Louisiana’s anti-abortion law, others said the Pennsylvania case was just another whistling away at Roe vs. Wade.

The Rev. Keith Tucci, national director of Operation Rescue, saw the ruling as a partial victory for anti-abortion forces, saying all states now have a legal interest in regulating abortion clinics.

“We believe this is a further chip away at Roe,” Tucci said.

And state Rep. Louis “Woody’’ Jenkins — the author of a much-stricter anti-abortion bill that was vetoed by former Gov. Buddy Hoover — said he is not at all discouraged by the decision.

“I’m encouraged,” said Jenkins, D-Baton Rouge. “I think overall it’s positive and it’s probably the next natural step. By the process of overturning Roe... it’s a transitional decision.”

Pro-choice activists quickly attacked the decision as clearly “not being a victory for women.”

But pro-choice attorney Janet Benshoof said the ruling proved that Louisiana’s law will be ruled unconstitutional.

“It certainly opened the door wider for the women of America to be harassed,” said Benshoof, lead attorney for the group challenging in court the constitutionality of Louisiana’s law.

“It took away abortion as a fundamental right that we had yesterday, but it did say that statutes like Louisiana will not be counted.

“So let’s be accurate — not hysterical.”

Tucci, the anti-abortion activist, called the Supreme Court decision not to overturn Roe vs. Wade a “defeat”.

Roe vs. Wade is still “waving in the wind,” he said.

Tucci’s cautious statements were a far cry from comments made by Randall Terry, the founder and former national director of Operation Rescue.

Terry called the ruling “appalling” and criticized President Bush’s selection of Justice David H. Souter, who said overturning Roe vs. Wade would “obstruct the court’s legitimacy beyond any reasonable question.”

Terry predicted “a lot of unrest in the streets, a lot of incredible anger” would come in the wake of the decision.

That comment worries Ann Schiffman, chair of the Louisiana Coalition for Reproductive Freedom. She said the unrest and anger may be unleashed in Baton Rouge next week during Operation Rescue’s “Summer of Purpose” July 5-11.

“That’s going to play directly into Baton Rouge,” Schiffman said. “By him making those statements, that tells me he’s ready to cause some problems down here.

The fight is in the courts and in Congress,” not in the streets, she said.

Schiffman said she sees the decision as “a loss” for pro-choice forces and a “partial victory” for the other side.

“Not the best of a deal. It’s like selling...”
sombody they have the right
putting all kinds of restrictions on that
right," she said.

Schiffman agreed there is still some
confusion about the status of abortion.

"There's no common ground on this
issue," she said. "The court is being
ambiguous. Until they outright answer
the question, nobody's going to be
happy."

Shirley Pedler, executive director of
the American Civil Liberties Union of
Louisiana, said the ACLU will continue
to fight the Louisiana statute in the
courts, but the only realistic way for
pro-choice forces to win is "in the
political arena" — namely Congress.

Pedler said the Freedom of Choice
Act is pending in Congress, which would
guarantee the right to abortion.

"That is our best hope, ... in
Congress, because frankly I don't think
that the pro-choice forces have the
resources to fight this and win this state
by state by state," Pedler said.
Abortion decision met with uncertainty in Louisiana

By DOUG MYERS
and STEVE WHEELER
Advocate staff writers

Despite the U.S. Supreme Court's refusal Monday to overturn the 1973 high court decision that legalized most abortions, anti-abortion forces in Louisiana are not giving up. And in light of the Supreme Court's 5-4 ruling, pro-choice activists fear that the 1973 decision -- commonly known as Roe vs. Wade -- still could be reversed if a justice has a change of heart or retires from the court.

Next in the Supreme Court pipeline to challenge Roe vs. Wade may be a Louisiana law approved in 1991 which would ban all abortions except in cases of rape, incest or to save the life of the mother. Implementation of the law is on hold, awaiting a ruling from the 5th U.S. Circuit Court of Appeals.

Attorney General Richard Jeyoub said the appeals court likely will rule in three to six weeks -- and that a Supreme Court ruling on the Louisiana law could come down by November or December.

Jeyoub said he is unsure whether Louisiana's law will be upheld as constitutional.

"There are certain things that the Supreme Court left undone in the Pennsylvania case that they might have to face in the Louisiana case," Jeyoub said.

Jeyoub said the Pennsylvania law is much different from the Louisiana law. The Pennsylvania case focused on regulation. Louisiana's law, on the other hand, is almost an "outright ban" with a few exceptions.

"I think they're going to have to face Roe vs. Wade head on with the Louisiana case or with a case that has a statute similar to that of Louisiana," Jeyoub said. Guam and Utah have similar laws that are being constitutionally challenged.

While some predicted the high court decision could doom