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Abortion Amendment, Senate Bill 798 - Unfavorable “Declaration of Rights - Right to Reproductive Liberty”

Introduction

My name is John Quinn, and I serve as the Deputy Director of the DFLA Education Fund. Our organization exists to promote a consistent life ethic. I am also a proud Maryland resident and an even prouder pro-life Democrat.

Rights: Nature and Limits

SB 798 gives us a chance to ponder the nature and limits of our rights as citizens. This proposed constitutional amendment, especially as it enumerates rights, provides a wonderful opportunity to do so.

None of the treasured rights and freedoms we enjoy as Marylanders give us license to do violence to any other human being. This essential principle of nonviolence is unquestionably fundamental to our system of government and way of life,¹ as it ensures that one person’s rights do not snuff out someone else’s rights, and it provides this protection in countless circumstances.

Unfortunately, the proposed amendment runs afoul of the principle of nonviolence with one little phrase, namely “end one’s own pregnancy.” These three words make this amendment absolutely unacceptable.

What is hiding behind this euphemism about a right to end a pregnancy? It doubtless covers:

- 1) live birth,
- 2) the tragic instances of spontaneous miscarriage,
- 3) the unobjectionable instances when a viable child needs to be delivered early for the health of either the mother or the child, and

¹ For a classical articulation of this principle, see John Locke in his *Second Treatise of Government*: “Wherever law ends, tyranny begins, if the law be transgressed to another’s harm (Chapter 18, On Tyranny). For a more modern account, see John Rawls in his highly influential *A Theory of Justice*: “it is to avoid the appeal to force and cunning that the principles of right and justice are accepted” (¶ 39). For a contemporary celebration of the role that African Americans have had in elevating nonviolence in the context of the United States, see Darrell A.H. Miller’s 2022 article, “[Estoppel by Nonviolence](#).”



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- 4) those—again tragic—instances wherein medical science currently has the capacity to save the life of the mother, but has not yet discovered how to simultaneously preserve the life of her preborn child

None of these pregnancy outcomes provide reason to object to a right to “end one’s own pregnancy.”

Yet such a supposed right is deeply objectionable because it sneaks in elective abortion,² the deliberate and violent destruction of a preborn child. The way this proposed amendment defines reproductive liberty, as including a right to abortion violence, directly contradicts the principle of nonviolence and thus risks undermining the very foundations of our democracy. Codifying reproductive liberty in this particular way not only celebrates and perpetuates lethal violence, it undermines our whole system of rights.

Dishonesty of Proposed Ballot Language

Perhaps that is why the language of the constitutional amendment explicitly includes a right to end a pregnancy, while the proposed language that would appear on the ballot before voters conveniently omits that phrase. I trust that should this language appear on the ballot, my fellow citizens will reject it, but if they accept it, please notice that they did not vote in favor of abortion nor even the euphemistic right to end a pregnancy. If the Maryland General Assembly would like to put forward an amendment for reproductive justice, it should find constructive, transparent, and nonviolent language with which to do so.

Prebuttal

The committee will doubtless hear testimony from post-abortive women whose personal histories rightfully evoke compassion for the difficulties they faced. The DFLA Education Fund hears those stories, values them, and thanks the courageous women who share them. Yet we understand the narratives in a different way. This dialogue is an important part of the democratic process.

Without for a second denying the various financial, social, emotional, mental, and physical challenges of pregnancy, childbirth, and parenthood, we can question if abortion is a dignified and

² For the distinction between “elective” and “therapeutic” abortions, see LaQuita Martinez and David Zieve, [“Abortion - Medical: Medlineplus Medical Encyclopedia.”](#) MedlinePlus (U.S. National Library of Medicine, National Institutes of Health, U.S. Department of Health and Human Services, December 3, 2020).



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effective response to those challenges. As discussed above, on the grounds that abortion is violent, it is not a proper response to real challenges in a democratic society. The DFLA Education Fund is committed to advancing nonviolent solutions to the myriad difficulties faced by the women and mothers of Maryland.

Conclusion

Neither the DFLA Education Fund nor myself as a citizen of Maryland can support this amendment in its current form. As long as this amendment enshrines abortion violence, I urge this Committee and the Maryland Senate to reject it. The amendment fails to promote reproductive justice, liberty, and equality. The people of Maryland deserve better.

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