Supreme Court Voids ‘Partial Birth Abortion’ Laws

By Polly Rothstein

The Supreme Court tore a “partial birth abortion” law to shreds and exposed its inherent fraud. The 5-4 decision in Stenberg v. Carhart, striking down the Nebraska law, was everything that the plaintiff, Dr. Leroy Carhart, had hoped for. “We hold that this statute violates the Constitution,” read the majority opinion. The public can now absorb the truth about so-called “partial birth abortion” bans: they’re an extreme and unconstitutional ploy to destroy reproductive rights and take away the right of American women to abortion.

Janet Benshoof, president of the Center for Reproductive Law and Policy, which represented Dr. Carhart, depicted June 28 as a day for “champagne and shivers,” for the scope of the decision and the surprising 5-4 margin. CRLP attorney Simon Heller argued Dr. Carhart’s position. Justice Stephen Breyer wrote the

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Rick Lazio is Anti-Choice

By Polly Rothstein

rick Lazio is the stand-in for Rudy Giuliani in the election for US Senator against Hillary Rodham Clinton. Lazio’s claim to be “solidly pro-choice” crumbles with scrutiny of his congressional voting record and his current statements. He acknowledges only opposition to “partial birth” abortion and Medicaid funding (either of which define him as anti-choice). He deceives by half-truth, aping other anti-choice Republicans who redefine “pro-choice” to include themselves.

For example, Lazio illustrates how pro-choice he is by saying he wouldn’t vote to overturn Roe v. Wade. Of course not; he’ll never vote on Roe because Congress lacks the power to overturn Supreme Court decisions. But Lazio has actually voted to kill Roe by voting repeatedly for a ban on “partial birth” abortions which, had it been upheld by the Supreme Court, would have overturned Roe v. Wade and permitted states to outlaw abortions throughout pregnancy. Lazio refused to comment on the June 28 Supreme Court decision in Carhart, which declared exactly that. (Clinton hailed the decision.) Instead, he persists in condemning “partial birth abortion” as “gruesome,” as if the court had not spoken, all the while describing himself as “solidly pro-choice.” Lazio’s strategy is to ignore the unambiguous decision and pummel Clinton on “partial birth abortion,” painting her as a pro-choice extremist.

Lazio, if elected senator, will have opportunities to overturn Roe by voting to confirm Bush’s anti-Roe

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Birth Control for County Employees

A new initiative by Westchester County Executive Andy Spano has made prescription contraceptives available to county employees participating in the county’s health benefit plan starting July 1. “WCLA played a leading role in making this happen,” Spano said.

“This coverage is long overdue. It’s become increasingly important that we recognize the specific needs of our female workers and provide them with the services they seek,” Spano said. “The county is well aware of the costs of such prescriptions and wants to reduce the burden so often placed on women.”

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Knowing how high the stakes were, I slipped into anxiety mode as I awaited the Supreme Court decision in Stenberg v. Carhart, the Nebraska so-called “partial birth abortion” case.

On Wednesday, June 28, shortly after 10:00 a.m., I clicked up the web site (crlp.org) of the Center for Reproductive Law and Policy, attorneys for plaintiff Dr. Leroy Carhart. I soon read about the perfect win (page one), with the court agreeing fully with CRLP and rejecting all of Nebraska’s claims, and ruling that all legislation must have an exception to protect the woman’s health. The perfect win was, however, a minimalist 5-4. Justice Kennedy moved to the other side and is likely to stay. Only the qualified vote of Justice O’Connor saved the already weakened Roe v. Wade, leaving abortion rights to face future legislative action and Supreme Court review.

I’m as concerned about church-state and other personal liberty issues as I am about reproductive rights, and I admit to obsessing about the Supreme Court that decides these issues. Currently, there are only minor shifts in the blocs of justices taking one side or the other. It’s impossible to overstate the power of the court in determining our rights as it rules on the constitutionality of laws, such as the “partial birth abortion” ban. As per the Constitution, the president appoints justices of the Supreme Court, subject to the approval of the Senate. Voting for president and senator in 2000 is tantamount to voting on legal abortion. The Senate race between Rick Lazio and Hillary Rodham Clinton could determine the majority, and therefore the direction, of the Supreme Court.

I fear that Hillary could lose to Lazio for reasons unrelated to their positions on issues. Lazio knows that women side with Clinton on a wide range of issues, so he’s trying to keep the spotlight on Hillary, making her the issue.

Last year, when Hillary emerged as a possible Senate candidate, it was trendy to protest. Some who did so were her natural constituency, strongly pro-choice women who said they intended to vote against her, and for Giuliani. I hope that they know about Lazio’s conservative positions and will support Hillary on November 7. I believe the public has been virtually brainwashed by the relentless demonization of Hillary and promotion of anti-Clinton sentiment. Many voters are convinced that Hillary really is a scary woman with “an agenda.” Most disconcerting, some women are angry that she stayed with her husband. (Who can pass judgment on another woman’s marriage?)

Hillary is well aware of these hurdles, but she needs those pro-choice voters. Not long ago, I was privileged to meet with Hillary along with other Westchester women leaders and elected officials. She laughs easily and did so as she said yes, of course she has an agenda. “It’s women, children, education, health care, Social Security, guns, and reproductive rights!” She’s warm and very intelligent, speaks passionately without notes, and attracts more voters with each public contact.

Hillary understands women’s complex feelings about her perceived ambition and relationship with the president, and is sorting out for them who she is among her multiple identities and her unique role of first lady and candidate. She must tell voters about her professional life before the White House, including her work as a staff attorney for the Children’s Defense Fund, her pioneering legal career, and her decades of work for children and families.

Slick Ricky is eager to help you view Hillary as some kind of feminist menace. He uses Hillary’s move to NY as a red herring to divert attention from the pressing issues on which they differ. In a fundraising letter Lazio mailed to Republicans in July, he howled that both Clintons have “embarrassed our country and disgraced their powerful posts,” and that the “First Lady covets power and control and thinks she should be dictating how other people run their lives.” Lazio refused to elaborate, saying he wanted to read the letter before commenting. Get that! He admitted he hadn’t even read the horrific letter that he signed; after it became public and raised hackles, he still maintained he hadn’t read it. (Sexism is an element of this election — imagine the furor if Hillary had refused to take responsibility for a scurrilous letter over her name.) Lazio’s complaint about dictating how other people run their lives — isn’t that what he does when he votes against abortion rights? And “power and control” — that’s what the Senate is about and why Lazio wants to go there. It’s also what we want our friends to have when they’re in there fighting for us.

