

A Supreme Court packed with anti-abortion justices puts my patients at risk

By Warren M. Hern Oct. 6, 2020

As a physician specializing in outpatient abortion services since 1973, I take a keen interest in Republican plans to pack the U.S. Supreme Court with anti-abortion justices. The lives of my patients are at stake. Their health and the health of their families is at stake. Their freedom to live their lives as they choose is at stake.

The women who come to me from across America, usually with their partners or families but often alone, are not here for a political agenda. They are experiencing a crisis in their lives that, in all cases, is a threat to their very existence, even if they wish to be pregnant. Many of my patients have desired pregnancies that they have decided to end for serious medical reasons. The fetus they are carrying has no brain, or it has no kidneys, or it has a heart that cannot function, or any number of other catastrophic problems that would prevent a baby from having a meaningful life, or any life. They see endless suffering for the child they want and for their families.

Some of my patients are barely adolescents who are victims of rape, incest or sex trafficking. Others are caught in a tangle of drug addiction or tortured, abusive relationships with men who beat them and threaten their lives. Some have life-threatening illnesses made worse by pregnancy. Every situation is different, and they are all complicated.

All my patients have grown up assuming that abortion is legal. Knowing that is part of their lives and choices about their lives. Many do not even know that abortion is controversial in our society. When asked, they cannot imagine that some legislator or politician could make the choice for them or force them to continue the pregnancy against their will.

But now, the radical political right and the radical religious right have joined forces in the Republican Party to threaten the lives and futures of my patients. It is a terrifying and real crisis for my patients. The COVID-19 pandemic adds to the terror. The combination of COVID-19 and pregnancy can be fatal.

Women come to me for health care, not to make a political statement.

No woman's life and health should be at the mercy of the next election or at the mercy of Senate Majority Leader Mitch McConnell. No woman's life should be at the mercy of President Trump, who has none.

Trump's "pro-life" administration has presided over the deaths of more than 210,000 people because of his callous disregard for human life.

The existential crisis for women in Trump's America is heightened by the death of Justice Ruth Bader Ginsburg because of Trump and McConnell's obscene haste to install a radically anti-abortion justice, Amy Coney Barrett, to replace Justice Ginsburg. Justice Ginsburg's body was not cold when McConnell announced his plan to replace her on the court immediately.

The death of Justice Ginsburg is an irreplaceable loss for the American people, for the cause of justice, for the continuation of a constitutional democracy in the United States, and for civilized society. She represented the best of America and of legal thought. She represented the best of the rule of law, and she was a stalwart and eloquent defender of it. Her work as a constitutional lawyer and Supreme Court justice protected all of us, especially women.

Those of us who are dedicated to supporting and defending the health, liberty and rights of women in American society are saddened by her passing and alarmed at the looming threat against women that is made worse by her death and absence from the U.S. Supreme Court. We are alarmed by the brutal and unprincipled use of raw political power by the Republican Party, especially in the hands of McConnell, the Senate's majority leader, to install an increasingly authoritarian judicial regime in the U.S. federal courts and particularly the U.S. Supreme Court. Justice Ginsburg was a brilliant bulwark on the court to resist this march toward a sectarian judicial system that has been the goal of the Republican Party for decades.

We who help women every day with their most fundamental health needs fear the loss of hard-earned protections for women against a sectarian minority that is now likely to dominate the court. We hope the American people will choose a new president and Senate majority that understands, respects and follows the U.S. Constitution. The American people deserve better than the current path of destruction, and the election in November will determine whether we will have that.

Warren M. Hern, M.D., is director of the Boulder Abortion Clinic in Boulder, Colo.