

Abortion: Liberal Laws Do Make Abortion Safer for Women

"... the health effects of abortion are related to the legality of the procedure."—From a report of a study by the Institute of Medicine on Legalized Abortion and the Public Health.

In the fall of 1973, the Institute of Medicine of the National Academy of Sciences decided to see what, if any, physical or psychological side effects predictably accompany abortion. On 22 January of that year the Supreme Court, in the cases of *Roe v. Wade* and *Doe v. Bolton* had overturned restrictive state laws outlawing abortion and, for all practical purposes, legalized abortion in the United States.

Several months later a study committee was named. After an extensive analysis of the "health effects" of abortion, the committee recently reported that a woman who has a legal abortion takes very little risk to her physical or mental health, especially if she has it during the first 3 months of pregnancy. While taking no position on the ethics of abortion one way or the other, committee members implicitly concluded that if strict antiabortion laws were reenacted in this country, it will be at the expense of the health of thousands of women whom, history has shown, will get abortions whether they are legal or not.

As is noted in the institute's recently completed analysis of the health effects of abortion, *Legalized Abortion and the Public Health*, "The [Court] rulings crystallized opposition to abortion, led to the introduction of national and state legislation to curtail or prohibit it, and generated political pressures for a national debate on the issue." That debate is being carried on with bitter intensity as lawmakers, individuals, and groups argue about the morality and safety of abortion.

It was to the question of safety that the Institute of Medicine addressed itself when it initiated a study that its staff director, Martha Blaxall, observes was intended to "inform the political process" that has to do with abortion legislation. The 11-member committee, headed by Mildred Mitchell Bateman, director of the West Virginia Department of Mental Health, spent nearly a year reviewing hundreds of documents of all sorts that provided data on the health effects of abortion. "Health effects" were considered broadly to include "almost all aspects of personal and social well being if health is defined as more than 'merely the absence of disease or infirmity.'"

The committee looked at a variety of data from both national and international sources so that its purview extended, for example, to information about maternal health and mortality from abortion in nations whose laws range from being highly restrictive to liberal. It analyzed data from various states and municipalities that had records of the numbers of women who show up in hospitals with complications following abortion both before and after it was legalized. One finding was that in 1969, 6524 women were admitted to New York City's municipal hospitals with medical complications following abortion; in 1973, the number had declined to 3253. (The next question is why it was that high in 1973.)

The study is comprehensive and includes a good deal of specific information in spite of the fact that solid data on the subject of the health effects of abortion are hard to come by and, in many instances, just not available. Nevertheless, its conclusions can be simply summarized. It is safer to have a legal abortion, performed by a competent physician, than it is to have an illegal abortion, performed by someone who does

not know what he is doing. Furthermore, it is safest to have an abortion during the first trimester of pregnancy when the procedure can be done by suction (vacuum aspiration) or by scraping of the uterus (dilatation and curettage). The study committee found that in such circumstances there is little damage to the woman's health or psyche.

Although findings such as these may seem painfully obvious, they may not be irrelevant to what Blaxall called informing the political process, as members of Congress grapple with the abortion legislation before them. Many antiabortion groups have been arguing on Capitol Hill that abortion is not only unethical but also unsafe. Although the Institute of Medicine's analysis was never intended to be something with which to counter the information given out by pro-life groups, it certainly can be used that way.

On 26 June 1974, for example Irving C. Bernstein, M.D., testified before the United States Senate Subcommittee on Constitutional Amendments. The subject was abortion. Bernstein is against it. In his testimony, he told the senators that abortion leads to emotional and physical complications.

"From the psychiatric point of view there are no indications for recommending therapeutic abortions," said Bernstein, who teaches part-time as a clinical professor of psychiatry and obstetrics and gynecology at the University of Minnesota Medical School in Minneapolis. Later in his testimony he declared, "Termination of pregnancy is not without psychiatric risks," although he acknowledged that there is conflicting evidence about how serious and general they are.

A month later, the Senate again held hearings on proposed antiabortion amendments. Thomas W. Hilgers, M.D., testified "in support of a total human life amendment." Hilgers, who at the time was chief resident in obstetrics and gynecology at the Medical College of Ohio at Toledo, said, "... I have increasingly seen young women suffering from both physical and mental complications of abortion. In most of these cases, the future childbearing capacities of these young women were markedly altered." Abortion can cause sterility, was what he was saying.

Hilgers went on to challenge the truthfulness of a statement that was submitted to the U.S. Supreme Court in an amicus curiae brief in the historic case of *Doe v. Bolton*, one of the two cases that resulted in the court's liberal abortion ruling of 22 January 1973. Several medical associations and individuals* told the court, according to Hilgers, that "the medical procedure of induced abortion ... is potentially 23.3 times as safe as the process of going through ordinary childbirth." Calling such statements "unmitigated lies," Hilgers testified that "there is simply no basis in fact for this statement or any statement similar to it. And yet, the great 'safety' of abortion as compared to 'normal childbirth' was taken as gospel by Justice Blackmun forming one of the two main arguments buttressing his decision." The institute's study tends to reinforce, not negate, the presumption of the court.

Copies of the study report have been sent to the members of all Senate and House committees that have abortion legislation before them and to all the female members of the House (there are no female members in the Senate). It will be interesting to see their reactions.—BARBARA J. CULLITON

*According to Hilgers' testimony, the brief was filed by the American College of Obstetricians and Gynecologists, the American Medical Association, the New York Academy of Medicine, and 181 medical school deans, professors, and individual physicians.