What if There Are No Damsels In Distress?
JANE: A Paradigm for the Future

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1 Ani DiFranco, Not a Pretty Girl, on NOT A PRETTY GIRL (Righteous Babe 1995).
Only women can bring about their own liberation. It is time for women to get together to change the male-made laws and to aid their sisters caught in the bind of legal restrictions and social stigma. Women must fight together to change the attitudes of society about abortion and to make the state provide free abortions as a human right. —Jane Pamphlet¹

When the law doesn’t respect women, women won’t respect the law.²

I. Introduction

Jane, officially known as the Abortion Counseling Service of Women’s Liberation, arranged and participated in more than 11,000 abortions in Chicago between 1969 and 1973. Modeled after the Underground Railroad that freed slaves prior to the Civil War, Jane provided women from all “walks of life” with safe and affordable abortions in the years before Roe v. Wade³ legalized abortion. Its mission was not to change the law, but rather to provide women with a desperately needed service and in doing so to transform an often degrading and harrowing experience into an empowering one.

Placing Jane in its historical context is an incredibly difficult task.⁴ As a clandestine abortion referral and procurement organization, Jane destroyed most of its records. And thirty years later, many of the members of Jane are reluctant to speak publicly about their work.⁵ Jane arose out of the social upheaval of the 1960s, but unlike

¹ The Jane Collective, Abortion—A woman’s decision, a woman’s right (1969).
³ 410 U.S. 113 (1973).
⁴ While there were a number of groups that sprang up throughout the United States during the 1960s and 1970s to demand the legalization of abortion as a woman’s right, the purpose of this paper is to tell Jane’s story for unlike the other referral and counseling organizations, the women of Jane actually performed the abortions themselves. See LAURA KAPLAN, THE STORY OF JANE: THE LEGENDARY UNDERGROUND ABORTION SERVICE IX-X (1995).
⁵ Abigail Pickus, An Interview with Journalist and Playwright Paula Kamen: Understanding Jane, 12 BITCH (Summer 2000), at http://www.enteract.com/~bower/paulakamen/bitch.html (Kamen, author of the play, Jane: Abortion and the Underground, explains that the members of Jane were reluctant to be interviewed).
many of the other radical organizations in the Movement—the civil rights movement, the anti-war movement, and the student movement—Jane did its work behind the scenes. As reproductive rights exploded onto the national political landscape in the 1960s and 1970s, and repeal and reform groups mobilized for the legalization of abortion, Jane silently delivered a service to more than 11,000 of her sisters. As abortion rights proponents throughout the country dared to get arrested in order to challenge the constitutionality of oppressive abortion laws, the women of Jane courageously but quietly defied the Illinois law. These women knew they risked arrest with every woman they counseled, referred or provided an abortion for, but they had no desire to become martyrs for the cause. So long as the law stood in the way of safe, affordable and accessible abortions, Jane would keep its doors open and help all who called looking for help.

Comprised mostly of white middle-class housewives, Jane grew out of one woman's mission to never turn her back on those who needed help. Jane grew out of a burgeoning feminist movement in the late 1960s. Jane grew out of the struggle to ensure women the authority to control their bodies. The women of Jane are the quiet champions of reproductive rights in American history.

One of the reasons we set up a consulting service in addition to finding a physician was to let them [women] know this is what they could expect medically; this is what they could expect emotionally and then to provide some emotional and human support for them. Part of what these movements are about is...ordinary people doing extraordinary things because they decide to take action. —Heather Booth, founder of Jane  

This paper is an attempt to illustrate Jane as a revolutionary group that did for women what Roe v. Wade has yet to accomplish.  

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7 See discussion infra Part II.
it shows the power of collective action and how a few women can truly make a difference. Part II of this paper will examine the legalization of abortion and its shortcomings in light of Jane's work; Part III of this paper will provide a brief history of abortion laws in the United States and will outline the changing nature of the abortion debate in the late 1960s and early 1970s as well as examine the status of abortion law in Illinois between 1969 and 1973; and Part IV of this paper will tell the story of Jane, through her own words, from the moment of the Service's conception to the closing of her doors.

II. Roe v. Wade: The Legalization and Medicalization of Abortion

In what has been lauded as a great triumph for women's rights, the United States Supreme Court legalized abortion in the landmark decision of Roe v. Wade on January 22, 1973. Lawrence Lader, leader of the National Association for the Repeal of Abortion Laws (NARAL) declared, "It came like a thunderbolt—a decision from the United States Supreme Court so sweeping that it seemed to assure the triumph of the abortion movement. The 7-2 vote...was even more conclusive than any of us had dared to hope." Recognizing abortion as a fundamental right that can only be restricted in the face of a compelling state interest, the Roe decision invalidated scores of restrictive state abortion laws that had been put in place through the course of the 19th century. Writing

11 Roe v. Wade, 410 U.S. 113, 154 (1973). The Court granted a physician the unqualified right to perform an abortion on a pregnant woman during the first trimester of pregnancy, but the Court concluded that beyond the first trimester the State had a compelling interest in restricting abortions. The Court allowed the State to regulate the abortion procedure in ways that are reasonably related to the health of the mother in the second trimester and to regulate and even proscribe abortion in the third trimester, except where it is necessary for the preservation of the life or health of the mother, in the furtherance of the interest in fetal life. Id. at 164-65.
for the Court, Justice Blackmun concluded that a state criminal abortion statute, which only exempted from criminal prosecution an abortion performed to save the life of the woman, is violative of the Due Process Clause of the Fourteenth Amendment, and thus that during the first trimester of pregnancy, the "abortion decision and its effectuation must be left to the medical judgment of the pregnant woman's attending physician."\(^{12}\) Hailed as a victory for women, and undoubtedly a major gain for women, *Roe* frames abortion as a physician's issue, only granting a licensed physician the right to perform a medical procedure on a pregnant woman.

*Roe* took abortion out of the dreaded back alley by giving women the legal choice to obtain an abortion, but in framing the decision in terms of physicians' rights, the Court failed to give women control over their bodies. *Roe* represents the culmination of a decade of struggle for legalized abortion, but in some sense it was a hollow victory. Not only had the abortion reformers of the 1960s and 1970s sought a total repeal of abortion laws, which *Roe* failed to deliver, many had also come to see the restrictive nineteenth century abortion statutes as part of the continued subjugation of women. Control over fertility was a woman's issue. However, just as doctor's had rallied a century earlier to criminalize abortion in the American Medical Association's frantic attempt to crystallize their power over the quackery of midwives,\(^ {13}\) they once again rallied in the twentieth century to legalize abortion in an attempt to regain authority over the female body. *Roe* gave doctors the legal power to make an important medical decision, but it failed to address women; women and their rights were once again taken out of the equation.

