



May 3, 2022. The news has just leaked that the Supreme Court is planning to overturn Roe v Wade. This is appalling, and enraging, and Americans have a massive fight on their hands. This booklet looks back at abortion politics in the United States since 1964, to show how Roe v. Wade was won in the first place, and how it was defended.

Our main points are:

Roe v. Wade, the right to an abortion, was won in the first place by a mass movement of activists who did two things. First, they gave aid and help to women who needed illegal abortions. Second, they defied the law, sometimes openly, but more often semi-openly. For some the help and comfort they gave was most important. For others, the political struggle was. And the Supreme Court ruled for Roe against Wade because it was becoming clear that otherwise they would have to imprison tens of thousands of people, who had the support of tens of millions.

We need to build that kind of movement again.

In 1989 an anti-abortion Supreme Court threatened to overturn Roe v. Wade. Nearly a million people marched in Washington. The scale of that opposition made the Chief Justice think again, and Roe v. Wade was saved.

We need to do that again.

After 1989 the abortion rights movement made two mistakes. There was a debate between the feminist activists from the grassroots of the movement and the political operatives from the Democratic Party. The operatives won that debate. After that, the mainstream of the movement campaigned mainly on gender, for a woman's right to choose, in any circumstances. Fair enough. But they stopped campaigning on class, for racial equality, for abortion justice, for people on ordinary incomes to have an abortion they can afford.

Opinion polls, then and now, show that the argument for fairness has a lot more support in the country than just the argument for a woman's right to choose.

This time we have to make class and racial equality fundamental to a campaign for fair access to abortion.

The mainstream movement made another mistake. Their strategy focused on the courts, on congress, and on who got onto the Supreme Court. The reasons are understandable. But that's why we are where we are now.

Of course Congress matters, elections matter and judges matter. But a massive grassroots campaign matters far more. That power can force the politicians and judges to protect abortion rights.

The last two last points we want to make are about the timing and energy of the campaign.

First, this struggle is going to unfold on two timescales. One is immediate – we have to react massively now.

The other is long term. We have to learn from the example of earlier abortion struggles, from Black Lives Matter, from the fights for unions. The struggle will go up and down. At certain moments it will be national, and these moments will be decisive. But much of the time it will be in states and cities.

Sometimes protests will be crucial. But the day by day provision of help will be more important – help with money, medicines, procedures, transport, accommodation, phone numbers, procedures, comfort and human kindness.

Every level of these struggles matters. The decisive national struggle may well emerge from a myriad of small struggles, one of which suddenly becomes a flash point.

Second, don't get lost in arguments over tactics. Different people will want to do different things. We will need them all – petitions, marches, occupations, civil disobedience, walkouts, the lot.

This booklet brings together three articles we published on Anne Bonny Pirate ([annebonnypirate.org](http://annebonnypirate.org)) in October of 2018, when Kavanaugh appointment to the Supreme Court was confirmed. At that point we were pretty sure that eventually the court would overturn *Roe v. Wade*. We published two articles on the history of abortion politics, thinking that sooner or later people would need that history.

We also include here a third article published that October, on five insights about sexual violence drawn from watching the testimony of Christine Blasey-Ford and Brett Kavanaugh before the senate. That moment reminds us that the fight against sexual violence is closely linked to the defense of abortion rights.

On a simple level, the court has acted only because Justice Clarence Thomas got away with the sexual harassment of Anita Hill and Justice Kavanaugh got away with an assault on Blasey-Ford. On another level, though,

both abortion and sexual violence are about a woman's right to her body. And on a deep level, both fights are about sexuality, class and patriarchy.

We hope you find this booklet useful,

Nancy Lindisfarne and Jonathan Neale

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## [ONE]

### LESSONS FROM THE HISTORY OF ABORTION POLITICS, 1964-1980

This is the first of two posts looking to the history of abortion rights in America. Both focus on lessons learned at each stage in the struggle. They are valuable lessons, and lessons we can use in the fight to preserve abortion rights in the future.

We make two central points in this post, part one. Abortion rights were won by a mass movement, not the Supreme Court. Second, the abortion wars continue because abortion has come to stand for women's equality, sexual freedom and desire.

This post draws on Jonathan's ten years of experience in the 1980s as a counsellor working for a feminist abortion clinic in London. Of course that was 30 years ago, and Britain is not the US, but much that he learned then informs what follows.

In the early 1960s, Nancy was in high school in St. Louis, and lived with constant fears of getting pregnant ruining her chances of the life she wanted for herself. She did not get pregnant then, but later supported four close friends through abortions and as they put their lives together afterwards.

#### **Judith Widdicombe**

Our story begins in the 1960s, when abortion was illegal in every state in America. Our protagonist is Judith Widdicombe, a nurse who lived in the St. Louis suburb of Kirkwood and worked the evening shift in the labour ward at a Catholic hospital. Her husband had a delivery route for the *St. Louis Post-Dispatch*. Together, they spent one evening a week as volunteers for the Samaritans, a phone helpline for people who were thinking about suicide. [\[1\]](#)

Widdicombe noticed there were quite a lot of calls from women who were not thinking of suicide. But the women said they had been told this was a phone line for desperate people, and they were desperate, because they were pregnant. Could the Samaritans help?

The Samaritans could not, but there were so many of these calls that Widdicombe asked other volunteers if they were getting them too. They all were. So she asked friends outside the Samaritans if any of them knew how to get an abortion in St. Louis. One of them told her about a secret abortion referral service.

This was 1968. There were many such services around the country. Hundreds of pastors were involved, many of them veterans of the civil rights movement. Others were ministers providing pastoral services for college students. They were all men, because ministers were all men.

Judith Widdicombe had seen a lot of women with botched illegal or home-made abortions come into her hospital, and seen at least one of them die on the operating table. And she had talked to a lot of desperate callers at the Samaritans. She knew something had to be done, and she was the kind of person who did what had to be done. Her husband helped too, in every way he could.

Judith Widdicombe took on organising the services in the St Louis area. Queries from desperate women would come to her. She would send them to ministers for counselling. Widdicombe sent women mainly to Rev. Ken Gottman, a pastor in her own Methodist congregation in Kirkwood, and Rev. Tom Raber, who had a campus ministry down at Southwestern Missouri State University in Springfield. Then the ministers referred the women to illegal abortionists. Widdicombe could have referred the women to the abortionists directly. But the ministers' participation made it harder for the police to intervene.

Each time she took on a new abortionist for referral, Widdicombe went and watched them operate for a day to make sure they were safe. She also began to draw in local doctors, including one she worked with at the Catholic Hospital. Most those doctors, like Widdicombe, had seen at least one woman die on the table after an illegal abortion.

Similar services around the country were also referring people to abortion providers in Chicago, Mexico and many other places. Abortion campaigners were also organising politically, and the tide was turning. New York state legalised abortion in 1970. Several other states did the same, but New York was exceptional in not imposing a any residency requirement for the woman. Women from all over the country came to New York. Widdicombe too began sending large numbers of St. Louis women to New York every week.

