



UNINTENDED PREGNANCY'S FIVE OUTCOMES

1. Pro-life embraces the sanctity of unborn life, investing the unborn at conception with the right to life. Pro-choice declares all women have the right to control their own bodies, to decide whether to have children or not – to nurture and raise children is magnitudes greater than birth alone. All women (pro-this and pro-that) share the same five pregnancy outcomes. Dobbs sent abortion regulation to the individual states. The state abortion landscape is fragmented and increasingly polarized. Twenty-eight (28) states restrict abortion to varying severity, four (4) are some combination of restriction and protection, and eighteen (18) protect abortion (Guttmacher, Mar 24). Power worshippers and power seekers continue to be accelerants on the abortion fire.
2. Almost half of all pregnancies in the United States are unintended (NIH, Guttmacher). Women in the United States average about two children, which translates into a woman of reproductive age (15-45) spending about six (6) years trying to get pregnant, being pregnant, or nursing a newborn, and about twenty-four (24) years trying not to be pregnant. About two-thirds (2/3) of unintended pregnancies result in birth and one-third (1/3) result in elective abortion. The difference between total clinical pregnancies and total births is the sum of clinical miscarriages and elected abortions. The number of clinical miscarriages is about equal to the number of elective abortions in most years. In 2023, the formal health care system reported 1,026,690 abortions (Guttmacher). This is a ten (10) percent increase since 2020. Misunderstandings of what causes a miscarriage are profound and tragic, most happen for reasons that are medical, genetic, or abnormalities of the mother, not lifestyle choices. Men, compared to women, are two and a half (2.5) times more likely to get this wrong. To all this, science defines spontaneous abortion as the sum of occult and clinical miscarriages. Spontaneous occult **abortion starts at conception**. Spontaneous abortion has been found to be the predominant outcome of conception and a natural and inevitable part of human reproduction¹.

¹ In the sourced study, abortions are of two types, spontaneous (occult miscarriages and clinical miscarriages) and non-spontaneous (elective abortion). Occult spontaneous abortion is generally considered to occur between conception and clinical detection of pregnancy – at about 2 weeks gestational age). Women's bodies spontaneously reject non-viable pregnancies from the moment of conception. *"For women in their early twenties, spontaneous abortion is nearly as common as live births". "After the mid-twenties, spontaneous abortion is the norm rather than the exception". "Spontaneous abortion is an intrinsic and overarching component of human reproduction. It is the most common outcome of conception across a woman's lifetime".* (Source: *The high abortion cost of human reproduction*, William R Rice, University of California, Santa Barbara, 2018).

3. Unintended pregnancies are not the same as unwanted pregnancies. Unintended pregnancies have five possible outcomes:

Outcome 1: Miscarriage (Approx 15- 20 percent of all pregnancies end in clinical miscarriage)

Outcome 2: The woman welcomes pregnancy and accepts motherhood. (Results in birth)

Outcome 3: The woman is unsettled that she is pregnant, but 'she' decides to have her baby and 'she' decides to be a mother. (Results in birth)

Outcome 4: The woman decides to have an abortion and does have an abortion. (Results in elective abortion)

Outcome 5: The woman decides to have an abortion but is forced by oppressive state restrictions to continue her pregnancy to term, and assuming no complications, gives birth. Outcome #5 has a disproportionate effect on marginalized women of lower socioeconomic status. Birth, however, is only day one of life, it falls to the mother or the state to raise an infant that is loved and feels loved to adulthood. In terms of scale and long-term outcomes, state foster care and adoption services are inadequate.

4. Of the five outcomes, #2 and #3 can be supported by pro-life and pro-choice, so there is something upon which most should agree.
5. What is not so clear is that state abortion bans affect pro-life women every bit as much as pro-choice. Women in both groups will have unintended pregnancies, about two-thirds result in birth and about one-third end in elective abortion. All women are at risk of miscarriage (spontaneous clinical abortion) requiring emergency care that will be delayed pending legal confirmation they have not self-aborted. The number of spontaneous clinical miscarriages is about the same as the number of elective abortions. Some pro-life women, for their own good reasons, will decide to have an abortion. All women are in the same boat, there are no "winners", no "sides" among women, all women are "losers".
6. Outcomes #4 and #5 are where Catholic Canon Law² and the Constitution conflict. Catholic Canon Law prohibits outcome #4 but allows outcome #5. Under the Constitution, outcome #4 is acceptable, but outcome #5 violates women's constitutional right to liberty.

