

Supreme Court Leaves Texas Abortion Law in Place

The Supreme Court on Friday left in place Texas' ban on most abortions, though it ruled that clinics in the state can sue over the most restrictive abortion law in the nation.

The decision, little more than a week after the court signaled it would roll back abortion rights and possibly overturn its landmark Roe v. Wade decision, was greeted with dismay by abortion rights supporters.

They said the outcome, by limiting which state officials can be sued by the clinics, did not provide a path to effectively block the law.

"The Supreme Court has essentially greenlit Texas's cynical scheme and prevented federal courts from blocking an unconstitutional law," the Center for Reproductive Rights, which represents the Texas clinics, said on Twitter.

The court acted more than a month after hearing arguments over the law that makes abortion illegal after cardiac activity is detected in an embryo. That's around six weeks, before some women even know they are pregnant. There are no exceptions for rape or incest.

The law has been in place for about three months, since Sept. 1. The Supreme Court's Roe v. Wade ruling that legalized abortion nationwide has stood since 1973.

Abortion providers will not attempt to run the same legal gantlet that has previously frustrated them. The federal judge who already has once blocked the law, known as S.B. 8, almost certainly would be asked to do so again. Then his decision would be reviewed by the 5th U.S. Circuit Court of Appeals, which has twice voted to allow enforcement of the abortion

ban.

In any case, it all could return to the justices, and so far there have not been five votes on the nine-member court to put the law on hold while the legal fight plays out.

“The Court should have put an end to this madness months ago, before S. B. 8 first went into effect. It failed to do so then, and it fails again today,” Justice Sonia Sotomayor wrote in a separate opinion Friday.

The court’s conservative majority also seems likely to roll back abortion rights in a Mississippi case that was argued last week, although that decision is not expected until the spring.

Friday’s high court ruling came a day after a state court judge in Texas ruled that the law’s enforcement, which rewards lawsuits against violators by awarding judgments of \$10,000, is unconstitutional yet left the law in place.

The new Supreme Court vote was 8 to 1 in favor of allowing the clinics’ lawsuit against the ban to proceed, with only Justice Clarence Thomas voting the other way. Justice Neil Gorsuch, who has consistently voted against abortion rights, wrote the court’s main opinion.

Brandi Swindell, founder and CEO of Stanton Healthcare, said Friday:

While the Supreme Court is allowing abortion providers to sue the Texas law banning abortions after 6 weeks, it is allowing the ban to stay in place while the lawsuits move forward.

This is a significant victory for the pro-life movement as hundreds of children and their mothers will be saved from the violence of abortion while the ban remains in place.

It also gives an insight into the mind of the Supreme Court regarding abortion. If the court truly believed access to

abortion was a “fundamental Constitutional right,” they certainly would not have allowed the abortion ban to remain in place. There can be no doubt, Roe v. Wade is being dismantled.

Danielle Versluys, chief operating officer for Stanton Healthcare, said Friday after the ruling, “By allowing the Texas abortion ban to remain in effect while lawsuits proceed, the Supreme Court is effectively sending a clear message that the so-called ‘right to abortion’ in America is crumbling. We applaud the Justices for leaving the ban in place; many preborn children and their mothers will be spared from the violence of abortion as a result.”

Stanton Public Policy is a women’s advocacy and educational group that works on issues of human rights and justice which empower and inspire women. It is affiliated with Stanton Healthcare, which has life-affirming women’s health clinics in America and internationally. {eo}

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