She often flew to New York with them. On the return trip she would hold a little meeting with the stewardesses in the back of the plane, tell the cabin crew which women were coming back from abortions, and give a few tips on how they could help. It wouldn't make much difference on the flight, Widdecombe thought, but it made the cabin crew aware and sensitive to what was going on.

By 1971 abortion referral services all over the country were no longer entirely underground. Widdecombe's service had a listing in the telephone book, and from time to time the *St. Louis Post-Dispatch* mentioned them. Across the country, abortion referral people were coming out into the open – and finding that no prosecutor in the country dared to go after them. A prosecution of a doctor failed in Washington DC, as did another in California. The chaplain at Southern Methodist University in Dallas even explained to his congregation in a Sunday morning service why he had decided to break the law on abortion.

In Chicago there were two underground referral services. One was organised by ministers, and went public with a long opinion piece in the *Chicago Sun-Times* in 1969. The other, called 'Jane', grew out of women's liberation groups in Chicago. They announced their service at a public meeting. At first Jane referred women to doctors and to nonmedical abortionists. But the women activists eventually learned to do the operations themselves. [\[2\]](#)

There was no one model for an underground abortion service. Different activists, in different cities, organised in different ways. But all of them were increasingly open. All of which meant that by 1973 the US courts, the federal and state governments, and every police force faced a serious problem. Seventeen states had legalized abortion, although many more had not. But all over the country thousands of doctors and thousands of nurses, were more or less openly defying the law – and so were many more lay women activists who were helping to organise the services. The rule of law was crumbling before the assault of a mass movement. It could not be enforced without jailing thousands, and that was politically impossible. In 1973 the Supreme Court solved the problem. In the landmark case of *Roe v. Wade* the court delivered a ruling that made abortion legal throughout all the United States. And Widdecombe went right out and found a property and set up the first legal abortion clinic in St. Louis. It remains open today.

## Some Implications

The story of *Roe v Wade* is often told as a legal story, of a brave and determined young attorney in Texas who took a landmark case and argued it all the way to the Supreme Court. That's true, and admirable, but only part of the story. *Roe v Wade* is also told as the story of the brave and determined 'Roe', a working class waitress in Dallas. That's true too, but again only part of the story.

Other things lay behind the court battle. First, there was the importance of the women's liberation movement and the sixties zeitgeist. Second, the way a mass movement was built by networks around the daily provision of abortion, led by activists like Widdicombe in every city in the country. Third, the way legislators are influenced by a mass movement, and how this led to a change in the law in New York State. And then, later how the courts, and especially the Supreme Court, eventually respond to mass movements.

This sequence is important. And there's more to be learned. Let's look deeper at what was at stake in the 'abortion wars'.

## Lena Phelan

The leaders, spokeswomen and organisers of women's liberation were mostly educated professionals. But women like Judith Widdicombe, and the women who went to underground abortionists, who had the operations and cleaned up themselves and their furniture and bedding afterwards, were mostly not privileged. These people formed the most important wing of the movement. It was larger than any other, and much more working class. They were the majority of women who identified with the idea of equality.

Working class women often expressed their feelings in qualified ways, indicating a distance from the educated leaders. 'I don't know about women's lib, but...' or 'I'm not going to burn my bra, but ...' It was the but that shook the world.

Lena Phelan didn't even say but. Born in Florida in 1921, she left school after the eighth grade to help support her poor family. Phelan married at

thirteen, had her first child at fourteen, and got involved in abortion activism when she met Pat Maginnis in the San Francisco area in 1964.[\[3\]](#)

Maginnis was one of six siblings from a poor and abusive family. She left home, joined the army and was sent to an American base in Panama as punishment for a relationship with a black soldier. There she worked in an army hospital, and saw a pregnant soldier confined in a cage so she could not abort herself. When Macginnis got out of the army she went to Francisco, became a student, and started handing out leaflets about abortion on street corners.

Phelan, MacGinnis, and their friend Rowena Gurner helped 12,000 women go to Mexico for abortions. Phelan and Maginnis also began holding open classes all over the country on what a woman needed to know about abortion. Phelan would tell the students about her abortion, in 1938, when she was 17 years old and already had one baby.

We are going to quote from what Lena Phelan said at some length, because it reminds us that although the fight for abortion is about coat hangers and the right to choose, it is also about every aspect of being a woman in a patriarchal world.

The abortionist was kind, but told Phelan it would cost \$50. Phelan didn't dare tell her husband – you didn't, back then, she would tell her audiences. So it took her four months to save the money for the abortion. As was usual at that time, the abortionist started the process of miscarriage and sent Phelan home. Then, Phelan would tell her audiences, she and her husband went to her sister-in-law's for dinner:

*I was at the table when I felt these awful pains. I excused myself and went to the bathroom, and I looked down at myself. I sat down on the john and looked at myself. And my God, I nearly collapsed. I was bleeding. There was blood all over me. And the worst thing – the worst thing – was there was a little limb of some kind, I don't know whether it was a foot, or an arm, protruding from my vagina. All I could see was that. It was so tiny, it was like, oh God, a pipe stem thing. But all I knew was, what do I do now? How do I fix this? I hadn't told anybody anything.*

*So I quick took the toilet tissue and made gobs of toilet tissue, and I pushed everything back inside of me, just pushed, until everything went back inside, and I wiped up all the blood, and cleaned myself up, because it wasn't*

*on my dress, and went back to the table and I said, "I have such a headache, I can't even hold my head up, I've got to go home."*

*And my husband said, "I'll take you home."*

*And I said, "No, no, stay and have dinner." I got out of there and took a cab as far as I had money for, and I walked the rest of the way . . . When I got there the house was dark. And I thought, Oh, my God. She had said not to come back. But I didn't have any choice.*

*I went around the house, and it was so black, and dark.*

*I knocked on her side door, and I guess she had gone to bed, because she came to the door and she said, "I told you not to come back here."*

*And I said, "I had to, I had to," and I was crying, and she let me in.*

*She put me up on the gurney, and she said, "Oh, my you're almost finished, I have to clean you up."*

*I felt really comforted when I got back to her, because it was somebody to share my secret with. And she cleaned me up, and I was laying on that gurney sobbing my heart out, and I'll never forget that woman, she was wonderful. She came around, big black lady, she put her arms around me on the gurney, and she put her face down near mine, and she kind of put her cheek up next to mine. And she said, "Honey, did you think it was easy to be a woman?"[\[4\]](#)*

No. It was not easy to be a woman. Beyond the dangers of illegal abortion, beyond the importance of a woman's right to choose, what really matters about abortion politics is that one side wants to make it harder to be a woman, and the other wants to make it easier.

### **Shame and Fear**

The legal victory in *Roe v Wade* mattered a great deal. It reinforced, and validated, the sexual revolution. It made autonomous female desire and sexual pleasure safer and easier.

Before then, unmarried women were in charge of holding men at bay, or they would pay the price of pregnancy. With that restraint, young women

kept themselves in their place. Of course many still had sex out of wedlock, and other kinds of birth control were available, but those methods often failed, and women were always anxious they had made a mistake.