Please see Mind on page 16
Al Gore for President

Vice President Al Gore is far better suited to be President of the United States than Texas Gov. George W. Bush.

Bush is not a “compassionate conservative.” He is a conservative with a short supply of compassion, a right-winger who would clear the way to eliminating privacy rights via Supreme Court appointments. The choice is stark.

These are the candidates’ own words. Gore: “I will always, always defend a woman’s right to choose.” Bush: “I will do everything in my power to restrict abortions.” With President Gore’s Supreme Court appointments, abortion rights will be secure into the future. With Bush in the Oval Office, signing anti-abortion bills and appointing justices like his favorites, justices Thomas and Scalia, abortion rights will disappear for years to come.

The makeup of the Supreme Court is the predominate issue of Election 2000. Gore has warned, “Not only a woman’s right to choose, but a lot of our individual rights and civil rights are going to be at risk if the Republican Party controls the majority on the Supreme Court for the next 30 or 40 years.” Pro-choice voters must heed the warning, and help others understand this fact.

Bush is proud of the dubious honor of being the nation’s most anti-abortion governor, having promoted and signed 18 bills into law. Yet Bush is confused by the complexities. He says he opposes Roe v. Wade because the decision usurped states’ rights to ban abortions, but he also supports a constitutional amendment to ban abortions that would take the right away from the states. As president, he will introduce, lobby for, and sign any anti-choice bill that the anti-abortion forces draft for Congress.

Bush has vowed to preserve the 1996 Republican Party platform, which would ban all abortions without exception by declaring that “the unborn child has a fundamental individual right to life which cannot be infringed,” and specifying the appointment of judges who oppose abortion.

Bush is not a man of sufficient distinction or intellect to be President of the United States. If he weren’t a powerful Bush, he’d be ridiculed for the audacity to seek the office. If he were as intelligent as he is political.

Hillary Rodham Clinton for Senate

When the US Senate race was Clinton vs. Giuliani, voters felt that New York would have a pro-choice senator either way.

Exit Giuliani, enter anti-choice Lazio, whose record makes choice a campaign issue, raising the specter of losing legal abortion with just one new anti-Roe vote on the Supreme Court. Remember the Senate’s nonbinding resolution on Roe last October? The statement that Roe is “an important constitutional right that should not be overturned” passed 51 to 47. That’s 47 senators against legal abortion.

On page one, we expose Lazio’s pro-choice sham by revealing his voting record and statements. He will add a vote to the anti-choice majority in the Senate on most issues.

Clinton has said repeatedly that she will not vote to confirm a Supreme Court nominee who opposes Roe v. Wade. If Bush becomes president, women will need Hillary as our advocate when he names Supreme Court justices to create and expand an anti-Roe majority on the court. Lazio’s record speaks for him: he would never oppose a Bush anti-Roe Supreme Court nominee.

We need Hillary to ask the tough questions. As she stood up in Beijing and talked about the right to choose and women’s rights as human rights, she’ll stand up in the Senate and speak for us.

Yes Graham, No Kelly

Pro-choice voters in the 19th Congressional District, your mission is clear: elect Larry Graham and dislodge Sue Kelly, who has joined the anti-choice majority in the House in key votes.

Kelly’s “unequivocal” support of abortion rights, on which WCLA based its significant support for her first run for office.
majority opinion. The Court said that the law is "deceptively crafted," affected abortions throughout pregnancy, and was not limited to the post-viability procedure graphically described by supporters. The ban imposed an undue burden on a woman's ability to choose an abortion and failed to protect the woman's health. The court said that abortion laws must contain an exception for women's health that allows a pregnant woman to undergo the abortion method her doctor deems most appropriate for her. The opinion said that the cases "make clear that a risk to a woman's health is the same whether it happens to arise from regulating a particular method of abortion, or from barring abortion entirely."

Spotlight on 2000 elections

The decision has vast implications for the 2000 presidential elections, and the impact of the elections on the future of legal abortion is impossible to overstate. Dr. Carhart said the court inadvertently did a favor for abortion rights proponents by deciding the case by such a narrow margin. He said, "This shows us Roe is hanging by a very fragile thread. It's a true wake-up call to the American people. If they want to keep abortion for their children and themselves, they need to go out and vote for choice."

As the one-vote victory invigorated pro-choice advocates, Justice Kennedy gave another vote to, and elevated the hopes of, the anti-choice movement. Kennedy, who upheld Roe v. Wade in 1992 in Casey, no longer does.

As expected, the presidential candidates took opposite positions. Vice President Al Gore applauded the decision, adding that the "razor-thin" majority in Wednesday's Supreme Court decision affirming abortion rights shows what is at stake for women in the presidential election. Gov. George W. Bush played dumb. Ignoring the court's conclusion that the Nebraska law affects abortions throughout pregnancy, he criticized the court for not upholding the right to ban "the brutal practice" of late-term abortion. He said, "Unlike Al Gore, I pledge to fight for a ban on partial-birth abortion." The crafty Republican Party chair Richard Bond asked, with a straight face, "What can a presidential candidate do about a Supreme Court decision?"

Both sides of the abortion rights controversy have been stressing the fact that the next president could appoint a majority of the court and decide abortion rights. A Newsweek poll released on June 24 showed that more than two-thirds of registered voters say the kind of Supreme Court appointments a presidential candidate would make will be important in deciding how they vote. Also, the positions on abortion likely to be held by the next president's Supreme Court nominees will be very important in deciding the votes of 43 percent of voters and half of registered women. Of voters surveyed, 62 percent said they favored the appointment of judges who would support the abortion rights guaranteed under the court's landmark Roe v. Wade ruling in 1973.

If elected president, Bush could bring about the overturn of Roe with his first addition to the conservative bloc in the Supreme Court. Gore wants this fact known; Bush doesn't. Gore says he will not appoint justices who would overturn Roe.

The unequivocal ruling ought to thwart further "partial birth abortion" battles in Congress and the states, but within a day of the decision, anti-choice members of Congress and activists had begun drafting legislation that would circumvent it. They are reluctant to give up the propaganda gains and money raised by using the inflammatory phrase "partial birth abortion."

