



Women's Rights: Let Freedom Ring - Honestly!

An Earth Manifesto publication by Dr. Tiffany B. Twain
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"Conservatives" on the U.S. Supreme Court overturned women's *Roe v. Wade* rights to terminate an unwanted pregnancy on June 24, 2022. As the Brennan Center for Justice had explained when a draft of the ruling was leaked 7 weeks earlier, this action "is nothing short of chilling. The ruling would strip away the long-established right to abortion and relegate women to second-class citizenship, ushering in a dark new constitutional order."

Women had the right to decide when and whether to become mothers since 1973. "We could finish school, move up in a career, and have a family when we were ready -- a right that women have around the world. We could follow our dreams wherever they led us. And we had the freedom to make our own decisions about our own bodies, our own health care, and our own futures."

"But six justices on the Supreme Court have taken this all away. With one decision, the government and politicians will make the most personal decisions about our bodies and pregnancies." This action "is a stain in our nation's history book that will have life-altering and life-threatening consequences for millions of people across the country," said Jodi Hicks, head of Planned Parenthood Affiliates of California. To generalize, "Supreme Court decisions are either fair, or wrong."

This is an egregious overreach by Republican Justices and their judicial activist supporters who are intent on despotically imposing their political agenda on the people. Clarence Thomas made this clear when he followed up efforts to take reproductive rights away from women by declaring the Supreme Court conservative supermajority should now "reconsider" decisions that made birth control legal, and guaranteed a right to same sex marriage, and decriminalized sexual relations between gay men and between lesbian women. These are outrages against fairness.

In an instance of tragic irony, this egregiously unfair Supreme Court ruling took place one day after the 50th anniversary of the momentous civil rights legislation known as Title IX was passed in 1972. Title IX is the federal law that grants women equal treatment in education, including a right to athletic opportunity. It is credited with having helped millions of women make their own choices about what they wanted to do in their lives.

Title IX had been enacted just seven months before the eminently reasonable *Roe v. Wade* decision, and both were responsible for helping reshape women's ability to take charge of their own bodies and their own lives. Title IX allowed young women significantly expanded opportunities for education and athletic scholarships, and eventually professional careers in sports. It allowed women to feel strong and capable, competitive and independent. What it really did, was "opened the floodgates of possibility."

Title IX consisted of 37 words that changed society after Title IX was passed in 1972, propitiously prohibiting gender discrimination in education and sports: "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving Federal financial assistance."

In *37 Words*, the two-part ESPN documentary about Title IX, Gloria Steinem and Billie Jean King discuss how this commendable legislation vastly expanded women's choices beyond just being able to be wives and mothers. With red state politicians now free to force women to carry pregnancies for 9 months, it will derail women's academic futures, athletic careers, and economic livelihoods at a large scale.

Many professional athletes, coaches, teams and players' unions expressed outrage on June 24 at the cruelly heavy-handed Supreme Court action. The Women's Basketball players association did not mince words: "This ruling provides a treacherous path to abortion bans that reinforce economic, social and political inequalities and could lead to higher rates of maternal mortality while eviscerating rights to reproductive freedom for everyone."

Sports journalist Ann Killion astutely observed, "Such a fundamental restriction on bodily integrity would never be imposed on a male athlete, though he would be equally responsible for a pregnancy."

"The world of American women's sports is going to have a reckoning -- at least, it better. Would you send your gifted daughter to school in a state that won't allow her freedom of choice? That could force her to carry an unplanned pregnancy to term? Even if it was the result of a rape?"

"Will the NCAA hold the Final Four in Texas next year, in Florida in 2025, in Arizona in 2026? Will the Softball World Series continue in Oklahoma? Why should those states reap the economic benefits of the strong, capable bodies of young women when their laws are designed to treat them like chattel? Will professional women's leagues consider moving teams out of states that enforce laws so antithetical to empowered women?"

"This is your wife, this is your sister, this is your friend, this is your girlfriend, this is the mother of your children," U.S. soccer star Megan Rapinoe said. "This is all of us. And you are allowing a violent and consistent onslaught on the autonomy of women's bodies, on women's rights, on women's minds, on our hearts, on our souls."

Journalist Ann Killion concluded, "Just hours before the death of *Roe*, Title IX had a birthday. If you assume that popular federal law is safe, don't be naive."

Introductory Observations

This is a long essay with much vitally important and valuable perspective about these times that are truly trying our souls. Putting this issue in light of a historical sentiment expressed by Thomas Paine in his great pamphlet *Common Sense*, "This is the seedtime of continental union, faith and honor."

The intense controversy about the Supreme Court's overthrow of women's reproductive rights highlights a crucial bigger truth. We are at a juncture in history of constitutional crisis, and the survival of our great experiment in democratic governance depends on the actions we take now. Right action calls for federal legislation to protect women's rights, and voting rights to ensure fair representation.

Nine unelected judges have become excessively powerful. As Paul Kane explains in an analysis in the *Washington Post*, *Supreme Court steps into a void left by congressional dysfunction*, the Supreme Court has become more powerful than Congress to act on the things it wants, due to having been stacked with a supermajority of conservatives. At that time, the House was governed by a slim majority of Democrats -- and the Senate suffered from an "effective paralysis" because of a 50-50 deadlock "and filibuster rules that require at least 60 votes to advance most legislation, creating a legislative stupor on many issues for which the judicial branch has seized power."

So nine unelected judges, six of them appointed by Republican presidents, are now wielding more power than Congress. This must change, and balance must be restored. Urgent calls for the U.S. Constitution to be amended are made below to deal with this constitutional crisis. Structural and ethics reforms are needed on the high court.

Before *Roe*, Republican politicians actually were leaders in efforts "to liberalize abortion laws in California, Colorado and New York." Republican women at the time were stalwarts of pro-choice activism. "If anything, Republicans were more supportive than Democrats of abortion: in 1972, 68% of Republicans supported the statement, 'the decision to have an abortion should be made solely by a woman and her physician,' compared with 59% of Democrats."

So it is a stunningly hypocritical turn of events that Republicans today are stubbornly opposing efforts to codify women's rights into law in the face of Supreme Court conservatives' allowing states to eviscerate such protections.

Abortion protections along the reasonable lines of *Roe v. Wade* provisions need to be codified into law by enacting a law like the Women's Health Protection Act of 2021 to enshrine the right to abortion into federal law. We cannot

accept Congress failing to come together to hammer out such a law. This realization is reinforced in the tragic wake of the imperious ruling by Republican-appointed Justices to overturn long-established rights for women to choose to terminate a pregnancy, in a dark chapter in American history, which is unfolding as global human numbers exceed a demanding 8 billion.

Foundational Fountainheads of Real Righteousness

Two towering fountainheads of feminist ideas inform this essay. One sprang from the French playwright and political activist Olympe de Gouges, as expressed in her seminal 1791 *Declaration of The Rights of Woman and of the Female Citizen*. In this document, Olympe "challenged the practice of male authority", and disputed the notion that females deserved inferior rights to males, and she decried the failures of the French Revolution to recognize any degree of gender equality.

The other vital fountainhead of feminist ideas was brought forth upon this continent and sprang into being at the Woman's Rights Convention in 1848, also known as the Seneca Falls Convention, where women fought for the social, civil and religious rights of women. The assembly launched the women's suffrage movement, which more than seven decades later succeeded in ensuring women the right to vote, after the 19th Amendment was ratified in 1920.

Elizabeth Cady Stanton, one of the event's organizers, began the meeting with a speech on the convention's goals and purpose: "We are assembled to protest against a form of government, existing without the consent of the governed -- to declare our right to be free as man is free, to be represented in the government which we are taxed to support, to have such disgraceful laws as give man the power to chastise and imprison his wife, to take the wages which she earns, the property which she inherits, and, in case of separation, the children of her love."

Let these two seminal influences be touchstones of historical context for fairer treatment of women in our society.

Text vs. Context

Passions are running high in our hyper-divided democratic republic right now, and it is hard to be objective. This is especially true in the wake of the Supreme Court having overturned federal protections of women's reproductive rights by striking down the precedence-setting 1973 *Roe v. Wade* decision.

Professor Darren Zook, however, is up to the task of reasoning objectively. He has a doctorate in history from U.C. Berkeley, and teaches in Political Science. Zook insightfully explains how there are two legal and philosophical camps, one of *textualists*, who make convoluted technical legal arguments that rationalize interpretations of the Constitution grounded in its exact wording as originally written for guidance in informing their decisions -- and others who are *contextualists*, and take into account true concerns of fairness and proper governance that have arisen in the 234 years since the Constitution was ratified.

In this heated debate and the extreme controversy over the revocation of a woman's right to terminate a pregnancy, one fact seems incontestable. It is a profound injustice to force countless numbers of pregnant women who do not want to have a child (or another child) to carry the fertilized egg for 9 months, no matter what. Think of this in a fuller context of the infinite variety of individual circumstances that pregnant women may be facing, and also in light of the fact that 60% of pregnant women who seek abortions every year are already mothers, and therefore are intimately aware of the personal costs, obligations, affordability, financial impacts, risks and burdens related to adding another child to their family.

Surely, in a country that declared in 1776 that "All men are created equal" -- and taking into account modern feminist societal sensibilities almost 250 years later -- all females should be officially guaranteed reasonable reproductive rights and the respect of enjoying natural rights to make their own personal private medical decisions and the individual freedom of having bodily autonomy and inviolable rights to self-determination in their lives.

This contentious impasse has come about because the Supreme Court has been illegitimately stacked with two-thirds partisan Republican Justices who are inflexible *textualists*.

Understand that there are two kinds of Constitutional rights: enumerated rights and implied rights. All implied rights are derived from Constitutional rights that have been explicitly specified. The right to get an abortion was

decided on shaky legal grounds because the *Roe* decision was made based on an implied Constitutional right derived from the 14th Amendment's privacy clause. It would have been much more securely established if it had been decided based on the 9th Amendment, which reads as follows: "The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people."

Surely women are people, and forcing every one of them who becomes pregnant to carry the fertilized egg for nine months, whether or not they want to, is almost as surely a denial and disparagement of rights that should rightly be retained by the people.

In the ruling overturning *Roe* rights, the Republican Justices ignored the 9th Amendment in claiming that state legislatures should have superior rights in deciding these matters. But, as it happens, many state legislatures are discriminatorily gerrymandered to give excessive and unwarranted power to rich people, partisan Republicans, the right-wing fringe and unchristian Christian nationalists and religious fundamentalists.

In taking such obstinate stands, "originalists" cherry pick history, and deliver really biased and blindered judicial arguments, "ignoring the forest for the trees" by trying to construe the original intent of the framers while ignoring the overarching context of the ideals that the authors of the Constitution expressed in the Preamble, which stated that *We the People* of the United States established the Constitution "in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity."

The rights of females in health matters and reproductive rights simply should not be dictated by politicians. Such dictates are possible only because the Supreme Court is dominated today by a "supermajority" of Republican Justices, and has become politically partisan rather than being properly impartial.

The Supreme Court has widely used an "undue burden standard" in American constitutional law ever since the late 19th century. This concern for undue burdens holds that a legislature cannot make a particular law that is too burdensome or restrictive of people's fundamental rights. A callous abrogation of this law by six Republican Supreme Court Justices with respect to women is cause for reproach, and reversal -- and action by Congress to remedy this broad injustice.

The 1973 *Roe v. Wade* decision was an eminently contextually fair ruling for women, who are much more real persons deserving rights than a sperm-impregnated egg and growing clump of cells, no matter what the happenstance.

Roe v. Wade rights are now suffering severe blows due to Republican politicians in red states aggressively passing draconian new laws (or enforcing old ones) that force every woman who becomes pregnant -- no matter what the circumstances -- to carry a fertilized egg for nine months. These laws are broadly insensitive to women's natural rights that have pertained ever since females cottoned on to the understanding that sex acts with specific males resulted in offspring that had genetic similarities to the father and the mother of the child -- and thus became choosier about who to have sex with.

Dr. Leonard Shlain called this concept "Original Choice", and laws passed by right-wing Republicans today cannot overrule this evolutionary right of choice. In our overbearing patriarchy and male-dominated politics, many men want to control women, and defend the economic, social and cultural status quo, and keep females in a subservient social status, and relegate them to being second-class citizens by forcing every one of them who becomes pregnant to give birth, whether they want to or not.

Revolutionary Discord

The issue of legalized abortion is a big moral conundrum. But it is a rashly absolutist view to hold that the moment a woman's ovum is fertilized by any male's sperm, it is a human being and must be protected over all other considerations, including concerns for the life of the pregnant woman and her economic, social, psychological and physical well-being.

This is a clarifying moment for the country. *Washington Post* columnist Jennifer Rubin told journalists after the revocation of rights seemed inevitable in early May 2022 that they should stop referring to the convulsions in the

country as "culture wars," as if they were "a battle between two sides over hemlines or movie ratings." Instead, she wrote, "This is religious tyranny ... in which the right seeks to break through all restraints on government power in an effort to establish a society that aligns with a minority view of America as a White, Christian country."

The syndicated columnist Jim Hightower tells it like it is, in his incisively clear-eyed slim monthly publication, the *Hightower Lowdown*. Observing the shenanigans that have resulted in the Supreme Court being domineeringly controlled by partisan Republican judges, he notes: "Having discarded their cloaks of judicial temperament, they've been parading through case after case, hoping no one notices their naked political activism. But there it is, so in-your-face and so plainly at odds with the will of the people, that even Americans who normally pay no attention to court-case mumbo jumbo can't help but see their butt-ugly partisanship."

The world has changed since the Supreme Court decided *Roe v. Wade* in 1973. Levi Strauss noted that today, 58% of its workforce is female. Rebecca Solnit pointed out in *The Guardian* that the various groups now under attack form a broad coalition. "It doesn't really matter if they're coming for you, because they're coming for us," she wrote. And us "these days means pretty much everyone who's not a straight white Christian man with rightwing politics."

Access to safe, legal abortion for the past 50 years changed everything for women in America. "The ability to finish school, plan a family, pursue a career, support your children. Now, all of those freedoms are in peril."

Stephen Harper, adjunct professor at Northwestern University Law School, wrote in *Alito's Bad History Meets the Vendetta of Clarence Thomas*, "If democracy dies, it will take a long and mighty struggle to get it back. In the interim, the personal damage to millions of Americans will be irreparable."

By allowing Republican politicians in red states to ban abortions, Supreme Court conservatives let state governments place a heavy burden on women who have become pregnant, imposing high costs and obligations on them and depriving them of economic freedom and the freedom to be able to decide when to have children and the size of their families. Being that about 60 percent of women who have an abortion every year are already mothers, it is clear that they know a thing or two about their circumstances and the predicament they are facing by becoming pregnant under the Taliban-like influence of aggressively imperious "conservatives" and persons in far right political factions.

Abortion bans are mean-spirited, insensitively cruel and totalitarian dictates that insist they triumph over anyone who sees things differently. This is a dogma that is particularly detrimental to countless numbers of women who are pregnant right now against their will, or will become pregnant any time in the future.

This ruling has a stench of illegitimacy due to the dominance of the Supreme Court by "conservatives" who were chosen by Republicans specifically for their personal preferences to overturn the 1973 *Roe v. Wade* decision.

MAGA extremist Marjorie Taylor Greene from Georgia did a victory lap after the revelation that partisans on the Court had voted to overturn federal *Roe* protections. She ominously tweeted a dark scene of a MAGA crowd and appended a caption to it: "Our God is bigger." On June 24, she added, "Praise God."

Woes in Texas

Another critically serious problem with the roughshod ruling overturning *Roe*: "Doctors in red states across the country are too scared to perform legal abortions". This is due to the uncertainties introduced by the Supreme Court's injudicious overturning of federal guarantees of women's reproductive rights. *No one knows when it is legal to perform medically necessary abortions in Texas.*

In an article by Ian Millhiser, senior correspondent at Vox, "where he focuses on the Supreme Court, the Constitution and the decline of liberal democracy in the United States", he writes that a new lawsuit recently filed in a Texas trial court seeks to answer a question that has vexed lawyers, doctors, hospitals, and patients ever since the Supreme Court permitted the state to ban abortions: When can a Texas patient obtain an abortion in order to save their life or ward off serious health consequences?

"Texas is famously one of the most anti-abortion states in the country -- you may remember the Supreme Court fight over the 2021 Texas law that sics litigious bounty hunters on abortion providers -- but even in Texas, it is legal

for doctors to perform an abortion when one is necessary to protect the health or life of a patient. Or, at least, it is supposed to be legal."

"But in practice, the new lawsuit claims, Texas physicians are often too terrified to perform likely legal abortions because the consequences of performing an abortion that the courts later deem to be illegal are catastrophic. The maximum penalty for performing an illegal abortion in Texas is life in prison.

"This lawsuit, known as *Zurawski v. Texas*, asks the state courts to clarify when medically necessary abortions are legal within the state so that doctors can know when they can treat their patients without risking a prison sentence or a lawsuit. The suit, in other words, asks the courts to lift a cloud of uncertainty that hangs over Texas doctors, preventing them from treating their patients even when that treatment is legal."

One particularly tragic part of the ruling to allow states to take away abortion rights is that it will not stop abortions from happening, but it will increase the number of illegal and unsafe abortions, and it will increase the costs and risks to women and society of this cataclysmic imposition.

While abortion restrictions won't dramatically decrease the number of procedures done, they will increase unsafe abortions and cause a despicable spike in deaths of pregnant women. Access to reproductive health, including sex education, contraception, Plan B morning-after pills, abortion and STD testing is vital for the health of millions of women in the country. And according to the Center for American Progress, abortion restrictions not only lead to an uptick in maternal deaths, but also delays in access to critical prenatal care. This is why it's so vital for our public health officials to take action. As access to abortion continues to be attacked, more and more lives will be at risk.

Maternal mortality in the U.S. is disgracefully more than three times worse than the next closest Western nation. A recent study estimated that a total abortion ban in the U.S. would lead to a 21% increase in pregnancy-related deaths overall, with a 33% increase among Black women. This is wrong, beyond words.

The Guttmacher Institute reports that there are something like 6 million pregnancies in the U.S. each year, and 45% are unintended. This means there are about 2.8 million unintended pregnancies, with 1.6 million of them categorized as "wanted later" and 1.2 million as "unwanted." This is an indication of the scope of inequities that are being forced on these women.

With Republicans on the Supreme Court having overturned federal protections for women to get a safe and legal abortion, individual states have been given the go-ahead to prohibit women from exercising this reasonable right and prerogative.

Globally, there were roughly 121 million unintended pregnancies each year from 2015 through 2019, according to Population Connection, and 61% of these pregnancies ended in an induced abortion. "Given that an estimated 45% of all abortions remain unsafe, this is a public health emergency."

With Roe rights having been overturned, sexual assaults against girls and women just became a degree more DEADLY. Will rapists in red states be held more accountable for their lust-driven self-gratification at the heinous expense of female victims? Will males who force themselves on females in the military be subjected to more definite consequences? Cynics familiar with sexism, misogyny and double standards in our male-dominated societies say, "not likely." Sexual politics in this intensely personal sense has become much more fraught. "She said; he said." Who is most likely to be lying? #MeToo.

State mandated abortion bans like a 6-week ban proposed by Florida Republicans are an example of desperate overreach, reflecting how tone deaf and extremely out of touch Republicans are with public opinion, public preferences and respect for women's natural rights.

A full 75% of Floridians oppose a six-week ban on abortion without exceptions for rape or incest. And 62% strongly oppose such a ban. "Those are remarkable figures, but not all that surprising; abortion has been protected by the state constitution since the 1980s, and it's only in recent years that Floridians' reproductive rights have come under attack."

"Congenitally uninterested in public opinion, legislative Republicans introduced a bill (in early March 2023) that

would ban abortion after six weeks anyway. The only difference between the poll's hypothetical and the bill filed by Republicans is that the latter has an exception for rape or incest — *if a woman can produce legal evidence that she was raped or a victim of incest. copy of a restraining order, police report, medical record, or other court order or documentation.*"

"Given how many rapes go unreported every year, and how nervous people will be about submitting to government scrutiny of one of the worst moments of their lives, the exceptions are all but meaningless. In essence, the proposed ban is exactly the same dangerous violation of reproductive rights that three quarters of Floridians do not want to see enacted."

How We Got in This Intractable Fix

The best political disinfectant is sunshine, they say, and herein you will find bright illumination cast on the darkest and more nefarious corners of partisan politics and the perpetrators of schemes to seize power in the ever on-going internecine struggles over control and ascendancy in our society.

In the chaotic trenches of warfare over reproductive rights in the USA today, many folks may be failing to see the forest for the trees. There is a Bigger Picture perspective to the heated issue of abortion that must be clearly seen to really gain a good understanding of what's happening here right now, in the wake of Roe rights having been eviscerated by Republican-appointed Justices.

Much bigger political, social, economic and environmental issues are involved. This observation does NOT in any way diminish or minimize the internecine strife that is going on over abortion, and the real nature of the issues involved, comprehensively understood.

To glean the great import of this Bigger Picture perspective, check out the series of 14 Speeches made by the honorable Senator Sheldon Whitehouse, which he has been giving to the American public from the floor of the U.S. Senate between May 25, 2021 and May 11, 2022. The speeches will help members of the public understand in intricate detail *The Scheme: How the Right Wing Used Dark Money to Capture the Supreme Court* -- and the brazen implications of this judicial coup.

Each of these 14 Speeches is about 15 minutes long, and can be seen right now on YouTube. I urge all concerned Americans to become well informed by watching these 14 Speeches by Senator Whitehouse, spending a few hours gaining insight and understanding of this astonishing Big Picture story.

The extremist cadre of political "conservatives" on the Supreme Court is dismantling democratic fairness and undermining American democracy. This is the result of an insidious corporate court capture scheme that has been taking place since 1971, when corporate lawyer Lewis Powell strongly advocated for Big Business to take aggressive advantage of "Neglected Opportunity in the Courts". This court capture scheme has finally succeeded beyond all rational check and balances.

For more of the stunning scoop about this insidious Scheme, read my important essay *Calamitous Consequences of the Success of a Secret Conspiratorial Scheme to Capture the Courts*.