The fear of pregnancy and the secrecy of abortion also meant that women were ashamed – of their bodies, of their vaginas, of their desires, and of their sexuality.

Nancy remembers from her childhood in the St. Louis suburb of Webster Groves:

*I am ten when all the Girl Scouts in Webster are invited to an evening of sex education. The Presbyterian Church hall in Big Webster is packed with girls, scout leaders and lots of moms. The slide begins with menstruation, which might start at twelve. There is some anatomy, and a bit about eggs and sperm. The presentations ends with some stick figures and sappy stuff about love and family life.*

*I sit at the back of the hall, thinking hard about what I have heard. The slide show hasn't told me how the egg and sperm get together. I'm desperate to ask because I don't know the answer and I know I need to know. In the end, I keep quiet. I'm afraid I'll be laughed at, or worse, that something will else bad I can't even imagine will happen. Walking home from school soon afterwards, it dawns on me that my favourite cousin Pat was now 12 and might be going to have a baby.*

*Nancy continues:* The silences and prudery put sex, unacknowledged, at the centre of our lives, while our ignorance of our own bodies itself produced gendered inequality. Our ignorance meant we could not and did not question the virgin/slut divide. Our ignorance promoted rampant heterosexism and supported male dominance by turning boys and men into potentially violent penetrators and impregnators. And our ignorance was also part of a system which devastated the boys who were shy, unattractive, or no good at sports. The damage spread out in many ways.

Forty years ago we did not have words – neither ‘gender’, nor ‘reproductive anatomy’, nor did we know anything much about ‘sex’, and we certainly didn’t have the pill. We tight-rope walked between making out and not going too far, between hanging onto a boyfriend and coping with outright

sexism. The only words most of us had for homosexuals were ‘fruit’ and ‘fairy’, and I didn’t know what they meant. And I had no idea women could be gay, even though we’d all gone to slumber parties when we were eleven and twelve and snogged each other to find out what it would be like with a guy.

The extreme formality made dating predictable. I think it was part of how we kept actual sex at bay. Girls like me didn’t make out down dark lonely lanes. At the end of a date we kissed and petted in the car outside the house. And just as well. My friend Sarah’s mother said simply, ‘I trust you,’ adding not another single word. All I knew was ‘Not to do it,’ without being clear what ‘it’ was.

We were incredibly naïve, and outside our immediate circle of friends, secrecy was all. We didn’t talk about masturbation, and ‘orgasm’ was not a word in our vocabulary. We knew nothing of other forms of sexual pleasure – fellatio, cunnilingus, anal sex – and we would have been incredulous had we been told. We were utterly fixated on vaginal penetration. I didn’t know anything about birth control, nor had I any idea about abortion. In high school, I didn’t know anyone who had an abortion, though I know now that some did. Home for Christmas from our first term in college, we were stunned that Lisa had ‘done it’ and become pregnant before she got married, though we all rallied round to give her a bridal shower.

The silence about sex at the time is hard to exaggerate. A friend from those days remembers:

*I was a zombie. I never thought about sex in high school. Boys? Sure I thought about boys, but not about sex. And I never heard the word ‘abortion’ until I was in nursing school. There we learned about ‘miscarriages’. I remember seeing socie-types – elite girls – having ‘D and Cs’ and wondering so many of them needed them. Only later I worked out they had the money to pay. The poor people of St. Louis went to City Hospital and to Barnes, we didn’t see them at St. Luke’s Episcopal and Presbyterian.*

### **After Roe**

*Roe v Wade* validated, and facilitated, not just a woman’s right to choose when to have a child with her body, but her right to have sex with as

many people as she wanted, when she wanted. And in liberating women from daily anxiety and life-long shame, it made them stronger people. Moreover, this was a right women had won for themselves, in a mass collective movement.

But the Supreme Court decision in 1973 did not end the controversy over abortion. More than 40 years of conflict followed. It is important to understand what was, and is, at stake.

In the 1960s and 1970s, the birth control pill and abortion between them had changed women's sexual lives. Less obviously, the weight of pregnancy fell on married women too. They too had abortions, and they too were ashamed.

Making abortion legal did not make it easy for women to talk openly their operations – not least because most married women who had had abortions also had a child who would hear what they said. But making it legal took away some of the shame, many of the small humiliations and the terror of going through an illegal procedure.

These were benefits and advantages which strengthened women and encouraged their independence. And they outraged the people who feared the sexual revolution and female desire, and wanted to see women subordinate. From 1973 on the forces opposed to abortion, individuals and institutions, began to organise for a long campaign. Their public argument was 'pro-life' – that abortion was killing an unborn child. And indeed, many of the most dedicated pro-life activists were motivated by just that.

The other side, defending abortion rights, called themselves 'pro-choice'. Their argument was that a woman should have the right to make her own choice. After all, it was her body, and no man, and no government, should be able to take that choice away from her. These were the public terms of the debate. Behind this, though, there were deeper and other conflicts.

For one thing, the debate was not really about life and choice. Those things mattered some to many people on both sides, and they mattered a lot to some people on both sides. But practical people kept forgetting and calling the two political positions by their right names: anti-abortion and pro-abortion. Because, after all, that was the central question. Were you for or against the operation? Was abortion all right?

This was not the same thing as a disagreement over whether abortion was killing an unborn child or not. In truth, you can argue over whether it is

murder, or killing, or nothing much. Everyone understands that the operation stops a life coming into being. No one who works in an operating theatre doing abortions is flip about this, and neither are the majority of women who come for the operation.

### **Equality, abortion and sexual violence**

So a woman's sexual freedom came to stand for something very big – women's equality, a woman's independence, a woman's fight not be controlled by or dependent on her parents or her husband.

Every abortion counsellor has talked with large numbers of women who thought abortion was murder, and still wanted the operation. The question is, how did not having a child weigh against the other things that a woman needs?

But there is more to it than this. The availability of abortion is something that protects all families, and all women.

Let's take families first. The majority of abortions are chosen by women who already have children, and often have male partners. They are choosing the circumstances of life which will be best from them, for their existing children, and for their relationships. On one level it's about money. On another it's about anxiety over bills, medical care, evictions, crying children and all the reasons marriages come apart. In other words, abortion availability makes life easier for working people – most of us.

The major organisations involved in anti-abortion work in the US are the Catholic Church and the evangelical Protestant churches. The politicians who oppose abortion are the ones who oppose women's sexual freedom, though that's not how they express it. And almost all the debate in America was about unmarried, pregnant high school girls, although they are a tiny proportion of women having abortions.

But in an ugly spin, the word sex is too anodyne, too distanced, to capture the emotions and passions that animate the abortion wars. The right word is fucking. And especially fucking done by young women out of anyone's control.

On the other side, the people and the organised forces who defend abortion, there is no question in anyone's minds who they are. They are the

feminists. Abortion was the greatest single victory of women's liberation. Every defeat for abortion is a defeat for feminism, sexual and economic freedom and women's equality.

