

January 21, 1984
OREGON NARAL CONFERENCE

It's too bad we didn't have a larger group here to begin this conference, because I think the conference that you're conducting is setting the stage that will, for the campaign year of 1984, be extremely important. And I hope that throughout the day as your meetings progress, people will be able to get through these icy streets and be able to join you. The important work you have before you is something that one cannot overstate in terms of its importance.

I think 1984 is going to be a pivotal year. What happens within the halls of Congress on the abortion issue could easily shape the direction of the country for years and years and years to come. And as has just been pointed out, we have some decisive crossroads ahead of us. And unless we prepare for them, understand them, prepare for them extremely well, we might find the other side getting to the crossroads first. And for that we will pay a very dear, dear price. Not just for ourselves, but society as a whole for years to come.

I think we really ought to talk just for a minute about what the issue truly is. The issue on the question of choice in the United States is not something that Jerry Falwell feels, or Phyllis Schlafly feels, or those of us who feel the way we feel.

The question is even deeper than that. The question of the outcome of the debate we are engaged in is whether or not it will be safe and possible in the United States, politically, to exercise freedom of conscience. Whether or not the people of this country will be free on sensitive moral issues of this kind to follow their own conscience, to direct their own lives, and reach their own decisions based on their own consciences.

Or whether there will be people such as the Henry Hydes of the world, or the Jerry Falwells of the world, who have this unique view that their sense of conscience is not just good enough for them, but is so perfect that it should be inflicted upon the women, all women, and all people, throughout our society.

That mindset is extremely dangerous. It's only one reflection of the right-wing attitude that has no tolerance for difference. No tolerance for a differing view. No tolerance at all for anything but absolute agreement with their political philosophy, and moral views.

That's the issue. And the outcome of the debate that we're engaged in on the question of choice goes far beyond abortion. It goes to the basic principles, I think, of the free exercise of political rights and civil rights in the United States. I think we need to keep that in mind.

What's amazing to me, if you accept this, is to see to what extent people across the country and across our state understand that, and agree with that.

But what a difference there is between that understanding, and that philosophy, and that body of thought, and the attitude that exists within the cloakrooms of the Congress of the United States.

In the cloakrooms, if you were to follow me and listen to my colleagues, what you find is no recognition at all of the profound importance, the philosophical importance, that goes to the heart of our democracy, that surrounds this issue. Instead, what you find is pressure on the part of your peers. If you've been advancing this issue as I have, and as Senator Packwood has, pressure from our peers to:

"Come off it, ...get off the soapbox, Les...don't bother us, Bob. You know, we've got an appropriations bill on the floor, and sure, Henry Hyde is going to be offering his amendment again, but we've been through this time and time again, and the rape and incest question has been decided. Let's let this thing go through so we can go home and start the recess and ..."

You know the drill. You've heard it, you've seen it in the press. And this goes on in the cloakrooms of the Congress, as if the convenience of the Members of Congress, grabbing their baggage and running for the airport and going back home to press the flesh and to make the rounds and make the housecalls, is more important than stopping this fundamental threat to the civil liberties of American citizens.

It's unbelievable what a difference there is. Convenience. Comfort. The willingness, the wish to pretend that the whole issue could go away so that safety, political safety could be found by never having to be recorded in the Congressional Record one way or another on the issue.

That's the prevailing pressure that you find in the cloakroom. There simply isn't a sense of urgency or a sense of morality on the issue. And it's largely, I think, the consequence of an all male body, that for the majority of members of which, abortion is an issue that comes up whenever Henry Hyde decides to stand up and offer his amendment. It's considered, dealt with, hopefully ignored, but if not, dealt with and then forgotten. An all male body can do that.

Abortion for them is something that's decided in the course of a political debate, and once the debate's over, the all male body goes off and decides to deal with whatever other issues are pending.

I thought about that a great deal when I read recently, I think it was last year in the New York Times, an article by a female journalist who wrote a guest column that deals with that same attitude. Her column was an open letter to a friend of hers who happened to be a Catholic priest (but who could have been a male Member of Congress), who has the attitude of the kind that I just described. This is an excerpt from the article that she wrote in the Times, and I think it is something that every one of us should keep in mind.

I fully intend to burn it into the minds of my colleagues in the House of Representatives, and I used it in 1981 in the debate on the Ashbrook Amendment. We lost, but I am going to continue to burn it into the minds of my colleagues on the House floor, I can assure you.