\(^{12}\) *Id.* at 164.

\(^{13}\) See JAMES C. MOHR, ABORTION IN AMERICA: THE ORIGINS AND EVOLUTION OF NATIONAL POLICY, 1800-1900 (1978).
While abortion rights advocates rejoiced throughout the nation that evening, in Chicago the Jane Collective gathered at a member’s house for a subdued celebration. The women of Jane were filled with a “sense of utter relief and excitement. We had been risking our own freedom, risking other women’s health. We’d been taking lots of risks...[there was a feeling of] incredible relief to think we could stop soon.”14 Their relief, however, was tempered by a sense of apprehension for as they read the Roe decision, mixed emotions developed as to how the decision had been framed. After four years of hands-on abortion experience, the women of Jane had learned that medical competence was not the only factor involved in a good abortion.15 “Our feeling from the very beginning was that this is about women; this is about women’s liberation; this is about women having the moral authority and control which is part of that morality to make decisions and to be an actor in the world.”16 The overall emotion was that Roe had won the war, but that the battle for decent care and respectful treatment that Jane alone had undertaken had been written out of the law. “With abortion legalized ... under medical control, we worried that women would receive only adequate medical care, a limited service that, we knew, would not meet their complex needs.”17 Roe labeled abortion as a right to privacy, thereby failing to acknowledge abortion as a woman’s unassailable right to reproductive freedom and control over her fertility. They feared that

the division in trimesters created by the Court would not bode well for women in the future.¹⁸

The women of Jane silently asked themselves what women had really won that day. Jane’s mission had been to empower women in both the decision-making and the medical processes, and in doing so Jane had succeeded in demedicalizing the abortion procedure. The Service strove to make women actors. Jane had viewed each woman as a participant in the procedure, not as a passive recipient of a service; the medical profession, they feared, would not treat women with the same respect.

Many of the members of Jane argued to keep going after Roe under the theory that they provided a unique service, whose quality would not be matched by the physicians empowered by the new law to perform abortions. They believed that legislation did not address the issues of cost and quality of care. But Jane had operated under the mission that while abortion was illegal, they would make sure abortions were available. Second to that mission was the demedicalizing of the procedure. While this secondary goal would fall to the wayside in the years following Roe, the women of Jane knew that their primary goal had been met. They would no longer benefit from police protection,¹⁹ Jane would probably be immediately attacked as a financial threat to

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¹⁸ Interview with Laura Kaplan, Democracy Now (Pacifica Radio 1998).
¹⁹ The police had been well aware of Jane’s existence and had even used Jane’s services; there is much evidence that the police ignored Jane as a necessary evil while abortion was illegal in Illinois so long as nothing went wrong (i.e. nobody died). See KAPLAN, supra note 9. Eileen Smith, a member of Jane, recalled that one woman was confusedly looking for her apartment when the police drove by and assuming that this woman was there for abortion counseling, directed her to Eileen’s. Cheryl Terhor, Abortion in the Underground Before Roe v. Wade, The Group Jane Gave Women a Choice, CHI. TRIB., Sept. 15, 1999.
doctors, and thus the women of Jane decided to fold as soon as the first legal clinics opened.20

However, it would be months before affordable, legal abortions would be available in Chicago, and thus Jane continued to operate. Even after the Supreme Court lifted the stay on the injunction that had been granted by Justice Marshall in response to *Doe v. Scott*, on March 2, 1973, the calls from poor women and teenagers did not stop.21

When Jane folded shop in the spring of 1973, the last Call-Back Jane was forced to listen to the disappointment in women’s voices when she informed them that Jane was out of business.

643-3844 can’t help you anymore
   We’re already out of business
   From your dirty legal war.
   We gave you an abortion
   No matter what reason for
   But 643-3844 can’t help you anymore
   --Lyrics to 643-3844: The Jane Song22

III. The History of Abortion Law in the United States

A. Restrictive Statutes and the Repeal/Reform Movement

They [people] forget that it was the law, not illegal abortionists, that created, even mandated, danger for all women before *Roe v. Wade*.23

It is beyond the scope of this paper to provide a comprehensive history of abortion and the law in the United States. In order to understand the reasons why Jane was remarkable, however, it is necessary to place the Service in its appropriate political and

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20 KAPLAN, supra note 9, at 279. See also Ruth Surgal & the CWLU Herstory Committee, *Organizing a Clandestine Abortion Service* (1999), at www.cwluerstory.com/CWLUF Feature/Remarkable2.html.
22 KAPLAN, supra note 9, at 282.

Abortion was not regulated in the United States or Great Britain until the early nineteenth century. England’s first restrictive law was enacted in 1803, which made it a capital offense, punishable by death, to commit an abortion on a quickened fetus, while performing an abortion before quickening was a lesser offense. In 1821 Connecticut became the first state in the U.S. to pass a restrictive abortion law. Like its English predecessor, the Connecticut law prohibited abortion after quickening, but it did not treat abortion as a capital crime. New York, in 1829, became the second state to pass a restrictive abortion law. This law, however, provided an exception for the life of the mother. A majority of the states would follow New York’s approach to criminalizing abortion, and thus the New York law is indicative of abortion statutes throughout the United States until the start of the reform movement in the late 1960s. In fact, between 1821 and 1965 all fifty states enacted restrictive abortion laws, which generally made it a crime to provide an abortion unless to preserve the life of the woman. Illinois passed its first restrictive abortion law in 1827, making it a crime to procure an abortion by poison.

25 Quickening refers to the moment when the woman can first feel the fetus moving.
26 TATOLOVICH & DAYNES, supra note 25, at 16.
27 Id.
28 Id. at 17.
29 Id. at 18. Several states allowed for abortion to preserve the health of the mother as well. By judicial opinion several of the states interpreted the words life and health to include mental as well as physical factors, such that women were given the opportunity to prove that they would go insane or commit suicide if forced to complete the pregnancy. These so-called therapeutic abortions were available to women who applied to a hospital board requesting an abortion. See, e.g., NARAL, ABORTION LAW REPORTER (1976).
In 1867, the state of Illinois amended its law to bar abortion by instrument as well. This law stood, largely unaltered, until 1973.\textsuperscript{30}

It is estimated that somewhere between 200,000 and 1,300,000 illegal abortions were procured annually in the United States between the late 1940s and the late 1960s. However, abortion did not gain national attention, nor enter the political arena until the early part of the 1960s.\textsuperscript{31}

