

Supreme Court Strikes Down Texas Abortion Law



Summary: Today, the Supreme Court ruled a Texas law that could have potentially shuttered numerous abortion clinics was unconstitutional.

Texas pro-choice advocates rejoiced today when the Supreme Court ruled to throw out a Texas abortion access law that some say would have shuttered almost all of the clinics in the state.

- Related: [Texas Must Close All But Eight of Its Abortion Clinics Due to Court Ruling](#)

The Supreme Court ruled 5-3 with Justice Stephen Breyer writing the majority opinion. Breyer wrote that Texas's law did not help cure a significant health-related problem.

"There was no significant health-related problem that the new law helped to cure," Breyer stated in his majority opinion. "We agree with the District Court that the surgical-center requirement, like the admitting-privileges requirement, provides few, if any, health benefits for women, poses a substantial obstacle to women seeking abortions, and constitutes an "undue burden" on their constitutional right to do so."

Justice Ruth Bader Ginsburg wrote in her opinion that the Texas law harmed women in "desperate circumstances."

- Related: [Oklahoma Looks to Making Abortions Illegal](#)

"When a State severely limits access to safe and legal procedures, women in desperate circumstances may resort to unlicensed rogue practitioners, faute de mieux, at great risk to their health and safety," Ginsburg said.

Voting with the majority, Justice Anthony Kennedy was considered to be the swing vote on the eight person panel, which still has one position needed to be filled. After the death of Justice Antonin Scalia, President Barack Obama nominated Judge Merrick Garland, known to be moderate, but Senate Republicans have refused to act on the nomination.

Chief Justice John G. Roberts Jr., Justice Samuel Alito Jr. and Justice Clarence Thomas dissented to today's decision.

"The Court has simultaneously transformed judicially created rights like the right to abortion into preferred constitutional rights, while disfavoring many of the rights actually enumerated in the Constitution," Thomas wrote.

Texas Governor Greg Abbott joined the dissenting Justices in condemning the ruling.

"The decision erodes States' lawmaking authority to safeguard the health and safety of women and subjects more innocent life to being lost," the Republican said.

The Supreme Court examined two components of the controversial law—one that said doctors had to have admitting privileges at local hospitals and that clinics needed to upgrade its facilities to meet hospital-grade standards. Critics said that the law would have shuttered numerous abortion clinics, but others argued that the law was a direct response to the Kermit Gosnell scandal, where a man was convicted of murdering babies that were alive at his clinic.

What do you think of this historical ruling? Let us know in the comments below.

Source: CNN

Photo courtesy of CBS