



Written by [Michael Tennant](#) on January 23, 2012

## On *Roe v. Wade*'s 39th Anniversary, Obama Celebrates the "Constitutional Right" to Abortion

"As we mark the 39th anniversary of *Roe v. Wade*," the President wrote, "we must remember that this Supreme Court decision not only protects a woman's health and reproductive freedom, but also affirms a broader principle: that government should not intrude on private family matters."

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This, Townhall.com's [Elisabeth Meinecke](#) observed, is "a shocking display of double speak that even the past three years have not prepared us for." She reminds readers that Obama's "signature legislation gave government more control over private family matters than ever before" — an issue on which *The New American* has [reported](#) in great detail. In addition, she says, "the government says families [can't buy raw milk](#)" and "is trying to control what food families can and cannot bring to their children's school events." So much for Obama's commitment to keeping the state out of families' personal business.



As to *Roe*'s alleged benefits for women's health, just last year a study in the *British Journal of Psychiatry* "confirmed that women who have abortions increase the likelihood of suffering from severe mental health issues" and committing suicide, according to TNA's [Dave Bohon](#). If Obama were really concerned about women's health, he would seek to have *Roe* overturned. Instead, he has appointed two Supreme Court justices, Elena Kagan and Sonia Sotomayor, who are committed to their predecessors' travesty of justice.

Obama continued: "I remain committed to protecting a woman's right to choose and this fundamental constitutional right."

No one can doubt Obama's commitment to abortion on demand. Besides his Supreme Court appointments, he has engaged in a whole host of actions clearly intended to retain and expand the culture of death, as [LifeNews.com](#) has amply documented. What's more, he was just as ardent a supporter of abortion as a member of the Illinois Senate, voting repeatedly against bills that would have protected infants who survived *in utero* attempts on their lives for fear that the bills might impinge on abortion rights. Because Obama has gone so far out of his way to promote abortion on demand, it is hard to take seriously a subsequent sentence in his *Roe* commemoration statement in which he affirms his "determination to ... support pregnant woman and mothers, reduce the need for abortion,



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encourage healthy relationships, and promote adoption.”

Then there is the question of how abortion came to be a “fundamental constitutional right.” It had, after all, not been considered one for nearly 200 years. Then, one day, the Supreme Court found a “penumbra” in the Constitution that had escaped the attention of all previous courts; and on the basis of that heretofore unseen “penumbra,” seven of the justices declared that states could impose very few meaningful restrictions on abortion.

*Roe*, [Timothy P. Carney](#) writes in the *Washington Examiner*, “was a horrible decision morally and legally.” Moreover, he points out, conservatives and abortion foes are not the only ones to recognize that the decision was deeply flawed. He provides an extensive list of writings by “pro-choice legal scholars” arguing the same thing.

Harvard Law School professor Laurence Tribe, for instance, said, “One of the most curious things about *Roe* is that, behind its own verbal smokescreen, the substantive judgment on which it rests is nowhere to be found.”

Edward Lazarus, former clerk to Supreme Court Justice Harry Blackmun, who wrote the *Roe* opinion, stated that the decision is “basically indefensible.” Lazarus, who described himself as “someone utterly committed to the right to choose,” argued that *Roe* “has little connection to the Constitutional right it purportedly interpreted. A constitutional right to privacy broad enough to include abortion has no meaningful foundation in constitutional text, history, or precedent — at least, it does not if those sources are fairly described and reasonably faithfully followed.”

Current Supreme Court Justice Ruth Bader Ginsburg called the ruling “heavy-handed judicial intervention” that “provoked, not resolved, conflict.”

Kermit Roosevelt of the University of Pennsylvania Law School opined: “It is time to admit in public that, as an example of the practice of constitutional opinion writing, *Roe* is a serious disappointment. You will be hard-pressed to find a constitutional law professor, even among those who support the idea of constitutional protection for the right to choose, who will embrace the opinion itself rather than the result.”

Yet supposed constitutional law expert Obama embraces the opinion wholeheartedly and even celebrates it. The President, avers Carney, “either shows a strikingly poor understanding of constitutional law (especially for a Harvard Law grad), or he buys into the dishonesty that pervades the opinion and its defenses.”

Obama has the nerve to conclude his statement thus: “And as we remember this historic anniversary, we must also continue our efforts to ensure that our daughters have the same rights, freedoms, and opportunities as our sons to fulfill their dreams.” In other words, the only way “our daughters” can “fulfill their dreams” is to have the freedom to wipe out any inconvenient babies that come along.

Obama is probably referring to the fact that men have frequently had the luxury of being promiscuous without having to worry about the consequences of their behavior, while women, until the advent of contraception and government-guaranteed and -funded abortion, could very well find themselves saddled with unwanted children as a result of their own moral laxity.

Of course, even men have never been entirely free to do as they please: Sexually transmitted diseases, scandals, and shotgun weddings have, from time to time, shattered the dreams of would-be Casanovas. Responsibility — confining one’s mating to one’s marriage bed — has always provided the greatest



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guarantee of the stability needed to achieve one's dreams.

What Obama and many other supporters of abortion-on-demand seek is a world in which irresponsibility has no consequences. Women, in their view, should be free to sleep around as much as men and then bump off any resultant babies so that the erstwhile mothers can get on with their lives. Only mean-spirited fanatics, in their opinion, would expect 21st-century Americans to behave with even a modicum of responsibility. Freedom, to the Left, means doing as one desires (as long as it's not "intolerant") without having to pay the piper — which explains why, for example, more than 50 percent of Americans get a significant portion of their income from the government rather than from their own efforts.

For all the rotten decisions that have come down from the Supreme Court, *Roe v. Wade* surely ranks as one of the worst. It mocked the Constitution and has cost us almost a sixth of our population, including, according to Dr. Alveda King, "roughly one quarter of the black population." "Abortion," King said, "has done what the Klan only dreamed of." In light of that, Obama might want to reconsider his support for *Roe* and its culture of death.



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