Testimony

for

National Abortion Rights Action League

On Nomination of Antonin Scalia

to the U.S. Supreme Court

Presented to

Senate Judiciary Committee

by

Kate Michelman

Executive Director

Mr. Chairman, Members of the Senate Judiciary Committee, my name is Kate Michelman and I am here representing the National Abortion Rights Action League, a grassroots political organization with a state and national membership of almost 200,000 women and men. I am NARAL's Executive Director.

The threat to Roe v. Wade[1] imposed by the pending nominations of Antonin Scalia and William Rehnquist is very real. The confirmation of Antonin Scalia and William Rehnquist will, without a doubt, make Roe, and the freedom of women to make private decisions about abortion, more vulnerable than at any time since it was decided in 1973.

If I could speak today to Judge Scalia instead of this committee, I might say to him "Justice, you may be conservative, you may be of a religious faith which opposes abortion, you may prefer to let elected bodies make as many decisions as possible, but Judge Scalia can we count on your fairness? Can we count on you to protect the rights of every citizen of this country, whether they agree with you or not? Can we count on you to recognize the fundamental constitutional rights guaranteed to every individual?"

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I cannot speak directly in this way to Judge Scalia, but I can speak to the Senate Judiciary Committee. And so I say to you: Can you trust this man with decisions which will affect the lives and health, the privacy and liberty of millions of American women? Do you believe this nominee has a strong commitment to ensuring that women have equal rights under the law?

As members of the Senate Judiciary Committee you must look at many aspects of a nominee's qualifications and ideology. I am here to point out one important area which you should consider. The women of this nation, and the men who care about them, should be able to count on the members of the U.S. Supreme Court for equal justice under the law.

Without the right to control their reproductive destiny, women are not able to exercise fully their rights to liberty, " to enjoy those privileges long recognized . . . as essential to the orderly pursuit of happiness by free men."[2]

Let me repeat that this nominee, and the next nominee to the Supreme Court, will be the deciding votes on whether the Roe v. Wade decision remains as precedent, on the recognition that the right to liberty and privacy includes the right to choose an abortion. This nominee and the next nominee will decide whether women in this country will need to resort to illegal and possibly fatal abortions or will have access to safe legal abortions.

The composition of the Supreme Court is critical to the future of abortion rights. Anti-choice strategists see legislation coupled with litigation as the most likely way to undermine or overturn Roe. There is no shortage of anti-choice laws generating litigation.[3]

Further, we must remember that while Chief Justice Burger has had a mixed record on abortion cases, there is every reason to

believe that Judge Scalia would take a consistent position against women's liberty to make the choice between abortion and delivery.

We know that in the 13 years since Roe was decided there have been at least 14 abortion cases[4] before the Court. There are enough cases currently moving through the courts to realistically expect the Supreme Court to deal with numerous abortion cases in the immediate future.

Further still, we know the pro-choice majority had narrowed to 5-4 at the time of the most recent decision in Thornburgh v. American College of Obstetricians and Gynecologists.[5] A close look at the members of the Court makes it clear that four of the five pro-choice justices are over the age of 76. The probability is high that we will soon lose one or more of the justices who uphold and protect women's constitutional right to abortion.

We must look at the current nominees keeping in mind that new members of the Court are likely to be appointed in the near future. A Court currently unwilling to follow the leadership of a Rehnquist or form a majority with a Scalia may soon become a Court eager to move away from the recognition of individual rights and return women to the days of illegal back alley abortions.

Scalia, who refuses to recognize women's rights, is a danger when he is in the minority, he is an even greater danger if he becomes a part of a majority trying to move women back into the days of illegal and unsafe abortion.

SCALIA'S MAJORITARIAN VIEWS

In nominating Antonin Scalia, President Reagan has selected a judge who is a) personally and ideologically opposed to abortion

rights[6], and who b) believes that the courts should play a very limited role in protecting constitutional rights in cases involving controversial issues.

The intersection of these two views poses a serious threat to the individual liberty of women to make decisions about their lives, as well as to the continued ability of American political and racial minorities, as perennial targets of discrimination, to seek vindication of their constitutional rights in Court.

