

NARAL NEWS

SUMMER 1969
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NARAL, RECOGNIZING THE BASIC HUMAN RIGHT OF A WOMAN TO LIMIT HER OWN REPRODUCTION, IS DEDICATED TO THE ELIMINATION OF ALL LAWS AND PRACTICES THAT WOULD COMPEL ANY WOMAN TO BEAR A CHILD AGAINST HER WILL.

"CHILDREN BY CHOICE" DEMONSTRATIONS HELD

Eleven cities participated in demonstrations during Mother's Day week calling for repeal of abortion laws. The action was undertaken by the Planning Committee of NARAL to show national support for repeal and provide an activist target for repeal organizations.

In *New York*, 150 to 175 people picketed Lenox Hill Hospital, including nurses, medical students, clergymen, and the action was supported by Borough President Percy Sutton, Congressman James Scheuer, and other political leaders. TV Channels 5, 7, and 11 and the *New York Post* did on-the-scene reporting.

Philadelphia's demonstration by doctors, clergymen, social workers, and mothers drew the most publicity yet received by the repeal movement in that city.

Mrs. Edith Rein, Wisconsin Committee to Legalize Abortion, reports that the *Milwaukee* demonstration, covered by local TV, gained new supporters among those working at the hospital and "left a very good image of our group before the public...."

Princeton, N.J., formed a new repeal group in response to NARAL's plan, and their demonstration at the State House in Trenton was reported by AP and all major state papers. Sharon Clark, Chairman, Mothers for Abortion Law Repeal, attributes successful coverage to the babies and toddlers the mothers had in tow and the drink and cookie stand set up for the youngsters in the center of the picket circle. This expression of love and concern for children, she said, dramatized the importance of the "wanted" child and challenged notions that abortion was championed by child-haters.

A Catholic priest from the Jesuit order joined the picket line in *New Haven*, was shown in the 6:00 P.M. news, but was then cut from the evening coverage. In *Los Angeles* 100 women wearing NARAL's alpha pins marched to hear a speech by Lana Clarke Phelan. *Albuquerque* carried Repeal Abortion Law signs and passed out leaflets. Demonstrations were also held in *Syracuse, Ithaca, and Suffolk County, New York, and Atlanta.*

COMMENTARY. Local publicity for repeal was strong in all cities. Since publicity is a crucial weapon of

the movement, this result alone makes the demonstrations valuable.

NARAL proposals are *suggestions*, and several cities adapted the "master plan" to local conditions in various imaginative ways.

NARAL proposals are also *voluntary*, of course, and some repeal groups found the plan did not fit their schedules and objectives at the time. NARAL, therefore, augmented the number of cities involved by enlisting the cooperation of the National Organization for Women in making abortion a key part of their Mother's Day demonstrations. NOW deserves much credit for the success of the day.

✕ Lawrence Lader, Chairman
NARAL Planning Committee

REPORT FROM BRITAIN

The impact of the Abortion Act has proved far greater than anticipated. Before the Act, National Health Service abortions had been rising gradually, increasing to 7,600 in 1967. The first year of the Abortion Act, this number jumped to more than 20,000. Adding Scottish abortions, and those performed in private nursing homes approved by the Department of Health, 37,000 will be the total this first year.

It is clear that many women who formerly would have resorted to unskilled, backstreet abortionists now feel confident enough to consult their family doctor about their unwanted pregnancy. When these doctors find that their patients have grounds for abortion under the Act, they refer them to their local hospitals to see the specialist who, in many cases, is prepared to terminate the pregnancy.

The degree to which gynecologists are cooperating with the Act has surprised the Royal College of Obstetricians and Gynecologists, which opposed abortion law reform. One of its leading members wrote in the *British Medical Journal*: "All in all we did not expect a very great change in practice from that obtaining before the Act.... How wrong we were. I am afraid we did not allow for the attitude of, firstly, the general public, and, secondly, the general practitioners."

(please turn to page 5)

LEGISLATIVE ACTION

National Tally. Once a rarity in State Legislatures, repeal bills, or bills exempting from criminal law licensed physicians performing abortions in accredited hospitals, were introduced in ten states during the 1969 legislative session, albeit without success. The states were: Hawaii, Illinois, Kansas, Michigan, Minnesota, Nevada, New York, Oregon, Washington, Wisconsin. Kansas went farthest toward victory, when a repeal measure actually passed the Senate.

California. No new legislation seems likely. The California Committee on Therapeutic Abortion (Van Nuys) is presently working toward establishment of local groups throughout the state (17 were formed in the past year), for the purpose of educating the public and of undertaking a possible initiative effort in 1970. Abolish All Abortion Laws (Los Angeles) will work nationally and locally, forming and subsidizing new chapters as finances allow.

