

Ohio legislature passes “heartbeat” anti-abortion bill

Marcus Day
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Late Tuesday, Ohio lawmakers passed a bill banning abortions once a fetal heartbeat can be detected, as early as six weeks into pregnancy. The legislation is intended to effectively prohibit the majority of abortions, as many women do not learn of their pregnancy until after six weeks.

Ohio Senate President Keith Faber, a Republican, directly attributed the last-minute vote on the bill, which had failed in the State House of Representatives twice previously, to the election of Donald Trump. “A new president, new Supreme Court appointees change the dynamic, and there was consensus in our caucus to move forward,” Faber said.

During the election campaign Trump promised to appoint a “pro-life” justice to Supreme Court and called for the overturning of *Roe v. Wade*, the 1973 court ruling which guaranteed women the right to an abortion.

The Ohio legislation would restrict the timeframe for legal abortions to the shortest in the country. It would make it a felony for a doctor to perform an abortion without checking for a fetal heartbeat, or to carry out the procedure if the heartbeat is detected—even in cases where the pregnancy is due to rape or incest. Physicians violating the law would face up to a year in prison and professional disciplinary action.

Ohio Governor John Kasich, the supposedly “moderate” presidential candidate in the Republican primaries, has not yet indicated whether he would sign the bill. Although Kasich opposes abortion, he has previously expressed concern that the law would be ruled unconstitutional by federal courts.

“A hallmark of lame duck [post-election legislative sessions] is a flood of bills, including bills inside of bills, and we will closely examine everything we receive,” said Emmalee Kalmbach, Kasich’s press

secretary.

If the legislation is signed by the governor, the law is certain to face legal challenge, with the American Civil Liberties Union of Ohio already stating it would file a suit against it.

Appeals courts have struck down similar “heartbeat” laws in Arkansas and North Dakota enacted in recent years. In January, the Supreme Court declined to review those rulings, but abortion opponents are taking the signal from Trump’s campaign statements and extreme right-wing cabinet appointees to go on the offensive. Senate President Faber said of the Ohio legislation, “I think it has a better chance than it did before.”

The abortion ban language was added as a last-minute amendment to a bill concerning the reporting of child abuse. Kasich has 10 days to sign or veto the legislation once it reaches his desk.

Ohio already has among the most restrictive abortion laws in the US. Abortions are banned in the state if the fetus is considered “viable.” Women seeking an abortion must undergo mandatory counseling, followed by a 24-hour waiting period. Ninety-one percent of counties in Ohio lack an abortion clinic.

According to the Guttmacher Institute, the overwhelming majority of abortion patients in the US are poor or low income. Forty-nine percent live below the federal poverty level, pegged at a yearly income of just \$11,880 for an individual.

Ohio’s “heartbeat” bill follows a rash of recent state laws restricting the right to abortion, with hundreds of onerous rules across the country enacted over the last few years.

In March, Indiana Governor and current Vice President-elect Mike Pence signed a bill prohibiting women from obtaining abortions because of objections

to the fetus' race, sex or a disability. The law also placed greater requirements on doctors who perform abortions, with the intent of limiting the number of providers.

In Texas, rules enacted recently require healthcare clinics that provide abortions to either bury or cremate fetal remains, adding thousands of dollars to the cost of the procedure.

The surge in anti-abortion laws has had the predictable result of growing numbers of women seeking to terminate their pregnancies through unsafe means.

In Ohio, another bill banning abortion after 20 weeks of pregnancy was also under consideration in the legislature, with a vote expected this week. Some abortion opponents who have remained neutral on the "heartbeat" bill on tactical grounds favor the 20-week bill.

Ohio Right to Life President Michael Gonidakis stated, "Our ultimate goal is to overturn Roe v. Wade and we feel the 20-week ban is the best (legal) strategy."



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