The Catholic priest was a friend of long standing, and they were at lunch one day. And they were discussing their different views on the question of choice and morality. And at the end of this discussion the priest said:

"Look, what you really ought to do is be a little bit more tolerant. I know you've got strong views, but you really ought to be more tolerant of Henry Hyde and Orin Hatch, and actually the whole of the Right Life Movement in this country. You should try to understand what causes them to feel the way they do."

The woman was upset. I'm sure she said a few things at the lunch table, but she went back and wrote the following column in the New York Times. An open letter to that long standing friend of hers who said that she should understand better the Right to Life Movement. She said the following things:

"I understand. I understand that one of us can get pregnant. And one of us can't. One of us is threatened with an amendment that would usurp the most profoundly personal decision of a lifetime. And one of us isn't. One of us will face a venomous assault from the Pro-Lifers. And one of us won't. One of us can get up from this table and not give the abortion issue another thought. And one of us cannot forget it at all. Yes, I understand. One of us can afford to be dispassionate and apolitical and purely cerebral about this issue. But one of us can't. And that is something you must understand."

That's the burden of those of us in Congress, the burden we carry, to bring that message to the Members of Congress who wish this issue would just go away. If we wish it were to go away and permit it to go away, we would simply hold our attempt to play the defensive, agonize over the issue rather than organize on the issue and take the offensive. Then we would be subjecting women to a kind of pain, injury, and insult that no American citizen deserves.

I want to say that I think the last year was an extremely eventful year, and some of the points and highlights of the year were mentioned a few minutes ago. It was eventful because we had some successes, and those were mentioned. It was also eventful because we took a few losses. And those need to be fully understood. No one likes to have an amendment on the floor of the house which has an absolute prohibition against abortion on the Labor HHS Appropriations Bill, and have that amendment pass by a margin of 50 votes. But that, indeed, did happen.

But within that defeat are the seeds of, I think, a real victory. I was saying this to another group just a few nights ago. The seeds of a real victory. I was the one who offered the

Point of Order on the Hyde Amendment that struck the extra language, the legislative language, that provided the requisite political cover for him to be able to successfully pass this amendment in years past, that dealt with the language dealing with the life of the mother. We wanted to strike that, and we worked fully with the Pro-Choice groups in writing the Point of Order. We struck the whole amendment on a Point of Order, because you can't, under the House rules, legislate on an appropriations bill.

The only thing you can do is have an absolute restriction of funds, to deny funds period, for a particular purpose. We did that because we wanted to see, and we wanted recorded the number of people in the Congress who would be callous enough to vote to restrict abortion even when the life of a mother was at stake. We forced that vote, and we found, it's printed in the pages of the Congressional Record, where the votes came out.

That may sound like a defeat, because we lost that vote by 50 votes. But it's not. If we don't, at the grass roots, simply content ourselves with agonizing over the issue, if instead we organize at the grass roots as we've never organized before, if we press the fight in political terms at the electoral process this year, pushing our candidates and penalizing those who disagree, then we have a record on the strength of that vote that I don't think is going to stand the test of fairness on the part of the American people.

People are going to have some explaining to do, and that record is laid out. Denny Smith is going to have some explaining to do. Bob Smith is going to have explaining to do. And hundreds of others all over the country are going to have some explaining to do when we've laid out this vote on the faith that we will network across the country as we've never networked before, with this information to use, to bring to bear against our adversaries. Because it is time we go on the march. It is time that we press the fight. It is time that we put Henry Hyde and his colleagues on the defensive rather than sitting back always on the defensive ourselves. That's what this is all about. And I feel very good about that.

Now let me just say that there's something else in this whole exercise that I've just referred to that represents a success story, too. We discovered a great deal about the minds of our adversaries in the Congress.

The debate that surrounded this absolute prohibition in which Members of Congress said that they were willing to permit a poor woman to die rather than to receive medically safe abortion services revealed a broad number of incredible statements. One of them was Henry Hyde's statement, who said what we need to do is tell the American women of this country: "Lady, if you're pregnant, you have a baby." Period. That's quite a remarkable statement. Incredible that a person could think in that fashion.

It was truly valuable to be able to bring out for public inspection this kind of a mindset so the American people in their sense of fairness can examine them and factor that in as they evaluate candidates for public office. That was Henry Hyde. Of course a list of his quotes goes on forever, but that happens to be one of his latest.

