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Frances Kissling urges pro-choice movement to evolve

by Jerry Filteau



Frances Kissling (CNS file photo, 2004)

WASHINGTON ? The abortion rights movement is losing ground and pro-choice advocates need to stop holding on to a strategy that isn't working, said Frances Kissling, long the leading U.S. Catholic advocate of no legal restrictions on abortion.

Writing Feb. 20 in the opinion section of *The Washington Post*, Kissling said abortion rights advocates can no longer pretend the fetus is invisible. ... We must end the fiction that an abortion at 26 weeks is no different from one at six weeks. ... We need to firmly and clearly reject post-viability abortions except in extreme cases.

?The abortion-rights movement needs to change the way it thinks about the state, she added. ?Right now government is mainly treated as the enemy.?

Kissling, who directed an abortion clinic in Pelham, N.Y., in the 1970s and was founding president of the National Abortion Federation, is best known for her 25 years (1982-2007) as president of Catholics for Choice, a national advocacy group for legal abortion and other women's reproductive rights. CFC

regularly challenges church teaching on abortion and argues that there are other legitimate Catholic positions.

In her essay, *Abortion rights are under attack*, and pro-choice advocates are caught in a time warp, and in a phone interview Feb. 24 with *NCR*, Kissling said recognition that the fetus has value should be a key element in the evolution of the pro-choice movement.

"It may not have a right to life, and its value may not be equal to that of the pregnant woman, but ending the life of a fetus is not a morally insignificant event," she wrote.

(As the recent *NCR* online theological exchange between Frs. John Yockey and Charles E. Curran makes clear, Kissling's position on this does not reflect Catholic teaching, but within the pro-choice community, which she is addressing, the assertion of moral significance in the ending of the life of a fetus represents a challenge to a more nuanced advocacy position.)

In her article Kissling said the "extreme cases" in which abortion rights advocates should consider post-viability abortion acceptable "include when the woman's life is at immediate risk; when the fetus suffers from conditions that are incompatible with a good quality of life; or when the woman's health is seriously threatened by a medical or psychological condition that continued pregnancy will exacerbate. We should regulate post-viability abortion to include the confirmation of those conditions by medical or psychiatric specialists."

"Those kinds of regulations are not anti-woman or unduly invasive. They rightly protect all of our interests in women's health and fetal life," she added.

She told *NCR* that she has been writing "since 2005 about the importance of a pro-choice posture that includes recognition of the fetus and its value," though not previously in publications of the prominence or reach of *The Post*.

When asked if it would be fair to say that leadership of the pro-choice movement, even when it acknowledges that a fetus has value, would the fetus's value never rise to the value of the mother and her right to privacy in her medical decision, Kissling said, "I think that's fair" [except that] "never" is probably a bit of a stretch."

"I think that most of the pro-choice movement has accepted the limitations on abortion in the third trimester," she said.

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"In rhetoric within the choice movement, there is some acceptance of limitations in the third trimester, and in fact within the choice movement there has been an even greater acceptance of the limitations, when you look at how few facilities and how few pro-choice physicians will perform abortions after 20 weeks, never mind 24 weeks," she said.

She said her argument in *The Post* that the abortion-rights movement needs to change the way it thinks about the state is one of the more important elements in her essay.

"The public is ambivalent about abortion," she wrote. "It wants it to be legal, but will support almost any restriction" that indicates society takes the act of abortion seriously. For the choice movement to regain popular support and to maintain a legal right to abortion, it has to work with the state."

She argued that the choice movement should press for the model widespread in Europe, not just for government funding of abortion, but for government support of good alternatives such as child care, parental leave and health care.

By phone, reflecting on the current atmosphere on Capitol Hill, she said, "In the next period of time it's going to be really difficult to get the government to pay for anything."

"Our government is definitely hostile to the poor, to low-income people and to women in terms of how it legislates," she said, "and we need to call the state out on that. I think particularly there is an obligation to work with those legislators who are closed to abortions, who have been the most adamant in not stepping up to the plate and supporting measures that would allow women, first of all, not to get pregnant in the first place, which I think is the best solution, but secondly, to be able to become pregnant and have children and take care of those children and themselves."

Summarizing the two chief points of her essay, she said, "One is the fact that those of us who are pro-choice have got to see the abortion question as one in which multiple values are at stake. And two of those prime values are the values of women, both as moral decision-makers and as persons entitled to a good life, and the value of fetal life and that we have concentrated as pro-choice people only on the former."

"The second major point is that, as lousy a state as we have, we need to work to make it responsible for creating the conditions that permit genuine reproductive choice, which includes not just the ability for the decision not to continue a pregnancy, but includes the decision to continue a pregnancy," she said.

She said she does not see legislative solutions in the near future on these issues because of the current political polarization in the country. "There is a slice of the abortion battle that is going to continue unabated in the political arena" so her focus is not on current laws and policies, but rather on how the pro-choice movement will influence the process that gradually shapes the nation's culture in coming generations.

[Jerry Filteau is *NCR* Washington correspondent.]

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