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Abortion Policy Before *Roe:* Grassroots and Interest-Group Mobilization

In 1965 abortion was illegal in every state in America except when the woman's life was endangered. Eight years later, in its decision in *Roe v. Wade,* the Supreme Court held that a woman's decision to have an early elective abortion was constitutionally protected.[1]

The battle over abortion policy that led to *Roe* took place on the state level, where pro-abortion activists attempted to reform, and in some cases repeal, the abortion laws. They were opposed by anti-abortion groups, who sought to defeat any attempts to allow abortions in cases other than life endangerment.[2]

The legal basis for the campaign to change the abortion statutes was the Supreme Court's 1965 decision in *Griswold* v. *Connecticut,* which held that laws prohibiting the sale of contraceptives to married couples violated their rights to privacy.[3] Using *Griswold,* pro-abortion activists argued that if access to contraception was protected by the right to privacy, then access to therapeutic abortions, which enabled women to terminate pregnancies that endangered their physical or mental health, should be granted the same degree of constitutional protection. Their opponents countered that abortion was murder.

In the 1960s abortion was a taboo subject, rarely spoken about in public outside the narrow domains of medical, legal, and public health circles. As one early pro-abortion activist recalled: "No matter what our degrees or titles, we were all considered slightly cracked, if not outright fanatics, that first year (1966)."[4] How, in a short eight years, the issue of abortion moved out of the back alleys and into the courts and the legislatures can be best understood by examining the

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interplay between parties and interest and grassroots groups on the state level, where it all began.

Social Regulatory Policy

The moral nature of social regulatory policies like abortion means that the debate surrounding them also has a moral dimension. Thus, while the adoption of distributive and redistributive policies is primarily influenced by economic indicators such as personal income levels and the relative wealth of a state (Dawson and Robinson 1963; Dye 1966), studies on a range of "morality-based" policies—from laws restricting abortion access (Mooney and Lee, 1995) and the sale and use of alcohol (Meier and Johnson, 1990), to state lottery adoption (Berry and Berry, 1990)—demonstrate that the decision whether to adopt social regulatory policies is governed less by economic factors than by cultural, religious, and political ones.[5]

Profiles of grassroots activists on both sides of the debate have illustrated the cultural dimension of the issue (Hunter, 1991; Luker, 1984; Skerry, 1978; Ginsburg, 1989).[6] They show that, in general, activists in favor of restrictive abortion laws attend religious services more regularly and have lower levels of education than their opponents.[7] Luker's analysis of abortion activists in California, however, offers a more nuanced portrait. At the core of the divide between activists are two opposing world views; one that considers having children to be a fundamental part of existence; the other that regards child-raising as a personal choice.[8] As Hunter notes, the contemporary culture war, which includes the debate over abortion, is "over how we are to order our lives together."[9]

Various public opinion polls taken in the pre-*Roe* period between 1965 and 1972 highlighted these differences. In terms of the relationship between religious commitment and attitudes toward abortion, Finner and Gamache (1969) found that an individual's understanding of what it means to be religious, in terms of behavior and expectations, was significantly related to negative attitudes concerning elective abortions.[10] Building on Finner and Gamache, Clayton and Tolone (1973) demonstrated that as religiosity (ideological commitment) increases, support for abortion declines.[11] Studies analyzing the relationship between attitudes to abortion and class and religion (Mileti and Barnett, 1972; Arney and Trescher, 1976; Blake, 1971) showed formal education to be the best predictor of

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support for abortion in extreme cases (rape, fetal deformity, health of the woman) except among Catholics.[12]

National opinion polls taken between 1965 and 1972 showed broad-based support for abortion reform in specific cases. A 1965 poll conducted by the National Opinion Research Center showed majority support for abortions in "hard" cases, where the woman's life was endangered (73 percent), in instances of fetal deformity (57 percent), and in cases of rape (59 percent). However, there were low levels of support in "soft" cases, where the woman was unmarried (18 percent) or where she was married but did not want any more children (16 percent) and the family income was low (22 percent).[13] By 1972 support for all cases had increased, especially in soft cases, where support was in the 40th percentile range.[14]