Between 1966 and 1972, fourteen states reformed their laws to allow for therapeutic abortions.\textsuperscript{32} Changes to the nineteenth century abortion statutes were based largely on the recommendations of medical organizations such as the American College of Obstetrics and Gynecology\textsuperscript{33} and the American Medical Association\textsuperscript{34} as well as the recommendations of the American Law Institute (ALI). The ALI recommended that therapeutic abortions be allowed for three reasons: the physical or mental health of the mother, physical or mental defect of the child, and pregnancy resulting from rape, incest or felonious intercourse (statutory rape).\textsuperscript{35} Four states—Alaska, Hawaii, New York and

\textsuperscript{31} Abortion first gained national attention in 1962 when Sherri Finkbine was forced to travel to Sweden to procure an abortion. Sherri Finkbine had taken thalidomide, a drug that was proven to cause birth defects, but her hospital, which had originally approved a therapeutic abortion, withdrew its offer after Finkbine went public. A few years later, in 1965, a rubella epidemic lead to increased national awareness of the lengths women had to go to to obtain legal abortions. See ABORTION WARS: A HALF CENTURY OF STRUGGLE XI (Rickie Solinger ed., 1998).
\textsuperscript{32} TATOLOVICH & DAYNES, supra note 25, at 24.
\textsuperscript{33} See American College of Obstetrics and Gynecology Standards for Termination of Pregnancy (1969), reprinted in NARAL, supra note 30, at I-A-2 (stating that the committee is opposed to therapeutic abortions except when continuation of the pregnancy may threaten the life of the woman or seriously impair her health, when the pregnancy resulted from rape or incest, or when the continuation of the pregnancy is likely to result in a mentally or physically impaired child).
\textsuperscript{34} Position of the House of Delegates of the American Medical Association, (June 1970), reprinted in NARAL, supra note 30, at I-A-3 ("abortion is a medical procedure and should be performed only by a duly licensed physician and surgeon in an accredited hospital acting only in conformance with the standards of good medical practice, and after consultation with two other physicians chosen because of their professional competence).
\textsuperscript{35} LADER, supra note 11, at 56.
Washington—repealed their anti-abortion laws in 1970. These states legalized abortion on request during at least the first trimester of pregnancy. Between mid-1970 and 1972, New York became a mecca for the nearly 350,000 pregnant women searching for a legal abortion who could afford to travel.

The political reaction to these reforms was solidly mixed. On April 3, 1971, President Nixon issued a statement opposing abortion.

From personal and religious beliefs I consider abortion an unacceptable form of population control. Further, unrestricted abortion policies, or abortion on demand, I cannot square with my personal belief in the sanctity of human life—including the life of the unborn. For surely, the unborn have rights also, recognized in law, recognized even in principles expounded by the United Nations.

The American Public Health Association adopted a resolution in October 1971, urging the repeal of restrictive abortion statutes and asking for the provision of free abortion referral services by public health facilities, largely because of the feeling that commercial referral service led to the economic exploitation of women. This recognition of commercial exploitation was embodied in Jane's activities from the start—the Service never turned a woman away for lack of money.

I called this lady on the phone.
She sounded really great.
She asked my name and telephone
And then my l.p. date
“A counselor will call you,
Just put your mind to rest.
We’d like $100

36 Id. In 1970, Constance Cook, a Republican Assemblywoman from New York, introduced the first bill calling for outright repeal of the abortion law in her state. When the roll was called, the vote was tied. A Roman Catholic assemblyman took the floor, saying, “I’m fully aware that this vote ends my political career. But I can’t be the vote that defeats this bill.” He changed his vote, and New York became the first state to make abortion in the first trimester legal. Dorothy Fadiman, From the back alleys... to the Supreme Court & Beyond..., at http://www.choice.org.
38 NARAL, supra note 30, at I-A-5.
39 Id. at I-A-12.
But we'll take your best.”
--Lyrics to 643-3844: The Jane Song

The Commission on Population Growth and the American Future, created by President Nixon in 1969, released a report on abortion on March 16, 1972. Despite Nixon’s profound opposition to abortion, the Commission recommended that present state laws be liberalized to allow women to determine their own fertility in conjunction with their physicians at least during the first twenty weeks of pregnancy. Their recommendation mirrored the liberalized New York law.

The various prohibitions against abortion throughout the United States stand as obstacles to the exercise of individual freedom: the freedom of women to make difficult moral choices based on their personal values, the freedom of women to control their own fertility, and finally, freedom from the burdens of unwanted childbearing. Restrictive statutes also violate social justice, for when abortion is prohibited, women resort to illegal abortions to prevent unwanted births.

The American Bar Association recommended a similar liberalization of state abortion laws in 1972. The abortion repeal movement reached its pinnacle when on May 2, 1972, Representative Bella Abzug of New York filed a bill called the Abortion Rights Act of 1972, which would have ensured a federal right to abortion. H.R. 14715 would have made abortion a fundamental and inherent right of women, which could not be restricted by a countervailing federal or state interest.

**B. Legal Challenges to the Constitutionality of Abortion Statutes**

Up until the late 1960s the only abortion cases decided in U.S. courts were criminal prosecutions of medical and non-medical abortion providers. In the fall of 1969,

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40 KAPLAN, supra note 9, at 282 (l.p is the abbreviation used by Jane for date of last period).
42 The Uniform Abortion Act, reprinted in NARAL, supra note 30, at I-A-17.
43 Id. at I-A-25.
however, both the Supreme Court of California and the U.S. District Court for the District of Columbia threw out criminal charges against two abortion providers on the grounds that the state abortion laws were unconstitutionally vague and impermissibly denied women a fundamental right. Drawing on the Supreme Court's ruling in *Griswold v. Connecticut*, which gave married women the right to obtain contraception, the two courts concluded that abortion fell under the right to privacy. Soon after the California and Washington, D.C. statutes were struck down, challenges were filed in Wisconsin, Texas, Georgia and Illinois. By the time of the *Roe* decision, the Supreme Court could cite precedent based upon 18 state and federal cases. However, a number of states had upheld their abortion laws as constitutional on the ground that the state's interest in the protection of fetal life was compelling enough to restrict the provision of abortion to cases in which it is necessary to preserve the life of the woman.

C. The Status of Abortion Law in Illinois

Despite the liberalization of abortion laws throughout the country, no midwestern state enacted an abortion repeal statute. The Illinois law was representative of that of her sister states. The pertinent part of the Illinois Criminal Code in place from 1969 to 1973,

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44 People v. Belous, 485 P.2d 194, 71 Cal. 2d 954, 80 Cal. Rptr. 354 (Cal. 1969) (finding the fundamental right of the woman to choose whether to bear children follows from the Supreme Court's acknowledgement of a right to privacy in matters related to marriage, family, and sex and that the term 'necessary to preserve' is susceptible to a variety of constructions, thereby impermissibly infringing on fundamental constitutional rights). United States v. Vuitch, 305 F. Supp. 1032 (D.D.C. 1969) (holding the D.C. abortion statute unconstitutional because the phrase 'necessary for the preservation of the mother's life or health' is impermissibly vague).


the years in which Jane operated, made it a crime for any person to perform an abortion unless necessary to preserve the life of the woman.  

