



Written by [C. Mitchell Shaw](#) on December 8, 2021

## As SCOTUS Approaches Overturning Roe, Never Trumper Praises Trump

With the very real possibility that the waning days of *Roe v. Wade* are upon us, even some in the “Never Trump” camp are praising President Trump for keeping his promises where Supreme Court appointments were concerned. And at least one of those praises is found in what is, indeed, an odd place: *The New York Times*.

An op-ed published by the *Times* on Tuesday carried the title, [“I Couldn’t Vote for Trump, but I’m Grateful for His Supreme Court Picks.”](#) The piece was penned by Erika Bachiochi — a fellow at the Ethics and Public Policy Center and a senior fellow at the Abigail Adams Institute. Bachiochi is also the author of *The Rights of Women: Reclaiming a Lost Vision*.



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A feminist, proud anti-Trump conservative, and staunch pro-lifer, Bachiochi begins her piece in the *Times* with a bit of a confession: Since she lives in a solidly blue state, she has seen herself as free to vote her conscience. She wrote:

As a pro-life voter living in heavily Democratic Massachusetts, casting a vote for president feels like a deeply inconsequential act. After all, the pro-choice candidate carries the commonwealth handily every four years. That said, over the past two presidential election cycles, I felt a strong sense of relief that I was free from the hard trade-offs of voters in battleground states and could just cast my vote for a write-in candidate.

This writer imagines that many Americans — especially those who long for a return to adherence to the Constitution — feel the same way. If I only have one vote to cast (though that may not always be the case for some Democrat voters), I shouldn’t to “waste” it voting for someone who is less than what I really want. For those living in blue states, that feeling is likely magnified. Since they only have one vote and it will be lost in the mix, why not vote their pure conscience? After all, it does not matter.

But Bachiochi goes on with her confession, writing:

Yet listening to oral arguments in *Dobbs v. Jackson Women’s Health Organization* last week, I realized more clearly than before how grateful I am to those pro-lifers who did what I did not, would not, could not: cast a vote for Donald Trump.

Bachiochi is representative of many who found Donald Trump unappealing on several levels, but came to be grateful for his 2016 win. And while she does not seem to have warmed up to the man himself —



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addressing his “manner, meanness, even maladjustment” and referring to him as “an ill-suited representative” of the pro-life cause in her *Times* op-ed — she is at least willing to concede (with more than a hint of being glad to do so) that “Mr. Trump kept his promises to pro-lifers, nominating justices who now appear poised to overturn *Roe v. Wade*.”

She also addresses the divide between those who — like her — may have made perfect the enemy of good by refusing to vote for Trump in 2016 based on his personality, past, and shortcomings and those who saw those things as well, but voted for him because the only viable alternative was Hillary Clinton, who would have stacked the court with pro-abortion justices who would have done anything to protect abortion. She wrote:

Politics is an art of prudence, and what I regarded as a deal with the devil they took to be a prudential act to achieve an essential end. For ending the abortion regime must be the keystone of standing against the individualistic libertarianism that characterizes our politics, left and right — and privileges the powerful over the weak and dependent. Ironically, and perhaps accidentally and certainly boorishly, Mr. Trump may have brought about what others could not.

The thing “Mr. Trump may have brought about [that] others could not” is a Supreme Court that is taking a serious look at *Roe* for the first time in forever. And that serious look leaves *Roe* on shaky ground. As Bachiochi put it:

While oral arguments are no perfect indicator of how the court will vote, Justices Neil Gorsuch, Brett Kavanaugh and Amy Coney Barrett, all appointed by Mr. Trump, seem ready to join Justices Clarence Thomas and Samuel Alito (and perhaps Chief Justice John Roberts) in sending the issue of abortion back to the people to resolve. While Justice Kavanaugh homed in on the Mississippi solicitor general’s argument that the Constitution is neutral on abortion, Justices Gorsuch and Barrett (as well as Chief Justice Roberts) worked to discern if there was any way to uphold the moderate Mississippi ban without striking down both *Roe* and *Planned Parenthood v. Casey*. (Both sides agree: There is not.)

Bachiochi is no Trump convert. It is clear throughout her *Times* piece that she does not like Trump any more now than when she “did not, would not, could not” vote for him in 2016. But she is at least honest enough to admit she was wrong on this one very important issue. After spending a few paragraphs on what a post-*Roe* America would look like, she wrote:

This is all for the future. For now, we can say with surety and surprise, history will record that any of this was possible in 2022 because of a very unexpected figure, our 45th president.

If Bachiochi misses anything, it is possibly this: With an overturn of *Roe* as a notch in his gun belt, Trump — who is seen by many as one and the same with the Republican party — would be within striking distance of being our 47th president, as well.

One is left to wonder whether her lesson in humility will allow her to vote for him in 2024, if he runs.



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