In terms of abortion policy, the question becomes how receptive the political system is to competing forces seeking to regulate personal, as opposed to economic, behavior. The two states whose pre-*Roe* legislative histories most clearly demonstrate the interplay between political culture and abortion policy are New York and Pennsylvania. In 1970 pro-abortion groups in New York succeeded in repealing most restrictions governing first and second trimester abortions. Two years later, anti-abortion forces in Pennsylvania replaced their vague 1939 statute with one that prohibited all abortions, except in cases of life endangerment.[15]

In the pre-*Roe* period both states had governors who were pro-abortion.[16] Polls taken in New York (1968) and Pennsylvania (1970) mirrored national sentiments.[17] Each state also had powerful Catholic Conferences, which represented the main religious group active in this period. In 1970 Catholics made up 36 percent of the population in New York and 31 percent in Pennsylvania. While Jews were only 4 percent of the population in Pennsylvania in 1970, in New York they comprised 11.8 percent, and played a more significant role in shaping early abortion policy.

However, while demographics and public opinion polls provide some basis of comparison, a more convincing explanation for the policy differences between the states emerges from a close examination of the political opportunities available to groups seeking to shape abortion policy. Mooney and Lee (1995) found that the percentage of Catholics and fundamentalist Protestants in the population was negatively associated with the probability of a state reforming its abortion laws before 1973. Hansen's study (1980) of abortion rates on the state level since *Roe* indicated that Catholic influence, as

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opposed to the absolute number of Catholics in a given state, offered a better explanation for the differences in the number of abortion providers and abortion rates between states.[19]

These findings apply to New York and Pennsylvania, where the influence of Jews and Catholics on abortion policy in the pre-*Roe* period was determined more by the openness of the party system in each state than by their numbers. Why New York's Democratic party was more receptive to new groups like the pro-abortion activists than its counterpart in Pennsylvania can be traced to two factors.

The first was the different approaches taken to reform in each state. Beginning with the Quakers in the 1870s, political reform in Pennsylvania has been characterized by a "good government" approach to politics, as opposed to one focused on party reform. Local elites, motivated by a sense of civic virtue, have periodically mobilized to clean up city government.[20] Between 1901 and 1939, several unsuccessful attempts were launched to amend the city charter. In the late 1940s, political neophytes Richardson Dilworth and Joseph Clark joined forces in Philadelphia and succeeded in putting the city's fiscal house in order, and in passing the long-awaited charter reform.

Despite these achievements, however, neither Clark nor Dilworth attempted to reform the Democratic party, due to the antiparty sentiment they shared with their fellow elites, as well as their political inexperience. This enabled the Democratic machine to gradually marginalize the reform faction within the party and reassert itself, starting in 1954 with the gubernatorial election of George Leader. Both Leader and his successor, Democratic state boss David Lawrence, used patronage jobs to strengthen the Philadelphia and Pittsburgh organizations.[21] Supported by a coalition of Catholics, unionized steelworkers and New Deal politicians, the Lawrence machine did not encounter the intraparty factionalization that took hold in New York after World War II.[22]

Throughout the late nineteenth century, civic elites in New York also attempted to change the way city government worked, but unlike their counterparts in Philadelphia, they concentrated on party reform, first by seeking to topple the Democratic machine, Tammany Hall, and later by aligning with Republicans and other anti-Tammany forces. For the next thirty years, various fusion coalitions emerged and succeeded in electing three reform mayors, most notably Fiorello LaGuardia in 1933. La Guardia's twelve years as mayor facilitated the emergence of third parties such as the American Labor party,

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established in 1936, and its successor, the Liberal party, and sowed the seeds for the postwar reform movement.[23]

In the 1950s a coalition of financial elites, who were dissatisfied with the city's fiscal condition, social workers and journalists, who opposed its social welfare policies, and an array of forces opposed to public works czar Robert Moses united and challenged the regulars for control of the Democratic party.[24] By concentrating on gaining control of the party apparatus, as opposed to simply passing new policies that could later be overturned, the reformers succeeded in changing the way the party worked.

