

Jane Elizabeth Hodgson (1915–2006) ^[1]

By: Horwitz, Rainey Keywords: [Reproductive rights](#) ^[2] [Hodgson v. Minnesota](#) ^[3]

Jane Elizabeth Hodgson was a physician who advocated for [abortion](#) ^[4] rights in the twentieth century in the United States. In November of 1970, Hodgson became the first physician in the U.S. to be convicted of performing an illegal [abortion](#) ^[4] in a hospital. Hodgson deliberately performed the [abortion](#) ^[4] to challenge the Minnesota State Statute 617.18, which prohibited non-therapeutic abortions. Following the legalization of [abortion](#) ^[4] in the US Supreme Court case *Roe v. Wade* ^[5] (1973), Hodgson focused on promoting accessible [abortion](#) ^[4], obstetric, and gynecological care throughout Minnesota. Her name also appears in the Supreme Court case *Hodgson v. Minnesota* (1990), which challenged the constitutionality of a Minnesota statute that required physicians to notify both parents forty-eight hours prior to a minor being allowed to undergo an [abortion](#) ^[4]. Hodgson's career was centered around challenging the legal system to protect and promote [reproductive rights](#) ^[6] for women, including access to [abortion](#) ^[4].

Hodgson was born on 23 January 1915 in Crookston, Minnesota, to Adelaide Marin and Herbert Hodgson. She often shadowed her father, who was a rural physician, on his visits to his patients' homes. She began her college education at age fifteen, studying chemistry at Carleton College in Northfield, Minnesota. In 1934, she achieved her Bachelor's degree at the age of nineteen. According to Hodgson, most young women her age would either become school teachers or get married and become housewives. Instead, she pursued a career in medicine.

Hodgson continued her education by attending the [University of Minnesota](#) ^[7] Medical School in Minneapolis, Minnesota, and in 1939 she received her medical degree. For the following two years, Hodgson pursued her internship and residency at the Jersey City Medical Center in Jersey City, New Jersey. During her residency, she met Frank W. Quattlebaum, a cardiovascular surgeon. They married in 1940 and later had two daughters, Gretchen and Nancy. In 1941, Hodgson began a four-year fellowship at the Mayo Clinic in Rochester, Minnesota, specializing in obstetrics and gynecology. In 1947, Hodgson opened a private practice office in the Minneapolis area, while pursuing a post-graduate degree.

Prior to the US Supreme Court's ruling on the case *Roe v. Wade* (1973), which legalized [abortion](#) ^[4] in the US, women struggled to access safe abortions and were frequently subjected to risky and unsanitary abortions from unregulated providers. Those unregulated abortions often resulted in medical complications, like infections. Before the legalization of [abortion](#) ^[4], only therapeutic abortions were permitted in Minnesota. Prior to performing an [abortion](#) ^[4] in 1973, a hospital's therapeutic [abortion](#) ^[4] committee had to determine if the mother met the strict criteria for an [abortion](#) ^[4], one such criterion being that the delivery of the child would threaten the life of the mother.

In her practice, Hodgson counseled many women who faced unplanned or unwanted pregnancies. Many of Hodgson's patients begged her for an [abortion](#) ^[4] and due to laws that criminalized [abortion](#) ^[4], she was legally unable to assist them. Hodgson would refer such patients to maternity homes or, for those who could afford travel costs, to [abortion](#) ^[4] physicians outside the United States in countries where abortions were legal. In her practice, Hodgson frequently met patients who had undergone illegal abortions in unsafe and unsanitary conditions. Her patients sought help after experiencing bleeding, infection, and permanent tissue damage from the abortions.

In 1952, Hodgson became a founding fellow of the American College of Obstetrics and Gynecology. Beginning in the 1960s and continuing through the 1980s, Hodgson and her husband contributed their medical skills and time to Project Hope, an [organization](#) ^[8] that provided healthcare to high need areas across the world. She served with Project Hope in various countries in South America, Central America, Asia, Africa, and the Middle East. In an interview, Hodgson explained that her time abroad enabled her to realize that a woman's position in society was directly linked to the accessibility of [contraception](#) ^[9], reproductive health resources, and [abortion](#) ^[4] services. She noted that in countries that prohibited [abortion](#) ^[4], there were higher levels of poverty.

In 1964, Hodgson became president of the Minnesota Obstetrics and Gynecology Society in Minneapolis, Minnesota. After treating many patients that had been adversely affected by unsafe, illegal abortions, Hodgson advocated for legalizing [abortion](#) ^[4]. In an interview, Hodgson stated that [abortion](#) ^[4] was a medical procedure fundamental in comprehensive women's healthcare and ought to be provided in a safe way.

