

Senate Judiciary Committee Hearing on *Dobbs*

Denise Harle – Opening Remarks

July 12, 2022

Chairman Durbin, Ranking Member Grassley, and Members of the Committee: Thank you for the invitation to be here today. I'm Denise Harle, Senior Counsel and Director of the Center for Life with Alliance Defending Freedom.

The *Dobbs* decision provides tremendous hope for women and their unborn children across this country. For the first time in half a century, the people—through our elected representatives—have the legal authority to fully affirm the dignity of women and protect unborn babies.

The Supreme Court was correct to overrule its egregious decision in *Roe v. Wade*, where seven *male* justices insulted women's dignity by saying that motherhood “forced” on us “a distressful life and future.” I'm here today with my own mom and precious 4-month-old baby girl, and I have two more children at home. I join millions of mothers nationwide in saying that the ruling in *Roe* was a shameful, dehumanizing, and false characterization of the role that women and mothers hold in our society.

I know every woman's story is unique, and that for many women, finding out you're pregnant can be unwelcome and difficult news. But pregnancy isn't a barrier to success. And motherhood doesn't ruin a woman's chance to have a fulfilled life. It's demeaning and misogynistic to suggest otherwise.

Dobbs was also a victory for our Constitution. As the decision explains, *nothing* in the Constitution's text, structure, or history supports a so-called right to abortion. Even constitutional law scholars who are pro-abortion have admitted this. Harvard Law Professor Laurence Tribe said *Roe* was a “verbal smokescreen” and that “the substantive judgment on which it rests is nowhere to be found.” And [the late pro-abortion icon](#) Justice Ginsburg [criticized](#) *Roe* as a “heavy-handed judicial intervention” that was “difficult to justify.” And, legally, scientifically, morally, it was.

Under the *Roe* regime, the United States was an extreme outlier in abortion law. [75% of nations](#) either don't allow elective abortions at all, or at most limit them to 12 weeks. But *Roe* made the United States one of only a handful of countries – including human-rights abusers like China and North Korea – that allowed abortion on demand after 20 weeks of pregnancy.

The *Dobbs* decision unshackled states from *Roe*'s judicial power grab that was based on falsehoods about history and science. At last, we can apply the scientific knowledge we've gained since that infamous decision. Medical advancements in the past 50 years have made it clear that States have a compelling interest in protecting unborn children at every stage of development. With the help of ultrasounds, we've learned that babies in their first 12 weeks develop heartbeats and brain waves, can move around and kick, suck their thumbs, hiccup, and even taste what their mom eats.

It's entirely reasonable—and right—for Americans to legally protect these tiny humans. And millions of American citizens are prepared to do so. In fact, reports that Americans support *Roe* are extremely misleading. *Roe* allowed for abortion up to the moment of birth, but a recent Gallup poll showed that nearly 90% of Americans oppose abortion in the third trimester, let alone until birth.

For women who find themselves overwhelmed by the prospect of motherhood, there's hope. And it doesn't involve destroying the baby for a fee. We should be pointing pregnant moms toward *real* help. Thousands of pregnancy resource centers across the country stand ready to support women, at no cost, with tangible services both during and after a mother's pregnancy – to help equip them for *life*.

Many States are also pouring resources into creative programs to ensure that every pregnant mom can access the critical support she needs. Churches, adoption agencies, and other civic organizations are redoubling their efforts.

Dobbs marks a new day for our country: the opportunity to build a better society than the one the Court forced upon us in 1973. A society that not only affirms that life is a human right, but that embraces motherhood by providing opportunities for women to thrive as moms. We as a nation can no longer use *Roe* as an excuse for treating pregnancy as a woman's problem she alone must solve. It's time to implement innovative support systems that empower women to pursue full and flourishing lives for themselves and their families.

The post-*Roe* legal landscape is changing as we speak. But I'm *so* grateful that we are entering a new era where the American people have an opportunity to lead the world in upholding the dignity of women, of their children, and of human life.

Thank you for your time.