Hence, when pro-abortion activists in New York began seeking support for reform in 1965, they encountered a more open system with a history of party reform, established third parties, and a reform faction within the Democratic party eager to attract support from new groups. In contrast, in Pennsylvania activists found a party system dominated by strong machines, with little interest in accommodating new interests, and no organized reform factions within either party.[25] This delayed their mobilization until 1970, five years after the Democratic party and the Pennsylvania Catholic Conference had aligned on reproductive issues.

The second development that shaped pre-*Roe* abortion policy was the active opposition of the Catholic Church to changes in the abortion laws, which came hard on the heels of the debate over artificial birth control. As a result of Vatican II, a series of ecumenical meetings from 1963 to 1965 that focused on internal church reform, the Church decided to become more involved in issues affecting the modern world, hoping thereby to increase its relevance. Soon afterward, its commitment was demonstrated by its support of President Johnson's War on Poverty. However, Johnson's initiative, which included federally funded birth-control programs aimed at the problem of a growing global population, as well as poverty,[26] presented the Church with an institutional dilemma that came to a head in the pre-*Roe* period: how to separate its concern for social issues, such as poverty and racial tensions, which it shared with the Johnson administration, from the issue of birth control, a practice it had opposed since the late nineteenth century.

In an effort to accommodate conservative forces, who opposed the Church's piecemeal endorsement of the War on Poverty, as well as their opponents, who considered the broader goals of such programs to outweigh the objections conservatives voiced, the Catholic hierarchy fashioned a compromise. It decided to support Johnson's

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antipoverty programs provided that its birth-control components also supplied information about the rhythm method, and did not force clients to participate in order to receive other federal subsidies such as Medicare.[27]

However, the compromise did little to satisfy many theologians and officials within the Church, whose concerns about church-state relations went far beyond the single issue of birth control. While the Bishops debated how to proceed, an uneasy situation developed whereby individual bishops were allowed to deal with the controversy on the local level as they saw fit. Some, including Cardinal Kroll in Pennsylvania, issued a statement in 1965 which charged that government-supported birth-control activities posed "serious threats to civil liberties," an argument the Church would later use against abortion reform.[28] Others thought it best to wait for Rome to make a decision before taking a public position.[29] Finally, in 1968, Pope Paul VI issued *Humanae Vitae*, which reaffirmed the Church's opposition to artificial methods of birth control. This encouraged conservative forces within the Church to intensify their campaign against it. It also provided the direction for the next battle that had been brewing on the state level for several years: abortion reform.

In the 1950s groups of public health officials, physicians, and lawyers began meeting to explore how to liberalize the prevailing abortion laws. In 1957 the Planned Parenthood Federation of America co-sponsored a conference on abortion with the New York Academy of Medicine. In 1958, at the urging of Planned Parenthood, the American Law Institute (ALI) drafted a model abortion law to decriminalize therapeutic abortions, that is, abortions performed in cases of rape, incest, fetal deformity, and for reasons pertaining to the mental and physical health of the woman involved.[30]

In the early 1960s, abortion reform laws modeled on the ALI code were introduced in California and New York. Given the controversial nature of abortion, the long-standing opposition to it by the medical community and the Catholic Church, and the absence of organized support for change, neither bill made it out of committee. As a result of these early efforts, however, a few groups such as the Association for the Study of Abortion and the Society for Humane Abortion began mobilizing for change. Shortly after the *Griswold* decision, pro-abortion groups on the state level began a legislative and judicial campaign to change the laws. Reform bills to legalize therapeutic abortions were introduced in a dozen states, including New York and Pennsylvania. Although abortion reform ac-

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tivists encountered stiff opposition from the Catholic Conference in Albany and Harrisburg, the policy outcomes could not have been more different.

Grassroots and Party Mobilization in New York

Using the *Griswold* decision as their springboard, pro-abortion activists in New York worked with the local chapter of the ACLU to develop a legal strategy to overturn the laws. At the same time, they aligned with the reform Democrats to pass an abortion reform law based on the ALI guidelines. Beginning in 1965, the reform Democrats sponsored talks on abortion policy at the Democratic clubs they controlled in Manhattan.[31] The following year they introduced the first of several abortion reform bills in Albany. The bill died in committee, largely due to the political clout of the New York Catholic Conference (NYCC), which opposed any liberalization of the abortion law on the grounds that life began at conception. In 1967 the reform Democrats reintroduced the bill, but again the NYCC had the political muscle to kill it.