One fact is telling. Before 1970, the Catholic Church was opposed to abortion. Although it may be hard to believe now, the distinguished historian Linda Gordon writes, 'Evangelical Protestants endorsed abortion rights until secular Republican Party strategists pulled the evangelical leadership into the anti-abortion campaign.' But before this, in 1968, the American Baptist Convention passed a motion 'calling on ministers to counsel and assist women with family planning and abortion.' Harris Wilson, a Baptist minister and a pastor for students at the University of Chicago, was co-sponsor of the resolution. Harris was also the leader of the not very underground referral service run by ministers in Chicago.[\[5\]](#)

### **Implications**

When abortion is legal, freely available and not shameful, women can be protected from many hurts and domestic grief. At one extreme, there's a deep connection between abortion and rape. All women are policed and cowed every day of their lives by the threat of sexual violence. So it is no coincidence that the powers that be cover up and enable sexual violence have seen to it that the swing votes on the Supreme Court should belong to a sexual harasser and a man who attempted rape.

It looks likely that the Supreme Court will make abortion substantially harder in the US. They may overturn *Roe v Wade*. They may just rule in smaller ways that will have the effect of allowing states to make abortion harder or impossible for some women, though neither of these outcomes will mean that abortion is illegal in those states where the legislature has made it legal.

So what do we do? One thing, obviously, is to punish the Republicans in elections. But that will not be enough. The lesson of *Roe v Wade* is that it was not the courts that made the difference, it was women's liberation and a mass political movement. The activists in that movement talked to everyone at the same time as they were helping women to have abortions. And they made it very clear that tens of thousands of people would defy the law.

Those women were not defensive then. For thirty years the defenders of abortion in the United States have been defensive. This is not their (our) fault. That was the temper of the times, an era when neoliberalism and conservatism have been on the march. Those times are past.

We now live in the era of Donald Trump, which is also the era of Christine Blasey Ford. In the fight against sexual assault, we can imagine changing everything.

One way is to fight for abortion rights by helping with provision. This is a matter of money, but it is also a way of involving not just the people who want to protest, but those who want to help. It is also a way of building an army of people who have been helped.

But we can also use people who can drive three women in a car, or seven women in a mini-bus, across state lines, or from Texas to Mexico – and people who can put up women (and their husbands, and their children) for a night or two while they have the operation in another state. Anyone who can volunteer at help desks or phone line does a crucial job of referring people on. There should be a volunteer referral service on every college campus too.

Planned Parenthood and other nonprofits have to stay within the law. But as clinics are closed or threatened with violence, we may well need organisations that walk along the edge of the law, or break the law with careful defiance.

It's useful to remember the importance of the ministers in the illegal abortion movement that won *Roe v Wade*. Because they were harder to prosecute, the referral services were safer. Movie stars, ministers, elected politicians and musicians can do the same for us. And lead to conversations which persuade the people who are not sure what they think or do not agree with us.

Talking publicly about an abortion is not simple. Sometimes that feels OK and sometimes it does not. But in many conversations, you can say it. Or say you paid for your girlfriend's abortion, or held your wife's or your daughter's hand in the waiting room.

Because when we tell the truth, without shame, we make it easier for the people in the room who have not spoken to make themselves known. The truth is, the vast majority of Americans love a woman who has had an abortion and does not regret it. Or they know a man who does not regret someone close to him having one either.

Perhaps the most important thing about Judith Widdicombe's story is the way she talked to the cabin crews at the back of the plane on the flights back from New York.

### Notes to Part One

[1] The following account of abortion politics relies particularly on Cynthia Gorney's book from 2000, *Articles of Faith: A Frontline History of the Abortion Wars*, New York: Simon and Schuster. Other important sources for the two posts are Laura Kaplan, 1995, *The Story of Jane: The Legendary Underground Abortion Service*, Chicago: University of Chicago Press; William Saletan, 2003, *Bearing Right: How Conservatives Won the Abortion War*, Berkeley: University of California Press; Faye Ginsberg, 1989, *Contested Lives: The Abortion Debate in an American Community*, Berkeley: University of California Press; Rickie Solinger, 2001, *Beggars and Choosers: How the Politics of Choice Shapes Adoption, Abortion and Welfare in the United States*, New York: Hill and Wang; Carol Sanger, 2017, *About Abortion: Terminating Pregnancy in Twenty-First-Century America*, Cambridge: Harvard University Press; and Linda Gordon, 2007, *The Moral Property of Women: A History of Birth Control Politics in America*, Urbana: University of Illinois Press.

[2] Laura Kaplan's *The Story of Jane* is a thrilling and inspiring account of this.

[3] 'The Army of Three', at Pat Magginis, <http://www.patmaginnis.org/index.php/the-army-of-three/>

[4] Gorney, 77-78.

[5] Linda Gordon, 2014, 'The Women's Liberation Movement', in Dorothy Sue Cobble, Linda Gordon and Astrid Henry, *Feminism Unfinished: A Short, Surprising History of American Women's Movements*, New York: Liverwright, 112; Kaplan, 1995, 62.

**[TWO]****LESSONS FROM THE HISTORY OF ABORTION POLITICS, 1981-2018**

In this post we take up the story in the early 1980s. After 1973 anti-abortion campaigns sprang up in every city and state. In the beginning, at the heart of almost all of them was the Catholic Church. The Church as such did not organise the campaigns because of wider anti-Catholic feeling would have made the anti-abortion campaigns vulnerable and narrowed their support. But the Church as an institution, and bishops all over the country, did everything they could to start and then support broader anti-abortion campaigns.<sup>[1]</sup>

The Catholic Church was as opposed to contraception as it was to abortion. Both were aspects of the Church's opposition to female desire in all its forms, and a deep conviction that women and men were unequal. This misogyny went along with a consistent policy of protecting male priests who had sex with children.

Where the Catholic Church led in the mid-1970s, by the late 1970s others followed. Evangelical protestants and the newly conservative Republican Party widened the campaign, condemning promiscuity, enjoining premarital abstinence and elaborating what they termed 'traditional family values'. The spin was meant to counter both the economic pressure on households pushing women into the workforce and the speed with which sexual mores had changed with the pill.

In the years between 1960 and 2000, the American workforce was transformed, so that almost half of workers are now women. Equally, the sexual revolution and the pill transformed intimate lives. So those who were pushing the 'traditional family' of a male breadwinner and a female homemaker faced a contradiction. They were appealing to values that were quite contrary to the lives their congregations and likely constituents actually lived.

By 1975 women were joining the workforce in droves, some through necessity, many for choice. And in 1975 being against contraception and sex was a non-starter. But the conservative right and the Catholic Church identified abortion as the perfect place for a pitched battle between the traditional values they were pushing and the feminist advance. The subject of abortion was emotive, the arguments, pro and con, confusing and feelings ran very deep on both sides.

The debates over abortion in America in the 1980s centred on teenage sluts, as if they were the majority of women having abortions. And there was a constant racist undertone to these judgements. In the speeches of Ronald Reagan and other conservatives, the enemy were black teenage girls having babies to get on welfare.

