

The "involuntary" sterilization of two Montgomery, Ala., black girls, one of them retarded, has caused governmental, medical and religious groups to consider anew this question.

## Sterilization... Can It Ever Be Justified?

By Religious News Service

The sterilization of two young black girls this summer by a Montgomery, Alabama, family planning clinic funded by the federal Office of Economic Opportunity (OEO) stirred up a hornet's nest of questions about racism, constitutional rights, and medical ethics.

The operations alleged to have been "involuntary," came to light in July of this year when attorneys for the Southern Poverty Law Center filed a \$1 million damage suit for the two girls and their parents against the family planning center and OEO officials.

The welfare-recipient parents, Mr. and Mrs. Lonnie Relf, have charged that their daughters — 14-year-old Minnie Lee and 12-year-old Mary Alice, who is mentally retarded — were sterilized without an understanding on the part of Mrs. Relf, who signed a surgical consent form with an X, of the consequences of the operations. (Mr. Relf was away from home at the time his wife was asked to sign the document.)

Though the Montgomery family planning center has insisted that the operation was properly explained to Mrs. Relf, the fact that one of the girls is retarded prompted State Rep. Julian Bond, president of the Southern Poverty Law Center, to declare:

"Sterilization of the retarded had its precedent in Nazi Germany. This whole thing is a horrendous attack on privacy, innocence, and the right of motherhood."

Msgr. James T. McHugh, director of the Family Life Bureau of the U.S. Catholic Conference, called the sterilization of the Relf girls "a classic example of how family planning can be used to violate the rights of poor people."

"Perhaps the most disastrous aspect of the entire affair," he said, "was the attempt to justify the action because one of the girls was mentally retarded," and added:

"The mentally retarded have basic human rights in regard to sexuality and reproduction which should not be violated by enforced sterilization."

In the wake of the Relf case, OEO officials began investigating reports that as many as 11 girls, all minors, 10 of them black and some retarded, may have been "involuntarily sterilized" by the Montgomery family planning center.

This investigation, together with parallel investigations by the Department of Justice and by HEW, which funds sterilization programs, disclosed that the problem went beyond Alabama.

HEW officials estimate that in 1972 just over 16,000 women and 8,677 men were sterilized by the country's 3,267 government-sponsored birth control clinics. Of those sterilized, 365 were minors.

Because of the Montgomery situation, Casper W. Weinberger, HEW Secretary, has ordered a new set of guidelines for regulations designed to protect the rights of minors and legally incompetent adults in sterilization procedures. New regulations are expected to become fully effective by October 1973.

As for rules and regulations drawn up by the 50 states, most permit sterilization operations as long as patients are mentally competent adults and as long as they consent voluntarily.

Some states also permit the sterilization of minors, with parental consent. And according to the American Civil Liberties Union (ACLU), laws permitting "forced sterilization" of anyone termed "mentally defective" exist in 22 states.

The ACLU, which claims that these "forced sterilization" laws should be struck down by the U.S. Supreme Court as unconstitutional, has instituted a \$1 million damage suit for a black woman who claimed she

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had been sterilized with the belief that the results of the operation would be temporary.

The suit, filed in U.S. District Court in New Bern, N.C., charges that the mother of the plaintiff was "coerced"



The Relf children

into consenting to what she believed was a "temporary" sterilization, after repeated threats that, otherwise, the family of 10 would be taken off welfare.

The suit charges, further, that the plaintiff was deprived of due process and equal protection under the law, and that she was the victim of "cruel and unusual punishment."

Surgical sterilization, by its nature, is generally a permanent and irreversible operation and is considered the most foolproof birth control method.

For men, it involves a vasectomy — a procedure in which the vas deferens tubes which deliver sperm from the testicles to the seminal vessels, are cut and tied.

For the woman, sterilization is a more complicated surgical procedure, requiring a brief hospital stay. The fallopian tubes are cut and tied, thus preventing passage of the egg (ovum). The operation is called a salpingectomy. Voluntary vasectomies and salpingectomies may well be the fastest growing method of birth control now being practiced in the U.S. The New York-based Association for Voluntary Sterilization (AVS) estimates that more than 8 million Americans have been sterilized in recent years.

