

Abortion: The History and the Data

Introduction:

- Under the Midnight Cry the concept of two streams of information brought out that in matters pertaining to equality, the Left has the correct understanding in the broadest sense.
- However abortion is an issue over which there is a clear divide between the Left and the Right. But many in the movement view this issue from the Right's perspective which says abortion is a sin, a moral wrong that is tantamount to the murder of a human being.
 - This is a sensitive subject and these views are strongly held.
- The Right has effectively used abortion as a weapon to silence their detractors and present themselves as having the moral high ground against the liberal counterparts.
- The movement is at a place where it has the methodological tools to analyze subjects such as this one and frame more nuanced perspectives.
 - This study will thread through the history of the current abortion debate beginning in the 1950's through to the present.

Two books will be drawn from:

- The Lie That Binds by Ilyse Hogue
 - This book gives the history of how abortion was settled upon by the architects of the radical right as a tool to advance their religio-political agenda.
 - The rise of the anti-choice movement is inextricably linked to the rise of the Religious Right.
 - Ilyse Hogue (born August 26, 1969) is an American progressive activist who has served as president of [NARAL \(National Association for the Repeal of Abortion Laws\) Pro-Choice America](#), a reproductive rights [lobbying](#) and advocacy organization, since 2013.
- The Turnaway Study by Diana Greene Foster
 - A groundbreaking study which looks at why women seek abortions as well as what happens when they are denied.
 - Many assumptions are addressed in this book such as those pertaining to women's motives - that they are selfish and only thinking of their own interests, that they do not wish to be accountable for bad judgement or living an immoral life.
 - Also assumptions around whether or not abortion is ultimately harmful to women.
 - Diana Greene Foster, PhD, is a professor and demographer [at the University of California at San Francisco] who uses quantitative models and analyses to evaluate the effectiveness of family planning policies and the effect of unwanted pregnancy on women's lives.¹
- The history and the data—The Lie that Binds sets forth the history of the evangelical-led anti-abortion movement in the United States. The Turnaway study provides the scientific data of what happens when access to abortion is curtailed.

The Lie That Binds:

Below are extracts from the prologue (pg.9-10) of the Lie that Binds.

- The lie that is referenced in the books title is the idea that the Religious Right is motivated by a concern for the lives of unborn babies when really their push to ban abortion is about maintaining a patriarchal, white male led social order.

¹ <https://www.ansirh.org/about/staff/diana-greene-foster-phd>

Trump's presidency is commonly and accurately described as a backlash by predominantly white voters against a changing society. But that's only a snapshot of this moment in time. The research that drove us to write this book paints an undeniable picture of a small group of Radical Right leaders who — beginning almost a century ago — saw movements for freedom and equality as an existential threat to their grip on social, economic, and political power. They fomented fear as a strategy to maintain control and privilege through a carefully architected and resourced campaign. They found utility in weaponizing abortion, which ultimately became a key component of their strategy. Understanding and unpacking that part of the Right's strategy is one key to dismantling their power.

That they have been so successful speaks to their own ability to use disinformation, a moral mantle, and a willingness to force a binary viewpoint on situations that by their very nature are anything but. Any individual decision to terminate a pregnancy factors in innumerable considerations: job status and prospects, financial savings, existing family concerns, individual faith, current health and well-being, partnership status, just to name a few. A million calculations go into making the best decisions that we can, in any given moment, about how to live our lives.

This book seeks to expose that the agenda of the Radical Right — in most ways indistinguishable from the institutional anti-choice movement — is and has always been about resisting any progress in America. The goal is the maintenance of a social order in which men have control over women and white Americans have control over people of color with a concentration of economic wealth that reinforces that order.

- It is a sexist, racist, and homophobic vision of society that its architects claim to derive from the Bible.
- The first chapter entitled “the Trojan horse” begins with Paul Weyrich speaking at a conservative policy conference. He explains the origins of the Religious Right.

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Paul Weyrich was frustrated. As one of the godfathers of the Religious Right, he had spent a good deal of the 1970s and 1980s building infrastructure that we recognize today as the power-centers of the modern conservative movement. The shadowy leadership group the Council for National Policy, the American Legislative Exchange Council (ALEC), and the powerhouse Heritage Foundation all sprang from Weyrich's unusual ability to envision unlikely alliances.¹ He even helped coin the term “moral majority” as part of his campaign for power that brought him into the inner-circle of a new rising movement.

But standing before the men-only Ethics and Public Policy Conference in 1990, it was clear to those in the audience that despite three straight GOP presidential victories, Weyrich was deeply unsatisfied.