The annual introduction of reform bills was also the catalyst for the formation of the New York State Right to Life Party, founded in 1967 by Edward Golden, a construction foreman and father of seven. In its first year, operating on less than $500, the group spent most of its time writing letters to local newspapers and state legislators in opposition to abortion reform, and trying to increase its membership.[32]

While not officially aligned with the NYCC, Golden was in touch with its executive director, Charles Tobin, concerning legislative strategy to defeat the annual reform bills.[33] However, the group wanted to maintain its independence from the NYCC, partly due to the disagreement of some members with the Church's outright prohibition of birth control, and also because of the activist nature of its members, who were more interested in generating support against abortion reform on the local level than being part of an anti-abortion coalition coordinated by the NYCC.

The first main challenge to the NYCC's opposition to abortion came from a group of ministers and rabbis in Manhattan, who formed the Clergy Consultation Service (CCS) in 1967 to provide abortion counseling for women seeking therapeutic abortions. The idea of involving the clergy in the campaign came from pro-abortion activ-

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ist Lawrence Lader, who contacted Howard Moody, the Baptist minister of the Judson Memorial Church in Manhattan.[34] Moody held a series of meetings with other religious leaders in the city to discuss what kind of role the clergy could play in providing abortion referrals for therapeutic abortions.[35]

By openly speaking about the need for such abortions, the CCS questioned the NYCC's claim that abortion was murder (in a way no sectarian group could). Its support legitimized the call for legal therapeutic abortions by demonstrating that religious leaders and people of faith differed on the issue. On the grassroots level, the referral service established by the CCS attracted members and organized activists interested in providing direct service. Its support for reform also served as a catalyst for other groups to join the pro-abortion coalition. Chief among these was the newly formed National Organization for Women (NOW), which soon thereafter played a key role in radicalizing and expanding the pre-*Roe* debate.

The Shift to Repeal

In 1968 pro-abortion forces managed for the first time to get the abortion reform bill out of committee and onto the floor. After several hours of debate, the bill's sponsor, reform Democrat Albert Blumenthal, recommitted the bill before the roll call was finished, knowing he did not have the votes to pass it. With the third defeat of the bill, some abortion activists concluded a reform bill would never pass in New York. It was at this point that the more radical members of the pro-abortion coalition decided to change their strategy and go all out for repeal.

It was clear to them that ambiguity of the reform position would continue to splinter support within the coalition between those who backed the ALI guidelines in their entirety and those, for example, who wanted abortion legalized only in cases of fetal deformity. The repeal position eliminated these distinctions, thereby uniting the various factions in a way reform never could. It also would enable *any* pregnant woman who wanted an abortion to obtain one, not just the small percent of women who met the ALI conditions. Although a tiny minority of pro-abortion activists had favored repeal from the start, most had advocated moderate reform. However, by the late 1960s support for repeal was growing.

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At its first annual convention in 1968, NOW drafted its Bill of Rights that included the right of women to control their reproductive lives through the repeal of laws limiting access to contraceptive devices and abortion. A year later, the National Association for the Repeal of Abortion Laws was established to work for the repeal of abortion laws nationwide. The CCS, after grappling with the inadequacy of reform to meet the needs of most women who requested their help, also got behind repeal.

Influenced by these developments, in December 1968 Assemblywoman Constance Cook (R-Ithaca), a member of NOW, and freshman Senator Franz Leichter (D-Manhattan), a reform Democrat, prefiled an abortion repeal bill to test the legislative waters. Although it died in committee, they decided to press on, figuring they could bring the reform coalition into the repeal camp, especially after the defeat of the fourth abortion bill in April 1969. In the fall session of that year, they introduced their second bill and began an extensive statewide campaign for repeal.

