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Alveda King Asks Supreme Court to Overturn Roe v. Wade

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Liberty Counsel [filed](#) an amicus brief on behalf of a diverse group of organizations, churches, religious leaders, and individuals, including 70,000 African American and Hispanic churches and millions of African Americans and Hispanic Americans across the

United States, who are asking the U.S. Supreme Court to overturn *Roe v. Wade* because legalized abortion is unconstitutional, violates the right to life, and supports racist eugenics.

Liberty Counsel represents Rev. Samuel Rodriguez and the National Hispanic Christian Leadership Conference; Chairman Dean Nelson and the Frederick Douglass Foundation; Rev. Alveda King, the niece of Rev. Dr. Martin Luther King, Jr., and Speak for Life; the Catholic Diocese of Tyler, Texas; Bishop Joseph Edward Strickland; Deacon Keith Fournier, Esq., General Counsel for the Catholic Diocese of Tyler, Texas; and the Common Good Foundation. This broad group of African Americans, Hispanics, Roman Catholics, and Protestants join together in support of Mississippi requesting the U.S. Supreme Court to overturn the 1973 abortion opinion of *Roe v. Wade* and its subsequent abortion cases.

Last May, the U.S. Supreme Court agreed to hear *Dobbs, MS Health Officer, et al. v Jackson Women's Health, et al.*, which is asking the Justices to reexamine the viability standard decided in *Roe v. Wade* from 1973, *Planned Parenthood of Southeastern Pennsylvania v. Casey* in 1992, and *Whole Women's Health v. Hellerstedt* in 2016. Mississippi's attorney general has asked the High Court to overturn the landmark abortion decision *Roe v. Wade* and argued that the practice shouldn't be considered a constitutional right. The case is expected to be argued when the Supreme Court's term starts in October, and a decision is likely to come by June of 2022.

The Mississippi law was previously blocked by a federal judge shortly after its passage, and the Fifth U.S. Circuit Court of Appeals upheld that decision last year, citing the precedent set by *Roe v. Wade*. Under existing Supreme Court precedent, states may not ban abortions that occur prior to fetal viability, generally around 22 weeks or later. However, Liberty Counsel's amicus brief in *Jackson v. Dobbs* emphasizes the fact that the lower courts failed to contemplate the racist and eugenic history of the abortion movement and that abortion is largely a minority epidemic.

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Starting with Charles Darwin, contraception and abortion were used to accomplish his racist and white supremacist ideology and eugenic theories. In his book, *The Origin of Species by means of Natural Selection or the Preservation of Favoured Races in the*

Struggle for Life. (emphasis added), the full title clearly sets forth his racist ideology to eliminate certain races and people.

In Austin Anderson's 2016 article, "The Dark Side of Darwinism," he discusses Darwin's second book, *The Descent of Man*, in which Darwin [describes](#) "Australians, Mongolians, Africans, Indians, South Americans, Polynesians, and even Eskimos as 'savages.' It becomes clear that Darwin considers every population that is not white and European to be savage and that white people are more intelligent and moral. In fact, not only did Darwin believe in white supremacy but that white people are further evolved. This purported superiority justified to Darwin the extermination of these inferior races. Darwin wrote that as white Europeans 'exterminate and replace' the world's 'savage races,' and as great apes go extinct, the gap between civilized man and his closest evolutionary ancestor will widen. In fact, the gap will eventually be between civilized man 'and some ape as low as a baboon, instead of as at present between the negro or Australian and the gorilla.'"

Therefore, "Darwin's theory claims that Africans and certain Australians are more closely related to apes than Europeans and blacks fall somewhere in between. In his racist thinking, Darwin believed modern human society should be restricted only to white Europeans, with all other races viewed as sub-human."

In the infamous 1927 case of *Buck v. Bell*, the Supreme Court shamefully adopted this racist eugenic ideology promoted by Social Darwinists. In *Buck*, the High Court approved the compulsory sterilization of an allegedly "feeble minded" woman who had been falsely adjudged "the probable potential parent of socially inadequate offspring." In a short opinion, Justice Oliver Wendell Holmes, Jr., joined by seven other Justices, issued an opinion applying Social Darwinism to uphold the Virginia law as a means to "prevent" society from being "swamped with incompetence." According to this Court:

"It is better for all the world, if instead of waiting to execute degenerate offspring for crime, or to let them starve for their imbecility, society can prevent those who are manifestly unfit from continuing their kind. The principle that sustains compulsory vaccination is broad enough to cover cutting the Fallopian tubes. **Three generations of imbeciles are enough.**"*Ibid.* (citation omitted) (emphasis added).

The *Buck* decision had a profound impact on the eugenics movement. Within five years, 28 states had adopted compulsory sterilization laws; and between 1907 and 1983, more than 60,000 people were involuntarily sterilized.

When keeping certain “undesirable” child-bearing people in sanitariums became too expensive, the eugenics movement turned to contraception to accomplish the same purpose.

