significant reduction in abortions. I have read one article which said Planned Parenthood claimed that the number of its patients from Texas was down 80% in the first two weeks of September. A fourth expectation, one to which the pro-choice movement is highly attentive, is that *Roe vs. Wade* could well be overturned. Since the U.S. Supreme Court has a majority of conservative judges, this possibility could happen as early as next year. If so, what happens then? We would return to what our nation was like pre-1973—where states made their own decisions on abortion. The Left is terrified of this prospect, and that is why we are hearing, once again, rumors of an attempt to pack the U.S. Supreme Court with more justices.

If we can see *Roe vs. Wade* overturned, this would be a wonderful answer to prayer, But is also means the Church must enter the void of children born who will be put up for adoption and/or foster care. We need to be prayerful, and ask the Holy Spirit to prepare us for such a wonderful prospect in the hope that the universe continues to shift.

Love in Christ,

Woody