A quick look at the statistics reveals these prejudices for the lies they were. However, the racism worked well for the conservatives. It diverted attention to specifics and away from the ways abortion was being used to attack feminism across the board.

In 1987, at the height of the first backlash against abortion under Reagan, only a quarter of women having abortions were teenagers. Most of those were 18 or 19. Only about 8% of the total of women having abortions were under the age of 18.

And focusing on teenagers made other statistics disappear. For instance, 47% of women having abortions in 1987 – that is, almost half of them - already had a child. 30% of all the women having abortions in that year were married.<sup>[2]</sup>

The figures are even starker now. By 2012 only 16% of women having abortions were teenagers, most of them 18 or 19. Only 5% of the total were under the age of 18. This is a tiny proportion of women having an abortion.

And what people do not realise even now is that 60% of women who had an abortion in 2012 already had at least one child, so that number had gone up. There was another big change – only 15% of women having abortions were married, though another 25% were unmarried women living with a partner. So altogether in 2012, 40% of women having an abortion were living with a man.<sup>[3]</sup>

These statistics, both the ones from 1987 and those from 2012, mean that most of the women having abortions were not just starting their sex lives. And, as almost everywhere else in the world, the majority of these American women were having abortions because they did not want another child. These women, and their reasons, disappear in public discussions of abortion.

However, these figures help to explain why abortion has remained legal in America in spite of the conservative backlash. The corporate CEOs, mainstream Republican and Democratic politicians and the opinion makers did not want abortion to be illegal. They wanted women working because women's waged labour was now essential to the American economy. And as

the punitive economic policies of neoliberalism took hold, there were substantial changes in rates of marriage and divorce, and in family and household structures.

For example, welfare rules were comprehensively ‘reformed’ in the 1990s so that poor women with children were forced to work. As with abortion, welfare reform was justified by the ugly stereotype of ‘promiscuous, parasitic, black teenage girls’. In fact, the majority of American women and children on welfare were white, and the majority of human beings on welfare were children.

The important point was that the elite wanted women workers and were not about to make abortion impossible. But many of the elite were willing to make abortion difficult and traumatic for poor or vulnerable women – and those who depended on them.

Of the women who turned 13 in 1973, the year of *Roe v Wade*, a third would have an abortion before the age of 40. The great majority of Americans, men and women, now know at least one person close to them who has had an abortion. Some know about it, some don’t. But either way, legal abortion became a common experience.

This is true even for those women and men who are publicly opposed to abortion. Many such women have abortions. They may tell fewer people, but they usually tell someone, and they know themselves. This means the anti-abortion forces faced an uphill battle. In their most private feelings, a large majority of the population thought that abortion should be available and was either acceptable or a necessary evil.

But sometimes people felt abortion was all right only for people like themselves. This was where the white evangelical right came in – and the Republicans. They phrased the debate, sometimes openly and sometimes in code words, as a debate about whether young, unmarried, black women should be fucking around, and how they should be punished.

In our first post on abortion, Nancy described what it was like for her growing up in Webster Groves, Missouri. She graduated from high school in 1962 when the fear of getting pregnant was enormous and understood as a punishment for having sex. Getting pregnant then either locked women into marriage or public shame. Either way, it could leave women feeling that their lives were over. That fear and shame, and the fear and shame around divorce, were what held the ‘traditional family’ together. Take away the suffering, and

the nuclear family celebrated in mid-20<sup>th</sup> century – whether on the Ozzie and Harriet model, or farm families or the families of the working poor – would crumble. Which is what happened.

The pill changed everything. Women did use birth control before the pill, mainly the coil, the diaphragm and condoms. And many young women had illegal abortions. But the thing about the pill was that it was so much more reliable. A woman could make her own decisions. She could allow herself to experience sexual pleasure, and she could fuck around. And if things didn't work out, and she was pregnant, abortion was now legal.[\[4\]](#)

That was what put the family values people in a panic. One of the striking things about the United States is the prudery of a kind unimaginable in the 1970s in France, Italy, Britain or Brazil. In America the prudery was extreme, and it persists today. It is made up of many small things, from how the penis is hidden in baggy trousers and even in R-rated movies, CHECK or how a woman who says 'fuck' in public is in danger of being outcaste.

Being against abortion was in part a defence of prudery. No one, on any side of the debate, thought you could stuff the sexual revolution back in the box. But you could silence people, make them ashamed and require them to sneak about. Fundamentally, opposition to abortion was about keeping women fearful of sex and suppressing female desire. and on the way, you could punish young black women as well.

### **The Anti-Abortion Backlash, 1973-1989**

Through the 1970s and 1980s the abortion wars were fought on many fronts. Key to these struggles was that the United States was unique among rich countries in not having a national health care system that treated everyone. Most middle-income countries have comprehensive health care too. In those European countries where abortion was legal, a woman simply went to the hospital and had an abortion. In the UK, for instance, some senior doctors were reluctant to do the operation in the early years. So in 1981 half of all abortions were done in private clinics. By 2012, though, 98% of all abortions, in both public hospitals and private clinics, were funded by the National Health Service.[\[5\]](#)

By contrast, in the US almost everyone except the really affluent had to go to a specialist abortion clinic. The anti-abortion activists organised pickets outside those clinics, screaming at the women going in for operations and waving photographs of foetuses at them. The clinic workers walked the frightened, stone-faced women through those picket lines, day after day and week after week. These women were not having abortions because it was a hobby.

The anti-abortionists also mobilised, and still mobilise, in state legislatures for an endless drip drip drip of laws to chip away at aspects of abortion. But by the 1980s the key fights were over funding, and therefore about social class. By and large, group insurance plans through work covered the cost of an abortion. But most of the working poor did not have such insurance. Such people, and others who were not working, were mostly covered by the federal government program, Medicaid. However, from 1976 on, Congress refused to allow states to use federal funds for Medicaid abortions. So each state had to come up with the money to cover abortions themselves. By 2015, only 31% of women were living in states that made such financial provision. The statistics suggest that most of the other 69% of women were able to find the money, but many were not. Perhaps more important than the costs was the constant war of position over abortion that kept women vulnerable and ashamed.

### **The 1989 Abortion Ruling**

In the end, in 1989 as in 1973, it came down to a Supreme Court ruling. Nine justices sit on the US Supreme Court, for life. They are appointed by the president but require the approval of the Senate. The vote on *Roe v. Wade* had been a 7 to 2 decision. President Reagan promised to appoint new justices as seats came up who would be committed to overturning the ruling. Each nomination was bitterly fought in the Senate. Feminists told each other, year after year, that they had to vote Democrat to protect legal abortion. But by 1989 the anti-abortionists finally had a majority on the Supreme Court. Abortion rights could be overturned, and state after state could outlaw abortion.

The test case was, by chance, a suit by the State of Missouri against the legal abortion clinic Judith Widdicombe had founded in St. Louis in 1973. (This

was the history we told in our previous post.) As the Supreme Court retired to consider the case, the whole of the feminist movement came together to demonstrate on April 9 in Washington, DC.