Historical Perspective

Jim Hightower cogently provides a fuller historical perspective, pointing out, "Even before the current gaggle of right-wing legal operatives took over, the court was rarely a bastion of justice and equality. Rather, in its 233-year history, members have most often served as tenacious protectors of wealth, property, privilege, and the corporate order, fending off the egalitarian aspirations and demands of riffraff like you and me."

"In fact," Hightower continues, "the Supreme Court is peculiarly *un-American*, intentionally structured as an aloof, quasi-autocratic, opaque governmental authority, a jarring anomaly in a nation purporting to be a democratic republic."

Threats to good governance and a healthy separation of church and state may never have been as dire as right now. The conspiratorial collaboration between religious conservatives and Republican politicians and judges has had highly negative impacts on our country, and emphasizes the great need for much stronger checks and balances

between branches of government.

Republican politicians and right-wing Catholics on the highest court in the land are demonstrating retrogressive attitudes in a ruthless and merciless determination to impose their values, dictates and contorted version of Biblical beliefs on everyone. This is anathema to the great ethical moral code that long predates their religion -- the Golden Rule principle. This ethic holds that every person should treat others the way they themselves would like to be treated. Principles of accountability and the vital separation of church and state are also being violated.

Author and *New York Times* columnist Roxane Gay perfectly captured the moment we are in when she wrote, "We should not live in a country where bodily autonomy can be granted or taken away by nine political appointees, most of whom are men and cannot become pregnant. Any civil right contingent upon political whims is not actually a civil right".

All evidence indisputably confirms that the top priority of the Republican Party is to gain and retain power, and to do so by pandering to rich people, big corporations and conservative religious persons. This overriding goal is being accomplished by pushing policies and priorities that give the top dogs big tax breaks while depriving millions of Americans of good healthcare and underfunding social programs designed to help the vast majority to live lives with a reasonable amount of security. Women, children and people in racial minority groups bear the harshest burdens of these coldly calculated policies.

With conservative Supreme Court Justices and Republican state officials taking away women's right to choose to have a safe and legal abortion, many women are being forced to carry a fertilized egg for 9 months and then deal with the heavy burden of supporting an unwanted child with a minimum amount of government support. This is an exceedingly consequential sin of weaponized government against females.

It is one aspect of human nature that males treat females as objects of their lust, objectifying them and sexualizing them and often trivializing them. This fact is made perversely worse by male domineering politicians and judges that compound indignities by victimizing those who become pregnant when they force rigid dictates on them to remain "barefoot and pregnant" against their will.

Republican politicians have become like radical bomb throwers who seem to have drunk their own Kool-Aid, promoting absolutist beliefs and then regarding male domination over women as being proper, right and deserved in our dystopian patriarchy. They are now falling on their own swords in their monomaniacal pursuit of their right-wing agenda in what veritably can be seen as "a war on women."

When Republicans talk about freedom, it is the freedom to believe the way they do. "What Republicans want to preserve isn't freedom, it's power. The power to impose their narrow ideology on everyone else, no matter who suffers. Don't let their propaganda convince you otherwise."

The tyrannical surge in abortion restrictions in conservative states across the country is being done as a way to politicize abortion and supercharge campaign donations and increase power for Republican politicians. By pandering to religious fundamentalists, they regard this as a political win, even though it wrongly mandates what a woman can and cannot do with her own body -- and deprives her of the agency to determine the course of her own life.

Something like 25% of American women have had an abortion, and today about half of the women who want to end a pregnancy are so impoverished that they live below the poverty level. Criminalizing abortion deprives a large proportion of the populace of a freedom, as well as a fair degree of well-being and economic security that is essential to their happiness and control in their lives.

This is so patently unfair that it is shocking that the Supreme Court has taken away a major right and caused such a stench by this ruthlessly empathy-deficient ruling.

American women who are forced to relive the harsh realities of pre-1973 second-class citizenship will add to countless stories about how horrendous the experiences of their earlier kin really were. In the article *The Great Stewardess Rebellion*, a stirring study of what *Roe v. Wade* helped vanquish is made visceral, and many intensely personal stories provide a stark reminder of how dark those days were.

Banning abortions not only places a severe burden on women who do not want a child, but it makes abortions much

more expensive, dangerous and deadly. Such bans in Republican-controlled states impact marginalized communities the most harshly, and surely it is against constitutional fairness to treat poor people so unjustly. Public health officials should step in and take action to protect and expand access to abortion and broader reproductive health - and they should do so without delay.

It is an *essential* right for women's health, dignity, economic security, autonomy and general welfare to be able to choose to end a pregnancy in the first months after insemination. Relentless efforts to overturn *Roe* are sickly cynical strategies by the Republican Party that are causing harm to millions of women and families all over this country, particularly those in red states and in marginalized communities.

It is wrong for authorities to make it a crime for every woman -- and the doctors and honorably compassionate civilians who help them -- to terminate an unwanted pregnancy, regardless of the circumstances. It is also wrong for conservative Catholic judges to rule imperiously in ways that are egregiously disrespectful of the opinions, beliefs and rights of others. And it is wrong for biased judges to force their religious beliefs on others.

Matters are made even worse by the fact that the conservative supermajority on the Supreme Court has been so illegitimately constituted. More about that later.

This essay will closely examine the Moral Arguments for Legislatively Codifying Reasonable Reproductive Rights, along with Compelling Economic Reasons for Protecting Women's Reproductive Rights, and Legal Arguments Against Overturning *Roe v. Wade*, and Environmental Reasons for Sowing Justice to Harvest Peace. But first, think about what's happening here, right now.

Women's Protest Marches

Marches and rallies took place in cities across the U.S. on May 14, 2022 with passionate defenders of reproductive rights demonstrating to defend the country against the looming decision by the Supreme Court that would eviscerate the protections that have been enshrined in *Roe v. Wade* for nearly 50 years. Under the banner of "Bans Off Our Bodies", the demonstrations took place in cities large and small, with over a million people joining in a total of 450 events all across the country -- "a sign of just how strong, united, and fired up this movement is."

Protestors in these Women's Marches voiced anger over the Supreme Court's leaked ruling that revealed conservative Justices had already voted to overturn *Roe v. Wade*, and expressed strong opposition against the multitude of abortion bans and restrictions being enacted in Republican-controlled states across the country. Some marchers held signs with drawings of a uterus and images of coat hangers, symbolizing the dangerous measures women resorted to before *Roe* to terminate unwanted pregnancies. After all, it is starkly certain that overturning abortion rights will not stop abortions from happening, but will drastically increase the cost and number of illegal and unsafe abortions and maternal deaths in red states.

Most of the protest signs said, in essence, "damnation to the forced birther zealots".

In San Francisco, ten thousand impassioned peaceful protestors, chanting and carrying signs, joined the March for Women that followed Market Street from the Civic Center to the Ferry Building. The protestors passionately chanted things like "Hands Off My Body", and carried signs saying "Our bodies, our choice" and "Hey, what's that sound? Women's rights are going down", and "Abortions can't be banned, only safe abortions are banned", and "Let's talk about the elephant in the womb", and "Men cause 100% of unwanted pregnancies", and "Abort SCOTUS", and "Mind your own uterus", and proposed "Mandatory vasectomies" for men like rapists.

One of the most revealingly incisive commentaries was the protest sign that said:

IF YOU THINK
BEING FORCED TO
wear a mask
IS BAD
imagine being forced to
HAVE A BABY

One sign dripped with satirical cynicism, angrily advising:

REGULATE YOUR
 → DICK ←
NOT MY PUSSY

The protestors were harangued along the route by a handful of shrill and vituperatively angry resentment-amplified anti-abortion a**hole absolutist activists that shouted over megaphones about God and sinners and Jesus. The contrast between the multitudes of women demanding their rights and the angry dominionist counter-protestors was a visceral symbolic contrast of the views of the majority of Americans to the narrow minority of religious zealots and scheming politicians intent on imposing their reactionary forced birther agenda on the people.

There's something happenin' here
 What it is ain't exactly UNCLEAR
 Hey, what's that sound
 Everybody look what's goin' down!

The ruling against abortion rights by Samuel Alito and his fellow conservatives reveals a deep contempt for public opinion -- and for the Supreme Court Justices who wrote the *Roe* decision in 1973, as well as those who wrote opinions upholding it and the concept of government not placing an "undue burden" on women seeking an abortion in the *Casey* case in 1992.

Right-wing lawmakers introduced a staggering 536 abortion restrictions in 42 states in the first four months of 2022 alone -- and they succeeded in passing near-total abortion bans in Texas, Oklahoma, Kentucky, Florida, Idaho and other states. Then Supreme Court conservatives who were chosen specifically for their opposition to federal protections of abortion rights overturned *Roe v. Wade* despite 50 years of precedent assuring women of this right.

Alito's ruling references some gay rights rulings and then stated, "These attempts to justify abortion through appeals to autonomy and to define one's 'concept of existence' prove too much. None of these rights has any claim to being deeply rooted in history." THAT is a twisted "originalist" opinion!

One observer succinctly summarized the absurdity of that argument: "This all just smacks of Alito coming up with a rationale for what he thinks is the right outcome for this issue."

Alito gave wantonly free expression to his domineering sense of righteousness and his beliefs and biases and dogmatic religious convictions, and to his coldly calculating originalist judicial philosophy. In this, he is broadly abusing the ill-begotten power of conservatives on the high court by indulging their transparent eagerness to infringe on women's rights and economic security, and to mandate obligations and responsibilities.

The stench of politics and illegitimate influence on the high court reeks to high heaven.

The ideas expressed here are powerfully strengthened by insight-filled understandings conveyed in the article *Scheme to Capture the Supreme Court and Reverse Core Rights*. This tells the story of Charles Koch's political arm, Americans for Prosperity, which waged a "full scale" campaign to get the religious devotee Amy Coney Barrett confirmed to a lifetime seat on the Supreme Court.

Koch Industries and the Koch network of collaborating and co-conspiring billionaires have used front groups like Americans for Prosperity and libertarian think tanks like the Cato Institute to promote rationalizations for right-wing ideological opposition to reform and necessary action. They thereby have had insidiously treacherous major negative impacts on U.S. politics, good governance, public awareness, reform efforts and the fairness of court rulings. This treachery has weakened the state of our democracy and sabotaged all of the great values and ideals set forth in the Preamble of the U.S. Constitution.

Charles Koch and many other conservative billionaires lavishly support the right-wing Federalist Society, which created a pool of anti-abortion judges that Trump promised to choose from. And Trump delivered on this objectionable promise to stack the Supreme Court with anti-choice conservatives.

This was conspiratorial wrongdoing to do the bidding of the radical right and launch a new offensive in the crusade to divide-to-conquer using tactics that will further harmfully exacerbate undesirable political polarization in the USA. As a result, our house is harshly divided, and social cohesion is diminished, and salubrious remedial actions

are more easily prevented. This state of affairs would deeply disappoint the Founders, and is a betrayal of hundreds of millions of others. AND, it gives despotism more purchase to gain overwhelming influence and domineering control in our country.

Confirmation of Fears

The decision to overturn *Roe v. Wade* is a disaster for the women who will be forced to turn to dangerous and illegal providers. "It is also a disaster for the Court, which has shredded 250 years of legitimacy and embraced a new and dangerous role as an openly partisan branch of government. It now falls to the elected branches of government, Congress and the Presidency, to protect the Constitutional rights of all Americans."

The ruling casts a glaring light on the evasive and deceitful testimony that each of the deciding judges gave when they faced questioning about the topic during their confirmation hearings. Conservative judges claimed to respect precedent, but their subsequent action to overturn *Roe* makes it appear more like what one Senator calls "rank deception" in having misled Senators and the American public. They sure did hide any belief, as Alito later asserted, that *Roe* was "egregiously wrong."

The day after the court overturned *Roe*, the *New York Times* recounted the story of how Sen. Susan Collins met with Supreme Court nominee Brett Kavanaugh in her Senate office on August 21, 2018, and the judge "worked vigorously to reassure her that he was no threat to the landmark abortion rights ruling." Kavanaugh was transparently lying to get approved, and he betrayed the trust that Collins placed in him in helping him to succeed in getting a lifelong position on the high court.

Both Sen. Collins and Sen. Joe Manchin expressed anger after the court overturned abortion rights, and their "indignation was echoed across the Capitol by lawmakers who said the court's decision ... helped drain what was left of any credibility Supreme Court nominees have in their confirmation hearings." The integrity of those who deceive has taken a serious hit. Sir Walter Scott observed, in 1908: "Oh, what a tangled web we weave, when first we practice to deceive!"

"It's clear that over the years the Supreme Court has become yet another partisan institution -- and one that's unaccountable to the American people," writes a law professor.

The judiciary has been politicized. The three judges that Trump Republicans managed to put on the Supreme Court were chosen by the right-wing Federalist Society specifically for their shrewd opposition to abortion and their intellectual deviousness in rationalizing "originalist" interpretations of the Constitution.

The PBS flagship investigative journalism series *Frontline* did a documentary in 2020 about the conservative takeover of the Supreme Court. Titled *Supreme Revenge: Battle for the Courts*, it tells the story of the decades-long judicial wars that ramped up at the Reagan White House when Robert Bork was nominated to replace Lewis Powell after his announced retirement in 1987 -- and was "borked" out of contention.

In retaliation, Mitch McConnell vowed to wreak vengeance, and when the liberal Justice Thurgood Marshall, a Black man, retired in 1991, he pushed through a far right Black man, Clarence Thomas, to replace him. This drastic switch of a conservative judge to replace a liberal judge was echoed even more drastically in October 2020, when the great champion of women's rights Ruth Bader Ginsburg was replaced less than two weeks before the 2020 election by the religious fundamentalist, Amy Coney Barrett.

The Brett Kavanaugh hearings turned into a hyper partisan battle, and partisanship since then has reigned supreme. "More than any of the other fights, the Kavanaugh nomination hearings really ended up tarnishing the Court's reputation as an apolitical institution. What seemed like a sort of shocking freak occurrence when it happened with Bork, now seems like a fait accompli with Kavanaugh. He now is up there on the bench and everybody assumes it's only because of politics."

What is really tarnishing the Court's reputation as an apolitical institution is the subsequent outrageous overturning of established precedents along partisan political lines.

The politics of destruction has come home to roost, and unfortunately Trump Republicans and Mitch McConnell and "my Kevin" McCarthy are especially skilled at smearing others and using character assassination to get elected and

do the unscrupulous bidding of the Big Money interests that support them.

In a letter to her Democratic colleagues in the summer of 2022, then Speaker Nancy Pelosi acknowledged, "It is clear that the path forward will depend on the outcome of the upcoming midterm elections." She added, "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."

An incisive political cartoon appeared in national newspapers on May 12, ten days after the leaked Supreme Court ruling that revealed in gory detail the pending upset of women's reproductive rights. The astute cartoon showed caricatures of Justices Thomas, Alito, Kavanaugh, Gorsuch and Barrett, all of them holding signs signifying:

TOLD YOU WE'D RESPECT PRECEDENT

And each of them is reading from their testimony:

HISTORY OF NOMINEES MISLEADING CONGRESS

This is rich. After all, in job interviews, it is grounds for dismissal to mislead those who hire you. If it is found out that you have been hired under false pretenses. In the Supreme Court and other federal courts, twisting the truth and being evasive is par for the course in testimony before the U.S. Senate, and it is wrong to succeed through deceit in getting life-long positions in the federal judiciary. It is not right for the American people to have no recourse once deceivers manage to get appointed in our hyper politicized country, and people become acutely aware that they are being subjected to the arbitrary and capricious whims of partisan judges who twist the law and make tortured originalist interpretations of the Constitution to push their backward agenda and comport with their biases, greed and domineering control. This is wrong, so we must somehow rebalance the Court and correct the grave injustices that are consequentially being perpetrated by radically treacherous "conservatives" on the Court.

Moral Arguments for Legislatively Codifying Reasonable Reproductive Rights

Mark Twain once incisively observed in his Notebook that "We easily perceive that the peoples furthest from civilization are the ones where equality between man and woman are furthest apart -- and we consider this one of the signs of savagery. But we are so stupid that we can't see that we thus plainly admit that no civilization can be perfect until exact equality between man and woman is included."

It has been 127 years since the esteemed author made this observation, and the white male patriarchal drive to control and subjugate women is right now taking a contemptuous and despotically retrogressive turn against women and their rights, freedoms, obligations, economic security and personal dignity.

One definition of savagery is a disposition to willfully inflict pain and suffering on others. That is apparently what conservatives want to do to millions of women, in effect, by criminalizing abortions. Republican antagonism to women's rights reflect their political authoritarian propensities and discriminatory zeal for putting heavy burdens on women to bear children they do not want.

Ruth Bader Ginsburg, the great champion of women's rights, made the respectable case that women should be strongly protected by sensibly saying, "The decision whether or not to bear a child is central to a woman's life, to her well-being and dignity. It is a decision she must make for herself. When the government controls that decision for her, she is being treated as less than a full adult human responsible for her own choices."

The crusade to prohibit abortion is not about fairness or justice or equality, it is about political power and strategies that use women as pawns by divisively weaponizing this ultimate hot button issue against them.

Abortion restrictions, according to the signatories of a letter sent by nearly 200 organizations and experts, deny "women's decisional and bodily autonomy in a way that rejects the agency, dignity and equality of people who can become pregnant." The groups say overturning the constitutional right to abortion contravenes the U.S.'s international obligations as a UN member state.

In this letter, the authors detail how, since the federal constitutional right to abortion was overturned in June 2022, about 22 million women and girls of reproductive age live in states where terminations are either banned or

inaccessible.

Compelling Economic Reasons for Protecting Women's Reproductive Rights

The Supreme Court ruling to reverse federal protections for women is happening at the same time that women in the United States face some of the highest health care costs in the world, and the least support for pregnant people, mothers, caregivers and families.

Since banning abortions make them much more expensive, dangerous and deadly, it is stupid and cruel from an economic point of view for politicians to be so rashly inflexible, uncompromising and totalitarian.

The average cost of raising a child in the U.S. to the age of 17 was estimated to be \$233,000 in 2015. This means that, adjusted for inflation, it would cost about \$275,000, on average, in 2023.

Make no mistake about it, all women and their families who are coerced into having an unwanted child face a life-long heavy burden of high costs for bearing the obligations of delivering a child and supporting it. And because so many pregnant women that are forced to have children against their will are Blacks or Latinos, and most of them are not well-off to afford the cost, it is TAXPAYERS who must bear much of the huge amounts of cost of Medicaid and other social safety net programs that help low income people pay these mandated expenses. In our weak-willed and exceedingly dysfunctional system, large quantities of federal government spending are deficit financed, so this burden will also be borne by everyone in the future that will be negatively affected by spiking record-high levels of national debt and interest expenses.

The loss of abortion rights "means the loss of economic security, independence, and mobility for millions of women. In fact, a rich and rigorous social science literature has examined both the detrimental effect of a denied abortion on women's lives and the individual and societal economic benefits of abortion legalization," as detailed in a thorough amicus brief that was filed on behalf of 100 economists in the *Dobbs v. Jackson Women's Health Organization* case.

"Some of the economic consequences of being denied an abortion include a higher chance of being in poverty; a lower likelihood of being employed full time; and an increase in unpaid debts and financial distress lasting years."

"On the flip side, environments in which abortion is legal and accessible have lower rates of teen first births and marriages. Abortion legalization has also been associated with reduced maternal mortality for Black women. The ability to delay having a child has been found to translate to significantly increased wages and labor earnings, especially among Black women, as well as an increased likelihood of educational attainment."

Anti-choice pro-birth stands are severely tainted by a lack of respect for women and their natural human rights, and by conservatives' anti-tax ideology that results in women and children suffering high rates of poverty and lack of opportunities, and inadequate and expensive healthcare.

There is a significant gender pay gap between women and men that has persisted for decades. A recent Pew Research Center analysis of median annual earnings of full-time, year-round workers revealed that women earned only 82 cents in 2022 compared to earnings of \$1 for men. This gender pay gap -- the difference between the earnings of women and men -- has barely closed in the United States in the past two decades. This 82 cents that American women typically earned for every dollar earned by men was only 2 cents better than in 2002, when they earned 80 cents to the dollar. The slow pace at which the gender pay gap has narrowed this century contrasts sharply with the progress in the preceding two decades, for the gap had declined by 15 cents from 1982 to 2002 (from 65 cents to 80 cents for each dollar earned by men). And the gender wage gap unfairly varies widely by race and ethnicity.

Treasury Secretary Janet Yellen summed up the overall economic effect of abortion bans: "Eliminating the rights of women to make decisions about when and whether to have children would have very damaging effects on the economy and would set women back decades."

Many of the states with preexisting abortion bans (or in the process of implementing bans) "are also states that have created an economic policy architecture of low wages, barely functional or funded public services, at-will employment, and no paid leave or parental support. In these states, the denial of abortion services is one more

piece in a sustained project of economic subjugation and disempowerment.”

The United States in general ranks poorly on a number of measures related to maternal support and outcomes. A state-by-state breakdown that offers a look at the varied experience of having and raising a child in this country reveals that the rates of uninsured women and maternal deaths are among the highest in the country in states that have trigger laws to outlaw abortion once *Roe v. Wade* was overturned.

No state with a trigger law or a pre-*Roe* abortion ban has laws in place to guarantee paid leave, which helps women recover from giving birth without losing needed income.

“Of 36 developed nations, 34 offer abortion on request or on broad social and economic grounds -- only Malta and Poland fall short.” ... “Global progress on basic reproductive issues has, by and large, been steady and encouraging; as women gain economic and political power, religion eases its grip and societal attitudes mellow. Ireland cleared the path for legal abortion in 2018. Latin America, though still home to some of the world's most restrictive bans, has taken significant strides, with Argentina permitting elective abortions in late 2020 and Mexico and Colombia decriminalizing the procedure. In Africa, Benin has just brought in a groundbreaking abortion law. Today, even if huge numbers of women still face significant hurdles, only 5% of women of reproductive age live in countries that forbid abortion without exception.” And zealous Republican Justices have just begun to disreputably force American women in red states to join that grievously oppressed minority.

Freakonomics and Another Economic and Social Argument

Another illuminating economic and social understanding is this: Studies show that crime rates turn out to be higher among those born unwanted. Since the time that abortions before fetal viability were legalized in 1973, the number of unwanted children was reduced — and crimes committed by teenagers have significantly declined, beginning in the early 1990s, twenty years after *Roe*.

