

## ***The Nuclear Question:***

### ***Are Women Chattel?***

**An OpEdNews.com Article, and  
A Blog Entry in Comments From Left Field & GordonTalk**

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It is as incendiary as it was inevitable.

[About the only people left in the country who loved George Dubya Bush](#)—pummeled by Katrina, Fitzgerald, and Iraq (not to mention the political fallout of three-buck-a-gallon gasoline and [record energy company profits](#))—were in the Rabid Right; and then even [they turned on him](#) after he nominated for Supreme Court his uber-crony Harriet Miers, the stealth candidate that backfired (for daring to suggest that [very personal decisions are very personal matters](#)).

Bush has his back to the wall, and there is no one more dangerous than someone who is paranoid ... especially when the whole world actually is out to get him.

Undoubtedly egged-on by as-yet-unindicted Karl ([Official A?](#)) Rove, Bush played to his base—and the baser instincts of the country—by nominating as replacement for swing-voting, Roe-upholding Sandra Day O'Connor, Judge Samuel A. Alito Jr.—"[Scalito](#)" to those familiar with his Scalia-esque ideology.

The chain of events leading inexorably to the Nuclear Option has thus been set in motion.

Unlike John Roberts and Harriet Miers, whose paper trails were as short on specifics as Bush was in [courage](#) by resorting to such stealth, Judge Alito has a [considerable record to review](#)—a record that, to say the least, gives [progressives pause](#) and [regressives delight](#).

One ruling says it all to me, not just about this particular nominee or any specific issue but also about this historic conflict overall—and make no mistake about it; we are not simply considering a litmus test or two but rather an entire direction for our country, as adjudicated from the highest court in the land for generations to come.

I focus your attention on the infamous case of [Planned Parenthood v. Casey](#). In that landmark test of Roe v. Wade, the Third Circuit of the U.S. Court of Appeals overturned a lower court's decision and reinstated provisions of Pennsylvania law that among other things required minors seeking abortions to receive consent from their parents or the courts, and adult women seeking abortions to wait at least 24 hours after receiving certain information before being allowed by the state to undergo the medical procedures.

All three of the justices on the Third Circuit court agreed to uphold those provisions, widely recognized as some of the most severe restrictions on a woman's right to choose as guaranteed by *Roe v. Wade*.

But one judge went even further: Judge Alito agreed with another provision—deemed unconstitutional and unduly burdensome by the other two, highly conservative judges—stating that except under extraordinary circumstances, the state would not permit an adult woman to obtain an abortion unless she first informed her husband.

Which, I suppose, begs the question: Does the body of a woman belong to the state or to her husband? It obviously, by Judge Alito's ruling, does not belong to the woman herself.

[Over the weekend](#), even Senate Minority Leader Harry Reid (D-NV), an opponent of abortion rights (Remind me again how he got to be our leader), cautioned President Bush not to nominate Judge Alito, a warning rebuked by Senator Lindsey Graham (R-SC), one of the [Gang of 14](#), of "centrist" members of both parties, who had crafted the compromise in which the Republicans promised not to invoke the "nuclear option"—in which, most likely, Vice President (and unindicted Plame co-conspirator) Dick Cheney would [violate Senate rules to change Senate rules](#), to end filibusters by simple majority vote—as long as the "centrist" Democrats promised to vote for cloture, to end any filibusters, on judicial nominees except under "extraordinary circumstances."

Well, "moderate" Democrats and Republicans, upon whose judgment this judicial nomination hangs, is this not an "extraordinary circumstance": seating for life on the Supreme Court of the United States a judge whose rulings would turn back the clock on women's rights not only to the days of backstreet abortions but effectively to the ancient age when women were treated as mere possessions of their husbands?

There is no more ["middle ground"](#): The moment of truth has arrived. Either we stand up for women's rights—and all other human rights—or every last one of us will indeed be reduced to chattel.