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www.afgazad.com

afgazad@gmail.com

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Kate Randall

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Right-wing media, politicians seize on Ohio child's pregnancy to promote reactionary anti-abortion agenda

A 27-year-old man was arraigned Wednesday in Franklin County Municipal Court in Columbus, Ohio, where he was charged with the rape of a child under 13 years of age, a felony that can carry a sentence of life in prison. The accused, Gershon Fuentes, is being held on \$2 million bond. The man has confessed to raping a 10-year-old girl at least twice, resulting in her pregnancy.



Ohio Attorney General Dave Yost speaks in Columbus, Ohio, on Feb. 20, 2020. [AP Photo/Julie Carr Smyth]

The young girl's pregnancy came against the backdrop of the US Supreme Court's June 24 decision in *Dobbs v. Jackson Women's Health Organization*, which struck down the 1973 landmark decision of the high court in *Roe v. Wade* upholding the constitutional

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right to abortion. The ruling by the high court's right-wing majority returned the power to the states to define abortion rights or restrictions.

The reactionary ruling opened the way for states with anti-abortion "trigger laws" in place to severely restrict or outlaw abortion. As one of these states, Ohio now bans abortions after six weeks of pregnancy, or when a "fetal heartbeat" can be detected. The ban does not allow exceptions for rape or incest but only in cases of a threat to the life of the mother or her "severe compromised physical health."

As the Ohio child's pregnancy was determined to be of six weeks and three days' gestation, she was not eligible to receive an abortion in her home state. She was reportedly taken by her mother to Indiana, where the procedure is legal up to 22 weeks, to receive a medical abortion on June 30.

The girl's case was first reported July 1 by the *Indianapolis Star*, which said that an Indianapolis obstetrician-gynecologist who performs abortions, Caitlan Bernard, received a call from "a child abuse doctor" in Ohio who had a 10-year-old patient in need of an abortion. The *Star* reported that "the girl soon was on her way to Indiana to Bernard's care."

Rather than provoking sympathy for the plight of the young girl and her family, the *Star's* story was met by howls of "fake news" by the conservative print media, Fox News hosts and right-wing elected officials. Surely, they argued, the article could not be true and must be the work of fanatical abortion rights advocates seeking to push their agenda.

These forces were particularly incensed that President Joe Biden had referred to the case during his remarks on his toothless executive order on reproductive rights on Friday, July 8. The next day, the *Washington Post* published an article by its fact checker Glenn Kessler, which began, "This is the account of a one-source story that quickly went viral around the world—and into the talking points of the president."

On Monday evening, July 11, Fox News' Jesse Watters said that if the story was not accurate, the mainstream media and Biden would be "seizing on another hoax." The following night, Fox's Tucker Carlson proclaimed the story "not true." Along the bottom of the screen ran banners like "Media Ran with Story of 10-year-old Pregnant Girl."

Appearing Monday on Fox News, Ohio Attorney General Dave Yost, a Republican, said he had heard “not a whisper” from law enforcement in Ohio about any reports or arrests made in connection with the case. Republican US Rep. Jim Jordan tweeted in reaction, “Another lie. Anyone surprised?” The tweet has since been deleted.

After the story was proven to be true, Watters preposterously tried to take some credit for Fuentes’ arrest, which had already been in progress before his reactionary comments. Alongside a graphic that read, “Justice Served,” Watters said, “‘Primetime’ covered this story heavily on Monday, put on the pressure, and now we’re glad that justice is being served.”

Watters brought Indiana Attorney General Todd Rokita (Republican) on his show, who is calling for an investigation of the doctor who provided abortion care to the girl from Ohio with the aim of stripping her of her license. According to documents obtained by numerous news outlets, however, Dr. Bernard not only filed a terminated pregnancy report but filed the report within the required timeframe.