And now I know that you're all familiar with one of the more bizarre lines of reasoning that emerged in this debate in the person of Congressman Bill Dannemeyer from California. An intellectual giant who decided that he was going to weigh in on the abortion issue. And during the course of this debate, Bill Dannemeyer listened for about an hour and then couldn't stand it any longer. He had to share with his colleagues his impressions of what the real issue in this debate was all about. This is what Dannemeyer said on the prevailing side of this vote. He didn't even doctor it up in the Congressional Record afterwards. He said, and I quote:

"When I reflect on what we as a Congress are doing to our civilization, there's a great paradox on the abortion issue. On the one hand we're creating deficits this year to the tune of \$200 billion dollars. Collectively, we have a 1.3 trillion dollar national debt. And while we are adding this debt to our children and our grandchildren, what are we doing with respect to the unborn today? If we are going to repay off this debt, somebody's got to be born to pay the taxes in order to pay this debt off. Since 1973 the decline of the birthrate per fertile female has reached the point where as a civilization we run the serious risk of disappearing from the face of the earth."

Well, listen, if that's not useful information for us to use in the campaign and in the precincts and in the congressional districts across this country, I don't know what is. And if we can't use it only against Bill Dannemeyer, I'd be very surprised. Dannemeyer's arguments and Hyde's arguments carried the day on this amendment. And I think everybody who voted for that amendment has got to explain why it is they could buy into the passage of an amendment that was sold on the strength of arguments of that kind. Arguments of that kind.

I've got to you tell a story. After the debate was over, and the vote was on, and people were filing onto the House floor to register their vote during the fifteen minute electronic voting period, I was working the door trying to get "no" votes, and I had the dubious honor of having Henry Hyde and Bill Dannemeyer on each side of me working, trying to get votes in favor of the amendment.

And we were talking to our colleagues as they filed in, and as they were filing in, Dannemeyer was continuing this discussion; talking to people about the fiscal impact of the abortion issue, and at one point even Henry Hyde got embarrassed. And he called Dannemeyer aside, and he said, "Bill, one friend to another. You know, I understand what you're saying, but in the future why don't you leave the budgetary implications of this issue out of the House floor. I think we'd do better. We'd be better off."

Dannemeyer said, "Well. it's a big thing for me," and Henry said, "Well, let's talk about it before we do it again."

Can you believe that? Can you believe it? You know, that's what we've got. What we've got is every once in awhile, bubbling to the top of the broth comes the thinking that describes the mindset of so many, not all, but so many of the people who perpetrate this kind of pain and this kind of injury on so many people in the United States. Denial of Federal insurance benefits for people who have collectively bargained and obtained those benefits and then have been denied them by an act of Congress. Denial of safe medical procedures for people because of the happenstance of their economic circumstances.

A poor woman, eligible for Medicaid, cannot get through Medicaid, which is supposed to be a healthcare provider, the kind of service that she deserves. A person in downtown Portland, who may be poor, might not be able to get through Medicaid because of Henry Hyde and his mindset, the kind of a abortion services that a woman in Lake Oswego could.

It begins to describe the mindset, and what that mindset really is, is one that infuriates me as a father of a daughter. I think of my daughter Stacy. What if she was the daughter of poorer parents who depended upon Medicaid, rather than a Congressman in the U.S. House of Representatives, and she was raped -- she would be forced, because of Henry Hyde and others to have the rapist's child.

That mindset is unbelievable to me. That mindset is what drives me, and will continue to drive me, and I know will drive you, to prevail in this victory. And we are going to prevail. We've had some successes. Defeat of the Hatch Constitutional Amendment. Filibusters. And our Senator Packwood has done a good job on the Senate side as we all know, and we've had some successes in the House.

But I want to suggest to you that we've got some big challenges coming up immediately. When you look at 1984, and past 1984, and this was brought up in the initial talk this morning as well, look at the Supreme Court of the United States. Five of the nine justices are over the age of 75. Five of them. Then look at the strength, the power that we disagree with. The strength of Justice O'Connor and her dissenting opinion in the recent Akron decision, and you begin to understand what a fragile situation we have.

Then think what might happen in another four years with five men that over 75 years old, some of whom have stayed in hopes that there might be a more favorable time in which to retire, but who cannot be expected to stay on, it seems to me, for another four years. And then think about legislation which represents a challenge to so many like the Henry Hyde/Roger Jenson Respect for Human Life Act. I know you've read about it imposing wide ranging prohibitions on the use of federal funds for abortion, but in addition to that it states that it is a finding of Congress that the life of each human being begins at conception, and that the Supreme Court erred in deciding Roe vs. Wade.

