

## The Lessons of a Miscarriage: The Constitution on Abortion

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Described as bigotry making a comeback in the new Constitution, the Author exposes the various ramifications of Section 12, Article II which provides that the State "shall equally protect the life of the mother and the life of the unborn from conception." Simply, he refers to the same as the right to abort (and not to abort), as relating to the right to privacy. He begins by tracing the history of the right to privacy in American Jurisprudence, citing the controversial cases of *Roe v. Wade* and *Eisentadt v. Baird* among others, followed by a recall of the deliberations of the 1986 Constitutional Commission on the topic of abortion.

Mainly, he contends that the above-quoted provision smacks of infringement of the right to privacy as protected by the due process and equal protection of law clause. Thus, the Author maintains that the Constitution is not a moral but an amoral document if it is to equally protect. For this reason, the fundamental law of the land cannot be validly invoked to justify interference with an individual's moral choices.