According to eyewitnesses, Weyrich unloaded to the gathered attendees, lecturing that they knew little about the origins of their own movement or what it had taken to build the radical right into the political powerhouse it had become. He admonished the foot soldiers of the movement that they had spent so much time repeating the myth they originated from backlash to the 1973 *Roe v. Wade* decision, that they had come to believe it themselves. They had lost sight of the reality of their coalition's foundation.² As a result, the careful strategies Weyrich and his contemporaries had developed to build power on the back of abortion for the purpose of their true agenda were slowly being distorted. Don't get distracted by believing your own rhetoric, he seemed to warn.

After his 1990 lecture at the conference, one young attendee, historian Randall Balmer, was so startled that he approached Weyrich to be sure he had heard him correctly. He had, Weyrich assured him, reiterating that the purpose of the movement organized heavily around abortion politics was to undergird a system in which social order and status were rigid, grounded in the fundamentalist belief that God placed white, male Christians in charge³ — all of it based on an ideology called “dominionism,” which seeks to enforce Biblical law.⁴ Weyrich wanted everyone to remember that they had broader aspirations than banning abortion: they had built a political movement designed to halt progressive cultural change and maintain power for a privileged minority.¹⁰

The story of Weyrich's movement — today the dominant force within the conservative establishment, the Republican Party, and the Trump administration — is ultimately not a story of true believers. It is not a story about religion or philosophy or medicine. It is a story about a marriage between wild-eyed zealots and cynical political operatives who have long sought to profit from inflaming the anger, resentment, prejudice, and fear of a small minority of Americans. It's the story of a quiet yet relentless assault on American democracy, where attacks on reproductive freedom are often the thin edge of the wedge. Weyrich and his cohorts were the architects of the strategy.

- The story of the religious right did not begin with *Roe vs. Wade* (1973) as is popularly stated. It began twenty years earlier with *Brown vs. Board of Education* (1954) which abolished segregation in public schools on the grounds that it was unconstitutional. *chart*
- Following this court decision religious conservatives opened segregated private schools (“seg academies”) to avoid sending their children to schools where they would share classrooms with black students.
 - Bob Jones University and Liberty University (formerly Lynchburg Baptist College).
- “Religious freedom” was the argument used to shield their racist motivations for establishing the schools.
- In 1968 a group of black parents in Mississippi brought a case against seg. academies saying their discrimination should not be tax exempt (*Green v. Connally*).
- This case resulted in Richard Nixon initiating interventions against the tax exempt status of seg. academies on the grounds that they practiced de-facto segregation.
- It was this move that outraged the religious right and led them to mobilize politically. Jerry Falwell, the founder of Liberty University, was one of the leaders of this mobilization.
- At the time the Religious Right was becoming politically active abortion was not part of their agenda.
- Most denominations that presented a position tended to support it.

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Tellingly, abortion appeared to be nowhere on Falwell’s radar. As *Roe* became the law of the land, abortion clinics popped up around the country to serve patients. Falwell organized no protests. Pastor Ed Dobson, who was present at the founding of Moral Majority, said abortion was never mentioned as a reason for engagement.³⁴ Falwell didn’t even mention the word “abortion” in a sermon until 1978, five full years after *Roe* was handed down.³⁵

Falwell was not alone in his indifference to legalized abortion. In response to the Supreme Court’s decision in 1973, W.A. Criswell, leading Evangelical and former president of the Southern Baptist Convention, applauded the decision, saying:

I have always felt that it was only after a child was born and had a life separate from its mother that it became an individual person, and it has always, therefore, seemed to me that what is best for the mother and for the future should be allowed.³⁶

The Southern Baptist Convention never registered formal opposition to *Roe* until 1980, two years after the formation of the Moral Majority.³⁷

New York’s abortion laws as a pre-*Roe* governor.⁵⁸ A 1969 poll found that Republicans actually led Democrats by 10% in their support for legalized abortion in the first trimester, and a 1972 Gallup poll found that 68% of Republicans believed abortion to be a private matter between a woman and her doctor.^{59 60} Indeed, it wouldn’t be until after Reagan’s second term that Gallup polling showed Democrats’ support surpassing Republicans on the question of legal access to abortion.⁶¹

The Roman Catholic Church, with its long-standing doctrine against abortion and contraception, was the most prominent opponent of legalizing the procedure. However, even Catholic leaders at the time had a more diffuse set of priorities, working on issues like funding parochial education and ending capital punishment. Conservative Catholics like William F. Buckley took a nuanced stance. Buckley, founder of the right-wing *National Review* and an avowed Catholic, criticized the church’s rigid stance on abortion in 1966, arguing that religious freedom required a more flexible stance on abortion in cases of “maternal health, rape, [and] defect in fetus.”⁶²

