

**Testimony in Opposition to S.1209/H.3320 (The ROE Act),
given before the Joint Committee on the Judiciary**

J. David Franks, Ph.D.
Chairman of the Board
Massachusetts Citizens for Life
17 June 2019

Chair Cronin, Chair Eldridge, ladies and gentlemen of the committee: my name is David Franks, and I am chairman of the board of Massachusetts Citizens for Life. I am trained as a philosopher and theologian, and it is as an expert in social ethics that I speak to you today.

Despite its name, the ROE Act differs fundamentally from *Roe v. Wade*. The ROE Act is **not** a codification of *Roe v. Wade*.

Roe v. Wade creates a right to abortion—but denies that right is absolute. The ROE Act, by contrast, establishes a right to unrestricted abortion. That is nowhere close to the American or the Massachusetts consensus.

We read in the majority opinion of *Roe v. Wade*:

“We, therefore, conclude that the right of personal privacy includes the abortion decision, but that this right is not unqualified, and must be considered against important state interests in regulation.”

Those state interests, concern for the protection of the abortion-minded mother’s health, for the maintenance of medical standards, and for prenatal life, are utterly disavowed by the ROE Act.

Let’s look at the health of women and girls in particular: since *Roe v. Wade* was decided, we have seen an unimaginable explosion in sex trafficking. Is it good for the profits of these evil men for their victims to give birth to babies? Of course not. They need the abortionist to stay in business. They have separated helpless girls from their parents. Does the elimination of the parental-consent requirement serve the interests of the girl brought in for an abortion—or does it serve the interests of her slaver?

Take serious thought of the actual plight of women and girls in this predatory society: sexual abuse, statutory rape, battered women, androcentric and totalitarian interpersonal dynamics. How does it serve the interests of women and girls for you, the representatives of the people, to immunize abortionists from their ethical responsibility to determine distress, coercion, abuse? Abortionists—who do **not** fulfill their responsibility as mandated reporters. By removing abortion entirely from the criminal code, the ROE Act removes the state’s ability to break the

abortionist-abuser axis. In the #MeToo era, this seems profoundly reactionary.

Abortion boosters want us to look away from those concrete power dynamics, and wander into a fantasy land of women enjoying bourgeois autonomy gained through unregulated abortion. But all of our seemingly autonomous choices are exercised in a deeply determinative social context. Our society is brutal for women and girls. Immunizing abortionists from meaningful state regulation does not serve the interests of women and girls who lack social privilege. It merely greases the cogs of a machine that is pulverizing them.

The current regulation of abortion in the Commonwealth is very light. Leaving *Roe v. Wade* behind to embrace the ROE Act's abortion absolutism would only serve the interests of predators and those who profiteer from killing the weakest humans.

If the equality of women is something we must indeed continue struggling to secure in our society, it is also the case that setting one human against another only serves the interests of predators, abusers, and narcissists: classic ideological misdirection.

They manipulate us until we wake up to the principle that the equality of some cannot be gained without securing the equality of all.

Thank you for this opportunity to speak.

Respectfully submitted,
J. David Franks, Ph.D.