Enter Margret Sanger, who opened contraception clinics in minority neighborhoods. Fueled by the 1973 *Roe v. Wade* decision, Sanger then planted abortion facilities in black and brown neighborhoods to eliminate these races and carry on its racist eugenic objectives. Planned Parenthood—the largest abortion provider in the United States—has continued its founder Margaret Sanger’s legacy of eliminating or preventing unborn children based on race, sex, and disability. Sanger shared the same worldview of eugenics as Charles Darwin and Adolf Hitler, and she saw abortion as a tool to help accomplish population control and to weed out the “undesirable” races and people to evolve a better human race. She argued that eugenics was “the most adequate and thorough avenue to the solution of racial, political and social problems.”

Sanger [stated](#), “More children from the fit and less from the unfit. That is the chief aim of birth control,” and “Superman is the aim of Birth Control.” She once gave a talk to the KKK and helped promote the “Negro Project.” In her own words, “[Birth control] means the release and cultivation of the better racial elements in our society, and the gradual suppression, elimination and eventual extirpation of defective stocks— those human weeds which threaten the blooming of the finest flowers of American civilization.”

In a letter to Clarence Gable in 1939, Sanger wrote: “We do not want word to go out that we want to exterminate the Negro population, and the minister is the man who can straighten out that idea if it ever occurs to any of their more rebellious members.”

Abortion-induced deaths of the unborn in the black community are 69 times higher than HIV deaths, 31 times higher than (all other) homicides, 3.6 times higher than cancer-related deaths, and 3.5 times higher than deaths caused by heart disease. The Centers for Disease Control and Prevention (CDC) [reported](#) that 117,626 black children were killed by surgical abortion in the U.S. in 2018, and these deaths accounted for 33.6 percent of the total abortions that year.

Planned Parenthood [commits](#) 40 percent of abortions in the United States, which includes death by abortion of an [estimated](#) 247 black [babies](#) per day. In Mississippi alone, 3,005 abortions were reported in 2018. Of those abortions, 72 percent were performed on black

women, compared to just 24 percent on Caucasian women and 4 percent of other races. In fact, the Charlotte Lozier Institute estimates that the black abortion rate in Mississippi is more than three-and-a-half times the abortion rate for Caucasian women.

In one [study](#), “[Perceiving and Addressing the Pervasive Racial Disparity in Abortion](#),” authored by researchers with the Charlotte Lozier Institute (CLI), using abortion reporting data from the CDC, found that, despite incomplete reporting — particularly from states with large populations of minority women that perform significant numbers of abortions — “black women have been experiencing abortions at a rate nearly four times that of white women for more than 30 years...The evidence is clear that for many decades black children in the United States have not had, and do not have today, an equal opportunity to survive until birth,” the researchers said.

Planned Parenthood has now intentionally [located](#) 86 percent of its abortion facilities in or near minority [neighborhoods](#) in the 25 U.S. [counties](#) with the most abortions. These 25 counties contain 19 percent of the U.S. population including 28 percent of the black population and 37 percent of the Hispanic/Latino population. In 12 of these counties, blacks and Hispanics/Latinos are more than 50 percent of the population. In contrast, blacks are only 12.6 percent of the U.S. population, and Hispanics and Latinos are 16.3 percent. Planned Parenthood’s largest abortion facility in America is situated in the middle of a black and Hispanic neighborhood within walking distance of a nearby school.

The late Supreme Court Justice Ruth Bader Ginsburg said: “[A]t the time *Roe* was decided, there was concern about population growth and particularly growth in populations that we don’t want to have too many of. So that *Roe* was going to be then set up for Medicaid funding of abortion.”

In 2019, Justice Clarence Thomas also confirmed Planned Parenthood’s eugenic history in *Box v. Planned Parenthood of Indiana and Kentucky Inc.* Justice Thomas wrote in his concurring opinion, “The use of abortion to achieve eugenic goals is not merely hypothetical. The foundations for legalizing abortion in America were laid during the early 20th-century birth-control movement. That movement developed alongside the American eugenics movement. And significantly, Planned Parenthood founder Margaret Sanger recognized the eugenic potential of her cause. She emphasized and embraced the notion that birth control ‘opens the way to the eugenicist.’”

Justice Thomas also noted that Planned Parenthood has its roots in the eugenics movement when he wrote: “But Sanger’s arguments about the eugenic value of birth control in securing ‘the elimination of the unfit,’ ... apply with even greater force to abortion, making it significantly more effective as a tool of eugenics. Whereas Sanger believed that birth control could prevent ‘unfit’ people from reproducing, abortion can prevent them from being born in the first place. Many eugenicists therefore supported legalizing abortion, and abortion advocates—including future Planned Parenthood President Alan Guttmacher— endorsed the use of abortion for eugenic reasons.”

Liberty Counsel Founder and Chairman Mat Staver said, “The U.S. Supreme Court’s decision to hear this Mississippi case is a positive step toward overturning the tragic abortion decision of *Roe v. Wade*. Abortion is rooted in racism and eugenics to eliminate certain races and people. Planned Parenthood continues Margaret Sanger’s legacy of eliminating unborn children based on their race. The dark racist eugenic history of the Supreme Court must end. The High Court must overturn its shameful abortion decisions. Our clients call upon the U.S. Supreme Court to overturn *Roe v. Wade* and stop this racist genocide.”



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