

8 July 2022

CUPE 3902 Condemns Abortion Bans and the US Supreme Court's Overturning of *Roe v. Wade*

CUPE 3902 condemns the US Supreme Court's ruling on *Dobbs v. Jackson Women's Health Organization* on June 24th, 2022, which overruled precedent decisions on *Roe v. Wade* (1973) and *Planned Parenthood v. Casey* (1992). The Court has determined that abortion is not a constitutional right. This has [authorized fourteen states to criminalize abortion](#) immediately or pending imminent certification, encouraged the tightening of restrictions in other states, and created a public health emergency.

We are incensed by this undemocratic ruling by an unjustly appointed Court, a decision that stands contrary to the rule of law. [Bans on abortion are opposed by the majority of Americans](#). Abortion is a human right and a medical necessity, protected by Article 12 of the [United Nations Convention on the Elimination of All Forms of Discrimination against Women](#) (1979), which the US signed in 1980 but did not ratify. Legislation intended to hypothetically safeguard fetuses in the womb instead has devastating effects on human beings in practice. Our position is as follows:

1. Abortion bans are an assault on public health and safety.

Laws that ban abortions deem the lives of pregnant people to be disposable if they cannot carry a fetus to term. Exception clauses in bans, written ostensibly to save pregnant people's lives, are too little, too late. *Dobbs* imperils people who are chronically ill or disabled, have poor access to pre-natal care, endure ectopic pregnancies that cannot be carried to term, or otherwise are severely ill or at heightened risk—yet not obviously, immediately dying. In reality, people will die because they won't seek life-saving treatment soon enough, for fear they will become criminals for asking for care. Providers will be burdened with interpreting the deliberately unclear language of exception clauses, torn between saving lives and avoiding felony charges. Bans will prevent virtually no abortions by wealthy Americans but will devastate constituencies who already struggle to access medical care or are disproportionately criminalized. *Dobbs* will put ableist and classist eugenics into practice.

Abortion is now or will be criminal even after rape or incest and regardless of age in many states. A person will be obliged to carry a fetus to term after having made no consensual decision to be impregnated. It's egregious that state laws now punish people for ending pregnancies caused by violent crimes. Obliging a person to carry a fetus caused by an abuser is an endorsement of sexual abuse and upholds a culture of domestic and misogynistic violence.

It was evidenced vividly by the pre-*Roe* period that, under duress, when pregnant people cannot access safe and regulated health services, they will attempt

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abortions on their own, and die or suffer catastrophic injuries. Post-*Dobbs* legislation will bring about more of the same.

2. Pregnant people have inviolable rights. Fetuses don't.

Forcing the continuation of pregnancies supplants the human rights of pregnant people with fetus-bearing obligation. Not since 1865 has it been legal in the US to force a person who is not pregnant and not a criminal to labour if they have not consented to it. It is not the legal right of a dying person to extract another person's blood. It is not even legal in the States to nonconsensually collect a dead person's organs if this would save lives. According to no other US law must a person unwilfully keep another person alive, forfeiting their own health, bodily autonomy, or any other rights. Pregnant people must therefore be afforded sole discretion to abort, at every stage of pregnancy, based on their own considerations.

3. The "pro-life" position is fundamentally disingenuous.

Improving prospects for fetuses begins with improving the lives of pregnant people. There is no way to circumvent this. The US would alleviate much of the illness and precarity that make abortion necessary if it divested from policing health care and instead invested in improving access to and bettering health care, such as reproductive care and treatment for chronic illness, improving maternal and child welfare, expanding education programs promoting safe and consensual sex, and strengthening disability supports and accommodations. It is inhumane to insist on the potential of organisms in the womb and impoverish the un-lived lives of children in the world. There are currently about [400,000 children in US foster care](#), a disproportionate number of whom are children of colour, and about 20,000 will reach the age of emancipation this year without permanent families.

4. Abortion in Canada isn't safe unless abortions everywhere are safe.

The fight our pro-choice allies have been fighting in the US is our fight, too. Extremists in Canada have been waiting for this win and are taking action to further stigmatize and restrict abortion here, too. Defeating the anti-choice movement will require normalizing abortion everywhere, improving care, and removing barriers to access. Just as Americans must now travel across state borders to receive care, abortion clinics are geographically inaccessible to many Canadians in rural communities. Further, as CUPE Ontario reports, [abortion in Ontario is too often denied by practitioners, or fees are demanded illegally](#). The number of abortion clinics in Canada is in fact surpassed by the number of "[crisis pregnancy centres](#)," organizations that bait-and-switch by offering ultrasounds and counselling services as vehicles for anti-choice messaging. As of June 30th, [eighty-six Canadian Members of Parliament are known to have participated in significant anti-choice actions](#).

If you are seeking or have undergone abortion procedures, we rise in solidarity with you during this terrible time. We also rise in solidarity with abortion providers in both Canada and the US, who face exacerbated harassment and threats to their important work in the wake of this unjust decision.

In solidarity,

Executive Committee

CUPE 3902

Resources

Take Action!

- [Expand Access to Abortion in Canada](#) (Abortion Rights Coalition of Canada petition to Prime Minister Trudeau on Change.org)
- [Increase Abortion Training in Canadian Medical Education](#) (Sex[M]ed petition)
- [Improve Access to Abortion in Canada](#) (Action Canada Sexual Health & Rights Petition to your Member of Parliament)
- [Demand that Your MP Oppose Anti-Choice Legislation](#) (Abortion Rights Coalition of Canada petition to your Member of Parliament)

Seeking an Abortion?

- Get in-person sexual health services and counselling at [Planned Parenthood Toronto](#)
- Find a high-quality abortion provider in Canada or the US via the [National Abortion Federation](#)
- Contact the [National Network of Abortion Funds](#) for financial support for travel and medical care in the US
- Order abortion pills online in the US via [Plan C](#)