Supreme Court Protects Buffer Zone at Clinics

The Supreme Court, by a 6 to 3 vote, upheld a Colorado law that creates an eight-foot buffer zone around a patient as she enters or exits a health care facility. The law was intended to protect women who were being forced to run a gauntlet of abortion protesters as they entered an abortion clinic.

Justice Stevens, writing the majority decision, found that the law did not infringe on the First Amendment's free speech protections. The 1993 law makes it a misdemeanor for anyone within 100 feet of a health clinic to distribute leaflets, display signs or engage in what has come to be known as "sidewalk counseling" within eight feet of the patient unless given permission to do so.

This law protects those entering a clinic from intimidation and harassment. It does not infringe upon free speech because the law does not prevent protestors from leafleting and expressing their views; it simply prevents protestors from approaching patients without their consent.

Among those applauding the decision was President Bill Clinton who said: "The Colorado law was enacted in response to a real need to ensure safe access to medical treatment in light of increasing obstruction, harassment, and violence in front of health care facilities."
Politics, Big Spending, Threaten Judicial Independence

R
arely do judicial elections warrant headlines, which means that voters pay little attention to the races and may not even know who’s running for judge.

Judicial races are different from legislative races in that the code of judicial ethics prohibits candidates from speaking out on disputed or controversial issues. Instead, would-be judges must run on their qualifications. Voters are kept in the dark about candidates’ views, though they may have strong ones.

Interest groups, however, are not in the dark. They know that judges have more power than lawmakers and will be the ones with the final say on legislation. Knowing that judges can strike down laws on constitutional grounds has prompted various groups to track decisions, and invest their money accordingly.

Money has become a corrupting influence

In the June 5, 2000 New York Times, William Glaberson reported that millions of dollars in campaign contributions are flowing into races for top state judgships around the nation, while candidates, per political consultants and lawyers, are testing the ethics rules forbidding them to signal how they might vote on cases.

The integrity of the judicial system is in danger when judges must behave like politicians. Glaberson quotes Anthony Champagne, a political science professor and expert nominees to the Supreme Court. Bush will appoint conservatives like the current justices who vote as a bloc against abortion rights. With only one more such justice, Bush could ensure that abortion rights, embodied in Roe v. Wade, are history. Vice President Al Gore says he will not appoint anti-Roe judges and Hillary Rodham Clinton says clearly that she would not confirm such judges. Lazio would never vote against confirmation of a Bush nominee on the abortion rights issue!

In Lazio’s own words: “Abortion should be legal during the first trimester” and “I’m for a woman’s right to choose, but I think it’s not unlimited.” So, he believes that government may arbitrarily obstruct a woman’s autonomy regarding her own pregnancies, and he votes to create “undue burdens” to abortion.

The whole picture of Lazio’s congressional votes excludes vast categories of women from freedom of choice. His votes against Medicaid and other public funding rule out millions of low-income women. He shuts out military women and dependents by prohibiting even privately funded abortions at overseas military hospitals, even if there is no other medical facility available. Women in federal prisons are kept unwillingly pregnant by denial of funds for abortion. Lazio hits on teenagers from several directions: he voted for requiring parental consent with no right to appeal to the courts and with no exception for rape, incest, or health emergencies. In voting to make it a federal crime to take a minor across state lines for an abortion if her home state requires parental consent, Lazio would imprison grandma for driving her granddaughter to a doctor’s office, but permit the underage pregnant girl to hitchhike all alone to find a clinic in another state. He votes to prohibit Washington, DC from providing abortions for low-income residents. He opposes funding valuable medical research using embryonic stem cells. Lazio also voted for the sneaky Unborn Victims of Violence Act, which regards the fetus as a crime victim equal in legal rights to the woman, and could lead to a ban on abortions.

Lazio’s scanty pro-choice record includes voting against preventing the FDA from approving the abortion pill and against prohibiting federal employees’ health plans from covering abortion. He voted for the clinic safety bill. By November, perhaps more voters will know this.

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Graham, from page 3

(see “On the President’s Mind,” Spring 2000 ProChoice), was short lived. For example, she votes to make it a federal crime for doctors to perform “partial birth abortions” (but doesn’t understand the legislation); and to make it a federal crime for anyone, including grandma, to avoid parental consent laws by taking a teenager to another state for an abortion.

In contrast, we can count on Larry Graham to be an outspoken and effective advocate for our issues; on which he says he will “never equivocate or compromise.” Graham, articulate and smart, speaks for himself, again in contrast with Kelly, who issues statements through a spokesperson.
Graham Puts Kelly’s Voting Record on the Line

Lawrence Otis Graham is Rep. Sue Kelly’s worst nightmare.

Graham is Sue Kelly’s opponent in the 2000 election. He is extremely smart, articulate, tireless, attractive, and speaks his mind. If that’s not enough, he is pro-choice without exclusions or apology. He is endorsed by WCLA.

Graham’s growing cadre of loyal supporters include pro-choice former Kellyites. Kelly squandered the loyalty of her early supporters by joining Speaker Newt Gingrich in his march to the right.

As a first-time candidate in 1994, Kelly promised a dependable abortion rights position. It was a red flag when she signed the Contract With America, but the worst was yet to come. By late in her first year, Kelly and the Christian Coalition were in love; she received 91 percent on their congressional scorecard. Her votes on the environment slid downhill; she voted against a ban on assault weapons, for school vouchers and posting the Ten Commandments in schools. Her rejection of abortion rights began with taking school vouchers and posting the Ten Commandments in schools.

Endorsements will be made in the next issue, with the yellow voting guide as the cover.

With Assemblywoman Audrey Hochberg retiring, filling her seat with a pro-choice advocate becomes top priority for WCLA. District 88 covers Scarsdale, Eastchester, Pelham, most of White Plains, northern New Rochelle, and part of M. Vernon.

Amy Paulin, one of the top leaders in women’s issues in Westchester, and a board member of WCLA (until announcing her candidacy), has been nominated by the Democrats to seek the Assembly seat. She announced her candidacy with approximately 100

Election 2000 Covers U.S. House, NYS Legislature

There is no such thing as an unimportant election for federal and state legislators. They all get to vote on the leadership and reproductive rights issues, and they can get the media to report their statements.

As ProChoice goes to press, candidates’ nominating petitions have just been filed and WCLA’s candidate questionnaires have yet to be mailed. Endorsements will be made in the next issue, with the yellow voting guide as the cover.

