Justice Gone Mad in Mandating Judicial Bypass for Minor's Abortion

No reasonable person would fail to conclude that any parents who told their underage daughter that she may allow an adult to invade her body without first notifying them (and receiving their express consent), would be deemed as unfit parents, if not also as being guilty of the crimes of intentional (or negligent) child abuse or endangerment. Traditionally, parents have a near absolute, "affirmative duty" to always act in their minor children's best interests. So, it seems to me that any person who would vote "no" on a California ballot measure requiring parental notice (and also their express consent) before a minor can obtain an abortion, is, in effect, voting to legalize (or to keep as legal) the status of being unfit parents. This is beyond mere stupidity; it is sheer madness.

This whole lack of parental abortion notice derives from nothing more than the U.S. Supreme Court's dubious premise that otherwise fit, religious, anti-abortion parents may not always be capable of acting in their minors' best interest when it involves abortion. That premise, itself, unconstitutionally assumes that religious reasons for opposing abortion can be unsound when compared to the private opinion of some civil judge's non-religious-based opinion that an abortion is in the best interest of the minor. Why, here, the Constitution dictates that secular or non-religious-based opinions necessarily trump religious-based opinions is conveniently never addressed by our Supreme Court. This is beyond judicial arrogance (though such arrogance is indeed hideous). It is sheer judicial madness. (See, e. g., Wisconsin v. Yoder (1972), 406 U S 205,233-34: parental duty to prepare children for life must be taken to include the inculcation of moral and religious beliefs.)

Oh, I am fully aware that it is currently very popular to attack religious bodies for their past bad practices. For example, law professor, Bruce J. Einhorn, in his *Holy Terror* (LADJ, Weds., Feb. 28. 2007, p.6) decries the many pogroms carried out under the auspices of a state-recognized religion (or at least without protest from the religious leaders or those in the know of the particular religion), with particular examples being Judaism and Christianity: "The people of the Book – of the Ten Commandments [and] Gospel ... were no different in making the earth scream with the blood of the decimated." And yet, when religious bodies actively protest against abortion as a pogrom against the conceived unborn, they are told to keep their religious views to themselves.

I maintain that "abuse does not take away use". If it were otherwise, we would be left with no worthwhile democratic institutions. As observed by Alan Jacobs, in his *Original Sin: A Cultural History* 236 (2008): "The doctrine of original sin stands in judgment of *every* political system. This happens, in part, because [so many] sinful human individuals lack the will to resist the transformation of all social orders – past, present, and future – into something corrupt….Even people who in their daily lives do little harm will, nevertheless, allow great harm to be done by their institutions."