

SAM ALITO STRIPS WOMEN OF THEIR BODILY AUTONOMY [UPDATED]

I won't have much to say about the Sam Alito opinion taking away women's right to bodily autonomy.

I will point to this concurring opinion from coup plotter Ginni Thomas' spouse, calling to revisit same sex marriage and birth control.

For that reason, in future cases, we should reconsider all of this Court's substantive due process precedents, including *Griswold*, *Lawrence*, and *Obergefell*. Because any substantive due process decision is "demonstrably erroneous," *Ramos v. Louisiana*, 590 U. S. ___, ___ (2020) (THOMAS, J., concurring in judgment) (slip op., at 7), we have a duty to "correct the error" established in those precedents, *Gamble v. United States*, 587 U. S. ___, ___ (2019) (THOMAS, J., concurring) (slip op., at 9). After overruling these demonstrably erroneous decisions, the question would remain whether other constitutional provisions guarantee the myriad rights that our substantive due process cases have generated. For example, we could consider whether any of the rights announced in this Court's substantive due process cases are "privileges or immunities of citizens of the United States" protected by the Fourteenth Amendment. Amdt.

I guess he needs something to rile up the brownshirts going forward.

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Okay, bmaz here with an add on update.

Okay, I have a couple things to add here. First, Marcy hit on exactly the most important thing today. We knew Alito's opinion was coming, and we knew what it was going to be. But the Thomas part is terrifying. They are coming for all of it. Thomas wants the Supreme Court to overrule *Griswold* (right to contraception), *Lawrence* (right to same-sex intimacy), and *Obergefell* (right to same-sex marriage).

That is the whole kit and kaboodle. And make no mistake, this Coney Barrett court will give it to him. *Stare decisis* is officially dead. I know for a fact that the test cases for accomplishing this are already long in the works by a myriad of conservative groups in anticipation of today's *Dobbs* decision. And that was even before the leak of Alito's craven draft opinion. They knew it was coming after Amy Coney Barrett replaced RBG non the Court. They think ahead in ways that Democrats and their feckless octogenarian leadership never do.

Notable what prior decision Clarence Thomas did NOT call out. The *Loving* decision that allows his interracial marriage to the hideous Ginni Thomas. He conveniently stands mute on that one. Funny that.

And Justice Kavanaugh, in his concurring opinion, tries to preemptively declare that states cannot prohibit and prevent, and theoretically criminalize, interstate travel to obtain an abortion because of the constitutional right to interstate travel. I actually think that is right, so credit for trying Beer Boy. But that is not at all clear, because interstate travel is yet another right not specifically delineated in the Constitution, so is very much in the lurch under the Thomas attack discussed above. So that is not bankable in the least.

Second, back to the main force of today's *Dobbs* decision, a lot of states have trigger laws that make the ban on abortions effective, or easily effective after certification, after this

decision. Other states, like Arizona for instance, have statutes totally banning abortion still on their books, that are effective and can be enforced immediately. Today. This morning. Now. This is not something about to take effect, it is effective right now.

All in all, the Dobbs opinion puts all healthcare for women in peril, not "just" abortion. There is about no health issue a woman can face that cannot impinge on fertility or pregnancy. Southern and deeply red states either have already or in the process of creating laws that criminalizes medical professional in this regard. Some want the death penalty for it. It is hard to imagine that most citizens really grasp the hell the Supreme Court has unleashed today.

Maybe people should have listened to the Her Emails lady.