

FREE QUOTE! You Could SAVE Up To 66%
Paying Too Much for Life Insurance?
[Click here for a FREE, no obligation quote from Matrix Direct](#)

We ha
\$10
of t
The Wa

SITE SEARCH

CLASSIFIEDS | ARCHIVES | SUBSCRIBE | CONTACT US | ABOUT TWT

AP BRE

September 10, 2002

DAILY

- Front Page
- Nation/Politics
- World
- Commentary
- Opinion/Editorial
- Metropolitan
- Sports
- Business
- Technology
- Entertainment
- Culture
- Weather

WEEKLY

- Family Times
- Auto Weekend
- Wash. Weekend
- Books
- Home Guide
- Arts
- Nat'l Weekly Edition

MARKETPLACE

- Classifieds
- Gift Guide
- Tourist Guide
- Int'l Special Reports
- Employment Extra

Menace lurking in the bankruptcy bill

Joseph R. Pitts

There is something terribly wrong with America's bankruptcy laws. Despite two of the longest economic expansions in history, consumer bankruptcies have nearly quadrupled since the early 1980s. There is no consensus on why this has happened, but it seems clear that bankruptcy is increasingly being used as a convenient tool for those who want to escape their debt burdens.

After years of hard work, House and Senate negotiators have finally produced a bill that would reform America's dysfunctional bankruptcy system. But I can't support it.

Tucked away in the text of this otherwise good bill is a provision designed specifically to single out and intimidate peaceful pro-life protestors. House conferees attempted to temper this provision in negotiations, but the principle of singling out some protestors for unusually harsh punishment simply because of what they believe is still there. That isn't right.

On Feb. 1, 1961, four African-Americans walked into the Woolworth's on Elm Street in Greensboro, N.C. They weren't supposed to be there. The lunch counter was racially segregated. Sitting at the counter, as they did, was illegal. They did it anyway, because they believed that the cause of defeating racism was worth the consequences. They were vilified by many at the time, though thousands followed their example. Today, the counter they sat at is in the Smithsonian and a statue of the Greensboro Four

- Updated at
- Iraq Chall Evidence
 - FBI Issue Annivers
 - White Ho Qualms S
 - 100 Fears Train Cra
 - Al-Jazeera Heard on

UPI BRE

- Updated at
- Bush: Pos not US jol
 - Arafat der bombings
 - Feds: Bor on cleric's
 - Bank of J asset real
 - Firefighte 9/11 coug
 - Court upg Bible club
 - Feature: l green' figl
 - White Ho is next?

ADVE Intern

- NETHI The N focus: as 'G. Europ
- CAPE Archig reach devel stage
- CHILE South count region

in the Smithsonian and a statue of the Greensboro Four was erected this February at North Carolina A & T State University.

Forty years later there is another controversial cause that inspires some to engage in civil disobedience. According to the left-leaning Alan Guttmacher Institute, approximately 43 percent of American women will have at least one abortion by the time they are 45 years old. Roughly a quarter of all pregnancies end in abortion. These stark facts inspire many Americans to speak out loudly about the rights of the unborn and the violence and irreversible effects of abortion. A smaller number engage in civil disobedience.

Civil disobedience is, more or less by definition, against the law. Sen. Charles Schumer, New York Democrat, however, has decided that some protestors are worthy of particularly harsh punishment simply because of what they believe. He has written a statute to that effect, which is now law: the Freedom of Access to Clinic Entrances Act.

The FACE Act, signed by President Clinton, creates penalties for a person who by "physical obstruction" "interferes" with a person attempting to obtain an abortion. The terminology is extremely broad and could easily include anyone who prays silently outside an abortion clinic.

The FACE Act was a major victory for the pro-abortion side. It had a chilling effect on pro-life protests, which have all but disappeared since the bill was enacted in 1994.

Mr. Schumer is apparently not satisfied with this. Prior to Senate passage, he amended the Bankruptcy Abuse Prevention and Consumer Protection Act to make civil penalties against pro-life protestors non-dischargeable.

Why? Mr. Schumer says he thinks penalties for acts of violence shouldn't be dischargeable. He's right. But Title 11 already prohibits discharge of debts related to "willful and malicious injury by the debtor to another entity or to the property of another entity." He's really going after peaceful protestors.

If Mr. Schumer has his way, the chilling effect the FACE Act had on pro-life protests would turn into a deep freeze. The typical pro-life protester, in my experience, is a middle-aged homemaker or retired person whose Christian beliefs compel him or her to protest the deaths of more than a million unborn Americans each year.

These protestors stand outside abortion clinics with signs and leaflets, frequently encouraging women to think twice before they enter. Grouping them with violent pro-life protesters (of whom there are very few) is like grouping the followers of Martin Luther King with the

You
sav
60
Ter
Ins

Pro
Th
Clo
To

Pay
muc
Cli

FRE
Matr

Rea
Inf

grouping the followers of Martin Luther King with the Black Panthers. A person who is pro-life is by definition opposed to any threat to another's life. These are not violent people.

Participants at lunch-counter sit-ins risked a night or two in jail. If Mr. Schumer has his way, pro-life protestors will risk lifelong financial ruin. If the Supreme Court rules in favor of the National Organization for Women in the pending case of Scheidler vs. NOW, FACE Act violations will be prosecutable under the Racketeer Influenced and Corrupt Organizations (RICO) law, which provides for triple penalties and triple legal fees. The Justice Department is urging just such a ruling. That, in combination with the Schumer amendment, would subject the elderly ladies who protest outside the abortion clinic near my hometown to undischargeable debts reaching beyond a million dollars. If courts were to start awarding punitive damages, dollar amounts could go even higher.

The current bankruptcy bill would force peaceful, otherwise law-abiding pro-life protestors to unique punishment and financial ruin. Some would spend the rest of their lives sending a check each month to the very clinics they want to see shut down.

That's why I can't support the Bankruptcy Abuse Prevention and Consumer Protection Act in its present form.

• *Joseph R. Pitts, Pennsylvania Republican, is a member of the U.S. House of Representatives.*

◀ [Back to Commentary](#)



All site contents copyright © 2002 News World Communications, Inc.
[Privacy Policy](#)