

This document presents a vision for making abortion illegal across the United States, authored by Allan E. Parker, Jr. It outlines the author's experiences and beliefs regarding the legal and moral status of abortion, advocating for a national strategy rooted in prayer, research, and legal frameworks.

- Historical context of abortion legislation: The author reflects on the transformation of American legal perspectives on abortion since the reversal of *Roe v. Wade*, emphasizing the importance of prayer in this journey.
- Definition of abortion: Abortion is defined as the termination of a separate, living human being, a definition supported by legal precedent in *Planned Parenthood v. Rounds*. This definition is positioned as crucial for efforts to outlaw abortion.
- National strategy components: The proposal suggests key elements for a national strategy to end abortion, including prayer, a coherent legal strategy, and a vision for legislative change at both state and federal levels.
- Constitutional basis for the Right to Life: The author argues that the Constitution already contains a Right to Life in the Fifth and Fourteenth Amendments, asserting that this right should extend to unborn children.

Call to action: The document concludes with a call for collaboration and research to prepare for legal challenges that could affirm the Right to Life for all humans, including those before birth, based on historical and legal interpretations.



## **A Vision Proposal For Making Abortion Illegal Throughout America**

*By Allan E. Parker, Jr.  
President, The Justice Foundation*

I have been pondering these ideas for a while. It is time to write the vision, record it, and share it with others for reflection and possible collaboration.

We have lived through an incredible transformation of America. I have fought personally, and alongside many others, since the year 2000 for the reversal of *Roe v. Wade*, which many people thought was impossible. And yet after 22 years of persevering, we saw a miracle from God in *Dobbs v. Jackson Women's Health Organization*, which reversed *Roe v. Wade* and *Planned Parenthood v. Casey*. [See my book, "Reversing *Roe v. Wade*: My Journey with *Roe*, *Doe* and God" for more details. A free paperback or digital copy is available on request.] The Justice Foundation filed five separate briefs in the *Dobbs* case, perhaps the highest number for a single lawyer or law firm in recent American history, by God's grace.

**Is it possible to see an America where abortion is illegal in every state?** To achieve this would be comparable to the elimination of slavery. Slavery today is unthinkable and illegal in all fifty states without exception. Can the same situation occur with respect to abortion? **I believe it can, and with God's help it *will* occur.**

What is abortion? Abortion is not health care. It is the "termination of the life of a separate, living, unique human being", defined as a member of the species *Homo sapiens*. This definition was upheld in a legal opinion in *Planned Parenthood v. Rounds*, 530 F 3rd 724 (Eighth Circuit) (2008). The U.S. Eighth Circuit Court of Appeals upheld a South Dakota law **requiring** abortionists to tell women that definition, which they did not want to do. Planned Parenthood sued South Dakota and lost because the federal appeals court said that definition was a scientifically supported, non-misleading, factual statement. I believe this case is a fundamental building block in making abortion illegal everywhere in America. We must first define what abortion really is in order to outlaw it. The advantage of this definition is that it has already been proven scientifically and legally in a federal court of law.

## What Should Be Some Of The Key Elements Of A National Strategy?

1. **Prayer.** The United States was founded on prayer and a Judeo-Christian view of the law. Without God, it is impossible to do anything of lasting significance. *Roe v. Wade* could never have been reversed without massive prayer. We need millions of people to continue to pray and mobilize more to pray for the end of abortion in America. Continued prayer is critical. Momentum is critical.
2. **Research.** There must be a coherent legal strategy based on legal reality at this time. I believe that a significant prayer movement and legal strategy are possible.
3. **Vision.** I believe that God has given us a unique opportunity through spiritual and legal revival at the Supreme Court to see an end to legal abortion throughout America. There are several ways that could occur.
  - Every state could ban abortion.
  - The federal government could ban abortion through legislation.
  - The Supreme Court could find the Right To Life that is explicitly in the current Constitution, proclaim it, and apply it to life in the womb, before birth, in an appropriate legal case.
  - A new constitutional amendment could be added to the U.S. Constitution, but I believe this is unnecessary, and take much longer to achieve, if ever.

