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The U.S. Supreme Court's Overturning The Right to Abortion Is a Major Blow to Women's Freedom and Equality

Sunday 26 June 2022, by [MIAH Malik](#), [SHEPPARD Barry](#) (Date first published: 25 June 2022).

The decision by the extreme right wing of the Supreme Court to overturn Roe v. Wade, the 1973 decision by the Court recognizing a woman's right to abortion, is a direct attack on a woman's right to control her own body.

Without that right women cannot ever achieve equality with men.

"Forced childbirth" is now the law for women.

Protests were held immediately outside the Supreme Court and around the country. Not only women, young and older, but many men denounced the ruling.

A typical comment was, "When you take away the rights of people and you tell them their choice no longer matters in this country that is supposed to be the land of the free, you are oppressing them."

The major medical organizations have denounced the ruling as an attack on health care.

Many national polls have shown a clear majority, sixty to seventy percent, oppose overturning Roe. It is tyranny by a minority.

Historically, the Court has overturned laws and previous rulings to expand rights. But here the Court has done the opposite. The unprecedented decision overturns a Constitutional right Americans have taken for granted for fifty years.

People born after 1973 have grown up knowing nothing else.

The immediate result will be that the question will be decided state by state. The 26 states controlled by the Trumpist Republican Party will outlaw all abortions. For now, 24 states will allow abortion, with some having restrictions.

Many states where abortions are legal are adopting new laws affirming abortion rights and establishing themselves as "sanctuary" states where women denied abortion rights in Trumpist controlled states can travel to have abortions, although this can be difficult or impossible for lower income women, who cannot afford to take time off work or have the means to travel often hundreds of miles.

This especially affects Black, Latina and Native women. For them, health care is already inferior to what is available to white women and will get worse.

Crystal Echo Hawk of IllumiNative, an indigenous women-led social justice organization, wrote: “The Supreme Court’s decision is particularly devastating for the native community, who will undoubtedly see an in-crease in violence towards Native women and girls.

“Access to abortion and reproductive care is foundational to the safety and wellbeing — this is a matter of life and death for many in Native communities.”

The African American Missouri Congressperson Cori Bush, who had an abortion at the age of 17, wrote: “Abortion care IS healthcare. It was be-fore this. And it will remain so after this. We don’t care what a far-right extremist Supreme Court that is in a crisis of legitimacy says.

“Your racist, sexist, classist ruling won’t stop us from accessing the care we need.”

The ruling hits trans and non binary people too—anyone who can be-come pregnant. Trans people already under attack will now face threats of rape and forced births.

The issue of miscarriages being classed as illegal abortion is more common than widely known. I expect the first cases to be aimed at minority women.

The Trumpist Republicans will fight to extend the Court’s ruling.

We can expect that Republican states will criminalize any women who do get to sanctuary states.

They are already planning to outlaw “morning after” pills that block fertilized eggs from developing.

In Republican states there will be illegal abortions, often in “back ally” sites, which will increase deaths and botched abortions inflicting bodily harm, as happened before Roe. Many experts predict that mortality rates among women will rise.

With this victory in their sails, Republicans are already saying they will begin to organize to restrict and ultimately overturn the right to abortion in states where it remains legal, and fight to adopt a national law to outlaw abortion, or bring a case before the Supreme Court where it can do so.

There will be confrontations between states, and intensified division among people United in all states, which can spill over to violence in attacks on abortion clinics and doctors in Democratic states, and attacks on people in Republican states who are for abortion rights.

The decision denies there is any right to privacy which opens the door to the Court’s denying the right to contraception and LGBTQ rights. It also opens the door for invasion of emails, telephones, social networks, etc. by the government, corporations, and so forth.

It also is an attack on the separation of religion and state. It imposes the view of the Catholic Church, Christian evangelicals, and other religions on society. It also is tyranny against religions that disagree with them.

Jews do not believe that a fertilized egg is a human being, and abortion is not a crime. There is a legal challenge by a Rabbi to the Florida antiabortion law. If it gets before the Supreme Court it will be squashed.

In other words, aspects of theocracy. The Court has made decisions for public school funds to support religious schools.

The most widespread and funded religious schools are Catholic.

In this regard, we should note that five of the six Justices who voted for the repeal are Catholic. One Justice, Sonia Sotomayor, is also Catholic but voted against the repeal, which reflects the views of most Catholic lay women, who also use contraception.

But the official view of the Catholic Church is to consider the following as sins: contraception, abortion, divorce, any sexual activity outside marriage (including masturbation), and lesbian and gay sexual acts.

It also considers that if the occasion arises during childbirth where a choice must be made between the life of the mother or of the baby, the latter prevails.

The decision to overturn Roe brings widespread realization in what was already true, that the Court has become, under the Republicans, a Trumpist Court, and is already, as one of the “equal” powers of the government with the legislature and executive, more than equal since it can strike down any law.

Moreover, one of the undemocratic features of the U.S. Constitution compared to other bourgeois democracies is that the Court’s members are appointed for life. They can only be removed by impeachment (charges by the House of Representatives) and then by a two-thirds vote of the Senate in a trial, which is out of the question for the foreseeable future.

Top Democratic politicians have eloquently denounced the ruling, including its unconstitutional denial of women’s rights and the adverse effects on them. But the only answer they give is to vote Democratic.

The Court just made another decision with widespread implications, finding that New York’s law restricting who can carry concealed guns is unconstitutional.

Already many people are “packing heat” in this country of widespread shootings, but this is now legal. There will be more shooting in domestic violence against women, more shootings in road rage, etc. and more mass shootings, including in schools.

Many will arm themselves in selfdefense.

There will be more police killings where it will be “assumed” that anyone confronted by police is armed. There will be more police killings of Blacks, as they are targeted by police.

This “Wild West” ruling makes the United States stand out against other “advanced” countries, as does the overthrow of Roe.

Electing Democrats, who support current state institutions including the Supreme Court as inviolable is not the answer. These institutions need to be radically overhauled if not dismantled.

Biden has made clear he will not take effective action. He has the power to open up Federal properties in all states to carry out abortions and other protections. Instead he called on Congress to protect women’s right to abortion, knowing full well (as is obvious to all) that Congress will not do this.

The only way out of this mire for women and humanity is mass action leading to independent political action against the capitalist parties and institutions.

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