

# Florida Governor Ron DeSantis signs bill banning abortion after 15 weeks

Alex Johnson  
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Florida Governor Ron DeSantis signed into a law Thursday a bill that bans abortions after 15 weeks of pregnancy. The move builds off of other draconian legislation introduced in many Republican-led states aimed at severely curtailing or eliminating outright the constitutional right to an abortion.

House Bill 5 (HB5), known as the Reducing Fetal and Infant Mortality Act, reduces the right to an abortion from 24 weeks to 15 weeks. The new law does not allow any exceptions in cases where pregnancies were the result of rape, incest or human trafficking. Instead, it contains exemptions only if the abortion is deemed necessary to save a mother's life, prevent serious injury or if the fetus has a fatal abnormality.

The legislation went to DeSantis' desk after it passed the Republican-controlled state senate by a vote of 23–15 along party lines. HB 5 is modeled after Mississippi's 2018 Gestational Age Act, an abortion ban that allows the operation after 15 weeks "only in medical emergencies or for severe fetal abnormality," and has no exception for rape or incest.

Republican Rep. Erin Grall, the Florida bill's sponsor, introduced the legislation with inflammatory and reactionary remarks that directly challenged the landmark 1973 decision of the US Supreme Court in *Roe v. Wade* which upheld the right to abortion. "The reality of the Roe decision is that men on the Supreme Court proclaimed that women, in order to achieve equality with men, must be able to kill their own children," Grall declared. "As a woman, I refuse to accept such a perverse version of equality."

In justifying the most stringent abortion law in the state's history, Republican lawmakers combined invocations of religious dogma with anti-scientific conceptions. Speaking in front of a church audience at Thursday's signing, Florida House Speaker Chris Sprowls proclaimed: "Like many of you, I believe that life is a gift from God. We are blessed to be Floridians because behind me stands the most pro-life governor in America."

Florida Senate President Wilton Simpson provocatively declared: "Abortion kills children and forever changes the life of mothers, the father and the entire extended family. Every unborn child is a special and unique human being deserving of protection from harm and the chance to grow up in a loving family," Simpson said.

DeSantis argued that HB 5 "protects the rights of unborn children starting at 15 weeks. This is a time where these babies have beating hearts, they can move, they can taste, they can see, they can feel pain, they can suck their thumbs, and they have brain waves." The governor's remarks are devoid of scientific evidence and run directly at odds with the medical concept of "fetal viability," the point at which a fetus can survive outside the womb. The likelihood of survival is generally considered to be after around 23 or 24 weeks, which was legally affirmed in the 1992 case *Planned Parenthood v. Casey*.

Several abortion rights groups such as Planned Parenthood and the Abortion Care Network submitted an amicus brief last December to the Supreme Court opposing the Mississippi law and the overruling of *Roe*, asserting the new law "would cause grave harm" to countless numbers of women in the region.

The brief notes that many of those seeking second-trimester abortions don't even realize they are pregnant earlier than 15 weeks and that those wanting the procedure later are often low-income women who must overcome incredible barriers just to travel to a health center, including a lack of transportation.

In the face of dwindling resources for abortion facilities and legal bans outlawing their presence across the South, many women have to resort to traveling out of state for the procedure, often at expensive costs. For decades, Florida served as a refuge for women seeking abortions in the region, and now many will have to turn to North Carolina as the nearest state allowing abortion after 15 weeks.

At Thursday's press conference, DeSantis heaped praise on the bill for representing "the most significant protections for life that have been enacted in this state and this generation." This is the same governor who has ferociously opposed all public health measures throughout the COVID-19 pandemic, devoutly embracing the unscientific "herd immunity" doctrine of allowing the deadly virus to rip through the entire population.

This policy has led to the infection of more than 6 million Floridians and killed a staggering 73,600 people. His homicidal policies also included the forced reopening of schools and threats to withhold funding from schools which implemented mask mandates, which has put the lives and health of millions of young children at risk.

The attack on the right to abortion in Florida is part of a wave of anti-abortion laws sweeping the United States. Republican lawmakers have been emboldened to step up their fascist assault against abortion in large part due to the dominance of a reactionary majority on the Supreme Court, which has signaled its support for rescinding the democratic right, and the inaction of the Democrats to stop it.

