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## ESPOUSING ABORTION RIGHTS: A CASE STUDY ON THE SATANIC TEMPLE

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**Lydian Florina Tasin\***  
Universitas Balikpapan  
Email: [lydianflo@gmail.com](mailto:lydianflo@gmail.com)

**Achmad Munjid**  
Universitas Gadjah Mada  
Email: [achmad.munjid@gmail.com](mailto:achmad.munjid@gmail.com)

**Galant Nanta Adhitya**  
Universitas Respati Yogyakarta  
Email: [galant.nanta@respati.ac.id](mailto:galant.nanta@respati.ac.id)

\*corresponding author

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### ABSTRACT

This study examines how a nontheistic organization called The Satanic Temple (TST) fights for religious freedom for its members, particularly in abortion rights in the US. Ronald Inglehart's secularization framework is employed to conduct a more in-depth analysis of this group's efforts to voice religious freedom for its members, particularly on the abortion issue. Therefore, this study also provides an in-depth examination of TST's strategies regarding the abortion issue. The finding shows that TST has far-reaching implications not only for their efforts against the new abortion law but also for the group's presence amidst the religious majority environment of the US. Furthermore, another finding also reveals that TST's efforts in legal proceedings have yet to be treated fairly. TST has a strong legal argument because TST members interpret their fundamental tenets and have an abortion ritual. However, solid legal opinions are not always sufficient. In response to legal challenges, judges have shown reluctance to evaluate Satanist claims on their merits, preferring to invent procedural criticisms. The ruling did not hinder TST as much as it prevented the problem.

**Keywords:** *religious freedom; reproduction rights; Satanism; secularism*

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## INTRODUCTION

The abortion debate has been never-ending; from the beginning, the conflict surrounding reproduction arose because of the choices made by non-judicial actors and the political and social shifts those individuals confronted. Despite the Supreme Court's decision in *Roe V. Wade* legalizing abortion on demand in the first trimester in 1973, abortion has remained a highly charged, divisive, and even violent topic of debate ever since. Approximately half of all states are on the verge of banning abortion, and if they get the opportunity, politicians could push for a nationwide ban. States have constructed a lattice work of abortion law since the Supreme Court's 1973 judgments in *Roe V. Wade* and *Doe V. Bolton*, codifying, regulating, and limiting whether, when, and under what circumstances a person may obtain an abortion. Conflicts over abortion, school prayer, and other "social regulatory" issues differ from many items on the political agenda; they center on "community values, moral practices, and norms of interpersonal conduct" rather than on the allocation of federal funds, redistribution of national resources, or economic regulation (Tatalovich & Daynes, 1988).

In various state and federal court proceedings, The Satanic Temple (TST) has asserted these arguments on behalf of the pregnant members and sought an abortion when the lawsuits were filed. TST attempts to exempt its members from abortion regulations by using this law and this campaign. TST is one of the religious movements examined in this paper regarding how they voice religious freedom for their members, especially for abortion rights.

This religious group claims that the religious rights of its members are exempted from state laws or regulations that restrict access to abortion. TST has long argued that its members should have the same rights as members of mainstream religions. TST, describing itself as a nontheistic branch of Satanism, wishes to exempt its followers from such rules. TST is a religion that believes in benevolence and empathy among all people, rejects oppressive authority, and advocates for common sense and justice. Since 2013, TST has fought to expand religious liberty notions that the conservative Supreme Court has applied to Christians to its members. These Satanists are on a sacred mission to protect women's abortion rights using the same religious liberty argument as Hobby Lobby. The argument is comparable to that of Hobby Lobby, but it pertains to state abortion restrictions rather than federal insurance requirements. The church also desires to overturn the Supreme Court's "neutral" and "generally applicable" rulings. That precedent has been questioned and eroded, but it remains solid Law. This might change if the Supreme Court hears a case this term. Since the beginning of TST voicing their demands, the State has been trying to frame the TST battle as one of the Satanists versus Christians. However, this polarization is not the case as TST is not protesting against rallying for pluralism and real religious liberty. They are on the front lines of the war against encroaching theocracy.