Illinois Revised Statute, chapter 38, §23-1 read:

(a) A person commits an abortion when he uses any instrument, medicine, drug or other substance whatever, with the intent to procure a miscarriage of any woman. It shall not be necessary in order to commit abortion that such woman be pregnant or, if pregnant, that a miscarriage be in fact accomplished. A person convicted of abortion shall be imprisoned in the penitentiary from one to ten years.

(b) It shall be an affirmative defense to abortion that the abortion was performed by a physician licensed to practice medicine and surgery in all its branches and in a licensed hospital or other licensed medical facility because necessary for the preservation of the woman's life.

Furthermore, Ill. Rev. Stat. ch. 38, § 23-2 made it a crime punishable by a maximum fine of $500 and/or imprisonment in a penal institution for a maximum of six months for any person to “sell or distribute any drug, medicine, instrument or other substance whatever which he knows to be an abortifacient and which is in fact an abortifacient to or for any person other than a licensed physician. Chapter 38, §23-3 of the Criminal Code imposed the same penalty on “any person who advertises, prints, publishes, distributes or circulates any communication through print, radio or television media advocating, advising or suggesting any act which would be a violation of any section of this Article.” During its four years of operation, Jane would violate all of these criminal provisions.

Illinois’ restrictive abortion statute was declared unconstitutional by the United States District Court for the Northern District of Illinois on January 29, 1971, in Doe v. Scott,

50 Id.
321 F. Supp. 1385 (N.D. Ill. 1971). Concluding that the statute's constitutionality turned on "whether men of ordinary intelligence must guess at the meaning of the words 'necessary for the preservation of the woman's life,'" the court struck down the statute as impermissibly vague.53 Building upon the California court's reasoning in Belous, Chief Circuit Judge Swygert determined that 'necessary' is a word susceptible to a variety of meanings ranging from absolute physical necessity to that which is convenient to the end sought, and that 'preserve' was susceptible to a variety of definitions as well, rendering its statutory meaning amorphous.54 Conceding the statute's vagueness, the court concluded "its [the statute's] practical effect is to make abortion unavailable to women unless there is a reasonable certainty that death will result from the continuation of pregnancy."55 This effect was found to constitute an intrusion on constitutionally protected areas—women's rights to life, to control their own bodies and to freedom and privacy in matters relating to sex and procreation. While women have a fundamental interest in choosing whether to terminate a pregnancy, a restrictive abortion statute would still be constitutional if the State has a compelling interest in preventing abortions in the early stages of pregnancy except where the death of the woman is likely. The court held that the state interest in fetal life is not compelling in the face of the countervailing rights of pregnant women. In conclusion, the Doe court struck down Illinois' restrictive abortion statute as "unconstitutional because it is impermissibly vague and unduly infringes women's right to privacy insofar as it restricts or prohibits the performance of abortions during the first trimester of pregnancy by licensed physicians in a licensed

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53 Doe, 321 F. Supp. at 1388 ("If courts cannot agree on what is the essential meaning of 'necessary for the preservation of the woman's life' and like words, we fail to see how those who may be subject to the statute's proscriptions can know what it prohibits.").
54 Id. at 1388-89.
55 Id. at 1389.
hospital or other licensed medical facility." The court thus enjoined the State from enforcing Illinois Revised Statutes, chapter 38, §23-1.

The first legal abortion under *Doe* was performed on February 1, 1971, at Grant Hospital in Chicago. Cook County Hospital in Chicago quickly scheduled 125 abortions a week, while all other city hospitals were flooded with applicants. In response, the Cook County State's Attorney asked Supreme Court Justice Thurgood Marshall to grant a temporary stay barring the injunction until the Supreme Court had ruled on the abortion cases before it. Justice Marshall obliged, and thus abortion was legal in Illinois for only two weeks. Furthermore, a year after the decision in *Doe*, the Supreme Court of Illinois refused to read psychiatric indications for abortion into the Illinois statute as being necessary for the preservation of the woman's life, as several other states had done. Thus abortion would be legal in the state of Illinois, only if it could be proven that the woman's physical life was in danger. The stay on the injunction was not lifted until the Supreme Court's ruling in the companion cases of *Hanrahan v. Doe* and *Heffernan v. Doe* on February 26, 1973, more than a month after the *Roe* decision was handed down.

Forced to take matters into their own hands, more than 20,000 women were brought into Cook County Hospital suffering from the effects of botched illegal abortions between 1960 and 1965. This staggering statistic led Reverend Spencer Parsons to

56 *Id.* at 1391.
57 LADER, *supra* note 11, at 175.
58 *Id.*
59 *Id.*
60 One Chicago doctor stated "She didn't know how she was going to explain the decision [Marshall's injunction] to her thirty-five patients 'who desperately don't want to be pregnant.'" *Id.*
61 People v. White, 285 N.E.2d 129, 52 Ill. 2d. 70 (1972).
establish the Chicago Area Clergy Consultation Service on Problem Pregnancies in 1969, by which time he had counseled 500 women. During the next four years his organization would help over 10,000 Chicago women obtain legal abortions and for those who could not afford to travel, he gave them a phone number, 643-3844.

643-3844 is a number you’ll adore
The women in the service know what you’re calling for.
They’ll give you an abortion
No matter what the reason for. (Alt. Maybe three or four)
And 643-3844 is a number you’ll adore
--Lyrics to 643-3844: The Jane Song

IV. JANE: The Abortion Counseling Service of Women’s Liberation

The landmark Roe v. Wade decision ... ushered in one of the most profound and sweeping changes for women in the nation’s history. Overnight, illegal abortions were relegated to the history books. There were no more coat hangers, knives, hoses and other instruments in the back alleys. No more panic and desperation for millions of women who faced unplanned pregnancies. And no more forced childbearing for those who couldn’t find or afford an illegal abortion.

The importance of the legalization of abortion should not be minimized, but despite the excitement garnered throughout the Nation by the Roe decision, women in Chicago knew they were losing access to the best ‘medical practitioners’ in town. Roe would force Jane to close her doors after four years of serving the most disenfranchised women in Chicago. Between 1969 and 1973, Jane made sure that the back alleys of Chicago were safe.