This provocative story is told in the 2005 book *Freakonomics*, and again in the article *Abortion and Crime Revisited*, a 2019 update. Expansive social-sciences literature shows that children born to parents who didn't truly want that child, or weren't ready for that child, were more likely to have worse outcomes as they grew up -- health and education outcomes. But also, these so-called 'unwanted' kids would ultimately be more likely to engage in criminal behaviors.”

This is one of many unintended consequences of allowing politicians to callously force females who get pregnant to remain pregnant against their will. By Supreme Court conservatives having decided to eviscerate *Roe*, there will likely be an increase in crime in the long-term. This will increase already high costs of incarceration, so it is foolish to mandate unwanted births.

Social conservatives take punitively hard-line stands against crime (and incidentally tend to rationalize police misconduct and racial injustices in law enforcement), so they should be concerned about the fact that prohibiting abortions will have the perverse impact of increasing crime and incarceration in the long run. This issue will ruefully serve to further tear our society apart.

The Golden Mean of Moderation

Many wise philosophers throughout history have extolled the great virtues of moderation and the golden mean, so it is in effect idiotic to now disdain moderation and refuse to compromise and try to run roughshod over those who are unfairly disenfranchised. These powerless persons generally include poor people and vulnerable folks and those who have been treated egregiously unjustly in our system, which has been so onerously beset by persistent structural racism for many centuries.

It is a terrible tragedy that after almost 250 years of enjoying the blessings of our great American experiment in representative democracy, our nation, “conceived in Liberty and dedicated to the proposition that all men are created equal”, has now become a house divided against itself in a civil conflict that pits conservatives against liberals, and moderation is being sacrificed to extremism for the purpose of gaining power.

Millions of Americans have given “the last full measure of devotion” -- their lives -- in defense of freedom, to ensure “that government of the people, by the people and for the people shall not perish from the earth.”

Political moderation has great value, and extremism tends to beget extremism, with radicalism provoking reactionary responses, and vice versa. This "counter-supporting" phenomenon gives power to what is opposed, as John Fowles made clear in *The Aristos*. This fact alone makes it critical for *We the People* to demand that Congress prohibit states from engaging in extreme partisan gerrymandering. Yet Congress has become far too corrupted by the excessive influence of Big Money and the insidious effects of polarized politics to remedy the big problems that face us with effective and necessary reforms. So after the Supreme Court failed to transcend its partisan favoritism by allowing extreme gerrymandering in various states, it betrayed American democracy.

The real world outcomes caused by partisan gerrymandering are far too damaging and consequential to allow it to persist. Discriminatory gerrymandering is a poisonously grave problem in our democracy because of the harms it causes and the ominously worsening polarization that it contributes to. So, it is ethically wrong.

Supreme Court conservatives pushed nakedly political untruths by proclaiming in their momentous 2019 ruling in the *Rucho v. Common Cause* case that federal courts have no power to police partisan gerrymandering. This ruling in effect allowed a lawlessly Wild West-like Southern Strategy-corrupting-perversion of propriety that drastically disenfranchises tens of millions of voters every national election by creating a free-for-all of electoral gamesmanship through poorly constrained gerrymandering of congressional districts.

Gerrymandered districts are unacceptably unfair, and worse, such highly discriminatory shrewd political conspiring has the sadly negative impact of exacerbating polarization by encouraging political extremism and dangerous fringe factions. As a result, moderation is forsaken, and those who disdain balance triumph, facilitating the extremely illiberal oppression of people on the other side of the political aisle.

Gerrymanders in 2022 were a "partisan bloodbath," wrote David Daley. "Both parties have wiped competitive seats off the board. While Republicans overwhelmingly gerrymandered more Congressional districts and state legislatures 10 years ago, Democrats have been just as aggressive this cycle in states where they have complete control. The brazen gerrymander passed by New York Democrats not only locked in 22 blue seats in a 26-member delegation, but eliminated all four of the competitive districts where President Biden and Donald Trump finished within five points of each other in 2020. Since then, that gerrymander in the state of New York was ruled unconstitutional, depriving Democrats of many seats in the House. Florida and Ohio, however, got away with their gerrymandered maps, so deep injustices continue, and control of the House has very narrowly been grabbed by Republicans.

One observer wrote before the New York reversal, "Perhaps this cycle's gerrymandering horror show is less over the top, perhaps the villains are harder to identify. The ending is likely to be the same: The People's House belongs to the mapmakers."

Once described as "apolitical," secretaries of state are now among the most important officials standing between democracy and authoritarianism.

Mitch McConnell and his cronies have blocked federal voting rights protections so that Democrats may not be able to win election contests and majority power in red states for decades. This is a cynical anti-democracy strategy that threatens the well-being and freedom of the American people, and gives undue and dangerous excess power to a ruthless, irresponsible, authority usurping and power abusing minority that is intent on favoring rich people and discriminating against women and LGBTQ people and tens of millions of folks in racial minorities.

Environmental Reasons for Sowing Justice to Harvest Peace

We live in a world of more than 8 billion needy and generally self-centered people, and many excessively greedy ones, and excessive human numbers are having drastically harmful impacts on habitats and ecosystems and the survival prospects of millions of species of life on Earth. The fact that we are rapidly depleting resources and creating huge quantities of wastes and spewing too much planet-warming greenhouse gases into the atmosphere makes it imperative that we embrace better family planning policies in the U.S., and everywhere around the world. Eviscerating federal protections for the right to end a pregnancy and forcing women to carry every pregnancy to term and deliver unwanted children is profoundly wrong from this point of view.

There is an obvious Population Connection to all the biggest challenges we face in the world today, including the

disastrous worsening destabilization of the global climate and shortages of fossil fuels, minerals, arable land, fresh water and other resources. These problems are compounded by unsustainable growth in materialistic consumerism and the serious issues associated with global pandemic diseases, desperate refugees, immigrants, military conflicts, authoritarian right-wing populism, spiking inflation, the backsliding of democracies in many countries, and an ominous extinction of other forms of life on Earth, which poses an existential threat to our own well-being and survival.

We need the deep dives of comprehensive understandings like that conveyed by professor Robert Reich and history professor Heather Cox Richardson. Instead, we get simplistically shallow, absolutist, politically partisan and deviously disingenuous bumper sticker sentiments that insidiously undermine accurate understanding. We need honesty and moderation, and yet we get manipulative demagoguery, grandstanding, emotion hijacking, blame-shifting and deceitful divide-to-conquer fervor-arousing religious fundamentalism that is focused on imposing authority-abusing dictates on women who are struggling to forge their ways in life.

The Supreme Court's Roe ruling also happens to be an anti-environmental fusillade against environmental justice as well as social justice, family planning, overpopulation and human rights for women.

Supreme Court conservatives have been more emboldened since Trump took office and managed to pack it with three new anti-abortion absolutists. It is repeatedly ruling for the interests of the minority, so it is not a court we can trust to protect the rights of all of us. These rights consequentially include rights to clean air, clean water, and a safe and stable climate.

Trump Wins 2018 Rubber Dodo Award as Top Eco-villain -- "No shocker here: President Trump has won the Center for Biological Diversity's 2018 Rubber Dodo award. We award the statue each year to the person who has most aggressively sought to destroy America's natural heritage or drive endangered species extinct. Trump has wrecked, poisoned and polluted our environment on an unprecedented scale," according to Kieran Suckling, the executive director of the Center for Biological Diversity. "There's never been a president with such a vicious and ignorant approach to slashing protections for water, wildlife, lands and oceans." More than 12,000 people voted in this Rubber Dodo contest. Other nefarious nominees were Senator John Barrasso (R-WY), Interior Deputy Secretary David Bernhardt and Homeland Security Director Kirstjen Nielsen. "But, really, how could the winner be anyone but Trump?"

With three Trump-appointed Justices helping overturn *Roe v. Wade*, and emasculating the EPA, many communities will be devastated, especially communities of color, low-wealth income communities, and rural communities who already face significant barriers to accessing care and living in healthy environs. These, perversely, are the same groups most harmed by restrictions on voting rights, and by pollution and the most severe impacts of climate change.

Social movements that promote a healthy planet depend on democratic systems that uphold justice. That includes economic justice, racial justice, environmental justice -- and yes, reproductive justice.

Sow Justice to Harvest Peace

There is a broad truth in the fact that we can best enjoy peaceable coexistence through sowing justice, and that causing and perpetuating injustices leads to discord, blowback, chaos, unnecessary harms and even violence.

Sowing outrageous injustice is rashly oppositional to insuring domestic tranquility or fostering social cohesion, or actualizing the broad blessings of liberty."

Despite the great American ideal that declares it to be a self-evident truth that all persons are born equal, they of course are not. People are born with different genetic traits, and to parents with extreme extents of different socioeconomic fortunes. And they are born of male or female gender, into patriarchal societies that are excessively ossified into traditional structures that generally give white males dominating power in politics, corporations and established religions.

The fight for equality is one for rights and opportunities, and for fairness under the law and the Constitution. It is a fight for Liberty and the ability of individuals to fairly pursue Happiness, and it is an integral part of great

espoused national values that pledge allegiance to the prospects for liberty and justice for all.

The Supreme Court is basically letting red states "return pregnant people to the status of second-class citizens: mere incubators who lack the right to control the fate of their own bodies," as *The Nation's* Elie Mystal wrote. "This upending of 50 years of judicial precedent moves much of the immediate fight to defend reproductive rights to the states, where there were 36 governors and control of 88 state legislative chambers in 46 states decided in the 2022 midterm elections."

I urge all fair-minded citizens to NOT vote for any anti-choice Republicans, or any representative in Congress that voted against codifying Roe protections in the Women's Health Protection Act of 2022, which was scuttled by every Senate Republican and Senator Joe Manchin of West Virginia on May 18, 2022.

Another unacceptable situation is that, as Roe protections are ended and abortion is curtailed or banned across the country, the remaining open clinics will offer protesters fewer and clearer targets, and it is highly likely that acts of intimidation, harassment and violence at abortion clinics will skyrocket. Patients and providers already have few protections, especially in red states. This increase in threats be caused because there will be fewer targets for anti-abortion zealots, and they will be will more crowded. Already, in the past six years, calls to the police have doubled across Florida related to clinic harassment, disturbance and violence, according to *Reveal* from The Center for Investigative Reporting.

A police officer dealing with incidents at abortion clinics in Florida noted that during his contacts with aggressive protestors at clinics, "it appears that they harbor very extreme Biblical views and may become a threat toward the clinic or any law enforcement officers that respond to this location."

Anti-abortion decisions are being made by "the Taliban wing of the GOP." It was sad to see a news story in May 2020 that indicated the Taliban in Afghanistan had ordered women to cover up head to toe and deceitfully declared, "We want our sisters to live with dignity". That is the latest in a series of repressive edicts issued and preposterous proclamations made by Taliban leadership in one of the most destitute countries in the world.

Introspections into Prohibition

Let's all agree that it is a national goal to reduce the number of abortions that are done in the U.S. To achieve this goal, the best course of action would be to empower women with greater economic justice and provide sensible sex education and invest in family planning programs and a stronger social safety net. The goal of Republican politicians, however, is to dictate a prohibition against women being able to choose to have a safe and legal abortion.

It is highly illuminating to see what happened during the Prohibition Era. William Falk wrote in *The Next Prohibition*, in editorial comments in *The Week* magazine, that the Prohibition era was "the culmination of a decades-long movement fueled by religious fervor. In 1919, an America with a fondness for drink nonetheless adopted a constitutional amendment banning the 'manufacture, sale, or transportation of intoxicating liquors.' Prohibition immediately divided the country, and gave rise to sophisticated bootleg operations, smuggling, speakeasies, and the growth of organized crime. With public support waning after 13 tumultuous years, Congress abandoned the great dry experiment in 1933."

"It was not the first, nor the last, time governments have failed to prohibit a substance or behavior for which there is great public demand. When there is a want, there is always a way."

William Falk concluded, "Banning abortion will be even more difficult than booze. Abortion will remain legal in roughly half the states, and state borders are permeable. Medications that induce safe abortions at home are easily obtained through the mail. And instead of whiskey, drugs or guns, states will be trying to police women's uteruses, which are inconveniently located inside their bodies. As history shows, women with unwanted pregnancies will do whatever is necessary to end them, even at the risk of their lives. So to dramatically reduce abortion, this Prohibition must stop women from having unwanted pregnancies -- which means stopping them from having sex. That is indeed the goal of many evangelicals and Catholics in the right-to-life movement, who believe that the only legitimate sexual expression is between a married heterosexual couple not using birth control. All else is sin."

Satirical Comedy Inspires Revolutionary Circumspection

The late great comedian George Carlin once said, "I was a Catholic until I reached the age of reason." He did a humorous routine about the cruel hypocrisy of anti-choice politicians: "Boy, these conservatives are really something aren't they? They're all in favor of the unborn. They will do anything for the unborn, but once you're born you're on your own. Pro-life conservatives are obsessed with the fetus from conception to nine months. After that they don't want to know about you. They don't want to hear from you. No nothing. No neonatal care, no daycare, no head start, no school lunch, no food stamps, no welfare, no nothing. If you're pre-born you're fine. If you're preschool you're fucked!"

In this day and age, we must cultivate more expansive views of freedom and responsibility than those pushed by narrow minded old men and fundamentalist religious authorities in our male patriarchal society. Forced birther dictates and mandated motherhood are wrong, and unacceptable.

Republican dictates in red states that force women who become pregnant to stay pregnant in all circumstances outrageously violate the civil rights, economic fortunes, autonomy, privacy rights, dignity and freedoms of more than half of the populace that is female.

Today's imposition of harsh religious-based mandates on women is deeply ironic, for American colonists like the Pilgrims immigrated to Massachusetts precisely because they didn't like being forced into religious conformity in England. The same is true of persecuted Huguenots from France, and members of many other religious groups.

"Republican politicians working to overturn *Roe v. Wade* say they are pro-life and anti-abortion. In fact, they are neither. What they are is pro-forced birth. This distinction is about more than semantics. These officials have drawn a clear line, as evidenced by policies they've adopted in conjunction with their opposition to *Roe*. GOP-led states are making choices, *today*, that increase the chances of unplanned pregnancies and, therefore, demand for abortions; their choices also limit access to health care and other critical programs for new moms, endangering the lives and welfare of mothers and their children."

Many Republicans disreputably and deplorably do not appear to honestly care about the QUALITY of life for children or their mothers and families, because they seem only to want to force women to have a larger number of offspring. This is a mean-spirited strategy that panders to white males in our patriarchal society, and aims to divide people to gain more political power by the fracturing. See *Divide-to Conquer Roguery* for expansive understandings.

"The question of when life starts is technically immeasurable and by no means agreed upon. Rather, the unsaid, undergirding assumption that life begins at conception is imputed from the most extreme interpretation of *one* faith. It's an assumption that shares little consensus among other faith traditions. In some Muslim jurisprudence traditions, for instance, a fetus does not take on the status of a life until 120 days after conception."

"At issue isn't simply when life starts -- but whose life takes precedence. Consider third trimester abortions, which represent only 1% of all abortions. Anti-abortion activists always agitate their base with outrage about these late-term abortions, portraying them as drastically inhumane, but a closer look is revealing. When you zoom back in and ask *why* someone might need to undergo a third trimester abortion, it illustrates the inhumanity of denying them that right. These are almost always fetuses that were intended to be carried to term. Would-be parents who would have picked out names, bought cribs and baby blankets in anticipation of a healthy newborn. But because of some catastrophic medical indication that threatens the life of mother or baby, those cribs will go unused. Nobody suffers that worse than the person forced into this decision."

In the 49 years since abortion was legalized in 1973, legal abortion in the U.S. has become safer and more effective — "14 times safer than childbirth, according to a 2012 study."

Once *Roe* fell, many of the abortion bans currently on the books in states across the country will make abortion in those circumstances a crime, potentially forcing a pregnant woman to risk her life under penalty of the law. "Implicit in these bans is that the life of a fetus always trumps the life of a mother, turning her womb into a loaded gun and every sexual encounter into a twisted form of Russian roulette that could kill her under the wrong

circumstances."

"I raise the diversity of faith opinions here to illustrate the extent to which the fall of *Roe* is about nothing more than attempting to read the religious edicts of *one particular faith* into the law in a secular, pluralistic society. It is, in that way, the ultimate ascent to minoritarian rule, one faith exerting its laws on everyone else."

"This is about power -- not 'life.' After all, if it *were* about life, perhaps those who architected the fall of *Roe* might also have supported the Child Tax Credit, or expanded Women, Infants and Children benefits, or Medicaid." Or, helped provide baby formula for hungry babies, which 192 supposedly "pro-life" House Republicans voted against on May 18, 2022 -- during a severe supply chain shortage.

Also, to be clear, federal *Roe* protections certainly do not force an abortion on anyone. "If having an abortion doesn't comport with your values, then by all means, you can choose not to get one." These protections "just leave the door open for people to make their own decisions." The issue is about whether politicians and judges should be able to deny women the right to make such decisions.

It was a pathological irony that rightwing anti-mask activists were screaming "my body, my choice" in 2022 to protest the inconvenience of wearing a mask in public spaces. Now, the same crowd has engineered the reversal of *Roe*, "forcing women to put their very lives at risk by allowing the government to commandeer their most private spaces of all -- their bodies."

Dante Weighs in from Good Friday in the Year 1300

In Dante's Second Circle of Hell (Lust), unbridled lust can lead a sinner toward a harsh destiny.

Many males take advantage of females to satisfy their sexual drives, often plying them with alcohol or drugs to reduce inhibitions and try "to score." When a man forces himself on a woman to have sex against her will and she happens to become pregnant, it is obscene that the Supreme Court and government officials would then victimize her by forcing her to suffer the egregious indignity and cost of carrying the abominably-begotten spawn for 9 months against her will and be forced to give birth to a child that will be a lifelong burden needing support.

"In the Second Circle of Hell, Dante and his companion Virgil find people who were overcome by lust. They are punished by being blown violently back and forth by strong winds, preventing them from finding peace and rest. Strong winds symbolize the restlessness of a person who is led by the desire for fleshly pleasures. Again, Dante sees many notable people from history and mythology there, including Cleopatra, Tristan, Helen of Troy, and others who were adulterous during their lifetime."

Lustful sins, coupled with inadequately controlled sexual compulsions, can violate the moral judgments of the Third Circle of Hell (Gluttony). Tragically, gluttony often comes at the expense of others.

Dante regarded gluttony as a perverted form of greed. Those who insist that *THEY* be in domineering control of others may be well on their way to eternally punishment in Dante's Fourth Circle of Hell (Greed).

Dante and Virgil, on their journey down through the circles of Inferno, might be expected to have witnessed a long queue of sinner folks entering the Fourth Circle, for greed seems to motivate many people to indulge their whims, with inadequate regard for the impacts they have on others, and the consequences of their actions.

Understanding that sins of violence can condemn perpetrators to the Seventh Circle of Hell (Violence), crimes of domestic violence are a form of unacceptable sin, as well as of objectionable injustice. Control your anger! (Fifth Circle!!)

The Ninth Circle of Hell (Treachery) is the destiny of those who inhumanely treat human females as inferior beings that should be deprived of their natural rights. It is also Treachery to capture the Supreme Court and then invite every red state to feel free to force every woman, no matter how she came to be pregnant — or what her circumstances — to carry every fertilized embryo for 9 months, and then be required to deal with the health and financial consequences of the pregnancy and childbearing, more-or-less for the rest of her life.

This is a grotesque outrage, and it is outlandish hubris for anyone to parlay this despotic attitude into prohibitions against every woman from choosing to terminate a pregnancy that has been abominably begotten by a rapist or an

insidiously trust-shattering indulgent incest by a male relative.

Clarity of understanding about history and philosophy and literature can best be achieved by studying the context of the times and circumstances. In Dante's times back circa 1300 CE, he suffered challenging personal circumstances, as explained in my essay *The Odd Brilliance of Dante's Epic Poem, The Divine Comedy*,

Dante chose to deal with his mental anguish by imagining a journey with Virgil, the ancient voice of reason, through Inferno and Purgatorio, seeking reconciliation and redemption.

To stretch a correlation, when it comes to anyone honestly trying to understand and interpret our great U.S. Constitution, we should all -- including Supreme Court Justices -- try to see the big picture of what the founders intended when they embraced Enlightenment Era principles of equality and justice and liberty in the Declaration of Independence, and in the Constitution's admirably aspirational and impressively succinct Preamble.

This illuminated context will naturally lead us to moderate and sensible conclusions, and away from torturously parsed absurd originalist interpretations that have been filtered through a dark miasma of straight-jacketed beliefs and prejudicial preconceived partisan political predispositions and the strong suasion of huge amounts of corrupting cash that weighs in on every issue — and on the scales of Justice.

Originalism is a facile subterfuge for pushing preferred policies, and for benefitting certain parties, by setting forth crudely-honed arguments over what are relative technicalities, while blindly ignoring public opinion, democratic Golden Rule fairness, the common good, the general welfare and future well-being. Originalism is often twisted BS!

FREEDOM

It is sadly true that freedoms are hard to win, and easily lost.

Freedom is just another word for nothin' left to lose
 Nothin', don't mean nothin' hon' if it ain't free, no-no
 And feelin' good was easy, Lord, when he sang the blues
 You know feelin' good was good enough for me
 Good enough for me and my Bobby McGee

--- Janis Joplin, *Me and Bobby McGee*

According to Professor Robert Reich in May 2022, Republicans were planning to focus on "freedom" in attack ads against Democrats between then and the 2022 midterm elections, and to claim that THEY are the party of freedom, and Democrats are the party of tyranny.

Donald Trump absurdly claims, "Democrats want to take away your freedom", and these words are being repeated by almost every GOP candidate as elections contests heat up.

"Freedom is the most attractive and potent idea in American political culture. The right wing has claimed it as its own for a long time. It's the most frequently used noun in Republican primary ads ... But with each passing day, the Republican claim to freedom becomes more absurd." Proof of this contention can be seen in Republican-dominated states that are banning abortion in the wake of the Supreme Court's repeal of Roe rights. "Is there a more important and intimate freedom than the freedom to choose when, how, and with whom to start a family?"

Also, "Republican lawmakers are attacking the most fundamental freedom of all — the freedom to vote. They're restricting everything from mail-in voting to ballot drop boxes. (Which is why the Democrats' 'Freedom to Vote Act' continues to be so vitally important, and must be passed.)"