Colorado. Representative Richard D. Lamm, testifying before the Kansas House Committee, said that Colorado's law is not only not working but is unworkable. According to a recent survey, he said, 83% of the people in the state would now rather have repeal.

Representative Lamm, whose district is predominantly Catholic, was re-elected by a greater margin even though the Catholic churches in his area campaigned vigorously for his defeat.

Delaware. With its socio-economic clause knocked out, Delaware passed an ALI-type law in June. Doctors may terminate pregnancies in hospitals before the twentieth week of gestation if there is substantial risk of permanent injury to the mother's physical and mental health, or substantial risk that the child would be born with grave and permanent physical deformity or mental retardation, or in cases of rape or incest. It requires approval by two physicians and a hospital reviewing authority. Abortion will be performed only on a woman who at the time of conception is a Delaware resident or who was a patient on conception of a doctor qualified to practice in the state.

Dr. C. Lalor Burdick informs us that there is a general understanding in the Legislature that an additional law will be passed requiring that one of the two approving physicians be a psychiatrist when pregnancy is terminated on mental grounds.

Kansas. Under a new law effective July 1, 1970, a licensed physician may perform an abortion if he believes there is substantial risk that pregnancy would impair the physical or mental health of the mother, or that the child would be born with physical or mental defect, or that the pregnancy resulted from rape, incest, or other felonious intercourse. Three licensed physicians must approve.

COMMENTARY. The author of the new criminal code dealing with abortion law repeal was a legislator who is also a Catholic physician, Dr. E. F. Steichen; and he fought hard for repeal on the House floor. We were all very sorry we did not get it, but if it's any consolation, the repeal form was intact through the Senate and the House Judiciary Committee.

I had taken a head-count of the House and came up with 70 for the repeal measure, only 63 needed to pass. Repeal was stopped, however, during the vote on amendments, when 20 Catholics joined in voting for a weak amendment providing for a law much like New Mexico's. This won by 76 votes. A conference committee then came up with the new law.

✕ Lee Derman, Legislative Counsel
Kansas Civil Liberties Union

New York. Overshadowed this session by a reform bill that went down in defeat, repeal is not a dead issue. Assemblywoman Constance Cook and Assemblyman Franz Leichter, co-sponsors of repeal bill 1061-A, announced they would reintroduce it next year and work hard for its passage.

"The debate on the reform bill showed that many members were troubled by the moral and logical ambivalence of reform," they said. "Repeal will leave it to the individual and her doctor, and not to the Legislature, to decide whether to proceed with an abortion.... Numerous legislators...have told us of their support now for repeal. We believe that many more will agree that repeal is the answer."

Oregon. The country's most liberal abortion law, in which physicians may take into account "the mother's total environment, actual or reasonably foreseeable," in determining substantial risk, has passed in Oregon, effective August 23.

Under the new law, a physician may perform an abortion in a hospital on an Oregon resident when there is substantial risk that continuance of the pregnancy would greatly impair the physical or mental health of the mother, or the child would be born with serious physical or mental defect, or the pregnancy resulted from felonious intercourse. Two physicians must certify in writing the circumstances they believe justify the abortion.

Anticipating abortifacients, Section 6 exempts from these provisions "prescription, administration, or distribution of drugs or other substances for avoiding pregnancy, whether by preventing implantation of a fertilized ovum or by any other method that operates before, at or immediately after fertilization."

Washington. Washington's near-elective bill was held up in the Judiciary Committee consisting of 7 Catholics and 5 non-Catholics. Mrs. Bette Chambers, Chairman of the Division of Humanist Involvement, American Humanist Association, reports that the opposition was Catholic-oriented, "despite the insistence of persons speaking against the law that they spoke 'only for themselves.'"

The proposed law permits abortion upon the decision of a woman and her physician, before the fourth month, in a qualified hospital (except in cases of dire emergency). A "conscientious objector" clause exempts hospital personnel who refuse to participate in the abortion.

Mrs. Chambers reports that as in Minnesota, the bill was presented by a Republican from a large urban constituency and opposed by Catholic-oriented Democrats. Her group will push for this bill in the next session of the Legislature.

California's case

The constitutionality of the old law is being challenged in *Belous vs. California*. Dr. Leon Belous is appealing a conviction of conspiracy for referring a patient to another physician for an abortion. The case was argued on March 3, and a decision is expected momentarily.