Scalia's most dangerous view, which he shares with Justice Rehnquist, is his belief that the courts, in analyzing constitutional questions, must abstain from ruling on issues on which there is not a "national consensus."[7]
This is a purely subjective determination. There is no mechanism accurately determining when a national consensus exists. This philosophical approach allows Judge Scalia to decide there was a societal consensus in 1954 at the time of the Brown v. Board of Education decision,[8] but not in 1973 at the time of the Roe decision[9] on the basis of his personal interpretation of history. Once a person with this approach is on the U. S. Supreme Court, we have no further safeguards against his willingness to interpret the law according to his personal views of societal consensus.

Hiding behind claims of judicial restraint, he picks and chooses among rights rather than protecting all fundamental rights as the Supreme Court should.

Perhaps even more frightening is the fact that if Judge Scalia does not like "contemporary consensus" he is willing to refer instead to "traditional consensus."[10]
Scalia's theory of present or past national consensus, or even majority votes by legislative bodies, flies in the face of the

fundamental principles embodied in the Bill of Rights, that the absolute responsibility of the Courts is to uphold the constitutional rights of individuals and minorities, regardless of, and often in spite of, the wishes of the majority.[11]

Roughly defined, the concept of a constitutional right is something than an individual cannot lose to the majority, unless a compelling state interest is invoked. Scalia's majoritarian philosophy though, indicates that the way something becomes a right is that the majority decides it is a right, and that the court should stay away from protecting rights that the majority would not agree with.

Scalia's theory of law based on the morality of the elected majority is reflected in Dronenburg v. Zech, where, in discussing the right to privacy Judge Scalia joined Judge Bork in an opinion which stated:

> When the constitution does not speak to the contrary, the choices of those put in authority by the electoral process, or those who are accountable to such persons, come before us not as suspect because majoritarian but as conclusively valid for that very reason.[12]

If an individual whose liberty is being violated is not able to turn to the courts, she or he is without much recourse. This raises a difficult barrier for abortion rights: who defines national consensus? A specific judge? Current public opinion? Past traditions? The majority vote of Congress? And what happens in the not unheard of situation where the actions of Congress do not seem to reflect public opinion?

SCALIA'S ABORTION VIEWS

While Judge Scalia has never decided a case dealing specifically with abortion rights, from his public statements he can be expected to vote against women's rights to make private choices.[13]

In discussing abortion at an American Enterprise Institute for Public Policy research forum Scalia stated,

> "We have no quarrel when the right in question is one that the whole society agrees upon," but of rights that could be overidden by the majority, specifically including abortion, Scalia added, "the courts have no business being there. That is one of the problems; they are calling rights things which we do not all agree on."[14]

Because for some abortion is a morally complex issue, Scalia would defer to the various judgements of the 50 state legislatures, the hundreds of local legislatiave bodies--where decision making is often based on what is politically expedient today rather than on a reasoned application of constitutional principles and precedents. He would defer to political bodies rather than affirm constitutional rights that allow individual women to weigh for themselves their life circumstances and the moral questions and make a personal decision.

As a Supreme Court Justice, Antonin Scalia, in all likelihood, would rule that the liberty to make a personal private decision about abortion is not a fundamental right protected from quirky interference by temporary legislative majorities. This will have a tremendous impact on the lives of the women of this country, as letters from women who have had abortions demonstrate:

> Becoming pregnant just two months after the birth of her first child, [my mother] was not well recovered from this experience. Her doctor was concerned for her health, but in 1940 there were no options. She and my father chose to abort this child, fearful her health was too fragile to manage another pregnancy so soon. Done by a backstreet butcher, the abortion put my mother's life in jeopardy and led to complications which nearly killed her during her pregnancy with me a few months later. She and I were in the hospital for 21 days following my birth and her health was permanently ruined. She underwent a hysterectomy by the age of 30 and has had two spinal fusions to attempt to repair the damage done to her body because of her pregnancies. (L-5)

> I think the thing I will always remember most vividly was walking up three flights of darkened stairs and down that pitchy corridor and knocking at the door at the end of it, not knowing what lie behind it, not knowing whether I would ever walk back down those stairs again. More than the incredible filth of the

place, and my fear on seeing it that I would surely become infected; more than the fact that the man was an alcoholic, that he was drinking throughout the procedure, a whiskey glass in one hand, a sharp instrument in the other; more than the indescribable pain, the most intense pain I have ever been subject to; more than the humiliation of being told, "You can take your pants down now, but you shoulda'--ha!ha!--kept 'em on before;" more than the degradation of being asked to perform a deviate sex act after he had aborted me (he offered me 20 of my 1000 bucks back for a "quick blow job"); more than the hemorrhaging and the peritonitis and the hospitalization that followed; more even that the gut-twisting fear of being "found out" and locked away for perhaps 20 years; more than all of these things, those pitchy stairs and that dank, dark hallway and the door at the end of it stay with me and chills my blood still.

