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When We Ignore Women's Pain, We Put Their Lives in Danger

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In August, abortion advocates in Texas celebrated a significant victory in a lawsuit challenging Texas's ban of the procedure. The Texas law, like nearly all current statewide bans, includes an exception for abortions that are necessary to save the life of the pregnant person or protect them from serious injury. This means that, in theory, a person experiencing a miscarriage or another serious problem with their pregnancy can receive an abortion even if the state in which they live has banned it.

In practice, however, doctors are only willing to perform an abortion if it's clear that the pregnant person is at significant risk. Often, in Texas and elsewhere, they are confused about which practices are legal and which aren't. As a result, women like Amanda Zurawski, the lead plaintiff in the Texas lawsuit, have been denied care, and face serious medical consequences. The judge agreed that the exception written into the Texas abortion ban was too unclear and issued a temporary injunction against it. This ruling, however, was immediately blocked when the attorney general filed an appeal to the state supreme court.

One reason that the exception cannot be reliably applied reaches far beyond the context of abortion: Doctors too often do not believe women who say they are in pain.