In the downstate region they concentrated on bringing reform Democrats and other liberals into the fold. To repay the reform Democrats, who supported his reelection as mayor of Manhattan on a fusion ticket, John Lindsay announced his support for the 1970 abortion repeal bill.[36] Upstate they worked with various community and church groups in favor of repeal, such as the Committee for Progressive Legislation (CPL). CPL's main task was lobbying legislators to support repeal.[37] Initially it consisted of members of the Unitarian Church in Albany and Schenectady. Gradually, however, CPL broadened its base and brought together people from several community and social service organizations, including the League of Women Voters, thereby creating a grassroots upstate network of pro-repeal activists.[38] The local support seen in the churches was also present in a nondenominational way throughout the state. As Cook remarked, "If we're talking about the constituencies supporting the bill . . . the big one, the one that really put it over, (was) a miscellaneous nameless group, primarily of women, throughout the state. They're the ones that really, in the end, made the difference, tipped the balance."[39]

By this time the women's liberation movement had emerged and provided additional support for changes in the abortion laws. A state legislative hearing on abortion reform held in New York in February 1969 was picketed by pro-repealers.[40] A month later some of these women formed Redstockings, a radical feminist group, which orga-

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nized a speak-out in Manhattan about illegal abortions.[41] Another radical group, New Yorkers for Abortion Law Repeal, emerged and sponsored several demonstrations, as well as organizing a petition to pressure Blumenthal to abandon reform and join the repeal camp.[42]

Throughout this period the NYCC remained confident that reform, and certainly repeal, was doomed. However, it had underestimated the broad-based support its opponents had gradually built over the four-year campaign. In March 1970 the New York Senate passed the Cook-Leichter Bill, 31–26. The following month, despite a last-minute campaign by the NYCC, the Assembly followed suit. By 3 votes, 76–73, it repealed the abortion law, making New York the first state in the country to offer early abortions without residency or hospital restrictions.

Religious Mobilization in Pennsylvania

The first abortion reform bill was introduced in Pennsylvania in 1967, during preparations for a Constitutional Convention called by Governor Raymond Shafer. Several legal associations drafted reform measures on a variety of issues, including abortion. Senate Bill 38 was an ALI-based bill intended to clarify Pennsylvania's 1939 abortion statute.[43] A month after it was introduced, the Pennsylvania Catholic Conference (PCC) lined up legislative support to kill the bill in committee and to discourage future attempts.[44]

The PCC and the Democratic party had aligned against state involvement in family planning before the abortion campaign began. In 1965 William Ball, general council of the PCC, had testified in Congress against federally supported family planning programs and worked to prevent their establishment in Pennsylvania.[45] In response to a recommendation from the Pennsylvania Office of Public Assistance that its staff members discuss contraception with poor families who continued to have children, Ball and House Appropriations Chairman Martin Mullen (D-Philadelphia) worked together to overturn it.[46] In addition, the PCC launched a campaign against state involvement in the area of birth control, charging it was an effort specifically aimed at the poor.

After SB 38 died in committee, no other abortion reform bills were introduced in Pennsylvania for three years. One reason was the PCC's opposition to it. Another was the closed party system, which meant that the parties were uninterested in attracting con-

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troversial or new constituencies like the pro-abortion forces. Both of these developments facilitated the PCC's ability to mobilize opposition to reform. A year after SB 38 was killed in committee, the PCC expanded its campaign against abortion reform by appointing Right-to-Life Coordinators in each diocese to coordinate its legislative efforts with those of local anti-abortion groups.

Grassroots Activity

One of the first grassroots groups to form in opposition to abortion law reform was Women Concerned for the Unborn Child (WCUC) a nondenominational group established in Pittsburgh in 1969 by Mary Winter, the president of the local chapter of the La Leche League.[47] WCUC became one of the largest grassroots anti-abortion organizations in Pennsylvania. Winter's chief goal was to establish a nonsectarian group for women opposed to abortion, although most of the early members were Catholic: "It was a spontaneous uprising of Christian women who were horrified. All of us were mothers. At our first formal meeting we took up a collection of what people had in their purses. Our first treasury had twelve dollars, and we went to buy stamps, a church lent us a mimeograph, we made a mailing to everyone we knew, and it just grew, and grew, and grew."[48]

By the following year, WCUC had a membership of 800. Over the next two years, it began working with a new anti-abortion organization, Pennsylvanians for Human Life, established by the PCC. However, it resisted formally aligning with the PHL because it concluded that to attract broad-based support, it was essential to remain a nonsectarian organization.