Races expected to be tight:
CD 18: An incumbent with years of pro-choice votes in Albany and Washington, WCLA sponsor Eliot Engel, faces a primary against pro-choice state Senator Larry Seabrook. In this Democratic district, winning the primary is winning the election.
CD 19: Democrat Larry Graham takes on Sue Kelly, who abandoned the pro-choice position that led to her election.
CD 20: Pro-choice Greenburgh supervisor Paul Feiner challenges Ben Gilman, whose record has been shaky in the Republican-controlled House.
SD 34: The winner of the Democratic primary between Lorraine Coyle Koppell (very pro-choice) and Michael Benedetto (position unknown) will run against anti-choice Senator Guy Velella.
SD 35: In a head-on pro-choice rematch, County Legislator Tom Abinanti tries again to unseat incumbent Senator Nick Spano. WCLA has endorsed Spano every year since 1990, acknowledging his leadership role on the choice issue in the state Senate.
Beijing + 5

By Judith LaPook

In June, delegates from 180 countries convened for a United Nation special summit on the progress of women’s rights since the global UN women’s conference in Beijing five years ago.

When the Beijing+5 Conference ended a weeklong meeting in New York, there was some good and some bad results.

Their goal: to measure progress and create a plan to implement the Beijing Platform for Action. On the up side, initial fears that the Beijing plan would be watered down were not realized; the new document not only preserved Beijing gains, but added measures calling for laws on domestic violence and more attention to battling HIV/AIDS, and condemning trafficking in women. Other gains were language recommending safe sex education programs and a focus on maternal mortality, and a goal of providing women with lifetime access to health care within the next two decades.

Vatican and Islamic nations squelch sexual rights

The sharp divisions that rocked the Beijing conference resurfaced. The Vatican, whose special status at the United Nations gives it special standing to participate in international conferences, led successful opposition to proposals on safe abortions and expanded sexual rights.

After all-night debate, efforts to expand definitions to include more explicit gay rights were defeated and proposed references to sexual rights and sexual orientation were dropped. The following night a resolution requiring health service providers to be offered abortion training and equipment and other measures to ensure that abortion is safe and accessible failed.

The opposition to these measures has been described as the Vatican, religious groups and countries supporting the Vatican, and Islamic nations, which lined up against the West and women’s rights activists.

Among the women’s rights opponents were 23 members of the U.S. Congress who signed a letter to the UN Mission protesting any pro-choice language. Beijing+5 did preserve language from the original plan for wide birth control and family planning initiatives.

Good Examples of Political Courage on Women’s Behalf

New Zealand Bishop OKs Contraception by Young People

The Catholic bishop of Auckland said that young people should “contracept themselves to the eyebrows” if they ignore the church’s advice to avoid sex outside marriage. “Don’t do it” remained the Catholic Church’s official stance on pre-marital sex, Bishop Patrick Dunn said. But if they did not heed the advice they should take full precautions.

“I am not advocating anything, but if that is the way people want to behave, certainly be very careful. We are not just talking about physical risks, we are also talking about broken hearts,” he told a local newspaper.

Dunn has previously made news by offering cash and assistance to women considering abortion, to try to change their minds. He said, “What I am seeing now is that the primary victims of abortion are not the babies but the mothers. It is a realisation that women are wounded by abortion and are hurting in our society,” he told the newspaper.

Drug company cuts prices to educate women about EC

The Canadian drug company Shire Canada Inc. slashed the price of Preven, (EC, emergency contraceptive) by 77 percent to make the drug more accessible to women who need it and raise awareness of the drug. As in the US, few women are aware of the existence of emergency contraception. The company and leading Preven researcher Dr. Albert Yuzpe made it clear that Preven does not cause an abortion, as does the pill RU-486. At the same time, the Canadian health ministry was completing plans to permit pharmacists to prescribe the drug to women who have not visited a doctor.

Doctors in Uganda push for legalization of abortion.

Citing the deaths of adolescents who die in abortion, the Uganda Medical Association organized a workshop for 30 doctors. President Dr. Margaret M ungherera encouraged medical professionals to speak out about unsafe, illegal abortions. She said, “We are going to strongly urge the authorities to consider legalizing abortion. It is something that keeps coming up from our young people.” Dr. Shema Tamusange, said, “It is better we legalize abortion, rather than letting the majority of our young girls [resort] to wrong methods, which in the process have resulted [in] deaths”

In Ghana, people celebrated with singing and dancing the introduction of the female condom. It was a joint venture between the Ministry of Health and other international and local family planning, health, and AIDS organizations.

First Lady of Ghana promotes female condom

First Lady of Ghana Nana Konadu Agyeman Rawlings, a long-time advocate of women’s rights, praised the female condom, saying that it offers women control over their reproductive health and noting that “Since the female condom is worn by women themselves, it is found to be empowering and is particularly more popular where men are reluctant to use condoms themselves.” She added, “Now, the female condom will give Ghanaians a greater voice in sexual and contraceptive decision making. ... The female condom is a long-awaited global dream come true for Ghanaians this day.”

Thanks to the Kaiser Daily Reproductive Health Report for some of the above stories.

Please contribute to WCLA; see page 15.
AMA Bows to Catholic Pressure

There is an alarming trend of secular and Catholic hospitals merging, resulting in women losing access to reproductive services as Catholic views opposing reproductive health prevail in the new entity.

The California delegation to the meeting of the House of Delegates of the American Medical Association asked for support for a resolution that would require all hospitals that provide prenatal services to provide a full range of reproductive services which is to include temporary or permanent birth control as a condition for receiving Medicare and Medicaid payments. The AMA, instead of taking a strong stance in favor of continued patient access to these services, caved into lobbying from the Catholic hierarchy.

In an unprecedented move, Cardinal Francis George of the Chicago Archdiocese directly lobbied the AMA against the proposal. The AMA is a powerful lobby in Washington, and some resolutions have become Federal law. The AMA proceeded to pass a compromise resolution, reading: “RESOLVED, That in the case of mergers and/or acquisitions of health care systems, our AMA supports action to ensure continued patient access to pregnancy prevention services within the community, including tubal sterilization and vasectomy.”

When a Catholic hospital takes over a community hospital, patients find that it is not just abortion that becomes unavailable as a result of the merger. Women lose birth control, STD prevention counseling, emergency contraception, even for rape victims, and in vitro fertilization.