Additionally, "Across the nation, Republican lawmakers are taking away students' freedom to learn about America's history of racism and discrimination."

Republican states are eliminating the freedom to discuss sexual orientation and gender identity in classrooms, as seen in dozens of bills in red states designed to limit what can be discussed in schools. They are also engaging in censoring books they don't like, and divisive politicking by curtailing health care for transgender youth. For instance, in Idaho the Republican-dominated House has passed legislation making it a crime punishable by life in

prison for a parent to seek out gender-affirming health care for their transgender child. And they are passing laws to restrict transgender athletes in school sports, which is an issue involving significant fairness concerns.

"Republicans' contempt for freedom goes deeper. They don't want Americans to enjoy the freedom that comes with good health care, good schools, and good wages. I'm reminded of philosopher Isaiah Berlin's positive freedoms — not just the freedom *from* but the freedom *to*. Can anyone really be free if they're saddled with medical debt and have to routinely pay outrageous healthcare costs? Or they're burdened for years trying to pay off student loans? Can you really be free if you have no voice in your workplace and your employer refuses to let you organize with your coworkers for the right to collectively bargain? Can you really be free if you're not paid a living wage and have to choose between feeding your family and keeping your lights on?"

"A living wage, the right to join a union, guaranteed healthcare, free higher education, the right to vote -- these are the foundations of real freedom. Yet Republicans oppose all of these while Democrats support all (and progressive Democrats are fighting the hardest for them)."

"There's a reason the Rev. Martin Luther King Jr.'s historic 1963 rally was called 'The March on Washington for Jobs and Freedom.' Because freedom also means the ability to work in a job that pays enough to provide food, clothing, shelter, and medical care."

"Republicans have no interest in preserving freedom. What they want to preserve is *power* -- the power to impose their narrow ideology on everyone else, no matter who suffers."

"In the months ahead, Democrats must stake claim to freedom. They should not allow Republicans to pose as the party of freedom when the GOP is busily taking away freedoms Americans hold dear. Democrats have to make the case -- the true case -- that *they* are on the side of freedom. Democrats, wake up. Get this message out. Let freedom ring!"

The zealotry with which conservatives pursue domineering power is stunning, particularly because of the extent it is treacherously dishonest, socially and environmentally irresponsible, and disdainful of democratic fairness, truer justice, equitable treatment, individual security, the general welfare, domestic tranquility, social cohesion, sensible family planning, the health of ecosystems and the well-being and survival of life on Earth.

Instead of acting as a constructive opposition party, the Republican Party pursues a top goal of obstructing solutions, protecting wealthy elites, and making Democrats fail in their attempts to right the economy, reduce inflation, foster the greater good, and create a more equitable society.

Legal Arguments Against Overturning *Roe v. Wade*

Our colonial ancestors courageously declared independence from the British Empire in 1776, and when they did so they boldly asserted, "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the Pursuit of Happiness." Surely here in 2023, "all men" must be understood to include all women also, and it is absurd to argue from some twisted constitutional originalism that this is not the case. Under any reasonable God and social order in this day and age, overbearing patriarchal attitudes about women needing to be subservient to men are wrong.

"Constitutional originalism" is the term used to describe what are reactionary legal and intellectual arguments that disingenuously insist the right way to decide court cases is to try to divine exactly what the authors of the Constitution and the Bill of Rights intended 235 years ago, and to ignore all the changes in situation and circumstances and evolving rules of law that have taken place since then.

Conservatives on the high court are claiming that there is no right for a woman to choose to have an abortion because it was not specifically set forth in the Constitution. Justice Alito expressed intense skepticism in his woeful *Roe v. Wade* ruling that the U.S. ever had a "history and tradition" of legal abortion that would be sufficient to render it a federal constitutional right, so he concludes that the Court should overrule cases simply on the basis of his believing they are egregiously wrong.

The fact that abortion was not specifically mentioned in the Constitution, Republican Justices contend, means there is no constitutional right for women to be able to freely and safely have an abortion. This is preposterous.

Women are not specifically mentioned in the Constitution either, but it is absurd to argue that all precedents that have been set since 1789 should be invalidated, like those that gave women human rights and voting rights and the freedom to make personal decisions about their lives and health and futures.

There is a powerful case for enacting greater freedoms in our society within a larger context of social responsibility and environmental justice. Instead, master manipulators deviously preach freedoms while making concerted efforts to take many of them away.

Moreover, the Supreme Court is making Catch-22 legal arguments that it is the role of Congress, not the judiciary, to help ensure that corrupting influences of rich people and giant corporations on our government are adequately controlled, and that Congress or state legislatures should properly enact legislation to protect voting rights and prevent the polarizing negative impacts of gerrymandering and its disenfranchising effects on millions of voters.

These are absurd Catch-22 arguments because it is one of the proper roles of the judicial branch to act as a check and balance on the legislative branch of the federal government, yet the legislative branch has become paralyzed and profoundly dysfunctional precisely because Republican Supreme Court Justices have blessed the corrupting influence of Big Money in election campaigns, and eviscerated voting rights protections, and abdicated responsibility for preventing states from engaging in extreme partisan gerrymandering.

The ruling to take away federal protections for women's right to choose is a profoundly discriminatory assault against women's rights and their lives, and it perversely undermines social cohesion and ecological sanity, and even threatens life on Earth due to overpopulation pressures that will be made inevitably worse due to this ruling.

The Unbridled Thirst for Power and Control

Stacey Abrams assessed the dark forces that take cruel advantage of fervent passions around the issue of women's rights and wrote about Ilyse Hogue's incisive book *The Lie that Binds*: "Ilyse Hogue provides a brilliant, systematic takedown of the extremist, hypocritical forces that seek to control women's bodies. *The Lie that Binds* is a clarion call for renewed American activism to protect a woman's right to determine her own health care, including her right to abortion, at a time when those rights are more at risk than at any point in the last 45 years."

It is also a growing concern that abortion is just one of many areas where constitutional law appears ready to change dramatically due to the illegitimately-realized domination of the Supreme Court by partisan conservatives appointed by Republican presidents. The criminalization of abortion could be used as a precedent that could have implications for other areas of law dealing with privacy rights and individual liberties.

This is the first time in our nation's history the Supreme Court has repealed a fundamental right, and Justice Alito's opinion potentially opens the door for an emboldened court to repeal a broad range of fundamental rights that flow from a constitutional right to privacy. "It takes aim at Substantive Due Process altogether" - and specifically jeopardizes the right to use contraceptives, the right for gay people to get married, and the right for interracial marriage guaranteed by the Supreme Court in its *Loving v. Virginia* ruling in 1967.

Supreme Court Illegitimacy

These outcomes are a pathological consequence of abuses of minority power in the U.S. Senate. Republican politicians have used a long litany of undemocratic tactics to achieve a domineering Trumpian conservative majority on the high court. And the Justices are wasting no time abusing this power by violating long established precedents and ruling imperiously, sometimes through shadowy "shadow docket" decisions that are made without any explanation. In doing this, a terrible stench is emanating from the high court as the Justices unjustly wield power using grotesquely twisted rationalizations for imposing their agenda on the American people.

See clearly. This "conservative" agenda is drastically too favorable to corporate entities, and too antagonistic to the rights and general welfare of working people. It is rudely discriminatory against poor people in favor of the rich, and sides too unfairly with white male Christian religious fundamentalists against women, people of color and everyone of moderate faith or respectfully fair-minded integrity.

The "conservative" agenda is unpopular and in-your-face hubristic in defying all the ideals set forth in the Preamble to the Constitution. It virtually says "f*#k you" to the vast majority of the people by deciding cases in ways that

pander to conservative billionaires and giant corporate interests and the narrow-minded minority of people who are right-wing populists in the Republican MAGA political base.

Human females rightly should have human rights, so it is a fanatical argument to declare a Bible-informed idea that the moment a woman's egg is fertilized by any man's sperm, no matter whose or under what circumstances, that zygote is now a human being that has rights superior to the woman in which the zygote is beginning to grow.

Emblematic of the Republican moralistic hubris on this issue is the statement by state Rep. Jean Schmidt, an Ohio lawmaker, who was proposing a near-total abortion ban. Asked about a hypothetical situation in which a 13-year-old girl is raped and becomes pregnant as a result: "Would the Republican's bill force that teenager to have her rapist's baby?" Yes, she pontificated, and the resulting child would be an "opportunity": "It is a shame that it happens, but there's an opportunity for that woman, no matter how young or old she is, to make a determination about what she's going to do to help that life be a productive human being." That reasoning is really offensive!

It has now become crystal clear that the American people must take steps to alter the government that has become deeply corrupted by persons in Congress pandering to the rich and well-connected at the expense of the vast majority, and that has been further corrupted by having the judiciary stacked by a minority party with judges who are turning back the clock on the progressive evolution of laws, precedents and freedoms that people have come to expect are assured.

The Dogma of Originalism

Republican-appointed Justices tout a doctrine of inflexible "originalism" in deciding cases before the high court. But it is much fairer and more reasonable to be loyal to a more progressive framework known as the "Living Constitution" approach, which advocates interpreting the Constitution in ways propitiously adaptive to change, as circumstances change over the years and decades and centuries. The Constitution written in 1789 did not specifically set forth protections of women's rights, but it is improper for conservatives to therefore contend that the *Roe v. Wade* precedent was somehow egregiously wrongly set in 1973 when it guaranteed women a right to make personal decisions about choosing to end a pregnancy.

Originalism fails as an honest intellectual approach by exceedingly oddly turning a blind eye to the overarching values espoused in the Preamble to the Constitution, which predicated that creating a more perfect union is a top goal, and emphasized the highest values as true justice, domestic tranquility, the general welfare, security and the blessings of liberty to ourselves AND our heirs in posterity.

"Originalism is so fucking stupid," tweeted one clear-eyed critic. With the passage of more than two centuries, "The founders would not even recognize the world we live in." It is shrewdly wrong for right-wing Justices to make twisted rationalizations and act sincere about making decisions about women's rights to modern contraception and means of abortion by stubbornly holding ossified attitudes about what the Founders' intent was.

When Justices make twisted rationales in the name of "originalism", they are filtering their intellectual arguments through the shadowy miasma of their long-established biases and preferences -- for which they were specifically chosen by Republicans -- and they are coming up with decisions that are often extremely unfair and unjust, and also maladaptive and intensely politically polarizing by agitating people in this mother of all hot button social issues.

Jim Hightower again: "Today's six-member supermajority has surrendered all claim to being an impartial moral force for blind justice. Instead, the GOP's small network of corporate and right-wing operatives has painstakingly fabricated and weaponized the court as its own political oligarchy. In only a couple of decades, backed by a few billionaires, these anti-democracy zealots have incrementally been imposing on America an extremist political agenda that they could not win at the ballot box."

There has been a great progressive evolution in American society and its rules of law since 1789, as epitomized by the Constitution basically giving only property-owning white males the right to vote at first, and then after the Civil War giving black men that right, and then in 1920 giving women the right to vote, and then in 1971 giving young people between the age of 18 and 21 that important right to fair representation.

It is deeply dishonest and disingenuous to try to read the tea leaves of the Founders intent and parse the

provisions of the Constitution while ignoring the original Preamble ideals and the political compromises made (and the reasons for them), like the provision in the Constitution that African Americans count as three-fifths of a person for purposes of representation but not counting at all with regard to any right to vote.

Those Justices who are "strict constructionists" are not just strict, but rigidly inflexible and wrongly anti-progressive in their personal desire to turn back the clock to more than two centuries ago by trying to have their scrambled reading of the constitutional tea leaves take precedence over all the profound changes in society and economics and technology and the evolution of rules of law that have taken place since 1789.

Women were considered third rate subservient human beings in the Bible thousands of years ago, and females are clearly not quite given a fair shake in the Declaration of Independence almost 250 years ago when "All men were created equal" apparently had a strict constructionist view that females are not an equal part of mankind, even though they have given birth to each and every human being.

But today, human females cannot be relegated by conservative judges to have inferior rights to males. "Period."

Six of the nine Supreme Court Justices are Catholics, despite the fact that less than 25% of Americans are Catholics. And these are NOT moderate Catholics, as the organization Faithful America makes clear. This over-representation of conservative Catholics on the high court is resulting in a pathological wrong because almost all of them are taking a stand with the disreputably sexist Taliban wing of their faith by arrogantly siding with the tyrannical dominion-demanding extremist faction of their religion that cruelly opposes the right of females to be able to choose to have a safe and legal abortion in the first half of a pregnancy.

Republicans in many states are not only hell-bent on banning abortion, but also on mandating unnecessary ultrasounds and defunding Planned Parenthood clinics that provide a wide variety of vitally important healthcare services to millions of women, and especially those who are poor.

It is a basic right for women to be able to make their own personal health decisions, so it is morally wrong and misogynistic for conservative judges to deprive every woman of her right to make personal decisions about her body, her life and her future. Such efforts deny women a central aspect of personal liberty.

A woman's most intimate decisions should not be considered any business of politicians, and especially not of anti-progressive reactionary ones who don't share her values or have her best interests at heart. "We must stand united and declare with one voice that we will not allow our rights to be taken away by MAGA politicians and extremist judges."

Democratic fairness helps create a healthy and sane society, while undemocratic unfairness is contrary to the general welfare and the greater good.

More on Originalism

Linus Banghard-Linn, an attorney representing Governor Gretchen Whitmer in Michigan on behalf of the state, said the 1931 Michigan law banning abortion "violates the Equal Protection Clause [of the U.S. Constitution] because of the discriminatory motive surrounding it, that it was enacted ... essentially, to put it crudely, to keep women in their place."

The state's chief medical executive, Dr. Natasha Bagdasarian, also testified, expressing concerns that the abortion ban would exacerbate health disparities for already vulnerable populations like Black women. She noted that generally between 12 and 15 women die each year in Michigan from pregnancy-related causes.

Another glaring instance where originalism is archaic and absurd was revealed when two Trump-appointed district judges overturned a state law in California that banned sales of semiautomatic rifles to those under the age of 21. The judges made an originalist interpretation of the U.S. Constitution, yet everyone should think about the times when the Second Amendment of the Bill of Rights was written. Most young people lived in rural areas and needed guns to hunt to get food, as well as to defend themselves against wild animals and threats from marauders. Many of those who lived in more urban coastal cities had needed to own guns for their service in militias, or to be armed to fight against British occupiers. Today, in dramatic contrast, we live in an era of supermarkets, well-organized police forces and a well-armed military, so none of these circumstances apply. Yet courts often still refer to the

situation of more than two centuries ago to base their decisions. (Or, they are powerfully influenced by their fear of upsetting the pro-gun lobby and losing its monetary and political support.)

In addition, it has become a grave threat to public safety to have a resentment-amplified angry populace in which owners of assault rifles all too numbingly frequently shoot people in schools, churches and other places. It is statistically true that young men are more likely to perpetrate such assaults, especially when weapons that can quickly inflict mass casualties are easy to acquire.

A principal purpose of government is to help secure public health and safety, so no adequate legal justifications can be made to assert that state governments cannot responsibly enact laws to restrict gun ownership. Any "originalist" arguments to the contrary are unacceptable.

A story told in *Suspect in 'death of something I didn't know existed': Texas virtually criminalizes miscarriages too*, a woman revealed that "Miscarriages are already being prosecuted in the US." The woman had miscarried at a moment when she didn't even know she was pregnant -- and then was subjected to an interrogation by her doctor to find out if she was guilty of having ended her pregnancy. She added, citing an article from the reproductive health news site Rewire News Group, "1200 people have been arrested since 2005 for not carrying a pregnancy to term."

Practical enforcement of laws like these will lead to states taking incredibly intrusive actions, including tracking anyone that is pregnant across state lines.

Political Reasons for Upholding *Roe v. Wade* or Passing Laws Protecting Women's Rights

It is discouraging to have a two-party political system in which the main strengths of one party are fundraising from big corporate donors and rich people, and their treacherous success in weaponizing culture war issues and assaults on personal liberties, and their ability to make vituperatively effective attacks on those in the party that oppose abuses of authority and political corruption.

Females have become pawns in the hyper-politicized war between conservatives and liberals, and in the sometimes intense competition for domineering influence between males and females, and between fundamentalist authoritarian religious zealots and progressive people who recognize the value of a strong separation between church and state.

In Bloomberg Opinion, Clara Ferreira Marques wrote in *Abortion Rights Falter as Democracy Slides* that once the Supreme Court "turns back the clock for women, the U.S. will join a handful of repressive autocracies that are global outliers on reproductive rights. While reproductive restrictions are often loosened with democratization, the reverse is also true. Instead of siding with Latin American nations moving away from harsh penalties, the U.S. is about to join the likes of Poland, Russia, China, Nicaragua and Iran in going backward. That should worry us all."

The conservative supermajority on the Supreme Court has enabled it to make radicalized rulings. As the Court guts federal protections, the harms are greatest in states that are the most gerrymandered and where voters' voices are most systematically disenfranchised. We are now seeing the fallout of having allowed our democracy to have become distorted and perverted by cunning schemers and illegitimate abusers of authority.

What may appear to be a great moral dilemma becomes more clearly a devious political strategy that can be understood by seeing exactly how in history absolutist anti-abortion politics came about.

Richard Nixon, who was popularly reviled as "Tricky Dick", first raised the idea of using the issue of abortion as a political wedge in 1972, the year before the *Roe* decision. And Republicans have used the emotion-triggering hot button issue of abortion ever since to raise money and turn out voters. "But now," explains the insightful historian Heather Cox Richardson, "with the prize seemingly within reach, they are ratcheting up their demands, at least in part to continue to raise money and to turn out voters. They also need to re-create their sense of grievance against the 'libs' they have just 'owned'."

After *Roe v. Wade* was overturned, right-wing lawmakers escalated their attacks on national policies their base voters oppose. For example, Arkansas governor Asa Hutchinson and Mississippi governor Tate Reeves are standing behind the "trigger laws" they have signed to take effect as soon as the Supreme Court overturns *Roe v. Wade* -- laws that outlaw abortion with no exceptions for rape or incest. Other lawmakers are suggesting they are willing to

outlaw contraception, and pharmacists in Texas are already refusing to fill prescriptions for medications commonly prescribed for miscarriages and ectopic pregnancies.

Intimidated by Republican lawmakers and attorney generals, Walgreens has even taken the step to stop selling abortion medications in many states.

Since the repeal of *Roe v. Wade*, the fight for reproductive freedom has increasingly centered on medication abortion -- a two-pill regimen allowing pregnant people to safely terminate pregnancies with pharmaceutical drugs alone. The FDA approved mifepristone, one of the medications used, in the year 2000, and the method has grown to now account for more than 50% of abortions performed nationwide. It is approved for up to 70 days (10 weeks) after the first day of a woman's last period.

Anti-abortion advocates view medication abortion as a threat to their absolutist opposition to abortions, so they are trying to take mifepristone off the shelves in every state across the U.S. That is the goal behind a lawsuit filed in November of 2022 in which a court headed by a right-wing judge is being asked to overturn the approval of mifepristone, which has been safely used "by more than 5.6 million people since it was approved in 2000 with a long record of safety and effectiveness."

If the suit is successful, it would eradicate medication abortion with mifepristone nationwide -- the most common abortion method in this country, and the primary method by which medication abortion has been safely practiced for more than two decades. A Republican judge in Texas is about to make a ruling in this case in March 2023, and is likely predisposed to decide the case against the best interests of millions of women.

And for all that ending *Roe* was supposed to turn the issue of abortion over to the states to decide as they wished, Republicans are hubristically now talking of pushing for a national ban on abortion so that states could not, in fact, choose to protect abortion rights.

Ronald Reagan was among the first Republicans to see that to gain power he needed to cobble together a bigger coalition to win, which would include religious fundamentalists opposed to a woman's right to choose. He got them to join together in an unholy alliance with wealthy elites, anti-tax zealots, anti-environmentalists, and capitalists staunchly opposed to the rights of workers to join unions and bargain collectively, along with social conservatives, hardline war hawks, disaffected folks reactionarily opposed to desegregation and coldly-calculating race-baiting advantage-seeking Southern Strategy-pursuing white supremacist political strategists. This nakedly political coalition reveals that the issue of abortion has been used as a Trojan horse to run roughshod over democratic fairness, the essential rights of women, worker's rights, gay people's human rights, protections of the environment, peaceable coexistence and social cohesion.

Under the cover of high-profile sound and fury about hyped-up wedge issues, more important issues are being concealed. In Florida, for instance, "as Florida's Legislature began its regular 2023 session with a plan to tee up a host of culture war issues that Gov. Ron DeSantis can use as his 'blueprint' for America's future, another list of proposals is getting less attention but is being quietly cheered by powerful industries. Dozens of local government preemption bills have been introduced to stifle municipal authority over water quality and quantity, restrict citizen opposition to development plans, give businesses new avenues to sue, and repeal long-standing environmental rules. Many are on the fast-track."

And then in mid-March, when the second and third biggest bank failures in U.S. history took place, Republicans who had pushed to deregulate banks and let them load up on risky investments tried to blame "woke", rather than admitting responsibility for the instability in banking.

Political Insight

Here's a real interesting thing. Socially liberal people realize that a moderating balance is needed for good governance. This is why voters in the blue states of Massachusetts, Vermont and Maryland choose to balance the election of Democratic majorities in their legislatures by also choosing Republican governors.

This explains the surprising fact that the three most popular governors in the United States a couple years ago were Republicans in the blue states of Massachusetts, Vermont and Maryland. According to the online survey

company Morning Consult, Massachusetts Gov. Charlie Baker scored the highest of all governors in the U.S., with a resounding 74% approval rating by his constituents. Closely behind was Vermont Gov. Phil Scott at 72% and Maryland Gov. Larry Hogan with 71%. All three are Republicans leading solidly blue states.

There is a good reason for this, and it is somewhat surprising. Unlike the federal government, state governments cannot indulge in deficit financing by borrowing money to pay for on-going annual operations and activities. Instead, states must balance their budgets every year.

In states where voters choose progressive representatives in their legislatures, they also sometimes elect Republican governors to help control spending and adequately limit taxes, and to veto initiatives that liberals enact to deal with the long litany of big challenges that face people in our societies. This serves as a healthy form of balance and moderation and necessary fiscal restraint.