On the surface, its purpose appears to be to make permanent these kinds of Hyde type restrictions on funding abortion services, but its real purpose is to have a clear statement of purpose and intent by the Congress of the U.S. when life begins, a finding that was not addressed in Roe v. Wade.

Then think about this, Senator Jepsen offered the bill as an amendment to the civil rights commission reauthorization in the last Congress. And he failed by only six votes, some say that if it hadn't been for the overriding importance of the civil rights commission and the possibility of tying this up and preventing it from passing, that there could have been a numerical majority in favor of that amendment, a pro-Hyde majority. And if we're not careful in the next election it's theoretically possible that something of this kind could pass. Fortunately, we have people who are willing to prolong and filibuster in the Senate to prevent passage, but who could tell what would happen if we relaxed? Who could be sure that a respect for human life act such as this one could not ultimately pass?

Let's assume the bill does pass, just for a second, to see what our challenge really is. Its sent through the pro-Hyde House of Representatives, passes, gets to the President, is signed, and some time during the next Presidential term he has appointed two new Justices. Now we have an active Congress which has declared when life begins, declared further that Roe v. Wade was in error. Sme state -- Mississippi, Alabama -- decides on the strength of the passage of the Jepsen/Hyde bill that it will challenge the existing court decision and follow the definition of Congress. Under those circumstances, if a case was brought, the court of appeals would be skipped, it would go immediately to the Supreme Court, the Reagan Supreme Court, and it would have a scenario that would absolutely change the most important Supreme Court decision on this question of all time.

If you don't think Hyde & Jepsen understand that, you're mistaken. All these efforts coming at the question from different angles are designed to ultimately work up to the point where we could have a declaration of Congressional policy that says Roe v. Wade was wrong.

What does this mean for us? It means we must get off our hands. That a pro-choice majority which exists in virtually every state of the nation needs to be organized and brought into meaningful political focus. It means that a political action committee such as this needs to work as the mechanism to provide that focus, to tap into and bring into focus in a constructive political way, those people who do believe in fairness, who do believe in the free exercise of choice, who do believe that the conception, the mindset of women that we see on the part of Henry Hyde, that is that women's fundamental goal as Congresswoman Barbara Mikulski coined it, to be "breeder reactors" or incubators, is a conception or mindset that we simply reject.

The American people have a sense of fairness. I'm convinced the majority of them disagree with our opponents. But the other side has out-organized us. I daresay that a number of pro-choice members of the Congress and Senate would not have had as close of a race in 1980 if it hadn't been for the incredible organization of the other side.

Its important for us to remember and communicate to those out there who aren't politically active that policies of any kind -- be they arms control or tax policy or social policies of this kind -- don't just fall from on high, they flow directly from the electoral process.

We need to organize as we've never organized before. We need to work in the precincts as we've never worked before. We need to recruit candidates as we've never recruited before.

And we need to deal with a reality that exists in the Congress, every previous Congress and probably in every future Congress, that there are always people on one side with strong convictions, and there are always people on the other side with equally strong convictions who are their adversaries. And then there's the critical mass inbetween that really don't have strong views one way or the other and wish the isse would go away. What they really want is safe political ground. What they want to do is hold their finger to the wind, see which way the wind blows, and then go that way. Our task is to reverse an opinion held by that critical mass in the Congress of the U.S. for entirely too long, that political safety is on the side of the pro-life forces. We've got to show that we are pro-choice, the American public is pro-choice, that we intend to vote pro-choice. That's our task.

Let me just end with a quote I've used before which reflects what I've just said. Its by Ira Glasser, the director of the American Civil Liberties Union from an address last year on the abortion issue:

"There is no cause for pessimism, but there is cause for alarm. The tide is with us, but the result is not automatic or inevitable. The reason we are in this struggle is because we went to sleep in 1973, because we thought it was over when Wade vs. Roe came down. But its never over, the lesson of that struggle, the lesson of all struggles for human liberty, is that rights never stay won, that is the very nature of the struggle, and if you're not willing to pay the price of that struggle, other people who are willing to pay the price will prevail. What counts in these struggles is not what they do, but what we do. I join you in working for our common cause."