“If you needed an abortion, for whatever reason, you took your life into your own hands—and you were terrified, absolutely terrified. All you knew is that you might die, that this person didn’t know what he was

64 Id.
65 KAPLAN, supra note 9, at 282.
doing and you were going to pay hundreds of dollars...to bleed to death in some hotel room.” —Jane member

Getting pregnant in those days was a tragedy—it was the end of your life. I knew people who had had botched abortions, and people died from illegal abortions. You really felt safe once you made contact with the Janes.

--Sunny Chapman of NYC, who turned to Jane at the age of 19.

A. An Ad Hoc Start: How Jane Began

In 1969 a discreet notice appeared on the bulletin boards of Chicago-area hospitals and in the back of underground newspapers: “Pregnant? Don’t want to be? Call Jane. 643-3844.” Jane, known officially as the Abortion Counseling Service of Women’s Liberation, was the contact name for a group of women in Chicago who responded with action to the danger and desperation faced by women who could not obtain a legal abortion under the restrictive Illinois statute.

Heather Booth, a student at the University of Chicago involved in both the civil rights and anti-war movements, had just returned from work in the Mississippi Freedom Summer Project in 1965 when a friend called asking for her help—his sister was pregnant and nearly suicidal. He needed to find an abortionist. Booth, credited with having founded more early feminist groups than anyone else including the Women’s Radical Action Project (WRAP), had never thought about abortion before, but someone needed

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69 Over the next four years a woman could get Jane’s phone number from a free clinic, an underground newspaper, a phone operator, friend, clergy, doctor, or even a cop on the beat. One could also find Jane’s number listed under Howe, Jane in the phonebook. See NINIA BAEHR, ABORTION WITHOUT APOLOGY: A RADICAL HISTORY FOR THE 1990S 26 (1990).
help, and she refused to turn her back. Booth later recalled that she "does not remember... particularly seeing this as an activity related to women's organizing. It was simply the right thing to do in the face of a desperate situation." 72 She eventually found a doctor willing to perform the illegal abortion, and the word spread through the activist community—Heather Booth could help women find a safe abortion provider. A short time later someone else called. And then another. Soon Booth was flooded with calls in her dorm from desperate women seeking an abortion; she told women to ask for Jane in order to decrease suspicion and keep things anonymous. 73 Booth began to keep a list of abortionists and gave out the numbers of those who were reported to be competent and safe. 74

You see and hear about someone in need and you try to do something about it. It's hard now to remember that that's what those times were like. You rose to protect those who needed it, even if it meant you went against the law. 75

By 1968, the demand for abortions overwhelmed her, and Booth, pregnant herself, sought the help of other activists. "I realized there was a real need out there and I decided to set up a system for talking with women who were trying to figure out what to do. I set up what became known as the Service or Jane." 76 Unlike the many other abortion referral services that existed throughout the country, and in Chicago as well,

73 See JANE: AN ABORTION SERVICE (ITVS 1996), available at http://www.cwluherstory.com/CWLUMemoir/heathervid.html (interview with Heather Booth). But see KAPLAN, supra note 9, at 27 (there is a dispute as to who actually came up with the name Jane. While Booth remembers having developed the name as early as 1965, the original members of the Abortion Counseling Service of Women’s Liberation claim they created the name Jane in order to give pregnant women a name to call).
Jane was established as both a referral and counseling service. Booth explained to the handful of women she had gathered that the organization would strive to create a bond between women. Jane, as the organization would be called, would not just be providing a service; it should be attempting to raise women’s consciousness. Booth, who bowed out of Jane as soon as it was up and running, personally trained the women for months. Insistent that Jane be a vehicle for women’s liberation, Booth led one discussion after another on the political significance of abortion—what it meant that women could not control their fertility.

**B. The Women of Jane**

It wasn’t that we were for abortion. We were for women having the right (to) make this most personal decision.

—Heather Booth, founder of Jane

Heather Booth found the initial members of Jane at various activist meetings. Like herself, many of them had never thought of abortion as a political issue. Ruth Surgal, who would eventually become one of the main leaders of Jane throughout most of its existence, was a full-time housewife, caring for two small children. She had been involved in the antiwar movement but was looking for something else to do after having realized that the war was not her personal fight.

Now originally, way back in the beginning, I really thought feminism was stupid. It’s really embarrassing to think about it. But, I was at a Women for Peace meeting and some women came to talk about the women’s movement and feminism. I just thought they were you know, having trouble in their marriages... none of it made any sense to me.

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77 KAPLAN, supra note 9, at 17.
78 Today Heather Booth runs the Midwest Academy, a training academy she established.
79 KAPLAN, supra note 9, at 17.
But when listening to a 1969 radio interview with Marlene Dixon, a University of Chicago professor who had been fired because of her outspoken support of the women's liberation movement, Ruth had a clicking experience with feminism. "And [then] I knew that the women's movement was my personal fight and that I would be willing to go to the wall for it, or whatever, get arrested . . . ." However, Ruth got involved with Jane not because of any particular interest in abortion, but rather because she had earned her master's degree in social work and knew crisis intervention. Counseling would be an easy task for her.

The original members of Jane were housewives, mothers, student activists, and members of the National Organization of Women (NOW). Most of the women in Jane, who numbered about 100 during its four years of service, were white and middle-class. Paula Kamen, author of the play, Jane: Abortion and the Underground, which ran in Chicago in the summer of 1999, claimed that she was drawn to the story of Jane not because of its feminist undertones, but rather because "it was a great story where these bourgeois housewives and student radicals got together and formed this totally illegal abortion service!"

But Jane deliberately sought out black women to join the Collective. After abortion was legalized in New York, many of Jane's traditional clients flew there to have legal abortions, and thus especially during its last year of practice, Jane became a service

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82 Id.
83 Id.
primarily for African-American women, poor women, and teenagers. Micki, one of the few African-American women to work with Jane, recalled that her race made her feel compelled to help out. “For African-Americans who walked in and then saw me, you could see their faces relax.”

Another African-American Jane member, who discovered Jane when she escorted a girlfriend to get an abortion, stated, “When I arrived at the facility, I saw the clients were predominately Black, but all the workers were white. Even while I waited for my friend, I began counseling women, telling them they would be all right.” Eventually the women of Jane would range from "a corny, warm-hearted middle-class white housewife to a radical, acid-tripping black working class civil rights worker who dated Black Panthers, served on the Chicago Conspiracy Trial Legal Team, and described becoming a feminist as a Girl Scout in her youth.”