An eminently fair balance is needed between conservative values and the enthusiasm of politicians to spend money to address the multitude of big challenges that we face in the world today.

Budgets reflect moral choices and values, and contests over funding reveal both the true scope of needs and what persons and entities are the most excessively greedy. Widespread political corruption in our corporatocracy is a real thing, both in the business world and in our government, so better fiscal management is required.

Think about this. The necessity to balance annual budgets in the states changes the calculus of the "Two Dueling Santa Claus Strategies" in political economics. For a good understanding of this issue, see my essay *The Sad Implications of the Two Dueling Santa Claus Strategies in Political Economics*.

"Budget gimmicks are still possible at the state level, but states can't simply rack up debt the way the federal government can. If schools can't be funded and roads can't be built with existing revenues, taxpayers are going to feel it very soon and blame their governors accordingly."

"Republicans can also become unpopular by taking their own ideology too far: For example, steep tax cuts in Kansas resulted in budget shortfalls; those tax cuts were repealed by a bipartisan supermajority in the legislature in 2017, and the state elected a Democratic governor in 2018."

Morphing Story

In red states, blinded by the zeal of domineering divide-to-conquer politicians and dominion-demanding conservatives, they foolishly forego the emotional intelligence and social savvy of the voices of moderation.

When hubris and hijacked emotions blind one and make one live with eyes closed, "misunderstanding all you see", this is a big problem.

In the George W. Bush era, Republicans used the manipulative troika of "God, guns and gays" to cajole votes, and this has morphed into additional ploys of anti-choice activism, election subversion, abuses of authority, court capture schemes, and further fusillades in the politics of division to achieve unearned power and political control.

Republicans have become culture warriors, Know-Nothings, and enablers of political corruption. This stands in pathological contrast to their more respectable days when they portrayed themselves as reformers and problem-solvers -- and persons with integrity.

Conservatives try to "make privilege popular, to transform a tottering old regime into a dynamic, ideologically coherent movement of the masses". But what they really are becoming is much more sinister, as proven by the extremism of the 2022 Texas Republican Party platform. Review it -- it is shockingly unbelievable!

In *Twilight of Democracy: The Seductive Allure of Authoritarianism*, the right-leaning author Anne Applebaum "tried to understand why so many of her old friends -- conservatives who once fancied themselves champions of democracy and classical liberalism -- have become paranoid right-wing populists" and "closet authoritarians". She writes that until recently, the right used to be "dedicated not just to representative democracy, but to religious tolerance, independent judiciaries, free press and speech, economic integration, international institutions, the trans-Atlantic alliance and a political idea of 'the West'."

As the Republican Party has become more socially reactionary and radically extreme in recent years, the American people are the losers. Let's not just complain, or attack would-be allies and friends; let's come together and elect honest reformers, and reject treacherous deceivers and politicians bent on obstructing needed fixes to our woefully rigged system. The status quo has too danged many idiosyncrasies, shortcomings, perverse incentives, corrupt provisions, unfairly offered opportunities and privileges, extreme inequalities, grave injustices, and wastefulness. And it fails to help slow the destabilization of the global climate and rein in other destructive activities.

Those who are resentfully reacting against threats to their privileged position should readily realize that treating others shabbily who are disadvantaged by their demands for dominion is a course of action that courts resistance, resentment, rebellion and blowback.

For instance, white supremacists and male-God-worshipping absolutists who were emotionally outraged and triggered by having had a Black man as president, and females being allowed the freedom of choice in their lives -- and lesbians and gay men being guaranteed human rights -- should viscerally understand that hubristically continuing to heap injustices on Blacks, Latinos, Asians, women and gay people might be a rashly hypocritical, emotional intelligence-deficient and dangerous way to act in the world, and one that upsets aspirations for domestic tranquility and social cohesion, and even invites violent strife and the risks of brewing a civil war.

Backsliding Democracy

The U.S. is backsliding on both women's rights and democracy -- a truly alarming moment in our history and our global standing. This backsliding is happening despite majority opinion and ethical propriety, and it is antithetical to personal freedoms, so it is movement in the wrong direction.

The unholy alliance of undemocratic corporatism and domineering religious fundamentalism-on-the-march is having a repressive and malign influence in the world today.

When a democracy slides toward more authoritarian rule, people lose freedoms and human rights.

Our colonial ancestors loved liberty and despised despotism, and our Founding Fathers fought for freedom, personal rights, fair representation and legitimate governance through informed consent of the governed. Today, with many democracies backsliding in countries around the world and deceitful authoritarianism encroaching on people's freedoms, and neo-Nazi autocrats like Vladimir Putin brazenly abusing authority and harshly punishing oppositional dissent, and waging deadly military offensives, billions of people face a dire diminishment of their rights and freedoms from fear and want.

The nefarious scheme to capture the courts has been done partially to manipulate and more strictly control the people. But remembering how much our colonial ancestors despised despotism, and highly valued freedom of action and opportunity, and desired freedom from oppressive rule, we should realize that our constitutional democracy must be strengthened to prevent new waves of despotic rule.

With the woe-filled rise of MAGA Republicanism, the U.S. has joined a large group of nations that are also assessed as being "backsliding democracies." This is a sad state of affairs because it is contrary to the common good and the blessings of freedom, justice, domestic tranquility, the general welfare and the assurance to *We the People* that they will be able to pursue happiness and enjoy liberties -- today AND tomorrow.

One central aspect of backsliding democracies is often the takeover of the nation's judiciary and its loss of independence in jurisprudence, which serves to help power abusers further abuse power.

Polarization and Treachery

One extraordinarily dangerous and unacceptably risky consequence of political polarization is that extreme partisans are willing to excuse even the most extreme threats to democracy and liberties in our country if it is THEIR side that is posing the danger. This is proved unequivocally by those who staunchly defend persons who have engaged in seditious conspiracies to prevent the peaceful transfer of power.

Regardless of political affiliation, most Americans can agree that democracy is at a crossroads. Our system of

governance requires an informed and engaged electorate in order to function for the benefit of all. But when we can't agree on what the basic facts are, there's little hope of coming to the table in good faith to bridge the partisan divide with constructive compromise.

The Jan. 6th insurrection should have been a turning point in our politics. Voters must recognize that where politicians stand on democracy is more important than their stands on tax rates, inflation, gas prices or almost any other policy issue. Lawmakers who see the threat that growing illiberal forces pose to the nation must act to strengthen democratic institutions.

Donald Trump and his allies have conspired to steal the 2020 election, obstruct Congress and overturn the expressed will of the majority of American voters. And Trump has repeatedly engaged in obstructing the January 6 Committee, an official proceeding of Congress. It seems to be becoming increasingly clear that he participated in a "seditious conspiracy" by inciting the insurrectionary mob attack on the Capitol. This is all part and parcel of his monomaniacal efforts to defraud the U.S. government and the American people.

"I think our democracy is in trouble because, unfortunately, we have charlatans like our former president who doesn't, in my view, really care about democracy but only about power," said George W. Bush-appointed federal judge Reggie Walton, honestly, while overseeing an insurrection case.

Six members of the far-right Oath Keepers militia group have been found guilty -- so far -- of seditious conspiracy, and cooperated with prosecutors in Capitol riot cases. Revelations about this conspiracy came to light as the Jan. 6 Committee obtained details about this plot against America, and revealed them in sensational public hearings.

Corruption Reigns Supreme

Elections have consequences, and so do big lies about elections. The public is seeing how negative and divisive the consequences are of Trump's lies about the 2020 election, just as it is clear that Vladimir Putin's lies about elections and about his war against the Ukrainian people and many other matters are causing great harms to Russians and Ukrainians -- and to hundreds of millions of other people throughout the world.

There are also extensively harmful consequences of manipulative right-wing propaganda and Republican cheating in elections, and egregious violations of the Constitution like Mitch McConnell and his Republican co-conspirators having denied President Obama his right and duty to fill an open seat on the Supreme Court in 2016 -- which they did so that they could put another anti-choice extremist judge on the high court.

The scheming tactic of stealing a seat on the Supreme Court in 2016, along with their having rammed through the nomination of the religious conservative Amy Coney Barrett in 2020, just two weeks before the election, gave Trump Republicans three biased conservatives on the Court, and these are the deciding factors in enabling anti-choice extremists to treat women so grotesquely unfairly, inconsiderately and meanly.

The sexist anti-women's rights ruling overturning Roe is a pathetic consequence of cheating tactics in Republican electioneering and in the politics of stacking federal courts with biased right-leaning extremist judges. Read all about it in my essay *Calamitous Consequences of the Conspiratorial Scheme to Capture the Courts*.

Republican Cheating

"It is truly insane to see the Republican Party, which gutted the Voting Rights Act, sabotaged the USPS, closed polling places, purged voters, attacked mail voting, tried to throw out ballots and fabricated 'evidence' of fraud under oath ... accuse the OTHER SIDE of cheating."

Republicans cheat because in fair elections, they tend not to win. They are helped to victory by stoking people's fears and resentments, and by embracing conspiracy theories and rigging the system through gerrymandering, voter suppression tactics, and trying to put Trump's Big Lie loyalists in charge of counting the votes. They refuse to accept any Democratic victory as being legitimate, and try to replace democracy with permanent minority rule.

Republican politicians demonstrate that they hold no principle higher than their thirst for power. They show an overwhelming drive to gain and retain power and use it ruthlessly and unscrupulously. They crave power more than

they respect fairness, honesty, true justice, peaceable coexistence, gender equality, domestic tranquility, racial justice, honorable stands on vital issues, and respect for the Constitution and rules of law.

Proof of this contention is their having voted TWICE to let Donald Trump get away with violations of laws and the Constitution, despite his pathological lying, demagoguery, evasion of accountability, and violating norms of decency - - and their zeal to overthrow our Constitutional order to try to keep the lying, cheating, divisive jackass in power. And they are making an absurd effort to whitewash and redefine violent sedition. The Republican National Committee even tried to deviously pretend that the Jan. 6 mob assault was "legitimate political discourse."

Historian Nicole Hemmer wrote, "legitimate political discourse" is "an odd way to describe the actions of a mob that chanted 'Hang Mike Pence' as it clashed with police before breaking through the doors and windows of the Capitol in an effort to stop the certification of the 2020 presidential election. And while, after widespread ridicule, the RNC insisted that it was referring only to the nonviolent protesters supporting Trump's lie that the election was stolen from him, its attempt to whitewash right-wing violence is part of an ongoing pattern on the right... The end result of these efforts to minimize, excuse, and erase right-wing violence is an environment that invites (and incites) even more of it."

Proposed Amendments to the U.S. Constitution

Our country's founders hammered out a brilliant Constitution that had the great power of adaptability through the reform process of being subject to being amended when circumstances merited it.

They set the bar for passing Constitutional Amendments very high. Since the Bill of Rights -- the first ten Amendments to the Constitution -- were ratified in December 1791, three years after the Constitution itself had been ratified, there have been only 17 more Amendments successfully ratified.

But today, in the glaring light of great need, Congress has become too dysfunctional, and politics too bitterly contested, to be able to pass and ratify urgently required Amendments. Nonetheless, the United States is in a severe constructional crisis due to this dysfunction in our national politics and the usurpation of unaccountable power by unelected Supreme Court Justices. These are times that try men's souls, as Thomas Paine was wont to say, and we must rise to the occasion and come together to remedy this worsening crisis in democracy.

Look back to 1971, when the American people recognized the stark injustice that young Americans between the ages of 18 and 21 were being conscripted and sent by the hundreds of thousands to fight -- and many to die -- in the Vietnam War, but they were not allowed the right to vote. The great Senator Evan Bayh of Indiana managed to succeed in drafting and getting the 26th Amendment ratified to remedy this injustice.

Today, injustices as extreme confront us, and there are even greater dangers to the constitutional order and the rule of law. So this moment in history demands several new Constitutional Amendments to rectify injustices and the spiraling dangers to our democracy.

For visceral context, clearly understand how truly serious the threats are to the United States of America and *We the People*. "We are closer to civil war than any of us would like to believe", declares Barbara Walter, a political science professor at the University of California at San Diego who serves on a CIA advisory panel called the Political Instability Task Force, which monitors countries around the world and predicts which of them are most at risk of deteriorating into violence. Walter has spent her career studying conflicts in Syria, Lebanon, Northern Ireland, Sri Lanka, the Philippines, Rwanda, Angola, Nicaragua and elsewhere, and has applied predictive techniques to the U.S.

"No one wants to believe that their beloved democracy is in decline, or headed toward war," she writes. But, "if you were an analyst in a foreign country looking at events in America -- the same way you'd look at events in Ukraine or the Ivory Coast or Venezuela -- you would go down a checklist, assessing each of the conditions that make civil war likely. And what you would find is that the United States, a democracy founded more than two centuries ago, has entered very dangerous territory." Walter's book *How Civil Wars Start* may be a "must-read".

Walters found, somewhat chillingly, that the United States is coming dangerously close to conditions that lead to violent insurgency, which is a 21st-century version of a civil war that takes place in countries with powerful

governments and powerful militaries, which is what the United States is. This heightened risk is happening because our democratic institutions have been seriously weakened by an onslaught of attacks. In particular, the Supreme Court has become dangerously political, and the Republican Party has put winning over all other values by using pernicious divide-to-conquer tactics.

Needless to say, our representatives should honestly and rightly take effective and fair-minded steps to prevent such conflicts or a civil war, and mitigate the one that we seem to be in advancing stages of.

The U.S. Constitution has not been amended since 1992, and the last Amendment was made only to try to prevent our representatives in Congress from increasing their salaries until after an election following any agreement they make to increase their own pay. Before that, no Amendment had been passed since 1971, when the Twenty-Sixth Amendment was ratified to sensibly give 18 to 21 year-olds the right to vote.

Today we are at a juncture where grotesque and obvious injustices are evident, and they should be remedied by passing the following new Constitutional Amendments:

-- First, amend the U.S. Constitution to make it fairer and stronger by ratifying a "We the People" Amendment that will establish that constitutional rights like the First Amendment guarantee of freedom of speech are reserved for natural persons only, and end "corporate personhood" rights, and dramatically limit the amounts of money that rich people, corporations and front groups can spend to influence elections and lawmaking.

Background: Since the Supreme Court has given its blessings to the deeply corrupting and corrosive excessive influence of corporate entities and Big Money and Dark Money in our elections and in lawmaking, we must now correct this harm-engendering deficiency. We can no longer tolerate this unjust decimation of fairness in our great experiment in self-government "of the people, by the people and for the people."

Radical anti-choice groups have spent hundreds of millions of dollars to get the Supreme Court to overturn women's reproductive rights that had been assured since 1973. And they were able to do this only because their corporate-funded Court Capture Scheme had succeeded in getting a narrow 5-4 majority of Justices to deviously declare in the 2010 *Citizens United* ruling that there is not even the appearance of corruption in allowing a flood of corporate Big Money from undisclosed and often disreputable sources to have domineering impacts in our politics.

The *Citizens United* ruling brought about a new era of corporate influence in politics, and allowed companies, businesspeople and billionaires to in effect "buy elections" to promote their financial interests. This has shifted power away from the people and even the political parties and toward scheming donors with nefariously greedy and often anti-democratic purposes.

Republican Justice Anthony Kennedy disingenuously claimed in 2014, "The appearance of influence or access, furthermore, will not cause the electorate to lose faith in our democracy." Fast forward to today, and it is becoming viscerally clear that the stench of unfair moneyed influence is powerful and revolting, and definitely causing tens of millions of Americans to see that the Supreme Court can no longer be trusted to make fair and apolitical decisions about consequential matters.

Associate Justice John Paul Stevens, who was serving at the time of the *Citizens United* ruling, declared that the decision represented "a rejection of the common sense of the American people, who have recognized a need to prevent corporations from undermining self-government." He saw clearly and rightfully that the majority opinion was wrong in claiming corporations had a First Amendment free speech right that was in basically drastically superior to free speech rights of individuals.

The appearances of corrupting influence by billionaires and giant corporations in our politics is overwhelming, and is materializing not just in issues like women's reproductive rights being broadly abrogated but also by the domineering influence of the power of Big Oil, Big Pharma, the NRA and power abusing Republican politicians ignoring popular opinion, defying the will of the people, working to restrict voting rights and sabotaging the general welfare.

Since the Supreme Court began giving official cover to special interest groups to spend unlimited sums on elections and lobbying, the super-rich have been donating more than ever before, and the huge disparity in wealth has given

the super-rich the power to steer the economic and political direction of the United States and severely undermine democratic fairness and democracy itself.

-- Second, pass a Constitutional Amendment to strengthen voting rights. Congress is too partisan to succeed in enacting more inclusive and universal voting rights, and undemocratic conservatives on the Supreme Court have acted to diminish voting rights, so in order to form a more perfect Union than ours is, on the verge of civil war, we should pass this Amendment that will also address the highly negative impacts of discriminatory gerrymandering that is contributing mightily to the deeply disaffected and paralyzing hyper polarization of the populace.

These two Amendments would neuter absurd "originalist" legal arguments that entrench unfairness, discriminatory biases and far-reaching injustices in the status quo.

While we're at it, there is the long unfinished business of guaranteeing equal rights to males and females by finally ratifying the Equal Rights Amendment. It simply states: "Equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex."

Fascist Rule in America

"When fascism comes to America, it will be wrapped in the flag and carrying a cross."

--- Famous quote, often misattributed to novelist Sinclair

Lewis

We must strongly resist the rise of fascist tyranny in the United States. Chris Hedges spoke about this on the day that Donald Trump assumed the presidency in January 2017. Hedges, an American journalist, Presbyterian minister, author and commentator, has a powerful voice, and he expressed the conviction that revolt is the only barrier to a Fascist America. In *Wages of Rebellion: The Moral Imperative of Revolt*, Chris Hedges observed: "Those of us who are condemned as radicals, idealists, and dreamers call for basic reforms that, if enacted, would make peaceful reform possible. But corporate capitalists, now unchecked by state power and dismissive of the popular will, do not see the fires they are igniting."

The next ten indented paragraphs are excerpts from the transcript of a talk Chris Hedges gave at the "Inaugurate the Resistance rally" in Washington, D.C., on January 21, 2017.

The ruling elites, terrified by the mobilization of the left in the 1960s, or by what [political scientist] Samuel P. Huntington called America's "excess of democracy," built counter-institutions to delegitimize and marginalize critics of corporate capitalism and imperialism. They bought the allegiances of the two main political parties. They imposed ... obedience to the neoliberal ideology within academia and the press. This campaign, laid out by Lewis Powell in his 1971 memorandum titled "Attack on American Free Enterprise System," was the blueprint for the creeping corporate coup d'état that 45 years later is complete.

"The destruction of democratic institutions, places where the citizen has agency and a voice, is far graver than the ascendancy to the White House of the demagogue Donald Trump. The coup destroyed our two-party system. It destroyed labor unions. It destroyed public education. It destroyed the judiciary. It destroyed the press. It destroyed academia. It destroyed consumer and environmental protection. It destroyed our industrial base. It destroyed communities and cities. And it destroyed the lives of tens of millions of Americans no longer able to find work that provides a living wage, cursed to live in chronic poverty or locked in cages in our monstrous system of mass incarceration."

"This coup also destroyed the credibility of liberal democracy. Self-identified liberals such as the Clintons and Barack Obama mouthed the words of liberal democratic values while making war on these values in the service of corporate power. The revolt we see rippling across the country is a revolt not only against a corporate system that has betrayed workers, but also, for many, liberal democracy itself. This is very dangerous. It will allow the radical right under a Trump administration to cement into place an Americanized fascism."

"Ignorance allied with power," James Baldwin wrote, "is the most ferocious enemy justice can have."

"It turns out, 45 years later, that those who truly hate us for our freedoms are not the array of dehumanized enemies cooked up by the war machine -- the Vietnamese, Cambodians, Afghans, Iraqis, Iranians or even the

Taliban, al-Qaida and ISIS. They are the financiers, bankers, politicians, public intellectuals and pundits, lawyers, journalists and businesspeople cultivated in the elite universities and business schools who sold us the utopian dream of neoliberalism."

"We are entering the twilight phase of capitalism. Wealth is no longer created by producing or manufacturing. It is created by manipulating the prices of stocks and commodities and imposing a crippling debt peonage on the public. Our casino capitalism has merged with the gambling industry. The entire system is parasitic, designed to prey on the desperate -- young men and women burdened by student loans, underpaid workers burdened by credit card debt and mortgages, towns and cities forced to borrow to maintain municipal services."

"Casino magnates such as Sheldon Adelson and hedge fund managers such as Robert Mercer add nothing of value to society. They do not generate money but instead redistribute it upwards to the top 1 percent. They use lobbyists and campaign contributions to build monopolies -- this is how the drug company Mylan raised the price of an 'EpiPen' that is used to treat allergy reactions, from \$57 in 2007 to about \$500 -- and to rewrite laws and regulations. They have given themselves the legal power to carry out a tax boycott, loot the U.S. Treasury, close factories and send the jobs overseas, gut social service programs and impose austerity. They have, at the same time, militarized our police, built the most sophisticated security and surveillance apparatus in human history and used judicial fiat to strip us of our civil liberties. They are ready should we rise up in defiance."

"These mandarins are, if we speak in the language of God and country, traitors. They are parasites. Financial speculation in 17th-century England was a crime. Speculators were hanged. The heads of most of [today's] banks and hedge funds and the executives of large corporations, such as Walmart and Gap, that run sweatshop death traps for impoverished workers overseas deserve prison far more than most of the poor students of color I teach within the prison system, people who never had a fair trial or a chance in life."

"When a tiny cabal seizes power -- monarchist, communist, fascist or corporate -- it creates a mafia economy and a mafia state. Donald Trump is not an anomaly. He is the grotesque visage of a collapsed democracy. Trump and his coterie of billionaires, generals, Christian fascists, criminals, racists and deviants play the role of the Snopes clan in some of William Faulkner's novels. The Snopeses filled the power vacuum of the decayed South and ruthlessly seized control from the degenerated, former slave-holding aristocratic elites. Flem Snopes and his extended family -- which includes a killer, a pedophile, a bigamist, an arsonist, a mentally disabled man who copulates with a cow, and a relative who sells tickets to witness the bestiality -- are fictional representations of the scum now elevated to the highest level of the federal government. They embody the moral rot unleashed by unfettered capitalism."

