

Violence In South Africa Increases

by Trudee F. Johnson

South Africa has been steadily and violently marching towards imminent civil war between the white minority ruling class and its large, repressed, non-white population. The country's newest white president, F. W. De Klerk, in two dramatic gestures early last month symbolizing the government's new sincerity to share power with all South Africans, sanctioned the previously outlawed black African National Congress (ANC) and also announced political prisoner Nelson Mandela's unconditional release from a life-sentence after twenty-seven years of imprisonment. Not only that nation but the world cheers Mandela's personal victory, but while much of their nation hails him as their saviour and symbol of

freedom, the rest wonders how effective a role this seventy-one year old man can play in bringing about a peaceful agreement in response to his country's need for a new government.

In order for real talks to begin between De Klerk's white government and the black population, the ANC demands that 1,000 other political prisoners be freed and the three-and-a-half year old state of emergency be lifted. De Klerk has already indicated his willingness to discuss these issues in "pre-talk" talks if the homelands and cities are calm. Once these conditions are met, the now legal ANC will have little reason not to suspend "the armed struggle in a situation in which violence of the apartheid system continues unabated." Once a settlement on these points is achieved, the stage would be set for

real talks concerning a new constitution to begin. The predominant demand from the blacks has been "one man, one vote," but the whites' fear of being dominated by the black majority must be addressed and provided for. Compromise and conciliation will be the watchwords necessary for the peaceful negotiation of any settlement.

Nelson Mandela is the enigma from the black camp on whom a peaceful solution seems to rest. His strength and integrity make him the hero of many blacks because his freedom has come without any weakening on his part. He refused his freedom on any pre-condition - that he live outside South Africa; that he live in a remote homeland; that he renounce violence. One of his first statements outside prison was that he and the ANC still believe that armed resistance is

necessary.

The job that faces Nelson Mandela is not a simple one. While it is not certain exactly what his position in the ANC will be, he must help unify the factious black population, who by no means are all aligned with his ANC party. The Zulus, in fact, have caused violent disturbances in their homeland these past two weeks as a means of jockeying for a voice and power at the negotiating tables. Mandela must also persuade all concerned parties that negotiations are not possible without compromise, that the white fear is understandable and even reasonable. He must accomplish all this, and perhaps much more. In addition, he must stand up to all the pressure and, perhaps most importantly, he must stay alive.

Comments on Idaho's Abortion Proposal

by Trudee F. Johnson

Upsetting pro-life activists, Idaho's Governor Cecil Andrus repealed the state legislature's anti-abortion bill which would have disallowed abortions except in cases of non-statutory rape reported within seven days, incest if the victim is under 18, severe fetal deformity, or a threat to the woman's life or health.

An avowed anti-abortionist who purportedly believes abortion should be allowed only in extreme cases such as rape, incest, or to save the woman's life, the governor was expected to sign the bill into law although he had expressed reservations over the bill's strictness.

Governor Andrus denied he was influenced by threats either of an economic boycott or withheld votes at the polls as he seeks a fourth term at the state's helm. Andrus also stated that he acted in the best interests of the state after he was assured by attorneys on either side of the abortion question that this legislation, so narrowly stated, would undoubtedly be struck down by the Supreme Court in expensive litigation.

Branding him a hypocrite, pro-life advocates may retaliate at the polls in a political backlash, emphasizing the no-win situation Governor Andrus has found himself in.

by Karen Lewis

(Information for this article came from the March 22 issue of the *New York TIMES* and the April 1 issue of the *Charlotte Observer*.)

On March 21 Idaho legislators passed an anti-abortion bill considered by many to be the most restrictive in the country. On March 30, barely thirty minutes after the 1990 legislative session adjourned for the year, Democratic Governor Cecil Andrus refused to sign the bill into law. The debate still rages in Idaho.

The bill, made possible by the 1989 Supreme Court Webster decision giving states more power in controlling abortions, would have made 95% of current abortions illegal. It proposed to place the burden of whether or not a woman is eligible for an abortion on her doctors. Under the bill doctors could have performed a legal abortion in cases of:

- rape, if reported to authorities within seven days
- incest, if the victim is under 18 and reports the crime before seeking the abortion
- "profound" deformity of fetus
- the threat of physical health of the woman. (There were no provisions for her mental health.)

Doctors performing abortions under any other circumstances could have faced civil fines up to \$10,000 and civil suits brought about by involved individuals such as the father. Women would have been subject to up to \$10,000 in fines only if they attempted to perform the abortion themselves.

A key point in this bill was putting the burden of legal responsibility on the doctors. Anti-abortion forces were hoping that this stipulation would gain the support of Supreme Court Justice Sandra Day O'Connor, who has supported abortion rights in the past but has, in her written decisions, stopped short of an "unambiguous declaration that *Roe v. Wade* [the 1973 decision making abortion legal in the US] should be overturned" (*New York TIMES*). Her concern in this matter has been any penalties aimed at women seeking abortions; the architects of this bill had hoped that by aiming them at doctors instead, they might gain her support.

The American Civil Liberties Union had vowed to challenge the bill had it been passed into law. Pro-choice lobbyists were concerned that the decision would have "forced the women of Idaho into back-alley abortions or into trying something themselves," and, because the burden of proof of legality of the decision to perform an abortion would have fallen on doctors, it would have "set up an impossible situation for medical professionals" (*New York TIMES*).

Other concerns included violating the separation of Church and State, since Idaho's conservative Mormon Church has led the fight to make abortion illegal.

State Senator Joyce McRoberts, a Republican, called the bill "clearly unconstitutional" and proposed eliminating the male senators from such votes in the future because they seem too interested in passing bills which do not really involve them.

Pro-choice groups in the state and across the nation, who had considered a boycott of Idaho products if the bill had passed, breathed a sigh of relief last week when Gov. Andrus, who has spoken out against abortion in the past, refused to sign this bill into law. "I have to do what I think is right," he said in his announcement made barely a half an hour after the legislature adjourned for the year. Gov. Andrus seemed satisfied that he had made the right decision, claiming that the bill would not have been upheld as constitutional. Political results were, at the most, a small part of his decision, he said. Anti-abortion groups have promised to defeat him in his bid for re-election in November.

As it stands, the legislature cannot try to override his veto this year and will have to wait until 1991 for further action. Rep. Gary Montgomery, one of the main designers of the failed bill, has vowed to refine and reintroduce it in 1991.

Idaho was the fifth state this year to reject a form of the national model that anti-abortion forces want to use to challenge the US Supreme Court's commitment to legalized abortions. It is surely not the last to face such a dilemma as the struggle between pro-choice and anti-abortion groups continues.