The Satanic Temple Declares Ohio Fetal Remains Burial Law is Unconstitutional

Satanists insist that the State cannot dictate burial practices to religious organizations

SALEM, MA -- On Wednesday, December 30th, Ohio enacted a new regulation that requires those who undergo an abortion to bury or cremate the removed fetal tissue. The Satanic Temple (TST) objects to this law and believes it violates the First Amendment. TST’s Religious Reproductive Rights spokesperson Sydney Goodwin claims, “This is an outrageous and unconstitutional affront to religious liberty. Ohio’s desire to dictate funeral procedures cuts at the heart of religious freedoms as these rites have been an essential component of religious practices for thousands of years.”

The new Ohio abortion law states that “a pregnant woman who has a surgical abortion has the right to determine… whether the final disposition shall be by cremation or interment” and “the location of the final disposition.” Goodwin insists that, “The law is an assault on the religious administration of the burial practice by dictating our funerary options. TST’s deeply-held beliefs call for fetal tissue to be incinerated with other medical waste, but Ohio’s law interferes with our religious practice and thereby violates the First Amendment.”

The Ohio legislative budget office has openly acknowledged that the new law will increase costs to hospitals for cremation or interment as well as to the state for “survey costs to ensure facilities that perform surgical abortions are in compliance with the bill,” in “administrative costs to adopt rules,” and in court costs “for any violations associated with the bill.” There are no stated anticipated health and safety outcomes as a result of this legislation.

Goodwin adds, “TST will defend its members’ religious rights in court if necessary. Satanists believe that non-viable fetal tissue is part of the person who carries it. As such, state impositions of ceremonial requirements dictating its disposal, barring any plausible medical or sanitary concerns, violate their ability to contextualize the termination of a pregnancy on their terms.”

About The Satanic Temple
The Satanic Temple, subject of the critically-acclaimed documentary, Hail Satan?, and the book, Speak of the Devil, confronts religious discrimination to secure the separation of church and state and defend the Constitutional rights of its members. In response to Oklahoma and Arkansas placing a Ten Commandments statue on Capitol grounds, TST offered its bronze Baphomet statue to stand alongside the Christian monuments. TST hosts the "After School Satan" club to counter the Evangelical "Good News Clubs" in public schools across the country to promote a plurality of religious viewpoints. The mission of The Satanic Temple is to encourage benevolence and empathy, reject tyrannical authority, advocate practical common sense, oppose injustice, and undertake noble pursuits for the individual will. For more information about The Satanic Temple, visit https://thesatanictemple.com/.