Chris Hedges writes a regular column for Truthdig.com. Hedges graduated from Harvard Divinity School and was for nearly two decades a foreign correspondent for The New York Times. He is the author of many books, including *American Fascists: The Christian Right and the War of America*, and *Empire of Illusion: The End of Literacy and the Triumph of Spectacle*.

Crucial Midterm Elections

One side focus of this essay has been on the impact that the decimation of *Roe v. Wade* protections would have on the 2022 midterm elections and the 2024 elections. The elections calculus is dramatically changing due to the rash success of right-wing abusers of influence and their mean-spirited, atavistic and antediluvian aggression against women, who surely in a society less repressively patriarchal would have their natural evolutionary biological rights respected. It is clear that it is only fair to give females agency to choose in matters that profoundly affect their health, their well-being, their finances and most aspects of their lives and futures.

The incumbent party in power almost always loses seats in the House or the Senate, or both, in midterm elections, due to inevitable discontent with what's going on after two years of every president's term in office. But Republican hubris has given Democrats a gaping opening to break this trend by expanding control in the Senate for another two years.

Two clear competing messaging strategies have emerged. Democrats push the issue of reproductive rights to advance the cause of better treatment of women in our society, thereby also energizing their political base, while

Republicans work to reframe the conversation and change the story and try to avoid the bad optics of their war on women's rights.

Mitch McConnell actually announced before the midterms that he would consider introducing a nationwide ban on abortions if Republicans managed to retake the Senate in November 2022. This was stunning -- the self-described "grim reaper" of progressive legislation believes it would be a winning issue to pander even more to the MAGA base and the hard right at the expense of women's rights, health and well-being.

Republicans had an advantage in 2022 because traditionally midterm elections are lower-turnout affairs and the party out of power is able to more easily turn out its base, angry with the president and Congress. The Senate is less subjected to dramatic shifts, as compared to the House, but the party out of power in a president's first midterm has still won a net gain of two seats on average in the Senate since 1950. In November 2022, they had a net loss of one seat by losing a seat in Pennsylvania.

Conservatives want to force all women of reproductive age, especially including poor women and teenagers, to choose between having an unwanted child and an expensive and unsafe (and in many red states, illegal) abortion. States that will be free to prohibit abortion in the aftermath of the Supreme Court's reversal of *Roe* are already adopting laws forbidding women from leaving their states to obtain an abortion. This is arrogantly unfair and oppressive.

In 2017, the number and rate of abortions in the U.S. fell to its lowest level since 1973, according to the respected Guttmacher Institute. The decrease was attributed to fewer pregnancies, not restrictive policies. This fact makes it obvious that right-wing factions are not responding to an urgent necessity to prohibit abortions, but rather to political opportunism and manipulative scheming.

Justice Alito's ruling was like an unhinged rant that pushed his preconceived biases against abortion rights. Dana Milbank characterized it in his article *Supreme Court hacks reward Republicans' betrayal of democracy*: "Adding insult to grievous injury, the opinion ... is a political screed, dripping with the contempt he exhibits in rolling his eyes at colleagues during oral arguments. Alito breezily dismisses the deep reliance American women and their families have on the right, calling the American people's views 'extraneous influences' that 'we cannot allow our decisions to be affected by.'"

Alito and his conspiring fellow conservatives on the high court pretend to be acting reasonably and tried to assert that they are neither anti-abortion nor pro-choice. But they are being disingenuous and deceitful when they contend that decisions on the matter of whether women should have any rights to terminate a pregnancy under any circumstances should rightly be made by state officials.

The clear fact is that the fix is in, there in red states. Political extremists and absolutist religious fundamentalists and deceitful advantage-seeking partisans rule in many red states due to corrupting influences already unleashed by wrongly-decided imperious court rulings that allow Big Money to triumph over the common good and voting rights to be restricted to torpedo fair representation, and extreme gerrymandering to be done that polarizes the populace and undermines honest decision making and constructive consensus building, running roughshod over the preferences of the majority of citizens.

In the 1973 *Roe* decision, five of the seven Supreme Court Justices who voted for abortion rights had been appointed by Republican presidents, but by 2022 the high court had become extremely politicized and stacked by Republicans with anti-abortion reactionaries intent on taking away women's rights.

The ruling is a part of a chilling and pathologically cruel and inhumane war against women's rights. It proves that conservatives don't give a damn about long-established social expectations about a woman's right to make her own personal family planning decisions. Nor do they seem to give a damn about fairness and the overall welfare of women, for the reversal of *Roe v. Wade* most negatively affects poor white women and Blacks and Latinos who can't afford to go out of state to get an abortion. In this, they are being relentlessly and ruthlessly insensitive to the varied and complicated situations pregnant women find themselves in.

Not only is it apparent that they don't give a damn about democratic fairness, but they don't seem to care about true justice, domestic tranquility or constitutional protections for the blessings of inclusive liberties and good

governance, for they put a much higher priority on their goals of gaining power and control. And they wield this illegitimately ill-gotten influence in ways that are irresponsible and reprehensible.

Republicans have, (as always!!!), worked hard to sabotage Democrats in Congress and in the White House in order to make it easier for them to grab more power and money. They obstruct progressive policies that would improve the general welfare, and also provoke antipathies and shift blame and block reform and evade accountability and deceive *We the People* by lying through their teeth.

Republicans also illogically concocted a fake electors plot to try to keep Trump in power. Ginni Thomas, wife of Supreme Court Justice Clarence Thomas, had a hand in the fake-electors scheme to try to overturn the 2020 presidential election, which almost certainly would have wound up before the Supreme Court if it had worked. This presents a deep conflict of interest for her husband, and it is wrong for him to refuse to recuse himself from consequential cases that involve the Jan. 6th mob attack on the Capitol.

Judge Walker's Incisive Take on the Roe Reversal Ruling

Mandates made by simplistic black-and-white authoritarian legislative bodies ignore the vast variety of individual situations and circumstances that are involved in women and their families and doctors making decisions to terminate a pregnancy. Women coerced into child bearing rightly bridle at heavy-handed government forcing them into lifelong maternal obligations.

Enacting abortion bans no matter what the circumstances is a terribly sexist and misogynistic action. Policies that criminalize abortion seem like something straight out of the dystopian novel *The Handmaid's Tale*, especially in light of the Republican agenda to reduce spending on government programs like affordable healthcare, maternal care, gender equity, food assistance, unemployment benefits and many other programs.

When Samuel Alito's draft ruling was first leaked, retired Chief U.S. District Judge Vaughn Walker characterized it harshly. The most obvious flaw was "its lack of a clear rationale to undo a 50-year established legal precedent of a woman's right to obtain an abortion." For Alito and his conservative associates to do this without a compelling reason "makes the justices look like politicians."

Walker added that the fallout from the draft opinion "will be that it undermines the U.S. Supreme Court's credibility because it will be perceived as driven by partisan interests."

This will make it much clearer to all who look closely that the Court actually is illegitimately driven by partisanship in favor of Republicans, due to the long litany of anti-democracy rulings it has made in recent years. These include the unleashing of corrupting Big Money in elections and lobbying, and allowing many restrictions of voting rights, and greenlighting extremely contorted gerrymandering of congressional districts.

The leaked draft set off a political firestorm because it did not articulate "what has changed in the decades since *Roe* was decided in 1973 to justify the court's reversal, either in terms of scientific research about fetal development or a shift in societal attitudes over abortion."

According to reporting, "Walker said it appears the only factor driving the court is that conservative justices now have a majority. If anything, he said the fact that generations of women have now come to expect to have access to the procedure, in the wake of the *Roe* decision, should be a deterrent for the court to upset that norm." Legal norms hold that the government should not take away a right it has guaranteed to its people without a compelling interest.

"After Republicans in Oklahoma passed a law banning abortions in the state, it was clear that when we say the Supreme Court is 'political,' we don't just mean that the Justices themselves have political agendas. We also mean that the court and its rulings exist in a political context, and can be influenced and shaped by other political actors."

Republican lawmakers in Oklahoma had passed an asininely punitive law in mid-May 2022 that will prohibit abortions at the moment any woman's ovum is fertilized by any male's sperm, and allow anyone to sue abortion providers or any person who "aids or abets" an abortion. Oklahoma thus became the first state to take forced birthism to the stupidly logical extreme by passing a law that basically said a woman's fertilized ovum was a human being with

superior rights to an impregnated woman from the moment one sperm amongst billions succeeded in the lust-engendered race to get into the inner sanctum of her womb.

This moved the goalpost up from fetal viability at about 24 weeks to arrogant presumption of close enough at 15 weeks to barely possible-to-even-know-you-are-pregnant at 6 weeks to the ultimate Christian religious absolutism of fully realized human being "at conception."

The outrageously unfair and sexist Oklahoma law would even allow lawsuits against anyone who helps pay for an abortion, which could implicate people across the country who have been donating to charitable organizations that help women in restrictive states get abortions elsewhere. This would mean that those who have empathy enough to provide support for women making a difficult personal decision to have an abortion would be victimized by harsh Republican laws against a woman exercising her right to decide to terminate a pregnancy.

The reprehensibly pugnacious Oklahoma law is modeled on the devious law that took effect in Texas in September 2021, which relies on civilian instead of criminal enforcement. This scheming law was specifically written so that court challenges can be circumvented by giving anti-abortion or money-grubbing vigilantes superior rights to women whose lives they threaten through their offensive aggression.

"Those who sue successfully would be given awards of at least \$10,000, and compensatory damages." No mention is made of any compensatory damages for those harmed by Republicans arrogantly denying women's rights and forcing them to carry a fertilized zygote for nine months against their will.

It can be clearly seen that Mitch McConnell has succeeded in stacking the John Roberts Court with conservatives in favor of minority rule by Republicans. As columnist Dana Milbank writes, McConnell has done this by blessing partisan gerrymandering, "giving Republicans representation in the House disproportionate to their share of the electorate. It has allowed elections to be decided by billionaires and corporations spending unlimited sums of untraceable money. It has kneecapped labor unions, co-signed voter suppression schemes by Republican-run states and eviscerated the civil rights era Voting Rights Act, to disastrous effect for Black and brown voters."

Consequential ethics tells us that contorted gerrymandering of congressional districts is wrong because it encourages political extremism and deprives tens of millions of people of having their best interests fairly represented and their voices heard and valued and respected. By packing voters into gerrymandered districts, politicians are made safer from opponents on the other side of the aisle, and are forced to compete with others in primary elections on the more extreme fringes of their own party. This makes political extremism worse on both sides of the aisle, and makes it easier for a minority party to use power with tyrannical moral turpitude.

Republicans, always unethically scheming, are upset about state courts having ruled against many of their extremely gerrymandered maps, so they are now trying to stack those very same courts with partisans that will be more amenable to letting them get away with it.

With conservatives on the Supreme Court taking away established rights from women to choose to terminate a pregnancy, the Court definitely appears illegitimately political, making reforms necessary. One good proposal is to enact a code of ethics for Justices and establish term limits and increase the number of justices. Our representatives should pass a proposed law to achieve this, like the Judiciary Act of 2021.

This would fairly remedy the treacherous outcome of court capture schemes and the many weaknesses of having lifelong partisans occupying positions of power that they are eager and easily able to abuse. This would be poetic justice that would help balance the courts in atonement for the steaming stench of the guilt of the Republican Party's internecine schemes, malfeasances, infringements, scandals, outrages and absurdities.

A code of ethics is especially necessary when Justices have clear conflicts of interest, like Clarence Thomas has due to the recently revealed fact that his activist wife Ginni sent many text messages imploring Mark Meadows, Trump's White House chief of staff, to act to overturn the valid outcome of the 2020 presidential election, based on disproven claims of widespread voter fraud.

In one of the most consequential scandals ever to affect the Supreme Court, Clarence Thomas has been the only one of nine Justices to vote to block requirements for information to come to light about the January 6

insurrection -- and his wife's role in trying to help engineer a coup to prevent the peaceful transfer of power from Trump to Biden.

The January 6 insurrection was the despicable rapier of this coup attempt, and now it has morphed into an even more insidious slow-moving coup of election lies and system-corrupting attempts to sabotage voting, and cheating by gerrymandering, and attempting to take over election apparatus, and defying the expressed will of the people, broadly betraying them. In this, the Republican Party is becoming a dire threat to democracy by doubling down on election fraud lies and fomenting insurrectionary unrest.

Authoritarians seek to consolidate power by vindictively punishing anyone who opposes their unjust influence. This includes women, workers and businesses that take a stand against their insidious culture war battles, like Disney has in Florida. Abusers of authority are giving women a veritable "fuck you" with their oppositional stand against the freedom of women to decide the course of their lives.

When a minority faction doesn't have the power of majority opinion, it often resorts to "alternative facts", dishonesty, misinformation and false conspiracies to manipulate others to do their bidding, and also to capturing courts and undermining the independence of jurisprudence to help gain and ruthlessly wield power.

Unfortunately, Big Money distorts public opinion and perverts our understanding by pushing misinformation, trying to greenwash polluting impacts of corporate activities and hide health harms they cause. And they engage in stoking discord, exploiting fears and shifting blame as a means of preventing reforms, anti-corruption measures, fairer tax plans and smarter public investments that are more fiscally, environmentally and ecologically responsible.

Senator Amy Klobuchar says we must pass a Constitutional Amendment to overturn *Citizens United*, the wrongly decided ruling that opened the floodgates to Big Money corruption and severely undermined democratic fairness, for it allows Big Money interests to have determinative influence in all our national decision-making and to get away with politicians suppressing the will of the people.

Restrictive voting laws disenfranchise voters, especially the young and the poor and those in minority groups. This effectively reinforces white privilege and structural racism in public policy. Such system rigging undermines democratic fairness and harms the prospects for future peaceable coexistence and the blessings of social cohesion.

These are among the reprehensible tactics that the Republican Party is using to try to suppress votes that it is unlikely to win, for the purpose of grabbing and perpetuating its power — "power for its own sake, not for any higher purpose or public good."

It is fair to note that the Supreme Court's ruling overturning *Roe v. Wade* doesn't ban abortions; it leaves the issue to the states. "As a result, it will put another large brick in the growing wall separating Blue and Red America." This is insidiously nefarious divide-to-conquer politics in action!

Our colonial ancestors declared independence from "a long train of abuses and usurpations" that the British overlords had subjected them to, as if by "design to reduce them under absolute Despotism." In making this declaration, they courageously asserted that the people have "certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness."

And they unequivocally added, "That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed, — That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness.

This assertion came to represent a moral standard to which the United States should strive. This is a view that was notably promoted by Abraham Lincoln, who considered the Declaration to be a foundation of his political philosophy. "He laudably argued that it is a statement of principles through which the United States Constitution should be interpreted." This is visionary, rather than being partisan and contorted with originalist arguments that rationalize backward, ossified and oppressive conservatism.

Let's institute reforms to alter the wrongheaded status quo NOW!

Manipulative Messaging Bombards Us

It is incomprehensible that the majority of voters in so many states and congressional districts choose Republican candidates for political office, given how dishonest, manipulative and unfair they are, and how antagonistic to women's rights in their efforts to criminalize abortion, even for women who are victims of rapists. How could Republicans gain so much power and possibly be on track to grab more of it in future elections when they are brazenly depriving women of dignity and choice in the course of their lives? How could they actually gain more power when they stand in staunch opposition to things like responsible climate action and gun safety laws?

Mitch McConnell is a scheming nemesis of honesty and fairness, and he calls for voters to give Republicans majority power, but he deviously refuses to tell voters what the Republican platform actually is. This is the Republican line, so it was a surprise when Florida's junior Senator Rick Scott, the chairman of the National Republican Senatorial Committee, set forth an 11 Point Plan that tried to articulate an agenda that would "rescue America". The moronic plan would cut Social Security, gut Medicare and Medicaid, overturn the Affordable Care Act and raise taxes on over half the American people. Republicans want to do this, shamelessly, in spite of all the emotional and economic harm from the COVID pandemic, and drastically contrary to the general welfare of the American people.

How could Republicans be successful when they are so deeply dishonest, dishonorably unethical, scandalously unscrupulous and reprehensibly irresponsible? Part of the explanation is that their messaging is so effective.

Phrased another way, how is it possible that a political party could gain power and influence by pandering so exclusively to wealthy people and white people, and yet be so discriminatory against people in disadvantaged groups? How can they get away with pushing falsehoods about the 2020 election and the January 6 insurrection, and oppose popular public opinion relating to democratic fairness, social justice, the general welfare and issues like safeguarding democracy, protecting the basic right to vote for all citizens, and allowing women to have basic reproductive rights? How could Republican politicians have a chance of gaining power in future elections when they stand in the way of achieving popular desires like lowering prescription drug prices and taking necessary climate action and guaranteeing more expansive liberties and enacting gun safety measures? How could they get more power when they so diabolically work to divide people by stoking culture war issues and prevent inclusive policies, undermine social cohesion and torpedo protections of the environmental commons?

The simple answer is that the most distinct strength of the Republican Party is its ability to promote its devious talking point "messaging" by inciting and leveraging culture war issues, engaging in general jackassery by using twisted propaganda and nefarious efforts to slander opponents, and engaging in anti-Black and anti-choice extremism. Their talking point messaging is deeply dishonest, and succeeds by using fear mongering and emotion hijacking scorched-earth tactics. They uncompromisingly scapegoat immigrants and poor people, engage in character assassinations and ad hominem attacks on Democrats and liberals and progressives, and act like they are the victims while blaming others. They engage in culture war divide-to-conquer demagoguery and attempt to portray fairness, inclusive policies, equitable treatment of people in racial minority groups, system reforms and anti-corruption efforts as being "socialist" or "communist".

Republicans have long played dirty tricks to get elected or re-elected. Early instances of this were the racist Southern Strategy and the Watergate break-in to the Democratic National Committee Headquarters in the Watergate Office Building in Washington D.C. in June 1972. The cover-up of the truth about the scurrilous Watergate scandal was another political dirty trick. Martha Mitchell, who was the wife of Nixon's campaign manager and then Nixon's Attorney General, was outspoken about the scandal, so the political establishment tried to paint her as delusional. When her allegations later proved to be accurate, the phenomenon became known as the Martha Mitchell effect.

These tactics and rationales are also unconscionably antithetical to conservation and sensible protections of the environmental commons and a stable global climate.

In contrast to the effectiveness of Republican nefarious messaging, Democrats generally do a poor job of messaging. They should convey a message like this: "What's happening in Republican-led states is a comprehensive

assault on human liberty by an unhinged, authoritarian party that believes, with good reason, there are effectively no limits on its escalatory behavior. The same people complaining about 'the woke mafia', and a cancel culture biased against them, want to ban books they don't like and fire teachers for thought crimes and prevent open discussion of American history in high school and college classrooms. In Florida, discussion of gender identity is now illegal in classrooms from kindergarten to third grade, a dictate that will chill speech and erode reason throughout the public school system."

And it's not just rhetoric and speech. Abortion will soon be illegal in red states across the land, with laws written to maximize cruelty. "Family members of the fetus" can sue abortion providers for \$20,000 in Idaho, and multiple states are aping the Texas law allowing private citizens to sue anyone who "aids and abets" an abortion and collect \$10,000. It is only a matter of time before "even loopier proposals" succeed.

"The GOP's enthusiasm for using Americans against one another with cash rewards to control women's bodies has to be one of history's easiest political targets. Call it 'radical Republican authoritarianism' and make sure every single candidate -- from dog walker to senator -- uses the same phrase. If Democrats can't win *this* contest, they're truly hopeless."

Before the 2022 midterms, this quote provided good guidance: "Finally, Democrats need a win in Congress. The current remarkably weak Democratic control of the House, Senate and the Presidency can't bring us Scandinavian-style social democracy or tackle climate change in any meaningful way. But it is still possible that Sen. Joe Manchin (D-W.Va.) -- the chief roadblock to passing Biden's Build Back Better agenda -- could be persuaded to support a smaller bill delivering on one or two major items, perhaps paid parental leave, along with a politically and epidemiologically critical investment in further pandemic measures." Or lowering prescription drug prices, and investing in climate resiliency.

One reason scheming Republican politicians were able to narrowly regained control of the House in the 2022 midterm elections is that it is a historical trend that voters are dissatisfied in general with their leaders every midterm cycle and blame the majority party for their dissatisfaction. But there are many other factors right now. Conservatives have hijacked people's emotions and weaponized deceitful propaganda, blatant lies, resentments, prejudices, fear and anger, and used these mobilized passions to shift blame from their efforts to prevent reforms and prevent the Democratic agenda from measurably improving people's lives. They have riled people up by scapegoating immigrants and refugees, and stoked anti-choice convictions and gerrymandered numerous congressional districts in Republican-controlled states and enacted dozens of restrictive voting measures to make it harder for poor people, Blacks, Latinos, women, students and disabled people to have their votes counted and their voices heard and respected.

Corporate Allies of Injustices

The Republican Party is a modern Know Nothing party. It "is a party built on fraud, fear and fascism," said Jaime Harrison. "They don't deserve to be in power."

Major corporations like AT&T, Disney and Comcast may be as much to blame as the anti-abortion extremists they bankroll. The abortion case that the Supreme Court ruled on in June 2022 made its way to the nation's highest court due to lawmakers in Mississippi waging war on women's right to choose, and these right-wing politicians received over \$500,000 from corporations like AT&T and Comcast.

"For years, companies like AT&T have proudly published rosy press releases celebrating and pledging their 'commitment' to supporting women's rights, diversity, and inclusion efforts. They really think that we are fools who don't see their part in rolling back our fundamental freedoms and human rights."

The Corruption of the Supreme Court

Republican politicians are champions of white privilege and betrayers of equity and inclusion, and opponents of fairness to diversity stakeholders. And extremely partisan conservatives on the Supreme Court are insidiously defending these wrongs. Consider, again, the role of Ginni Thomas, the Tea Party activist and wife of Supreme Court Justice Clarence Thomas.

As Wayne Batchis, an associate professor of political science at the University of Delaware and the director of the Legal Studies Program, observed, "Many Americans have grown increasingly numb from a seemingly endless stream of dispiriting stories highlighting our political leaders' fading commitment to democracy. However, if anything has the potential to awaken us from our stupor of exhaustion, it must be the recent news that Ginni Thomas attended the Jan. 6 populist rally at the Ellipse in Washington, which preceded that day's Capitol riot. Not to diminish voters' very legitimate concerns about America's elected officials, but politicians and political movements come and go. Without trust in the courts, American democracy does not stand a chance."