This magnitude of reversal is almost unprecedented, especially for a case determined nearly 50 years ago. As President Biden asserts, the Supreme Court's decision to invalidate the right to an abortion will deprive American women of control over their own lives, who urged voters to defend their rights

in upcoming elections. President Biden's speech at the White House on June 24 said, "It's a sad day for the court and the nation" (Reuters, 2022). This overturning will undoubtedly have far-reaching consequences for many people, especially women.

Hence, how TST struggles to voice religious freedom for members of their group will be analyzed. The secularization theory by Ronald Inglehart will be applied to understand better how TST advocates for religious freedom for their members, particularly in abortion rights, which are related to secularization in the US.

## **DISCUSSION**

### **The Reproductive Battles by TST**

TST is trying to exempt its members from state abortion laws. This minority problem, at first, is treated as a joke. Still, it is no longer a joke because TST is taking the Christian right's crusade for religious liberty seriously and saying that it has to be suitable for everyone if it's good for Christianity. Only before the Supreme Court answers whether they believe in religious liberty for all. Not surprisingly, in each case decided this year, the dominant Christian religion won in its religious freedom claims. It is thus reasonable to ask whether the Supreme Court would feel the same way about religious liberty claims brought on behalf of minority religions. Because abortion laws in the US are religiously motivated, these restrictions would not exist unless the state imposed their religious convictions. TST, in particular, has fought this war over abortion. "One's body is inviolable, subject to one's own will alone," says the religion's third tenet. TST argues that the same US laws that protect Christian beliefs

should also protect those who support the right to abortion.

Significant difficulties and risks to reproductive liberties lie ahead; abortion restrictions are being imposed around the country at an alarming rate. Despite this setback, TST is hell-bent on fighting back. TST has legitimate religious liberty claims that they will continue to assert aggressively. This paper will provide an overview of TST's current efforts to protect its members' reproductive rights, divided by religious and legal dimensions.

### **Religious Dimension**

The abortion debate, on the other hand, demonstrates the complexities of the relationship between religion and gender equality. Abortion is the defining issue for the women's rights movement: reproductive options exemplify freedom for proponents of women's rights. Throughout history, perspectives on abortion have changed, and religions have contributed to these alterations. Abortion is a legitimate concern for religions, whose teachings exhibit striking similarities and differences. In general, but not unanimously, religions are opposed to induced abortion. Behind such significant other conflicts, as previously stated, one is sure to find a religious perspective conflict. The conflict over abortion is religious in the superficial sense that certain religious communities have been among the most ardent proponents of anti-abortion laws (Badertscher, 1976). Regarding TST's religious efforts, this religious movement has conducted several religious campaigns since their inception, particularly concerning abortion rights for its members.

### **The Satanic Abortion Ritual**

Religions, as the courts pointed out, have rituals. Likewise, TST, which is not at all mystical and often dull, includes the medical or surgical abortion itself and dispels any feelings of guilt, shame, or mental discomfort that a patient may feel when opting for a medically safe abortion. TST made a religious announcement on 5 August 2020; they revealed The Satanic Abortion Ritual (TSAR) that sanctifies a woman's self-worth and freedom from oppressive forces. This religious ceremony entails performing a voluntary abortion while reciting two of the Tenets and making a personal affirmation. Participants can incorporate additional meaningful rites to foster confidence and affirm their bodily autonomy. TSAR is a protecting rite and a dangerous ritual. Its goal is to eliminate the guilt, shame, and mental anguish a patient may suffer from opting for a legal and medically safe abortion.

