

Biden signs toothless executive order in lieu of serious measures to defend abortion rights

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On Friday, President Joe Biden gave a White House speech and signed an executive order purporting to do all he could as president to safeguard women's access to abortion medication and bolster the security and legal options of both those seeking and those providing abortion services.

However, the meager scope of the executive order's provisions as well as Biden's speech belied his effort to present himself and the Democratic Party as defenders of the right to abortion and democratic rights in general.

The White House only announced the speech and the executive order late Thursday, amidst growing and increasingly public criticisms from sections of the Democratic Party and abortion rights groups linked to it of the administration's failure to even make a pretense of a serious fight against the Supreme Court's overturning of *Roe v. Wade* two weeks ago.

The very fact that the event was held in the middle of a work day and not during prime time pointed to the cynical calculations behind it. There was no intention of mobilizing mass popular anger over the ruling by far-right ideologues on the Court and the barbaric abortion bans being imposed by Republican governors and legislatures in states across the country.

It was instead aimed at providing political cover for the administration's capitulation, while using the destruction of a constitutional right established a half-century ago to once again divert social opposition into the dead end of backing Democratic candidates, this time in the upcoming November midterm elections.

"The only way to fulfill and restore that right for women is by voting, by exercising their power at the ballot box," Biden said. "We need two additional pro-choice senators and the House to codify *Roe* as federal law. Your vote can make that a reality... For God's sake, there is an election in November. Vote, vote, vote, vote."

Having no doubt consulted his pollsters and election advisers, based on the party's orientation to better-off, suburban women and its branding of the "white working class" as racist, Biden declared, "The women of America can determine the outcome of this issue... It is my hope and strong belief that women will turn out in record numbers to reclaim the rights that have been taken from them by the Court."

No explanation was offered for the fact that Biden and the Democrats did nothing to mobilize opposition to the overthrow of *Roe* for nearly two months after Justice Samuel Alito's draft opinion was leaked to the press, or that Democratic-led Congresses and Democratic presidents never attempted to codify the landmark decision in legislation during the 50 years after it was handed down, despite unceasing efforts by the Republican right to weaken and overturn it.

The Democrats presently control both houses of Congress and the White House and have done nothing to protect the basic right of women to decide whether or not to have a child, under conditions of extreme social crisis and hardship in which an unwanted pregnancy can spell destitution for parent and child alike.

For the purposes of this speech, Biden ramped up his rhetoric, denouncing the Republican majority on the Court for an illegitimate ruling based on the falsification of history and an absurd reading of the Constitution which denies any constitutional right to privacy. He accurately called the ruling "an exercise in raw political power" and outlined its dire consequences and further implications.

"Governors have taken the Court's decision as a green light to impose some of the harshest and most restrictive laws seen in this country in a long time. These laws not only put women's lives at risk, they will cost lives..."

"We are witnessing a giant step backward in much of our country. Already, the bans are in effect in 13 states. Twelve additional states are likely to ban choice in the coming weeks. In a number of the states, the laws are so extreme, they raise the threat of criminal penalties for doctors and health care providers. They're so extreme that many don't allow exceptions, [in the] event of rape or incest."

He cited the case of a 10-year old victim of rape who had to cross into Indiana to obtain an abortion because of the abortion ban imposed in her home state of Ohio. He continued: "The Court's decision has already been received as a green light to go further and pass a national ban... The decision has an impact much beyond *Roe*, the right to privacy generally. Marriage equality, contraception, so much more is at risk."

He put forward the political fiction that the problem was an "out-of-control Supreme Court" working in conjunction with

“extremist elements” of the Republican Party. This ignores the fact that virtually the entire Republican Party supports the overturn of *Roe* and the destruction of abortion rights, along with the rest of the fascistic program of party leader Donald Trump.

In the midst of this denunciation of “extremist Republicans” and call to elect Democrats, Biden once again offered the olive branch of bipartisanship, referring to reactionaries pushing for a national ban on abortions as “my Republican friends.”

To the extent that Biden presented an accurate picture of the catastrophic and far-reaching implications of the Supreme Court ruling on abortion, including its immediate impact on women and families across the country, he unwittingly underscored the puny and token character of the provisions of his executive order.

Some Democratic lawmakers and pro-choice advocacy groups have called for executive actions that would actually challenge the abortion bans imposed by Republican governors and legislatures and the domination of the Supreme Court by a group of far-right conspirators.

These include declaring a national health emergency; using federal lands and facilities such as military bases and Veterans Administration hospitals to provide abortion access, including in “red” Republican-controlled states with abortion bans; and expanding the number of Supreme Court justices. Biden has rejected all of these proposals.

Instead, the executive order directs the secretary of the Department of Health and Human Services (HHS) working with the attorney general and other federal officials and agencies to propose measures to:

- Protect the ability of women to travel out of state to obtain abortion services banned in their home state;
- Protect the ability of women to obtain abortion medication approved by the Food and Drug Administration;
- Increase security at abortion clinics that remain open;
- Safeguard access to emergency contraception and long-acting reversible contraception, such as IUDs;
- Protect patient privacy, including information from phone calls, Google searches and other data stored on cell phones and on the internet;
- Ramp up outreach and public education efforts on abortion;
- Convene private pro bono attorneys and organizations to provide legal representation to those seeking abortions, as well as those providing them; and
- Establish an interagency task force on reproductive health care access, including Attorney General Merrick Garland.

For all of Biden’s talk about the immediate danger to the health and very life of women and girls, the November election is four months away, and even in the unlikely case that the Democrats secure a pro-choice majority in the Senate and maintain control of the House, the new Congress will not assume office until next January.

How many lives will be dramatically altered or lost between

now and then?

“We’ve received a lot of lip service from this administration, and all the gaslighting calls to ‘just vote’ are not enough,” said Sharmin Hossain, the campaign director of the Liberate Abortion Coalition, a group of more than 150 reproductive rights organizations. “We can’t wait 190 days. People need care now and that wait could mean life or death for people.”

The utter cynicism and hypocrisy of Biden and his party are demonstrated by the fact, fairly widely reported, that Biden made a deal with Republican Senate Majority Leader Mitch McConnell of Kentucky to appoint Chad Meredith to the federal bench in return for McConnell agreeing to smooth approval for other Biden nominees.

Meredith was Kentucky solicitor general from 2019 to 2021, before which he was chief deputy general counsel to then-Governor Matt Bevin, a Republican. In that role he defended the state’s anti-abortion rights law requiring doctors to perform an ultrasound examination before performing an abortion. This was a common demand of anti-abortion forces who oppose abortion on religious grounds and call it murder.

According to the *Courier Journal* newspaper in Kentucky, which obtained internal Democratic Party documents, the White House told Governor Andy Beshear, a Democrat, on June 23 that Meredith’s appointment would be announced the following day. But June 24 was the day the Supreme Court released its ruling overturning *Roe v. Wade*, and the White House thought it best to hold the announcement while pro-choice demonstrations were spreading across the country.

Though repeatedly asked, White House Press Secretary Karine Jean-Pierre has refused to speak about the deal to nominate Meredith, and the White House has never renounced its intention to follow through with the appointment.



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