

Protest the Abortion Procedures Ban: Talking Points

We can never forget the picture of the President surrounded by old white men signing the first ban criminalizing an abortion procedure since *Roe v. Wade*. As Ellen Goodman pointed out, when President Clinton vetoed this same bill, he was surrounded by a group of women. Right now, as never before, a woman's right to choose safe, legal abortion is in jeopardy. By passing a ban on so-called "partial-birth" abortion, Congress and the President are pandering to the right-wing, anti-abortion movement. Women's rights advocates are outraged at the Senate's passage of the abortion ban and are assuring supporters of reproductive rights that feminists won't stand for any ploy to send us back to pre-Roe days when women were forced into the back alleys to seek illegal abortions. Educate your campus on this ban and use these talking points when tabling, collect signatures of pro-choice support to grow your membership and/or March delegation:

- In the 30 years since *Roe v. Wade* established a woman's right to have an abortion, Congress has never banned a specific abortion procedure.
- The bill does not include any exception to protect the health of the woman. Doctors who defy the law in the best interest of their patients' health can be arrested, criminally prosecuted, and sentenced to prison.
- The so-called "Partial-Birth Abortion Ban Act of 2003," which the House approved 281 to 142 and the Senate passed 64 to 34, was signed into law by President Bush on November 5th.
- The term "partial-birth" is an inaccurate and inflammatory term created by the anti-abortion movement, and it neither refers to any particular medical procedure nor receives recognition from the medical community.
- The description of the procedure in the federal ban is so broad that legal experts fear it could be interpreted to apply to all abortions. Bans on abortion procedures such as these aim to outlaw or significantly chip away at a woman's right to choose a safe and legal medical procedure.
- According to the Alan Guttmacher Institute, only .08% of all abortions are performed after 24 weeks, when the fetus may be viable. Abortions in the third trimester were most commonly a result of endangerment to the women's life and health, or severe fetal abnormality.
- A woman who decides to terminate a pregnancy because her fetus has severe health problems or abnormalities may not have a safe abortion option.
- Although federal judges in New York, Nebraska, and California have temporarily stayed enforcement of the law, the case is expected to eventually reach the U.S. Supreme Court. By a razor-thin 5-4 majority, the Supreme Court overturned a similar state law in 2000 in the case of *Stenberg v. Carhart* – but we cannot be assured of the outcome next time. Bush has pledged, if given the chance, to put forward nominees to the Supreme Court who oppose the right to abortion. By the time this case reaches the Supreme Court, we could be facing a dramatically different Supreme Court.

Doctors Oppose the Criminal Abortion Ban

- The American College of Obstetricians and Gynecologists, the American Medical Women's Association, the American Nurses Association, and the American Public Health Association do not recognize the term "partial-birth abortion" as a medical procedure.
- Doctors are raising concerns that the broad language of the bill could block all abortions after the twelfth week of gestation.
- According to the *Boston Globe*, doctors are fearful that language in the bill could also ban the more common second trimester abortion method known as dilation and evacuation (D&E).

- The bill does not make a distinction between D&E and dilation and extraction (D&X), and as a result all D&E procedures are likely to fall under the restrictions laid out in the ban.

Current Status on the Law and the Supreme Court

National Lawsuits: The National Abortion Federation (NAF), Planned Parenthood Federation of America, and the Center for Reproductive Rights filed lawsuits to stop the implementation of a law that would ban safe, necessary abortion procedures and contains no exceptions for the health of the woman.

Statewide injunctions: US District Judge Richard Kopf issued a temporary injunction to prevent implementation of the law, but limited his order to the four Nebraska doctors who had filed suit against the law, according to the *New York Times*. Kopf found the law unconstitutional because it lacked an exception to preserve the woman's health.

This ban is just one more way the right-wing is trying to control women's lives. We must not be pushed back any further. 70,000 women a year are dying of unsafe and botched abortions in the developing nations already because of our hypocritical foreign policies on family planning. And there are many women who are needlessly suffering right here in the United States.

Speak out for women around the world on April 25, 2004 when we March for Women's Lives (March for Freedom of Choice). For more information on the March visit <http://march.feminist.org>.