Because I saw in that darkness the clear and distinct possibility that at the age of 23 I might very well be taking the last walk of my life; that I might never again see my two children, or my husband, or anything else of this world. (L-2)

This is not a letter about an abortion. I wish it were. Instead, it is about an incident which took place over forty years ago in a small mid-western town on the bank of the original "Old Mill Stream". One night a young girl jumped off the railroad bridge to be drowned in that river. I will always remember the town coming alive with gossip over the fact that she was pregnant and unmarried. . . I could imagine the young girl's despair as she made her decision to end her life rather than face the stigma of giving illegitimate birth. . .I still grieve for the girl. (L-6)

My job on the assembly line at the plant was going well and I needed that job desperately to support the kids. Also I had started night school to improve my chances to get a better job. I just couldn't have another baby--5 kids were enough for me to support.

I felt badly for a day or two after the abortion. I didn't like the idea of having to go thru with it. But it was the right thing for me to do. If I had had the baby I would have had to quit my job and go on welfare. Instead I was able to make ends meet and get the kids thru school. (L-19)

To this day I am profoundly grateful for having been able to have a safe abortion. To this day I am not a mother, which has been my choice. I have been safe and lucky in not becoming pregnant again. I love people and work in a helping profession which gives me much satisfaction. (L-21)

I am a junior in college and am putting myself through because my father has been unemployed and my mother barely makes enough to support the rest of the family. I have promised to help put my brother through when I graduate next year and its his turn. I was using a diaphragm for birth control but I got pregnant

> anyhow. There is no way I could continue this pregnancy because of my responsibilities to my family. I never wanted to be pregnant and if abortion were not legal I would do one on myself. (L-22)
>
> I had an abortion in 1949 because I could not go through with a loveless marriage for the sake of a child I did not want. . . The benefits were incalculable. I was able to terminate the pregnancy, to complete my education, start a professional career, and three years later marry a man I did love. We subsequently had three beautiful children by choice, children who were welcomed with joy, cherished always, and raised with deep pleasure because we attained economic security and the maturity necessary to provide properly for them. (L-29)

SCALIA'S VIEWS ON WOMEN'S RIGHTS

There are cases in which Scalia has shown himself hostile to the rights of women and minorities. For example, in Vinson v. Taylor, in which the Supreme Court upheld the D.C. Court of Appeals' decision that sexual harassment constitutes discrimination in violation of Title VII, Scalia joined Judge Bork at the appellate level in a dissenting opinion which uses language which insults and degrades women. The dissent characterizes a supervisor's sexual harassment of an employee as mere sexual "dalliance" and "solicitation" of sexual favors; the plaintiff's problems are ignored or trivialized while Scalia and Bork play intellectual games with the combinations and permutations resulting from mixing and matching hetero-, homo- and bisexual supervisors and employees. Scalia's concurrence in this decision indicates a great insensitivity to the real and serious problems of sex discrimination in our society.

Scalia's dissent in Carter v. Duncan-Huggins, Ltd., in which the D.C. Court of Appeals upheld a lower court finding that a black employee had been intentionally discriminated against by her employer, reflects a similar insensitivity to the problems of race discrimination. Scalia would have disregarded the clear evidence of intentional discrimination and formulated a principle that would have effectively prevented employees in small businesses from ever proving discrimination.

It is disturbing to think that a man with the insensitivity reflected in these cases will in the future make U.S. Supreme Court decisions affecting women's lives.

CONCLUSION

The National Abortion Rights Action League urges you to vote against Antonin Scalia's confirmation as a Justice of the United States Supreme Court, in order to preserve the fundamental constitutional right of American women to make an individual decision about whether or not to choose an abortion--a decision which can affect almost every other aspect of her life.

