

Lawsuit filed against Texas' latest anti-abortion law

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On Tuesday of last week abortion rights activists filed a federal lawsuit seeking to block a barbaric and medieval anti-abortion law, which is set to go into effect in Texas in September this year, that bans abortions by allowing citizens to sue those who perform or “aid” in abortions for \$10,000, with a successful case stipulating the sued parties are to pay the plaintiffs.

The lawsuit was filed in Austin by the Center for Reproductive Rights (CRR), Planned Parenthood, the American Civil Liberties Union and others.

The law applies to anyone connected to the abortion, including anyone who, according to the language of the statute, “knowingly engages in conduct that aids or abets the performance or inducement of an abortion, including paying for or reimbursing the costs of an abortion through insurance or otherwise,” opening the door for a flood of lawsuits by conservative activists and anti-abortion vigilantes against the state’s few remaining abortion clinics and reproductive health organizations.

The Texas law was signed by Republican Governor Greg Abbott on May 19, the same day that the state executed Quintin Jones, illustrating the utterly false character of Republicans’ supposed concern for the sanctity of life.

Speaking to the character of the law, Nancy Northup, president of the CRR, one of the plaintiffs in the case, denounced the law for putting a “bounty on the head of any person or entity who so much as gives a patient money for an abortion after six weeks of pregnancy, before most people know they are pregnant,” referring to the provisions of the law.

While some may point to the federal courts as a check on the new legislation, as the plaintiffs do, one has to look no further than the Supreme Court, the highest court in the country, to see that there is no significant basis for the defense of democratic rights, given the extreme-right majority in the court led by anti-abortion Justice Amy

Coney Barrett, who was confirmed thanks to the cowardice and duplicity of the Democratic Party.

The Republicans and anti-abortion extremists no doubt aim for the case to go to the Supreme Court, which could then be able to make a ruling for the entire country striking down the right to abortion.

Texas and 13 other states, including South Carolina, Oklahoma, Idaho, Ohio and Tennessee, have “fetal heartbeat” abortion bans that have recently been signed into law. The clearly unconstitutional bills are part of a coordinated campaign to overturn the landmark 1973 Supreme Court decision in *Roe v. Wade* that established the legality of abortion under the 14th Amendment.

The attack on legal abortion threatens many women who will be forced instead to rely on unsafe back-alley abortions. The World Health Organization (WHO) has documented unsafe abortions as one of the leading causes of death in pregnancy in the world, estimating that they account for between 4.7 and 13.2 percent of maternal deaths every year. The WHO notes that barriers to safe abortion for women, including adolescents, worldwide include:

- restrictive laws
- poor availability of services
- high cost
- stigma
- conscientious objection of health-care providers and
- unnecessary requirements, such as mandatory waiting periods, mandatory counseling, provision of misleading information, third-party authorization and medically unnecessary tests that delay care.

The result of the Republicans’ reactionary anti-abortion crusade is much the same as if they made a point of checking every item on the WHO’s list.

For example, in Texas access to abortion services has been under sustained attack with the number of clinics in the state declining from 40 in 2013 to just 22 in 2019,

according to National Public Radio. Most abortion clinics are in large cities, meaning that women living in rural areas have basically no access to abortions without driving hundreds of miles.

According to the ACLU, “Texas law requires the doctor performing your sonogram to display the images, make any heartbeat audible, and verbally explain the results of the sonogram.” This has the obvious intended effect of attempting to stigmatize abortions.

The dwindling number of clinics has forced many to travel out of state, presenting higher costs.

Before the landmark *Roe v. Wade* federal case in 1973 which legalized abortion, women would go through dangerous operations resulting in injuries which could cause complications with future pregnancies and could result in death. The situation was barbaric. The attacks on abortion being carried out across the country threatens to turn back the clock.

Roe v. Wade came at the tail-end of mass struggles of the working class such as the anti-war movement of the 1960s, the Civil Rights movements and a wave of mass strikes. Four decades of suppression of the class struggle by the unions, as well as 30 years of non-stop warfare by US imperialism and the precipitous decline of the United States’ economic standing on the world stage, form the reactionary context for the present attack on abortion rights.

The plaintiffs in the case are affiliated with the Democratic Party, which make varying claims to support abortion rights. The fact of the matter is that the Democratic Party has assisted in the attack on abortion rights, with the Obama administration signing an executive order in 2010 which upholds severe restrictions on the legal right to an abortion by enforcing the Hyde Amendment, a provision which blocks federal funding for abortion, except in cases of incest or rape, or if the woman’s life is at risk.

The first death due to an illegal abortion following the passage of the Hyde Amendment, that of Rosie Jimenez, 27, was recorded in McAllen, Texas, in 1977. The Hyde Amendment could have been rescinded at any point in the past four decades but continues to be maintained by key sections of the Democratic Party.

In June of this year, Democratic Senator Joe Manchin, in response to reports that the Biden administration was considering rescinding the Hyde Amendment, vowed to support the Amendment in “every way possible.”

In Louisiana, Democratic Governor John Bel Edwards signed a heartbeat bill in May 2019.

Speaker of the House Nancy Pelosi has repeatedly ruled out support for abortion rights as a litmus test for Democratic Party candidates.

No significant campaign has been mounted by the Democrats to stop the assault on abortion. This is part and parcel with their pledge to work with the Republican Party, which attempted a coup to overthrow the Constitution on January 6 and is being transformed into a fascist party with Trump at the head. They refuse to carry out a campaign to defend this basic democratic right, just as they refuse to carry out any serious investigation of the coup, as it could stand to mobilize the working class and quickly spiral out of the Democrats’ control, threatening the entire capitalist system.

As a simple matter of fact, women in the ruling class will never have a problem affording birth control or obtaining an abortion. The attack on abortion rights is fundamentally an attack on the working class, and on working class women in particular. The Democratic Party, as a party of Wall Street and the upper-middle class, has no intention of defending the rights of the working class.

As the WSWS previously noted:

The fight for this demand and for the defense of democratic rights requires a struggle to put an end to capitalism and establish socialism. The only social force capable of carrying this out is the working class. Those determined to defend the right to abortion and democratic rights in general must link these issues with the fight against war and social inequality and turn to the mass of working people and youth. Defense of abortion rights must be linked to the mounting struggles of teachers and health care workers and the coming battles of auto workers.



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