The brief raises five constitutional questions regarding California's 97-year-old law:

1. The state's law is an arbitrary invasion of the fundamental right of a woman to determine when to bear offspring;
2. The law arbitrarily invades the right of a physician to prescribe for his patient in accordance with his best professional knowledge;
3. There is no compelling state interest strong enough to prohibit the performance of abortions by a licensed physician;
4. The abortion law is based on religious theory and therefore violates the First Amendment's absolute prohibition against laws respecting an establishment of religion; and
5. The law violates the equal protection clause of the Fourteenth Amendment. The application of the law discriminates in favor of the rich and mobile and against the poor, who cannot fly abroad for abortions.

In the Supreme Court

Early in June the High Court refused to hear two

cases. In one, *Morin vs. Garra*, three doctors were charged with negligence for not informing a patient that German measles could cause fetal deformity. The New Jersey Supreme Court had ruled that State public policy against abortion prohibited a suit against a physician for negligence in not informing the patient of a condition which might lead her to seek an abortion.

In the second case, *Knight vs. Louisiana State Board of Medical Examiners*, a New Orleans physician whose license was revoked for performing an abortion appealed the decision on grounds that the state law was unconstitutional.

The Supreme Court receives about 2,000 appeals a year, can handle only a limited number (over 100), and therefore has the discretion of choosing only those cases it wishes to hear.

COMMENTARY. There is a fair chance that Dr. Belous will win his case. The California Supreme Court is well respected, and a favorable decision can influence court action in over 40 states with similar laws.

The refusal of the Supreme Court to hear the New Jersey and Louisiana cases may indicate that it is waiting for a more clear-cut case, preferably brought by a group of physicians or clergymen who are prevented from acting according to their conscience by the present laws.

✕ Roy Lucas, Director-General Counsel
James Madison Constitutional Law
Institute, New York

PUBLIC OPINION REACTION

The Lent poll

In a mail questionnaire to his New York constituents, Senator Norman F. Lent asked: Do you favor liberalizing New York State law to permit legal abortion? Results showed that 62% favored abortion solely on agreement between a woman and her doctor.

Two Minnesota surveys

The Minnesota Council for the Legal Termination of Pregnancy conducted a survey of the state's county attorneys. With 44% of the total in, the results indicate that 41% favor repeal; 28% favor a bill which leaves the decision up to a woman, her physician, and a five-member hospital panel; and 20% are opposed to any change in the present law (which permits abortion only to save the mother's life).

Representative James F. Ulland, in a mail poll,

found that 74.3% of his constituents favor a proposal by the Minnesota State Medical Association that would leave the decision up to the woman, her physician, and a five-member hospital panel.

Oregon results

Of 340 replies to a poll sponsored by Senator Gordon McKay and Representative Sam Johnson in March, 176 wanted repeal of abortion laws, 153 favored reform, and 53 constituents wished no change at all.

COMMENTARY. Surveys and polls are showing growing sentiment for repeal rather than reform, and these results, when given wide publicity, influence legislators as well as public opinion. NARAL suggests you persuade legislators who send out questionnaires to include a well-phrased (and you suggest the phrasing) question on abortion.

JUST PUBLISHED

The Abortion Handbook, by Lana Clarke Phelan and Patricia Maginnis. Copies are available from Howard Weiss, Contact Books, 7813 Beverly Boulevard, Los Angeles, California 90036. Price: \$2.95 per copy. California residents please add 15¢ per copy for sales tax.

NEW REPEAL POSITION

The National Council of Jewish Women passed a resolution at their 28th Biennial Convention in Chicago, April 1969, pledging:

"...to encourage public understanding of abortion as an individual right and to work for eventual elimination of laws governing abortions.

NARAL: A PROGRESS REPORT

Who we are

The National Association for Repeal of Abortion Laws was formed at the First National Conference on Abortion – Reform or Repeal? held in February in Chicago, attended by 350 people, and sponsored by 21 organizations.

The new group became a rallying point for individuals and organizations disillusioned with the ineffectiveness of reform laws. Their position was summarized in the welcoming remarks of Dr. Lonny Myers, Department of Anesthesiology, Michael Reese Hospital, and former chairman of the Illinois Citizens for Medical Control of Abortion.

“We oppose in principle the compulsory continuance of any unwanted pregnancy. To ask me to rejoice at the prospect of a law that would compel only 90% instead of virtually 100% of women to continue unwanted pregnancies is like asking one who opposes witch burning to rejoice at a new law that allows the burning of only 90% of witches.”

The substance of the repeal position as defined in Chicago has since become the Purpose of NARAL and is printed on the banner of this newsletter.

What we are

NARAL is an action organization. Our policy is:

1. Safe abortions performed by physicians should be readily available to all women on a voluntary basis regardless of economic status and without legal encumbrance; and

2. As a medical procedure, abortion should be subject only to the general laws regulating medical licensure and practice.