By then Judith Widdecombe was living in Washington. She had never been on a big march before in her life. She tried to find her friends from RHS, her clinic back in St. Louis:

*The noise was swelling. Already women had begun to chant and sing, Judy heard applause from up ahead ... The singers bobbed closer and thicker overhead, she had to dodge and elbow and push her way through the people – older women and younger women together, Judy saw as she elbowed, were there mothers and daughters marching side by side. And men, really a remarkable number of men, and teenagers too young to remember life before Roe v. Wade, and exuberant lesbians in crew cuts and big shirts, and college students waving a WE WON'T GO BACK banner strung from a giant coat hanger . . . and women in wheelchairs and women in religious habits and women Judy realized must look very much like her, their startled, eager faces suggesting that until that day they had never thought of themselves as marchers. . .*

*When she finally saw the banner it was stretched out wide, B.J. and three other clinic women holding it high amid a thicket of Missouri signs, and Judy was surprised to see how unexceptional it looked, how straightforward. . . What moved her, what filled Judy now with unspeakable relief, was the very ordinariness of the banner and the women who carried it. On this day, in this place, they were not big or special at all. They were tiny. They were barely visible stitches in a vast, amazing quilt. Already the rumors of crowd size had begun to pass from the front end back as the march moved up Constitution Avenue: it was two hundred thousand, no, it was three hundred thousand, no, somebody at the top said half a million, the march was packing Constitution for block after block, the chants rose and died away and rose again (“pro choice,” clap-clap, “pro choice,” clap-clap) – Judy worked her way over toward the base of a broad statue and climbed up for a look, steadying herself beside others who had scrambled up already, and as she straightened she could see for the first time the full breadth and length and she said aloud, “My God,” knowing no one would hear her because the shouting was too loud. She put one hand to her mouth, and she began to cry. She had never seen so many people in her life.<sup>[6]</sup>*

The Supreme Court gave their verdict. The chief justice switched sides, and the vote was five to four. The written judgement was incoherent and contradictory, but it said one thing clearly: *Roe v. Wade* would stand. In the end, it was not about legal cases and courts. In the end it was resistance – the power of women – that won. An anti-abortion court had ruled in favour of abortion, because a mass movement forced them to do so.

### **Working out the Compromise**

The 1989 verdict was a victory for abortion rights. But it was also a class compromise, as became clear in what followed.

The compromise was worked out over the next four years. To understand it, you have to remember that the ruling class and the employers wanted women working outside the home. They did not want to make abortion impossible, nor did they need to. Associating abortion with sexual shame was enough to sustain male privilege and keep women in their place.

What happened within the National Abortion Rights Action League, NARAL, the main national organisation defending abortion rights, during 1989 makes clear the lines of the compromise and the ways that women became increasingly divided along class lines.[\[7\]](#)

Experienced political consultants had been brought in to help NARAL develop ads and campaigns. The consultants and the ordinary staffers disagreed over how to run a national campaign. The consultants were people who worked for Democratic candidates in elections. Their polling, and more important their focus groups, were telling them that NARAL could not win a simple fight for legal universal abortion rights.

But their polling was also telling the professional consultants something else. A lot of people, especially Southern white conservatives, hated the idea of the government interfering in people's lives. They did not want the government coming to their towns and telling women what they could and could not do. Neither did they like the idea of state governments arresting women or doctors. Those people were willing to support a woman's right to choose, but not the government's right to choose. In addition, the pollsters found that these same conservatives were often against the government paying for abortions.

The split within NARAL between the activists who wanted to fight for federal money to pay for abortions for all, and the professional consultants who urged NARAL to give up such an ambition reflected a wider split across the feminist movement.

William Saletan, a radical journalist, describes the politics on both sides:

*Tensions between the staff and the consultants had been brewing since February [1989]. The staffers worked for a cause. Their pay was poor. At work, they valued discussion, consensus, and kindness. They shared a broad feminist agenda and were loath to separate abortion rights from it. They believed they spoke chiefly for poor and young women. Having devoted their days entirely to abortion rights, they resisted concessions. When public opinion thwarted them, they resolved to change it.*

*The consultants worked for a campaign. They were handsomely paid from the windfall of donations that the Webster [supreme court case in 1989] shock had brought to NARAL. They valued what warriors valued: speed, decisiveness, and a clear chain of command. Busy with many clients, they lacked patience for consensus building. When obstacles or quarrels surfaced, they preferred to split the difference and get on with other business.*

*All the consultants were Democrats. They supported women's rights, and though they dreaded the word, most were liberal. But in their business, compromise was routine. Often, to win an office from which he could affect the issues he cared about most, a candidate would mute or modify his unpopular positions on issues that concerned him less. Every consultant knew the fundamental equation of politics: By narrowing its agenda, a campaign could broaden its base of support.<sup>[8]</sup>*

The consultants had their eyes firmly fixed on the Supreme Court decision. They were not in the business of changing long term attitudes. And they could see that the feminists had been trying to do that for the last fifteen years without much success. For the consultants, Saletan said,

*There was not time to indulge illusions that society could be enlightened. Such illusions, and the inflexibility that accompanied them, struck*

*the consultants as not just foolish, but irresponsible. What good were ideals if one shunned the means necessary to realize them? Like adults beside children, they never doubted the superior wisdom of their weather-beaten creed.*<sup>[9]</sup>

The 1989 march in Washington would have been much smaller without the work of the regular staffers, and all of the women like them. Then the Supreme Court could have looked the other way. But the staffers and women like them did not win the argument against the consultants in the movement. What the consultants were saying about compromise was what Bill Clinton and Al Gore were saying in the Democratic Party, and it was the wisdom of a neoliberal age.

The decisive compromise was made in 1992. Public opinion was still opposed to the federal government paying for abortions. But not by much. In one poll 56% were against federal money being used ‘for abortions for low-income women’. In another poll 52% of people were against government funding for abortions for ‘indigent women.’

These were clear majorities, but they were small, the kind of majorities a sustained mass campaign can turn around. Only five or six people out a hundred have to change their minds for a majority to approve of public funding. Such a campaign, though, would have had to talk at the same time about welfare for poor mothers – and therefore for black mother. After all, the two issues were intimately linked in people’s minds. If the staffers and the activists had started their argument by insisting on funding for all women, they would have united all women and not found themselves divided by social class, they might have won.

The lesson is important. If the pro-abortion activists had seen the potential of focusing on class it would have enabled them to go on the offensive and make abortion much easier for many more women. But they did not. Rather, activists were more concerned with several specific issues on which the anti-abortion forces had much greater public support.

For example, about 80% of the public supported laws that required telling parents if a girl under 18 was having an abortion. Laws that required a wife to notify her husband had support of between 63% and 76% in different polls. 62% supported the idea that fathers should have the legal right to prevent an abortion. Moreover, ‘women favored husband notice laws and husband consent laws by clear majorities.’<sup>[10]</sup>

These issues mattered deeply to the activists. They thought in terms of a woman's right to choose, and to control her own body without interference from men. The workers in clinics around the country cared about these issues too. They dealt with women who were afraid to tell violent husbands, women who had cheated on their husbands, and girls terrified of their parents' anger or disappointment. But fighting for abortion on these terms alone meant losing sight of the race issue, the class divide and all the women who would be hurt unless there was federal funding for all.