"As the spouse of a Supreme Court justice, Ginni Thomas and her political activities have long raised eyebrows. She is a conservative activist that has close ties to organizations that support many causes and positions that parallel cases that have appeared, and will continue to appear, before the high court. It is rare, if not unheard of, for the spouse of a justice to play such a prominent and active role in partisan politics, if only because this might create the potential appearance of impropriety. A judge, of course, is expected to objectively apply the law, without a preconceived commitment to a particular outcome."

"The American people, however, are not fools", Batchis continued. "While we may hope, and believe, that judges make their best effort to remain fair and impartial, people likely understand that the modern Supreme Court decides many issues that overlap with our most deeply held beliefs -- whether it is gun rights or abortion, LGBTQ rights or religious freedom. Jan. 6, however, is entirely different terrain."

"It turns out that Ginni Thomas not only sat on the board of an organization that promoted the dangerous fiction that the 2020 election was 'stolen' from former President Donald Trump through fraud, she also attended the rally attempting to vindicate this paranoid propagandistic fantasy (and said she left before Trump took the stage). All the while, in what might resemble the coordinated efforts of synchronized swimmers, husband and wife seemingly sought to thwart the investigation into the democratically perilous events of Jan. 6. Ginni Thomas signed on to a letter seeking the expulsion of Republican Reps. Liz Cheney and Adam Kinzinger from the Republican conference for joining the House Jan. 6 investigation committee; Clarence Thomas was the sole dissenter -- standing in opposition to the rest of the court, including its three Trump appointees -- in a decision allowing for the release of Jan. 6-related documents to said committee."

In response to the dysfunction of the Supreme Court being dominated by partisan conservatives, Senator Elizabeth Warren has authored a Judicial Ethics and Anti-Corruption Act that would overhaul the broken judicial recusal process, and help root out corruption and restore public trust in the federal judiciary by banning federal judges from owning individual stocks.

"Corruption is toxic to our democracy." But recently, the high court's conservative supermajority opened the floodgates for more corruption across the rest of the federal branches by ruling that political campaigns can blow past limits on raking in donations *after elections*, specifically to pay off a candidate's personal loans to the campaign.

Justice Elena Kagan ripped the majority in a strongly-worded dissent: "Political contributions that will line a candidate's own pockets, given after his election to office, pose a special danger of corruption ... In striking down the law today, the Court greenlights all the sordid bargains Congress thought right to stop."

"The Supreme Court has its lowest public approval rating in history, according to a recent Gallup poll. And it is aggressively putting its extreme stamp on rulings, even deciding against vaccine mandates that allow local leaders to protect the public from the coronavirus. The public rightly sees that the federal judiciary has become overly politicized, and that there is a growing 'stench' of partisanship on the Court, as Justice Sonia Sotomayor observed. It is reprehensible that Justices on the Court are not required to adhere to the same types of ethical standards as other judges, like requirements to recuse themselves from cases 'in which personal entanglements could lead a fair-minded member of the public to question their impartiality.' This ethical void has allowed Clarence Thomas to be influenced by his wife, who is a vocal right-wing activist and a member of a number of hardline groups."

Chief Justice John Roberts defiantly warned Americans in his 2021 year-end report on the federal judiciary that Congress and the White House should not try to rectify the problems caused by having the high court stacked by

Trump Republicans with a supermajority of conservatives.

Another way that justice is being perverted on the high court is through amicus briefs — which are basically a means of lobbying — which are filed in cases before the Court. Many of them are submitted by “opaquely funded dark-money groups, whose true financial sponsors are concealed, thus enabling invisible thumbs to press on the scales of justice.” Ginni Thomas has been involved with organizations like “C.N.P. Action, a dark-money wing of the conservative pressure group the Council for National Policy. C.N.P. Action, behind closed doors, connects wealthy donors with some of the most radical right-wing figures in America.”

“In Congress, Democratic Senator Sheldon Whitehouse, of Rhode Island, is pushing for reform.” Amicus briefs, he says, are “a form of lobbying that has two terrible aspects — the interests behind them are hidden, and they are astonishingly effective in terms of win rate. They open up real avenues for secret mischief.”

“From our earliest days as a nation, politicians have elicited well-deserved eye rolls from the American people. Representative democracy and cynicism go hand in hand. Especially in a country as diverse as our own, elected officials have no choice but to seek favor from a multitude of constituencies. Staying in power means telling us what we want to hear, holding a finger to the political winds and shapeshifting when necessary. The framers of the Constitution understood this all too well. It is why they gave us the gift of Article III.”

“Article III of the Constitution establishes the federal judiciary. Sure, the imposition of federal judges, with their lifetime appointments and freedom from electoral accountability, might appear shockingly undemocratic. But there is enormous power in such freedom: the power to stand as a bulwark of democracy when the other political branches falter. As we look around the world and see the tragic consequences of autocracy, we want to believe the Supreme Court will be there to defend our democratic values, even in times when ‘the people’ seem to be demanding something very different.”

“True, many of the Supreme Court’s election law decisions have rightfully garnered passionate disapproval. Decisions such as *Citizens United*, which afforded corporations ‘free speech’ rights to make unlimited campaign-related expenditures, or *Shelby County*, which undermined a large piece of the Voting Rights Act, offer much fodder for criticism. But they were based on good faith disagreements over how the Constitution tells us democracy should function.” (I find it seriously questionable about how good this faith may be.)

“There is a stark difference between ideologically informed interpretation and abusing the court’s position to serve raw political power. We have all been witnesses to a staggering amount of political norm violation in the past several years. But if it becomes ‘normal’ to see the court as a potential collaborator in the undermining of our core democratic institutions, we may have reached a point of no return.”

“As the retiring Justice Stephen Breyer warned us in his wise dissent in *Bush v. Gore*, a rare decision that diverged from the court’s democracy-sustaining record, the public’s confidence in the court is a hard-earned ‘public treasure’ that we can’t afford to take for granted. For the sake of preserving that confidence, Justice Clarence Thomas should commit to recusing himself from any matters relating to the events of Jan. 6.”

Impeaching Thomas might be more appropriate, but entrenched partisanship would prevent an impeachment trial from removing him from his lifelong position.

Jane Mayer conveys a sensational perspective on the Supreme Court in the Jan. 31, 2022 issue of *The New Yorker*, in her article *Ginni Thomas’s Crusades: The activism of Clarence Thomas’s wife risks tarnishing the Supreme Court*.

Jane Mayer is an admirably perceptive journalist who wrote this exposé on Ginni Thomas. If either Clarence or Ginni Thomas had integrity or an ethical moral compass, or an honorable sense of proper fairness in our democracy for majority rule and women’s rights, they would act more honorably -- and more patriotically.

Introspection into Cancel Culture

One way conservatives gain power is by using repetitive talking point messaging, twisted facts, made up scandals, character assassinations, innuendo and QAnon conspiracies to hijack people’s emotions and influence public opinion. This is sadly one of the more distinct strengths conservatives demonstrate these days -- tearing down people in the political party that opposes them. In a bizarre twist to the culture war aggression they stoke, QAnon

believers seem to be obsessed with pedophilia and beliefs in false and insidiously perverted conspiracy theories.

They howl about "cancel culture", and are skilled at playing the victim card, complaining bitterly about things like being censored on social media when they run afoul of platform rules. These culture war conservatives gain power by this divide-to-conquer strategy, and progressives need to figure out better ways to counter these insidious tactics and appeals to emotion, and not just rely on setting forth popular, sensible, fair, inclusive, sane and sustainable policy proposals.

Having stacked the Supreme Court with conservatives who are outside the mainstream of public opinion and fairness, by a 6-3 supermajority, and having done so using highly unfair tactics, it is now discouraging to see the insidious ruses that grandstanding politicians like Ted Cruz and Josh Hawley are engaging in, as when they made grandstanding verbal assaults against Joe Biden's nominee to replace one of the three remaining liberals on the high court, and their efforts to arouse suspicions about her qualifications.

The insightful opinion columnist Jennifer Rubin wrote in *The GOP's gibberish about 'cancel culture' never looked so dumb*, that the GOP makes profligate use of "cancel culture" and false portrayals of "critical race theory" and "wokeness", turning these phrases into an all-purpose epithet to be flung at the left. "Cancel culture" is a cry of victimhood and an accusation (the left is made up of intolerant bullies!). But it has no real meaning. It's a way of escaping accountability or even mild public criticism for behavior that deserves social opprobrium."

When a right-wing politician who cheered on the Jan. 6 mob loses a book contract, he isn't being "canceled"; his publisher is exercising good moral and business judgment. When Twitter and Facebook boot a defeated former president from their networks, they are not "canceling" him; they are forcing him to find his own platform from which he can undermine democracy.

The best proof that "cancel culture" is a vapid jibe comes from people who both the left and right can agree are immoral bullies. Russian President Vladimir Putin, widely seen as a war criminal, now whines that economic sanctions deployed in response to his brutal war of aggression amount to a campaign to "cancel" Russia.

When perpetrators of unacceptable conduct invoke "cancel culture" as their defense, they reveal not only their disgraceful character, but also the people they are trying to impress. They are appealing to the right-wing culture warriors in the United States who want to be free to insult, demean and bully others. This includes Republicans currying favor with the MAGA crowd who want to avoid criticism or the consequences of supporting an attempted coup, suppressing voting or spewing anti-Semitic conspiracy theories.

Hurling "cancel culture" is an attempt to prevent others from making moral judgments and holding people responsible for their bad conduct. It is risible for politicians to demand they escape the public's judgment in a democratic system premised on voters' ability to hold their leaders accountable. (It's one major reason the GOP is bent on making it harder to vote.)

In its report on the Jan. 6 insurrection and other transgressions, the nonpartisan organization Protect Democracy wrote: "Absent accountability, false narratives perpetuated by political leaders harden, warping the public's understanding of recent history. Wrongdoers, newly emboldened, recruit and mobilize others to adopt similar tactics." In sum, "The absence of accountability is not neutrality, but affirmation: an invitation to wrongdoers to escalate wrongdoing and for others to follow suit." Put differently, democratic societies need to have real accountability as a way of enforcing their values.

"So whether it comes from a foreign dictator, a predator in high political office, a defeated former president spreading lies about an election or a senator who voted to acquit that president for instigating an insurrection and extorting Ukrainian President Volodymyr Zelensky, the cry of 'cancel culture' should set off alarm bells. Chances are, it's a desperate attempt to escape the consequences of dreadful behavior."

Abortion Bans

The Supreme Court ruling overturning Roe is a women-betraying action. This woeful reversal will take away eminently fair, sensible and pragmatic protections from many women, and severely curtail their reproductive rights, and their rights to freely make personal decisions about their health and obligations and the course of their

lives.

Maryland's Republican governor Larry Hogan has courageously embarked on an anti-Trump crusade, seeing the risks for his Party in supporting a felonious demagogue and inciter of insurrection. After the abortion ruling leak, Hogan said, "We won't win back the White House by nominating Donald Trump or a cheap impersonation of him," adding that the Republican Party was "desperately in need of a course correction."

These perspectives are made worse by the fact that the conservatives on the Supreme Court were nominated by Republican presidents who all failed to get as many votes as their opponents, and only managed to win due to the provisions of the Electoral College process, which is an undemocratic flaw in the Constitution.

And it cannot be forgotten or forgiven that Republicans engaged in constitutional treachery by stealing a Supreme Court seat from President Obama when it was his right under the constitution to replace Antonin Scalia after he died in February 2016.

While *Roe* okayed abortion under a right to privacy, *Casey* established abortion as a freedom to make "intimate and personal choices" that are "central to personal dignity and autonomy. It's hard today to argue otherwise, accustomed as we've become to these ideas."

Many Americans -- 60 percent to 70 percent -- support *Roe* and don't want it overturned, according to polling by Gallup and the Pew Research Center. But other polls also say many people favor limits on second-trimester abortions. About one-third of Americans believe that abortion should generally be legal throughout the second trimester.

Democrats say the Republican opposition to child benefits only underscores the recklessness of the push to deny women the right to have an abortion. They point out that Republicans want to force women who become pregnant to have children, and then they don't want to provide support for mothers to raise kids. Democrats have long been skeptical that Republican talk of child policy amounts to anything more than a political stunt designed to distract from conservative opposition to economic benefits for families. "That's what the Republicans do all the time," said Sen. Mazie Hirono of Hawaii.

In the *Progress Report* on May 3, 2022: "It's been a very grim week thus far. On Monday, a leaked decision indicated that the Supreme Court plans on overturning *Roe v. Wade* and setting the stage for further attacks on our most basic rights. Today, the United States surpassed 1,000,000 deaths from Covid, an unspeakable tragedy that has gone mostly unremarked upon. It is a uniquely American irony that both events have been orchestrated by politicians and judges who claim to be 'pro-life'."

The insightful historian Heather Cox Richardson wrote on May 4, 2022 -- "The draft decision takes a sweepingly broad position against *Roe v. Wade*, declaring that the Fourteenth Amendment cannot protect the right to abortion because such a right is not 'deeply rooted in this Nation's history and tradition.' This opens the door to similar attacks on constitutional rights previously established by the Supreme Court: the right to use birth control, marry regardless of race and gender lines, and engage in sexual intimacy between consenting adults."

The popularity of civil rights might not matter much: law professors Melissa Murray and Leah Litman noted in the *Washington Post* that "perhaps the most stunning feature of the opinion is that its indignant tone and aggressive reasoning make clear how empowered this conservative majority believes itself to be."

"Indeed, right-wing commentators are like sharks frenzied by blood in the sea, emboldened by the apparent success of their drive to take away women's rights to end a pregnancy. Soon after the leak of the draft Supreme Court ruling, the Committee on Administration of Criminal Justice in the Louisiana legislature reported favorably on a fetal personhood bill that would protect 'human life, created in the image of God ... equally ... from fertilization to natural death,' meaning that abortion is homicide and prosecutors can charge patients with murder."

"Some Republican lawmakers are downplaying the reach of the apparent decision, avoiding the question of whether gay rights are next on the chopping block. Bryan Metzger of *Business Insider* asked 'nearly a dozen' Republican senators whether they think the draft decision overturning *Roe* threatens the 2015 *Obergefell v. Hodges* decision recognizing the right to same-sex marriage, and whether they supported overturning the *Obergefell* decision.

Metzger wrote: 'None gave a clear yes or no answer, and several outright declined to comment.' A year ago, seventy percent of Americans supported gay marriage."

In the present, not only are the streets full of protesters, but also the three Republican governors in New England -- Charlie Baker (MA), Chris Sununu (NH), and Phil Scott (VT) -- have all said they will protect abortion rights in their states. Levi Strauss & Company, the clothing manufacturer, called on business leaders to protect the health and well-being of their employees, defending the reproductive rights that have enabled women to participate more fully in the economy in the past 50 years.

Congress must pass legislation that strikes a fairer balance between the supposed rights of a fertilized zygote and the real rights of females in the United States of America. To codify a woman's right to terminate a pregnancy before fetal viability into law and protect women's natural rights, the filibuster must be waived on this issue. This is how vital democracy reforms need to be passed, along with other laws such as federal voting rights laws that ensure majority rule rather than the domineering hegemony of minority rule by white males and far-right factions.

Some Republicans want to limit women from even being able to leave an anti-choice state to undergo an abortion elsewhere, and it looks as if they have the technology to at least try."

The situation and circumstances for women who want to terminate a pregnancy may revert in red states to being as bad as they were 50 years ago before the Roe v. Wade decision. There may be cross-state chaos, and many unsafe abortions, and women will bridle at having their longtime former rights criminalized -- and at being forced to suffer additional burdens and be subjected to so many maniacal threats against their personal health and security and freedoms and finances and right to choose to have an abortion, and to decide the course of their lives and futures.

The Voting Fraud Big Lie and Its Consequences

It is the responsibility for congresspersons to represent their community members on a national level, and should rightly advocate for all their constituents, and NOT merely dismiss those who disagree with them, and advocate only for those in their political base, and fail to do what's best for all the people in the entire district.

There's a very real chance that far-right proponents of the "Big Lie" will seize control of one or both chambers of Congress next year -- which would likely mean an end to any congressional efforts to seek accountability for the seditious conspiracy that led to the mob insurrection of January 6.

One egregious facet of the Big Lie was that desperate and disreputable lawyers filed dozens of lawsuits on flimsy grounds to try to overturn the outcome of the 2020 presidential election, alleging widespread election fraud that was in fact nonexistent.

The very same people behind the January 6 insurrection are now trying to overthrow the U.S. government in a slow-motion coup. Steve Bannon said it outright: "We're taking over all the elections."

Their plan is to take over the machinery of our democracy from the ground up by electing Trump loyalists as the top election official in key states in this coming fall's midterms -- so that in the 2024 presidential election, only Trump loyalists will be certifying elections in the states that will decide who wins.²

Remember, Trump ultimately failed to overturn the 2020 election because a few election officials -- secretaries of state in particular -- rightfully certified the results despite heavy pressure from him and his enablers to overturn them. If Trump and Bannon succeed next time, our democracy is in serious trouble.

That's why the organization MoveOn is doing something that it has never done in its 23-year history: "running a powerful, multimillion-dollar effort to defeat Trump-backed candidates for secretary of state and elect individuals who will count every vote and ensure fair elections. We are in urgent need of a new consensus commitment to cope fairly and intelligently with the daunting problems we face."

Trump made an early April weekend speech in Michigan that was "part and parcel of the Republican strategy to undermine fair elections in Michigan, a sinister strategy Seth Meyers described as a 'slow-moving coup'. Even though the 2020 election was a year and a half ago, support for the Big Lie is flourishing among the most extreme

faction of the Republican party."

The Associated Press reports that election officials across the country have received death threats and been subjected to cyber attacks, disinformation and ransomware, and that they are increasingly concerned about insider threats and "a wave of candidates for state and local election offices this year who parrot Trump's false claims about his loss to Democrat Joe Biden."

Michigan's top elections official, Secretary of State Jocelyn Benson, warns: "Putting them in positions of authority over elections is akin to putting arsonists in charge of a fire department."

To protect our democracy, it is imperative that Democratic, pro-voter and pro-democracy Secretary of State candidates have the resources to defeat Republicans who subscribe to Trump's Big Lie. Donate generously, if you can afford to do so!

Corrective Action -- The Freedom to Vote Act

The Founders of this nation, and the Framers who wrote our Constitution, created (as Ben Franklin famously said) a constitutional republic: a government "deriving its just powers from the consent of the governed" through citizens' (then white men's) right to vote.

They referred to this as "republicanism" because it was based on the Greek and Roman republics (then thousands of years in the past but still remembered and idealized), and when put into law they called it "a Republican Form of Government."

Today that form of government is in crisis in America, as that core right to vote that defines republicanism is under attack by Republican legislators in red states and swing states across our nation.

"In emergency, break glass" is the almost-never-used option available should a building catch fire or otherwise be in crisis. There's a similar alarm and safety valve built into the U.S. Constitution that, like that glass in so many buildings, has never before been used to protect our republic.

It's called the *Guarantee Clause*, and it's the basis of the *Freedom to Vote Act* that has passed the House and is prevented from passage by a Republican filibuster in the Senate.

The *Guarantee Clause*, however, has never been used as a part of our everyday politics or law: most people, in fact, have never heard of it. It has never been used or adopted as law by the courts so it's essentially "potential power," a powerful but tightly coiled force quietly waiting for a real emergency, buried deep in our Constitution for 232 years.

But it comes alive when Congress activates it for the first time, which could be right now because the *Freedom to Vote Act* does just that, explicitly firing it up by name.

Joe Manchin is one of its co-sponsors, although it's mostly an effort by Senators Klobuchar (its main sponsor), Kaine, King, Merkley, Padilla, Tester, and Warnock. On the Republican side, it appears to have support from Alaska's Lisa Murkowski.

And when you understand the background of the *Guarantee Clause*, the urgency and the consistency of *The Right To Vote Act* with the Framers' vision about the possibility of this political moment is unmistakable. Congress can end partisan gerrymanders, dial back the excess influence of moneyed interests in politics, and guarantee the right of every American citizen to vote without undue difficulty.

The opening paragraph of the *Freedom To Vote Act* lays it out clearly: "Congress also finds that it has both the authority and responsibility, as the legislative body for the United States, to fulfill the promise of article IV, section 4, of the Constitution, which states: 'The United States shall guarantee to every State in this Union a "Republican Form of Government."'

The proposed law even notes as justification for its existence how the Supreme Court has dropped-- or laid down -- the ball and therefore Congress must pick it up: "Congress finds that its authority and responsibility to enforce the *Guarantee Clause* is clear given that Federal courts have not enforced this clause because they understood

that its enforcement is committed to Congress by the Constitution."

The *Freedom To Vote Act* would do these things, among others: (1) end partisan gerrymandering; (2) limit campaign contributions to a maximum of \$10,000; (3) provide automatic voter registration and online registration for 16 year olds who will be 18 and thus eligible to vote in the next election; (4) guarantee that *all* voters, nationwide, can vote by mail with no excuses necessary; (5) guarantee that all voters can put themselves on a permanent vote-by-mail list and automatically receive a ballot in the mail; (6) require the Post Office to process all ballots on the day they're dropped off and without postage; (7) require companies to fully and rapidly disclose all election spending over \$10,000; (8) require states to keep voting lines shorter than 30 minutes in all cases and places; (9) give the right to vote to all felons who have served their sentences, in all states; (10) prohibit states from deleting voters from the rolls because they haven't recently voted; (11) criminalizes intimidating, threatening or coercing any election official or election worker; and (12) require paper ballots in all cases and all elections.

"The *Freedom To Vote Act* is more urgently needed with every passing day, as multiple Republican-controlled states openly (and ironically) tear down actual 'republican principles' of representative government by continuing to pass laws that pre-rig election outcomes."

"Some have even gone so far as to introduce laws that authorize their legislatures to ignore or reject votes they don't like, in anticipation of the 2024 election."

Passing this law must now be a top priority of the Senate because, as Benjamin Franklin famously said, 'It's a republic, ma'am, if you can keep it.'"

