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30 Years After Roe v. Wade, How About Choice for Men?

By Glenn Sacks

On January 22, 1973, the United States Supreme Court eliminated a checkerboard of state laws on reproductive freedom and guaranteed American women choice throughout the country. Thirty years later, American men are still waiting for the same right.

When a woman gets pregnant she has the right to decide whether or not to carry the baby to term, and whether to raise the child herself or to give it up for adoption. In many states she can even terminate all parental responsibility by returning the baby to the hospital within a few weeks of birth. Yet if she decides she wants the child, she can demand 18 years of child support from the father, and he has no choice in the matter. When it comes to reproduction, in America today women have rights and men merely have responsibilities.

Certainly nobody should be able to dictate to a woman what she can and cannot do with her own body, thus the feminist slogan "My Body, My Choice." Yet our current laws allow a woman to dictate to a man what to do with *his* body. The average American father works a 51-hour work week, one of the longest in the industrialized world. It is men, overwhelmingly, who do our society's hazardous and most strenuous jobs, and nearly 50 American workers--mostly men--are injured every minute of the 40-hour work week. Can anybody deny that the sacrifices required to pay 18 years of child support take a heavy toll on a man's body, too? Where's *his* choice?

Feminists are legitimately concerned that, if abortion were banned, the government would be exercising control over a very intimate and important part of a woman's life. But when a woman forces a man to be responsible for a child only she wants, and when the state child-support apparatus takes a third or more of his income and jails him if he comes up short, isn't the government exercising control over *his* life?

The "Choice for Men" movement seeks to give fathers the right to relinquish their parental rights and responsibilities within a month of learning of a pregnancy, just as mothers do when they choose to give their children up for adoption. These men would be obligated to provide legitimate financial compensation to cover pregnancy-related medical expenses and the mother's loss of income during pregnancy. The right would only apply to pregnancies which occurred outside of marriage, and women would still be free to exercise all of the reproductive choices they now have.

Advocates of Choice for Men note that over 1.5 million American women legally walk away from motherhood every year by either adoption, abortion, or abandonment, and demand that men, like women, be given reproductive options. They point out that, unlike

women, men have no reliable contraception available to them, since the failure rate of condoms is substantial, and vasectomies are impractical for young men who plan on becoming fathers later in life.

Since there are long backlogs of stable, two-parent families looking for babies to adopt, there is no reason why any child born out of wedlock to unwilling parents would be without a good home. In addition, if women knew that they could not compel men to pay to support children they do not want, the number of unwed births (and the social problems associated with them) would be reduced.

Some of those who fought for women's reproductive choices support choice for men. Karen DeCrow, former president of the National Organization for Women, writes:

"If a woman makes a unilateral decision to bring a pregnancy to term, and the biological father does not, and cannot, share in this decision, he should not be liable for 21 years of support ... autonomous women making independent decisions about their lives should not expect men to finance their choice."

To date, courts have refused to respect men's reproductive rights even in the most extreme cases, including: when child support is demanded from men who were as young as 12 when they were statutorily raped by older women; when women have taken the semen from a used condom and inserted it in themselves, including from condoms used only in oral sex; and when a woman has concealed her pregnancy from her former partner (denying him the right to be a father) and then sued for back and current child support eight or ten years later.

The National Abortion Rights Action League (renamed "NARAL Pro-Choice America" on January 1 of this year), has been in the forefront of the struggle for choice for women for over three decades. They explain that "the essence of America is the right to determine the course of one's life, to make one's own choices and shape one's own destiny. A woman's freedom to choose is integral to that concept of liberty." Fine words, but is there one of them which does not apply equally to men? Shouldn't men have a choice, too?

This column first appeared in the *Mail & Guardian*, published in Johannesburg and Cape Town, South Africa.

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