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Retired N.J. abortion doctor speaks up, again

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BY STEPHANIE AKIN
STAFF WRITER
THE RECORD

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As a doctor providing illegal abortions in the 1960s, Robert Livingston was once so fearless that he performed hundreds of procedures in an office that overlooked the Englewood Cliffs police station. He even held a press conference in 1972 to out himself as an illegal abortion doctor because he so believed in a woman's right to choose, an action that earned him an indictment.

Now, 40 years later, times have changed.

Livingston, once a lightning rod in the North Jersey abortion debate, now avoids telling anyone about his role in that chapter of American history, even though he strongly maintains his belief that abortions ought to be legal. The issue, he says, has become so emotionally charged that he no longer feels comfortable talking about it — not to the colleagues of his grown children and not to the residents of what he described as a conservative retirement community where he now lives.



TERRY RENNA / SPECIAL TO THE RECORD

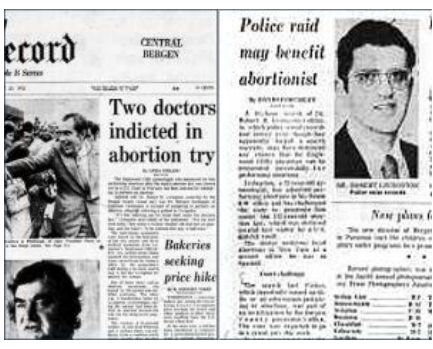
"I would be afraid," he said, adding that he believes the stigma of being an abortion doctor is greater than it was in the 1960s, when it was illegal to perform the procedure. "The atmosphere is so ominous now. I wouldn't know where to begin."

Still, Livingston said he has become preoccupied with the issue in recent weeks, as Missouri Senate candidate Todd Akin's "legitimate rape" comment captured headlines and intensified the national debate over abortion and women's rights.

Livingston, 77, and a resident of Florida, said the controversy had left him "bursting to talk."

Akin's comments, incorrectly suggesting that women could stop themselves from becoming pregnant during a rape, were lambasted by Republicans and

Dr. Robert Livingston was one of two Bergen County abortion providers indicted in 1972. Now 77, he lives in a Florida retirement community.

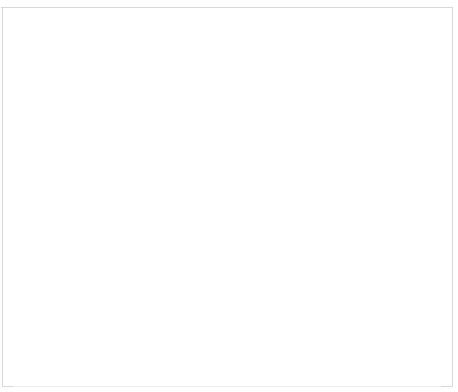


Robert Livingston made the front page of The Record twice in August 1972 when he and another doctor were

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Democrats.

indicted.

The Republican candidates for the White House have failed to come to an agreement. Mitt Romney has notably departed from the party line (and from his vice presidential running mate Paul Ryan) to say he is in favor of abortions in cases of rape, incest or potential threat to the mother's life or health.

The Democratic Party, on the other hand, is expected to adopt a platform similar to the one in 2008, which said the party would "strongly and unequivocally" defend Roe v. Wade and would oppose any effort to weaken or undermine the availability of abortions.

The frequency of abortions has dropped to its lowest point since 1974, according to the Pew Forum on Religion and Public Life. That could be attributed to several factors, including court rulings following Roe v. Wade that have given states more power to regulate access to abortions. For instance, many states now require a waiting period or counseling before a doctor can perform an abortion. There is also greater acceptance of and easier access to birth control.

For his part, Livingston said public opposition is stronger than he has ever seen it. And that includes his experience in the 1970s, when protesters gathered daily outside his office.

Carol Lavis, the former interim chairwoman of [Bergen County Right to Life](#), said Livingston galvanized her movement.

