

Supreme Court Saves Abortion After Roberts Sides With Liberal Justices

Abortion opponents vented their disappointment and fury on Monday after the Supreme Court issued a 5-4 decision to strike down a Louisiana law that would have curbed abortion access.

The ruling delivered a defeat to anti-abortion activists but could intensify interest in the November election among religious conservatives who are a key part of Trump's base. Some top religious conservative backers of President Donald Trump noted pointedly that both justices he named to the high court dissented from Monday's decision, portraying it as an argument to ensure Trump has another term in office to potentially tap more conservative nominees.

The Rev. Frank Pavone, national director of Priests for Life and a member of Trump's Catholic voter outreach effort, said the president's "two appointees voted the right way" in supporting Louisiana's ability to require doctors who perform abortions to have admitting privileges at nearby hospitals.

"Once again this ruling underscores the importance of elections," Pavone said in a statement. "We need a solid pro-life majority on the Supreme Court to uphold the rights of women and the unborn."

Johnnie Moore, an evangelical adviser to the Trump administration, said the decision could help motivate anti-abortion activists to vote to reelect the president to give him a third chance to put a nominee on the Supreme Court.

"Conservatives know they are on the one-yard-line," Moore tweeted. "Enthusiasm is already unprecedented, evangelical turnout will be too."

Some right-leaning abortion foes trained their ire after the decision on Chief Justice John Roberts, who concurred with the court's four more liberal justices while not signing onto their opinion in the case.

"What's next, Chief Justice Roberts? Our Second Amendment rights?" Rep. Jim Jordan, R-Ohio, tweeted.

But Roberts' move to stand apart from his more liberal colleagues, contextualizing his vote as one to protect the court's past precedent, left other religious conservatives vowing to rededicate themselves to their fight to overturn the 1973 *Roe v. Wade* decision that established abortion rights.

"This case was about whether the state has the right to ensure that abortionists who take women's money also provide for their safety," Family Research Council President Tony Perkins, a prominent pro-Trump evangelical ally, said in a statement, adding that "I do look forward to the day when the Supreme Court will correct the gross injustice of the *Roe v. Wade* decision that has led to the killing of tens of millions of unborn babies."

Russell Moore, president of the public policy arm of the Southern Baptist Convention, defended Louisiana's abortion law as "placing the most minimal restrictions possible on an abortion industry that insists on laissez-faire for itself and its profits."

"Nonetheless, we will continue to seek an America where vulnerable persons, including unborn children and their mothers, are seen as precious, not disposable," said Moore, who leads the Ethics & Religious Liberty Commission.

O. Carter Snead, a professor of law at the University of Notre Dame, described Roberts' positioning in the decision as "cold comfort" on an otherwise "sad day."

"Today the court has undermined the rule of law, done further

violence to the Constitution, and has thus badly damaged its own legitimacy,” Snead said in a statement.

Support for rescinding Roe remains strong among evangelical Protestants. Sixty-one percent of them said they wanted to see the court fully overturn the decision in a survey conducted last year by the nonpartisan Pew Research Center. That survey found support for overturning Roe at 28% among Catholics and 42% among Protestants generally.

The court’s abortion ruling on Monday follows its 6-3 decision earlier this month that found a central provision of the Civil Rights Act of 1964 shields LGBT people from employment discrimination. Religious conservatives also openly lamented that decision, while noting that potential faith-based exemptions could be carved out. {eo}