TST has performed satanic rituals in public to challenge the monopoly of Christianity on the religious landscape; one of the rituals is the satanic abortion ritual. This ritual provides spiritual comfort and affirms bodily autonomy, self-worth, and freedom from coercive forces by affirming TST's Seven Tenets. The pattern is not intended to convince a person to have an abortion. Instead, it sanctifies the abortion process by instilling confidence and protecting bodily rights when undergoing a safe and scientific procedure. Reciting their third and fifth tenets is required as part of the religious ritual developed by TST to end an unintended pregnancy in the first trimester. During the ritual, a personal affirmation provides spiritual comfort while affirming bodily autonomy and self-worth. As written on the main page of their website,

satanic abortions are protected by religious liberty laws.

Following the Religious Freedom Restoration Act (RFRA), first-trimester abortions are now exempt from unnecessary regulations for all individuals practicing TST's religious abortion ritual. The government is prohibited by this law from interfering with a person's free exercise of religion, including religious rituals. It also exempts Satanists from fulfilling unnecessary medical and unscientific requirements, such as mandatory waiting periods or unwanted sonograms interfering with their ritual practice. Misinformation about abortion and guilt for pursuing that option can be challenging. It can be exhausting and frustrating to shrug off and dismiss internal and external pressures, especially those driven by religious convictions that disregard the beliefs and freedoms of others. Even when recognizing these criticisms are invalid, they can make an already troubling time even harder.

TST contends that because abortion is part of the ritual, subjecting a woman to a waiting period is akin to the government getting involved with baptism or communion. The abortion ritual recognizes that abortion is health care, Greaves says. Religious freedom ensures Satanists access to safe abortions free from unwarranted state interference. The purpose of the ritual is not to encourage someone undecided about having an abortion. Instead, the ritual aids in reinforcing their decision and warding off the repercussions of unfair persecution, which can lead to a deviation from the pathways of scientific reasoning and free will that Satanists try to embody. Jane Essex, the spokesperson for TST's religious reproductive rights campaign, clarified through one of the videos on their

channel on YouTube that they are not claiming that all abortions are satanic, and they are not claiming that all Satanists who get pregnant should have or are required to have an abortion. It is strictly for the Satanists who have chosen to have an abortion and want to participate in this abortion ritual. The ritual is meant for people who identify with TST's religious beliefs and those sincerely interested in their religious practices. Abortions performed as part of TST's abortion ritual are satanic, exempting them from unnecessary and undue burden regulations. Like a ritual in general, this satanic religious abortion ritual also has procedures for its members.

TST's abortion ritual can be used to deal with specific issues or avoid unproductive feelings. As explained above, the purpose of the ritual is not to persuade someone to have an abortion if they are undecided. Instead, the ritual assists in off the effects of unjust persecution, which can cause one to stray from the paths of scientific reasoning and free will that Satanists strive to embody. TST's abortion ritual may be used to address specific concerns or to overcome negative emotions. Because rituals are profoundly personal to people who do them, there are many different ways to perform them. The ritual can be modified based on personal tastes and material availability. There is no need to buy anything special or follow every instruction. What matters is the spirit and overall intention. One can also use their favorite destruction ritual to target any undesired sentiments triggered by difficulty choosing to have an abortion. Feel free to use or remove whatever they like from this one to create their own. The ritual, which includes the abortion itself, spans the entirety of the pregnancy termination procedure. This ritual is intended to alleviate some of these tensions and enable the patient to pursue their

decision using the Third and Fifth Tenets as a guide. TST's rituals adhere to their tenets, which value science and assert bodily autonomy to express their deeply held beliefs. There are steps to be performed before, during, and after the medical or surgical abortion. TST explains how they wrote on their website about preparation before the ritual.

Before performing the ritual, you may choose to review the safety, the debunked claims, and the scientific reality regarding abortion. You may also choose to read stories or listen to podcasts about people who made great sacrifices in the struggle to establish the reproductive rights we have today. These stories can be inspirational and may subdue stigmas you might feel from those who oppose abortion. Your ability to choose to terminate a pregnancy is consistent with the ideals of liberty and freedom. Be proud of pursuing what you want for your life despite opposition (TST, *Religious Reproductive Rights*, 2020).

TST has divided the abortion procedure into two, namely medical abortions and surgical abortions. The first procedure for medical abortions ritual.

