

Biden drops support for abortion-funding restriction after political firestorm

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Former Vice President Joe Biden, the current leader in the polls for the 2020 Democratic presidential nomination, abruptly reversed himself on Thursday evening, declaring that he would no longer maintain his longstanding support for the anti-abortion Hyde Amendment. This reactionary measure, authored by Republican Congressman Henry Hyde in 1976, remains in force more than four decades later because there has been no significant Democratic Party effort against it.

The Hyde Amendment forbids the use of federal funds to pay for abortion procedures except in cases of rape, incest or serious risk to the mother's life. In the joint federal-state Medicaid program, 15 states have chosen to cover most abortions anyway, with the state picking up the cost. In the remaining 35 states, the Hyde Amendment effectively bars poor women from receiving Medicaid-paid abortions unless they face one of the traumatic situations listed above.

For decades the Democratic Party made no effort to overturn the Hyde Amendment, bowing to a large anti-abortion wing in the party, particularly among state and federal legislators who, like Biden, are Roman Catholic. In 2007, candidate Barack Obama pledged to repeal Hyde, but two years later, as part of a deal with right-wing Democrats in the House of Representatives to ensure passage of the Affordable Care Act, President Obama issued an executive order stipulating that the Hyde Amendment would apply to women insured through Obamacare.

Only in 2016, some 40 years after the enactment of the Hyde Amendment, did the Democratic Party officially include repeal in its program, but presidential candidate Hillary Clinton never discussed the pledge as part of her campaign for the White House.

The Biden campaign declared on Wednesday that the candidate reiterated his support for the Hyde

Amendment, which he voted for repeatedly during a four-decade career in the US Senate. This seemed another effort by Biden to stake out a position on the right wing of the Democratic Party, in the name of appealing to “swing voters” and “moderate” Republicans, while at the same time alienating millions, particularly young people, who firmly support abortion rights and correctly regard the Hyde Amendment as a barbaric relic of a bygone era.

The Biden campaign was clearly aware that it would come under fire from most of the other candidates seeking the Democratic presidential nomination. This was not long in coming, with female senators like Elizabeth Warren, Kirsten Gillibrand and Kamala Harris first out of the gate, followed by Bernie Sanders, Beto O'Rourke and others. Press reports did not cite a single prominent Democrat endorsing Biden's position.

More significant, from the standpoint of the Democratic Party, was the criticism from abortion rights and women's groups, which expressed shock that the leading Democratic presidential candidate would stab them in the back under conditions of a ferocious attack on abortion rights from the Republican right.

This is taking place both at the federal level, with Trump's appointment of two ultra-right justices to the Supreme Court, producing what is believed to be a 5-4 majority for drastic inroads into *Roe v. Wade*, if not outright reversal of the decision; and at the state level, where Republican state legislatures—with Democratic support in some states, like Louisiana—have enacted bills banning abortion after 12 weeks of pregnancy, eight weeks, even six weeks, and in the case of Alabama, in all circumstances, without even exceptions for rape or incest.

According to NARAL Pro Choice America, Biden's

position “further endangers women and families already facing enormous hurdles and creates two classes of rights for people in this country, which is inherently undemocratic.” Planned Parenthood executive director Kelley Robinson pleaded, “We strongly encourage Joe Biden to speak to the people whose lives are impacted by this discriminatory policy and reevaluate his position.”

Much of the criticism focused on the blatant class discrimination involved in the Hyde Amendment, since it restricts abortions for poor women but has no effect on those of middle or high income.

With the effective legalization of abortion in all 50 states by the Supreme Court’s 1973 decision in *Roe v. Wade*, poor working-class women were able to gain access to the procedure via Medicaid, the program of government health insurance for the poor, established alongside Medicare in 1965. Medicaid paid for an estimated 300,000 abortions a year, about 15 percent of the national total, before such funding was banned by the Hyde Amendment.

After 24 hours of political battering—including an op-ed column in the *Washington Post* that declared him “unfit to lead,” given the widespread attacks on abortion rights by Republican state governments—Biden backed down.

The presidential candidate denounced the Hyde Amendment in a speech to a Democratic National Committee fundraising event in Georgia, one of the states where Republican state legislatures have pushed through laws restricting abortion that deliberately flout *Roe v. Wade*, in an effort to provide a legal vehicle for the Supreme Court to reverse the 1973 ruling.

“If I believe health care is a right, as I do, I can no longer support an amendment that makes that right dependent on someone’s ZIP code,” Biden said. He added that he made “no apologies for the past position,” but “circumstances have changed.”

“I can’t justify leaving millions of women without access to the care they need and the ability to ... exercise their constitutionally protected right,” he said, although is precisely the effect that the Hyde Amendment has had throughout the time Biden supported it.

Earlier, in response to the criticism of his position, Biden’s campaign declared that the candidate “firmly believes that *Roe v. Wade* is the law of the land and

should not be overturned.” Since similar assurances were given by Neil Gorsuch and Brett Kavanaugh after Trump nominated them to the Supreme Court, this type of language reassured no one genuinely concerned about the threat to abortion rights.

On the same day that Biden declared his continued support for the Hyde Amendment, the Trump administration issued an executive order ending funding of medical research by federal scientists using fetal tissue and canceling a multi-year contract with the University of California at San Francisco to test potential HIV therapies using such tissues.

The National Institutes of Health supports most fetal tissue research conducted by about 200 corporate, hospital and university laboratories.

White House spokesman Judd Deere said the decision was made by Trump personally “to protect the dignity of human life.” Another official said that Vice President Mike Pence, a Christian fundamentalist and anti-abortion fanatic, worked with officials of the Department of Health and Human Services to draft the research ban.



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