Across denominations, Christian Americans didn’t rank abortion near the top of their agenda. Evangelicals were “overwhelmingly indifferent” to the issue.⁶³ Randall Balmer describes a 1968 symposium where both the Christian Medical Society and Christianity Today condoned abortion in cases in which terminating the pregnancy would result in better outcomes for “individual health, family welfare, and social responsibility.”⁶⁴

Before the *Roe* decision, the Southern Baptist Convention passed a resolution in 1971 that encouraged its followers to work for legislation to legalize abortion. The convention’s resolution outlined a wide-ranging set of cases in which abortion should be legal, including “rape, incest, clear evidence of severe fetal deformity, and carefully ascertained evidence of the likelihood of damage to the emotional, mental, and physical health of the mother.”⁶⁵ The Southern Baptist Convention further reaffirmed this resolution post-*Roe* in 1974 and 1976.⁶⁶

Evangelicals’ disinterest in anti-abortion advocacy in this era was plain to see in the Bible Belt, where Christian Evangelicals wield the most political power today. As laws loosened across states before *Roe*, the Bible Belt was home to

- So what changed? The conservative movement build around the politicization of the issue of race began to lose steam as their fight to preserve school segregation became less popular with the general public.
 - The civil rights movement was active, societal opinions were shifting, and open appeals to racism were becoming less popular.
- They began looking for new issues to keep their base engaged and exert a wider influence on the general public.

Phyllis Schlafly:

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Weyrich was already casting around for new ideas. Never short on ambition, he wrote about plans to build a “new political philosophy” that would be “defined by us [conservatives] in moral terms, packaged in non-religious language, and propagated throughout the country by our new coalition.” He believed that, if successfully “blended and activated,” the moral majority “could well exceed our wildest dreams” and “re-create this great nation.”⁶⁸

He didn’t have far to look. By the early 1970s, conservative author and political activist Phyllis Schlafly was already hard at work mapping an entirely new way to stoke right-wing fear, outrage, and political activism. The Republican Party was solidly supportive of equal rights for women. Both Presidents Nixon and Ford championed the ERA and most leaders were pro-choice, but Schlafly saw an opportunity to change that. As former Republican activist Tanya Melich put it, Schlafly “unearthed the political gold of misogyny.”⁶⁹

Phyllis Schlafly was a longtime Republican political activist who aspired to be a leader on national security. She had spent the 1950s agitating against communism,⁷⁰ which she believed was the primary threat to the United States. She had backed Barry Goldwater’s 1964 presidential campaign, and supported the rightward lurch in the party sparked by Goldwater’s candidacy.⁷¹ She found an early modicum of fame in the conservative movement for her 1964 book, “A Choice, Not An Echo,” which decried GOP “kingmakers” who she blamed for undermining far-right populism and moderating the party.⁷² The self-published book sold a surprising three million copies and helped drive support for Goldwater from the right against the more socially liberal, business-friendly Nelson Rockefeller.^{73 74} Schlafly parlayed her book into a monthly newsletter with a wide-distribution called The Schlafly Report.⁷⁵ Despite her reach, she hit walls in trying to position herself in the old boys club of politics.

Schlafly desperately wanted to find a foothold within the Republican Party establishment.⁷⁶ Though she was an elected delegate to every Republican National Convention from 1952 onward, she lost elections for both a congressional seat and for the role of president of the National Federation of Republican Women.^{77 78} As the Equal Rights Amendment was gearing up for easy passage, Schlafly’s work to establish herself and to force the party to the Right finally gained traction with a subset of male Republicans who wanted to fight the ERA. She finally won an audience on the Right when she was willing to be the face of fighting on “women’s issues.”⁷⁹

- The Feminist movement that grew out of the 1960s saw progress in advancing the issue of women’s rights.
 - More and more women were acquiring a new level of independence, more were working outside the home.
- The movement was succeeding in shifting people’s thinking about the place of women in society.
- Schlafly understood however, that these changes were provoking undercurrents of deep discomfort in a society organized around heterosexual marriage and the traditional roles of men and women within that context.
- The moves towards equality received popular support but met with apprehension when manifested in places where men had always had power - the workplace, and more acutely in the home.

Schlafly was consumed with containing communism and promoting the United States as a nuclear superpower, but she saw her contemporaries increasingly shaken by the cultural tumult. The milieu in which she lived was concerned that the sexual revolution of the 1960s would be “devastating” to American society.⁸⁶ Schlafly could not ignore the growing alarm among her peers that feminism would denigrate their privileged role in society. She was a shrewd operator of politics and culture, and she seized upon the Equal Rights Amendment as the symbol of the angst. As the ERA was sent to the states for what most believed would be a speedy ratification process, Schlafly realized threats to gender norms were now an imminent reality.⁸⁷ Suddenly — after years of being patronized and sidelined — Schlafly became sought after by right-leaning GOP leaders as a woman willing to organize women to crusade against other women.