### **The Political and Class Divide**

One problem was that many of the activists and the clinic workers did not really understand where those women and men in the opinion polls were coming from.

By the early 1990s, there had developed an idea that there were 'red states' and 'blue states'. The stereotype was that 'red states' were right wing on social issues, and 'blue states' were left, or 'liberal'. This was not true. The differences between states were small, a matter of a few percentage points in opinion polls. But the liberals became convinced that people in red states were hidebound, that no one could change their minds, that they were ignorant and deplorable.[\[11\]](#)

Many of the activists assumed the people in the consultants' focus groups were white, uneducated, racist, anti-feminist and anti-abortion. The consultants assumed so too. Some of the people in the focus groups undoubtedly were bigots. But the activists didn't really know how the people in the focus groups were thinking. Most important, the focus group people were not against abortion. They had had an abortion, or someone they loved had had an abortion. But the economy was against them. So, they had the same difficulties everyone else did keeping a family together. In this sense they really were trying to hold onto family values. This is what had their support.

These people thought parents ought to know, because they thought fathers and mothers would be caring. Parents were, and are, much more likely to want their teenage daughter to have an abortion than she is. This is why the Catholic Church objected to parental notification laws.

These were people whose lived experience was that parents, husbands and boyfriends would probably help them get through the abortion, and that we are all in this together. They favoured some restrictions on abortion, but they were not anti-abortion.

The striking thing is that the majorities who wanted to tell husbands and parents were very large. This meant that if a woman had an abortion, she probably told her husband. A large survey in 2008 found that 82% of women had told the man. In fact, only 62% of them had been in relationship for more than a year, so the number telling the man was much larger than the number in a steady relationship. 79% of the women who had told the man said he was being supportive.[\[12\]](#)

Finally, only a narrow majority of them opposed funding for poor people. This was probably because many of these people understood from experience what it was like to try to raise money to pay for an abortion.

The consultants were arguing that it was futile to try to change the minds of people opposed to abortion. And on the other side, the feminists, abortion activists and clinic workers who had stayed the course were exhausted by two decades of endless struggle – helping patients through picket lines of people who spat on them, day after day. Year after year, they fought new bills and amendments in all fifty state legislatures, over and over, seeing hundreds of cases through the court, each one worded differently. The consultants' interpretation prevailed.

1992 was also the year of Bill Clinton. He was all those pro-abortion Democratic consultants personified. Clinton was the leader of the project to pull the Democratic Party to the right and win back the Reagan voters. 1992 was Clinton's first presidential election, and he came up with a sound bite that was a promise to 'end welfare as we know it.' In 1996 he did just that.[\[13\]](#)

Clinton's domestic policies were double-sided, favouring the wealthy while punishing vulnerable Americans. In office, his economic policy favoured the banks and the bond holders. Yet during the eight years of the Clinton presidency, the number of Americans in prison or jail increased from 1.3 million to 2.1 million. Almost half of them were black. In this way he made sure the Republicans were not the only party tough on black people.[\[14\]](#)

As Clinton moved the Democrats decisively to the right, he justified this to the left of his party by saying that American voters were right wing and could not be persuaded to change their minds.

Many feminists accepted this, and seeing no alternative, went with him, in spite of what he did to welfare, and in spite of the harm imprisonment also did to black families and all poor women, men and children. Many feminists were even prepared to ignore the Paula Jones case. Jones sued Clinton for sexual harassment in 1994. She said he had intervened to make sure she lost her job because she refused to have sex with him. In 1999 Clinton paid her \$850,000 in damages. We believe Paula Jones. [\[15\]](#)

In 1992, the anti-abortion forces had a 5 to 4 majority on the Supreme Court. And another test case, *Casey v. Planned Parenthood*, worked its way up to the court. This time there was no massive demonstration. But in 1992, four months before Clinton's election, the justices again voted not to overturn *Roe v. Wade*. Abortion was legal. Not only that, but a new federal law curbed demonstrations outside abortion clinics. The 'Operation Rescue' activists who had been screaming at pregnant women for years evaporated. But it was nonetheless understood that the anti-abortion forces would keep working away, state by state, chipping at the edges.

Most of the elite accepted the compromise. Bill Clinton, running for president as the Democrat, accepted it and said that he agreed with parental notification. The incumbent Republican President George Bush (the father) accepted it too. Bush's Vice-President, Dan Quayle, went on television and said that he was anti-abortion in principle, but if his daughter was pregnant, he would support her if she wanted one.

The women who had fought so long and so hard accepted the compromise. Abortion would be legal, but there would be restrictions, and working-class women in many states would find it hard to afford an abortion. This was a victory of historic importance. But it was a victory that put abortion rights campaigners on the defensive over the next 26 years.

### **On the Defensive**

From 1992 until now there has been a long defensive struggle to protect abortion rights. The anti-abortion campaigns would get Republican state legislatures to pass more and more restrictive laws. The point of these laws, in practice, was not to make abortion illegal. It was to punish women having abortions, and make them more fearful, guilty and ashamed. These punishments bore heavily on women who were poor. And the racist

stereotypes targeting black 'welfare parasites' did not go away. But the punishments perhaps bore most heavily the more conservative the woman herself was.

Think about the woman in Texas, forced to listen as an ultra-sound technician holds a wand over her stomach and describes the fetus to her. Many women having an abortion already have a child, and usually their first ultra-sound experience was a moment of joy.

Mainly by appealing to the courts, the pro-choice movement sought to ward off attempts to narrow state laws and impose such ugly punishments on women. That is why the Supreme Court has been so important.

But consider the wider context.

*Roe v Wade* was won as women's liberation exploded, amidst civil rights, black power riots, the sexual revolution, gay liberation and the anti-Vietnam war movement. Perhaps because of the strength of leftist feeling at the time, the backlash against *Roe v. Wade* began immediately and has continued for decades and gained in ferocity all the while.

Then came the new punitive economic policies of Reagan's neoliberalism. These moved the Republicans to the right. Clinton, in turn, moved the Democrats to the right. Bush and Obama continued the job. The temper of the times has been against us.

A second aspect of abortion rights activists defensiveness stems from the way they engaged with the opposition. Much of the leadership of the movement has been in the hands of Planned Parenthood and lawyers fighting court cases. Planned Parenthood is a big organisation that delivers many services and depends on public funding. Of necessity, the managers are always looking over their shoulders, and trying to avoid any misstep that might get their clinics closed. This is not a criticism of them. That's their job, and it is a necessary job. But it makes for defensive leadership.[\[16\]](#)

Lawyers always argue in court in front of judges. This may be obvious, but it is important. It means that they are always thinking about how to win over judges. Their arguments, their entire style, is focussed on the person on the bench above them. Again, that's their job, and think where we would be without them. But the arguments that will persuade judges are not the same as the ones that will resonate with ordinary people.