Our program is:

1. Assist in the formation in all states of direct political action groups dedicated to the purpose of NARAL;

2. Serve as a clearing house for activities related to NARAL's purpose;

3. Create new materials for mass distribution which tell the repeal story dramatically and succinctly;

4. Train fieldworkers to organize and stimulate legislative action;

5. Suggest direct action projects;

6. Raise funds for the above activities.

Where we are

Since our first call for membership at the end of March, some 100 individuals from 23 states and 13 organizations have joined NARAL as of June 15. Organization members are:

ABOLISH ALL ABORTION LAWS, California

ABORTION COUNSELING SERVICE, California

ABORTION INTEREST MOVEMENT, South Carolina

AMERICAN HUMANIST ASSOCIATION

CHICAGO AREA COUNCIL OF LIBERAL CHURCHES
(Unitarian Universalist)

ILLINOIS CITIZENS FOR THE MEDICAL CONTROL
OF ABORTION

MOTHERS FOR ABORTION LAW REPEAL,
New Jersey

NATIONAL EMERGENCY CIVIL LIBERTIES COM-
MITTEE

NATIONAL WOMEN'S CONFERENCE OF THE
AMERICAN ETHICAL UNION
NEW YORK CLERGY CONSULTATION SERVICE ON
ABORTION

PHYSICIANS FORUM

THE CORRECTIONAL ASSOCIATION OF NEW YORK
WISCONSIN COMMITTEE TO LEGALIZE ABORTION

Many groups have informed NARAL that they plan to join but are delayed by their machinery for affiliating with other organizations.

The Nominating Committee has drawn up a slate for Board of Directors which will be sent out shortly to our entire mailing list. Only those who have already joined NARAL are eligible to vote, or those who enclose their membership dues with the ballot. The first meeting of the Board will be held in New York in late September.

NARAL's office is at 250 West 57th Street, Room 2428, New York, N.Y. 10019, and the phone is 212-265-7513. Lee Gidding, Executive Director, welcomes visitors.

Looking ahead

The main thrust of all activities aimed at repeal of abortion laws must come through state or local organizations, and NARAL will direct its activities toward helping these groups. Supplying fieldworkers on request and inexpensive literature for mass distribution; providing How-to Kits on organizing repeal groups, influencing public opinion, and engineering legislative action; setting up action-oriented regional workshops and a speaker's bureau: these are some of the ideas that will be given form and direction at the fall Board Meeting.

Concurrent with these activities, NARAL will continue to press for action through the courts. We will also attempt to persuade influential individuals and national organizations (religious, professional, social service) to take a strong position favoring repeal of abortion laws.

In planning program, NARAL will carefully avoid duplication of effort and will actively seek the cooperation of other national abortion groups in meeting our common objectives.

In all activities our emphasis will be action; our objective, results.

What you can do

1. If you are an individual without a state or local repeal group through which to work, or if you want membership on two levels, join NARAL. We will put you in touch with others who want to start a repeal group in your area.

2. If you belong to an organization which subscribes to our Purpose, do everything you can to encourage it to join NARAL as quickly as possible. Our strength and effectiveness will be influenced largely by the size of our organizational support.

3. Keep us informed on what your group is doing and what's happening in your state. We want to share your approach and techniques with others.

4. Let us know what NARAL can do to help. In what ways can we best serve you and your group?

Mr. Lewis might have added to this list the psychiatrists, who have always through their official organizations supported reform, and a substantial but unknown proportion of gynecologists, who have in fact carried out the bulk of the increased number of abortions now being performed in National Health Service hospitals.

Some side effects

Already in one or two hospitals there is evidence of a reduction in the incidence of septic abortion, which is a common result of criminal interference. As national figures become available, it is anticipated that this welcome trend will become clearer.

In a recent lecture to the Family Planning Association, one of the medical officers to the University of Wales remarked, "The Abortion Act is the law of the land and has already proved of immense benefit to many of my patients. Before the Act I had about ten young girls having their babies adopted every year. Now I have none."

In several areas, homes for unmarried mothers have closed down for reasons partly associated with the Abortion Act.

Problem areas

The abortion situation has radically improved, but the problem has not been totally solved. In some parts of the country, notably the Midlands, abortion is still exceedingly difficult to obtain because a group of gynecologists concentrated there is deeply opposed to reform, mainly on religious grounds.

Another problem has been that foreign women have been attracted to Britain by misleading rumors that abortion can be obtained easily. It is, in fact, difficult, and only a small proportion of all legal abortions so far have been for overseas patients.