Ten percent of the nation’s 4,800 hospitals, not including long term and specialty care centers, are Catholic. In California, Catholic Healthcare West and its 46 hospitals have become the largest hospital operator in California.

WCLA favored the original resolution.

Carhart Puts Patients First

Dr. Leroy Carhart, the plaintiff in the Nebraska so-called “partial birth” abortion case, never intended to be a controversial person; however, he has found himself in the center of a firestorm.

At the time of his retirement from the military in 1985, Dr. Carhart was a lieutenant colonel and an Air Force surgeon. He now has a general medical practice, and is one of only three doctors in Nebraska who do abortions. He is the only one to perform them after 16 weeks gestation.

Dr. Carhart and his family were the victims of arson nine years ago, which was believed to have been retribution for his work. The fire killed the family pets and 17 of his horses. No arrests were made.

Anti-choice fanatics have not intimidated Dr. Carhart. He faces demonstrators daily, and awaited the Supreme Court decision that bears his name in Washington D.C. with a bodyguard.

Following the decision, Dr. Carhart said: “I am proud that the Supreme Court has recognized these criminal abortion bans for what they are — a threat to women’s health and a violation of the right of all Americans to obtain medical care without government intervention in the doctor-patient relationship.”

The Supreme Court victory will not end Dr. Carhart’s troubles stemming from his sticking to his principles. His local newspaper reports that he has six months to relocate his medical practice, since his building was purchased by a real estate company with ties to a Right to Life state senator. The mayor of the city in which his practice is located applauded the eviction.

‘Women on Waves’ to Provide Offshore Abortions Abroad

by Judith LaPook

Dutch physician Rebecca Gomperts founded the Women on Waves Foundation in 1999. She hopes to use the Dutch cruise ship, Sea Change, to provide abortions in international waters off the coasts of countries that prohibit or restrict abortions.

The floating clinic could perform as many as 20 first-trimester abortions per day; the procedure would be free to those unable to afford the services. Gomperts would like her clinic to be afloat next year, but as of May, she had raised only $50,000 of the $1 million necessary to buy and outfit the ship. Operating costs are projected to be $500,000 annually.

Anti-abortion response was immediate. Father Richard Welch, President of Human Life International, labeled the clinic a “Ship of Death.” Gomperts worries that women who have received shipboard abortions might face legal sanctions from their own countries. In fact, the island of Malta and its Catholic bishops were infuriated, claiming, “We are ready to prosecute any person that colludes or collaborates with the doctor.”

Uh huh, as they say, “pro-life”

Anti-choice activists have responded with attacks and ‘jokes’ that are anything but funny, and have raised concerns about how far these self-proclaimed life-revering anti-abortion forces would go to “torpedo” a seagoing abortion clinic. Operation Rescue’s leaders have tried to spin the initiative as a lost cause while reportedly joking that they may seek to purchase a submarine.

Jeff White, Operation Rescue’s national tactical director, was reported to have commented, “Gomperts said she came up with the idea after working aboard Greenpeace’s Rainbow Warrior. It would be justice to see the Sea Change end up with the same fate [at the bottom of the ocean].” And anti-abortion activist Michael Bray was reported to have suggested recently that Dr. Gompert and her colleagues might want to stock up on life vests and shark repellent.

Gomperts acknowledges that anti-abortion extremists could pose threats, but is undeterred, arguing that a ship clinic is less vulnerable to attack than land-based clinics and plans extensive security measures. More important, she said, is that “A hundred thousand women a year die of complications from abortions. The only way to help them is by offering legal and safe services.” Gomperts is undeterred by the threats.
Forty Years of the Pill Have Been Good for Women

By Nancy Montagnino

In May of 1960, 40 years ago, the US Food and Drug Administration approved oral contraceptives, known as “the Pill.” The word “revolution” is frequently applied to the effects of the pill on women’s lives as they gained greater control over their reproduction.

The freedom from unwanted pregnancy that the Pill provided resulted in greatly expanded opportunities for women. They enjoy more education, better jobs and careers, and fuller lives around the world. Childbearing by choice had become a reality with the advent of the Pill.

Other methods of birth control available in the 1960s, such as the diaphragm and condoms, had to be applied just before sex, and had a low effectiveness rate. The Pill separated contraception from the sex act, and sex from reproduction, permitting women to express their sexuality without risk of pregnancy. It was, and still is, the ultimate in women’s liberation. It is the most widely used form of birth control in most of the world.

Jane E. Brody, health writer for the New York Times, noted that after just five years of availability, the pill was the leading reversible contraceptive method in the United States. Sixteen million American women are currently on the pill, with an estimated 468 million American women having taken it since its introduction. Brody observed, “The pill arrived at a time when abortion was illegal everywhere in the United States and when growing numbers of young women were striving to liberate themselves from the social trappings of premarital chastity and vocational suppression.”

Some experts think that the Pill will lose popularity in this century. John Guillebaud, professor of family planning and reproductive health at University College in London, in the 2000 edition of Family Planning Perspectives, says the Pill’s effectiveness is still too dependent on sometimes faulty human memory to continue its predominance.

RU-486 vs Viagra: Controlling Fertility vs Restoring Virility

Restoring virility versus controlling fertility is a tale of two pills, the Food and Drug Administration (FDA), and men and women.

Approval of Viagra, the erection pill, was a short story. The FDA and mifepristone (RU-486), the abortion pill, is a continuing saga.

Once men knew Viagra was invented, there was no holding it back. Despite concerns about side effects and medical risks, Viagra was licensed swiftly by the FDA with no restrictions. Any doctor could prescribe it, and most have, if asked by their patients. Nearly every insurance company covered it, including even the Pentagon, which spent $50 million for Viagra the first year. It quickly became available to men worldwide through the Internet.

American women have coveted RU-486 since they knew it was invented. The FDA declared mifepristone “approvable” — safe and effective — in 1996. Mifepristone has a proven safety record after 12 years of use in France and other countries, and over 5 years of clinical trials in the US. Despite the support of a pro-choice president, it languishes in the FDA.

Despite early problems with patent rights and manufacturing, US approval seemed imminent. Ominously, in February, the FDA said it would approve the sale of RU-486 once some new, undisclosed requirements were met. In June, the nonprofit Population Council, which holds the patent in the US, revealed that the FDA is proposing unnecessary but crippling restrictions. No one says why. Whatever is going on within the FDA is its secret.

