

CRANSTON FOR PRESIDENT NEWS RELEASE

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CRANSTON ON S.J. RES. 3

WASHINGTON, D.C. -- Senator Alan Cranston delivered the following statement in the Senate today on Senate Joint Resolution 3, which would amend the Constitution to establish legislative authority in Congress and the States with respect to abortion.

MR. CRANSTON: Mr. President, the issue of abortion is one of the most difficult matters that comes before this body. There are very strong views on both sides, arising from deeply felt personal convictions, religious beliefs, and moral perspectives.

My own view is that abortion is a tragic result for everyone concerned. I believe that the real solution lies in the development of public policies to provide realistic alternatives that would help reduce the number of abortions. Throughout my career in the Senate, I have actively worked to develop such alternatives, particularly through support of programs to make safe and reliable family planning services available to those who seek services in order to avoid unintended pregnancies, to provide necessary medical services to those women who seek to carry a pregnancy to term, and to facilitate the availability of adoption for women who choose that option.

However, the real issue before us is not what the personal views of any Member of this body are with respect to abortion, but rather whether government -- at any level -- should be allowed to intervene in and limit the choices of individual women in this most personal, private and difficult area. The Supreme Court held 10 years ago, and reaffirmed two weeks ago, that if the right to privacy means anything, it means the right to be free from unwarranted governmental intrusion in this area. Under the Constitution, at present, the question of abortion is a private one with the decision as to propriety and necessity left to the individuals and physicians concerned. That is how it should remain.

That is the view held by the vast majority of Americans. National public opinion polls repeatedly show that an overwhelming majority feel that decisions about abortion are best left to those involved, guided by their own personal beliefs and convictions, free from governmental interference.

Mr. President, the proponents of this amendment seek to impose the views of one side of the abortion issue upon those who hold different, but equally firm convictions. That goal is in fundamental conflict with the basic concept of individual freedom which Americans have always held dear.

It is also clear, Mr. President, that the proponents of this amendment will not achieve their goal, even if this amendment were added to the Constitution.

Passage and ratification of Senate Joint Resolution 3 will not resolve the abortion debate -- it will only prolong it.

It will not halt abortions, but merely change the conditions under which they are performed and the price to be paid, both in human and economic terms.

The abortion fights which have repeatedly paralyzed Congress would become regular events in State legislatures and the rights of individuals would be subjected to continuous shifting majorities in State legislative bodies, with one side prevailing one year, and the other the next.

In those States where abortions became illegal, we would see a return to the days when unskilled abortionists preyed upon desperate women. The abortion mortality rate, which has almost disappeared, would again rise. Legal and safe abortions, however, would remain an option for those women able to travel to other States or countries. The less affluent would be denied those choices.

Mr. President, once before in the history of this Nation, we adopted an amendment which attempted to impose the moral convictions of one segment of our society upon the rest. The 18th amendment was a miserable failure. It bred disrespect for the law among our people, made criminals out of otherwise law-abiding citizens, and created an industry of illegal profiteers and corruption. Adoption of this amendment would invite the same dire consequences.

Finally, Mr. President, there are substantial reasons to oppose this particular amendment irrespective of the abortion issue. Senate Joint Resolution 3 would establish a dangerous precedent for resolution of disputes over what are unquestionably fundamental and deeply controversial matters.

Unlike the various other proposed constitutional amendments related to abortion, Senate Joint Resolution 3 would not, by itself, outlaw abortion. Rather, lacking the consensus or public support necessary to achieve an outright ban, the proponents of this amendment seek to reduce a constitutionally protected right to one that could be limited or denied by a simple majority vote of a State legislature or the Congress. Citizens would be forced to negotiate on a State-by-State basis to assert what had been a fundamental right. What other fundamental rights might be subjected next to this approach? Should freedom of speech or assembly or minority rights be subjected to State-by-State determination?

Our Constitution stands as a safeguard against governmental intrusion into individual freedoms wherever one resides in the Nation. This amendment would alter that relationship and establish a precedent that could later be applied to other basic rights -- an intolerable result, I believe.

Mr. President, Senate Joint Resolution 3 is a bad amendment and it represents bad public policy. I urge its defeat.

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