Jeanne Galatzer-Levy was twenty when she attended her first Abortion Counseling Service meeting in the Hyde Park neighborhood of Chicago. “I was really adrift, but I wanted to do something, and it seemed to me that if you were going to pick something in terms of women and politics the front lines was abortion because women were dying and that was real.” Some of the women who joined Jane had become disheartened by the women’s movement. Linnea Johnson recalls attending a NOW meeting and becoming discouraged by the notion of staging a cocktail party for advertising executives in order to convince them that the use of female body parts to sell

89 Jeanne Galatzer-Levy & the CWLU Herstory Committee, On the Job with Jane, at http://www.cwluherstory.com/CWLUFeature
their products was unacceptable. She was looking for a hands-on experience that didn’t involve “asking something of someone in charge.”

By 1970 when I joined Jane, which we always called “The Service,” I had begun to see that men have power though no right, to colonize women’s bodies; that men have power, though no right, to make up laws which effect women and that what I could do about it this time was not again protest through lobbying, convincing, begging, litigating, demonstrating, educating, theorizing, waiting and waiting and waiting to get male intercession or permission. Instead, this time, what I could do was to act outside male law, male control, with women on our behalf. How I expressed this then was by saying that I wanted to “do something real.” Doing abortions with the Service has always felt that way to me: real. It is the best work I ever did.

Many of the women who came to Jane for help would later find themselves joining the Service. Alice Fox, who turned to Jane in 1971 when her contraception failed, joined Jane because “[she] had been treated with such incredible loving care and respect that it really changed [her] life.” Laura Kaplan, author of Jane: The Legendary Underground Feminist Abortion Service, explained that she joined Jane in 1971 after her friend Alice had received an abortion from the Service. Judith Arcana, a member of the Graduate Faculty of the Union Institute today, joined Jane in her late twenties after being referred to Jane by a medical student when she mistakenly thought she was pregnant.

The women of Jane were bound together by a common principle: “We are for every woman having exactly as many children as she wants, when she wants, if she wants.”

91 Id.
92 Interview with Alice Fox, Democracy Now (Pacifica Radio 1998).
93 Interview with Laura Kaplan, Democracy Now (Pacifica Radio 1998).
95 The Jane Collective, Abortion—A woman’s decision, a woman’s right (1969).
C. Jane’s Mission and Philosophy: Seizing the Means of Reproduction

We are women whose ultimate goal is the liberation of women in society. One important way we are working toward that goal is by helping any woman who wants an abortion to get one as safely and cheaply as possible under existing conditions. —Jane Pamphlet

Jane was a political organization in the sense that it defied the law. Unhappy with the current restrictive abortion statute in Illinois, the women of Jane gave their time, risked their own freedom as well as the lives and health of their sisters to provide a necessary service to desperate women, whose only other choice was the back alley butcher. Jane took immediate action to solve an immediate problem. While Jane’s main goal—to grant women access to abortions—was similar to that of many of the other referral and repeal organizations of the time, the Service sought to meet this goal in an unconventional manner—they not only referred and counseled women but eventually provided the abortions themselves. “Our aim was to create a very loving, comforting supporting atmosphere, a reassuring atmosphere, to let this person know they were going to be alright. They weren’t going to die . . . .” Jane also sought to alleviate the burden of the exorbitant fees charged by back alley abortionists by making abortion affordable for all those who needed help.

Some abortion rights activists defined anti-abortion laws as the problem and viewed legalizing or decriminalizing abortion as the solution. Others broadened their definition of the problem. Abortions were not only “criminal”; they were also dangerous, degrading, expensive, and hard to come by. While some activists petitioned legislatures and courts to solve the problem of illegality, others took direct action to solve the immediate problem of women with unwanted pregnancies.

96 Id.
97 BAEHR, supra note 70, at 28.
98 Id. at 25.
Jane's philosophy was simple: women had the right to safe and humane abortions and if that wasn't legally possible, then it was the job of women's liberation to pick up the slack. Self-help was the motivating philosophy and practice through which women would be able to become active participants in shaping their lives. Jane, as an organization, never vocally challenged Illinois' abortion law, though individual members of the Service were active in other "revolutionary" groups. As a clandestine organization, Jane provided a service and left others to openly battle the law. The women of Jane broke the law daily, but they never sought to get caught. As many other feminist organizations drew attention to themselves to be given the opportunity to challenge puritanical laws, the women of Jane felt that they were most productive in quietly assuming the role of abortion referrer, counselor or provider for more than 11,000 women. Jane was so far removed from the national theatre of abortion that many of the women didn't know that the Supreme Court was set to rule on the constitutionality of restrictive abortion statutes in January of 1973.

Heather Booth had created a service that was never just about finding women a doctor to take care of their "problem." From the outset the members of Jane denounced the state abortion law as oppressive of women; Booth's motivation had been partially political.

100 NANETTE DAVIS, FROM CRIME TO CHOICE: THE TRANSFORMATION OF ABORTION IN AMERICA 180-81 (1985).
101 The Army of Three, —Pat McGinnis, Rowena Gurner, and Lana Clarke Phelan—the original members of the Society for Humane Abortion (SHA) and the Association for the Repeal of Abortion Laws (ARAL), were abortion rights crusaders in California, who "knew that had to do more than get people to talk about abortion. They wanted to eliminate the laws. The only way they knew how to do this was to break a law, get arrested, and get sentenced." The Army of Three provided a referral service and taught a class instructing women on the digital method of abortion. BAEHR, supra note 70, at 14.
102 KAPLAN, supra note 9, at 246.
We are giving our time not only because we want to make abortions safer, cheaper and more accessible for the individual women who come to us, but because we see the whole abortion issue as a problem of society. The current abortion laws are a symbol of the sometimes subtle, but often blatant, oppression of women in our society. Women should have the right to control their own bodies and lives. Only a woman who is pregnant can determine whether she has enough resources—economic, physical and emotional—at a given time to bear and rear a child.\(^{103}\)

However, the Jane Collective was more than an organization attempting to provide women with safe access to abortion services. Jane’s initial plan had been to find doctors who were willing to perform abortions, screen them to determine who is competent, and prepare women for their upcoming abortions.\(^{104}\) However, Jane soon realized that in order to really help women, they, both the pregnant women and the women of Jane, had to be a part of the entire abortion process. The Service not only wanted to counsel and refer women, but it wanted to be involved from start to finish. Thus from the very beginning, the women of Jane bargained with their chosen abortion provider to be able to enter the room—the women of Jane were trying desperately to remove the blindfold from the back alley, and eventually they succeeded.