Often women fly in from other countries only to be bitterly disappointed by the unexpected difficulties they encounter. Few reputable surgeons will terminate a patient without detailed notes from her own family doctor, whom they can consult if they need further advice.

Sensational headlines in British newspapers about London becoming "The Abortion Capital of the World" have proved useful ammunition for opponents of reform, who do not trouble to ascertain whether this is, in fact, true. Consequently, attempts will be made in July by a Roman Catholic Member of Parliament to restrict the Act, but it is not expected that he will succeed in his objective of weakening or watering down this reform.

✕ Madeleine Simms, Editor
ALRA Newsletter

SPECIAL GREETINGS

ALRA, the British Abortion Law Reform Association and the first to adopt the alpha symbol, sends warm greetings to NARAL. We are honored that you have repeated the alpha symbol. Repeal is the only step forward now worth making, and we wish this new venture every success.

✕ Vera Houghton, Chairman
Abortion Law Reform Association

Illinois. CITIZENS FOR ABORTION LAW REFORM, Professor Paul Handler, Chairman, P.O. Box 2372, Station A, Champaign 61820.

Writes Professor Handler: "I have decided to try to organize a local committee, 'Catholics for Abortion Law Reform.' It will certainly be a difficult task, but the mere existence of such an organization would help crystallize a tremendous amount of public opinion in favor of the bills...(and) indicate to the Legislature that the Catholic electorate is not monolithic and is willing to support those legislators who vote for abortion law reform."

Pennsylvania. ABORTION JUSTICE ASSOCIATION, Maurice Cerul, M.D., Chairman, Box 10132, Pittsburgh 15232.

According to its By-laws the new group will "attempt to secure, through legal means, the abolition of all laws which would tend to restrict the basic human right of a woman to secure a voluntary abortion in the Commonwealth of Pennsylvania."

South Carolina. ABORTION INTEREST MOVEMENT, Mrs. Anne Bellew, President, 25 Country Club Drive, Greenville 29605.

Mrs. Bellew writes that largely through the efforts of their legal counsel and one of their members, the South Carolina Young Democrats endorsed repealing in toto the state's law and treating abortion as a medical matter between a woman and her physician.

FACTS AND FIGURES

Deaths from legal abortion:

Japan	-- 8 per 100,000 operations
Czechoslovakia	-- 2 per 100,000 operations
Hungary	-- 0.6 per 100,000 operations

Deaths from pregnancy and childbirth:

England & Wales, 1967 -- 21 per 100,000 deliveries

Legal abortion rate per 100 live births:

Hungary, 1967	126.0
Czechoslovakia, 1967	44.0
Japan, 1967	38.5
Poland, 1964	32.0
Sweden, 1967	7.9
Denmark, 1966	6.7
England & Wales, 1968/69	4.0*

* Estimate for first year of Abortion Act based on 32,213 registered terminations in 48 weeks from 27 April 1968 (England and Wales).

Spontaneous abortions:

Thirty to fifty per cent of all conceptions end in spontaneous abortion. Approximately 1% of liveborn children and at least 25% of spontaneous abortions have chromosomal abnormalities. Congenital malformations account for one in five of all infant deaths.

NARAL thanks volunteer Karen Kleinerman, graphic artist, for the design of NARAL NEWS.

NARAL PLANNING COMMITTEE

- Lawrence Lader, Chairman
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Lee Gidding, Executive Director

CALIFORNIA CONFERENCE

Social and human problems of the unwanted child was the focus of the statewide California Conference on Abortion held in San Francisco May 9-11. Some 250 people representing medicine, social services, state legislatures, the law, and the public heard Dr. Garrett Hardin set the tone in his keynote address, "We Need Abortion for the Sake of the Child."

During the afternoon seminar, "The Destiny of the Unwanted Child," four sociologists and social workers discussed new findings in the areas of overt child abuse and neglect, plus in-depth studies of the more subtle forms of child abuse in seemingly intact, established families.



250 West 57th Street - Room 2428
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Send me more information about NARAL.

Enclosed in support of NARAL, \$10 of which covers my individual membership, is

Enclosed in support of NARAL, \$25 of which covers our organization membership, is

Please send:

1. Abortion: Questions and Answers

_____ copies at 5¢ each

_____ copies at \$1.00 per 25

_____ copies at \$2.50 per 100

2. Abortion: The Case for Repeal, by Lester Breslow, M.D.

_____ copies at 10¢ each

_____ copies at \$2.00 per 25

_____ copies at \$5.00 per 100

3. Alpha lapel pins, symbol of abortion law repeal

_____ pins at \$4.00 per 100

Total amount enclosed

Name _____

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