

# Newsweek

## I Had That Now-Banned Abortion

By Ilene Jaroslaw  
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It was Friday afternoon at nursery school and Simone just couldn't wait until Mother's Day to give me her present—a tote bag printed with a photo of the two of us. When we got home, Toby greeted me with the card he'd made for me in kindergarten. We all looked forward to dad coming home from a business trip. It was the start of a perfect Mother's Day weekend. I was 40, and I was joyfully pregnant. "It'll be three kids by next Mother's Day," I remember thinking.

When Monday came, I called my doctor for the results of my quadruple screen blood test from the past week, nothing I really sweated because a CVS test a couple months before had told us that our baby's chromosomes were completely normal. This time though, the doctor said that one of the screening tests concerned him and asked me to go to the hospital right away.

The ultrasound technician's silence told David and I that something was very wrong. The doctor explained that the baby had anencephaly, a neural tube defect. Large parts of the brain were missing. Babies who survive birth may live days or weeks or months, but they perceive nothing, not even a mother's touch. There was no mistake, and nothing to be done. I scheduled an abortion. On Wednesday, May 14, 2003, in the early morning, 17 weeks into the pregnancy, David drove me to the operating room and I had my abortion. That night we told Toby and Simone that the baby did not grow all the parts that a baby needs to live, and had died. We hugged and cried.

On Wednesday, April 18, 2007, the U.S. Supreme Court suggested that women do not fully comprehend the abortion procedure, and thus may come to regret it. Not this woman. Four years ago, I asked my doctor whether the Federal Partial-Birth Abortion Act, which was then being considered by Congress, would outlaw the dilation and evacuation procedure he intended to use. Yes, he told me, it would.

Before I became a mother, I'd had two uterine fibroid surgeries that weakened the walls of my uterus. After the second surgery, my obstetrician-gynecologist advised that my children would have to be delivered weeks before my due date by cesarean section to minimize the risk of uterine rupture. Toby was born by early cesarean in 1997, and Simone in 1999 also by early cesarean. Before my abortion, my surgeon knew that my uterus had undergone four prior surgeries, and he also knew that I ached for a third child. I pleaded with him not to do anything in the operating room that could possibly compromise my ability to have another child. My surgeon promised me he would do everything he could to preserve my fertility, and he kept his word. I am forever grateful. And one day my 2 ½-year-old daughter will be too.

My health and future fertility depended on the best available medical care, which in this case meant that I needed the intact dilation and evacuation procedure, or "partial-birth abortion" to use the non-medical, ideological term. This wrongly politicized, legitimate and standard medical procedure results in the removal of the fetus with the least probing and instrumentation, greatly reducing the risk to the woman of bleeding, infection and uterine rupture, all of which may lead to infertility.

Last Wednesday was a dark day for women, and for the men in their lives who care about the health, autonomy, freedom and equality of women in 21st-century America. The high court took a giant step backward when it upheld the federal abortion ban, sweeping aside decades of its own constitutional precedent protecting women's health, in favor of ideology.

The Supreme Court decision means that judges and lawmakers may now dictate to doctors what they can and cannot do in the operating room. It means that surgeons who want to do what's best for their patients do so now at the risk of criminal prosecution. And it means that thousands of women will undergo second-best procedures carrying greater risk; many will face dire health consequences, as well as the loss of future fertility. We are now in a country where judges and lawmakers are allowed to tell doctors how best to care for their patients. This cannot stand.

For my daughters Naomi and Simone, for my son Toby's future wife, and for all girls and women in the United States, today the hard work of repealing the federal abortion ban must begin.

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