

# Gonzales v. Carhart / Supreme Court was correct in its ruling

---

< Gonzales v. Carhart

The printable version is no longer supported and may have rendering errors. Please update your browser bookmarks and please use the default browser print function instead.

## Position: Supreme Court was correct in its ruling

*This position addresses the topic Gonzales v. Carhart.*

For this position

“ The Supreme Court's recent decision to uphold the federal ban on partial-birth abortion is the first step in overturning Roe vs. Wade. Banning the procedure - an act of infanticide where a scissors is jammed into the base of the infant's skull, a tube inserted and its brain sucked out - is a sign the court has finally come to its senses.” ”

From She is 'Roe' no more, by Norma McCorvey (*New York Daily News*, May 6, 2007) (view)

“ The striking fact about the debate here is not that some people are appalled and revolted by what is done in these instances, but that some people are not. They don't flinch from the violence visited on well-developed fetuses in the name of reproductive freedom. Any abortion, in their eyes, is a justifiable abortion.” ”

From The challenge facing abortion-rights advocates, by Steve Chapman (*Chicago Tribune*, April 22, 2007) (view)

“ The most disturbing aspect of the angry comments of Sens. Hillary Rodham Clinton, Barack Obama and company is they are railing against a bill that does nothing more than give rights to the unborn that we currently give to animals - to be treated somewhat humanely and with dignity.” ”

From A 'small victory for civilization', by Rick Santorum (*The Philadelphia Inquirer*, April 22, 2007) (view)

“ For far too long abortionists have been treated as exempt from the rules that apply to other physicians. Not only do they literally “get away with murder,” they also frequently get away with malpractice. Courts, meanwhile, have tended to bow to whatever “Doctor” says: if the doctor supports or practices abortion, that doctor’s testimony about what is or is not a valid safety concern has been treated as virtually infallible.” ”

From A Sane Decision, by Walter M. Weber (*National Review*, April 20, 2007) (view)

“ “The five justices in the majority who upheld the law exercised judicial restraint and properly deferred to the democratic process. The four liberal judicial activists in dissent — led by Ruth Bader Ginsburg, who maintains that the Constitution even requires taxpayer-funded abortion — sought to impose their own extremist agenda.” ”

From A welcome decision, by Edward Whelan (*USA Today*, April 19, 2007) (view)

“ “As a practical matter, this ruling sends the abortion debate back to the states. Some may reintroduce their partial-birth bans to conform to the 2003 federal law. This is all to the good, since we think the best place to settle abortion disputes is in state legislatures, where a political consensus that better reflects public opinion can be struck.” ”

From Partial Reversal, by The Wall Street Journal editorial board (*The Wall Street Journal*, April 19, 2007) (view)

“ “Thirty states have tried to ban partial-birth abortion; courts have blocked the great majority of them. In the broader public, majorities consistently oppose the practice in polls. Far from imposing itself, in this case Congress enacts the will of the people previously frustrated by the courts and activist groups.” ”

From A limited and humane decision, by The Washington Times editorial board (*The Washington Times*, April 19, 2007) (view)

## Against this position

“ “Here is a painfully awkward observation: All five justices in the majority in Gonzales are Roman Catholic. The four justices who are not all followed clear and settled precedent. It is distressing to have to point this out. But it is a fact that merits attention.” ”

From Our faith-based justices, by Geoffrey R. Stone (*Chicago Tribune*, April 30, 2007) (view)

“ “Such meddling is unconstitutional as well as unwise. The constitutional pretext for the Partial-Birth Abortion Ban Act, as with so much else that Congress does, is the authority to regulate interstate commerce. But if an abortion qualifies as interstate commerce, it's hard to see how anything is beyond the federal government's purview.” ”

From Banning Logic, by Jacob Sullum (*New York Post*, April 29, 2007) (view)

“ “When Samuel Alito was a justice-wannabe seeking to replace O'Connor, he reassured lawmakers he'd respect precedent on abortion. When John Roberts talked about his reverence for both precedence and the court, he said he got a "lump in my throat whenever I walked up those marble steps." That lump in his throat is now a chill up my spine.” ”

From Trumping women's rights, by Ellen Goodman (*The Boston Globe*, April 20, 2007) (view)

