

Democratic governor signs Louisiana fetal “heartbeat” abortion ban

By Kate Randall
31 May 2019

Louisiana Governor John Bel Edwards, a Democrat, on Thursday signed an abortion ban that would prohibit women from terminating a pregnancy once a fetal heartbeat has been detected. The state House of Representatives passed the ban on Wednesday in a bipartisan vote after the state Senate had approved the bill earlier this month.

Edwards said in a statement, “I ran for governor as a pro-life legislator for eight years. As governor, I have been true to my word and my beliefs on this issue.” In May 2018, he signed a bill banning abortions after 15 weeks of pregnancy.

Louisiana is the fifth state to pass bans on abortions based on detection of a fetal heartbeat, following Georgia, Kentucky, Mississippi and Ohio. The Louisiana bill will only take effect if legislation in neighboring Mississippi is upheld in the courts. On May 24, a federal judge issued a preliminary injunction that blocks the Mississippi law from taking effect in July.

On May 15, Alabama Governor Kay Ivey, a Republican, signed a near-total abortion ban into law that provides no exceptions for women or girls who become pregnant as the result of rape or incest.

In Missouri, protesters rallied Thursday against the threat to close the state’s last abortion provider, Planned Parenthood’s St. Louis clinic. The state has a Friday deadline to renew the clinic’s license, with Republican Governor Michael Parson claiming that the health department had discovered “numerous violations of state laws and regulations” during an annual inspection of the facility in March.

Earlier this month, Parson signed the “Missouri Stands for the Unborn Act,” which bans abortions at eight weeks of pregnancy. With all of these measures, proponents who purport to “protect life,” in fact, are aiming to force women to carry unwanted pregnancies to term or to receive back-alley abortions, posing great risk to the life

and health of millions of women.

Claiming a fetus a “living person”

These assaults on the right of women to obtain and have access to abortion services are anti-democratic and reactionary. Through passage of “heartbeat” and abortion bans in Louisiana and other states, and the legal challenges they will inevitably face in the federal courts, supporters of this legislation seek to assert the religious principle that an embryo or fetus is a living person from the moment of conception.

If upheld, these bans would open the door for not only criminal prosecution of abortion providers, but for prosecution of women for any conduct deemed potentially damaging to the fetus. If the fetus is considered a “living person” from conception, an abortion could be considered murder. In Louisiana, Mississippi, Alabama, Georgia, Kentucky and Ohio, homicide carries a potential death sentence.

In passing the Louisiana bill on a 79-33 vote, the state’s House rejected an amendment that would have provided an exception for the pregnant victims of rape or incest. This means that a young girl who has already been traumatized by violence or abuse could be forced to carry a pregnancy to term.

The only exception to Louisiana’s legislation would be for abortions necessary to prevent a pregnant woman’s death or the “substantial and irreversible impairment of a major bodily function,” or if the pregnancy is “medically futile” and the fetus would not survive past birth.

The Louisiana Senate passed the abortion ban with amendments that include language to require an ultrasound in search of a heartbeat. In the very early stages of pregnancy the heartbeat cannot be detected with a traditional abdominal ultrasound.

In these cases, women seeking abortions would likely be forced to have an invasive transvaginal ultrasound,

which can detect an embryonic heartbeat as early as six weeks, when most woman are not aware that they are pregnant. If the heartbeat were detected, a woman would be denied the right to an abortion. Doctors who violate the law could face up to two years in prison.

The raft of anti-abortion bills passed and put forward this year in states across the country, particularly in the Deep South, are being advanced in an effort to bring a case before the US Supreme Court that would challenge the high court's 1973 landmark decision *Roe v. Wade*, which nullified state laws criminalizing abortion.

Behind the anti-abortion threat

All of these laws are unconstitutional, not only because they criminalize abortion and contradict *Roe v. Wade*, but because they elevate religious doctrine to state policy in violation of the First Amendment's ban on the establishment of religion. A brief review of some of the backers of the "heartbeat" legislation reveals that their anti-abortion stance coincides with equally reactionary far-right, evangelical and anti-scientific views.

One of the major players behind the "heartbeat" bills is Janet Porter, an anti-abortion activist and founder and president of Faith2Action. On its web site, the group describes its mission as "combining our strengths and winning on the issues that matter most. Faith2Action is about being faithful where the battle is the hottest—where our Bible-based beliefs and freedoms are most at risk" and as providing "pro-active, strategic, and unified ways to advance the cause of Christ and the kingdom of God."

Porter was a key backer of the federal Heartbeat Bill (HR490) introduced in the US House in January 2017. During a hearing on the legislation before the House Judiciary subcommittee, the bill's sponsor, Rep. Steve King, Republican of Iowa, showed an ultrasound of an 18-week-old fetus and played audio of its heartbeat. King's office boasted of the offensive spectacle. "It is believed that [baby] Miller...is the youngest person to ever offer testimony at a Congressional hearing."

King is known for his ultra-conservative, white supremacist and anti-Semitic views. He has met with far-right Dutch politician Geert Wilders, a proponent of Islamophobia. He supported Marine Le Pen of the then National Front in the 2017 French presidential elections, and has hailed Hungarian Prime Minister Viktor Orbán, a vicious opponent of refugees, freedom of the press and a falsifier of the crimes of Hitler and Nazism.

The Louisiana legislation was written by state Senator John Milkovich, a Democrat. As chairman of the state's

Education Committee, he has advocated for teaching creationism in public schools. He has claimed that archeologists and scientists have verified the original story of the Christian Bible, and that a study of rocks has proven that the earth was created in a week.

Underlining the clearly religious motivations for the bill, Milkovich said earlier this month, "God values human life, and so do the people of Louisiana. We believe this is an important step in dismantling the attack of the abortion cartel on our next generation."

An attack on access to abortion

If the license of the Planned Parenthood clinic in St. Louis is not renewed, it would become the first state in the country with no abortion clinics. But six other states are now down to just one clinic: Kentucky, Mississippi, Missouri, North Dakota, South Dakota and West Virginia, according to the Guttmacher Institute.

In 1996, there were 452 clinics, according to Guttmacher. By 2005, that number had dwindled to 381, and by 2014, to 272. The decline has come as a result of more restrictions on abortion rights, onerous regulations imposed on abortion providers, and threats against doctors and other health care workers.

The right to abortion, however, will not be defended by the Democratic Party, or by bringing more women into high political office, as seen by the roles of Governor Edwards in Louisiana and Governor Ivey in Alabama.

The defense of the right to abortion is the concern of the working class, and working-class women in particular, who have the greatest stakes—both personal and financial—in defending abortion and reproductive rights. These and all democratic rights can only be defended through a struggle by the working class against the capitalist system and all its political representatives.

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