

# *Abortion Issue Clouds Presidential Politics*

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**THE U.S. SUPREME COURT** decided in 1973 that the decision to have an abortion was a matter between a woman and her physician. The court held that the right of privacy guaranteed by the Constitution logically must include this most personal decision. Not even the state could intervene in the first six months of pregnancy except to protect the woman's health during the latter half of this period.

It is a paradox that a personal freedom which derives from the right of privacy has become a volatile issue of public debate during this presidential campaign year. Neither major party candidate, if elected, could do much to prevent abortions from occurring or have much effect on women's decisions to have them.

**WHY, THEN, ARE BOTH** candidates pandering to the views of a few Catholic bishops while a million women each year are ignoring the debate and exercising their right of choice?

Mr. Ford has taken a "moderate" position on the subject of abortion, whatever that is. He thinks the Supreme Court went "too far" and favors a constitutional amendment which would return the governing of abortion decisions to the state legislature as it was during the 19<sup>th</sup> century.

Mr. Carter, taking pains to state his personal opposition to abortion, opposes nonetheless any constitutional amendment concerning abortion. He qualifies this qualification by encouraging those opposed to personal choice in this area to seek such an amendment. He yearns to please the Catholic hierarchy by opposing the use of public funds for abortions.

In Mr. Carter's position there is some recognition of the difference between personal moral choice and public policy. This is a most important distinction, since it allows objective discussion of policy choices on their own merits.

However, the question of a constitutional amendment prohibiting abortion has no place in presidential political debate since it would require action by the Congress and state legislatures but not of the president.

That part of the debate which is concerned with the use of public funds to pay for abortions is more legitimate, since the president might be in a position to sign or veto such legislation.

Congress recently jumped into the fray by passing an amendment to the Labor-HEW appropriations bill which would prohibit the use of federal funds for abortion except when the woman's life clearly would be endangered by continuation of the pregnancy to term. A careful reading of the language of the Senate-House conference report on the amendment shows the congressional intent as denying abortion as a form of treatment for a woman who has suffered rape or incest. The only member of the Colorado congressional delegation who supported this cruel and discriminatory legislation was Rep. Bill Armstrong, 5<sup>th</sup> District Republican.

President Ford vetoed the labor-HEW appropriations bill but the veto was overridden and the abortion amendment became law. The next day, restraining orders against the amendment's

provisions were issued by federal courts in New York and Washington, D.C. (Seven federal courts have ruled state legislation similar to the amendment to be unconstitutional on grounds of violation of the equal protection clause of the Fourteenth Amendment.)

**THE ISSUE OF PUBLIC** funding for abortion services is a significant one because some 250,000 women obtain abortions each year through Medicaid payments, resulting in a public expenditure of \$45-\$50 million in federal monies alone.

The poor, of course, experience most of the health problems in our society due to lack of adequate medical care, nutrition, housing, hygiene, and education. The risks due to pregnancy experienced by women in this group are enormously increased over those of their more affluent sisters.

A woman with an unwanted pregnancy who has decided to get an abortion will have an abortion whether it is safe or unsafe, legal or illegal. Thousands of years of human history have shown that.

The question of public policy which emerges is this: why should the poor, who are in such vital need of a critical reproductive health service, be forced to experience the higher risks and mental anguish of unwanted pregnancy while the rich are free to choose?

The congress has decided, and the two major presidential candidates agree, that there will be two systems of reproductive health care in the United States: one for the rich and another for the poor.

Aside from the blatant inequality and unfairness of the public policy set by Congress and espoused by the candidates, aside from the human and financial costs of withholding public support for abortion services, there are some other facts with which the politicians should familiarize themselves:

- Approximately 80 per cent of the American public now supports the right of a woman to choose to have an abortion.
- Consistent support of the Supreme Court decision on abortion was no handicap during the 1974 elections and in fact was probably advantageous in some cases.
- While there are only a few Catholic bishops, there are one million women obtaining abortions each year in the United States, and most are old enough to vote.

*The author of this opinion article is a Boulder physician who has helped prepare national standards for abortion services*