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Reproductive Rights USA

Jumping Through Hoops

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It's clear that women can make intelligent decisions for their lives when they are supported in their goals and encouraged to consider their full range of options. This begins with reproductive freedom, but needs to include access to education and health care, the right to a decent and meaningful job, the right to have a family and raise it in a safe environment. It includes quality day care for parents who need it, as most do. No matter how many obstacles the radical right attempts to put in front of women, women have an objective need to circumvent them.

[<https://association-radar.org/IMG/jpg/pro-choice.jpg>]

Pro-choice activists on the march

Yet in 2006 opponents of reproductive rights have continued to move on several different fronts:

- In March the South Dakota legislature passed a law, subsequently signed by Governor Mike Rounds, banning abortions in the state. In defiance of the 1973 Roe v. Wade decision, this law includes no provision to protect the health of a pregnant woman. Before the intervention of activists who opposed the ban the law was scheduled to take effect July 1.
- This summer the Jackson Women's Health Organization, Mississippi's lone remaining abortion clinic, has faced two waves of anti-abortion protests.
- By a lopsided 65 to 34 vote, the Senate recently passed a bill to make it a federal crime for any adult to take a pregnant minor across state lines for an abortion without her parents' consent. The House of Representatives passed an even stricter version last year so if the two houses can agree on a compromise bill, President Bush would gladly sign it into law.
- On August 1 the Food and Drug Administration (FDA) announced its plans to make the morning-after pill known as Plan B available over the counter for women 18 and older. This is the first time the FDA ever proposed a separate age status for a non-prescription drug. Plan B, which contains concentrated amounts of the hormone progestin, is the most common form of emergency contraception. Available in some European countries for more than 20 years, Plan B can prevent a pregnancy within 72 hours of intercourse, but is most effective within the first 24. As an over-the-counter drug with an age restriction, chances are that it will only be available where pharmacists are present.

In each case supporters of reproductive freedom have organized to oppose these actions.

- In the case of South Dakota, 38,000 people signed a petition to prevent the anti-abortion law from taking effect and demanded that the issue be placed on the ballot for a vote this November. Oglala Sioux Tribal President Cecelia Fire Thunder announced at the time "I will personally establish a Planned Parenthood clinic on my own land, which is within the boundaries of the Pine Ridge Reservation where the state of South Dakota has absolutely no jurisdiction." [[1](#)]
- The Jackson clinic has gathered a network of supporters to defend the right of women to seek abortions.
- Letters to the editor in hundreds of newspapers across the country have debated the issue of criminalizing adults

who aid pregnant minors, with the vast majority pointing to the reality that most teenagers do tell at least their mothers. The handful of those who don't have good reason not to tell-they may have seen what their parents did to an older sister and want to shield themselves from abuse.

– Both medical professionals and networks of reproductive rights supporters have opposed the FDA's age restriction on Plan B.

Years ago the right wing decided the best way to attack sex education was to demand that such programs teach abstinence as the only effective birth control method. They insist condoms lead to venereal disease while abortion raises one's risk of breast cancer and infertility. Despite the lack of any evidence for such claims, several states have legislated these sex "education" programs. For many young women, especially in conservative states like Mississippi, there are few alternative sources for birth control information.

Although U.S. educational policy is decentralized, the priority set by federal funds has a big impact on local school boards. Washington currently earmarks approximately \$80 million to promote abstinence-only education and states provide another \$38 million in matching funds. Fifty-one percent of sex education programs require abstinence to be portrayed as the preferred option for adolescents, although information about contraception is permitted, and 35%, including half of all the districts in the South, require an abstinence-only program.

Not only are these programs out of step with the effective evidence about how to teach sex education, but they are out of step with reality.

Restrictions on Abortion

Since the 1973 Roe v. Wade decision legalizing abortion, the right wing has sought to prevent hospitals from performing the procedure, restricted clinics with a range of regulations and harassed medical personal both at the clinics and at their homes. On the federal level, the government excludes abortion from medical coverage for women in the military, denies the procedure to most women receiving public assistance and, both at home and abroad, has defunded family planning programs that provide abortion services.

Given that abortions are not available in over 90% of all the counties throughout the United States (and never have been), women in rural areas are forced to travel several hours to a clinic. While 35% of women between 15-45 obtain an abortion at some point in their reproductive life, one third live in the counties where there are no clinics. Lack of access means a woman is unable to obtain the abortion as early as she would like in her pregnancy cycle. It can even mean a more expensive, second-semester abortion, raising the possibilities of medical complications.

In 1992 the Supreme Court placed significant restrictions on abortion rights. In *Planned Parenthood of Southeast Pennsylvania v. Casey* the court ruled that states had the right to pass laws that don't recreate an "undue burden." Both supporters of women's rights and their opponents saw the case as a setback-the right wing was hoping for overturning legal abortion while most supporters of women's reproductive freedom realized the battle over which restrictions would be considered "undue" had just begun.