“ “Paternalism was slathered all over the majority's words - the idea that women are somehow either ignorant or incompetent to choose for themselves. Kennedy et al. suggest that doctors, knowing the hard decision women face, may sometimes not inform them fully. These are points straight out of the anti-abortion advocates' playbook, sometimes word for word.” ”

From The Abortion Ruling, by The Philadelphia Inquirer editorial board (*The Philadelphia Inquirer*, April 20, 2007) (view)

“ “A pregnant woman generally cannot learn whether a fetus she's carrying has a chromosomal defect such as Down syndrome, or another grave affliction, until after the 12th week of pregnancy. On Wednesday, the Supreme Court reached deeply into women's lives and took away one medical option they have had to deal with such a wrenching decision.” ”

From Court ruling restricts choice, discounts health concerns, by USA Today editorial board (*USA Today*, April 19, 2007) (view)

“ “As far as we know, Mr. Kennedy and his four colleagues responsible for this atrocious result are not doctors. Yet these five male justices felt free to override the weight of medical evidence presented during the several trials that preceded the Supreme Court showdown. ¶...¶ In fact, the American College of Obstetricians and Gynecologists has found the procedure to be medically necessary in certain cases.” ”

From Denying the Right to Choose, by The New York Times editorial board (*The New York Times*, April 19, 2007) (view)

“ “Justice Ruth Bader Ginsburg was correct when she said in her dissent that the majority gave short shrift to previous abortion-rights decisions, including the 1992 Planned Parenthood vs. Casey decision in which the court reaffirmed the "essential holding" of Roe: that women have a constitutional right to legal abortions.” ”

From A U-turn on abortion, by Los Angeles Times editorial board (*Los Angeles Times*, April 19, 2007) (view)

“ “The most immediately disturbing aspect of the ruling is the majority's breezy dismissal of medical evidence that the partial-birth procedure is sometimes in the best interest of a pregnant woman's health.” ”

From A Shift on Abortions, by The Washington Post editorial board (*The Washington Post*, April 19, 2007) (view)

“ “That there will be more bans, and more Supreme Court cases to limit abortion, seems like an inevitability -- anti-abortion forces have crowed that their new strategy is to erode Roe vs. Wade rather than seeking to overturn the decision, and this decision will only embolden them. Conservative states are also likely to act swiftly to limit abortion procedures in the wake of this decision.” ”

From Abortion rights under assault, by San Francisco Chronicle editorial board (*San Francisco Chronicle*, April 19, 2007) (view)

“ “The five justices of the court majority and the politicians who passed the law they approved have overruled the best judgment of the doctors who are most informed on this issue. Politics could trump medicine again -- unless backers of abortion rights use the ballot box to steer the country back toward support of a woman's right to end a pregnancy.” ”

From An erosion of abortion rights, by The Boston Globe editorial board (*The Boston Globe*, April 19, 2007) (view)

“ “But in overturning several federal courts, the high court's majority not only endorsed a wrongheaded law, it lent credence to the unsettling notion that Congress should have a say in the most private and personal decisions of citizens and has the right to dictate which medical procedures are acceptable.” ”

From Unsettling decision on abortion procedure, by Chicago Sun-Times editorial board (*Chicago Sun-Times*, April 19, 2007) (view)

## Mixed on this position

---

“ “Congress and the court have taken the view that a ban on partial-birth abortion won't make women less safe. Even critics of this decision will be hoping they're right.” ”

From The court takes on abortion, by Chicago Tribune editorial board (*Chicago Tribune*, April 19, 2007) (view)

“ “Writing for the minority, Justice Ruth Bader Ginsburg said the majority had jettisoned well-established principles, and she was right. Roberts and Alito demonstrated a willingness to depart from precedent where it suits them, quite like "activist" liberal judges. That's not how you want the Supreme Court to conduct business, but the majority did at least reach a position on abortion that most Americans will likely support.” ”

From Supremes play Solomon, by New York Daily News editorial board (*New York Daily News*, April 19, 2007) (view)

---

Retrieved from

"[https://discoursedb.org/w/index.php?title=Gonzales\\_v.\\_Carhart/\\_Supreme\\_Court\\_was\\_correct\\_in\\_its\\_ruling&oldid=7969](https://discoursedb.org/w/index.php?title=Gonzales_v._Carhart/_Supreme_Court_was_correct_in_its_ruling&oldid=7969)"

---

**This page was last edited on August 11, 2008, at 18:54.**

All text is available under the terms of the GNU Free Documentation License.