THE SATANIC TEMPLE APPEALS DISMISSAL OF MISSOURI ABORTION LAWSUIT
Satanic Temple claims court ignored core claim regarding when life begins

April 10, 2019 - In late February, the Missouri Supreme Court handed down a ruling rejecting The Satanic Temple’s (TST) claim that the state’s medically unnecessary abortion restrictions violate the Religious Freedoms of TST members seeking to terminate their pregnancies. The restrictions in question relate to MO’s “Informed Consent” law which requires that a woman seeking to terminate her pregnancy must be given materials that state, “The life of each human being begins at conception. Abortion will terminate the life of a separate, unique, living human being.” To drive the point home, she must then be subjected to an ultrasound and the “opportunity” to listen to the “fetal heartbeat, if any” and must endure a 72 hour waiting period.

TST’s plaintiff, Judy Doe, holds the sincere religious belief that a fetus is part of her body and not a “human being” in any legal, religious, or moral sense. She believes she can remove a fetus, i.e., get an abortion within the legally permitted window of time, without having to be subjected to government propaganda on when a fertilized embryo becomes a “human being.” The state-mandated Informed Consent materials and their required 72-hour waiting period, TST insists, create conditions that violate Judy Doe’s rights under the Religion Clause of the First Amendment.

The Court’s dismissal of the suit brought on Judy Doe’s behalf was justified upon the claim that MO’s Informed Consent law “merely is consistent with certain religions’ beliefs,” not explicitly an endorsement of a particular religious view, and “is neutral, generally applicable, and rationally related to the State’s legitimate interest in facilitating informed consent.” The Court failed to address the issue of the state mandating the imposition of materials to TST members whose own religious beliefs conflict with the state’s position creating an undue burden upon TST members who seek a timely termination of their pregnancy sought with deference to their religious beliefs. In short, TST believes the MO Court evaded confronting the core claim of the litigation, and so they have filed an appeal on behalf of Judy Doe to the United States Court of Appeals for the Eighth Circuit.

The central issue that The Satanic Temple requests be adjudicated is the question of whether life begins at conception, and whether such items of religious opinion can be imposed by law.

Despite the dismissal, The Satanic Temple is optimistic they will receive a favorable decision given that the Eighth Circuit previously ruled that Missouri’s declaration that life begins at conception was “simply an impermissible state adoption of a theory of when life begins to justify its abortion regulations.” TST spokesperson and co-founder Lucien Greaves states, “The law is very clearly on our side. As we have already witnessed, however, many of the judges in Missouri have been comfortable with disregarding the law and they avoided ruling on the issues we raised. Our appeal presents a challenge for judges who want to defy the law to promote an agenda because the Eighth Circuit will have to overrule itself to deny our claims. It is laughable for theocrats to obviously impose their religious viewpoint into law only to claim that their actions are not discriminatory by virtue of the fact that everybody is equally burdened by the restrictions they’ve created. We are confident that reason will prevail upon appeal.”

About The Satanic Temple
The Satanic Temple is a non-theistic religious organization dedicated to Satanic practice and the promotion of Satanic rights. The Temple understands the Satanic figure as a symbol of man's inherent nature, representative of the eternal rebel, enlightened inquiry and personal
freedom rather than a supernatural deity or being. The mission of The Satanic Temple is to encourage benevolence and empathy among all people, reject tyrannical authority, advocate practical common sense and justice, and be directed by the human conscience to undertake noble pursuits guided by the individual will.