

## Oregon and abortion: To honor Betty Roberts, remember her love of liberty

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Betty Roberts

Betty Roberts never stopped caring about abortion rights. From her early days in the Oregon Legislature until her **death last weekend at age 88**, the former Oregon Supreme Court justice advocated for a right she didn't need, on behalf of women she'd never meet.

Now Oregon is without Roberts for the first time since abortions were decriminalized here in 1969. The challenge will be to remember what she stood for, as abortion continues to distress and divide the country: She thought private decisions, whether about abortion or otherwise, should rarely be the government's business.

"Being for freedom and being for liberty," Roberts said at a 1992 rally, "is not a single issue."

Roberts, one of the great pioneers of Oregon politics, grew up poor in Texas as the last of three children. Her father was disabled and her mother struggled to keep the kids fed. Abortion was illegal and contraception was hard to come by, which created predicaments for women like her mom. For example, Roberts said her mother mowed their weedy acreage for hours one day with an odd sort of determination, then went to the hospital with a miscarriage.

"I concluded," Roberts wrote in **"With Grit and By Grace," her 2008 autobiography**, "she knew what she was doing when she mowed that great expanse of ground."

Roberts moved to Oregon after World War II with her husband and finished her college degree after her fourth child was born. ("I myself hadn't planned to have four children, but I never would have considered an abortion even if it had been available," she wrote in the memoir.) She was elected as a state representative in 1964 and as a senator in 1968, the sole woman senator at the time.

Her advocacy on woman's issues began immediately, informed by the stories of hardship she heard from other women and the challenges she faced personally. She tackled everything, large and small: the ability to keep one's name, the power to make financial decisions without a man's permission, the option to escape an abusive marriage - and yes, the right to have an abortion.

Roberts said she deliberately framed her testimony to the Oregon Legislature to appeal to its male members.

Decriminalizing abortion "is by no means a woman's bill," she said: It is also for men whose wives or daughters are raped, husbands who know they can't support more children and men who find out the baby will be severely deformed when born.

"The point is that probably no man in this room would subject the woman he cares about to a compulsory pregnancy," because every man in the room has the resources to discreetly secure an abortion for that woman, she testified.

Her tactic paid off. In 1969, Oregon became one of the first few states to decriminalize abortion, four years before *Roe v. Wade*.

Fast-forward to today. *Roe v. Wade* is still the law of the land, technically speaking. Abortion rates continue a long-term decline, and 90 percent of abortions take place during the first trimester. Yet nationally, the right to obtain an abortion without government meddling remains under constant fire -- even for victims of rape and incest, women seeking very early abortions, and couples who learn during the standard ultrasound at around 20 weeks that their fetus has catastrophic disabilities.

**Six states recently passed legislation banning abortions after 20 weeks.** These laws pile on top of several years of new restrictions and conditions requiring women to receive anti-abortion lectures and endure longer waiting periods, no matter the circumstances of their pregnancies. Many abortion-rights advocates worry about taking legal challenges to the Supreme Court, fearing the conservative majority would uphold the restrictions.

Roberts addressed this fear in an **oral history recorded in 2005, as part of an American Bar Association project on women trailblazers.**

"It's going to be a major issue now (on how the Supreme Court) will interpret *Roe v. Wade* as all of these statutes are passed that are enacting conditions for a woman to get an abortion," she told her interviewer. "So we just have to wait and see. But I never dreamed way back in 1969 that this would be an issue 40 years later."

I don't pretend to know Roberts' full views on abortion. The subject is too complicated and personal for easy assumptions, even with someone as outspoken as Roberts. Yet her writing and words over the years suggest she didn't take abortion lightly and she strongly favored lowering abortion rates through better family planning. She didn't try to characterize abortion as something other than a serious decision with lifelong consequences.

She simply thought the decision should be private, as a matter of liberty.

That opinion has guided Oregon for decades.

May it continue to do so, as a centerpiece of Roberts' legacy.

-- Associate editor **Susan Nielsen**, *The Oregonian*