Should Crime be Legalized?

by Johnson C. Philip, India

"Legalization" is a catchword these days. Every deviant group or movement is fighting to gain respectability and protection that comes through legal sanction of their actions. While the desire of a culprit to protect his interest is not unusual, what surprises one is the condoning actions of the uninvolved people.

It is common to hear people saying, "they will be doing it anyway, so why not make it legal and reduce the trauma." The statement comes in many shapes and colors, but the essential message is the same — give legal sanction to do it, and it will solve the problem.

Of the several messages subtly propagated by this statement, three stand out prominently. First, they are going to do it anyway. Second, it would be given legal sanction. Third, this will solve the problem. According to this argument, if abortion is legalized it will not only eliminate back-alley abortions, but also solve the problem. The picture is rosy, but the reality is not.

First of all, people are going to do a lot of illegal things anyway. But this does not mean that their outrage should be given legal sanction. Neither the presence of a crime, nor the practice of it by a large number of persons, makes it a non-crime in any civilized society — which is the legalizers demand! Applying the argument of the pro-abortion lobby to other crimes can make the subject more clear. Thus, mugging, kidnapping, robbery, arson, prostitution, rape and pornography will take place anyway, but does it mean that they should be given legal sanction?

Legal sanction does not solve the problem, but only compounds it by granting it respectability in the eyes of the law. What was a crime till yesterday becomes a right. The criminal is labeled "normal" and by implication the victim becomes the criminal.

Further, legalizing a criminal or questionable activity does not in any way eliminate what was going on in the back alleys! Of course many back alley operations close down, but only to surface through the legally sanctioned outlets.

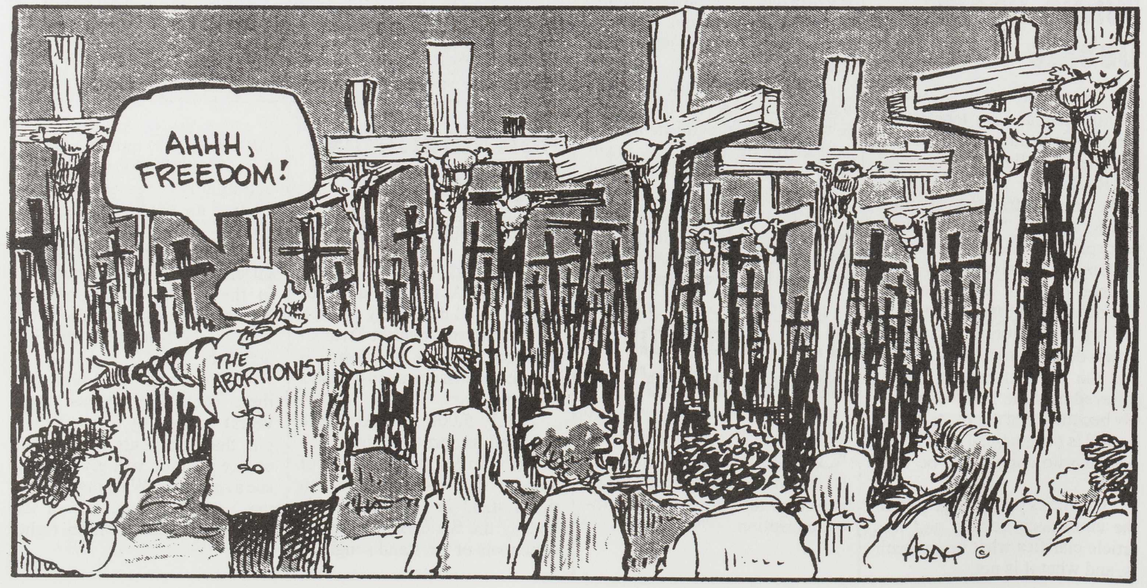
Legalized abortion is the best example of the above contentions. It is true that people do not need to go illegally run mills in those countries where abortion has been legalized, but this has not completely shut down illegal clinics. This implies that illegality is a necessity for some even when a criminal activity is legalized. Thus, legalizing will not eliminate back alley operations completely.

Since the abortionists are united into a caucus, they see to it that information detrimental to their cause is not published. Still, enough information is available in medical publications to support my contention that legalization has not solved the problem. For example, the former USSR legalized abortions in 1955, and before its disintegration, it had six to seven million legal abortions per year. But what is revealing is that just before breakup, it was having as many as one to three illegal abortions for each one considered legal!

Further, reports published all over the world show that clinics having a legal status are now indulging in back alley operations like deceiving and cheating the customers. It has been reported that most clinics treat the subject in a business-like manner, viewing the woman as the customer that brings in high levels of profit. Most clinics do not offer any counseling except what aggravates their fear, play upon the fear of the women to sell abortions, and even trap many who are not pregnant to undergo abortion procedures! Tax cheating on incomes to the tune of millions of dollars has also been alleged.

The third argument — that legalizing will make it more pleasant for everyone — is also as false as the two earlier arguments. Sociological studies of women in countries where legalized abortion has been available does not show any "joy." According to reports, women are still killed, injured or maimed in the legally operated clinics. First trimester abortions are not free from complications or trauma, contrary to what they tell. And women still suffer from pain, grief, guilt, anger and depression!

Putting it all together, it is very clear that legalization of abortion has not solved the problem of illegal abortions, has brought back-alley operations into respectable sounding clinics, and has not added a grain of joy to the women who undergo the procedure. The reason is very simple: legalizing a deviant activity neither solves the problem nor erases the pain. The law helps only when it is a guardian, not an accomplice.



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