On Tuesday, July 12, the *Wall Street Journal* penned an editorial headlined “An Abortion Story Too Good to Confirm.” After quoting Biden, who said, “Ten years old. Raped, six weeks pregnant. Already traumatized. Was forced to travel to another state. Imagine being that little girl,” the *Journal* wrote, “The tale is a potent post-*Roe* tale of woe for those who want to make abortion a voting issue this fall. One problem: There’s no evidence the girl exists.”

The *Journal* expressed outrage that “so far no one has been able to identify the girl or where she lives” (do they think she should be publicly named?) and feigned concern that Dr. Bernard failed to say where the alleged crime occurred or identified the Ohio doctor who referred the case. “Medical professionals,” they write, “have a duty to report child rape to law enforcement.”

Following the arrest, the *Journal* posted a single-paragraph “Editor’s note” above the July 12 editorial which noted a man had been charged, admitting that the girl had indeed traveled to Indiana for an abortion and that “police were made aware of the pregnancy through a referral to local child services by the girl’s mother on June 22.”

The newspaper followed up with another editorial on Thursday, July 14, headlined “Correcting the Record on a Rape Case,” in which it attempted to defend its previous stance by saying, “The *Star*’s story was based on a single source and provided no other confirmation.” As if this could justify the despicable claim in the earlier editorial that the horrific story of the 10-year-old girl forced to travel out of state for an abortion resulting from rape was a fabrication!

As for Fox News, now that its claims that the story was “lies” and “fake news” have been disproven, they have shifted gears to combating “illegal immigration.” They say an ICE source has told them that the accused, Fuentes, a Guatemalan national, is undocumented.

Echoing Trump’s xenophobic rant during his first presidential bid that immigrants are “selling drugs, they’re rapists,” Rep. Roger Williams, Republican of Texas, commented on the case, “Where’s the conversation about an illegal person doing this? How do you defend this? How do you defend this guy who came over illegally, and we’ve got 5 million of them over here?”

Ohio Attorney General Yost claimed initially that “there is not a scintilla of evidence” that the raped child had to travel to Indiana for an abortion. Once news of the arraignment of the Columbus man came out, he issued a single sentence statement: “We rejoice anytime a child rapist is taken off the streets.”

Yost said Monday on Fox News that the Ohio girl actually may not have had to leave the state to get an abortion, attempting to paint the state’s law as being less draconian than it is.

Rep. Jean Schmidt, Republican of Ohio, is the sponsor of legislation that would make “promoting” abortion—making, selling or distributing drugs or devices used to perform “illegal” abortions—a misdemeanor crime.

Schmidt said in an interview on talk radio earlier this week that the legislation could be used to target companies, including some in Ohio, that have announced they will cover the costs of employee travel to seek an abortion. “I do believe we have the votes in both chambers, and we have the full support of the governor on this bill,” she said.

On Thursday in the US Senate, Senator James Lankford, Republican of Oklahoma, blocked a Democratic request to unanimously pass a bill seeking to protect interstate travel for abortion, as well as to protect health care providers who provide abortions to out-of-state patients. “Does that child in the womb have the right to travel in their future?” Lankford asked. “Do they get to live?”

Politico reported Thursday that according to the general counsel for the National Right to Life Committee, under a model law written for state legislatures considering more restrictive abortion measures, the 10-year-old Ohio girl who crossed state lines to receive an abortion in Indiana would have been required, i.e., forced by law, to carry her pregnancy to term.

Jim Bopp, an Indiana lawyer who authored the model legislation, told *Politico*, “She would have had the baby, and as many women who have had babies as a result of rape, we would hope that she would understand the reason and ultimately the benefit of having the child.”

Such fascistic statements make clear the reactionary, far-reaching ramifications of the Supreme Court’s *Dobbs* decision. A 10-year-old girl, who is not anatomically mature to carry a child to term and give birth, would be forced to do so, risking her very life, not to mention her mental well-being.

According to the Guttmacher Institute, a research organization that supports abortion rights, more than 7,000 girls aged 14 or younger in the US were pregnant in 2013. About half of those pregnancies were terminated through abortion. Laws are now on the books in numerous states preventing such abortions from taking place and compelling young girls to carry their pregnancies to term.

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