### Find, Proclaim and Apply The Right to Life That is Explicitly in the Constitution.

I believe that the best and easiest strategy is to use the **existing** Right To Life that is expressed twice in the written Constitution, explicitly in the Fifth and Fourteenth Amendments. The Fifth Amendment, adopted December 15, 1791, part of the Original Bill of Rights, states:

*“No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.”* (emphasis added).

The Fourteenth Amendment, adopted July 9, 1868, states:

*Section 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.*”

Please note “person” is a broader, more expansive term than citizens. Persons must be born to have citizenship rights, but the framers carefully differentiated that any **person** has a Right to Life, because life undeniably began before birth, not after birth, according to their knowledge. It turns out scientifically, that they were far wiser and scientifically more accurate than the “life” before birth science deniers of the abortion industry today.

So the question is not whether there is a Right To Life in the Constitution. There clearly is. No doubt exists, all agree the Constitution protects life after birth. But what about human life before birth?

### **Original Intent Is The Key!**

**There are currently six members of the Supreme Court who believe in interpreting the Constitution according to the doctrine of Original Intent, or “Originalism” in some form.** Under this doctrine, the words that are actually in the Constitution must be construed by the Court in an appropriate case or controversy according to the original intent of the people that ratified the Constitution or its Amendments at the time of their ratification.

The Justice Foundation has been praying into life and death through abortion in the Constitution for many, many years. **Beginning in the year 2000, we were called by the Lord to represent Norma McCorvey, the “Roe” of *Roe v. Wade*, and Sandra Cano, the “Doe” of *Doe v. Bolton*, in their legal efforts to reverse the two cases that brought legalized abortion on demand to America.** As you can see from the Fifth and Fourteenth Amendments, there is a “Right To Life” in the Constitution already. I believe it is important to emphasize the word “Life” rather than solely focus on the term “person” or “due process”.

What did the word “Life” mean at the time of the adoption of the Fifth Amendment? Was it the same or different at the time of adoption of the Fourteenth Amendment? That is the controlling legal question the Court must address. I recently had a conversation at the National Religious Broadcasters Convention with Tim Barton, President of WallBuilders, son of David Barton, Founder of WallBuilders. I told him we needed research historically to show that the common understanding of the word “life” according to educated people, common people and legal documents at the time of the adoption of the Fifth and Fourteenth Amendments included “life” in the womb. The phrase that people at both times used was “with child” rather than solely the modern term “pregnancy” or “pregnant”. Tim said, “Allan, we have already found this evidence. We have explored it all. They clearly supported The Right To Life **even before birth** in the Constitution. Tim provided the following quotes as examples:

Founder James Wilson was a signer of the Declaration of Independence and US Constitution, was appointed to the Supreme Court by George Washington, and gave law lectures that were converted into a 3-volume set that has a section dealing with life. He states:

*"With consistency, beautiful and undeviating, human life, from its commencement to its close, is protected by the common law. In the contemplation of law, life begins when the infant is first able to stir in the womb. By the law, life is protected not only from immediate destruction, but from every degree of actual violence, and, in some cases, from every degree of danger."* James Wilson, The Works of James Wilson, ed. James DeWitt Andrews (Illinois: Callaghan and Company, 1896), 316.

[https://www.google.com/books/edition/The\\_Works\\_of\\_James\\_Wilson\\_Associate\\_Just/5E5HAAAAYAAJ?hl=en&gbpv=1&bsq=womb](https://www.google.com/books/edition/The_Works_of_James_Wilson_Associate_Just/5E5HAAAAYAAJ?hl=en&gbpv=1&bsq=womb)

John Witherspoon, was an extremely influential founder, and in a lecture while he was president of Princeton stated:

*"[in America] we have denied the power of life and death to parents"* John Witherspoon, Lectures on Moral Philosophy (Princeton: Princeton University Press, 1912), 85.

<https://archive.org/details/lecturesonmoralp00withrich/page/84/mod/e/2up>

Legal abortion gives parents the right to kill the child. Abortion and the Constitution are incompatible. The Constitution forbids it.