- The Equal Right’s Amendment (ERA) was a constitutional amendment first proposed in 1923 and passed by Congress in 1972.
- It sought to guarantee equal legal rights for all American citizens regardless of sex by ending the legal distinctions between men and women in matters of divorce, property, [employment](#), and other matters.
- [By some estimates](#), 80 percent of Americans mistakenly believe that women and men are already explicitly guaranteed equal rights by the Constitution. But it currently does so only for the right to vote. The amendment is intended to remedy that omission.²
- Schlafly launched the STOP ERA campaign in 1972.

Schlafly launched “STOP ERA” in 1972. “STOP” was an acronym for the very unapologetic “Stop Taking Our Privileges.” She founded The Phyllis Schlafly Report to communicate nationwide to housewives like herself about the terrible threat the ERA posed to their way of life.⁹⁰ The women involved were overwhelmingly white, church-going and from the rural and suburban middle and upper class. By definition, they had privileges to lose, benefitting by association with the white male Christian power structure. These women quickly embraced Schlafly’s core message that the push for equality would erase legal differences between men and women. They even bought her more tenuous message that the ERA would lead to supposed “horrors like ‘homosexual marriage,’ unisex bathrooms, or women in combat.”⁹¹ Soon, she had activated a grassroots army to zealously fight to maintain their privilege at the expense of other women’s political, social and economic equity. They cast these other women — often unmarried, single moms, gay women, and women of color — as deserving of shame because of their own life choices.

- Schlafly’s campaign was effective. The ERA which was poised to pass with over 30 states having quickly ratified it.
- But due to her work progress slowed and at the 1979 deadline for ratification the amendment was three states short of what it needed to become a constitutional amendment.
- Weyrich and Falwell saw promise in Schlafly’s work.

Schlafly’s work was proof of concept. The Evangelicals that Weyrich and Falwell had managed to activate were sensitive to more than just a loss of white supremacy. Weyrich and Falwell were convinced that at a moment when civil rights leaders were making advances and overtly racist appeals were losing their power, they would soft-pedal their racism and persuade more Americans to fear the impact of giving freedom and power to women. Since racism and misogyny have always been tangled in American society, finding the right balance that kept just enough women on board was key to success. And that is where adapting messaging to appeal to fundamentalist religion came in.

As Maxwell and Shields wrote:

This southern white way of life... is not based solely on white superiority. Rather, it is best viewed as a triptych with religious fundamentalism and patriarchy standing as separate hinged panels that can be folded inward—bent to cover or reinforce white supremacy throughout much of the region’s history.⁹⁸

- Misogyny was seen to be a powerful tool to activate their base and influence society at large.

² <https://www.nytimes.com/2020/01/15/us/what-is-equal-rights-amendment.html>

The Hyde Amendment (1976):

- The Hyde Amendment was another development that the architects of the religious right were observing.
 - It was an early success of the anti-abortion movement.
- Henry Hyde was a Republican Congressman.
- He was raised in an Irish-Catholic family and was originally a democrat until 1952 when became a Republican over his fears of communism.
- He ran for congress the year after Roe (1975) and served until 2007.
- He was Paul Weyrich's partner in founding the American Legislative Exchange Council (ALEC).

The **American Legislative Exchange Council (ALEC)** is a [nonprofit organization](#) of [conservative state legislators](#) and [private sector](#) representatives who draft and share [model legislation](#) for distribution among state governments in the United States.^{[2][3][4]}

ALEC provides a forum for state legislators and private sector members to collaborate on [model bills](#)—draft legislation that members may customize and introduce for debate in their own state legislatures.^{[5][6][7]} ALEC has produced model bills on a broad range of issues, such as reducing regulation and individual and corporate taxation, combating [illegal immigration](#), loosening [environmental regulations](#), tightening [voter identification rules](#), weakening [labor unions](#), and opposing [gun control](#).^{[8][9][10][11]} Some of these bills dominate legislative agendas in states such as Arizona, Wisconsin, Colorado, Michigan, New Hampshire, and Maine.^[12] Approximately 200 model bills become law each year.^{[8][13]} ALEC also serves as a networking tool among certain state legislators, allowing them to research conservative policies implemented in other states.^[10] Many ALEC legislators say the organization converts campaign rhetoric and nascent policy ideas into legislative language.^[5]
https://en.wikipedia.org/wiki/American_Legislative_Exchange_Council

- In 1976 Henry Hyde launched his effort to limit the freedoms afforded by Roe.
- He proposed an amendment to a standard appropriations bill (a bill to appropriate federal funds) that would prevent all low-income medicaid participants from using their insurance to pay for abortion, no matter the reason.
 - Medicaid is a federal and state program that helps with [healthcare](#) costs for some people with limited income and resources.
- He knew public opinion was against him. So rather than a complete ban on abortion nationwide he adopted this incremental approach which targeted the poor first.

