

# The Delray Democrat

## Protect Women's Rights in Florida By Amending the State Constitution<sup>1</sup>

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When the Supreme Court's decision in *Dobbs* overturned the 1973 *Roe vs Wade* ruling that legalized abortion nationwide, it gave Democrats a potent issue for the November midterms. Just how much of an issue became clear in August when deep-red Kansas voted against a state constitutional amendment that would have allowed legislators to restrict abortion.

Abortion rights were directly on the ballot in five states. Voters either supported enshrining the right to reproductive decisions in the state constitution or rejected attempts to enact further limits on abortion. In Michigan, California, and Vermont, the voters chose to allow the right to abortion and in Kentucky and Montana they rejected further restrictions. That is in both blue and red states.

In Florida, the latest restrictions passed by the Republican legislature effectively limit abortion to 15 weeks and 6 days. There are quite a few other restrictions, including requiring minors to obtain parental permission, and there are no exceptions for rape or incest. With the newly elected Republican supermajorities, the legislature is already considering lowering the limit to 12 weeks while adding an exception for rape or incest.

We have no idea what the Republicans will eventually pass. The solution to this situation is to begin the process of having a constitutional amendment to enshrine abortion rights into the state constitution, likely along the lines of *Roe vs Wade*, which many of us believe was a reasonable compromise.

There are two reasons for doing so. The first is that it is critical to preserve a woman's right to choose. Abortion is a decision that requires serious consideration, as it involves the termination of a potential human being, but it is a decision that must rest with the mother. Abortions will always occur; the only question is whether they will be done safely.

The second reason is more cynical. A vote on this issue is certain to get people who would otherwise not vote out to vote, and they are likely to vote Democratic. Anti-Abortion people are crusaders, they will always turn out and usually vote Republican.

This is the text of the Vermont amendment:

Article 22. [Personal reproductive liberty]

That an individual's right to personal reproductive autonomy is central to the liberty and dignity to determine one's own life course and shall not be denied or infringed unless justified by a compelling State interest achieved by the least restrictive means.

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<sup>1</sup> [The Delray Democrat](#), November 2022, page 3.

Of course, we'll need to spell it out more specifically given the Florida legislature's propensity for undermining constitutional amendments.