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## HOW I VOTED: ULTRASOUND (ABORTION) BILL

### FOR (Primary Co-Sponsor)

The attacks on South Carolina's Informed Choice Bill, which requires women to review an ultrasound prior to having an abortion, have been merciless --- and not supported by reality. A reasoned defense is in order. I co-sponsored and helped write this bill.

Labeling this bill as a right-wing fundamentalist rant allows opponents to attack the position - and its proponents - instead of defending their own. Certainly some may support the bill on religious grounds alone, and there is nothing wrong with that by any means, especially given the moral implications of abortion. However, there is an additional philosophical underpinning, regularly ignored by opponents, not so easily dismissed.

I am a traditional conservative. I do not believe that it is government's business to tell us how to live our personal lives. I believe that it is the primary purpose of government to ensure the exercise of our personal freedoms, with the corollary that such exercise of those freedoms by some does not prejudice the free exercise by others.

Abortion, however, is one of the few realms where that strong philosophy does not provide clear guidance. Otherwise sharp concepts of personal liberties become tangled and murky when dealing with abortion. **Simply put, whose individual liberties take priority: those of the mother, or the unborn child?**

Given that philosophical dilemma, the intertwining of the most basic human interests, the current lack of consensus on when life begins, and the heavy individual moral component that must inevitably fill the void, it is perhaps understandable that we allow the individual --- in this case the mother --- choose for herself whose rights will be protected. However, given the arguably unparalleled level of control that we give to one person over the fate of another in such a circumstance, it is not unreasonable to require the mother to make such a decision after considering the very best information available. In doing so, requiring an ultrasound is not unduly burdensome, but proportional to the gravity of the act.

In arriving at that conclusion, I was guided in large measure by the facts, many of which the opponents were unaware, or chose to ignore. For example, some suggest that there is no

evidence that this bill would reduce the number of abortions. To the contrary, we heard testimony from health care providers that roughly 80% of women who see an ultrasound of their unborn child choose, *of their own free will*, not to have an abortion. There was also compelling testimony from women who had had an abortion, in part, because they believed the “conventional wisdom” at the time that a fetus was a non-viable mass of cells. Only later in life, when they had been exposed to an ultrasound related to a later pregnancy, did they come to see exactly the condition of the unborn child they aborted. In other political realms, the grief that such an ill-informed decision caused these women would elicit an unopposed call for legislative action.

It is also important to note that ultrasounds are already performed in almost all abortions in South Carolina. This is typically done by the doctor or the clinic in order to confirm the gestational age of the fetus. So, the law would not require any additional procedure --- or any additional costs -- - on top of what is being done already. All this law would change is that that ultrasound picture would need to be reviewed by the mother prior to the abortion.

Opponents clamor that, in the practical enforcement of this law, South Carolina will move into a realm of forced emotional terror. However, this requirement will be enforced exactly as our current abortion law has been for a decade (she already is required to review other information before the procedure), without societal meltdown or individual torment: a woman will be required to sign a document. Whether she looks at the ultrasound for 2 seconds, 2 minutes, or even opens her eyes at all, is up to her. Every person in this country signs “informed consent” documents before a surgical procedure, without anyone holding a gun to our heads making sure we actually read or understand. The objection, as is so often the case in this realm, is no more than a diversion.

Abortion is legal in large part because the conventional wisdom is that life does not begin at conception. While I strongly disagree with that conventional wisdom, I recognize that given the level of technology 30 years ago, it is perhaps not surprising. This bill, however, requires those seeking an abortion today to challenge that conventional wisdom for themselves, and for their unborn child.

This bill is easy to attack on spurious grounds. However, its logic and its sentiment are sound and constitutionally justifiable.