



Written by [Dave Bohon](#) on March 18, 2013

North Dakota Set to Ban Abortions at Six Weeks of Pregnancy

The North Dakota legislature has passed a pair of bills that, if signed by Republican Governor Jack Dalrymple, will give the state the most restrictive abortion ban in the nation. On March 15 the state senate gave its final approval to a bill that would ban most abortions after the sixth week of pregnancy, as well as another measure prohibiting a woman from having an abortion because of indications her pre-born baby has a genetic defect such as Down syndrome. The bill would also ban abortions based on sex selection.



Passage of the measures comes just a week after Arkansas Governor Mike Beebe signed legislation banning abortion in that state after 12 weeks of pregnancy, a law that is slated to go into effect this summer. North Dakota Gov. Dalrymple is expected to announce his intentions on the abortion bills within days.

Proponents of the bills said the goal is to challenge the Supreme Court's 1973 *Roe v. Wade* ruling that effectively legalized abortion throughout the United States at up to 22-24 weeks of pregnancy. The pro-life [North Dakota Family Alliance Action](#) explained that the purpose of the Heartbeat Bill (HB 1456) is to stop abortion if an unborn child has a detectable heartbeat. "We all know the significance of a beating heart," the group said in a statement. "We may have witnessed the loss of a loved one being cared for in a hospital, one moment hearing the presence of the heartbeat via the heart monitoring machine, the next moment experiencing the deafening silence of a heart beating no more. The heartbeat offers an undeniable truth about life.... Just as we protect life, a living being, until that heart stops beating, no matter the age, we must afford that same protection when that heartbeat becomes detectable in the unborn."

The group told [LifeNews.com](#) that the "issue of abortion may become complex at times, and obviously has for many years — as we have witnessed the discussion and debate. But the issue becomes very simple, if we go back to a very foundational truth — that we as a people, as a government, are to secure and protect the right of life."

As for the genetic abnormalities/sex selection bill, Republican State Senator Margaret Sitte, one of the measure's cosponsors, said it is meant to ban the destruction of life based on "an arbitrary society standard of being good enough." Pro-life leaders noted that the tests doctors use to reveal fetal abnormalities are often inaccurate, and many babies that medical authorities recommended be aborted have been born normal. Regardless of the results, pro-life leaders emphasize, every baby deserves the God-given gift of life.

Pro-abortion groups have promised a legal battle over the bills should Dalrymple sign them, with ACLU executive director Anthony Romero calling the measures, which would ban almost all abortions in the



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state, “extreme.” Romero insisted that “in America, no woman, no matter where she lives, should be denied the ability to make this deeply personal decision.”

Jennifer Dalven of the ACLU’s pro-abortion Reproductive Freedom Project said that her group was urging Dalrymple “to veto all of these bills to ensure that this personal and private decision can be made by a woman and her family, not politicians sitting in the Capitol.”

The Center for Reproductive Rights noted that the imposition of a six-week ban would mean that many women would be prohibited from seeking an abortion even before they know they are pregnant. “The passage of this law is nothing short of a frontal assault on the U.S. Constitution, 40 years of Supreme Court precedent, and the health and fundamental rights of women,” said the abortion group’s president Nancy Northrup.

Similarly, Sarah Stoesz of abortion giant Planned Parenthood’s North Dakota franchise said that in passing the restrictive laws “politicians in North Dakota have proven their disregard for a woman’s personal medical decision-making.” She was joined by the national CEO of the abortion business, Cecile Richards, who declared that such abortion restrictions “are outrageous and unconstitutional and they will not stand. The state-by-state race to the bottom on women’s health is not what Americans elected their lawmakers to focus on. A majority of Americans consistently believe that abortion should remain safe and legal in this country.”

Even some pro-life groups oppose such restrictive laws, pointing out that in the present judicial climate they are likely to be overturned, making it increasingly difficult to mount an effective battle to overturn *Roe v. Wade*. Some state officials also warned that a court challenge would represent a considerable expense to the state, with the likelihood of an eventual loss. Nonetheless, State Representative Bette Grande, who introduced both bills in the House, said that concerns over a legal challenge shouldn’t stop the state from doing everything in its power to protect the unborn at every phase of development. “Whether this is challenged in court is entirely up to the abortion industry,” Grande told lawmakers prior to passage of the Heartbeat bill. “Given the lucrative nature of abortion, it is likely that any statute that reduces the number of customers will be challenged by the industry.”

Among the pro-life leaders commending the North Dakota legislature for protecting the unborn was Dr. Charmaine Yoest of [Americans United for Life](#), who applauded the legislature’s passage of the genetic defects/sex selection abortion ban. “A civil society does not discriminate against people — born and unborn — for their sex or for disability,” said Yoest in a statement. “We should be celebrating diversity, not destroying it.” Yoest noted that “women in particular have been targeted for death in the womb, and we’ve also seen dramatic abortion rates for children with disabilities which put them at risk for extinction. The legislators in North Dakota have shown courageous humanity in passing this legislation.”

The [Christian Post](#) noted that one issue not clarified by the Heartbeat bill “is how doctors will detect fetal heartbeats. Those found guilty of performing an abortion after a fetus develops a heartbeat could face up to five years in prison and a \$5,000 fine, though mothers would not face charges.”

State data shows that in 2011 North Dakota recorded 1,247 abortions. If Dalrymple signs the bills into law, more than 75 percent of all abortions would disappear, according to a spokesperson for the Planned Parenthood-aligned Guttmacher Institute, which studies abortion trends across the nation.



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