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Death and ill health by order of the Supreme Court

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The US Supreme Court is a danger to public health and an example of how political manipulation of legal checks and balances can score a quick ideological victory but lead to long term harm to health and wellbeing.

In removing the constitutional right to safe abortion for women in the US, the Supreme Court will be responsible for a rise in maternal mortality. The burden of death and illness will largely fall on poor women and will worsen health inequalities. The repercussions of this landmark judgement will be felt globally (doi:10.1136/bmj.o1588),¹ a judgment by the rich to worsen the lives of the poor. These are predictable outcomes that shame the court. Its decision has met with condemnation by human rights organisations and public health bodies (<https://eupha.org/repository/advocacy/Reproductive%20rights%202022.pdf>).²

In the same week, the court revoked a restriction on carrying firearms in New York state, a gun control policy that was in place since 1911 and is credited with keeping deaths from gun violence well below the national average. The court's decision was roundly condemned by the American Medical Association for being "harmful and disturbing" (doi:10.1136/bmj.o1563).³

By coincidence, we publish two education articles that highlight medical challenges during pregnancy (doi:10.1136/bmj-2021-069739, doi:10.1136/bmj-2021-067728).^{4,5} They show that the debate on the safe management of pregnancy is complex, evolving with the evidence, and is prone to new and unexpected challenges. Turning back the clock on reproductive rights merely pushes these and other complications of unwanted pregnancies into the shadows.

The US is not alone in eroding human rights. The UK is using legal mechanisms against asylum seekers (doi:10.1136/bmj.o1502),⁶ and it plans to remove itself from the jurisdiction of the European Court of Human Rights (<https://www.theguardian.com/law/2022/jun/21/uks-new-bill-of-rights-will-curtailed-power-of-european-human-rights-court>).⁷ Historically, the world has looked to established democracies such as the UK and the US to take a lead on human rights. When leading democracies disregard human rights, the effect on health is damaging and global.

Health is not a priority when a government sidesteps the sensible recommendations of an independent review of food strategy that it itself commissioned (doi:10.1136/bmj.o1520, doi:10.1136/bmj.o1549).^{8,9} Other priorities are at play when major national drug regulators and "independent advisers" are funded extensively by the industry and make decisions that unduly favour it, as our new investigation shows (doi:10.1136/bmj.o1538).¹⁰ Which priorities drive the

reluctance to accept the evidence on airborne transmission of SARS-CoV-2, to which we add a new review (doi:10.1136/bmj-2021-068743, 10.1136/bmj.o1408)?^{11,12} Are they related to the commercial and legal missteps in protecting healthcare professionals?

Politics and commerce can be forces for good, but in the wrong hands they can manipulate legal and regulatory processes. The US Supreme Court should be a check and balance against any misuse of political or commercial might; instead it has become a pawn in an ideological war that is detrimental to health, in particular women's reproductive health. Its decision is a historic mistake, a death sentence for poor women, a monumental failure that deserves universal condemnation.

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