In early 1970, a patient of Hodgson's contracted rubella early in her [pregnancy](#) ^[10] and sought the assistance of Hodgson to perform an [abortion](#) ^[4]. Rubella, a viral disease also known as German measles, can cause severe [birth defects](#) ^[11] in the fetuses of pregnant women. Hodgson's patient, a married mother of three, sought an [abortion](#) ^[4] to avoid having a child with such [birth defects](#) ^[11]. However, the hospital therapeutic [abortion](#) ^[4] committee did not approve the woman's [abortion](#) ^[4] because her life was not threatened by the [pregnancy](#) ^[10].

Hodgson petitioned a federal court to declare Minnesota Statute 617.18, which made [abortion](#) ^[4] illegal, unconstitutional by seeking an injunction, a legal maneuver that can temporarily suspend enforcement of a law. However, the petition was unsuccessful. After the twelfth week with no court ruling, Hodgson decided to continue with the procedure, risking arrest to challenge the Minnesota law prohibiting [abortion](#) ^[4]. On 29 April 1970, Hodgson performed an illegal [abortion](#) ^[4] at St. Paul-Ramsey Hospital in Saint Paul, Minnesota, for the patient that was in her first [trimester](#) ^[12] of [pregnancy](#) ^[10].

Shortly following the procedure, Hodgson was arrested in her office in St. Paul, Minnesota. A grand jury indicted Hodgson and found her guilty of performing an illegal [abortion](#) ^[4]. On November 20, 1970, the Ramsey County District Court sentenced Hodgson to thirty days in jail, one year of probation, and suspended her Minnesota medical license. Hodgson became the first doctor in the US to be convicted of performing an illegal [abortion](#) ^[4] in a hospital. Hodgson reportedly was fifty-five years old, had lived a very good life, and was prepared to go to jail to protest anti-[abortion](#) ^[4] laws.

Hodgson appealed the decision and during the time that her appeal was pending before the Minnesota Supreme Court, Hodgson closed her private practice and moved to Washington, DC, where, as of 1971, [abortion](#) ^[4] laws had become less inhibiting. There, she worked as the medical director for the [abortion](#) ^[4] clinic Preterm Inc. from 1972 to 1974. The Minnesota Supreme Court overturned Hodgson's conviction in 1973 when the *Roe v. Wade* ^[5] decision legalized [abortion](#) ^[4], thereby allowing Hodgson to practice medicine in Minnesota again.

Despite [abortion](#) ^[4] being legalized, Hodgson claimed that many doctors and hospitals refused to perform abortions for fear of negative public reaction. The refusal of doctors to provide abortions despite their legality resulted in many women still not having access to abortions in most areas. Hodgson disagreed with the way that the medical community had failed to make abortions accessible. According to Hodgson, the law permitting abortions meant nothing if women had no access to them. In 1974, Hodgson moved back to Minnesota to create independent clinics where women of any age would be able to access dependable, affordable, and safe gynecological and reproductive care. Hodgson opened the Women's Health Center in Duluth, Minnesota, in 1974 while also working to develop and enhance [abortion](#) ^[4] techniques. While providing abortions in various clinics and hospitals throughout Minnesota, Hodgson also advocated for [abortion](#) ^[4] rights.

On 30 July 1981, Hodgson, along with a group of doctors, clinics, and pregnant minors filed a lawsuit challenging Minnesota statute 144.343, Subdivision Two, which required a doctor to notify both biological parents of a patient under eighteen years old at least forty-eight hours before the patient could undergo an [abortion](#) ^[4]. Subdivision Six of the statute allowed for a judicial bypass of the parental notice, in which the court could provide permission for a minor to undergo an [abortion](#) ^[4] in circumstances where the minor is a victim of abuse or neglect. According to Jocelyn Steward of the *Los Angeles Times*, Hodgson believed that since young women did not need parental consent to go through prenatal care and have a Caesarean section, they should not need permission to have an [abortion](#) ^[4]. Lawyers for Hodgson argued that the Statute violated the Due Process and Equal Protection Clauses of the Fourteenth Amendment. In 1986, the District Court declared the statute unconstitutional. The Attorney General of Minnesota appealed the decision to the Court of Appeals, which ruled that the statute was constitutional because it allowed for a judicial bypass and reversed the decision of the District Court. Hodgson's lawyers appealed the decision to the US Supreme Court.

In 1990, the US Supreme Court ruled in the case *Hodgson v. Minnesota*. The Court held that Subdivision Two of Minnesota Statute 144.343 did not serve a state interest and was unconstitutional. However, the Court also found that Subdivision Six of the statute that permitted courts to allow judicial bypasses, was constitutional. A judicial bypass means that the minor could seek permission from a judge as opposed to their parents. The conclusion of *Hodgson v. Minnesota* was that the Court determined the statute constitutional and the statute remained in effect.