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The debate around the original Hyde Amendment illustrated how a small group of men were able to manipulate the legislative process to move narrative goalposts. Although the goal of the legislation was an incremental approach to end all legal abortion, Hyde's arguments were anything but incremental. He was aggressive and uncompromising, and most of his colleagues were caught off guard, believing that *Roe* had settled a matter they were not anxious to revisit.

Because the legislature was overwhelmingly dominated by men and the ensuing debate was so unscripted, the episode offered a peek into the dominant attitudes of men in power. Among the Republican lawmakers Hyde rallied to support the measure, this question at hand was not one of medicine, science, or facts. They unabashedly approached it as a question of preference with disregard for public health data. Through the debate, they expressed unfiltered assumptions about women and pregnant people, and any concern for women in the equation was secondary at best.

The testimony from medical professionals that had been crucial to shifting state laws in the late 1960s and early 1970s was completely absent from the Hyde conversation. Nevermind that the *Roe* decision was actually about doctors' rights and privacy as much as those of pregnant people. Congress refused to allow doctors or researchers to testify, so the ensuing discussion was devoid of data, research, or a medical perspective that could illuminate real-world impacts of the ill-considered policy. This fact did not go unnoticed by Senate Appropriations Committee Chairman Warren G. Magnuson:

This is an amazing thing. Here we are passing on a piece of major legislation on which neither the House nor the Senate committees heard one single witness. We have no figures, we have no facts, we have no medical testimony; we did not hear a single witness on a matter of this grave importance.¹⁵³

- The debate over the Hyde Amendment was completely devoid of expert testimony and data.
- Protests that it was not a vote against abortion but a vote against the poor were ignored.

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Most members of Congress were blindsided by the energy of the small band of Hyde supporters. It didn't help that Congress was still trying to find its footing in a post-*Roe* world on abortion, an issue no one had ever talked much about. The legislators were shaken by the noise of this sanctimonious minority, so they wrongly concluded that the political ground was hostile to reproductive freedom when in fact most Americans had actually accepted that freedom as the norm. The Hyde amendment passed in 1976 by a 34-vote margin.¹⁶⁶

By all accounts, most felt they had found a good compromise and hoped this would put the issue behind them. Of course, nothing could be further from the truth, but it wouldn't be the first time the majority would hold out an olive branch to a zealous minority who had no intention of stopping. The net effect of this "compromise" cut off millions of American women from a right they had just achieved. It established a baseline in law that accepted putting burdens on rape survivors and requiring doctors to allow pregnant women to reach the brink of death before allowing abortions. It showed that science, data, and research could be discarded in public policy if the conditions were right. Most fundamentally, the debate over the Hyde Amendment offered a snapshot into the views of legislators on the values of women's lives, particularly those who, in their minds, had fallen from grace.

- In 1977 Rosie Jimenez was the first woman to die as a direct result of the Hyde Amendment.
 - She was a Texas resident and Medicaid recipient who travelled to Mexico to receive an abortion because the amendment prevented her from receiving a safe and affordable service in the United States.
 - An investigation by the Center for Disease Control and Prevention (CDC) found that her death was a direct result of the amendment.
 - Hyde flatly rejected the CDC's investigation as "hysterical characterizations."
 - Flat rejections and denials are a common strategy of the right when the detrimental effects of their policies on women are presented to them. And the women who raise the alarm are often dismissed as being hysterical.
- The messages recounting the external history of the beginning of modern Israel have highlighted the compromise of the North in the face of a decided and unrelenting South played an important role in entrenching slavery and bringing about the civil war.
- Without drawing a prophetic parallel, it is important to see a similar dynamic of compromise which has resulted in suffering and the further entrenchment of inequality.
- Weyrich and Falwell watched the progress of the Hyde debate with keenest interest.
- Its success proved for them that underlying cultural attitudes about women, particularly women sexuality could be weaponized beyond the ERA battle.
- It also showed that science, data, and research could be discarded in public policy if the conditions were right.
 - It was subsequent to this in 1978 that the conference call took place where it was decided to make abortion a focus of their strategy.³

³ <https://www.npr.org/2019/06/20/734303135/throughline-traces-evangelicals-history-on-the-abortion-issue>

In the late seventies, Weyrich joined a conference call for evangelical leaders to debate what could replace segregation as their focus for the next rallying cry of their new movement. A number of ideas were batted around, but none of them were just right. They probed for a hook that triggered a powerful emotional reaction against the cultural changes underway, something that tapped into the deep wells of racism or misogyny without coming off to the public as obviously racist or misogynistic. They wanted to bake their cake, and eat it too. Finally, someone on the end of one of the lines made a fateful suggestion: “How about abortion?”¹⁰²

That singular voice forever changed the landscape of American politics.