PHL became the largest anti-abortion grassroots organization in the state. The PCC had started PHL in an effort to get rural parishioners involved, as well as to broaden its base by attracting support from non-Catholics. One unexpected development, however, was that an increasing number of PHL members, Protestants and Catholics alike, supported the ALI provisions for therapeutic abortions. Jane Arnold, the president of the Southeastern region of PHL, recalled that many of the members thought these exceptions were necessary to retain public support for restrictive laws.[49] To counteract this, in 1971 the PCC gave Right-to-Life Coordinators the responsibility of organizing Catholic Right-to-Life programs in each diocese alongside the PHL chapters.

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While anti-abortion groups were forming on the local level, several feminist groups were as well. Chief among them was the Abortion Justice Association, which was founded in 1968 by Pat Miller to mobilize legislative support for reform.[50] Their hopes were buoyed with the 1969 gubernatorial election of Milton Shapp, who supported abortion reform during his campaign. In 1970 Miller convinced freshman Assemblyman Gerald Kaufman (D-Pittsburgh) to sponsor an ALI-based abortion reform bill (House Bill 2393). However, pro-abortion activists in Pennsylvania had barely begun to mobilize, whereas the PCC had been organized against reform for three years. As a result, Shapp's support was insufficient to overcome the PCC's opposition and the bill died in committee.

The following year, pro-abortion activists changed their strategy and Kaufman filed House Bill 536, an abortion repeal bill, in the hopes of riding the increasing momentum that repeal was generating across the country. This strategy backfired by providing the PCC and its allies within the Democratic party with the pretext to introduce an equally radical bill, House Bill 800, which called for the prohibition of *all* abortions. Again, without adequate support for reform in place, Kaufman's repeal bill was easily defeated on the floor (14–185) in June 1972, and the House moved on to HB 800.

All efforts by pro-abortion legislators to introduce ALI-based provisions, such as one to allow abortions in cases of rape and incest, were defeated by large margins. Finally, the House agreed to allow abortions only in cases where the woman's life was endangered and passed HB 800 by a margin of 157–34. In the fall, the Senate amended the House version by deleting provisions requiring spousal and parental consent for emergency abortions and voted 39–9 in favor of the bill.

The easy passage of HB 800 showed that the PCC's five-year campaign against abortion reform, combined with a closed party system and the limited efforts of pro-abortion activists, was unstoppable. Convinced that the statute would be found to be unconstitutional, Governor Milton Shapp vetoed HB 800 in November 1972. Before anti-abortion forces could respond, the Supreme Court handed down its decision in *Roe v. Wade*, confirming Shapp's misgivings.

The *Roe* decision was a compromise for forces on both sides of the debate. While acknowledging women's rights to terminate an early pregnancy, the Court also recognized the interests of the states in protecting maternal and fetal health. However, in *Roe* the Court

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also identified another state interest, that of safeguarding "the potentiality of human life." As a result, the contest to fix the point of fetal viability was set and the post-*Roe* struggle was on.

Conclusion

Had a comparative analysis been undertaken in 1967, before either states' abortion campaigns had expanded beyond a handful of activists, the likely conclusion would have been that both states would have followed the national trend at the time and retained their restrictive laws, or passed moderate reform bills as fourteen other states did. Instead, by 1972, they were at the opposite ends of the policy spectrum.

Of the four groups involved, the PCC was in the strongest position. Unlike the NYCC, it faced little organized opposition, and it benefited from the closed party system, which allowed it to dominate the debate. Equally important, however, was its expansive grassroots campaign, which mobilized Catholics and others opposed to abortion, and enabled it to disseminate its anti-abortion discourse. Although pro-abortion activists in Pennsylvania had little control over the party system they encountered, had they built an alliance with forces opposed to the PCC, they could have challenged its religious discourse with legal and medical ones that were more in line with public opinion.

