

# Abortion Ruling a Galvanizing Moment in American Life

June 24, 2022 by Madeline Hughes, Natalie McCormick, Eden Metzger, Tom Ramstack and Dan McCue



(Photo by Madeline Hughes)

WASHINGTON — From the president of the United States to ordinary citizens as far away as Hawaii and Guam, nearly everyone, it seemed by Friday afternoon, was talking about the U.S. Supreme Court’s decision to overturn two landmark precedents enshrining abortion as a constitutional right.

Speaking from the White House as thousands of protestors assembled outside the Supreme Court building, President Joe Biden called the ruling a “sad day for the court and the country.”

“The health and life of women of our nation are now at risk,” the president said.

“Make no mistake. This decision is the culmination of a deliberate effort over decades to upset the balance of our law,” he added.

Though clearly upset by the ruling, which was anticipated for weeks after a copy of Justice Samuel Alito Jr.’s draft opinion was leaked to Politico, Biden offered only a few specifics on how his administration will respond.

He said he has directed the Health and Human Services Department to take steps to make sure abortion and contraception medications are available “to the fullest extent possible,” and that his administration plans to protect the right to travel to another state for an abortion.

But beyond that, he made clear, it is up to Congress to restore the abortion protections of *Roe v. Wade* as federal law.

“No executive action from the president can do that,” he said.

“And if Congress, as it appears, lacks the votes to do that now, voters need to make their voices heard,” he said.

“This fall they must elect more senators [and] representatives who will codify a woman’s right to choose in the federal law, and elect more state leaders to protect this right at the local level,” Biden continued.

“We need to restore the protections of *Roe* as [the] law of the land. We need to elect officials who will do that. This fall *Roe* is on the ballot. Personal freedoms are on the ballot ... the right to privacy, liberty and equality are on the ballot,” he said, promising that in the meantime, “I will do everything in my power to protect a woman’s right to choose in states where they will face the consequences of today’s decision.”

“It stuns me,” Biden said of the ruling, calling it “cruel.”

“The court’s decision cast a dark shadow over large swaths of the land,” he added.

A short way down Pennsylvania Avenue, at the Justice Department, Attorney General Merrick Garland said the Supreme Court’s ruling “has eliminated an established right that has been an essential component of women’s liberty for half a century — a right that has safeguarded women’s ability to participate fully and equally in society.”

“In renouncing this fundamental right, which it had repeatedly recognized and reaffirmed, the court has upended the doctrine of stare decisis, a key pillar of the rule of law,” he continued.

“The Justice Department strongly disagrees with the court’s decision. This decision deals a devastating blow to reproductive freedom in the United States. It will have an immediate and irreversible impact on the lives of people across the country. And it will be greatly disproportionate in its effect — with the greatest burdens felt by people of color and those of limited financial means.”

Outside the Supreme Court, the massing crowd appeared to be equal parts critics and supporters of the decision. As the crush grew larger, U.S. Capitol Police shut down the sidewalk on the Capitol side of First Street NE, and also closed one end of the block.

Not far from the heart of the masses, near the Library of Congress, a lone ice cream man appeared to be doing the best business of his life. But while cool treats may have brought relief from the summer heat, they did little to sooth the tempers of those who believed the court’s decision in *Dobbs* was all wrong.

Di, 23, declined to provide her last name but told The Well News she is a new arrival to the District of Columbia from the West Coast, where she's always had ready and available access to reproductive health care.

Now, she said, it has become abundantly clear that her access to that care is entirely in control of whoever has the majority in Congress.

"It feels strange because it's always been something I've had access to my whole life," she said. "To be on the precipice of life without abortion or access to abortion is strange."

Another Washington, D.C., resident, Michaela, also declined to give her last name, but felt it important to participate in the protest, and to do so with her 5-month-old daughter in tow.

"It's interesting seeing these young women in these T-shirts saying 'I'm part of the post-Roe generation,'" Michaela said. "To me that's a scary generation to be part of and she (her daughter) is."

Michaela then proudly shared that Friday's was not the first protest her daughter had attended in her young life. The first was the day the leaked draft of the *Dobbs* ruling was published.

