

SAVING LIVES THROUGH LEGISLATION

Minnesota Citizens Concerned for Life is recognized as one of the largest and most effective right-to-life groups in the nation. Over the years MCCL has grown from an idea in the minds of a handful of concerned people to an organization of over 35,000 members working through a network of 150 chapters which reach into every corner of the state. Key to its success has been its emphasis on education and legislation. From the beginning, MCCL leaders have believed that education is necessary to pass effective legislation, and that laws save lives. These twin tools - knowledge and protective laws - are being used to restore respect for human life.

MCCL's history began in 1967 when a bill was introduced in the Minnesota Legislature to replace the state's strong pro-life statute, in force since 1873, with a law allowing abortion for five reasons, including the mother's "health." Although the bill was defeated in committee, the strength of the anti-life push told those who valued life that they, too, must organize. Thus MCCL was born, incorporated in June of 1968 as a non-profit, non-denominational public service organization dedicated to fostering, through education and social action projects, the right to life and the dignity of each human being.

In succeeding legislative sessions, the anti-life drive picked up steam - but MCCL was also growing. In 1969, legislation was promoted allowing abortion for any reason when approved by the majority of a five-doctor committee. Thanks to intensive lobbying by a core group of MCCL'ers, this bill also died in committee.

In 1971, St. Paul physician Jane Hodgson tested the constitutionality of Minnesota abortion law by performing an abortion on a woman who allegedly was exposed to German measles early in pregnancy. MCCL filed a friend of court brief in the case and the crusading physician was convicted of performing an illegal abortion.

But in 1973 a bomb was dropped on the pro-life movement. The U.S. Supreme Court handed down two historic decisions - Roe v. Wade and Doe v. Bolton - which, in effect, legalized abortion on demand for the entire nine months of pregnancy in all 50 states.

In the aftermath of these decisions, the Minnesota Supreme Court struck down the state's abortion law and reversed Hodgson's conviction.

Since abortion cannot be outlawed by the states until a Human Life Amendment to the U.S. Constitution is enacted, MCCL's state legislative efforts have turned toward restricting the killing as much as possible under the Supreme Court decisions and toward creating a climate where



women will be encouraged to choose life rather than death for their babies.

Through MCCL efforts, the 1973 Minnesota Legislature passed a memorialization resolution calling upon Congress to enact a Human Life Amendment. Although the resolution has no legal force, it puts the state on record as being opposed to the Supreme Court decisions and supporting legislation to restore the right to life for all human beings.

In 1974, an abortion regulatory bill was enacted. Although it could not forbid abortion, it tried to protect the potentially viable child by banning abortions after 20 weeks gestation. It also protected abortion survivors by requiring that reasonable measures be taken to preserve their lives, and it required informed consent so women would not be forced into abortion. But the legislation was declared unconstitutional by a three-judge federal panel later in 1974.

The decision was appealed to the Eighth Circuit Court but was upheld. Thus, Minnesota has no law regulating abortion, except one requiring that those performing them be licensed doctors and one stipulating that a second physician be present in abortions done after 20 weeks to care for a surviving child. That law, passed in 1976 with MCCL support, has also been challenged in court by pro-abortionists. It is technically still in force, but there is no effective mechanism to insure that it is being obeyed.

One of MCCL's biggest legislative successes came during the 1978 session, when the Legislature enacted a bill prohibiting government funding of abortions except in rare instances and a bill keeping state family planning funds from agencies that perform abortions. The statute regarding family planning agencies was struck down in court but the abortion funding ban has been upheld.

In 1981 the legislature enacted an MCCL-sponsored bill into law requiring parental notification for abortions. Abortion advocates also took this law to court but it was allowed to continue in effect with a provision that minors can avoid parental notification if they get permission from a juvenile court. The law continues to face legal challenge. Even so, from 1980 to 1983, abortions to teens aged 15-17 decreased 40%, births decreased 23.4% and pregnancies decreased 32%! (During this same period, the number of teens aged 15-19 decreased 13.5%.)

Also in 1981, MCCL lobbied successfully for a bill allowing health maintenance organizations to exclude elective abortions from their coverage. In 1982, MCCL secured passage of a statute prohibiting so-called "wrongful life and "wrongful birth" suits, which are based on the contention that a child, especially a handicapped child, should not have been born, thereby encouraging abortions. The law was upheld in 1986 by the Minnesota Supreme Court.

In 1983 and 84, efforts by MCCL to amend a proposed state Equal Rights Amendment to insure that "sex discrimination" arguments not be used to further access to abortion in the state, led to withdrawal of the proposed amendment by its promoters. MCCL also succeeded in 1983, 84, 85, and 86 in stopping passage of "living will" legislation.

The organization's biggest achievement in 1985 was enactment of a "Baby Doe" bill which implements child abuse legislation passed by Congress. The legislation is intended to protect babies such as the Indiana newborn with Down's syndrome who was starved to death in a hospital after being refused an operation that would have been routinely given to a "normal" baby.

In one of the most successful legislative sessions to date, MCCL's lobbying efforts in 1986 resulted in passage of a bill imposing felony penalties on those who kill or injure unborn babies other than in the commission of a legal abortion; withdrawal of legislation setting up teen clinics in the schools that could be operated by abortion providers and would increase the likelihood that people with a pro-abortion philosophy would rule on pro-life laws passed by the legislature; and closing a loop-hole in state insurance law making it easier for women to carry babies to term.

During its long and productive history as an advocate for human life, MCCL has been instrumental in passing other state legislation benefitting many people, such as laws requiring insurance policies to cover newborns from birth, eliminating the designation "illegitimate" on birth certificates, providing adequate maternal and child nutrition, prohibiting non-physicians from performing abortions, requiring German measles vaccinations for school children, providing tax benefits for adoptive parents, banning the sale of and experimentation on live-born aborted babies, providing subsidies for people adopting handicapped children, upgrading care for the retarded, funding community-based care for the handicapped and retarded, providing insurance coverage for unwed, as well as married mothers, and securing added welfare assistance for needy pregnant women and ensuring that a lack of adequate housing for themselves and their children will not encourage women to seek abortions.

Passage of such laws in the face of extremely high-powered pressure from the opposition shows the effectiveness of MCCL's volunteer lobbyists at the Capitol and its members across the state who keep in constant contact with their legislators, encouraging them to support the strongest possible pro-life legislation.



Signing the 1986 Fetal Death Bill MCCL's co-director joins the bill's authors for the signing by the governor. Pictured, left to right: Jackie Schwietz, Sen. John Bernhagen, Rep. Kathleen Blatz, Rep. Allen Quist, Gov. Rudy Perpich, Sen. Tad Jude (chief author), Rep. Steve Wenzel, Sen. Gary Laidig and Sen. Gene Merriam. Unable to be present: Rep. Mary Forsythe, Rep. Terry Dempsey (chief author), and Sen. Betty Adkins.