

# Abortion and Dialogue: Pro-Choice, Pro-Life, and American Law

*Ruth Colker*

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**Ruth Colker : Abortion and Dialogue: Pro-Choice, Pro-Life, and American Law** before purchasing it in order to gauge whether or not it would be worth my time, and all praised Abortion and Dialogue: Pro-Choice, Pro-Life, and American Law:

"The issues she takes on are crucial not solely the subject areas of reproductive rights and law, or public policy lenses and judicial impact in women's and children's lives, but also the more difficult and fundamental questions of how these hot topics can be approached so as to make the most of the good will of all and the force of free discussion for social learning...she brings a strong, evolving and distinctive perspective to the discussion' - Emily Fowler Hartigan. In "Abortion and Dialogue", Ruth Colker argues that when the state intervenes in decisions regarding pregnancies, it falsely views the woman and the fetus as having conflicting needs. Her feminist-theological perspective on reproductive health issues encourages both pro-choice and pro-life advocates to consider how the value of life is implicated in discussions of reproduction. Colker argues that theology can contribute to our understanding if we apply the concepts of love, compassion, and wisdom to problems identified by feminist theory and to actual concrete situations: the impact of abortion regulations on poor female adolescents; the judicial treatment of abortion regulations; state intervention into women's decision-making during pregnancies carried to term. Colker concludes by examining effective and respectful family-planning strategies that truly help women in making reproductive choices.

From Publishers Weekly Investigating both feminism and theology, Colker, a law professor at Tulane University, describes her moral and intellectual odyssey towards a moderate pro-choice position on abortion. Though the book, which includes close analyses of several important cases, often recalls the dry style of a law review, Colker thoughtfully argues that the right to abortion would be better premised on guarantees of equal protection than on the right to privacy. She looks at case studies regarding sexual activity, contraception and abortion and suggests that "a coercive social environment" prevents women from making real choices and thus deprives them of the power to control their reproductive lives. However, in the *Roe v. Wade* abortion case, the state refused to acknowledge women's interest in protecting their health and well-being while the plaintiff refused to acknowledge the state's interest in protecting fetal life. Colker laments that neither side in the recent *Webster* case acknowledged these issues and thus hampered good-faith dialogue on abortion. A societal focus on abortion, she also notes, ignores longer-term strategies for reproductive health. Copyright 1992 Cahners Business Information, Inc. This is feminist scholarship at its best: interdisciplinary, passionate, personal, and political. This book is more original than its title suggests. Although other works, e.g., Laurence Tribe's *Abortion: The Clash of Absolutes* (CH, Dec'90), Faye Ginsberg's *Contested Lives: The Abortion Debate in an American Community* (1989), Mary Ann Glendon's *Abortion and Divorce in Western Law* (CH, Feb'88), and *Rights Talk* (1991), have noted how the absolutism of the abortion debate thwarts the discovery of common ground, none have so sensitively appreciated the concerns of both sides and so eloquently suggested an alternative theory as Colker (Tulane Univ.). She crafts a feminist theological perspective based on the conception of an authentic self that moves toward the aspirations of love, compassion, and wisdom. When these aspirations are applied to abortion politics, problems within both movements are revealed. How can prochoicers be so disrespectful of concerns for life? How can proliferators ignore the realities of women's lives? Colker then shows a way out of the thicket by utilizing an equality framework guided by the three aspirations. Both controversial and inspiring, this volume is highly recommended for all libraries. S. Behunia February 1993 (Long Le Moyne College) From the Back Cover The author hopes to help move the entire abortion debate into a more general discussion of effective and respectful reproductive health strategies that can help women truly decide how to make the reproductive decisions that are best for themselves and their community.