

One year since the US Supreme Court's abolition of the constitutional right to abortion

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Today, June 24, 2023, marks the one-year anniversary of the US Supreme Court ruling overturning the constitutional right to abortion established five decades earlier in the landmark *Roe v. Wade* decision. Writing on the *Dobbs v. Jackson Women's Health Organization* ruling by five unelected far-right justices, the *World Socialist Web Site* stressed at the time its far-reaching significance. The WSWS stated:

For the first time in American history, the Supreme Court eliminated a fundamental constitutional right broadly recognized and supported by the overwhelming majority of the country's population... Abortion is now or will imminently become illegal in at least 21 states with a combined population of 135 million people. For the vast majority of working women, travel to the mostly coastal states where abortion remains legal will not be an option... Many will die in botched back-alley operations... The decision is the opening salvo in an historically unprecedented attack by the ruling class on all democratic rights.

This assessment has been completely vindicated. One year on, the denial of the right to an abortion has already had a devastating impact on the health and living standards of millions of women and their families—overwhelmingly working class and poor. Twenty-five percent of reproductive age women in the US now live in states with a total ban or six-week limit on abortions.

At least 25 states have enacted either near-total abortion bans or new laws limiting access. Across the Midwest and the South, generally in the poorest states, abortions have been virtually impossible to obtain, making states like Illinois and Virginia islands of abortion access. But while

the upper-middle class base of the Democratic Party can afford to travel to obtain safe reproductive care, the expense and time are beyond the means of most working class women. Dozens of clinics have closed down across the country, and wait times have risen from one or two days to three weeks, endangering the health and life of the patient.

Numerous studies show that women seeking abortions who are turned away suffer long-term economic, social and psychological consequences. The impact is compounded by the removal of millions of people from Medicaid, cuts in food stamps, and the imminent resumption of student loan repayments under Biden's bipartisan budget and debt ceiling deals with the Republicans, along with the lifting of the COVID national emergency.

The Center for American Progress reported last August that a total abortion ban could increase the number of maternal deaths by 24 percent. It also cited a study showing that states with a greater level of abortion restrictions have a 7 percent increase in total maternal mortality compared to states with fewer restrictions.

A study on the impact of abortion denial and unwanted pregnancy by Advancing New Standards in Reproductive Health (ANSIRH) at the University of California San Francisco reports that women who are "turned away" are more likely to: experience serious complications from the end of pregnancy, including eclampsia (convulsions) and death; stay tied to abusive partners; suffer anxiety and loss of self-esteem in the short term; experience poor physical health for years after the pregnancy, including chronic pain and gestational hypertension.

The study also finds that being denied abortion has serious implications for the children born of unwanted pregnancy, as well as for the existing children in the family.

The *Dobbs* ruling is illegitimate and illegal. It is the outcome of a far-right conspiracy backed by billionaire fascists to pack the courts with bigots and ideologues who are totally hostile to democratic rights. They operate through

groups such as the Federalist Society and the corporate media. The majority of justices were appointed by presidents who lost the popular vote.

The antidemocratic character of the court and the political system as a whole is underscored by the fact that popular support in the US for abortion rights, well over 60 percent at the time of the *Dobbs* decision, has risen to record levels in its aftermath. But this finds no real reflection in the policy of the government.

The Supreme Court lost any shred of legitimacy when it voted in 2000 to halt the vote count in Florida and install the loser of the presidential election, George W. Bush, as president. Al Gore and the Democratic Party accepted the theft of the election without mounting any opposition.

One of those who voted to install Bush, Clarence Thomas, issued a concurring ruling in the *Dobbs* case calling for a review of liberal rulings associated with the concept of substantive due process. These include the right to contraception, the right to a public defender, the right to gay marriage, a ban on anti-miscegenation laws and a ban on mandatory prayer in public schools. But the logic of this position extends further, including the *Brown v. Board of Education* ruling that outlawed school segregation.

Three of the justices who voted with the majority, (Neil Gorsuch, Brett Kavanaugh and Amy Coney Barrett) were appointed by Donald Trump, the would-be dictator who conspired with two of the justices (Samuel Alito and Thomas) to orchestrate the attempted coup on January 6, 2021 aimed at overturning the results of the 2020 election and establishing a dictatorship.

Since *Dobbs*, the judicial assault on abortion rights has been stepped up with the ruling in April by a Trump-appointed judge in Texas banning the abortion pill certified as safe decades ago by the Food and Drug Administration and today used in the majority of pregnancy terminations. That ruling is currently on hold and will inevitably wind up before the Supreme Court.

Just this month, the Supreme Court, in an 8-1 ruling that included the Democratic Party “liberals” Sotomayor and Kagan, issued a ruling undermining the right to strike.

The court’s rampage against democratic rights takes place under conditions in which a series of reports have exposed rampant corruption among the justices. *ProPublica* has published a number of exposures documenting the fact that Thomas and his wife, Virginia, have accepted millions of dollars worth of exotic vacations, engaged in real estate deals and accepted tuition money for Thomas’ grandnephew from billionaire Republican donor and Hitler enthusiast Harlan Crow. None of this was reported by Thomas in his annual disclosures. “Ginni” Thomas was a leading figure in the plot to overturn the 2020 election and maintain Trump in

power, but her husband refuses to recuse himself from related cases that come before the court.

Many thousands of dollars in similar “gifts” have been reported going to the wife of Chief Justice Roberts, Justice Gorsuch, and Democrats such as Kagan, Stephen Breyer and the now-deceased Ruth Bader Ginsburg.

Just this week, *ProPublica* published an article documenting that the author of the *Dobbs* decision, Alito, flew on the private jet of billionaire Republican donor Paul Singer to a fishing vacation and subsequently failed to recuse himself when cases involving Singer came before the court.

The response of the Democrats makes absolutely clear that democratic rights cannot be defended within the framework of the capitalist two-party system. On Friday, the House Democrats held a pathetic stunt to mark one year since the overthrow of *Roe v. Wade*. Rep. Barbara Lee of California denounced the “handful of corrupt, extremist, hypocritical justices” who abolished the right to abortion, without proposing any measures to end the domination of far-right bribe-takers over the so-called “justice system.” Neither the Biden White House nor the Democratic leadership in Congress has even demanded the impeachment of Thomas or the addition of new justices. The same goes for the so-called “progressives” such as Bernie Sanders.

The Democratic Party is concerned not for the democratic rights of the people, but for the collapse in public confidence in the cabal of unelected and unaccountable justices, appointed for life terms, who have served for more than two centuries as enforcers of capitalist rule.

The assault on democratic rights cannot be separated from the vicious, bipartisan attacks on social programs, record levels of social inequality and unending war. The irreconcilable conflict between the working class and the ruling elite is what underlies the turn to dictatorship. The Democratic Party, which is spearheading the US-NATO war against Russia over Ukraine, is not opposed to, but rather part of this process.

Roe v. Wade has long served as the signal achievement of American bourgeois liberalism under conditions of the unwinding of all previous social reforms. Now its demise will fuel the awareness within the working class, being driven into mass struggles, that it must defend democratic rights by mobilizing its great social power to put an end to capitalist rule and establish socialism.



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