FOOTNOTES

[1] 410 U.S. 113 (1973)

[2] Meyer v. Nebraska, 262 U.S. 390, 399 (1923)

[3] See document The Threat to Roe: A Legal Analysis by Harmon and Weiss (submitted with testimony by NARAL Board Chair at hearing of Senate Judiciary Committee on William Rehnquist nomination to Chief Justice, July 1986) for examples of cases pending. Much of this testimony draws on the Harmon & Weiss analysis.

[4] Doe v. Bolton 410 U.S. 179
Planned Parenthood of Missouri v. Danforth 428 U.S. 52
Singleton v. Wulff 428 U.S. 106
Guste v. Jackson 429 U.S. 399
Maher v. Roe 432 U.S. 464
Poelker v. Doe 432 U.S. 519
Colautti v. Franklin 439 U.S. 379
Harris v. McRae 448 U.S. 297
Williams v. Zbarz 448 U.S. 358
H.L. etc. v. Matheson 450 U.S. 398
Planned Parenthood Association v. Ashcroft 462 U.S. 476
Akron v. Akron Center for Reproductive Rights 462 U.S. 416
Diamond v. Charles 54 U.S.L.W. 4418 (1986)
Thornburgh v. ACOG 54 U.S.L.W. 4618 (1986)

[5] supra

[6] Congressional Quarterly June 21, 1986 page 1401

[7] An Imperial Judiciary: Fact or Myth? an edited transcript of an American Enterprise Institute Public Policy Forum held on December 12, 1978 page 21

[8]id. at 36-37

[9]id. at 21

[10]"Mr. Scalia: But I am not talking about just the contemporary consensus. I am not saying the Court always has to go along with the consensus of the day. The Court may find that the traditional consensus of the society is against the current consensus. If that is the case, then the Court overrides the present beliefs of society on the basis of its historical beliefs. I can understand that." id. at 36.

[11]Justice Stevens, concurring in Thornburgh, supra at 4627, reminds us that this is not a new idea. "The very purpose of a Bill of Rights was to withdraw certain subjects from the vicissitudes of political controversy, to place them beyond the reach of majorities and officials and to establish them as legal principles to be applied by the courts. One's right to life, liberty, and property, to free speech, a free press, freedom of worship and assembly, and other fundamental rights may not be submitted to vote: they depend on the outcome of no elections." West Virginia State Board of Education v. Barnette, 319 U.S. 624, 638 (1943).

[12] Dronenburg v. Zech, 741 F.2d 1388, 1397 (D.C. Cir. 1984)

[13]id. at 7, 21, 35

[14]id. at 21

May 15, 1985

Dear President Reagan,

Since you seem to feel that women's rights to control their lives should be curtailed, I encourage you to listen to my story.

My mother had an illegal abortion between the birth of my sister and myself (we were only 18 months apart). She had a congenital spinal defect and pregnancies were very hard on her. Becoming pregnant just two months after the birth of her first child, she was not well recovered from this experience. Her doctor was concerned for her health, but in 1940 there were no options. She and my father chose to abort this child, fearful that her health was too fragile to manage another pregnancy so soon. Done by a backstreet butcher, the abortion put my mother's life in jeopardy and led to complications which nearly killed her during her pregnancy with me a few months later. She and I were inthe hospital for 21 days following my birth and her health was permanently ruined. She underwent a hysterectomy by age 30 and has had two spinal fusions to attempt to repair the damage done to her body because of her pregnancies.

I was more fortunate than she but also have a difficult story to tell. I had problem pregnancies culminating with the birth of my daughter by emergency caesarean section September 2, 1970. While nursing her, I decided to use a Dalken Shield to prevent further pregnancies (I had a son and a daughter and did not feel physically capable of going through another pregnancy having miscarried three times and having given birth to twins who died at birth all in the five year span between my children). Unknown to me, the Shield worked its way through the caesarean scar and lodged on the top of the uterus. I had been using contraceptive creams to prevent pregnancies before resorting to the IUD but kept having urinary tract infections because of them. So my urologist hospitalized me and performed a cystoscopic exploration which included 16 X rays of my kidneys, bladder, ureters, and urethra. To my obstetrician's and my horror, I was then two weeks pregnant due to the failure of the IUD. He did not know where it was, but he did not feel that I was physically capable of another pregnancy at that time (9 months after my caesarean).

