

AlbertMohler.com

A New Experience — I Agree with Michael Kinsley

Friday, November 18, 2005

Michael Kinsley, a prolific liberal thinker now associated with *The Los Angeles Times*, is a writer with whom I rarely agree. He's smart and articulate (he was the founding editor of *Slate* magazine), but he can also be infuriating.

So, when I saw his latest column published at *The Washington Post*, "[What Abortion Debate?](#)," I was prepared to disagree. I was wrong. Even though Mr. Kinsley and I hold assuredly divergent positions on the issue of abortion, I am in complete agreement with his point that we need a real national debate on the issue.

Mr. Kinsley takes the nomination of Judge Samuel Alito to the U.S. Supreme Court as his starting point, arguing that the Senate is engaged in a massive effort to avoid actually talking about abortion — even though this is the real issue of concern. Both sides prefer to talk in legalese about respect for court precedents, but that is just a smokescreen for the real debate — and the real debate never happens.

From his column: *These days, the vital importance of respecting past Supreme Court rulings is an urgent talking point for Democratic operatives, liberal talk-show hosts and senators feeling their way toward a reason to oppose Supreme Court nominee Samuel Alito. Olympia Snowe, a liberal Republican from Maine, said Wednesday that Alito's respect for precedents will be "the major question" in her decision on whether to support him.*

The major question for Snowe and other liberal senators actually is not respect for judicial precedents. The major question is abortion. They want to know whether Alito would vote to overturn Roe v. Wade. But by the absurd unwritten rules of these increasingly stylized episodes, they are not allowed to ask him and he is not allowed to answer. So the nominee does a fan dance, tantalizing the audience by revealing little bits of his thinking, but denying us a complete view. And senators pretend, maybe even to themselves, that they really care about precedents and privacy in the abstract.

As Mr. Kinsley points out, liberals did not complain when the Supreme Court reversed a major precedent in 2003, striking down a Texas law against sodomy. In *Lawrence v. Texas* (2003) the high court reversed its precedent set in *Bowers v. Hardwick*, decided in 1986. *Bowers* upheld the constitutionality of laws against sodomy — *Lawrence* reversed this precedent. Liberals were thrilled. So — where was the concern for "respecting" court precedents?

Mr. Kinsley wants the nation to have a real debate over the issue of abortion. I agree. It's high time we stopped playing games. The American people must demand a genuine debate on this issue — and the pro-life community must be ready for this challenge.

Content Copyright © 2002-2010, R. Albert Mohler, Jr.

