

Leaked SCOTUS Draft: Roe v. Wade Will Be Overturned

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by Veronika Kyrylenko - The New American

Words: 575

A reported draft of the majority opinion in a Mississippi abortion case, *Dobbs v. Jackson Women's Health Organization*, suggests the U.S. Supreme Court voted to strike down *Roe v. Wade*, which purportedly made abortion a federally-protected right. While the news sparked joy in the pro-life camp and anger and resentment among pro-abortionists, many conservative observers see the

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alleged leak as a crude attempt to pressure the pro-life justices to change their vote.
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The text of the draft was published by [Politico](#) on Monday evening, at 8:32 p.m. Eastern Standard Time. The outlet described the document as a “full-throated, unflinching repudiation” of the Supreme Court’s 1973 *Roe v. Wade* ruling — the landmark decision purportedly establishing abortion as a constitutionally protected right — and the subsequent 1992 decision, *Planned Parenthood v. Casey*, that reaffirmed it.

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The majority opinion, written by Justice Samuel Alito, reads,

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We hold that *Roe* and *Casey* must be overruled. The Constitution makes no reference to abortion, and no such right is implicitly protected by any constitutional provision, including the one on which the defenders of *Roe* and *Casey* now chiefly rely — the Due Process Clause of the Fourteenth Amendment.

It continues by stating that “*Roe* was egregiously wrong from the start.... Its reasoning was exceptionally weak, and the decision has had damaging consequences.”

The justices concluded,

It is time to heed the Constitution and return the issue of abortion to the people’s elected representatives. “The permissibility of abortion, and the limitations, upon it, are to be resolved like most important questions in our democracy: by citizens trying to persuade one another and then voting.”

According to Politico, Republican-appointed Justices Clarence Thomas, Neil Gorsuch, Brett Kavanaugh, and Amy Coney Barrett voted with Alito after hearing oral arguments this past December. “Progressive” Justices Stephen Breyer, Sonia Sotomayor, and Elena Kagan are reportedly working on one or more dissents. It is unclear how Chief Justice John Roberts will vote.

The reported draft written by Alito is “almost certainly authentic,” [SCOTUSblog](#) confirmed on Twitter, adding that the document “does not reflect the comments or reactions of other Justices.”

In a [subsequent tweet](#), SCOTUSblog called the leak “the gravest, most unforgivable sin” that will cause “destruction of trust among the justices and staff.”

Harvard Law professor emeritus Alan Dershowitz [told](#) Fox News’ Sean Hannity that he thinks the opinion was leaked in an attempt to change the case’s outcome.

“I think this was leaked by a liberal law clerk who was trying to change the outcome of the case, either by putting pressure on some of the justices to change their mind, or by getting Congress to pack the court even before June, which is very unlikely, or to get Congress to pass a national right-to-abortion law,” he opined.

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Similarly, Jonathan Turley, a professor at George Washington University Law School, suggested that the leak is “one of the greatest breaches of security in the history of the Court,” and that it was “most likely” done to “press the Court and push legislation in Congress on a federal abortion law before the midterm elections” and to “renew the call for court packing.”

The Politico report suggested that “deliberations on controversial cases have in the past been fluid” and that “major decisions can be subject to multiple drafts and vote-trading, sometimes until just days before a decision is unveiled.”

“Just minutes” after the Politico report was published, the Supreme Court braced for protests, as barricades had been installed around its building in Washington, D.C., according to reporter [Cami Mondeaux](#).

“People on both sides of the issue quickly gathered outside the Supreme Court waving signs and chanting on a balmy spring night,” reported the Associated Press. As of Tuesday morning, the demonstrations remained peaceful, and no clashes have been reported.

Pro-abortionist forces, however, expressed their utter dissatisfaction with the news.

[According](#) to Alexis McGill Johnson, president and CEO of Planned Parenthood Federation of America, the initial draft opinion was “horrifying and unprecedented.”

“We will continue to fight like hell to protect the right to access safe, legal abortion,” she added.

Self-identified Catholic, House Speaker Nancy Pelosi (D-Calif.) and Senate Majority Leader Chuck Schumer (D-N.Y.) released a [joint statement](#), in which they slammed the potential ruling as an “abomination.”

“If the report is accurate, the Supreme Court is poised to inflict the greatest restriction of rights in the past fifty years — not just on women but on all Americans,” they claimed.

Senator Bernie Sanders (I-Vt.) and Representative Alexandria Ocasio-Cortez (D-N.Y.) called for urgent action by Democrats in Congress to preserve abortions.

“Congress must pass legislation that codifies Roe v. Wade as the law of the land in this country NOW,” Sanders [tweeted](#). He added, “And if there aren’t 60 votes in the Senate to do it, and there are not, we must end the filibuster to pass it with 50 votes.”

“People elected Democrats precisely so we could lead in perilous moments like these — to codify Roe, hold corruption accountable, & have a President who uses his legal authority to break through Congressional gridlock on items from student debt to climate,” [posted](#) AOC, adding, “it’s time to ... fight for a prosperous future for all and protect the vulnerable.” The latter, most likely, did not refer to the unborn babies.

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On Tuesday morning, another “Catholic,” President Joe Biden, released a [statement](#) saying that his administration is strongly supporting women’s “right” to abort their children, and called on the people to elect “pro-choice” officials in the upcoming mid-term elections.
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As [reported](#) by *The New American*, anticipating a decision overturning or gutting *Roe*, at least 12 states have already enacted so-called trigger bans that would instantly prohibit abortion. SCOTUS is expected to rule on the case in late June or early July.

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