Furthermore, he felt certain that the fetus would be seriously deformed as a result of the X ray exposure. So while neither he, my husband, nor I wanted this child, I could not easily get an abortion. My doctor sent me to a psychiatrist who had to coach me how to fail a psychiatric exam to prove that I was not capable of enduring another pregnancy at that time. I failed my exam and the abortion was approved (by whomever decided such matters of life and death in Arizona in 1971).

The abortion was performed but the IUD did not come out. I had to have major surgery three months later (when my obstetrician felt I was healthy enough to undergo yet another such procedure - three in one year). When he found the notorious Dalken Shield enbedded in the caesarean scar within the abdomen, he was certain that he had done the correct thing: the caesarean scar could not have held for the duration of the pregnancy - both the child and I would have died leaving two very young children without a mother for the rest of their lives.

Fortunately, I had good care and my health was not ruined as my mothers had been. I have thoroughly enjoyed both my children and feel very fortunate to have been entrusted with two lovely, healthy, vital young lives to raise. And I feel they were fortunate to have been able to have me for their mother. I have since divorced their father who became an alcoholic and have successfully single parented them. My son is a sophomore at ASU majoring in accounting; my daughter graduated as the outstanding female student of her large junior high - based on academic, musical and extra curricular activities. I have earned two masters degrees and a PhD since that time and am a psychologist at . I feel that I have had an important impact on many lives. Had I not died, had I been forced to raise a seriously impaired child, all of us would have suffered incredibly. Statistics for families with seriously deformed children are pathetic. Everyone's life is irreparably diminished.

And <u>you</u> want to take this right away from us. How dare you play God with my life, my children's lives, or our futures. We have the right to have determination over the quality of our lives. Don't force us back into the hell holes of the illegal abortionists. Let us make our choices based on our own reasonings: no one else should have control over decisions that impact the very existence of women and their children but the women themselves. So my unborn child had rights? To destroy the rest of us? I disagree. And we all know that unwanted children are abused, neglected children. Let us bring healthy young lives into this already crowded world - born of parents who want them, who will cherish them, nurture and provide for them. Don't set us back to the dark alleys of the dark ages.

Emphatically,

Connie

Connie

April 17, 1985

Dear President Reagan:

You recently celebrated your 74th birthday. Congratulations. Some three decades past, I recall wondering if I would be around for my 24th. I very nearly wasn't, and I'd like to tell you a little about that.

Let me begin by saying that I have been married 38 years; I am the mother of 5 wanted and thoroughly loved children; the grandmother of 3; and the victim of a rapist and an illegal abortionist.

In the mid-1950's I was very brutally raped, and this act resulted in pregnancy. At first suspicion that this might be the case, I went immediately to my doctor, told him what had happened and pleaded for help. But of course He couldn't give it. To have performed an abortion would have meant chancing up to 20 years in prison, both for him and for me.

Turned away by this reputable physician, I went to another, considerably less reputable. This second doctor's sense of ethics left much to be desired--his practice consisted primarily of pushing amphetamines; but even he felt that performing an abortion, no matter what the reason, was just too risky an undertaking.

Knowing nowhere else to turn, and completely terrified by all I had heard about the local abortionist, I went home and proceeded to try all the sundry 'home remedy' things I had heard of--things like deliberately throwing myself down a flight of stairs, scalding the lower half of my anatomy in hot tubs, pounding on my abdomen with a meat mallet, even drinking a full pint of castor oil, which I assure you is no enviable feat.

The single notable effect of all these efforts and more was that I became very black and blue and about a month more pregnant than I had been when I started. And so, as a final desperate measure, I took the only option left. I went to see the local back-alley abortionist--the man who had no cause to fear the police because he was paying them off.

I think the thing I will always remember most vividly, Mr. Reagan, was walking up those three flights of darkened stairs and down that pitchy corridor and knocking at the door at the end of it, not knowing what lie behind it, not knowing whether I would ever walk back down those stairs again. More than the incredible filth of the place, and my fear on seeing it that I would surely become infected; more than the fact that the man was an alcoholic, that he was drinking throughout the procedure, a whiskey glass in one hand, a sharp instrument in the other; more than the indescribable pain, the most intense pain I have ever been subject to; more than the humiliation of being told, "You can take your pants down now, but you shoulda'--ha!ha!--kept 'em on before"; more than the degradation of being asked to perform a deviate sex act after he had aborted me (he offered me 20 of my 1000 bucks back for a "quick blow job"); more than the hemorrhaging and the peritonitus and the hospitalization that followed; more even than the gut-twisting fear of being 'found out' and locked away for perhaps 20 years; more than all of these things, those pitchy stairs and that dank, dark hallway and the door at the end of it stay with me and chill my blood still.