When the above factors are applied to the New York case, they reveal why pro-abortion forces there triumphed. The same balance of power between the Catholic Conference and pro-abortion activists existed in New York, but within a five-year period the latter managed to shift it. To be sure, their alliance with the reform Democrats was crucial, but the broad-based coalition they built was equally important. In the end it was the bi-partisan support for change, coupled with the grassroots and feminist mobilization for repeal, that gave pro-abortion activists their victory over the NYCC.

Ultimately what separated the winners from the losers was the ability of the winners to wage campaigns that allowed them to maximize their resources. This is not to suggest that had pro-abortion activists in Pennsylvania been better organized they could have passed a repeal bill, but rather that they could have defeated HB 800, and possibly passed a moderate reform bill. Likewise, had the NYCC taken reform forces more seriously, they could have blocked

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the passage of the repeal bill. Instead, the losers in each state squandered their resources, and as a result, suffered major defeats.

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Notes

1. *Roe v. Wade* 410 U.S. 113 (1973).

2. In the pre-*Roe* period, the terms "pro-abortion" and "anti-abortion" were used to describe each side; after *Roe* they were replaced with "pro-choice" and "pro-life," respectively.

3. *Griswold v. Connecticut* 381 U.S 471 (1965).

4. Lawrence Lader, *Abortion II* (Boston, 1973), xi.

5. Richard E. Dawson and James A. Robinson, "Inter-Party Competition, Economic Variables, and Welfare Policies in the American States," *Journal of Politics* 25 (1963): 265–86; Thomas R. Dye, *Politics, Economics, and the Public* (Chicago, 1966); Christopher Z. Mooney and Mei-Hsien Lee, "Legislative Morality in the American States: The Case of Pre-Roe Abortion Regulation Reform," *American Journal of Political Science* 39, Issue 3 (August 1995): 599–627; Kenneth J. Meier and Cathy M. Johnson, "The Politics of Demon Rum: Regulating Alcohol and Its Deleterious Consequences," *American Politics Quarterly* 18, no. 4 (October 1990): 404–29; Francis Stokes Berry and William D. Berry, "State Lottery Adoptions as Policy Innovations; An Event History Analysis," *American Political Science Review* 84, no. 2 (June 1990): 395–416. See also John D. Hutchinson Jr. and George A. Taylor, "Religious Variables, Political System Characteristics, and Policy Outputs in the American States," *American Journal of Political Science* 17 (May 1973): 414–21, and Tatalovich and Daynes, eds., *Social Regulatory Policy* (Boulder, 1988).

6. James Davidson Hunter, *Culture Wars: The Struggle to Define America* (New York, 1991); Kristen Luker, *Abortion and the Politics of Motherhood* (Berkeley and Los Angeles, 1984); Peter Skerry, "The Class Conflict over Abortion," *The Public Interest* 4 (1978): 69–84; Faye D. Ginsberg, *Contested Lives: The Abortion Debate in an American Community* (Berkeley and Los Angeles, 1989).

7. William Ray Arney and William H. Trescher, "Trends in Attitudes Toward Abortion, 1972–1975," *Family Planning Perspectives* 8, no. 3 (May–June 1976): 117–24.

8. Luker, *Abortion and the Politics of Motherhood,* chap. 7.

9. Hunter, *Culture Wars,* 50.

10. Stephen L. Finner and Jerome D. Gamache, "The Relation Between Religious Commitment and Attitudes Toward Induced Abortion," *Sociological Analysis* 30 (1969): 1–12.

11. Richard R. Clayton and William L. Tolone, "Religiosity and Attitudes Toward Induced Abortion: An Elaboration of the Relationship," *Sociological Analysis* 34 (1973): 26–39.

12. Dennis S. Mileti and Larry D. Barnett, "Nine Demographic Factors and Their Relationship to Attitudes Toward Abortion Legalization," *Social Biology* 19 (1972): 43–50. Judith Blake, "Abortion and Public Opinion: The 1960–1970 Decade," *Science* 171 (1971): 540–49.

13. Raymond Tatalovich and Byron W. Daynes, *The Politics of Abortion: A Study of Community Conflict in Public Policymaking* (New York, 1981), 118.

14. *Public Opinion* (May–June 1989): 37.

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15. The 1939 law prohibited unlawful abortions but failed to define what constituted a legal, as opposed to an illegal, one.