"It's important to me to show her there is another point of view out here that doesn't believe post-Roe is a good thing," she said.

Pat Votava, 68, of Charleston, South Carolina, said she was visiting the district for an event, but felt compelled to join the multitudes when the ruling was announced.

"I'm glad I'm here because I think, good or bad, being part of history is important," she said.

Votava then recalled being 8 years old and seeing a newspaper headline about birth control being legalized while abortion remained illegal.

“Even at 8 I knew that [birth control] was a good thing. And I never thought this, the overturning of *Roe v. Wade*, would happen in my lifetime. It is a supreme injustice for everyone,” she said.

Nearby, Marcos, a gay man from the district, looked forlorn as he added his voice to the protests.

“This is an incredibly sad moment in the country and for people with uteruses being denied the right to health care,” he said.

“I think about the language [in this ruling] and how they wrote about *Obergefell*. This language that says these rights are not enshrined in the Constitution is scary. Today it’s abortion, but it could be gay marriage next.”

One protester held up traffic on a major Washington, D.C., bridge for several hours Friday, after he scaled an arch on the Frederick Douglass Memorial Bridge waving a large yellow flag and unfurling a green banner.

The flag said, “Don’t tread on my uterus.”

He also sent out tweets under an account listed as Guido Reichstadter.

One tweet said, “Hey I’m at the top of the Frederick Douglass bridge in Washington DC right now & want to know why YOU aren’t in the streets nonviolently shutting down the gov day after day after day till Congress protects abortion rights? Rise Up my Friends!”

Police shut down traffic across the bridge while they put a large inflatable bag under the man to protect him from injury if he fell.

Abortion opponents, however, hailed the decision in much the same fashion as Mississippi Attorney General Lynn Fitch, who said the ruling “marks a new era in American history.”

“*Roe v. Wade* is finally behind us. This decision is a victory, not only for women and children, but for the court itself. Now, our work to empower women truly begins,” Fitch said.

Outside the Supreme Court building, a group called Students for Life said it decided to hold a conference in the city this weekend “to celebrate the overturning of *Roe v. Wade* and celebrate lives.”

“I’m against abortion because it ends a life of a unique human being that never gets to exist,” said member Georgia Lucas, 20, of Sanford, North Carolina.

Nearby a man who didn’t want to give his name but was yelling expletives at the court building, said such young people simply don’t understand.

Personally, he said he was thankful for *Roe* because as a result of that ruling an ex-girlfriend of his was able to get an abortion when neither he nor she was mature enough at the time to handle parenthood.

The ex-girlfriend, he said, went on to become a successful corporate lawyer, and he has a “beautiful family” and daughters whose rights he wants to see protected.

“Had we had that baby, she would have never gone on to college or gotten that job,” he said of his ex.



On Capitol Hill, House Majority Leader Steny Hoyer, D-Md., described the court's ruling "as a dark day for the privacy of everyone in America and the freedom of women to make their own health care decisions."

"In striking down *Roe v. Wade* and *Planned Parenthood v. Casey*, the Supreme Court's Republican-appointed justices ignored nearly five decades of precedent and clear Constitutional principles," Hoyer said.

"The American people know that our Constitution guarantees women's reproductive freedom, even if these six justices do not," he continued. "That's why the House already passed Rep. Judy Chu's, [D-Calif.], Women's Health Protection Act, which would enshrine the principles of *Roe v. Wade* in federal statute.

"However, Senate Republicans continue to filibuster that bill, rejecting even debate on that measure just a few weeks ago. As Democratic-led states move to implement stronger protections for reproductive choice, I expect many Republican-led states will do the opposite, advancing draconian state laws that criminalize abortion," Hoyer said.

"This decision also opens a door to overturning established precedent on many other important rights and freedoms enjoyed by Americans, including contraception access and the right of LGBTQ Americans to marry those they love," the majority leader said. "No right is safe from this activist group of Republican-appointed justices who see themselves as legislators. We will not rest, we will not yield, we will not waver in our determination to restore the protections that *Roe v. Wade* offered and that *Planned Parenthood v. Casey* affirmed."