The AVS has also reported that, while in 1969 there was only one private clinic in the U.S. set up to perform vasectomies, there are now more than 100 private vasectomy clinics and nearly 200 hospital out-patient departments with vasectomy programs. One such clinic operated by the Midwest Population Center in Chicago performed nearly 2,000 vasectomies in the first nine months of operation.

While there is more likely to be a consensus among religious groups on the question of involuntary sterilization and the sterilization of minors, opinion remains sharply divided on the morality of voluntary sterilization.

The Roman Catholic Church — consistent with its official rejection of any artificial method of contraception — holds that any "direct" sterilization, "whether of a man or a woman," is forbidden by the "law of nature."

Pope Paul VI, in his controversial 1968 encyclical, "Humanae Vitae" (Of Human Life) reaffirmed the teaching of his predecessors, Popes Pius XI and Pius XII, that "direct sterilization" is "absolutely excluded."

(On the principle of the "double effect," the Catholic Church allows for what it calls "indirect" sterilization, as would be the case, for example, when a man's diseased testicles had to be removed. In such an instance, the intent is not contraceptive.)

On the other hand, the General Conference of the United Methodist Church at its 1970 meeting placed the denomination on record as favoring voluntary, direct, sterilization as a partial solution to the world's population crisis.

United Methodist Bishop John Wesley Lord has said he personally believes that "voluntary sterilization... if practiced in Christian conscience, fulfills rather than violates the will of God."

In the aftermath of the Relf case in Montgomery, 14 organizations, eight of them church-related, urged the U.S. Senate not to eliminate voluntary sterilization by federally-funded family planning programs from a bill in committee. The bill in question is the "Family Planning Services and Population Research Amendments of 1973."

"We strongly support the right of any mature, informed adult to choose any available method of family planning, including sterilization," the groups said in a joint statement issued on July 10.

"But," the statement insisted, "we urge the Congress to draft strict comprehensive statutory prohibitions on the use of federal funds to refer minors for sterilization, or to perform sterilization on minors."

Among the organizations issuing the statement were the American Ethical Union, American Humanist Association, Church of the Brethren, Church Women United, National Council of Jewish Women, Unitarian Universalist Fellowship, United Church of Christ Division of Health and Welfare Board for Homeland Ministries, and United Methodist Board of Church and Society.

## Van Peebles' Film to Aid Sickle Cell Association

On Wednesday, Sept. 12, at 8 p.m., the Afro-American Sickle Cell Association will sponsor a benefit showing of the Rochester premiere of Melvin Van Peebles' newest film "Don't Play Us Cheap."

Proceeds from the film, which will be shown at the Coronet Theater, 555 Thurston Rd., will be used by the association to provide emergency assistance to persons with sickle cell anemia in

the Rochester area, to conduct educational programs about the nature and effects of the disease, and to offer special services to school children who are afflicted with the disease.

The AASCA is asking people in the Rochester community to sponsor as guests one or more sickle cell victims who would not otherwise be able to attend the performance, to purchase regular admission tickets for school

children during the week following the premiere, or to

### BARBECUE

Parishioners of St. Joseph's in Rush will put on their annual chicken barbecue Saturday, Sept. 15, serving from 5 until 8 p.m. In addition to dinner, there will be pony rides, games, and variety booths. Proceeds will provide tuition aid for students in the parish attending Catholic high schools.

make cash contributions to the association for the benefit of sickle cell families.

Van Peebles, who wrote, directed, and produced the film, and members of the cast will be honored at a reception following the premiere.

The association is asking for a minimum donation of \$25 for premiere tickets, which are available by contacting Mrs. Reuben Davis, 1950 Highland

Ave., Rochester, 14618, at 271-4626.

All donations are tax deductible.

### INSTALLATION DINNER

New officers of the St. Theodore Rosary Society will be installed Wednesday, Sept. 19, after a banquet at 6:30 p.m. at Logan's, Scottsville Road. Sept. 16 is the deadline for reservations, which may be made with Mrs. Pearl Talban, 254-3568.