



Pro-life activists celebrate outside the Supreme Court as the court rules in *Dobbs v. Women's Health Organization* overturning *Roe v. Wade* in Washington, D.C., June 24, 2022. (Evelyn Hockstein/Reuters)

# Nebraska Can — and Must — Stop the Abortion Industry's Latest Initiative

By **BRENNA GRASZ**

Nebraska can be the first state to defeat the abortion industry at the ballot box post-*Dobbs*.

**T**HE abortion industry has been on a mission since the Supreme Court's overturning of *Roe v. Wade* in its *Dobbs* decision. That mission is as simple as it is insidious: It has relentlessly executed a nationally coordinated effort to enshrine abortion as a "fundamental right" in state constitutions by means of initiative and referendum.

Now, fresh off victories even in states such as [Ohio](#), the industry has zeroed in on its next target: Nebraska.

Backed by a coalition of pro-abortion advocacy groups like Planned Parenthood and the ACLU of Nebraska, a petition drive was recently [launched](#) to propose on the 2024 general-election ballot a

constitutional amendment that would create a “right” to abort living, preborn children until the moment of birth.

This latest effort comes when the stakes have never been higher. The ballot initiative’s language on its face is alarming, and its consequences, once understood, are chilling.

First, the initiative’s [language](#) proposes creating a “fundamental right to abortion until fetal viability.”

How would fetal viability be determined? It is left solely to the judgment of the “treating health care practitioner” which, in many cases, would be the abortionist.

The abortionist could be the sole determiner of whether there is “a significant likelihood of the fetus’ sustained survival outside the uterus without the application of extraordinary medical measures.”

What do “significant likelihood” and “extraordinary medical measures” mean to an abortionist? Would a little girl who needs a short stay in the NICU be a candidate for demise? Or a little boy who requires some assistance breathing because his lungs need a few more weeks to mature? The ambiguities create endless potential for “creative” interpretation leading to second- and even third-trimester abortions.

But the language goes further. The abortionist/practitioner would also be the final authority on more exceptions: the life or “health” of the “pregnant patient.”

As we have seen play out for decades, the term “health” has been interpreted by courts to extend far beyond physical health and into the realms of emotional, mental, and familial health. It’s not a stretch to say that economic, social, or financial factors could be viewed by an abortionist as part and parcel of these court-defined “health” exception factors, paving the way for an even broader road to abortion through all nine months of pregnancy.

Under this “health” exception, then, could an abortionist determine that a full-term baby boy can be sacrificed because the mother’s emotional well-being would be affected by caring for a newborn alongside her two-year-old? Or if her family would be inconvenienced by bringing home another baby girl from the hospital?

Yet the language goes further still. Who is conferred this “fundamental right” to abort babies? “All persons” — i.e., both adult women and minors (children). And how? “Without interference from the state or its political subdivisions.” This means that not only are all existing health and safety requirements at risk of elimination by means of lawsuit or constitutional supremacy — such as requirements that an abortion must be performed in person by a licensed physician — but so also are all parental-consent laws.

Thus, a girl trapped in sex-trafficking or an abusive relationship could be made to undergo a risky surgery or ingest chemical-abortion pills, all without the protections procured by parental-notification and -consent requirements.

Clearly, the ballot initiative is an extreme proposal.

The abortion-advocacy groups who will be funding this initiative are not pushing for a “moderate” approach. [Nebraska law](#) currently permits elective abortions until twelve weeks’ gestation and contains clear exceptions for rape, incest, the life of the mother, and medical emergencies. But their goal is not to repeal the twelve-week law and revert to Nebraska’s prior standard of 20 weeks. No, these groups are not here to compromise.

This latest initiative is simply a clear demonstration of the abortion industry's true intentions.

It should come as no surprise, given that organizations advocating for the initiative like Planned Parenthood and the ACLU have historically supported late-term and even partial-birth abortion.

Look past the inundation of false messaging and it becomes unmistakably clear: "Moderate" laws will never satisfy abortion advocates. They will not rest until they achieve abortion on demand through all 40-plus weeks of pregnancy. This, all in the name of "reproductive freedom." And at what cost? The expense of women's safety and babies' lives.

In the coming months, Nebraskans will be subjected to millions of dollars of misleading, fear-mongering advertisements supporting the ballot initiative. But no amount of euphemisms or campaign slogans can disguise the truth and motives behind it.

Neither can the initiative or its supporters answer to the reality of what late-term abortion does to a moving, kicking, thumb-sucking little girl whose heart is beating, whose body is fully formed and who feels pain — pain as her body is ripped apart and right to life is stripped away.

Nebraska voters must confront the reality of this ballot initiative and late-term abortion.

In 2010, Nebraska became the first state to protect unborn babies from abortion at 20 weeks' gestation. The legislation passed with overwhelming support.

In 2024, Nebraska must once again be a beacon of hope for the nation and all its defenseless baby boys and girls.

Yes, Nebraska can be the first state to defeat the abortion industry at the ballot box post-*Dobbs*. Yes, it can defeat this extreme initiative and demonstrate a path forward that embraces women and shows compassion for, and the humanity of, preborn children. It will require strong, united pro-life leadership and a renewed commitment to truth and justice for the least of these among us.

No stone can be left unturned, and no effort can be spared. The integrity of the state's constitution, parental rights, the protection of women, and the very lives of our babies are at stake.

Abortion advocates are not here to compromise. Nebraska must cede no ground.

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