Jane’s mission was to provide women with affordable abortions. The goal was to make abortions available to all, regardless of ability to pay.\(^{105}\) Outside of safety concerns, the biggest problem with the back alley was the financial exploitation of desperate women. Illegal abortionists charged up to $1000 for the provision of abortion services, and thus many women were forced to take drastic measures on their own. From the start, the women of Jane bargained with the “doctors” to whom they referred women

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\(^{103}\) The Jane Collective, Abortion—A woman’s decision, a woman’s right (1969).


to drive down the price. Jane created an abortion loan fund, asking women who used the Service to donate $25 so that money would always be available for those who had none. But Jane never turned its back on the women who could not give to the loan fund nor give more than $10. Everyone who dialed 643-3844 received an abortion.

Jane served women who had nowhere else to turn. We turned no one away. Many came to us after trying to do it themselves. Some took quinine, a common home antidote that sometimes would cause the fetus to abort and sometimes would kill the woman. Young girls took huge doses of castor oil. They just didn’t know what else to do. Others used hangers. Sometimes you could just clean up a situation. Other times, you could only refer them to a hospital—sick, and still pregnant. Then homicide police would come to their hospital rooms. —Founding member of Jane.

While Jane was an organization that met the needs of pregnant women looking for a safe abortion, Jane sought to transform this often-frightening experience into a moment of women’s empowerment for her patients. So Jane’s mission was not only the provision of abortion services with no questions asked, it was also the demystification of the female body and the demedicalization of the abortion procedure.

The only way that they can keep abortion illegal is to keep us in total ignorance of our bodies. Because once you see it you realize that abortion is so simple and so easy to do that any woman who has knitted and sewn and made pottery or done any multitude of things that women constantly do—we realized we could do this. . . . Mystifying us about our body was absolutely central to any patriarchal plan of keeping us down.

--Carol Downer, an abortion rights activist

Jane felt that if women understood what was being done to them and could play a role in the process, their lives would be forever changed. It is in this way that Jane went far beyond what Roe has had to offer. Jane counseled each and every woman who called

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108 BAEHR, supra note 70, at 22.
looking for assistance. The Collective never passed judgment but screened women to be sure that abortion was really what they really wanted. Jane would give each client a copy of Our Bodies, Ourselves, The Birth Control Handbook, and The Venereal Disease Handbook—Jane wanted to get the information out there so that women could have a better understanding of how their bodies worked and how they could prevent the need for future abortions.

We wanted to create an atmosphere that was empowering in a situation that was normally very disempowering. We wanted to give women some ammunition in their lives, and by acting directly, show them it was possible to take action on their own behalf and on behalf of other women.

—Anonymous, The Jane Collective

Jane established itself as a nonmedical system. The Service’s methods would later be adopted by the Women’s Health Movement. In the provision of abortion services, the women of Jane sought to politicize health care, demystify medicine, eliminate hierarchy and specialization, and emphasize the doctrine of women’s control over their own bodies. It was their feeling that if women actively participated in the process, they would be empowered to take action for themselves. As Alice Fox, a one time Jane client and later member explained:

[W]hat made my abortion experience unique was the demystifying of the procedure...part of my experience and what was so empowering about the experience was the fact that there was something very regular about it; something about women taking the control into their own hands for our own health and for each other. There was a sense of sisterhood that... made it more than a medical procedure.

Jane realized that what made women comfortable was knowing what was going to happen to them. They made sure that someone was always in the room with a “patient,”

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109 Id. at 29.
111 Interview with Alice Fox, Democracy Now (Pacifica Radio 1998).
talking to her and holding her hand. Eventually, the women of Jane came to the realization that if the man whom they had relied upon to provide women with safe care for several years was not a doctor then they too could provide women with abortions. “Well, if he can do it, and he’s not a doctor, then we can do it,” one Jane member announced to the others. And so for the last year of its operation, the women of Jane provided their clients with the abortions themselves—none of these women had medical training, and thus this was the true demedicalization of the procedure. Jane had achieved its goal of driving down the cost of abortion and making the dreaded back alley safe; providing abortions themselves allowed the women of Jane to decrease the cost and increase the number of days that abortion services could be provided. As abortion providers, the women of Jane were able to demonstrate to all clients that the average woman could perform an abortion, a simple procedure, and more importantly that the average woman could make a difference.

I think the times were extraordinary. And it gave us the right to be more extraordinary in our action and activism . . . The timing was right. The times called extraordinary strength out of all of us and changed us all. But we weren’t by any means superwomen. We were lucky because we got a chance to put our politics into practice.—“Jane”

The move from referring, counseling and hand-holding was significant not only in terms of the demedicalization of the procedure and the demystification of the female body, but also in the legal ramifications that the women of Jane would face should they ever get caught.

113 BAEHR, supra note 70, at 27.
114 Id. at 29-30.
D. The Abortion Seven

On May 3, 1972, the police raided Jane after the sister-in-law of a Jane client had lodged a complaint with the police. The police had known about Jane since its inception, and in fact many of them had turned to Jane in personal times of trouble, however on this particular day a certain “higher-up” was off duty and the Homicide Unit was dispatched.\textsuperscript{115} Seven of Jane’s members were arrested on charges of “operating an illegal low cost abortion clinic out of two Southside apartments.”\textsuperscript{116} The Abortion Seven, as they came to be known, were charged with eleven counts of abortion and conspiracy to commit abortion. However, it took the police quite some time to figure out that the women themselves had been performing the abortions. The police kept demanding to know where the man providing the abortions had gone. Jeanne Galatzer-Levy, one of the Abortion Seven, later recalled, “We were terrified. We were looking at like one hundred ten years, one to ten each count. It was very impressive. We were terrified and we all quit the Service.”\textsuperscript{117}

Many of Jane’s members left after the bust, frightened that they were no longer working under the protection of the law, but Jane kept its doors open. Despite the fear, Jane felt that women were counting on them and so long as they had nowhere else to turn, Jane would keep working. In time, several of the Abortion Seven returned to work as well, refusing to allow the law to frighten them into submission.

\textsuperscript{115} KAPLAN, supra note 9, at 248.
\textsuperscript{117} Jeanne Galatzer-Levy & the CWLU Herstory Committee, On the Job with Jane, at http://www.cwluherstory.com/CWLUFeature.
On March 9, 1973, one week after the *Roe* decision was handed down, the case against the Abortion Seven was dismissed. One of the Abortion Seven issued Jane’s first political statement to the press:

We feel abortion should be available to all women in Chicago who desire it. But in fact abortions though legal are expensive, and available only in a few places and restricted to the first trimester. Even more important for the woman who fights through the obstacles, the attitude of society and the professionals she deals with often make an abortion an unhappy experience. There should not be any legislation on this issue; it would be as inappropriate as laws governing appendectomy. Hospitals and doctors who are waiting for guidelines form the legislature are only avoiding their obligations to their women patients.\(^{118}\)

A few months later Jane closed her doors for good with little fanfare—a last work day was never even scheduled.