- Their Strategy—The movement architects saw that by framing abortion as a moral issue, and framing the women who got abortions as selfish and sinful, they could activate their base as well as buy the silence of the majority who in fact supported abortion.

When abortion was suggested to fill this role during that fateful conference call, it seemed an unlikely issue to meet their needs.¹³⁶ The American public was overwhelmingly in support of legalized abortion. Through much of the 1970s, before the architects of the movement kicked around this idea, Republicans typically polled as even pro-choice than Democrats. It wasn't until 1988 that Gallup polling began to consistently show Democrats as more pro-choice than Republicans.^{137, 138, 139}

But this crew of movement architects saw something that others didn't. They saw that for all the talk about equality and liberation, many remained uncomfortable with—even threatened by — a new class of women who were unabashedly sexual. Despite the dominant narrative in liberal and media cultures, they saw a growing discomfort about what this loosening of norms and mores meant for them, their understanding of family, and the privilege they believed was their birthright.

They saw a political arena riddled with sexism, where women were underrepresented and largely sidelined in conversations about their own freedoms and bodily autonomy. They saw that the procedure of abortion was largely supported as a solution to an existing problem, but they knew that abortion as a concept encapsulated all sorts of complicated feelings about women, sexual promiscuity, and sin.

In order to effectively politicize their new hobby horse, they knew they had to shift the focus from the women who risked and lost their lives to end pregnancies to the actions of those women that put them in that situation in the first place. Whereas pre-Roe consequences of premarital sex might be too harsh, in the story of the Radical Right, abortion allowed these women to get off scot-free for their own irresponsible actions and selfish rejection of motherhood. They bet that by wielding morality as a weapon, they could unearth enough judgement and stigma to buy the silence of the majority who supported legal abortion. The silence was key to success.

Then, by tapping into latent but growing resentment many held for women who were by then actively rejecting rigid sexual mores of chastity, motherhood, or sacrifice, they believed they could expand the Schlafly coalition and bring more people into the fold. This strategy required careful messaging and a complex campaign of disinformation, straight-up lies, coded racism, and misogyny. The fact that data showed limiting family planning and abortion led to entrenched poverty and oppression, especially in Black communities, was not lost on the movement architects.

- A massive propaganda and disinformation campaign would be needed to shift compassion away from the pregnant woman and stigmatize women who refused to conform to rigid norms.
- John C. Willke was already finding ways to thread that needle.

John C. Willke was already finding ways to thread that needle. Willke was widely referred to as a “father of [the] anti-abortion movement,” but a more accurate moniker for him is the godfather of anti-abortion disinformation.¹⁷¹ A physician by trade, Willke rejected science on this subject and chose to focus on building the language and propaganda that would undergird a new movement.¹⁷² His “Handbook on Abortion,” co-authored with his wife Barbara in 1971, served to advance ideas that would be crucial to the success of Weyrich and Falwell's future project.¹⁷³

In it, he tackled the movement's thorniest problems head-on and offered key innovations that still define anti-choice messaging today. Willke argued the pregnant person must be erased from the narrative in order to move unobstructed focus onto the embryo or fetus. If women's inconvenient stories of hardship threaten to penetrate that focus, his followers would be trained to deny any hardships and cast doubt on their motives.

- As stated above John C. Willke is responsible for the disinformation that shapes much of the anti-choice opinion on the subject of abortion to this day.
 - Below are examples of his use of language.

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In one messaging guide, Willke instructed: “Words are important. Words are powerful. The words we or the pro-abortion activists use very clearly and frequently shape the value system of those who listen.” He issued such directions as: “I suggest you not speak of them ‘doing’ abortions, but rather of ‘committing’ abortions. To do so immediately places a cloud or stigma over that abortion being done.”¹⁷⁷ The guide also included a long list of terms to use and avoid, for example:

You should say: assault rape, forcible rape

You should not say: rape

Using the word rape alone includes statutory rape, which is intercourse, consensual or otherwise, with a minor. To use assault or forcible also separates it from the more vague and specious terms of marital rape and date rape.