The search will be on for what he calls “contraceptive utopia” — reversible methods free of side effects, that are 100 percent effective, protect against sexually transmitted diseases and are completely user-friendly.

Limiting the number of children has saved couples from economic and personal stresses, in effect preserving many marriages. The economics of child rearing were reported by the New York Times: the latest government figures report that a two parent household, earning $36,800 to $61,900 a year, will spend $160,140 to feed, clothe and shelter a child, exclusive of college tuition.

Pill blamed for society’s woes

The Pill is not without its critics. Those opposed to birth control, mostly conservative religions that have a biblical view of women’s roles, blame the pill for the disintegration of the nuclear family, for promiscuity, for teen sex, and a host of other societal ills, and wish to ban it. Battles are fought in legislatures throughout the country on providing it and funding it. The Pill is a central concern in the issue of mergers of religious and secular hospitals. International family planning is a major issue in Congress. The enemies of birth control, especially the Pill, are many.

Higher doses of the Pill were approved as emergency contraception (EC or “morning-after pill”) in 1997. Preven, for one, is specially packaged for this purpose. EC is used for rape victims, and for those who experienced a problem with their regular method of birth control (a condom breaking, for example.)

The pill has also given women a number of non contraceptive health benefits. The pill has been found to regulate menstrual bleeding, prevent ovarian and endometrial cancer, pelvic inflammatory disease, and reduce a woman’s risk of rheumatoid arthritis and osteoporosis. It is also believed to mitigate acne and facial hair.

But who can forget that in 1988, as anti-abortion boycott threats made the patent owner consider pulling off the market, the French Minister of Health insisted that RU-486 was “the moral property of women,” which it soon became.

The Danco Group, which holds the US license to manufacture RU-486, said that the FDA is proposing a national registry of all doctors prescribing the drug, and they must have admitting privileges at a hospital within one hour of their office. Further, the proposed regulations would require follow up study of the women who had medical abortion. Only doctors trained in surgical abortion would be allowed to prescribe the drug. Such restrictions are

See RU-486 on page 15
Please pay close attention to the fact that the makeup of the Supreme Court is arguably the most important issue of the November elections. The next president will make court appointments and the Senate will confirm or reject them, thereby deciding whether Roe v. Wade will stand or fall, and whether abortion remains a right or not.

There is nothing more important for you to do before Nov. 7 than educate others about the path from Election Day to Supreme Court appointments.

Your Elected Officials: Keep For Future Reference

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CBL 16 Andrea Stewart-Cousins [+] D,L,I
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Key
I Independence
D Democrat
R Republican
C Conservative
G Green

L Liberal
RTL Right to Life
RTL-RTL Has run on RTL

This list keeps improving because YOU elect pro-choice candidates.
To write letters to the editor
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229 West 43 Street
New York, NY 10036
Fax: 212/556-3622
e-mail: letters@nytimes.com

The Journal News
1 Gannett Drive
White Plains, NY 10604
Fax: 696-8396
e-mail: letters@westches.gannett.com

Weekly papers:
Check the mastheads for addresses and fax numbers.

10 Westchester
Abortion Becomes Key Issue in Bankruptcy Reform

The Bankruptcy Reform Act is being debated in Congress. Clinic protection has emerged as a key issue. Senator Charles Schumer (D-NY) has proposed an amendment to the bankruptcy reform bill prohibiting individuals from using bankruptcy to avoid the payment of fines levied after convictions of violators of FACE (Freedom of Access to Clinic Entrances Act), a law written by Schumer. FACE targets violence or harassment aimed at abortion clinics, their staff and patients.

Senate Republicans in the anti-abortion camp oppose the amendment. But in a cynical partisan maneuver in February, the Senate voted by 80 to 17 to pass the Schumer amendment in order to deny Vice President Al Gore the chance to break a tie. The Act is currently in a House-Senate conference committee, for reconciliation with the House of Representatives' version.

House Judiciary Committee chair, Henry Hyde (R-IL), a leader in the congressional anti-abortion group, is seeking to strip the amendment of the "reproductive health services" language. Schumer's amendment specifies debts from a conviction at reproductive health services facilities under FACE. It is Hyde's plan to substitute language preventing persons convicted of "willful and malicious acts" from discharging those debts under bankruptcy, providing a loophole for FACE violators.

The creators of the Nuremberg Files website have already sought bankruptcy protection. They were facing the potential of $109 million in damages. The Nuremberg Files provided personal information on the Internet on doctors who performed abortions.

‘Hi Fidelity’ Out-Pro-Choices ‘Cider House Rules’

Audrey Fisch, writing in the online magazine Salon, explains that the movie Hi Fidelity has received critical acclaim, but because the abortion segment takes about three minutes, no one thinks of it as a pro-choice movie. Instead, Cider House Rules has that honor.

Fisch says that Cider House Rules isn’t the courageous or radical film that critics and pro-choice advocates claim it to be. That particular distinction belongs to Hi Fidelity, a movie which conveys an almost revolutionary take on abortion, but is recognized as little more than a smart romantic comedy with an exceptionally great soundtrack.

Hi Fidelity does not dwell on the issue of abortion. Rob, acknowledges cheating on his girlfriend, Laura, while she was pregnant. Knowing of the infidelity, Laura chooses to terminate the pregnancy without telling him that she was pregnant. He criticizes her upon finding out. Fisch says, “But upon reflection, he tells the movie audience — flatly and without melodrama — that his response was both spineless and insincere. It was not a valid complaint, he admits sheepishly, but just more evidence of his selfish unwillingness to take responsibility for cheating on Laura. And then he starts talking about something else.

This is in stark contrast to Cider House Rules. Those connected to abortion seem to suffer the consequences. Candy has an abortion. Later, her boyfriend is paralyzed from the waist down, preventing him from siring children. Rose is an incest victim, who has an abortion, and subsequently stabs her father. The doctor dies from a drug overdose. The young doctor decides abortion is moral only after he sees women die from it. Fisch points out that “Whatever else The Cider House Rules may do, it doesn’t deviate from the basic script that says women who exercise the right to choose are inexorably stained and deserving of punishment.”

She concludes that “Hi Fidelity,” with its brief depiction of Laura’s abortion as distressing but surmountable, actually delivers the more radical message that abortion doesn’t have to be the stuff of tragic melodrama. It can be, and often is, simply one compelling anecdote in the overall narrative of life.”