**Epilogue: The Lessons of Jane**

I think that’s one of the greatest lessons of Jane. If there’s something that needs to be done, we don’t have to wait until x, y and z happen. We don’t have to beg anybody else to please do this for us. We can go ahead and we can do it ourselves.—“Jane”\(^{119}\)

The remarkable women of Jane disbanded shortly after *Roe v. Wade* made abortion legal in the state of Illinois. They went their separate ways—some remaining in the field of women’s health care and reproductive rights; others going on to become professors, writers, mothers and homemakers. Some have never spoken of their time with Jane; others have done so hesitatingly. But without their words, the story of Jane will be nothing more than a forgotten moment in history.

In 1973, Jane members organized the Emma Goldman Women’s Health Center. Two of the women began nursing after Jane closed her doors. One of them ended up at a well-respected abortion clinic, where she realized that *Roe* would never provide women

\(^{118}\) KAPLAN, *supra* note 9, at 277.  
\(^{119}\) BAEHR, *supra* note 70, at 29.
with that which Jane strived for—demedicalizing the abortion procedure. Jane was about empowering women in their decisions; it was about making women an active part of the process, whereas Roe has made abortion a procedure that women now undergo without being an accomplice—it is a medical procedure and as a result the power has been removed from the women. A woman in the recovery room called this nurse over and said in a whisper, “You don’t remember me, do you? You assisted my illegal abortion years ago. I don’t see how you can work here after what you did. You guys spent a lot of time with people and the counseling was so different. It must be hard for you to work here.”

For the people who I know, it was the single most intense period of our life and when it stopped something was missing. And you couldn’t find anything to do that carried quite that energy for a long time. I mean, how often [do you] get a chance to actually do something that’s not enormously complicated and is truly helpful, you know. You can be helpful in lots of ways, but this was really helpful because without us they would’ve been in serious trouble. These were people who couldn’t afford to go to all the regular places, you know, for abortion. Or the places they went to they would get hurt. So what we did was really important. Doesn’t happen very often in a lifetime. Or hardly at all, you know that one gets a chance to do that.” –Ruth Surgal on her time with Jane

When Jane operated in 1969 through 1973 the only opposition to their work was a tyrannical law passed in the mid-nineteenth century, a law that was rarely used to prosecute anybody. They worked under a shroud of secrecy but with the protection of the Chicago police. While abortion was illegal in the state of Illinois, the powers that be turned a blind eye to the illegal Jane mostly because she was regarded as perhaps a necessary evil or because even the police of the city were sending their loved ones to be cared for by Jane. As astonishing as their story is, as amazing as their courage was, the

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120 Id. at 285.
women of Jane worked for women's liberation and reproductive freedom in a time very unlike today—a time when abortion practitioners did not have to wear bullet proof vests. They feared the law, while today’s practitioners fear the bullet of a militant anti-abortion supporter. “Back then all we had to worry about was jail. Now you have to fear for your life.” And yet, the women of Jane have vowed that they will reopen their doors should the Supreme Court overrule Roe and return women to the back alley to claim reproductive freedom.

If lawmakers are stupid enough to want to return to those days, we'll just have to break the law again. We're not going to let fear of jail stop us. It didn't before. It won't know. —Jane founding member

I believe that my going to jail would be a small price to pay to alleviate the suffering of thousands of women. I'm not afraid of going to jail because I believe in women having a choice. —A member of Jane, who is a housewife today

It's not that I feel great that we did 11, 12, 13,000 abortions. But I feel proud that we can go to people and say, 'You can do it. We did it before, and we can do it again.' —Jody Howard, a member of Jane

The story of Jane is a remarkable one because it is about the power of collective action.

It is the story of ordinary women coming together as women to work for the benefit of women.

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124 Frank Burgos, Abortion Vow: 'We'd risk jail'/If the law changes, some medics would go underground, CHI. SUN-TIMES, July 2, 1989, at 1.
125 Barbara Brotman, Secret Abortion Group of '60s Prepares For Return, CHI. TRIB., Aug. 28, 1989, at 1.

Until the middle of the 19th century, abortion was an unregulated procedure in the United States. Starting in 1821, all fifty states passed restrictive abortion statutes, which with little exception, criminalized the provision of an abortion unless necessary to preserve the life of the mother. These laws were passed at the behest of the American Medical Association, who characterized abortion as unsafe and thus sought to outlaw its provision by midwives. The public remained almost silent on the issue of abortion for over a century. However, in the early 1960s, Sherri Finkbine’s public struggle with her hospital to obtain an abortion after it was scientifically proven that thalidomide caused birth defects, put abortion on the national landscape and on the political agenda. For a decade, reform and repeal organizations were established to change the restrictive laws that were putting women in the back alley and in danger of their lives.

Fourteen states reformed their restrictive abortion statutes to allow for therapeutic abortions in the late 1960s and early 1970s, while four states repealed their abortion laws, allowing abortion on request during the first twenty weeks of pregnancy. But in the Midwest, despite a large repeal movement, no restrictive abortion law was taken out of the statute books. Illinois passed its first restrictive abortion law in 1827 and by 1867 the State had criminalized all abortions, except those performed to preserve the life of the woman. This law remained intact until 1973, despite the fact that more than 20,000 women were brought into a single hospital over a five-year period suffering from the effects of a botched illegal abortion. Before the legalization of abortion, women were forced to take matters into their own hands to deal with unwanted pregnancies. Those
who could afford to left the country to obtain an abortion, while others poisoned themselves or ventured into the back alley. Those doctors and non-medical practitioners working in the back alley exploited the desperate need of women for their services and charged as much as $1000 for the simple procedure.

Jane, officially known as the Abortion Counseling Service of Women’s Liberation, was established in Chicago in 1969 to provide counseling and referral services to women searching for an illegal abortion. Between the years of 1969 and 1973, Jane provided over 11,000 women with safe and affordable illegal abortions. Motivated by the feeling that no woman should be forced to bear an unwanted child, Jane’s mission was to help every woman confronted with an unwanted pregnancy to get an abortion. The story of Jane is remarkable—the women of Jane not only met their goal of never turning a desperate woman away, but they also empowered women in the process. Whereas therapeutic abortions along with back alley abortions had been degrading experiences for those women forced to seek them, Jane strove to make the woman an independent actor in the process. Jane provided individual counseling throughout the entire procedure, and in the last year of its operation, the women of Jane actually performed the abortions themselves. Those who were lucky enough to pass through Jane’s doors in the days of illegal abortions, recall their experience as the best medical experience of their lives.