Immediately before taking the medication(s) to terminate your pregnancy, look at your reflection to be reminded of your personhood and responsibility to yourself. Focus on your intent. Take deep breaths, and make yourself comfortable. When ready, read the Third Tenet aloud to begin the ritual. After swallowing the medication(s), take another deep breath and recite the Fifth Tenet. After you have passed the embryo, return to your reflection, and recite the personal affirmation. Feel doubts dissipating and your confidence growing as you have just undertaken a decision that affirms your autonomy and free will. The religious abortion ritual is now



complete (TST, *Religious Reproductive Rights*, 2020).

The next procedure is for surgical abortions ritual.

Prior to receiving any anesthetic or sedation, look at your reflection to be reminded of your personhood and your responsibility to yourself. Focus on your intent. Take deep breaths, and make yourself comfortable. When you are ready, say the Third Tenet and Fifth Tenet aloud. You may now undergo surgery. After the surgery is completed and any anesthetic has worn off, return to your reflection and recite your affirmation. Feel doubts dissipating and your confidence growing as you have just undertaken a decision that affirms your autonomy and free will. The religious abortion ritual is now complete (The Satanic Temple, *Religious Reproductive Rights*, 2020).

The last part explains that religious liberty laws protect satanic abortions. Following the Religious Freedom Restoration Act (RFRA) ensures Satanists have access to safe abortions free from unwarranted state interference. The followings are examples of requirements that cannot be enforced on Satanists.

Table 1. Requirements that cannot be Enforced on Satanists

	Mandatory Waiting Periods		Medically Unnecessary Sonograms
	The Requirement that Practitioners Withhold Certain Medical Information		Mandatory Listening to the Fetal Heartbeat
	Compulsory Counseling Prior to Abortion		Compulsory Burial or Cremation of Fetal Remains
	Required Reading Materials		

The information above is directly taken from the TST official website's original statements. TST's intent in the whole ritual is

to empower and allow patients to feel confident in their choices. They also added the implements for their tenants on their website. In this quiet space, they feel comfortable, allowing them to see their reflection and a copy of TST's Third and Fifth Tenets and their affirmation. Based on the source above, it can be seen that TST is well prepared for everything about supporting reproductive rights. TST raises important concerns about what constitutes a religion. Opponents of the group argue that abortion is a medical procedure, not a religious practice protected under the law.

### TST Asserts the Reproductive Rights Through Billboards

TST has launched billboard advertising campaigns in several states, such as Texas, Florida and Arizona, to promote what they call a "religious abortion ritual." Certain medically unnecessary and unscientific abortion rules, such as waiting periods or mandatory listening to the embryonic heartbeat, are not required of Satanists living in such states. The billboards were also strategically placed near crisis pregnancy centers, which are frequently misconstrued with abortion facilities. To the uninformed layperson, those centers appear to provide abortion services, but they really provide information that discourages women from undertaking the surgery. A billboard from TST along Interstate 30 in Texas proclaims, "Abortion save lives!", the non-flashy billboard, which went up on 14 December 14 2020, may have caught the attention of drivers traveling westbound opposite the Bass Pro Shop. According to members of The Tactical Gym, which shares a parking lot with the billboard, the 10x40-foot billboard, which also reads, "Our religious abortion ritual averts many state restrictions",



has attracted much attention. Garland’s billboard is one of three that the organization has funded as part of a new ad campaign to educate local Satanists about their religious rights about abortion.



Figure 1. The Satanic Temple Billboards in Texas

Concerning the billboard, at least one Christian organization had started an online petition to have it removed before its lease expired on 14 January 2021. Following the *SpectrumNews* website, Greaves called a petition demanding that the billboard’s advertising business remove the ad as “hilarious and greatly misplaced”. “It’s a delusional sense of entitlement that somebody could think that an opinion contrary to their own, that is stated in straightforward terms on a billboard is worthy of some kind of legal intervention”, he added. In addition to Dallas, the organization has posted billboards in Houston and Miami, said Sydney Goodwin, TST’s Religious Reproductive Rights spokesperson. So far, the ads have inspired “overwhelmingly positive” reactions from TST members, she continued. In some states, women are subjected to humiliating and potentially deadly pre-abortion medical consultations and waiting periods before being permitted to have an abortion. The women are even obliged to bury or cremate the fetal remains in four states following the surgery. These government-imposed hurdles and public

humiliation serve no function other than to make abortion more difficult, emotionally devastating, and costly for women. The billboards of TST inform women that they can circumvent the restrictions by simply citing a satanic ritual.