...

You should say: mother

You should not say: pregnant woman

Mother is a much softer word, calling for love and compassion by the reader.

...

You should say: womb

You should not say: uterus

Womb is a warmer, maternal term. Uterus is coldly medical.¹⁷⁸

Author Susan Faludi, whose book “Backlash” explored the cultural rejection of feminism through the 1980s, credits Willke with hijacking the feminist claim on rights of women to own their bodies. He cynically applied it to the potential life of female fetuses, who he claimed were being denied their own theoretical rights.¹⁷⁹ Willke focused diligently on humanizing the fetus as a way to move focus from the woman. He suggested using terms like “little guy,” no matter how new the pregnancy was, and using phrases like “place of residence” instead of uterus to remove the humanity of the pregnant person.¹⁸⁰

Willke was a proponent of the concept that female rape victims have physiologic defenses against pregnancy, and thus that women rarely become pregnant after a sexual assault. Willke wrote in Christian Life Resources in 1999: "There's no greater emotional trauma that can be experienced by a woman than an assault rape. This can radically upset her possibility of ovulation, fertilization, implantation and even nurturing of a pregnancy". Willke claimed that for what he called "forcible rape" or "assault rape" (which Willke defined as separate from statutory rape) pregnancy is rare, resulting in only approximately four pregnancies per state per year.^{[1][9]} Research published in the Journal of American Obstetrics and Gynecology concluded rape "is a cause of many unwanted pregnancies". A separate study of 405 female rape victims of reproductive age found 6.4% became pregnant.⁴

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Willke’s work to craft new, more fundamentalist anti-choice messaging grew in tandem with the nascent Radical Right. He caught the attention of movement stalwarts in 1976, during Ronald Reagan’s first presidential run amidst the Hyde debate. But the partnership never gained real traction until 1980, after the fateful conference pinpointing abortion as the focus of efforts.

The relationship proved to be fruitful for both sides. Weyrich and Falwell would drive almost \$15 million in new funding to Willke’s organization National Right to Life, and Reagan would repeatedly call on Willke to shore up his alliance with the Religious Right.^{183 184 185} Willke even later claimed credit for converting then-vice presidential candidate George H.W. Bush — a well-known advocate of family planning — to anti-choice ideology in preparation for the 1980 election.^{186 187 188}

Willke’s keen insight into the ability of words to shape reality was a powerful weapon against a pro-choice movement overly reliant on legal arguments and scientific facts to defend *Roe*. His success in framing the debate and keeping opponents on defense is evident in language that became mainstream in legislative and court battles alike — rhetoric like “abortifacient,” “partial-birth abortion,” “fetal pain,” and “heartbeat” bills. All of these terms fly in the face of medical reality and scientific consensus, but the movement architects knew that if they owned the language, they owned the Story. They were effectively painting a picture — grounded in misinformation and disinformation — to a target audience they needed to win. It was also critically and effectively designed to compel silence from the majority they could never convert.

- In 1991 Willke created the Life Issues Institute which was dedicated to crafting and disseminating anti-choice propaganda.
- The Life Issues Institute focused on winning the “confused middle” who supported the right to access legal abortion but had complicated feelings about the ending of a pregnancy.
- The Life Issues Institute was eventually absorbed by the Susan B. Anthony List (founded in 1993), an organization dedicated to politicizing anti-choice messaging.
- The SBA List established its own “research” arm - the Charlotte Lozier Institute, which promotes the junk science that feeds many of the Radical Right’s disinformation campaigns.

Harris v. McRae (1980)

- Another success of the anti-choice movement was Harris v. McRae (1980)
- Medicaid was created in 1965 as a partnership between federal and state governments that provides healthcare coverage to the poor. It initially paid for abortions for poor women largely without restriction.
- But the Hyde amendment was passed in 1976 and prohibited medicaid from paying for abortions except where necessary to preserve the mothers life or in cases of rape or incest.
- Corra McRae, a pregnant Medicaid recipient sued in federal court challenging the Hyde Amendment as unconstitutional.
 - She was joined by the New York City Health and Hospitals Corp., which operated hospitals providing abortion services, and the Women's Division of the Board of Global Ministries of the United Methodist Church.
- McRae sought and was granted class action status for the case so hopefully the benefits she sought in bringing the case would be extended to all similarly situated women.
- The district court ruled that the Hyde Amendment violated the first amendments establishment clause, and the fifth amendments due process clause.
- Secretary of Health and Human Services Patricia Roberts Harris appealed to the Supreme Court. Which overturned the ruling of the circuit court.

