

# Florida legislature passes bill banning abortion after 15 weeks

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The Florida Senate voted 23-15 Thursday, mostly along party lines, to ban most abortions after 15 weeks of pregnancy. Governor Ron DeSantis is expected to sign the legislation into law. The bill is modeled after an abortion ban in Mississippi that the US Supreme Court, with its 6-3 conservative majority, appears ready to uphold.

The Florida bill bans abortions after 15 weeks' pregnancy, allowing only for exceptions involving "serious risk" to the pregnant woman and for fatal fetal abnormalities. It provides no exceptions for rape or incest, even for young girls.

At an event Friday, DeSantis said "These are protections for babies that have heartbeats, that can feel pain, and this is very, very late." There is no scientific evidence to back up the governor's claim that fetuses feel pain, and 15 weeks is not "very, very late" in the average 40-week pregnancy.

Florida is the latest Republican-led state, along with West Virginia and Arizona, to advance a 15-week abortion ban this legislative session. The law is poised to go into effect July 1. Current Florida law bans abortion in the third trimester, or after about 24 weeks, which has for decades made it a refuge for women seeking abortions from across the South. If the bill becomes law, North Carolina will become the nearest state allowing abortion beyond 15 weeks.

DeSantis is fresh off his appearance at the Conservative Political Action Conference in Orlando last week, where in his speech opening the event he told the assembled crowd of reactionaries, "We've accomplished more in this state than anyone thought possible."

Other legislation on the verge of passage in Florida includes banning instruction about sexual orientation or gender identity in some elementary school grades and

allowing parents to sue school districts if they believe that teachers made students feel uncomfortable or guilty about a historical event because of their race, gender or national origin.

DeSantis, who is positioning himself for a run for the 2024 Republican presidential nomination, has been one of the most outspoken anti-science governors during the COVID-19 pandemic. DeSantis' homicidal policies have been in large part responsible for the suffering inflicted on the population in the state, which has seen nearly 6 million cases and over 70,200 deaths from COVID-19, the third highest figures of any US state.

In a video that has gone viral, the governor was seen Wednesday berating high school students for wearing masks during a press conference held at the University of South Florida. With particular venom, the governor shouted at the students lined up behind him, "You do not have to wear those masks," adding, "I mean, please take them off. Honestly, it's not doing anything and we've gotta stop with this COVID theater. So, if you want to wear it, fine, but this is ridiculous." A number of the students were intimidated by DeSantis into removing their masks.

With the new legislation, anti-abortion proponents in Florida hope to piggyback onto the case concerning the Mississippi legislation that the Supreme Court is set to rule upon in late June or early July. If the high court rules in Mississippi's favor it would be sharply at odds with what the court has said is the central holding of the 1973 *Roe v. Wade* decision, which established a constitutional right to abortion and prohibited states from banning the procedure before fetal viability, or at around 23 weeks.

In a brief filed with the Supreme Court in July 2021, Mississippi Attorney General Lynn Fitch argued that the high court's *Roe v. Wade* ruling was "egregiously

wrong” and should be overturned. She wrote, “Under the Constitution, may a State prohibit elective abortions before viability? Yes. Why? Because nothing in constitutional text, structure, history, or tradition supports a right to abortion.”

The Florida and Mississippi assault on abortion rights follows the draconian abortion law in Texas that went into effect September 1, 2021. That law prohibits abortions after fetal cardiac activity—referred to incorrectly as a fetal “heartbeat”—is detected, usually around the sixth week of pregnancy when many women are not even aware they are pregnant.

The law allows private citizens to sue anyone who “aids and abets” a prohibited abortion, possibly awarding those who sue with at least \$10,000 if they win their suit. The law has stood up for more than six months, despite similar legislation being struck down by the courts. The law is not enforced by state officials, making it difficult to challenge on constitutional grounds.

Texas abortion clinics are struggling to stay afloat, while clinics in surrounding states have been inundated with women seeking abortions. At a press briefing February 24, founder and CEO of Whole Woman’s Health, Amy Hagstrom Miller, said, “Our Texas clinic staff have transformed clinic counseling sessions into grief support layered with travel logistics.” She added, “In many cases, there’s nothing we can do for them but listen, hold their hands and dry their tears.”

The US Supreme Court declined to stop the law from going into effect before September 1. The US Department of Justice also tried to challenge the law and won a temporary injunction from a federal district judge, which was overturned by a higher court. The Supreme Court eventually threw out the DOJ’s challenge and has also thrown out the vast majority of Texas abortion providers’ legal challenges.

Planned Parenthood centers in other states saw a nearly 800 percent increase over the same period year before in Texas patients seeking abortions. States seeing large numbers of Texas patients include Louisiana, Oklahoma, New Mexico, Kansas and Colorado.

The burden of carrying an unwanted pregnancy to term impacts mainly poor women, many of whom do not have the resources to travel and receive abortion services in other states. The threat to the constitutional

right to abortion will mean deepening poverty along with psychological, financial and medical scars that can last a lifetime, along with the possibility of premature death for the mother.



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