House Speaker Nancy Pelosi, D-Calif., said the ruling was "outrageous and heartbreaking," before adding that the justices

in the majority had carried out the Republican Party's "dark and extreme goal of ripping away women's right to make their own reproductive health decisions."

In a letter to members of the Democratic caucus, Pelosi added, "Over the last two days, the Supreme Court has inflicted devastation on our nation: flooding our public spaces with more deadly weapons and erasing women's fundamental right to make their own reproductive health decisions.

"Of special concern is the disturbing attitude expressed by Justice Clarence Thomas, but shared by many opponents of women's reproductive freedom, when he said: "In future cases, we should reconsider all of this Court's substantive due process precedents, including *Griswold* (contraception), *Lawrence* (bodily autonomy) and *Obergefell* (marriage equality)."

She continued: "As we engage in our Congressional internal maneuvering, we must be a source of hope for outside advocates. The biggest difference is made by the outside mobilization. Women demonstrated during the Women's March on Washington that they know their power – and they know how to use it, when they marched, they ran, they voted, and they won.

"It is clear that the path forward will depend on the outcome of the upcoming midterm elections. President Lincoln said: "Public sentiment is everything." And in order for public sentiment to prevail, the people must know. We must continue to beat the drum – not only of what the challenges are, but what we as Democrats are doing about it.

"The contrast between our parties could not be clearer: while Democrats are the party of freedom and safety, Republicans are the party of punishment and control. We must "Remember in



November” that the rights of women, and indeed all Americans, are on the ballot,” Pelosi said.

House Minority Leader Kevin McCarthy, R-Calif., had a different view.

“Today’s Supreme Court decision in Dobbs is the most important pro-life ruling in American history,” he said during a brief with reporters at the Capitol on Friday. “By a vote of 6–3 ... the right to life has been vindicated. The voiceless will finally have a voice. This great nation can now live up to its core principle that all are created equal, not born equal, created equal.

“Americans celebrate this historic victory because it will save the lives of millions of children and give families hope,” he said.

In Michigan, Democratic Gov. Gretchen Whitmer quickly filed a motion urging the Michigan Supreme Court to immediately consider her lawsuit asking it to decide if the state’s constitution protects the right to abortion.

“We need to clarify that under Michigan law, access to abortion is not only legal, but constitutionally protected,” she said in a written statement. “The urgency of the moment is clear — the Michigan court must act now.”

“With today’s U.S. Supreme Court decision, Michigan’s extreme 1931 law banning abortion without exceptions for rape or incest and criminalizing doctors and nurses who provide reproductive care is poised to take effect,” the governor said. “If the 1931 law goes into effect, it will punish women and strip away their right to make decisions about their own bodies. That is why I filed a lawsuit in April and used my executive authority to urge the Michigan Supreme Court to immediately resolve whether

Michigan's state constitution protects the right to abortion. I will fight like hell to protect the rights of Michigan women."

But the decision wasn't just roiling people in Washington and in the 50 states. Women as far away as the remote U.S. territories of Guam and the Northern Mariana Islands said they will now have to travel farther than other Americans to terminate a pregnancy.

Hawaii is the closest U.S. state where abortion is legal under local law, but close is a relative term when Honolulu is 3,800 miles away.

"For a lot of people who are seeking abortion care, it might as well be on the moon," Vanessa Williams, an attorney who is active with the group Guam People for Choice, told the Associated Press.

Even before Friday's ruling, it was already difficult to get an abortion in Guam, a small, heavily Catholic island of about 170,000 people south of Japan.

The last physician who performed surgical abortions there retired in 2018. Two Guam-licensed doctors who live in Hawaii see patients virtually and mail them pills for medication abortions. But this alternative is available only until 11 weeks gestation.

Hawaii legalized abortion in 1970, three years before *Roe*. The state today allows abortion until a fetus would be viable outside the womb. After that, it's legal if a patient's life or health is in danger.

Jayne Flores, director of the Bureau of Women's Affairs, a Guam government agency, told the Associated Press residents would still have access to medication abortions from off-island now that *Roe* has been overturned.

But she wondered whether the Legislature might outlaw that too.

“At what point do you start looking in people’s mail?” she said.

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