Because I saw in that darkness the clear and distinct possibility that at the age of 23 I might very well be taking the last walk of my life;that I might never again see my two children, or my husband, or anything else of this world.

And still, knowing this, knowing that my 24th birthday might never be, I had no choice. I had to walk through that door, because not to have would have meant giving birth to the offspring of a literal fiend; and for me, the terror of that fate was worse than death.

Thirty years later, I still have nightmares about those dark stairs and that dark hall and what was on the other side of that door. And I resent them. I resent more than any words can say what I had to endure to terminate an unbearable pregnancy. But I resent even more the idea that ANY WOMAN should, for ANY REASON, ever again be forced to endure the same.

My experience, sad to say, is far from unique. I could speak to you days on end of like experiences. Women white, women black, women young, women old, women known to the medical books only by their initials and their perforated or Lysol-damaged wombs and their resultant infections and suffering and, all too frequently, eventual deaths.

Women really too young to be called women, victims of the dirty knife, undergoing hysterectomies at 16. Women with bottles of household disinfectants, sometimes even lye, who had no use for a hysterectomy, nothing left to perform one on. Desperate, hopeless women with bent heads and unbent coathangers, screaming in the night, dead at 23. Women for whom the phrase "right to life" was without meaning or substance. Women murdered, as surely as putting a gun to their heads, by a blue-nosed and hypocritical society that lauded What Might Be and condemned What Was.

The man who raped me left me for dead. And I very nearly was. The man who aborted me could not have cared less if I had died. And again, I very nearly did. But a miss is as good as a mile. And I did make my 21th birthday. And despite all the horror, physical, psychological and financial, I consider myself very lucky. I am still able to Speak Out. The real tragedy of those pre-1973 days of State and Church controlled wombs is: those countless women who can only speak to you from the grave.

In their memory, I want to tell you and the world today that to speak of a 'right to life' and deny simultaneously the right to LIVE that life, fully and in accord with ones own rational dictates, is the most odious of paradoxes. It is an hypocrisy that ranks right up there with establishing a 'right to sexual freedom' for all eunuchs.

And finally, it is an insult to anyone worthy of the title 'Homo sapiens'.

Sincerely,

Sherry Mathis

Sherry Mathis

Peoria, IL 61603

April 15, 1985

Dear TARAL:

This is not a letter about an abortion. I wish it were. Instead, it is about an incident which took place over forty years ago in a small mid-western town on the banks of the original "Old Mill Stream."

One night a young girl jumped off the railroad bridge to be drowned in that river. I will always remember the town coming alive with gossip over the fact that she was pregnant and unmarried.

I was enormously moved by what to me was a terrible tragedy. I could imagine the young girl's despair as she made her decision to end her life rather than face the stigma of giving illegitimate birth. You must remember this was a mid-western town where "traditional values"--to use a current phrase--were the only acceptable standards.

I was young and did not even know the term "abortion" at the time. Perhaps the young girl didn't either. Even if she had, there would have been no place in that small town where she could have obtained one.

I still grieve for the girl. She should not have had to pay with her life for that one mistake.

And we must not now condemn other women to the same fate. If we allow the current efforts of the anti-abortionists to succeed, and return us to the "old values," that is exactly what will happen in many cases. If a girl who finds herself pregnant does know about abortion, she may lose her life under the knife of an illegal abortionist. If she does not, she may so despair of her wrecked life that she will find a way to suicide. Either way, it is a terrible waste of a precious life--the woman's.

Jan Brazill

Jan Brazill

El Paso, Texas 79936

Date April 28, 1985

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Dear President Reagan,

I am a 45 year old woman who had an abortion in 1972. Except for my mother I have never told anyone about this. However, I was raised a Catholic and although I started using birth control after my 5th child became, I guess, enough for anyone, I never expected to have to make a decision about abortion.

My husband had always been a heavy drinker but when he began working nights around after drinking I knew I could not keep on living with him. I had been able to go to work when the youngest started kindergarten, and although it would be hard to support the kids by myself it would be better than living with the abuse and fighting.