Throughout her career as an [abortion](#)^[4] rights activist, Hodgson was continuously threatened and harassed by anti-[abortion](#)^[4] groups that picketed outside her home and threatened her with late night phone calls. Some of Hodgson's former patients refused to continue receiving care at her practice.

By 1991, at age seventy-six, Hodgson was frequently travelling 150 miles from her home in St. Paul, Minnesota, to provide abortions in Duluth, Minnesota, where doctors refused to perform them. Additionally, Hodgson was active in spreading awareness and improving women's health and [reproductive rights](#)^[6] by teaching, giving speeches, and writing articles for various sources on reproductive health. She also worked with a school-based clinic in St. Paul, Minnesota, that worked to provide [contraception](#)^[9] services to teenagers. She was a vocal proponent of moving abortions away from hospitals and toward freestanding clinics in order to minimize the risks affiliated with surgical anesthesia. Hodgson offered gynecological and reproductive care in the numerous freestanding clinics she established, including safe and reliable outpatient abortions.

Hodgson received the National Reproductive Health Award from the American Medical Women's Association in 1994 for her work in [reproductive rights](#)^[6]. During that time, she was also serving on the Board of Directors of the Duluth Women's Health Center and was a founding member of the American College of Obstetrics and Gynecology. In 2001, Hodgson was inaugurated into the International Women in Medicine Hall of Fame, an honor delegated by the American Medical Women's Association. Hodgson died at the age of 91 in Rochester, Minnesota, on 23 October 2006.

Sources

1. Fox, Margalit. "Jane Hodgson, 91, Supporter of Abortion Rights, Is Dead." *The New York Times*, November 5, 2006. <http://www.nytimes.com/2006/11/05/us/05hodgson.html>^[13] (Accessed May 28, 2017).
2. Greenberger, Marcia D., and Rachel K. Laser. "Human Rights Hero: Jane Hodgson, M.D." *American Bar Association* 30 (2003). http://www.americanbar.org/publications/human_rights_magazine_home/human_rights_vol30_2003/spring2003/hr_spring03_humanrightshero.html^[14] (Accessed March 16, 2016)
3. Greenhouse, Siegel. *Before Roe v. Wade*^[5]: *Voices that Shaped the Abortion Debate Before the Supreme Court Ruling*. New Haven: Yale Law School, 2012. http://documents.law.yale.edu/sites/default/files/BeforeRoe2ndEd_1.pdf^[15]
4. Hodgson v. Minnesota , 497 U.S. 417 (1990).
5. Kenney, Dave. "Dr. Jane Hodgson Challenged Minnesota Abortion Restrictions." *MinnPost*, April 30, 2013. <https://www.minnpost.com/minnesota-blog-cabin/2013/04/dr-jane-hodgson-challenged-minnesota-abortion-restrictions>^[16] (Accessed March 16, 2016)
6. Minnesota Historical Society. "Jane E. Hodgson: An Inventory of Her Papers at the Minnesota Historical Society." 1947-1999. <http://www2.mnhs.org/library/findaids/00677.xml>^[17] (Accessed March 16, 2016)
7. Solinger, Rickie, eds. *Abortion Wars: A Half Century Of Struggle*. Oakland: University of California Press, 1998.
8. Stewart, Jocelyn Y. "Jane Hodgson, 91; Doctor Performed an Abortion in 1970 to Spur Legal Showdown." *Los Angeles Times*, October 31, 2006. <http://articles.latimes.com/2006/oct/31/local/me-hodgson31>^[18] (Accessed May 28, 2017).
9. U.S. National Library of Medicine "Changing the Face of Medicine | Dr. Jane E. Hodgson." https://www.nlm.nih.gov/changingthefaceofmedicine/physicians_biography_150.html^[19] (Accessed March 3, 2016)

Jane Elizabeth Hodgson was a physician who advocated for abortion rights in the twentieth century in the United States. In November of 1970, Hodgson became the first physician in the U.S. to be convicted of performing an illegal abortion in a hospital. Hodgson deliberately performed the abortion to challenge the Minnesota State Statute 617.18, which prohibited non-therapeutic abortions. Following the legalization of abortion in the US Supreme Court case *Roe v. Wade* (1973), Hodgson focused on promoting accessible abortion, obstetric, and gynecological care throughout Minnesota. Her name also appears in the Supreme Court case *Hodgson v. Minnesota* (1990), which challenged the constitutionality of a Minnesota statute that required physicians to notify both parents forty-eight hours prior to a minor being allowed to undergo an abortion. Hodgson's career was centered around challenging the legal system to protect and promote reproductive rights for women, including access to abortion.