"He definitely was the radical figure in the area," she said. "When he started talking up, pro-lifers said, 'Oh, boy, we've got to get our act together.'"

Morality not an issue

Livingston said he never questioned the morality of the procedure and sympathized with the women he considered powerless before the law. Medically, he said he considered the amount of tissue extracted during an early-term abortion to be equivalent to a scab.

His views were reinforced when, as a medical student, he watched a 19-year-old patient slowly die from kidney failure after her cervix was injected with Lysol during a botched procedure.

Still, when he got his first request do an illegal abortion — three months after he started his own obstetrics practice in an [Englewood Cliffs](#) office building — he mulled over the idea for several days, he said.

The patient, a longtime employee of an acquaintance, was 40 years old, unmarried and had a uterine cyst the size of a baseball. The stakes for her were high. A completed pregnancy would mean physical discomfort and a potential scandal. But it was far from a life-or-death decision, and as such, Livingston said, the case was typical.

Livingston knew what to do because he had interned at one of the few New York hospitals that would perform abortions for women who could prove the pregnancy posed mortal danger. New York was one of 13 states that permitted abortion in cases in which a woman's health was at risk, in cases of rape or incest or when the fetus suffered from a severe defect.

The equipment he would need — curettes, dilators, a suction machine — cost a few hundred dollars and was easy to get at surgical supply stores in Manhattan.

His biggest concern was getting caught, he said. It would cost him his license. But the risk seemed, "infinitesimally small," he said.

He told the woman to come to his office, on the second floor of an [Englewood Cliffs](#) office building, after his staff had left for the evening.

"Once I got started, I don't really remember how the second, or the third or the 500th came to me," he said. "I just don't know, but the word gets around."

'It needed to be done'

Livingston said he never thought of himself as a radical. "Those years, I didn't think I was anyone special," he said. "It needed to be done. The patients were so grateful. And it was so easy."

Livingston performed about three procedures a week, receiving referrals from the clergy and activists in New York and, later, from hospitals in Newark.



The after-hours traffic in his parking lot was camouflaged by the busy Bicycle Club restaurant next door. He charged \$400 for the procedure — a fourth of what he heard other doctors charged — partly in reaction to stories of patients who were victimized by their doctors, but also for selfish reasons. He worried that, if he gave a patient a reason to complain, she might report him. No one ever did.

Instead, the laws started to change. In 1970, New York State joined Alaska, Hawaii and Washington in allowing a woman to receive an abortion whenever she and her doctor decided it was needed.

Livingston moved his clinic to a converted jewelry store and hardware store across the border in Sparkill, N.Y., 10 miles from his [Englewood](#) Cliffs office.

Two years later, a federal judge in Newark issued an opinion that New Jersey's 123-year-old law against abortions was unconstitutional, using the same grounds as the U.S. Supreme Court would later use in *Roe v. Wade*.

When Livingston was approached by a lawyer from the American Civil Liberties Union with the idea of holding a press conference, he figured he would be protected by the courts, he said.

"It wasn't out of sheer bravery that I announced it," he said.

Livingston was indicted in August 1972 along with another doctor, Bernard Greenspan of [Paterson](#). But the charges were dropped six months later, after the January 1973 *Roe v. Wade* decision overturned all state laws prohibiting abortion and limited state regulation to the period late in a pregnancy when a fetus can survive outside the womb.

Livingston opened a clinic in [Englewood](#), Metropolitan Medical Associates, which he operated along with an obstetrics practice and a fertility clinic until he moved to Florida in 1980. Metropolitan Medical still operates under different ownership.

Persistent protesters

Lavis claims credit for the first protest at Livingston's clinic, a gathering of about 100 people the Saturday before Mother's Day in 1973.

"At the end of it I said, 'Thank you all for coming,' and they said, 'We'll be back next Saturday. They have been there every Saturday since ... to us it's a beautiful thing.'"