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When the Supreme Court returned a 5-4 decision in the 1980 case *Harris v. McRae* siding with Hyde supporters, it affirmed key tenets of Radical Right ideology that would become cornerstones to its strategy moving forward.⁴³⁶ The court ruled that although *Roe* guaranteed a right to abortion, it did not guarantee access to that right through public funding or other accommodations.⁴³⁷ Embedded in that ruling was the decision that being poor did not give you protected class status, which had far reaching application. In other words, rights that were not accessible to those who lacked resources did not violate equal protection.⁴³⁸ Finally, the Supreme Court ruled that denying access to abortion did not violate the establishment clause protecting against enshrining religion in our national law. To the concurring justices, the fact that opponents consistently invoked religion in their own opposition was a coincidence, not establishment.⁴³⁹

- The Supreme Court argued that not having access to a right (healthcare) does not violate equal protection.
 - Access to healthcare is a right everyone has. But not being able to afford to pay for it does not mean you have been denied that right.
 - The approach most protective of equality would arguably have been to say that once something is a right, access to that right should be provided to everyone. What good is a right that you cannot access?
- Opponents of this case and proponents of the Hyde Amendment consistently invoked religion in explaining their position.
- But the court argued that the fact that the supporters of the Hyde Amendment consistently invoked religious motivations was merely incidental.

- This presents a scenario where you can have legislation pursued on the basis of overtly religious motivations and have that fact overlooked when the question of separation of church and state is raised.

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For AUL and its allies in the Radical Right, the Supreme Court decision underscored their prescience in centering abortion in their strategy. The decision enshrined the right-wing coda that some people were not deserving of rights — even fundamental ones like the right to control your own body. Ditto the idea that poverty was not structural and poor people didn't merit equal protection. Finally, and crucially, the case confirmed that the separation of church and state was not as sacrosanct as people might believe.

AUL moved quickly to expand on the victory in *Harris v. McRae*. Looking to ALEC's success advancing right-wing economic policy for cues, AUL launched a program to write and distribute model legislation to state legislatures. With a laser-like focus, it used propaganda and disinformation to craft legislation and legal strategies that would minimize backlash from a wary public during the mid-to-late 1980s. AUL adherents began to move these pieces of legislation through state houses in earnest.

- Americans United for Life (AUL) was founded in 1971 to advocate against various advances it felt undermined a fundamentalist biblical view of life.
 - They focused on abortion, embryonic stem cell research, death with dignity efforts, contraception, and what it deemed to be unnatural methods of child bearing, including in vitro fertilization.
 - AUL co-evolved and sometimes overlapped in the early days with its counterpart ALEC, the similar organization created by Weyrich to focus on a right-wing corporate agenda.

Planned Parenthood v. Casey (1992)

- Planned Parenthood v. Casey was a supreme court case that brought a challenge to five provisions of the Pennsylvania Abortion Control Act of 1982.
 - Among the provisions were requirements for a waiting period, spousal notice, and (for minors) parental consent prior to undergoing an abortion procedure.
- The court upheld the constitutional right for a woman to have an abortion as per *Roe v. Wade*.
 - However the details of their judgement opened up a gold mine of opportunity for anti-choice advocacy organizations.
 - It lowered the bar for the type of things they could do to make abortion harder to access.
 - These organizations went into overdrive churning out new laws for willing legislators in the United States.

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When *Planned Parenthood v. Casey* came in front of the Supreme Court in 1992, it had eight Republican appointed justices. The case was framed as a question of states' rights — that familiar dog whistle to the conservative base — in this instance to restrict abortion. The Court examined the constitutionality of laws like requiring women to notify their husbands before getting an abortion, required reporting for abortion clinics, and subjecting patients to waiting periods before ending a pregnancy.⁴⁴⁰ Advocates on both sides held their breath, wondering if this would be the end of *Roe*. Ultimately, the Court disappointed the Radical Right and upheld the precedent of legal abortion across the country, while allowing each state broad power to set restrictions on clinics, on patients, and — in a move that severely encroached on doctor's autonomy — on the procedure itself.

The fact that *Roe* itself withstood the challenge seemed enough to satisfy a supportive but largely passive public. The specifics of the case, however, were a gold mine of opportunity for AUL, which went into overdrive churning out new laws for willing legislators in the states. Over the next several decades, they sparked a tidal wave of far-right bills and served as advisers to state legislative caucuses and on court cases defending their legislation. AUL was instrumental in moving anti-abortion legislation framed around medical disinformation like "partial-birth abortion" and "heartbeat bills."⁴⁴¹ They knew, despite the outcry from the medical establishment, that focusing attention away from the person who was actually pregnant and onto the fetus was crucial to winning their unpopular agenda.