16. Strictly speaking, the first abortion reform bill was introduced in Pennsylvania in 1967, when Governor Shafer, who was opposed to abortion reform, was in office. However, the bill (SB 38) was part of a broader effort to update the Pennsylvania Constitution, rather than an abortion bill per se. Aside from SB 38, which died in committee, all the other pre-*Roe* abortion bills in Pennsylvania were introduced beginning in 1970, when Milton Shapp, who favored abortion reform, was governor. In New York, Nelson Rockefeller, who favored reform, was governor throughout the pre-*Roe* period.

17. On New York, see Lader, *Abortion II*, 122; on Pennsylvania, see the *Pittsburgh Press*, 23 February 1972, 43.

18. Mooney and Lee, "Legislative Morality in the American States," 619.

19. Susan B. Hansen, "State Implementation of Supreme Court Decisions: Abortion Rates Since Roe," *The Journal of Politics* 42 (1980): 372–95. This citation, 385.

20. On the history of reform in Pennsylvania, see Kirk R. Petshek, *The Challenge of Urban Reform* (Philadelphia, 1973), and James Reichly, *The Art of Government: Reform and Organization in Politics in Philadelphia* (New York, 1959).

21. Richard A. Keiser, "The Rise of a Biracial Coalition in Philadelphia" in *Racial Politics in American Cities*, ed. Rufus P. Browning, Dale Rogers Marshall, David H. Tabb (New York, 1995), 51.

22. Kenneth Heineman, *A Catholic New Deal: Religion and Reform in Depression Pittsburgh* (University Park, Pa., 1999); Neil Betten, *Catholic Activism and the Industrial Worker* (Gainesville, Fla., 1976).

23. Martin Shefter, *Political Crisis/Fiscal Crisis: The Collapse and Revival of New York City* (New York, 1985), 79.

24. Ibid, Chapter 3.

25. For a more detailed comparison of reform in Pennsylvania and New York, see my book, *Abortion Before Roe: Abortion Policy in the States* (Philadelphia, 2001).

26. Donald T. Critchlow, *Intended Consequences: Birth Control, Abortion, and the Federal Government in Modern America* (New York, 1999), chap. 4.

27. Critchlow, *Intended Consequences*, 123.

28. C. Thomas Dienes, *Law, Politics, and Birth Control* (Urbana, 1972), 277.

29. Critchlow, *Intended Consequences*, 126–27.

30. Suzanne Staggenborg, *The Pro-Choice Movement: Organization and Activism in the Abortion Conflict* (Oxford, 1991), 14.

31. Lader, *Abortion II*, p.57.

32. The following information about the early days of the New York State Right to Life Party is taken from my interview with Edward Golden, Troy, New York, 8 April 1992.

33. Interview with Alan Davitt, former director of the NYCC, and Kathleen Gallagher, staff member of the NYCC, Albany, New York, 7 April 1992.

34. Lader, *Abortion II*, 44.

35. Ibid.

36. Ibid, 132.

37. Interviews of members of CPL, January-February, 1998.

38. Ibid.

39. *Family Planning Oral History Project Records* (Schlesinger Library, Radcliffe College, Cambridge, 1976), 54.

40. Ninia Baehr, *Abortion Without Apology: A Radical History for the 1990s* (Boston, 1990), 40.

41. Ibid, 41.

42. Lader, *Abortion II*, 129–30.

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43. See note 15.

44. The PCC's pre-*Roe* strategy on abortion reform was outlined in a memorandum by William Ball dated 21 February 1967. Files of the PCC.

45. The following account is taken from Dienes, *Law, Politics and Birth Control,* 277–79.

46. Ibid.

47. The following information on the WCUC, except where noted, is taken from my interview with Mary Winter, Pittsburgh, Pa., 21 October 1992.

48. Cathy Hickling, "Pro-Life Veteran Mary Winter Keeps Pressing On After 18 Years of Activism," *Expression,* January 1978, 10.

49. Interview with Jane Arnold, Wyncote, Pa., 27 January 1993.

50. Interview with Pat Miller, Pittsburgh, Pa., 20 October 1992.

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