

May 4, 1973

even consider this process because you would have to insure due process of law before the destruction of the sperm, before the destruction of the egg. There are a lot of considerations that I think have to be taken into account before something like this is attempted. I can understand the emotionalism, I can understand the religious arguments behind this whole procedure, but what the Legislature is dealing with is a legal question. The Supreme Court dealt with it as a legal issue. There were moral, sociological and emotional reasons given but all the Supreme Court would say is that under certain circumstances, when a certain thing is done, the State nor the Federal Government can impose criminal liability on the individual involved in this particular thing and it happens to be abortion. It says that at a certain period or during a certain time that a woman is carrying a fetus, if this fetus is aborted, she is not guilty of a crime nor is the doctor guilty of a crime nor the facility where it was performed, committing any criminal activity so I think this resolution is ill considered at this time. It is not well worded and if a constitutional amendment were drawn in the terms of this resolution, it would produce a ridiculous situation. Again I can say that I understand the motives, some motives behind this resolution. Some of them are noble and sincere, others are not and I have to make a comment about the religious people. They do things for the purpose of acquiring power over people's lives. The very church that is concerned about an abortion bill of some kind, is the same church which during the period of the inquisition, controlled the sexual lives of the people and they almost had to get permission from the church before they could engage in this activity although history will account where many individuals in the church itself were doing what they wanted to do as they chose. This is a serious issue and I'm going to bring out certain points. Now, I do not believe in the sincerity of those who speak against abortion because they say they're concerned about the unborn children. If I could see that same concern shown for the children who are here, then I would say they're at least consistent and sincere. As a man and as men in this body, I think it would be very presumptuous for us who cannot carry a fetus, who cannot go through any of the sickness, any of the agony, emotional or physical connected with it, to make a determination about what a woman must go through. No matter how carefully in detail it is explained to us, we will not understand it. Since there are not women passing the laws on this particular issue, the men ought to leave it alone. The Supreme Court tried to come into a very difficult area and bring some kind of rationality so at least those people who are going to have abortions anyway, can do it under conditions where life will not be endangered unnecessarily and where they will not have to have it done in a butcher shop. I'm opposed, in other words, to this resolution, to any amended form of the resolution, I'm opposed to the Legislature doing anything other than abiding by what the Supreme Court said is the law of the land.

PRESIDENT: Chair recognizes Senator Marsh.

SENATOR MARSH: I would like to have the Clerk read the amendment to the resolution which I have on his desk please.

PRESIDENT: Clerk will read the motion.

CLERK: The amendment reads.

PRESIDENT: The amendment.