### **What Needs To Be Done?**

The current Supreme Court is now insulated from court packing by the fact that Republicans control the House, the Senate and the Presidency. Thus, for the next four years, the composition of the Supreme Court cannot be significantly weakened, even if we lose the Senate or the House in the mid-term election.

Tim Barton has agreed to be a consultant on this project because this is a priority issue for WallBuilders. He would like to be part of a consortium working together on this project. If he had more staff, or interns, they could do a lot. and get more information on this very quickly. I think that several years of publicizing research like the above quotes, and Blackstone's in historical and legal forums would be appropriate to prepare the Court for the reception of this idea.

I believe the easiest way to get a Right To Life that would ban abortion throughout America is to use the Right To Life that is in the Constitution already!

We already have six members of the Court who believe to in Originalism. This judicial philosophy means it is the duty of judges on the Supreme Court to interpret the words of the Constitution, not according to their own policy or interpretation, but according to the original meaning of the words at the time they were ratified and adopted by the people. This "consent of the governed" is what gives legitimacy to our form of government. The "Declaration of Independence" protects inalienable rights, the first of which is life. This is relevant to interpreting the meaning of the Right To Life in the Constitution. In fact, if judges do impose their own will on the people, as they did under the secular liberals, then we would live in an oligopoly, not a constitutional Republic.

### **This Is A Very Important Time In American History**

Let's take a bold fresh look at this situation. The winds of revival are blowing. Why was it not considered earlier? In 1973, at the time of *Roe*, a new human life amendment would have absolutely been necessary because the Court at that time was composed of people who entirely believed in the right of judges to make the Constitution mean whatever they thought it ought to mean or what they wanted it to mean. They believed strongly in an oligopoly of elites, and they were the elites. They had just found a right to abortion, not in the actual words of history or in the

Constitution, but in its pale shadows, its “penumbras”. See *Roe v. Wade*. A right to abortion was never really in the Constitution. That Court, as constituted then, would not have found or applied the Right To Life, but now it is possible because the words are expressly in the Constitution in writing.

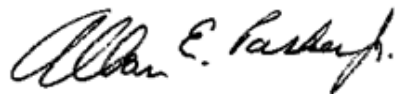
In fact, the current Supreme Court has now found both Rights To Life and prominently displays them both along the inner walls of the Supreme Court public entryway. They have removed a decades old tribute to the “temple of justice”, the Supreme Court building. Instead, their display now exalts the Constitution, not the Court, and they quote the Fifth and Fourteenth Amendment Right To Life in **big, bold, emphasized letters** on the main public-facing inner wall.

So the only question left is, “Does the Right To Life apply to all human life?”, even before birth. History, common sense and original intent all prove, of course it does! The Constitution was intended for humans and their posterity, as it says in the Declaration of Independence. Anything less would be a crime against humanity. (See [www.themoraloutcry.com](http://www.themoraloutcry.com)).

### **We Are In Revival**

*“Then I will restore your judges as at the first, And your counselors as at the beginning; After that you will be called the city of righteousness, A faithful city. Zion will be redeemed with justice and her repentant ones with righteousness.”* Isaiah 1:26-27 NASB 1995.

Advancing Life Liberty and Justice in Him,



Allan E. Parker  
President  
The Justice Foundation  
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P.S. I believe the most appropriate case to bring this issue to the Court could be defining abortion as “the termination of the life of a separate, living, unique human being.” This has already been adopted by the states of South Dakota and Missouri. It has already survived an attack by Planned Parenthood that the statement was false and misleading information. Instead, the Eighth Circuit Court of Appeals said that

this definition was scientifically accurate, not misleading or false, and relevant to a woman's decision to abort or not. So, if that definition is adopted by any state or the federal government and the case gets to the Supreme Court, the Court that honestly looks at history will find that every child in the womb is a member of the species *Homo sapiens*, and therefore is protected by the Right to Life twice under the Constitution, even before birth. But as with reversing *Roe*, a variety of cases is the best strategy.