Livingston drove past the activists almost every morning, but he said he rarely felt intimidated.

"The fact that they were always out there wasn't a problem unless a nurse said they were blocking the front door," he said. "Then we would call the police to keep them peaceful."

He filed restraining orders to keep protesters from approaching patients and restricting them to an area across the street. Once, a protester accused of stealing a piece of art from the lobby sued for wrongful arrest, but the municipal judge dismissed the case.

Livingston faced similar opposition when he moved his practice to Florida, where he said he was picketed almost every day until the end of his career. His third wife was even invited to protest his "aboratorium" through her Catholic church.

These days he strives to keep a low profile.

Livingston's license has been suspended since 2007 when he tried to return to his practice without completing a treatment and evaluation program, in violation of a contract he had made with the Board of Medicine, according to Florida Department of Health documents.

He had agreed to complete the program after he overdosed on opiates he was taking for chronic pain, the documents show.

He has spoken with only one of the 300 residents of his retirement community about the more controversial aspects of his career. He toyed with the idea of writing an autobiography, but when he gathered his three grown children to pitch the idea, they balked.

They worried it would ruin their medical practices — they are all doctors — or cause strife with spouses who don't share Livingston's views.

"I'm bursting to talk about my experience with abortion over all these years," he said.

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Steve and Mary, you obviously would've preferred to have an article of the countless of woman dying from home abortions done wrong.. Abortions that wouldve been done regardless.

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"I've noticed that everyone who is for abortion has already been born."--Ronald Reagan.

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He had the courage to provide a service to woman that probably prevented deaths and disfigurement at the hands of quacks and opportunistic users. It says way too much about our national treatment of women that nearly half a century later he still has to be afraid of the uncivilized zealots that want to control women and their choices of what to do with their lives, but are perfectly happy to open the door to criminals who will practice medicine without a license on the desperate. You don't see pickets outside their places of butchery for some odd reason...

The health and welfare of women in the US is just one step above the Muslim world that so many of the conservatives rail about while secretly envying for their terroristic tactics that not only control their choices, bodies and lives, but even their financial well-being and literacy. And they would be only too happy to deny science, and human rights, just as they want to control access to medical care and birth control, both before, in the prevention of pregnancy, and after, in the forced childbirth of victims of violence.

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a guilty conscience needs no accusing.

[Reply](#) · [2](#) · [Like](#) · [Follow Post](#) · Yesterday at 6:38am**Horace Poindexter III** · Top Commenter

Way to go Patty. I just can't believe in this day and age we live in a society that still thinks of women as second or even third class citizens. There is way to much government intrusion into our personal lives. To have someone tell you what you can and can't do to your own body goes against basic human rights. Something a lot of politicians refuse to see and acknowledge.

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I know a woman who's father committed suicide after learning his daughter had an illegal abortion performed by this baby killing monster, There must be a special place in hell for you Dr Livingston.

[Reply](#) · [1](#) · [Like](#) · [Follow Post](#) · 22 hours ago**Miguel My-belle** · Top Commenter · Felician

Too bad for her dad had mental problems not this mans problem..

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He is an American Hero..God Bless...We need more Abortion doctors to keep the law and women's rights legal.

[Reply](#) · [1](#) · [Like](#) · [Follow Post](#) · 17 hours ago**JoAnn Paula**

They are legal and should stay legal....otherwise we're back to the back room abortions that will happen again as they did prior to Roe vs Wade. This gentleman has nothing to be guilty of, though may have been illegal when he started, it sounds like he did them safely and with regard to the woman's health and well being I don't understand women who are against it and can't understand how a man can even think that they have any say in anything having to do with a woman's body.

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"can't understand how a man can even think that they have any say in anything having to do with a woman's body."...but if she carries that baby to term she wants him to pay for its support?! As a woman i find it depressing that a mother feels she has no choice but to kill her unborn child. All abortion on demand has become is a new form of birth control that is utterly disgusting IMHO.

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