Another billboard from the group outside of Miami depicts two smiling young women from the 1950s drinking bottled sodas and wearing button-down shirts and skirts. “Susan, you’re telling me I don’t have to endure a waiting period when I have an abortion?” says a word bubble over one of the women. “That’s true if you’re a SATANIST!” says the other woman. On the right side of the billboard, below the group’s logo of a horned goat skull over a pentagram, the words “Our Religious Abortion Ritual Averts Many State Restrictions” are printed.



Figure 2. TST Billboards in Miami

Unfortunately, some TST’s billboards, such as the previous billboard in Texas, could not be erected. TST filed a lawsuit against the Lamar Billboard Company for religious discrimination on 30 September 2020, in Arkansas state court, and contract breach after Lamar refused to post TST’s designs announcing its religious abortion ritual. Members are exempted from complying with many state regulations, such as mandatory waiting periods and counseling, that are not medically appropriate and violate TST’s religious beliefs. Religious groups appear to

have played a crucial role in determining how the Supreme Court's 1973 *Roe V. Wade* decision was implemented in abortion, a policy issue intensely weighted with moral implications. Religious conservatives, outraged by *Roe V. Wade*, effectively stymied the ratification of the Equal Rights Amendments and began to agitate against abortion rights. TST claims that Lamar Advertising is preventing it from disclosing details of its "religious abortion ritual", which appears to be designed to help women circumvent state restrictions on the procedure (Elliot, 2020). To discourage women from having abortions, the plan called for eight billboards close to crisis pregnancy centers in Arkansas and Indiana. When TST inquired about which explicit elements of the designs Lamar found bothersome, she was told that "all of the content" was "misleading and offensive." TST stated that it is willing to update its designs. However, because Lamar refused to specify any component they assumed was troublesome, TST could not offer revisions. Through the *PRNewswire* (2020), TST asserts that Lamar's actions violate the Accounting and Corporate Regulatory Authority's (ACRA) nationally applicable anti-religious discrimination laws. Lamar objected to "all of the content" of TST's designs because they contain Satanic imagery.

Furthermore, TST claims Lamar acted in bad faith and has denied TST the ability to advertise its religious abortion ritual because it controls a large portion of the US billboard market. Lucien Greaves, a co-founder of TST and a spokesperson, asserts,

Even though it makes sense to worry about compelling a private entity to partake in speech or behavior that it finds

objectionable, this situation is unique. Lamar initially agreed to collaborate with us, and their apparent reason for rejecting him is his faith. Additionally, they practically control the market in some areas. Lamar can control public discourse in this way, and they are not allowed to exclude only religious voices they disagree with.

### **Legal Dimension**

Satanism has long been brought up as a hypothetical in legal discussions about the separation of church and state. TST was now a known quantity in the legal calculus surrounding these debates. TST, an IRS-recognized atheist church, fights for religious liberty using legal strategies similar to Christian groups. TST has brought numerous legal actions to defend its members' right to abortions by claiming special privileges as a religion. TST believes using the courts to protect its members' rights is essential. TST, which advocates empathy and the "freedom to offend", has filed at least seven lawsuits in many states, challenging the boundaries of religious expression. It claims to be seeking parity in the public sphere. Opponents claim it is simply mocking Christianity while claiming to be fighting for justice. According to Lucien Greaves, who co-founded the church in 2013, believes that the lawsuits will broaden religious equality and freedom of speech to benefit all Americans, regardless of whether they agree with his faith (Larson, 2021). The legal system has traditionally been used to effect social change by establishing long-lasting precedents. This part outlines how TST's ongoing efforts intend to legally challenge some states for violating its members' religious rights related to abortion issues.



