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## JOSEPH FARAH BETWEEN THE LINES



WORLDNETDAILY EXCLUSIVE COMMENTARY

### Why abortion is still illegal

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NEW YORK -- The average American has been programmed to believe that abortion, under most circumstances, is legal in America.

I've got news for you. It's not.

No matter what the U.S. Supreme Court decided in Roe v. Wade in 1973 or in subsequent rulings, abortion is illegal and unconstitutional, and I will prove it to you in this column.

Before I begin, however, let me explain that I got to thinking about this life-and-death issue after viewing a new video documentary called "[Baby Parts for Sale](#)," [now available through WorldNetDaily's online store](#). I highly recommend it -- if you have a strong stomach.

I don't believe any person with a conscience could watch this video and think about abortion in the same way again. It's that powerful. It tells the gruesome story of how abortion has become a major industry in this country and how trafficking in baby parts is a worldwide big business as a result.

But I digress. Let's get back to my main point. Abortion is still illegal.

To understand why, you must begin by doing something few Americans bother with anymore -- reading the preamble to the U.S. Constitution.

"We the people of the United States, in order to form a more

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perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America," it says.

Important words all. But I want you to focus right now on those to whom this document applies. Who are the subjects and beneficiaries of the Constitution, as stated clearly in the preamble?



The answer? "... to ourselves and our posterity. ..."

The word "ourselves" in this context refers to those men who wrote it -- and to their generation of Americans.

"Posterity," which literally means "descendants" or all succeeding generations, refers, in this context, to all those Americans *yet unborn*.

Is your great, great, great, great granddaughter your posterity? Absolutely. Is she born yet? Absolutely not. Does the fact that she is not yet born make her any less your posterity? No.

Now, specifically what rights are ascribed by the Constitution to ourselves and our posterity?

"Amendment V: 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 offense 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."

Clearly, the Fifth Amendment establishes that our posterity -- those yet unborn -- shall not be deprived of life without due process. Bingo!

This same principle was contained in the Declaration of Independence:

"We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the pursuit of Happiness."

Life is an unalienable right, which means man can't take it away through laws or through Supreme Court decisions. And just so there is no confusion about this being a limitation only

on the federal government, check out the 14th Amendment:

"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."

Tell me, where is due process for those unborn children sentenced to death while still in the womb?

Some abortion advocates have tried to suggest that *Roe v. Wade* -- an arbitrary and capricious attempt by the Supreme Court to exceed its constitutional limitations and legislate -- is itself the due process for unborn babies.

Once again, however, the Constitution trumps that poor excuse for an argument.

"Amendment VI: In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the state and district wherein the crime shall have been committed; which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense."

*Roe v. Wade* is, thus, a sham -- a house of cards. It was an artificial attempt to make abortion a right by citing a "right of privacy" that is itself nowhere to be found in the Constitution. *Roe v. Wade* created rights where none existed and abrogated those that were enshrined as unalienable.

I rest my case.

But I will not rest entirely until this nation is awakened to abortion as both a national tragedy as well as a constitutional threat to all of our God-given rights -- as well as an endangerment to the lives and liberties of our posterity.

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*Editor's note: Joseph Farah strongly recommends purchasing the video documentary ["Baby Parts for Sale"](#) from the WorldNetDaily online store.*

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*Joseph Farah is editor and chief executive officer of WorldNetDaily.com and writes a daily column.*




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