Two sides debate sending high court La.’s abortion ban

By JOE GYAN JR.
New Orleans bureau

NEW ORLEANS — Lawyers defending Louisiana’s tough anti-abortion law urged a federal appeals court panel Thursday not to sidetrack the statute’s ultimate trip to the U.S. Supreme Court, where they predict the justices will use the law to ban abortions nationwide.

Opponents of the statute countered that a suit challenging the law should be sent to the Louisiana Supreme Court, which should determine whether a right to privacy provision in the state Constitution would dispose of the case without it ever reaching the nation’s highest court and perhaps, more importantly, without possibly overturning the high court’s landmark 1973 Roe vs. Wade decision that legalized most abortions.

Fifth U.S. Circuit Court of Appeals Judges E. Grady Jolly and Emilio Garza and U.S. District Judge John Shaw of Lafayette took the arguments under advisement and did not indicate when they would render a decision.

Attorneys involved in the case don’t expect a ruling for several months.

Peaceful demonstrations were staged outside the 5th Circuit by pro-choice and pro-life activists. Pro-choiceers wore pins that read “Abortion on demand & without apology,” while pro-life supporters carried signs proclaiming “Abortion stops a beating heart” and “Abortion kills children.”

The Louisiana law, which prohibits abortions except in cases of rape, incest or to save the life of the mother, was passed in June by the Legislature and was struck down as