## **TST v. TX Health and Human Svc**

Texas' controversial anti-abortion bill, known as the "Heartbeat Bill," went into force on 1 September 2021, after the Supreme Court declined to intervene, prohibits abortions after a heartbeat are detected, usually around six weeks after conception and before many women realize they are pregnant. The law contains a clause that allows people to sue anyone they believe performed the procedure after six weeks or who "aides and abets" it, which has sparked a slew of legal challenges (Kaufman, 2021).

In response, TST announced that it would strike back by bringing up the Religious Freedom Restoration Act, or RFRA, to seek a religious exemption from abortion restrictions. The Religious Freedom Restoration Act (RFRA) of 1993 limits the government's ability to burden religious practices. The Satanic Temple has filed a suit in the Southern District of Texas Houston Division of the United States District Court, claiming that certain state-imposed restrictions on abortion offend the religious convictions of TST members. The Supreme Court ruled that abortion is a constitutional right in the landmark abortion cases *Roe V. Wade* in 1973 and *Planned Parenthood V. Casey* in 1992. The question is how severely states can still enact laws restricting access to abortion. Since *Roe V. Wade*, this is the first time a state has effectively imposed a six-week abortion ban. It is also the first abortion restriction that relies solely on private individuals enforcing the law through civil lawsuits rather than state officials enforcing it through criminal or civil penalties. Laycock, an associate professor of religious studies at Texas State University, describes that the state's new law was intended to effectively ban all abortions while shielding

the state from judicial scrutiny. He also emphasizes a critical point about this law; the bill prohibits abortion after six weeks - the point at which Texas lawmakers claim a fetus's heartbeat can be detectable. Before six weeks, most women are unaware that they are pregnant, and Texas abortion providers estimate that 85% of abortions in the state are carried out after this time (2021).

Furthermore, the act allows public members to file a lawsuit against anyone who performs or facilitates an illegal abortion for a statutory minimum of \$10,000 per abortion, plus court and attorneys' fees (Keshner, 2021). Texas law, such as Texas Senate Bill 8, also known as the Texas Heartbeat Act, places unscientific and unnecessary restrictions on abortion access. The law appears to contradict TST members' sincerely held religious beliefs, and much more notably, it impedes TST members' ability to perform this critical, deeply personal religious ritual. Lucien Greaves (2021) once explained how TST views this matter through one interview.

People frequently need abortion, and particularly in this environment now, where there are really strong efforts to instill shame in people over having to get an abortion or you're trying to talk them out of the decision they make, we felt it was important to set up a supportive environment.

This suit is part of TST's ongoing efforts to secure abortion rights access in the face of anti-abortion legislation and court rulings throughout the US. As pro-life movements and heartbeat legislation gain traction in the US TST is determined to fight back. "We'll develop more elaborate and secure ways to keep reproductive rights accessible to our

membership”, Greaves promises (Carmina, 2021).

### **TST Demands FDA Grants Unrestricted Access to Abortion Drugs**

TST is also moving forward with another new strategy. TST has filed a letter to the Food and Drug Administration (FDA) asserting that its members should be able to obtain abortion drugs without having to go through any regulatory hoops. The legal counsel for the religious organization is arguing to the FDA that TST members should continue to have access to abortion-inducing medicine under the state’s religious medical exemption. “Access to Misoprostol requires a prescription, and Mifepristone can only be obtained through an approved prescriber and dispensed in accordance with particular rules” as per TST asserted on its website. The Satanic Temple proposed a solution in which Satanic women could obtain a doctor’s note indicating that these medications are safe to use and then receive medication directly from TST rather than a state-approved provider.