Cider House Rules is a pro-choice movie since the filmgoer understands that women will have abortions regardless of legality; and illegal abortions are often unsafe.

John Irving, the author of the novel Cider House Rules and the screenplay, was awarded honorary membership in the National Abortion Federation.

Hi Fidelity has yet to be honored.
A Week In the Life of a Pro-Choice Congresswoman

By Rep. Nita M. Lowey

As Congress struggles through another partisan session, with the elections in sight, I am reflecting on what life is like for pro-choice members in an anti-choice Congress, and how important it is that we restore a pro-choice majority in the House and Senate and elect a pro-choice President in November.

In a single week recently, my colleagues and I juggled several family planning and abortion issues. During consideration of the FY 2001 Labor, Health and Human Services, and Education Appropriations bill, an anti-choice amendment was drafted that would take $10 million out of Title X, America’s excellent but under-funded family planning program, and transfer the money into an incentive program for states that reduce their child welfare rolls through adoption or foster care dollars by November. In a New York Times column appearing July 7, writer Glaberson again focuses on the cost of judicial races and how interest groups are investing large sums in an attempt to control the outcome.

The individual candidates in Ohio are limited to only spending $550,000. However, the race has garnered national attention since the incumbent judge authored a decision striking down laws limiting injury liability claims. As such, she now has to contend with insurance, medical and other business groups which have lined up to defeat her. Her supporters include plaintiffs’ lawyers, unions, consumer groups and the Democratic party. There is no cap on how much these individuals can spend.

Pro-choice voters must focus on the judiciary, too. Abortion rights are repeatedly before the courts. The voting guide will be in the next issue of ProChoice.

The photo of Nancy K. Montagnino, WCLA’s new executive director, on page one of the Spring issue, was darkened by a printer’s error. This is a better photo anyway.

Infertility Advocacy Day
Resolve - the national infertility association - will sponsor its Advocacy Day 2000 on Thursday, Sept. 21, 2000, in Washington D.C. Participants will lobby for mandated insurance coverage and more infertility research. For more information, call Resolve at (617) 623-0744, or email: info@resolve.org

See Lowey on page 13
NYS Legislature Gets Mixed Reviews on Choice Issues

The State Senate and Assembly have recessed for an undetermined time. The legislative session deserves mixed reviews.

The Senate failed to pass the Women’s Health and Wellness Act. The Assembly overwhelmingly passed it in January with broad bipartisan support. The legislation requires health plans to cover prescription contraception, mammograms, and screenings for cervical cancer and osteoporosis.

Instead of passing the legislation, Senate Republicans set up a Task Force to study the issue. This is a direct affront to women, as early detection saves lives. Passage should have been a simple matter. In contrast, the Senate did not feel the need to study a mandate for additional insurance coverage for prostate cancer screening, which passed easily, setting the Senate up for criticism for favoring men’s health care.

Budget battle

Family planning advocates won the budget battle. The new budget provides family planning coverage for the working poor. Women earning up to 200 percent of the federal poverty level will now qualify for Medicaid coverage for family planning. The $1.5 million cut in family planning proposed by Governor Pataki was defeated. Instead, not only did the legislature restore the money, they added to it another $1.5 million!

New York continues to have Medicaid funding for abortion thanks to the New York Assembly. The state Senate voted to ban Medicaid funding by one vote. The Senate also voted for a ban on so-called partial birth abortions, prior to the decision by the Supreme Court on the issue.

The legislature adjourned without passing Senator Nick Spano’s bill requiring hospital emergency rooms to provide emergency contraception to rape survivors.

The pro-choice forces won major victories in the Assembly Health Committee. Anti-choice legislators proposed the Women’s Right to Know Act, which would require doctors to provide biased information to their patients prior to an abortion, and require a 24-hour waiting period between the time of the first visit and the abortion. This legislation did not make it out of committee.

Parental notification, full legal personhood for the fetus, and denial of Medicaid funds for so-called partial birth abortions also were defeated in the Health Committee.

Pro-choice champion Sheldon Silver survived an attempt by some Democrats to oust him as Assembly speaker.

Lowey, from page 12

Clinton Administration came into office that the import ban was removed, that clinical trials were conducted, and an application was finally made to the FDA to approve this drug — which women in France have had for 12 years, and which is available now in Austria, Belgium, Denmark, Finland, Germany, Greece, Israel, the Netherlands, Spain, Switzerland, and the United Kingdom. I hope New Yorkers will think about that before they elect a president in November.

Finally, as I write this, the House just passed a bill that allows physicians to collectively bargain with managed care plans and HMOs. I am a strong supporter of this legislation, which I believe will help doctors really represent the needs of their patients. But yet again, an anti-choice amendment was attached to the bill, stating doctors can negotiate on any subject except abortion. I had to vote against the bill because it contained the unacceptable gag rule. I will keep fighting against any attempt to roll back a woman’s right to choose and limit access to family planning, but I truly hope it is the action of pro-choice voters, acting together, that will deliver us a new, pro-choice majority in 2001.

Election Day is Nov. 7. Don’t even think of not voting.
Clippings

Essay Lands Molester in Jail

In an essay she called "Why I Am Who I Am," a 14-year-old girl graphically described sexual abuse she suffered as a young child by a man named Roger between 1989 and 1993. She revealed numerous specific incidents of molestation, which continued for four years, beginning when she was four years old. There was one on her seventh birthday and a final one on the day her family moved to another part of the country.

After the teacher read the girl's cry for help, she immediately gave it to school officials, who called police. When authorities contacted the girl's mother, she said she was unaware of the abuse but suspected, however, that the "Roger" described in the essay was Roger M. Matthews. Police found Matthews, 44, because he is a known convicted sex offender. He confessed to abusing the girl and her brother, and even revealed other alleged sex crimes that also had remained secret for years. Roger M. Matthews is in jail.

Fired for inviting Steinem to speak

The Boston Globe reported that Trinity College's communications director submitted her resignation after the college decided that she had erred in inviting feminist Gloria Steinem to speak at its Peace and Justice lecture series. The president of the Catholic college for women, located in Vermont, felt that Steinem was an inappropriate choice as she wouldn't be able to discuss women's issues without talking about abortion.

Oops, they forgot parents' rights

Four terminally ill newborns were kept on life support in Missouri against the wishes of their parents because of fears that the doctors would be charged with murder under the state's new abortion ban law if they removed them.