Subject

[Hodgson, Jane E.](#)^[20] [American Medical Women's Association](#)^[21] [Termination of pregnancy](#)^[22] [Abortion](#)^[23] [Induced abortion](#)^[24] [Birth control](#)^[25] [Reproductive rights](#)^[26] [Contraception](#)^[27] [Human reproduction](#)^[28] [Gynecology](#)^[29] [Obstetrics](#)^[30]

Topic

[People](#)^[31]

Publisher

Arizona State University. School of Life Sciences. Center for Biology and Society. Embryo Project Encyclopedia.

Rights

Copyright Arizona Board of Regents Licensed as Creative Commons Attribution-NonCommercial-Share Alike 3.0 Unported (CC BY-NC-SA 3.0) <http://creativecommons.org/licenses/by-nc-sa/3.0/>

Format

[Articles](#)^[32]

Last Modified

Wednesday, July 4, 2018 - 04:40

DC Date

2017-06-28

DC Date Accessioned

Thursday, June 29, 2017 - 01:05

DC Date Available

Thursday, June 29, 2017 - 01:05

DC Date Created

2017-06-28

DC Date Created Standard

Wednesday, June 28, 2017 - 07:00

- [Contact Us](#)

© 2019 Arizona Board of Regents

- The Embryo Project at Arizona State University, 1711 South Rural Road, Tempe Arizona 85287, United States

Source URL: <https://embryo.asu.edu/pages/jane-elizabeth-hodgson-1915-2006>

Links

- [1] <https://embryo.asu.edu/pages/jane-elizabeth-hodgson-1915-2006>
- [2] <https://embryo.asu.edu/keywords/reproductive-rights>
- [3] <https://embryo.asu.edu/keywords/hodgson-v-minnesota>
- [4] <https://embryo.asu.edu/search?text=abortion>
- [5] <https://embryo.asu.edu/search?text=Roe%20v.%20Wade>
- [6] <https://embryo.asu.edu/search?text=reproductive%20rights>
- [7] <https://embryo.asu.edu/search?text=University%20of%20Minnesota>
- [8] <https://embryo.asu.edu/search?text=organization>
- [9] <https://embryo.asu.edu/search?text=contraception>
- [10] <https://embryo.asu.edu/search?text=pregnancy>
- [11] <https://embryo.asu.edu/search?text=birth%20defects>
- [12] <https://embryo.asu.edu/search?text=trimester>
- [13] <http://www.nytimes.com/2006/11/05/us/05hodgson.html>
- [14] [http://www.americanbar.org/publications/
		human_rights_magazine_home/human_rights_vol30_2003/spring2003/
		hr_spring03_humanrightshero.html](http://www.americanbar.org/publications/
		human_rights_magazine_home/human_rights_vol30_2003/spring2003/
		hr_spring03_humanrightshero.html)
- [15] [http://documents.law.yale.edu/sites/default/files/
		BeforeRoe2ndEd_1.pdf](http://documents.law.yale.edu/sites/default/files/
		BeforeRoe2ndEd_1.pdf)
- [16] <https://www.minnpost.com/minnesota-blog-cabin/2013/04/dr-
		jane-hodgson-challenged-minnesota-abortion-restrictions>
- [17] <http://www2.mnhs.org/library/findaids/00677.xml>
- [18] <http://articles.latimes.com/2006/oct/31/local/me-hodgson31
		>
- [19] [https://www.nlm.nih.gov/changingthefaceofmedicine/
		physicians
/biography_150.html](https://www.nlm.nih.gov/changingthefaceofmedicine/
		physicians
/biography_150.html)
- [20] <https://embryo.asu.edu/library-congress-subject-headings/hodgson-jane-e>
- [21] <https://embryo.asu.edu/library-congress-subject-headings/american-medical-womens-association>
- [22] <https://embryo.asu.edu/library-congress-subject-headings/termination-pregnancy>
- [23] <https://embryo.asu.edu/library-congress-subject-headings/abortion>
- [24] <https://embryo.asu.edu/library-congress-subject-headings/induced-abortion>
- [25] <https://embryo.asu.edu/library-congress-subject-headings/birth-control>
- [26] <https://embryo.asu.edu/library-congress-subject-headings/reproductive-rights>
- [27] <https://embryo.asu.edu/library-congress-subject-headings/contraception>
- [28] <https://embryo.asu.edu/library-congress-subject-headings/human-reproduction>
- [29] <https://embryo.asu.edu/medical-subject-headings/gynecology>
- [30] <https://embryo.asu.edu/medical-subject-headings/obstetrics>
- [31] <https://embryo.asu.edu/topics/people>
- [32] <https://embryo.asu.edu/formats/articles>