Just this week, laws have been enacted in Oklahoma and Kentucky effectively banning the operation in their respective states.

Oklahoma Republican Governor Kevin Stitt signed into law Tuesday a near-total abortion ban, making it illegal to perform the procedure “except to save the life of a pregnant woman in a medical emergency.” The law now makes the procedure a felony punishable by up to 10 years in prison and a fine of \$100,000. Like the Florida ban, the Oklahoma bill has no exception for pregnancies resulting from rape or incest.

The Oklahoma legislation follows the decision of Texas lawmakers to ban nearly all abortions after six weeks of pregnancy last year, which led to Planned Parenthood clinics in the state seeing an explosive growth in patients from Texas after the prohibition went into effect. Although the measure stipulates no criminal charges or convictions will be levied against those receiving an abortion, the law would force working class women to seek out “back-alley” abortion procedures that greatly heighten the risk of death or mutilation.

Also this week, Republican legislators in Kentucky overrode a veto imposed last week by Democratic Governor Andy Beshear against an abortion bill banning the procedure after 15 weeks, restricting access to abortion medication and making it more difficult for minors to obtain an abortion. No exceptions are granted in cases of rape or incest, but only medical emergencies. Several abortion advocacy groups filed legal challenges to the law, arguing that its new restrictions on abortion providers violate the Constitution and amount to a de facto ban on all abortions.

Under the bill abortion drugs cannot be administered to a patient without obtaining their informed consent at least 24 hours prior, which involves signing a state document that includes an acknowledgment that it “may be possible to reverse the effects of the abortion-inducing drug if desired but that this should be done as soon as possible.” According to the American College of Obstetricians and Gynecologists, such a claim is “not based on science” and does “not meet clinical standards.”

The legislation also adds an amendment targeting minors obtaining an abortion. While current statutes do not allow for such abortions unless an attending physician obtains the “informed written consent” of the minor and a parent or legal guardian, the new bill now makes it a requirement for a consenting parent or legal guardian to make a “reasonable attempt to notify” any other parent with joint or physical custody at least 48 hours before providing consent. This is

aimed at strengthening the hand of anti-abortion parents and blocking minors from acquiring the procedure.

Anti-abortion legislatures now have their eyes set on the draconian Mississippi law, which was taken up in a legal challenge brought to the Supreme Court last December. While the ruling in the Mississippi case, which will ultimately determine whether the constitutional precedent established by *Roe* is to be upheld or repealed, has yet to be decided, the prohibitions being implemented should be seen as a sharp warning of preparations being made to allow the outlawing of abortion entirely.

In August, the Supreme Court refused to block the new Texas state law allowing vigilante-style private lawsuits against abortion clinics. This decision was issued with no hearing or legal arguments and only a two-page ruling. The Supreme Court eventually threw out a Department of Justice challenge after it was handed a temporary injunction against the Texas law. The high court has also thrown out most Texas abortion providers’ legal challenges.

The swift introduction of reactionary anti-abortion laws in Florida and elsewhere will have a disastrous impact on poor and working class women, who do not possess the financial or logistical resources to travel to other states or countries that provide abortion services. Meanwhile, the Democratic Party and its privileged social base have sought to divert the abortion issue into gender and other forms of identity politics, which ignores the fundamental class character of the assault on reproductive rights. Wealthier women, regardless of the legal status of abortion services in various states, can simply fly to different regions or countries for access to the procedure.

There can be no confidence in the Democrats putting up a serious fight against attacks on abortion. Posturing as defenders of democratic rights, the strategy of the Democrats has been to resort to empty condemnations of Republican actions and appeals to the same court officials politically aligned with the far right. President Joe Biden, in a tweet last month, called Florida’s new abortion restriction “a dangerous bill that will severely restrict women’s access to reproductive health care.” Nothing has been proposed by his administration to defend the right to abortion since then.

Socialists oppose all attacks against abortion and other democratic rights. The right to an abortion can only be defended based on a struggle for the political independence of the working class against the entire capitalist two-party system, including a headlong confrontation with the Democratic Party. This struggle invariably entails a fight for a revolutionary perspective against the capitalist system.



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