After we separated I stopped taking the pill because I had no intention of having sex with anyone. About four months later he came pounding on the door. I didn't want the kids, neighbors or the neighborhood to know so I let him in. Before he would leave he forced himself on me and I became pregnant.

My job on the assembly line at the plant was going well and I needed that job desperately to support the kids. Also I had started night school to improve my chances to get a better job. I just couldn't have another baby — 5 kids were enough for me to support.

I felt badly for a day or two after the abortion. I didn't like the idea of having to go thru with it. But it was the right thing for me to do. If I had had the baby I would have had to quit my job and go on welfare. Instead I was able to make enough money to get the kids thru school.

I think it is terrible that women are made to feel guilty about abortion. I feel proud of myself for what I've accomplished.

Name Jeanette

Address

ZIP CODE 600 35

Oakland, Ca.
Apr 22, 1985

Senator Pete Wilson
c/o CARAL
4110 Geary Blvd.
San Francisco

Dear Senator Wilson:

In response to NARAL's suggestion that we, who have safely undergone legal abortions (and those who have undergone unsafe, illegal abortions) let our feelings be known about our experience, I am writing this letter.

When I was 24 yrs old, I had a legal abortion. A contraceptive method failed, and I knew I was not ready to raise a family. I worked in the day, went to school at night. My husband was in graduate school — our marriage was

unstable and we later divorced.

To this day I am profoundly grateful for having been able to have a safe abortion. To this day I am not a mother, which ~~is~~ has been my choice. I have been safe and lucky in not becoming pregnant again. I love people and work in a helping profession which gives me much satisfaction.

Please help preserve our freedom of choice.

Sincerely,
Susan

I am a junior in college and am putting myself through because my father has been unemployed and my mother barely makes enough to support the rest of the family. I have promised to help put my brother through when I graduate next year and it's his turn. I was using a diaphragm for birth control but I got pregnant anyhow. There is no way I could continue this pregnancy because of my responsibilities to my family. I never wanted to be pregnant and if abortion were not legal I would do one on myself. I believe women need to have the right to choose for themselves. No one can make another's decision because no one knows your own life circumstances.

Pam
15360

May 16, 1985

Dear Members of Congress and Mr. Reagan:

I am breaking a 34 year silence about my abortion because it is essential for you to know what it is like to have lived this experience. I believe you need to open yourself to what it is really like for women. Since it is physically impossible for male government officials and elected representatives to be unwillingly pregnant, it behooves you to listen and learn with enough humility to avoid the incredible arrogance with which this issue is so often approached. I hope you will learn to view women's lives and reproductive choices with enough respect to insure that they will never again be subject to unconstitutional restrictions.

I had an abortion in 1949 because I could not go through with a loveless marriage for the sake of a child I did not want. I can still remember with horror, the feelings of helplessness, despair, shame, guilt, desperation and anger that engulfed me. I was luckier than most women in 1949, however. I was able to terminate the pregnancy. The benefits to me were incalculable. I was able to complete my education, start a professional career, and, three years later, marry a man I did love. We subsequently had three beautiful children by choice, children who were welcomed with joy, cherished always, and raised with deep pleasure because we had attained economic security and the maturity necessary to provide properly for them.

I was and shall always be profoundly grateful that the choice to have a safe abortion was presented to me. I am certain that it saved me from disastrous life-long consequences ensuing from divorce and the grinding poverty of single parenthood. I have NEVER, EVER, even for one moment regretted my decision to end the pregnancy. What I do regret is the fact that I had to do it illegally and in secrecy. Because I could not choose abortion freely and in privacy as is now guaranteed by the constitution, I have struggled with 36 years of suppressed anger, guilt and shame—certainly not over the decision to abort, but over the punitive and diminishing effect of the puritannical sexual double standard which held abortion to be immoral. The fact that only women were subjected to vilifaction and contempt while the men's part in the issue was completely ignored, and still is for the most part, is a continuing source of outrage to me.

Women will never willingly return to the horrors and injustices of illegal abortions again. We will be silent no more—those of us who can afford the painful price. Your mothers, wives, daughters, friends and relatives, millions of us are among the silent who cannot come forward with their truth. Those of us who can carry their burden and insist that abortion must remain legal, safe and accessible to avoid another millenium of agony and peril.

Sincerely,

Jane Roe

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