

Albuquerque voters reject anti-abortion measure

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On November 19, voters in Albuquerque, New Mexico defeated a ballot measure that would have banned abortions in the city after the 20th week of pregnancy. By a 54 to 45 percent margin, voters rejected the “Pain-Capable Unborn Child Ordinance,” a measure put on the city’s ballot after a petition campaign by religious fundamentalist organizations.

The proposed ordinance, basing itself on the claim that fetuses feel pain by the 20th week after fertilization, would only allow for an abortion if the woman risked death without it, “but has no exceptions for fetal anomalies discovered late in the pregnancy, for situations in which the mother’s health is severely affected by the pregnancy, or for victims of rape or incest,” according to a *Huffington Post* report.

Anti-abortion forces saw the measure as an important step in their campaign against reproductive rights for two reasons. First, Albuquerque, New Mexico’s largest city, is home to the only two providers of “late-term” abortions in the state. Thus the bill, if passed, would have effectively functioned as a statewide ban. Additionally, although a number of states have recently passed anti-abortion bills, this was the first time an abortion ban would be imposed at the municipal level, and if successful would have provided a green light for similar efforts in cities throughout the country.

As in the case with all other attacks on abortion rights, the ban would disproportionately affect the state’s poor and working class, who would be left with the choice between foregoing an abortion or traveling to obtain an expensive abortion outside of the state.

Albuquerque has frequently been the site of anti-abortion agitation. Three years ago, Kansas-based “missionaries” from Operation Rescue moved to the city to start a group calling itself Project Defending Life. The organization specializes in publicity stunts

like noisy protests complete with a “rolling billboard” showing graphic photos of aborted fetuses. The rolling billboard was used at polling places around Albuquerque on voting day, and the city’s holocaust museum was the object of a protest by “abortion holocaust survivors.”

The misnamed “pro-life” forces hoped to capitalize on the fact that there is a large Hispanic-Catholic population in New Mexico. Although the state’s governor and the Albuquerque mayor are Republicans, Democrats account for nearly 50 percent of voters, with Republicans counting for 37 percent. The pro-referendum forces hoped that Hispanic voters would turn out in the polls to support the anti-abortion measure, under the theory that these voters are supposedly “liberal” on economic issues, but “conservative” on social issues.

The local media helped encourage this theory, which is based on identity politics. On September 9, an *Albuquerque Journal* report, “More voters support abortion ban,” claimed that a poll found that 54 percent of voters would vote for the ban. *Journal* pollster Brian Sanderoff was quoted, “I think the big story is Hispanics. Although Hispanics tend to be Democrats and tend to hold the Democratic position on economic issues, we find they differ with other Democrats on the abortion issue. Hispanic Democrats are much more likely to be supportive of this measure than Anglo Democrats.”

The poll findings “were based on telephone interviews of 402 voters likely to vote in coming municipal elections who also had voted in an Albuquerque city election in 2011 or 2009,” according to the *Journal*.

Showing little regard for the principle of separation of church and state, the Catholic Church campaigned hard

for the measure. Santa Fe Archbishop Michael Sheehan publicly called on all the state's Catholics to vote for the ban, and signs supporting the ban were prominently placed at Albuquerque's Catholic churches and schools.

Meanwhile, a group calling itself Catholics for Choice published ads in local newspapers opposing the ban and objecting to the church's interference in politics.

Planned Parenthood, the League of Women Voters, ProgressNow New Mexico, the state Democratic Party, and other women's rights and liberal organizations opposed the ban. The American Civil Liberties Union announced that it would challenge the ban if it should pass. Pro-ban forces included Operation Rescue, a "pro-life advocacy group" called the Susan B. Anthony List, and local and national Republican organizations. Out-of-state volunteers on both sides of the issue descended on the city in the days preceding the vote.

The ballot measure brought out a record number of voters for an off-year election, surpassing the mayoral election held in October.

The state Democratic Party postured in opposition to the bill, but in reality, the Democrats and the Obama administration have done much to embolden religious fundamentalist groups and create the conditions under which such a reactionary campaign can be carried out.

In December 2011, Health and Human Services (HHS) Secretary Kathleen Sebelius overruled an FDA recommendation that would have allowed a contraceptive drug to be sold over the counter with no age restrictions. In February this year, the administration caved in to religious groups who demanded an exemption to the provision of contraception in the health plans of hospitals and other employers claiming religious status. In May, the administration appealed a US District Court decision to end age restrictions on the so-called Plan B emergency contraceptive pill.

Using the rationale of austerity, Democrats at all levels have conceded to, and collaborated in, budget cuts to Planned Parenthood, reproductive health clinics, and other facilities that refer or perform abortions. The Affordable Care Act as well gives states the authority to write the rules for health insurance exchanges and does not forbid them from restricting or cutting off coverage for contraception and abortions.

More recently, in a special session of the Texas legislature Democratic senator Wendy Davis filibustered a bill similar to the Albuquerque ordinance. The next day, Texas governor Perry called another special session and the bill passed handily.

Liberal and pseudo-left groups have trumpeted the defeat of the proposed ban as a decisive defeat for anti-abortion forces. Certainly, the vote expresses popular opposition to what is essentially a reactionary and anti-democratic measure. Nevertheless, the attacks on reproductive rights will continue.

Thirteen states already have "personhood" laws, and abortion providers continue to face budget cuts and onerous, expensive requirements. At the federal level, on November 8, US Senator Lindsey Graham introduced a "Pain-Capable" bill modeled after one that passed the House of Representatives in June.

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