"We're in legal straitjackets with our hands tied behind our backs," said Dr. John Pardalos, a neonatal intensive care specialist at the University of Missouri's hospital. According to Pardalos all the children eventually died tied to their ventilators, some within days, but one lasted two and a half weeks after the parents requested that it be removed from life support.

Were their fingers crossed?

A 13-year-old British girl was bribed by promises of financial help for baby clothes and supplies. The Catholic Church's "Pro-Life Initiative" convinced her to turn down an abortion and have her baby. After the child was born, Exeter High Court ordered the girl — who was 12 when she became pregnant — to give up the child for adoption. The girl is believed to have a reading age of six.

TV Abortions: Bad Characters

Using the show Felicity as an example, Salon's Audrey Fisch complains that television portrays women who have abortions as of bad character. Why not, she asks, show how sex can result in unplanned pregnancy for any woman?

Yes, why not?

Home Pregnancy Tests Reduce Follow-up Care

Sexually active teens are missing out on necessary health care, including pregnancy prevention counseling, because they are opting to use home pregnancy test kits and are not making necessary visits to health clinics.

Researchers in one recent study concluded that 34 percent of sexually active teens had used a home pregnancy test, with 77 percent having at least one negative result. However, of that 77 percent, nearly half took no further action to confirm the results. The study resulted from a survey of almost 600 girls, aged 13 to 19 years visiting clinics in Minneapolis and St. Paul, Minnesota between October 1997 and June 1998.

Home pregnancy tests are not always accurate. If the negative result was not correct and there was no follow-up, the young woman would be delaying receiving either pre-natal care or an abortion. Teens who used the kits were not as likely to use birth control.

The teens using the home tests cited confidentiality, convenience, fast results and cost as the reason for doing so.

Home pregnancy tests are readily available over the counter in Westchester pharmacies.

Birth Control, from page 1

"Women of reproductive age spend an inordinate amount of money on health care — up to 68 percent more in out-of-pocket health care costs than men — much of it due to reproductive health-related supplies and services," Spano said. The pill is the most widely used prescription drug used by women aged 15 to 44, as well as the most popular contraceptive method in the U.S.

The coverage includes birth control pills and other forms of prescription contraceptives that require the services of physicians or other medical professionals. Oprah-the-counter methods will be excluded from the plan.

Coverage began July 1 and is available through the county's self-administered, self-funded health plan provided by PCS and POMCO. Prescriptions for oral contraceptive drugs are covered the same as any other prescription drug when presented at a network pharmacy.

Employees are being encouraged to order the drugs through the county's mail service program, which allows them to order up to a 180-day supply of oral contraceptives with no out-of-pocket cost. If ordered at a pharmacy, prescriptions would be subject to a $4 co-pay ($1 for generic brands).

The benefit is the result of an agreement between Spano and the County Board of Legislators, who agreed that funds in the 2000 county budget should be allocated for coverage for individuals who use or need contraceptives.

Gore, from page 3

Politically street-smart, he would be steeped in history and possess a penetrating understanding of foreign and domestic policy. He'd have read more. Like a failing student as exams near, Bush has a tutor in foreign policy, and concedes that he “has much to learn about the world.” The tutor tries valiantly to convince others that what Bush lacks in international knowledge and experience he makes up for in “good instincts.”

The conclusion that Bush is too shallow to be president is unavoidable. The thought of this know-nothing in the Oval Office is terrifying.
April 9, 2000 was the 30th anniversary of New York’s abortion law, which passed by one vote after Assemblyman George Michael switched his vote to YEA — morally obligated to do it, and knowing his political career was over. It was — but women in NY have had legal abortions ever since, as well as 30 years of fighting to keep them.

The photos were taken at NARAL-NY’s luncheon to commemorate the law, honoring those who worked to pass the 1970 law and are still at it.

Left to right, above: Assemblywoman Connie Cook, author of the law, with activist Barbara Shack; Rev. Howard Moody; Rabbi Balfour Brickner. Below: Ruth Proskauer Smith, the three sons and daughter-in-law of George Michael, and Lawrence Lader.

WCLA’s Polly Rothstein, who snapped the photos, was among those honored.

RU-486, from page 9

beyond that applied to other drugs. The reported regulations have not been finalized. There is no medical reason to justify these restrictions.

The restrictions would destroy the main advantage of “medical abortion” (as opposed to surgical abortions), letting doctors in their offices provide the drug, immune to Operation Rescue.

“It kills the drug if it can’t be used by primary care providers,” said Dr. Eric Schaff, a professor of family medicine at the University of Rochester who has run clinical trials of RU-486. “The whole idea of mifepristone was to increase access.”

Viagra is shown to result in heart attacks in older patients. Critics are questioning the withholding of research information and the speeded-up process of approval of the erection pill.

Before prescribing it, Dr. Ronald Lewis of Georgia Medical College, asks patients at risk: “Is sex worth dying for?”
Lest We Forget . . .

“The clandestine nature of illegal abortions, even if women survived them, sharpened women’s awareness of the danger and illegality of abortion. If the ... woman had experienced any problems, no friend of relative would have been able to find or help her. One woman recalled her fear when she took a friend to the illegal abortionist whom she had previously visited herself: ‘As I handed her over to strangers at the outside door of the apartment building where the abortion was to be performed, then met the mysterious contact in the park who carefully counted the money, and then waited, waited and waited, I realized how totally at the mercy of unknowns and unknowables my friend was, and I had been.’ A Detroit student, who found she was pregnant in the spring of 1968, went with a friend to an abortionist who ‘was upstairs over a store. We were both scared to death. The man did the abortion and said not to call him if I had problems.’ Almost twenty years later the woman seemed to breathe a sigh of relief as she wrote, ‘Luckily I was O.K.’”

From When Abortion was a Crime by Leslie J. Reagan

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It’s time for women to realize that by toying with voting for Lazio they’re playing chicken with reproductive rights. It’s time for women to acknowledge that society still treats us unfairly and adheres to a double standard. It’s time for women, and not only avowed feminists, to create a dynamic of solidarity with Hillary and demand that Lazio repudiate the letter, stop the innuendoes, and own up to his anti-abortion record.

The next senator from New York could be the swing vote to confirm or reject the fifth Supreme Court justice needed to overturn Roe and abortion rights. That’s why I ranted a bit writing this column.