



Written by [D. Michael DeRidder](#) on April 9, 2024

Arizona Supreme Court Upholds 1864 Abortion Law

Earlier today the [Arizona Supreme Court](#) issued a ruling upholding an 1864 law outlawing abortion in a [4-2 decision](#). The law supersedes the state's 15-week ban signed into law by Republican Governor Doug Ducey in [March 2022](#). The 1864 law states:

A person who provides, supplies or administers to a pregnant woman, or procures such woman to take any medicine, drugs or substance, or uses or employs any instrument or other means whatever, with intent thereby to procure the miscarriage of such woman, unless it is necessary to save her life, shall be punished by imprisonment in the state prison for not less than two years nor more than five years.

A.R.S. § 13-3603



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In response to the decision, Democratic Governor Katie Hobbs claimed the law is “one of the most extreme” in the country, [stating on X](#), “It is a dark day in Arizona. We are just fourteen days away from one of the most extreme abortion bans in the country. But my message to Arizona women is this: I won’t rest, and I won’t stop fighting until we have secured the right to abortion. That is my promise to you.”

Representative Greg Stanton (D-Ariz.) posted his [statement responding to the decision on X](#):

The Arizona Supreme Court has allowed a near-total abortion ban to go into effect — one written before Arizona was a state, before women could vote. Under this extreme law, women will die and their doctors and nurses will be criminalized. This cannot stand. We will not stay silent in the face of these outrageous attacks on our fundamental freedoms. In Congress, I’ll keep fighting to restore the protections under *Roe v. Wade* as the law of the land. But the stakes this November couldn’t be higher, and Arizonans must forcefully reject this extreme overreach by passing the Arizona Right to Abortion Initiative to finally enshrine the right to safe, legal reproductive care in our state’s constitution.

[According to Pew Research](#) Stanton is one of 148 members of Congress who identifies as a Catholic. Stanton attended the Catholic Marquette University, one of the largest Jesuit Universities in the United States, and is one of many Catholic politicians who support abortion.



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Arizona Republican Senate Candidate Kari Lake responded in a statement that she opposed the ruling, and added voters will decide on the issue in November:

I oppose today's ruling, and I am calling on Katie Hobbs and the State Legislature to come up with an immediate common sense solution that Arizonans can support. Ultimately, Arizona voters will make the decision on the ballot come November."



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