

United States - Alabama Supreme Court Rules that Embryos are Children; The Right's Latest Attack on Women

Thursday 29 February 2024 (Date first published: 26 February 2024).

The Alabama state Supreme Court ruled last week that frozen embryos are people and that it is illegal to destroy them, creating an initial panic and confusion among health professionals who provide and women who use in vitro fertilization (IVF). The decision does not outlaw IVF but requires that each embryo created must be implanted, no matter what it's viability, and makes the process more costly, more complicated, and more dangerous for women. This is the latest attack on women's reproductive rights, on LGBT communities and on public health by the Evangelical Christian right.

IVF, the process by which a women's eggs and a man's sperm are united in a petri dish and then implanted in a woman's womb, is used by couple having trouble conceiving, by women facing cancer treatment, and by gay male couples who want children working with a surrogate mother. There are in the United States about 750,000 IVF births each year and since IVF began in the United States in 1978 there have been about 12 million such births. Scientifically sound and popular with the public, the court's decision led the University of Alabama at Birmingham health system, the state's largest hospital and fertility clinics to pause their work while both Democratic and Republican politicians hurried to pass legislation to protect IVF.

Tom Parker, the Alabama Supreme Court justice who concurred in the decision, is an Evangelical Christian who quoted the Bible repeatedly. "Human life cannot be wrongfully destroyed without incurring the wrath of a holy God," wrote Parker. He and his court have been responsible for many other reactionary, anti-woman decisions.

While Trump quickly came out supporting IVF and called upon the Alabama state legislature to protect it, his opponent Nikki Haley said, "Embryos, to me, are babies." Most Republican politicians, recognizing the Alabama decision could hurt them in the November election, came out in support of IVF.

Alabama, whose state motto is "We protect our rights," has done more to restrict women's reproductive rights than any other state, since the Supreme Court in the Dobbs decision of June 22, 2022 overturned Roe v. Wade, which had protected women's right to abortion. On June 24, 2022, Alabama began enforcing a total abortion ban, prohibiting abortion at all stages of pregnancy. The state constitution "acknowledges, declares, and affirms that it is the public policy of this state to recognize and support the sanctity of unborn life and the rights of unborn children, including the right to life."

Many fear that Evangelical Christians or Catholics using the courts or legislation could also attempt to outlaw contraception.

The American Society for Reproductive Medicine declared, “the Alabama Supreme Court made a decision that flies in the face of medical reality and the needs of the citizens of Alabama.” Planned Parenthood, the largest and most important organization providing reproductive healthcare to women, wrote, “We should all be able to build the families and the futures we want, without interference from courts or politicians. This ruling by the Alabama Supreme Court is the result of years of attacks on reproductive freedom, and efforts to restrict access to health care, including IVF.”

Progressive Democrat Congresswoman Alexandria Ocasio-Cortez posted: “Throw this whole woman-hating party and their propaganda network in the trash. They’ve earned themselves a spot in the dustbin of US political history.” While Senator Bernie Sanders posted, “Let me be as clear as possible: The courts, government, and church have no business interfering with the very personal decision about how or whether to have children.”

25 February 2024

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P.S.

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