Note: Spontaneous abortions (occult and clinical) have innumerable causes, some are: fetal chromosomal abnormalities, severe chronic disease (diabetes, autoimmunity), infections (vaginitis, malaria), environmental exposure, structural uterine abnormalities (congenital abnormalities, adhesions).

Note: Spontaneous abortion does not include abortion resulting from prenatal testing (DNA analysis) to assess developmental abnormalities.

² All justices on the Court have a religious identity. Five of the six justices of the Dobbs majority opinion identify as Catholic, the sixth justice, Gorsuch is, I believe, Episcopalian but was raised Catholic. The Dobbs opinion, whether

7. It should come as no surprise that Dobbs has errors. Failure to consider choice #5 is a mega error. Government forcing women, by means of oppressive restrictions on their way of life and behavior, to carry unwanted pregnancies to term and birth is dystopian. Which leads to the inescapable, singular conclusion that each of the majority justices knew, or should have known, the harm they were going to cause women and did it anyway – hinting that Dobbs is not entirely about the sanctity of potential life, but on some deeper level is about gender roles in society and the separation of church and State.
8. Dobbs completely excised the woman³, denying her control over her own body, and did so without even a sense of an obligation to consider the woman. Dobbs treated women as a category, as a group, that can be excised en masse. Dobbs' unacknowledged mea culpa is:
 - a. *The regulation of a medical procedure that only one sex can undergo does not trigger heightened constitutional scrutiny unless the regulation is a mere pretext designed to affect an invidious discrimination against members of one sex or the other. The goal of preventing abortion does not constitute invidiously discriminatory animus against women.*

Dobbs repeatedly fails to distinguish between or even understand there is a difference between the abortion procedure (half of which are two pills) and the profound moral decision about whether there will be a procedure at all. Therefore, the Dobbs statement should be meaningless because it does not address the decision, the fundamental issue of abortion. Pope John Paul II in his Evangelium Vitae, the Gospel of Life (1995), *the decision to have an abortion is often tragic and painful for the mother*, spoke of the mother's decision, not of a health and welfare procedure.

Still, it would be nice to understand that statement, even though limited to procedure only. The majority clearly wanted to get in front of the anger it knew it would arouse in millions of women. But first, most of us will need a few definitions: invidious means “*likely to arouse or incur resentment or anger in others*”, discriminatory means *making unjust distinction between people*, and animus means *hostility or ill feeling towards someone*. So, the full statement means the majority is not hostile towards women it will anger. That is reassuring (sarcasm) because it has angered tens of millions of women.

The “*goal of preventing abortion*” is high-minded and misleading, it properly should read the “goal of preventing abortion by force of law”, which backs up to preventing unintended

intended or not, abided by Catholic Canon Law, and allows states to prioritize the life of the fetus over the woman's liberty.

³ Dobbs denied women their Fourteenth Amendment right of due process when it employed a “liberty interest” scheme, long discredited by constitutional scholars (“Democracy and Distrust”, by John Hart Ely, 1980) as a disaster in both practical and theoretical terms.

pregnancy, which backs up to controlling sexuality, and that is nearly always aimed at controlling women's sexuality. Why is that? It's a tragedy Dobbs has reignited the goal of "preventing abortion by force of law" (impossible) when there are ways to "reduce" (not impossible) abortion at far less cost than vainly trying to suppress human nature.

9. By failing to consider outcome #5, Dobbs opened the flood gates to restrict women's reproductive health care, humiliate them, isolate them, magnify their distress, and 'take' their liberty. Today, Dobbs forces women with unintended pregnancies to survive in states that will take from them until they are emptied, and still not done, with this Court's blessing, criminalize anyone who would help them. Today, every day, women find themselves boxed into outcome #5.
 - a. Failing to consider outcome #5 is mindboggling. The idea that outcome #5 was just overlooked by six justices of the Supreme Court is not credible. The corollary is it was purposeful. The Court either knew what it was doing, or it did not, it was one or the other. Shared religiosity is the occam's razor (least assumptions) answer for why all six ruled alike. Dobbs is invidious discriminatory animus. The result of Dobbs is hostility towards women it angered. That conclusion is underscored by the Dobbs opinion that state action pursuant to Dobbs is constitutionally defensible if states have nothing more than a rational justification, which precluded heightened review. Dobbs is squarely patriarchal and misogynistic.

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