TST's lawyers wrote to the Food and Drug Administration (FDA) in August last year, requesting that the company be allowed to access abortifacients without being subject to FDA rules. Misoprostol (a first-trimester abortifacient) is normally only available with a prescription, while Mifepristone can only be purchased from an approved physician and dispensed according to strict guidelines. TST, on the other hand, has asked to be able to directly supply these abortifacients to Satanists who want to have an abortion for religious reasons. TST is totally committed to ensuring the health and safety of its members; the issue is governmental control over whether TST members can receive these pharmaceuticals.

According to the American College of Obstetricians and Gynecologists and the American Academy of Family Physicians' definition of "contraindications" to having an abortion, The Satanic Temple's ritual involves a medical assessment. A Satanist would then go back to TST with a doctor's note stating that there are no contraindications, and TST would then provide the member with the abortifacients so they could participate in the ritual. The Religious Freedom Restoration Act (RFRA) was enacted to ensure Native Americans had unrestricted access to peyote for religious rites. TST wants unrestricted access to abortifacients for religious purposes, which is consistent with this goal. Given that peyote is a Schedule I drug with no recognized medical value, TST's request for prescription medicine access is more likely to be approved under Federal law. The letter makes clear that there is religious ritual associated with Satanic Abortions, as they mentioned it on the letter:

TST’s membership uses these products in a sacramental setting. The Satanic Abortion Ritual is a sacrament which surrounds and includes the abortive act. It is designed to combat feelings of guilt, doubt, and shame and to empower the member to assert or reassert power and control over their own mind and body. The REMS (risk evaluation and mitigation strategy) prescription requirement substantially interferes with The Satanic Abortion Ritual because the Government impedes the members’ access to the medication involved in the ritual (2021).

In other words, the Satanists would not misuse these medications. Anyone who wants an abortion would still have to see a doctor first to ensure there are no health issues, and then the member would return to the doctor for a follow-up evaluation after taking medicine. There is no need to be concerned about health

risks associated with allowing Satanists access to these drugs. TST believed the Court favored subjective religious beliefs regarding medicine over objective scientific facts. On 31 August 2021, TST sent a demand letter to the FDA asking to remove the prescription requirement for TST members who perform the abortion ritual subject to a doctor's examination and medical follow-up.

### **TST Sues States for Infringing on Religious Rights**

TST of Salem is suing Indiana and Idaho in federal court over their abortion bans after the Supreme Court's decision in *Dobbs* to protect its members' access to abortion. According to the TST's official website, the most recent restrictions on abortion access in the two states make exceptions for severe health risks, lethal fetal anomalies, and cases of rape or incest. However, they do not exempt abortion based on religious beliefs (TST, 2022). The four critical legal arguments in both of these cases are as follows.

- a) Restricting members' ability to use the Abortion Ritual contradicts their religious beliefs.
- b) Forcing a woman who does not want to become pregnant to give birth would constitute an unconstitutional seizure of her property, in this case, her uterus, without compensation.
- c) In violation of the 13th Amendment, forced pregnancy subjects pregnant women to involuntary servitude because the state forces them to provide safety, nourishment, and other services without their consent.
- d) By making abortions resulting from protected sex illegal, the restrictions create a group of people who are subject to discrimination because they are unable to have an abortion after becoming unintentionally pregnant.

The details of each lawsuit are as follow.

### **TST V. Holcomb et al (Indiana)**

TST has filed a lawsuit against Governor Eric Holcomb of Indiana and a near-total abortion ban, claiming that it violates their followers' religious rights and the US Constitution. This action is a response to the State of Indiana's post-*Dobbs* abortion ban on 15 September 2022. The lawsuit, filed on 21 September, claims that a female member of TST who lives in Indiana is being denied the freedom to exercise her religious views by being refused access to abortion under Indiana's new abortion ban. In a press release issued by TST, Indiana's new regulations only allow for exceptions for serious health risks, lethal fetal anomalies, and cases where pregnancy results from rape or incest, but not for religious beliefs.

