



Will Republicans Have a Convention Fight Over Pro-life Plank?

Unless something quite unexpected happens, New York real estate tycoon Donald Trump will win the nomination of the Republican Party at the national convention in Cleveland, Ohio, in July. However, the exact wording of the party platform — the party's statements of beliefs on key issues of the day — is not so certain.



The issue of abortion is the most specific point of potential contention. The Republican Party first adopted a pro-life plank in its 1976 platform, the first election after the Supreme Court's *Roe v. Wade* decision of January 1973, which declared abortion legal in all 50 states. While incumbent President Gerald Ford, a pro-abortion Republican, narrowly defeated his challenger for the nomination, former California Governor Ronald Reagan, the delegates opted to go on record as pro-life.

This year, statements made by presumptive nominee Trump in April have caused some concern for pro-life Republican delegates. In an NBC town hall, Trump answered “absolutely” when he was asked about modifying the pro-life plank. His suggested changes included adding exceptions to the party's pro-life position to allow for abortion in the cases of rape and incest, and to save the life of the mother.

Former Alaska Governor Sarah Palin, the party's VP nominee in 2008, and a supporter of Trump, asserted, “I don't want the platform to change, no. That culture of life that will be built upon the pro-life views that the majority of conservatives and Republicans hold, I respect that. I — there's — I don't think that there's a need for that to change. But, when it comes to abortion, it's very sensitive. “

Tony Perkins, president of the Family Research Council and a member of the platform committee, stated that it would be “problematic” if Trump wants to add exceptions to the pro-life plank. Perkins, who was a supporter of Texas Senator Ted Cruz, observed that Trump is unpredictable: “Donald Trump has said a lot of things that he has modified as time has gone on, so I don't know what to expect, quite frankly.”

Perkins said he would prefer not to have a fight over the abortion plank; however, he added that when it comes to “core conservative values and principles, [the conservatives] are not going to yield and walk away from them.”

Palin argued that the pro-life “plank of the platform is fine as is.” She expressed hope that it would be left alone, so “we can start talking about what people are really concerned about in this nation, concerned about in this election. And that is, as I have said, debt, open borders, illegal immigrants



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coming on over and receiving freebies left and right.” Other issues Palin cited included “growing government, that intrusion that the failed liberal agenda so perpetuates.”

Some mistakenly believe that a nominee can simply dictate the platform. After all, if it takes a majority of the delegates to win the nomination — and it appears that Trump will have that by July — the flawed reasoning is that he could simply direct those delegates to implement his version of an abortion plank. But the only thing he (or any candidate) can dictate, under the rules, is that delegates who are “bound” to vote for his nomination, do so. At least on the first ballot.

The 1976 convention in Kansas City’s Kemper Arena is illustrative. While Ford had a majority of “bound” delegates, it is believed by many expert observers that a majority of the actual physical delegates were for Reagan. They were just bound by primary and caucus results in the various states to cast their first-round vote for Ford. And even many delegates who favored Ford over Reagan were nevertheless pro-life. The pro-lifers dominated the platform committee of that year; they were not chosen by the Ford campaign or the Reagan campaign, but rather were elected by their state delegations to the convention.

A similar situation has occurred in this campaign. While Trump won a majority of the primaries in states with laws or rules binding delegates to a specific candidate based on the results of those primaries, the actual physical delegates were chosen mostly by party activists at party conventions in the states. These grassroots delegates tend to be more conservative — and more pro-life — than the average Republican voter. And when one considers that many of the primaries won by Trump were “open primaries,” in which Democrats and Independents could also vote, this adds more understanding as to why the actual delegates are more pro-life than the voters in the primaries.

Many of the actual, physical delegates were for other candidates than Trump — preferring Cruz, Florida Senator Marco Rubio, or someone else. And as with Ford in 1976, many of Trump’s supporters themselves would not agree to any modifications of the Republican Party’s strong pro-life plank. They were not drawn to Trump out of any desire to “water down” the pro-life plank, but rather by other issues such as trade and immigration.

After Cruz suspended his campaign following his decisive loss to Trump in the Indiana primary on May 3, delegates favorable to the Texas senator began an effort to take over the Rules and Platform committees. Ken Cuccinelli, a Cruz campaign delegate organizer, sent an e-mail to Cruz delegates, telling them, “It is imperative that we will fill the Rules and Platform Committees with strong conservative voices like yours.” He specifically mentioned the platform language on abortion, adding that delegates should also create language on the transgender “bathroom issue.”

“We want to have girls go in girls’ bathrooms,” Cuccinelli added.

While the abortion platform issue is the main point of contention, Cuccinelli also implored the Cruz-supporting delegates to “discuss what we can do at the convention to protect against liberal changes to our platform, and how we can right the wrongs in the rules from 2012!”

In 2012, the Mitt Romney campaign pushed through rules changes that made it more difficult for other candidates to be nominated without the majority support of eight delegations, instead of five, as before. This was understood as a way to prevent the nomination of then-Texas Congressman Ron Paul, an action which understandably caused great bitterness among Paul’s supporters. Many delegates who were not for Paul were also miffed at the unfairness and pettiness of the action.

Rance Priebus, chairman of the Republican National Committee, said the concerns about Trump



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wanting to modify the pro-life plank were unfounded, but he advised Trump to take any huge rewrite of the platform “off the table” anyway. Priebus is assuring pro-life delegates that Trump has no desire to rewrite the pro-life plank.

CNN even noted that the announcement by Priebus of the selection of what it called a “trio of conservative stalwarts” to lead the convention platform committee should “assuage concerns among the far right.” Priebus announced that Senator John Barrasso of Wyoming and a member of Senate Republican leadership, would chair the committee, while Oklahoma Governor Mary Fallin and Representative Virginia Foxx of North Carolina would serve as co-chairs.

However, how “stalwart” these three are in their “conservative” philosophy is certainly open to question. Barrasso, for example, has a mere 76 percent Freedom Index score from *The New American* magazine (the Freedom Index is a congressional scorecard that rates congressmen based on their adherence to the U.S. Constitution), and Foxx’s score is only 69 percent: neither exactly “far right.”

Fallin is perhaps the most interesting selection, especially since she is reported to be under serious consideration as Trump’s vice-presidential running mate.

Just last month, near the end of the legislative session in Oklahoma, the legislature passed SB 1552, a bill that would have directed the Board of Medical Licensure and Supervision and the State Board of Osteopathic Examiners to “revoke the medical license of any doctor who aborts a ‘viable’ baby for any reason other than to ‘preserve the life of the mother.’” The legislation also would have extended an existing law that classifies the performance of an abortion under certain circumstances as a felony.

Oklahoma State Senator Nathan Dahm, a Republican from Broken Arrow and author of the Senate bill, insisted that the states — and not the federal government or the U.S. Supreme Court — have jurisdiction over medical licensing.

Governor Fallin, however, opted to veto the bill, despite having campaigned as a staunch pro-lifer when she was elected governor in 2010. The legislature then adjourned without voting on whether to override her veto, thus killing the bill. The *Tulsa Beacon* called Fallin’s action a “monumental betrayal.”

Oklahoma conservatives have expressed concern that Fallin’s addition to the leadership of the platform committee is an ominous sign that the pro-life plank will be targeted for modification. If so, all indications are that the pro-life forces will not yield without a major battle at the Republican National Convention.



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