



Written by [Dave Bohon](#) on June 13, 2011

Alabama Passes Ban on Abortion After 20th Week

Mere minutes before a midnight deadline, the Alabama State Senate approved the Pain-Capable Unborn Child Protection Act, becoming the sixth state to pass a ban on abortion after the 20th week of pregnancy. Following an earlier 66 to 19 vote approval by the state House of Representatives, the Senate passed the bill by an overwhelming 26 to 5 vote margin.



If Republican Governor Robert Bentley signs the bill, as he is expected to, Alabama will join Idaho, Indiana, Kansas, Oklahoma, and Nebraska in enacting laws banning abortion after the 20th week of pregnancy, noted the pro-abortion [Guttmacher Institute](#). “The bills that ban abortion at 20 weeks reveal the low regard the legislature holds not only for women, but also the U.S. Supreme Court,” [Reuters News](#) quoted Guttmacher’s Elizabeth Nash as saying. “The Court has ruled that abortion must be legal at least until viability. After viability, states can only ban abortion as long as it is allowed in cases to protect the woman’s health and life.”

But the pro-life organization [National Right to Life](#) regarded passage of the bill, which takes into account that pre-born babies can feel pain early on, as good news. “Modern medical science furnishes us with compelling evidence that unborn children recoil from painful stimuli, that their stress hormones increase when they are subjected to any painful stimuli, and that they require anesthesia for fetal surgery,” Mary Spaulding Balch, a spokeswoman for the national pro-life group, said in a statement. “Therefore, the states have a compelling interest in protecting unborn children who are capable of feeling pain from abortion.”

State Senator Scott Beason (above), sponsor of the bill, applauded his colleagues for approving the measure, noting that “for a long time the womb was an unknown universe, and I think *Roe vs. Wade* was based on the idea that so much was not known.”

Passage of the bill did not come without opposition, though, with the Senate earlier rejecting an amendment introduced by Senator Roger Smitherman, a Democrat, which would have permitted abortions after 20 weeks in cases of rape or incest. Another Democrat, Senator Linda Coleman, also criticized the bill for not providing such a clause, calling it “a slap in the face of all women.” But Beason noted that someone who faced a pregnancy under such circumstances could still legally receive an abortion before the 20th week. “That’s five months,” he said. “I don’t think it’s that complicated.”

Among the other lawmakers opposing the bill was Democrat State Representative Patricia Todd, who



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predicted that the law would face stiff legal challenges. “Of course, we know this is going to get litigated and cost the state a lot to defend it in terms of time and money that we don’t have,” Todd told Reuters.

The legislative model that Alabama and four other states used in passing the Pain-Capable Unborn Child Protection Act was drafted by the National Right to Life Committee, and is designed to protect pre-born babies from abortion except (as the model legislation is worded) in cases where the mother “has a condition which so complicates her medical condition as to necessitate the abortion of her pregnancy to avert death or to avert serious risk of substantial or irreversible physical impairment of a major bodily function or...it is necessary to preserve the life of an unborn child.”

Similar legislation is currently under consideration in Oregon, Massachusetts, and Minnesota, noted National Right to Life’s Balch. “We are pleased with the progress we have been making in the states,” she said. “We are working to ensure that pain-capable unborn children all across the country will be protected from horrendous death by abortion.”

Cheryl Ciamarra of [Alabama Citizens for Life](#) was joyful at her state’s pro-life victory, recalling, “I’ve been observing [the legislature] and advocating for many years and have never seen individual representatives seriously considering the value of human life like they have this session.” She added, “We ask Governor Bentley to sign this bill into law so that Alabama becomes a state which protects from abortion unborn child[ren] who are capable of feeling pain.”



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