Within the last year approximately 500 anti-abortion bills were introduced in state legislatures and a couple dozen were signed into law. More have been introduced this year. All this harassing legislation has an impact on clinics; there are now approximately 10% fewer clinics than a decade ago.

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Today 32 states and the District of Columbia prohibit the use of state funds except when federal funds are available; 46 allow individual health care providers to refuse to participate in an abortion and 43 allow institutions to refuse to perform abortions. Twenty-two states require parental consent for a teenager seeking an abortion. Only two require the signature of both parents; most provide for an additional mechanism whereby the teenager can seek a bypass. Eleven states require parental notification; seven others have passed legislation but it is permanently enjoined. (95,000 women 18 or younger had an abortion in 2000.)

Twenty-eight states mandate a woman must be given "counseling" before an abortion that includes: the supposed link between abortion and breast cancer (3 states), the ability of a fetus to feel pain (4 states), long-term mental health consequences for a woman (3 states) or the availability of services and funding should the woman decide to carry the pregnancy to term (26 states). Twenty-four require a one-day waiting period. This is a particular problem for women traveling any distance-recent statistics indicate that 25% of the women obtaining abortions travel more than 50 miles; 8% travel more than 100 miles.

Clinic Blockades

These institutional strategies accompany the right wing's in-your-face actions at clinics. Twenty years ago they were able to mobilize week-long protests of several thousand; supporters of women's rights organized counter pickets. The radical right didn't just picket. They attempted to "save" women from abortions, stalked medical personnel, traced the license plates of any cars going to the clinic, and put out wanted posters. In the end Congress was forced to enact legislation protecting the clinics, but not before the murders of doctors performing abortions-Drs. George Tiller (Wichita, KS), Barnett Slepian (Buffalo, NY) and David Gunn (Pensacola, FL), and Gunn's escort, John Britton.

This summer both Operation Save America (descendent of Operation Rescue) and Oh Saratoga picketed the Jackson Women's Health Organization, which stayed open throughout. The protesters, ranging from 25-100, brought their signature blown-up fetus photos. Operation Save America protesters also targeted the neighborhood of the clinic's gynecologist, Dr. Joseph Booker. They went door to door, telling his neighbors that Booker was "a baby killer." Throughout the protests Dr. Booker, a 62-year old African American, had a police escort. But like other abortion providers, he took it all in stride.

A number of feminist organizations, most notably NOW and the Feminist Majority, organized to support the Jackson clinic, holding rallies in defense of women's reproductive healthcare and fundraisers for the extra expenses the clinic faced.

Restricting the Emergency Pill

Like abortion, the right wing has made emergency contraception a battleground. The right opposes it because it represents a "slippery slope." Some even claim it works the same way an abortion does and therefore is "taking a life."

In December 2003 the FDA's advisory panel voted 28-0 that Plan B was "safe for use in a nonprescription setting," voting 23 to 4 in favor of granting it over-the-counter status. But following the 2003 vote, Dr. W. David Hager, a Christian conservative and Bush appointee to the panel, stated his fear that if Plan B were freely available, it would increase sexual promiscuity among teenagers.

In May 2004 the FDA denied the drug manufacturer's application, citing some of Hager's reasoning. Two months

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later the manufacturer reapplied for permission to sell it to women ages 16 and up. When, in August 2005, the FDA announced it would delay making a decision, Dr. Susan F. Wood, director of the Office of Women's Health at the FDA, resigned in protest.

In response to this foot dragging, the Morning-After Pill Conspiracy, a grassroots coalition of feminist groups, has been engaged in civil disobedience. Over 4,000 women have signed a pledge to distribute the pills to those who need them, period. Annie Tummino, lead plaintiff in a suit filed against the FDA stated, "If you're old enough to get pregnant, you're old enough to decide that you don't want to be pregnant."

According to a 2006 study by the Guttmacher Institute, there are 6.4 million pregnancies a year in the United States, 3.1 million of which are unintended and 1.3 million that end in abortion. In the seven years since the last such study, the overall unintended-pregnancy rate (about half of all pregnancies) has remained unchanged-but women below the poverty level were four times as likely to have an unplanned pregnancy and five times as likely to have an unplanned birth. The ultra right, however, has a one-size-fits-all solution: poor women who aren't married should be encouraged to get married!

While most of the right-wing's rhetoric against women's bodies has revolved around restricting access to abortion and attacking lesbians and others regarded by the right as sexually deviant, their agenda is much larger. They seek to reestablish the "traditional family" as they imagine it so that "values" and "stability" will cover over the social and economic problems that confront Americans today. That ideology just isn't in synch with reality.

[1] Fire Thunder was subsequently impeached by the Tribal Council for allegedly soliciting donations on behalf of the tribe for a proposed clinic without the council's approval. She is challenging her impeachment.