

US Supreme Court Allows Texas Abortion Law to Stand

A split U.S. Supreme Court declined on Tuesday to block implementation of a new **abortion law** in Texas that already has prompted a dozen clinics in the state to stop performing the procedure.

The provision requires doctors who perform abortions to have admitting privileges at a hospital within 30 miles (48 km) of the facility in case women have complications.

The court was split 5-4, with the conservative wing of the court in the majority. The four liberal justices said they would have overturned the 5th U.S. Circuit Court of Appeals Oct. 31 ruling that allowed the law to take effect.

Justice Antonin Scalia, joined by two of his conservative colleagues, wrote an opinion explaining the rationale in favor of leaving the appeals court decision intact.

Scalia criticized the four dissenters, saying that their suggested outcome would “flout core principles of federalism by mandating postponement of a state law without asserting that the law is even probably unconstitutional.”

Writing for the four dissenters, Justice Stephen Breyer said he would have favored blocking the law to “maintain the status quo” while the lower courts handled “this difficult, sensitive and controversial legal matter.”

Abortion rights groups and clinics that provide abortions are challenging the sweeping anti-abortion law, passed in July by the Republican-led Texas Legislature, that also requires abortion clinics to meet heightened building standards, bans abortion after 20 weeks and requires strict adherence to federal guidelines in prescribing abortion pills.

“These are common sense—and perfectly constitutional—regulations that further the state’s interest in protecting the health and safety of Texas women,” Texas Attorney General Gregory Abbott said in a statement.

The Supreme Court stay application only related to the admitting privileges portion of the law. On Nov. 1, hours after the Circuit Court of Appeals ruling allowing the law to take effect, a dozen facilities throughout Texas stopped offering abortions and turned away women who were seeking the procedure.

“While we are deeply disappointed, this isn’t over. We will take every step we can to protect the health of Texas women,” said Cecile Richards, the president of **Planned Parenthood** Federation of America.

The law gained national headlines when Democratic state Sen. Wendy Davis spoke against it in the Legislature for several hours, gaining her a nationwide following and encouraging her to announce her campaign for Texas governor.

The appeals court decision had reversed a lower court ruling that halted the provision on admitting privileges before the law was due to go into effect.

The 5th Circuit appeals court has not ruled on the merits of the challenge. It is due to hear oral arguments early next year.

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