



Written by [Michael Tennant](#) on May 19, 2019

Warren Calls for Federal Abortion-on-Demand Laws

Railing against “extremist Republican lawmakers,” Senator Elizabeth Warren (D-Mass.) on Friday unveiled her latest presidential-campaign pledge: enshrining *Roe v. Wade* in federal law.

Between the enactment of abortion restrictions in several states and a Supreme Court that is potentially amenable to overturning *Roe*, Democrats are worried that the abortion-on-demand regime could be in peril.



“*Roe v. Wade* established a woman’s constitutional right to safe and legal abortion and has been the law of the land for over 46 years,” Warren wrote in a Medium.com post. “Congress,” she declared, “should act to ensure that the will of the people remains the law of the land.”

Roe was anything but the “will of the people.” It was a fiat imposed by seven unelected Supreme Court justices, based not on the text of the Constitution but on “emanations” and “penumbras” these men imagined, that undid the will of the people as expressed by their state legislatures.

A Supreme Court decision overturning *Roe* would thus return the matter of abortion to the states, where it properly belongs, and allow the people once more to express their will. No wonder Democrats are fretting: As [LifeNews.com](#) points out, most Americans — even those who consider themselves pro-choice — consistently tell pollsters they favor significant restrictions on abortion.

“This is a dark moment. People are scared and angry,” penned Warren. “And they are right to be. But this isn’t a moment to back down — it’s time to fight back.”

Warren first stumps for electing a new president who will appoint “neutral and fair judges” who won’t overturn *Roe*. Then she gets into the meat of her plan.

First and foremost, she wants Congress to pass laws guaranteeing unlimited abortion access across all 50 states. She argues that Congress has the power to do this because of the Constitution’s Supremacy Clause, which she summarizes as “federal law preempts state law.” In reality, however, the clause states only that federal law “made in pursuance” of the Constitution trumps state law, and the Constitution does not grant Congress the power to legislate on abortion. Warren tries to head off this objection by claiming that these laws “would be valid on a variety of constitutional grounds” such as “equal protection and the commerce clause.” Unfortunately, given Supreme Court jurisprudence over the last several decades, Warren may be justified in believing the court would buy such nonsense.

Second, Warren wants to “guarantee reproductive health coverage as part of all health coverage,” including that funded by taxpayers. To that end, she wants to repeal the Hyde Amendment, which prohibits the federal government from paying for abortions, “prohibit abortion restrictions on private insurance,” and “ensure that all future health coverage — including Medicare for All — includes contraception and abortion coverage.”

Third, the senator seeks to “ensure equal access and reproductive justice.” That means “fully



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support[ing] Title X family planning funding,” including, of course, funding for Planned Parenthood and other abortion providers. It also means “crack[ing] down on violence at abortion clinics,” which, LifeNews.com observes, probably “would occur through buffer zones, which violate free speech rights by prohibiting pro-life sidewalk counselors from coming within a certain distance of an abortion facility.”

And that’s not all, says Warren:

We must go beyond abortion, to ensure access to contraception, STI prevention and care, comprehensive sex education, care for pregnant moms, safe home and work environments, adequate wages, and so much more. We must build a future that protects the right of all women to have children, the right of all women to not have children, and the right to bring children up in a safe and healthy environment.

All these “rights,” naturally, will require the government to grow even larger at the expense of taxpayers, regardless of their moral convictions.

While Warren has offered the most comprehensive national abortion-on-demand proposal, she is hardly alone among Democratic presidential contenders in championing the cause. Senators Cory Booker (D-N.J.) and Kirsten Gillibrand (D-N.Y.) and former Colorado governor John Hickenlooper have all called for writing *Roe* into the federal code; and South Bend, Indiana, mayor Pete Buttigieg has [said](#) the idea “deserves to be taken seriously.”

In truth, the idea — unlike the unborn babies whose destruction it would enable — ought to be aborted forthwith.

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