Another Vehicle for Emotion Hijacking: Critical Race Theory

Critical Race Theory is a conspiracy theory that white people are being "replaced" by Blacks and other minorities. Conservative lawmakers, advocacy groups and media have engaged in a concerted campaign over the last year to use this theory as a smokescreen to misinform, sow division, and divert focus from bigger real problems at hand.

Under the guise of attacking the alleged teaching of curricula about this theory, fear-mongering efforts are currently underway in multiple states across the country, like Texas and Florida, to whitewash any discussions of America's racist past while fighting any and all efforts to educate children on how racism still impacts communities of color to this day, as it has for 400 years since slavery was first introduced on the North American continent.

In a stupidly obtuse and absurd *Catch-22* outrage, women in red states are now being forced to have children they don't want, thereby increasing the number of future voters who are not white because of the sad fact that poor women who will be most affected by new prohibitions tend to be disproportionately from racial minorities.

In addition to this rampage about "critical race theory," Republicans seem to be hell-bent on passing laws that scapegoat gay and transgender kids. These are deeply cynical and hateful stands made to score political points at the expense of marginalized people. They obviously don't care if millions of people are discriminated against and millions are forced to continue pregnancies against their will - "all they care about is their regressive, ultra-right-wing agenda."

Boot Texas Gov. Greg Abbott out of office this November, and replace him with the much more fair-minded Beto O'Rourke, and likewise remove Florida Gov. Ron DeSantis from office, both for their egregious offenses.

And help prevent the most extreme Republican Party of our lifetimes from taking back the U.S. Senate and the House from control by Democrats. Allowing Mitch McConnell to regain power in the Senate would result in many too many highly negative consequences.

More on Olympe de Gouges

The French Revolution began in 1789 (the year after the U.S. Constitution was ratified), and it produced a watershed civil rights document inspired by Enlightenment philosophers, the *Declaration of the Rights of Man and of the Citizen*. The Declaration was a core statement of values that contained many ideas considered fundamental principles of liberal democracy, including individual liberty and democratic government. But it had serious and glaring deficiencies with regard to women.

In the preamble to her *Declaration of the Rights of Woman*, Ms. de Gouges mirrors the language of the *Declaration of the Rights of Man*, and explains that women, just as men, are guaranteed natural, inalienable and sacred rights -- and that political institutions are instituted with purposes of protecting these natural rights. She consequently set forth 17 Articles that identify these rights, following the seventeen articles of the *Declaration of the Rights of Man* point for point, and extending them to include both women and men in their statements.

Wikipedia helpfully adduces the 17 Articles set forth in the *Declaration of the Rights of Woman*, juxtaposed aside the 17 Articles of the *Declaration of the Rights of Man*.

Olympe de Gouges closes the preamble to her Declaration by declaring that "the sex that is superior in beauty as it is in courage during the pains of childbirth recognizes and declares, in the presence and under the auspices of the Supreme Being, the following Rights of Woman and the Female Citizen."

Olympe de Gouges opens her Declaration with the famous quote, "Man, are you capable of being fair? A woman is asking: at least you will allow her that right. Tell me? What gave you the sovereign right to oppress my sex?" She demands that her reader observe nature and the rules of the animals surrounding them -- in every other species, sexes coexist and intermingle peacefully and fairly. She asks why humans cannot act likewise and demands (in the preamble) that the National Assembly decree the Declaration a part of French law. Also they have seen many wars in combat with the men of France, therefore they sought out rights for themselves.

As history would have it, Olympe de Gouges "was executed by guillotine during the Reign of Terror" for her insubordinate writings and advocacy (and belonging to a political faction that fell out of favor), after she had been accused, tried and convicted of treason. This terrible injustice is but one of a deplorable and impactful myriad of other inequities that have been visited on women in patriarchal societies since then. Justice now!

Olympe de Gouges states in the Declaration of the Rights of Woman that, "This revolution will only take effect when all women become fully aware of their deplorable condition, and of the rights they have lost in society".

De Gouges opens her postscript to the Declaration with an urgent statement: "Woman, wake up; the tocsin of reason is resounding throughout the universe: acknowledge your rights." In her first paragraph, she implores women to consider what they have gained from the Revolution -- "a greater scorn, a greater disdain." She maintains that men and women have everything in common, and that women must "unite under the banner of philosophy." She declares that whatever barriers women come up against, it is in their power to overcome those barriers and progress in society. She goes on to describe that "marriage is the tomb of trust and love" and implores men to consider the morally correct thing to do when creating the framework for the education of women.

De Gouges then writes a framework for a social contract (borrowing from Rousseau) for men and women, and goes into details about the specifics of the legal ramifications and equality in marriage. In many ways, she reformulates Rousseau's *Social Contract* with a focus that obliterates the gendered conception of a citizen and creates the conditions that are necessary for both parties to flourish.

According to the journal de Gouges kept, what ails government are fixed social hierarchies that are impossible to maintain. What heals a government is an equal balance of powers and a shared virtue. This is consistent with her continuing approval of a constitutional monarchy. Marriages are to be voluntary unions by equal rights-bearing partners who hold property and children mutually and dispense of same by agreement. All children produced during this union have the right to their mother's and father's name, "from whatever bed they come."

More on the Seneca Falls Convention

A heated debate sprang up at the Seneca Falls Convention regarding women's right to vote, with many urging the removal of this concept, but Frederick Douglass, who was the convention's sole African American attendee, argued eloquently for its inclusion, and the suffrage resolution was retained. Exactly 100 of approximately 300 attendees signed the document, mostly women.

The convention expressed a *Declaration of Sentiments*, which was based on the language and content of the Declaration of Independence. It stated that "all men and women are created equal," and demanded equal rights for women, including the right to vote. This Declaration became "the single most important factor in spreading news of

the women's rights movement around the country in 1848 and into the future", according to Judith Wellman, a historian of the convention.

The resolutions, numbering eleven with women's suffrage included, were read aloud and discussed. Lucretia Mott read a humorous newspaper piece written by her sister Martha Wright in which Wright questioned why, after an overworked mother completed the myriad daily tasks that were required of her -- but not of her husband -- she was the one upon whom written advice was "so lavishly bestowed." The resolutions included:

Resolved, That woman is man's equal -- was intended to be so by the Creator, and the highest good of the race demands that she should be recognized as such.

"Resolved, That the women of this country ought to be enlightened in regard to the laws under which they live, that they may no longer publish their degradation, by declaring themselves satisfied with their present position, not their ignorance, by asserting that they have all the rights they want.

Resolved, That woman has too long rested satisfied in the circumscribed limits which corrupt customs and a perverted application of the Scriptures have marked out for her, and that it is time she should move in the enlarged sphere which her great Creator has assigned her.

Resolved, That it is the duty of the women of this country to secure to themselves their sacred right to the elective franchise.

Resolved, That the equality of human rights results necessarily from the fact of the identity of the race in capabilities and responsibilities.

Resolved, Therefore, That, being invested by the Creator with the same capabilities, and the same consciousness of responsibility for their exercise, it is demonstrably the right and duty of woman, equally with man, to promote every righteous cause, by every righteous means; and especially in regard to the great subjects of morals and religion, it is self-evidently her right to participate with her brother in teaching them, both in private and in public, by writing and by speaking, by any instrumentalities proper to be used, and in any assemblies proper to be held; and this being a self-evident truth, growing out of the divinely implanted principles of human nature, and custom or authority adverse to it, whether modern or wearing the hoary sanction of antiquity, is to be regarded as self-evident falsehood, and at war with the interests of mankind.

Supreme Court Unreason

Another glaring weakness in the arguments contained in the ruling to overturn abortion rights has received less attention: its specious assertion that *Roe* hasn't *really* impacted Americans' lives, so there's no good reason for the court to stand by it. The jarring ways in which individuals' lives and relationships will be disrupted now that the long-standing precedent has fallen -- a factor the Justices call "reliance interests" -- came up repeatedly in the oral arguments on December 1, 2021. Solicitor General Elizabeth Prelogar argued sensibly at that time that scrapping the right to abortion would upend "societal reliance and what this right has meant for further ensuring equality." But this concern barely makes an appearance in the final ruling.

"When Americans come to rely on a decision of the Supreme Court, the Justices have historically exercised special caution about abandoning it. As Justice Antonin Scalia once explained, 'The doctrine of *stare decisis* protects the legitimate expectations of those who live under the law.' The idea that reliance considerations are central to *stare decisis* and indeed to the rule of law has a long pedigree. In 1815, the court explained that a prior ruling 'should always be adhered to' when overruling it would upend contractual arrangements. In 2019, Justice Alito himself wrote a majority opinion sticking by a longstanding 'chain of precedent linking dozens of cases over 170 years' in a case about the double jeopardy clause of the Fifth Amendment. But when it comes to erasing abortion rights, Alito's draft breezily asserts that *Roe* has created no 'concrete' reliance interests for Americans. And away it goes."

"Alito's reliance analysis -- which occupies a scant two pages of his 98-page opinion -- starts with a sleight of hand and ends with hand-waving. He begins by asserting that *Casey* 'conceded' that 'traditional reliance interests were not implicated' in a potential withdrawal of abortion rights. But that is a gross mischaracterization of *Casey*. The

argument Alito tries to attribute to the Justices who upheld *Roe* was not, in fact, a concession at all. It was a *counter argument* the court 'imagined' a critic might raise and that 'may appear' to undercut a reliance claim when it actually does nothing of the sort. Here's the (flawed) idea: new abortion bans may not upend expectations, 'the argument might run,' because individuals and couples can simply adjust their expectations and reproductive planning accordingly."

When excessively emboldened abusers of authority hubristically double down on ruthless repression, and obtusely ignore the valid objections of those they oppress, they impose hardships and idiotically encourage outraged blowback from the traumatized victims of their grave tomfoolery.

It sure seems like such schemers, and antagonized adherents in their political base, would prefer to have a civil war between men and women, and conservatives and liberals, rather than come together to create a more perfect union.

Thinking about the Leaker(s)

Writing for *New York*, David Klion went as far as to defend the leaker of the draft ruling for doing "a public service, both by giving Americans who support reproductive rights a head start on mobilizing for a post-*Roe* legal order and by damaging the Court's mystical aura of legitimacy at precisely the moment when it deserves to be damaged." He added that "if the Court is going to function as a partisan institution, then the public should know at least as much about how it works as we know about any other branch of government."

The leak of Justice Alito's first draft of the Supreme Court's majority opinion to strike down *Roe v. Wade* leads to this observation: "This is the end-game Donald Trump and Mitch McConnell hoped for -- a stolen conservative Supreme Court enabling extremist Republican-controlled state legislatures."

This is an abomination of a decision that will punish countless numbers of pregnant women and LGBTQ people who are fighting to take charge of their own health, families, finances and their own lives -- and many people in the American public are justifiably outraged.

And there's more. "It's not just the right to abortion, either. The war on our right to vote, access to health care, public safety, and what our kids can learn in schools is being waged in state legislatures where Republicans have been playing the long game and investing early to win this fight."

Trust in the Supreme Court has deservedly been on the downslide. "Last September, a Gallup poll found approval of the Supreme Court had dropped to 40 percent, a new low since polling began in 2000. In February, the Pew Research Center said a national survey showed that 84 percent of U.S. adults say the justices should not bring their own political opinions into the cases they decide."

This hot button wedge issue will not end at overturning *Roe*. The invective Justice Alito scrawled into his opinion tears apart the very foundation of "unenumerated" rights -- rights that aren't specifically declared in the Constitution. Alito said "the Constitution makes no reference to abortion and no such right is implicitly protected by any constitutional provision." Well, neither is the right to contraception, or the right to choose your partner -- be they of the same sex or a different race. A post-*Roe* America could see GOP-led state governments pass anti-miscegenation laws (that will once again make interracial marriages illegal) or laws that curb access to contraception, which could then be deemed constitutional under precedent set by this ruling.

Once again, it should be understood that the consequences of this -- like all minoritarian policies designed to put the wishes of a single powerful group over the needs of everyone else -- fall hardest on the most marginalized. "Poor women, Black and brown women, disabled women -- all of them will suffer worst of all, pushed by this ruling and society into the kinds of procedures that can cause terrible afflictions and death."

For too long, U.S. foreign and domestic policy has been dictated by an unaccountable, out of touch, largely white, largely male, elite minority -- at the expense of everyday people.

Some say that having the Supreme Court take away the right to an abortion is not completely surprising: "it's the logical next step to decades of work that began when the Helms and Hyde amendments were passed post-*Roe* to deny the right to abortion to poor people, people of color, immigrants, young people, refugees and disabled people."

Sexism is one of the things that is driving the push to overturn *Roe* and, in many Republican-controlled states, to eviscerate women's reproductive rights.

The disgraced right-wing jerk Matt Gaetz tweeted right after the leaked Supreme Court ruling, "How many of the women rallying against overturning *Roe* are over-educated, under-loved millennials who sadly return from protests to a lonely microwave dinner with their cats, and no bumble matches?"

Gaetz apparently regards women as having too much education for their own good, at least those who disagree with his worldview and his twisted political views. Reading between the lines of a tweet about taking away women's right to terminate an unwanted pregnancy, he cynically and stupidly referred to "overeducated" women and implied they simply must be pining for a good man.

Women, to people like Gaetz, are objects to be subjugated. (The congressman is being investigated by the Department of Justice over allegations he engaged in sex trafficking and had sex with an underage girl. Matt Gaetz hasn't been charged with a crime and denies any wrongdoing.)

"Loutishness, for many in the Republican Party, has become a feature, not a bug."

"It's trickle-down creeponomics. It's the kind of misogyny behind a potential decision to destroy the reproductive rights of American women, a decision that will come from a court tilted to the far right by three justices picked by the aforementioned 'grab 'em by the' you-know guy and a coterie of stern-faced men in Congress who wouldn't bristle at Gaetz's tweet because, to them, it probably sounds about right."

Supreme Court Justices are supposed to impartially interpret and evaluate the law, and they represent the one branch of government that was designed to be independent of political pressure. But the Court has become an excessively powerful political body by being illegitimately stacked with radical conservatives.

Jim Hightower, appropriately acerbic at this twisted turn of events, expressed in his *Hightower Lowdown* his opinion on the perfidious nature of the Trump judges specifically chosen for their biased beliefs against abortion.

Their recorded testimony in nomination hearings reveals them trying to deceive the U.S. Senate and the American people by asserting that they would respect established precedent on the matter of reproductive rights.

Justice Sonia Sotomayor used her questions during a Supreme Court hearing on abortion rights in late 2021 to urge her conservative colleagues to follow precedent and not politics in deciding the case. She noted that the sponsors of the 2018 Mississippi abortion law, which would ban most abortions after 15 weeks of pregnancy, had said they were pushing ahead with the legislation and a court challenge "because we have new justices" on the Supreme Court.

Sotomayor, who was nominated by then-President Barack Obama, said that tossing out the landmark rulings establishing abortion rights would tarnish the court's reputation and open the floodgates to other challenges to well-settled law.

"Will this institution survive the stench that this creates in the public perception that the Constitution and its reading are just political acts? I don't see how it is possible," she said, while questioning Mississippi Solicitor General Scott Stewart.

What has changed since *Roe* in 1973, and *Casey* in 1992, to justify overturning so many years of established legal precedent? The answer is that the main change is there are now three Trump Republican judges on the high court, all chosen for their known anti-abortion views. All the twisted rationalizations adduced in the leaked ruling stink to high Heaven of politics and biased attempts to decide the case according to partisan preferences.

According to Pew Research, 59% of Christians don't want to see *Roe* overturned, including 68% of Catholics. Like the rest of the religious right, the Supreme Court's conservative justices are extreme outliers who are vastly out of step with the rest of American society.

The blessings of personal liberties exist within an overarching context of social and interpersonal responsibilities that should be consistent with the Golden Rule.

We need to codify *Roe* into law because women, not government officials or Supreme Court justices, should have

the overarching right to control their own bodies and destinies. We must build support for legislation to codify *Roe v. Wade* into law. Congress failed to take action by passing the Women's Health Protection Act on May 11, 2022, but must go back to the drawing board and find a reasonable compromise that protects the basic rights conferred with the *Roe* and *Casey* decisions.

A 50-50 Senate has failed to protect a woman's right to end a pregnancy in many states across the country, and Republican politicians have cynically blocked the Women's Health Protection Act that would fairly codify Protections of women's rights into law.

Abortion restrictions exacerbate logistical and financial obstacles for marginalized communities that include racial minorities, low-income people and people in rural communities. Further rollbacks of abortion rights will only increase the burdens on these vulnerable and disempowered populations. Those with more resources and privilege, of course, are likely to still be able to find ways to get the care they need.

This imperious ruling letting states outlaw all abortions is a blatant betrayal of a proper understanding of democratic fairness and equal treatment under the law. It creates extreme inequities between poor women and those with the means to seek reproductive healthcare in more reasonable blue states, and it arrogantly violates the judicial oath of office that requires judges and Supreme Court Justices to solemnly swear that they will treat all persons fairly.

According to Title 28, Chapter I, Part 453 of the United States Code, each Supreme Court Justice takes the following oath: "I, [NAME], do solemnly swear (or affirm) that I will administer justice without respect to persons, and do equal right to the poor and to the rich, and that I will faithfully and impartially discharge and perform all the duties incumbent upon me as [TITLE] under the Constitution and laws of the United States. So help me God."

It is an offensive decision to impose a rigorous mandate on every woman who becomes pregnant to carry a fertilized ovum in their wombs for nine months, whether they want to or not. By peremptorily preventing women the freedom and agency to make decisions about their bodies and their lives, and denying every woman the right to have a say in the size of their families, Supreme Court conservatives are creating an outrageously unfair and oppressively burdensome obligation.

It is harshly unjust to poor women and disadvantaged women, and a consequentially wrong and rashly rude violation of the principle of EQUAL JUSTICE UNDER LAW, which is a principle so foundational that it is etched in the edifice above the front entrance of the Supreme Court Building in Washington D.C.

Extreme partisanship and the Catch-22 of excessive minority influence in Congress and on the Supreme Court are preventing reforms that would give us true EQUAL JUSTICE UNDER LAW. Equal justice under law is a societal ideal that has broadly influenced the American legal system. The phrase was proposed by the architects who designed the Supreme Court Building, and was approved by judges of the Court in 1932, prominently including Chief Justice Charles Evans Hughes. It is based upon Fourteenth Amendment jurisprudence, and has historical antecedents dating back to Ancient Greece.

Chief Justice Hughes defended the inscription "Equal Justice Under Law" by referring to the judicial oath of office, which requires judges to "administer justice without respect to persons, and do equal right to the poor and to the rich". Decades later, Supreme Court Justice Thurgood Marshall made a similar point: "The principles which would have governed with \$10,000 at stake should also govern when thousands have become billions. That is the essence of equal justice under law."

It is proper that the Supreme Court is impartial, rather than being nakedly political as it has become.

Jennifer Rubin wrote on May 5, 2022, in *Democrats are mad. Maybe Biden is catching up*: "The Democratic Party -- officials, candidates, activists, organizational leaders and voters -- has rarely been this furious. The Republican Party's transformation into a theocratic bully bent on picking on the powerless and forcing 330 million people in a wonderfully diverse country to align with its out-of-date vision of America (all while assaulting democracy) has injected real emotion into a recently defeatist and depressed Democratic Party."

Conclusion

"The Supreme Court is egregiously wrong", said Dara E. Purvis when the prospect of *Roe v. Wade* being overturned seemed probable. She was riffing off Samuel Alito's hubristic contention that *Roe Was* "egregiously wrong from the start", an opinion that he and his fellow anti-abortion rights extremists concealed from U.S. Senators and the American public during their confirmation hearings.

The news today is bizarre about the Supreme Court and its partisan rulings. The roadblocks to responsible action and sanity are indeed daunting, with increasingly reactionary Republicans taking fascist-like stands on abortion rights and voting rights, and in their efforts to weaponize culture war issues to gain more power. These extremist stands are increasingly brazen emotion-hijacking and fear-mongering efforts that harm our prospects for fairness, equality, democracy, gun safety, and respect for women's rights and sensible family planning, in addition to being roadblocks to needed climate action, conservation efforts and sustainable living.

Deceit and divide-to-conquer tactics are giving a conservative minority dominating influence in our politics. This is making it excessively difficult to deal fairly with crucial issues.

It is a terrible tragedy that after more than 245 years of enjoying the blessings of our great American experiment in representative democracy and a reasonable modicum of democratic fairness, our nation, "conceived in Liberty and dedicated to the proposition that all men are created equal", has now become a house divided against itself, in a civil conflict that pits conservatives against liberals, and many men against women. And in this conflict, moderation is being sacrificed to extremism for the purpose of gaining and wielding power and control.

Millions of Americans have given "the last full measure of devotion" -- their lives -- in defense of freedom to ensure "that government of the people, by the people and for the people shall not perish from the earth."

But today, power seeking politicians are grandstanding and using incendiary tactics to gain attention and influence, like Senators Josh Hawley of Missouri and Ted Cruz of Texas and Reps. Jim Jordan, Marjorie Taylor Greene and Matt Gaetz -- and Trump-kowtowing cowards like Kevin McCarthy and divide-to-conquer schemers like Mitch McConnell.

From my informed perspective in an echo chamber on the progressive side of the political spectrum, I find it exceedingly sad that every one of the ideals set forth in the Preamble to our great U.S. Constitution is being sacrificed on the altar of profiteering schemes, corporatocracy, plutocracy, political ambition, extreme partisanship, demagoguery, Trumpism, religious fundamentalism, intolerance, sexism, white supremacy and white nationalism.

The American people love liberty and personal freedoms, and they generally believe in the American people being treated with Golden Rule fairness -- and ever since colonial days they have despised despotic abuses of power. These are the fundamental tenets of the Declaration of Independence and the U.S. Constitution, and of the progressive evolution of laws that have been enacted as history has unfolded since 1776. Now is the time to step forward and defend these values, and demand that our leaders get it together "to form a more perfect Union."

In the spirit of the Declaration of Independence, and in the interests of a fairer, healthier and more amenable society, let's choose liberty, not authoritarian rule dominated by a despotic cult leader or tyrannical political faction. Vote for progressive candidate for Congress -- both men and women. This is where our best hope is to be found. This is a foundational underpinning of the general welfare, and of pursuits of happiness.

Truly,

Tiffany B. Twain

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