While several states passed bans before *Dobbs* took effect, Indiana is the first state to pass an abortion ban since the overturn of *Roe V. Wade*. Even in those cases, Indiana law prohibits abortion clinics from performing abortions. W. James Mac Naughton represents this religious organization in the lawsuit filed in US District Court in Indianapolis. "Because you own your uterus in the property sense, you have the right to control its disposition as a matter of property law", he explained. Those named defendants are Indiana Governor Eric Holcomb and Indiana Attorney General Todd Rokita. According to a spokesperson for Rokita's office, the US Supreme Court decided earlier this year that the US Constitution does not protect abortion. "This new lawsuit simply provides weaker arguments for the same discredited right", the spokesperson added (Magdaleno, 2022). The new law prohibits abortions in cases of rape or

incest up to 10 weeks after fertilization when the pregnancy threatens the mother's life or long-term health, or in fatal fetal anomalies.

### **TST v. Little et al (Idaho)**

Religious groups have long participated in the debate over Idaho's strict abortion laws, with Catholic priests, evangelical Christian groups, and others frequently lobbying legislators and filing legal briefs supporting abortion bans. TST has now joined the fray. TST has launched a lawsuit against Idaho Governor Brad Little, claiming that Idaho's new abortion law violated its Idaho members' religious freedom, which the US Constitution guarantees. The lawsuit in Idaho was filed to protect religious rights to abortion and reproduction. TST's director of Campaign Operations, Erin Helian, asserted, "Forcing people to go through pregnancy when they do not want to is blatantly an overreach of these extremist officials' religious dogmatism into politics, and TST will not allow that to stand" (TST, 2022). Besides the Governor, TST is suing Lawrence Wasden in his official capacity as Attorney General for enforcing the law. TST further claims that Idaho subjects unwillingly pregnant women to involuntary servitude by compelling them to supply oxygen, nourishment, antibodies, body heat, and other services to an embryo or fetus during gestation (Boone, 2022). Lastly, TST claims that the state wrongfully discriminates against many pregnant women by only allowing abortion for those subjected to rape or incest and not for those who became pregnant unintentionally.

Following the National Conference of State Legislatures, at least 21 states, including Idaho, Indiana, and Florida, have passed legislation prohibiting undoing

government meddling in religious freedom. The laws are not precisely equivalent, but they all state that governments cannot interfere with an individual's ability to exercise religious freedom unless there is a compelling government interest. Whenever there is a compelling reason, interference with a person's religious freedom should be done in the least restrictive way.

Nevertheless, spiritual beliefs regarding abortion and other reproductive health issues are frequently nuanced, even within religious groups. In September, the American Civil Liberties Union (ACLU) also filed a lawsuit in Indiana, alleging that the abortion ban violates Jewish theological teachings and theology, with Islamic, Episcopal, Unitarian Universalist, and Pagan faiths permitting abortions under certain circumstances (Boone, 2022). Thus, according to attorney James Mac Naughton, who represents female members of TST through *Newsweek*, "This is what works for everyone. This isn't the Angels versus the Satanists, good versus evil" (Bartov, 2022). "You must respect everyone's point of view in order for it to work for everyone. I don't want to live in an America where people start using their religious beliefs as a crutch to make everyone else live by them", he continued. TST believes that individuals can only decide about their bodies and that forced pregnancy violates their rights.

### **CONCLUSION**

TST significantly impacts how people discuss "religion", morality, and the characteristics of a religiously plural democracy. By asking for religious rights for non-theistic Satanists and doing so in court, where they must consider their arguments

more seriously, TST forces Americans to think about what “religion” means in a country that promises religious freedom. The separation of religion and state has paved the way for contemporary democratic government. The positive effects of religion are not to be underestimated. Eventually, restrictive abortion laws are the result of political pressure from religious groups that oppose abortion on moral grounds. Such organizations have the right to hold and act upon their beliefs. They are even allowed to impose those beliefs upon their members in a free society, so long as such membership is voluntary. However, they cannot force their views on people who do not share them. Applying a religious group’s moral code through the courts is unconstitutional in a secular and pluralistic state.

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