The effects of the 1992 compromise have also held us back in other ways. Anti-abortion activists have raised money to help poor women get abortions. That's important. But there has been no political campaign to win public funding. We nearly had a majority for that demand in 1992. In 2018 there is much wider support for government funded healthcare for all, which would make a serious campaign easier now. Instead, much campaigning has concentrated on issues like term limits, where winning over the courts becomes important because we cannot easily win over the people.

In Britain, by contrast, abortion is available to everyone, and 98% of abortions are free, paid for by the National Health Service. It's also illegal after 24 weeks. Jonathan helped roughly 7,000 women have an abortion over ten years, and he worked for a feminist cooperative clinic where the staff voted not to do the operation after 22 weeks.

### **Now [2018]**

Now, in the present, [this was written in 2018] we are living in two worlds pitted against each other. On the one side is Trump and the mass movement that put him there. On the other is the beginning of a new movement of liberation.

Between twelve and fifteen million Americans have protested about something since Trump took office. That began with the women's march, and has been strengthened by #metoo. The most important confrontation between Trump and the opposition so far has been over rape. Sexual politics is front and centre for both this new movement and the reaction they face.

So we are not living in the past. But the past still lives in us, and it has shaped the defence of abortion in many ways. One fact is striking. Opinion polls tell us that Americans under 30 hold more radical opinions than their elders on almost every social, gender and political issue. There is one exception – abortion. [\[17\]](#)

New laws in different states say that girls under eighteen must get their parents' consent. Or women must wait through a cooling off period of 24 hours or a week. Married women must get their husbands' consent. Or before the woman decides, a doctor must show her a large photo of a foetus and deliver a set speech which gives all the reasons the woman should not have an

abortion. A woman must be shown an ultrasound of her foetus and the details of the image must be pointed out to her, though the lower courts have ruled that the woman does have the right to close her eyes, put her hand over her face, or turn her head away.

Yet other new laws say that a clinic has to have so much equipment of a particular kind. Or they may be told that only doctors with particular qualifications may perform abortions. Such limits are imposed because everyone knows the local clinics will then be forced to close down because they can't meet the increasingly egregious demands. The clinic Judith Widdicombe founded in St. Louis is still open. The only other abortion clinic in the state of Missouri, in the university town of Columbia, was closed this month because of such legal restrictions. [\[18\]](#)

### **So what can we do?**

What can we do? For one thing, we can look to the example of the American campaigns for same-sex marriage. They relied on referenda and believed they could win them by changing minds. The central activity of LGBT liberation has always been coming out, and that has kept the movement facing outwards. The referenda were won because so many had come out, and so many said to their family and friends, 'Please vote for my right to love the one I choose.' That worked.

We can also look to bringing different campaigns together. Here the key is getting abortion activists to work closely with campaigns defending abused women, and black lives and the planet. And let's face it, that's happening already. That will change the minds of millennials.

Protests, marches and elections are important. But more important is what happens in your actual life, between the people you know. That's why we talked so much in our last post about a movement based on helping people have abortions. It's all about talking with people. And not just women. It means having honest, hard conversations with women, men, teenagers, everyone.

It means putting your prejudices away and talking to the old white man. He might have voted for Trump. The again, maybe he didn't. And whatever way he voted, he may have supported his daughter or

granddaughter through her abortion. You may not know it, but you probably know such a person, and he probably hasn't told you, but he knows what he's done. The old guy may turn out to be an old hippy and a Sanders' supporter and up for helping the campaign. Or he may wear a red ball cap and pray to Jesus, but you can change his mind, and his granddaughter's mind, about abortion rights.

And then, when we think about lessons from struggle, let's not just look to American history. It's a big world, and people in lots of other countries have been doing better than Americans. Look, for example, to the way the Irish have built movements in recent years that voted for divorce, same sex marriage and free abortion.

If necessary, a mass movement could change the mind of a Supreme Court again. It will be harder now than in 1973 or 1989, or in 1992, because the justices are now more hardened ideologues. On the other hand, it may be easier than before because the justices are more compromised. At least half the population are convinced that Clarence Thomas sexually harassed Anita Hill and Brett Kavanaugh tried to rape Christine Blasey Ford. If these men hold the swing votes and make abortion again illegal in the United States, many, many people will be enraged. Justices will face protests and humiliation if they speak in public or on college campuses, and that alone will threaten the whole institution of the court in a way never seen before.

Let's remember, we only need to change the vote of just one justice. But to do that, we will have to build a mass movement and a massive demonstration.

### Notes on Part Two

[1] The following account of abortion politics after 1973 relies particularly on Cynthia Gorney, 2000, *Articles of Faith: A Frontline History of the Abortion Wars*, New York: Simon and Schuster; William Saletan, 2003, *Bearing Right: How Conservatives Won the Abortion War*, Berkeley: University of California Press; Faye Ginsberg, 1989, *Contested Lives: The Abortion Debate in an American Community*, Berkeley: University of California Press; Rickie Solinger, 2001, *Beggars and Choosers: How the Politics of Choice Shapes Adoption, Abortion and Welfare in the United States*, New York: Hill and Wang;

and Carol Sanger, 2017, *About Abortion: Terminating Pregnancy in Twenty-First-Century America*, Cambridge: Harvard University Press.

[2] CDC, MMWR, 1 January 1990, *Abortion Surveillance 1986-1987*.

[3] Karen Pazol, Andreea A. Creeanga and Denise J. Jamieson, 2015, *Abortion Surveillance – United States 2012*, MMWR, CDC.

[4] A common statistic is that the pill works 99% of the time. In one sense, yes. But in the real world people forget to take the pill. Some do this because they know they want a child. More do it because they unconsciously want a child. Even more miss pills because the effects of that medication are making them depressed or ill, and their body is telling them not to take that thing. And many women, because of these reactions, cannot actually use the pill, and have to turn to other methods. So bear all that in mind, but the basic point remains – the pill made very large numbers of women feel free in an entirely new way.

[5] Department of Health and Social Care, *Abortion Statistics, England and Wales: 2017*, 9-10.

[6] Gorney, 476-77.

[7] Here we are following the arguments in Saletan, 2003. That book is in some ways too one-sided. The compromise was a compromise, not a defeat, as he insists. But his insights about what happened in 1989-1992 are important. Solinger, 2001, is also very useful here.

[8] Saletan 2003, 73.

[9] Saletan 2003, 73.

[10] Saletan 2003, 139.

[11] In the rest of the world red meant left wing, the colour of socialism and communism. But in America red was the colour of the Republican Party and blue was the colour of Democrats. It is a reversal that plays to American exceptionalism and made it harder for Americans to look abroad for other ways to understand the political divide.

[12] Saletan.

[13] Start with Sharon Hays, 2003, *Flat Broke with Children: Women in the Age of Welfare Reform*, New York: Oxford University Press.

[14] Bob Woodward, 1994, *The Agenda: Inside the Clinton White House*, New York: Simon and Schuster; Michael Meerpool, 1998, *Surrender: How the Clinton Administration Completed the Reagan Revolution*, Ann Arbor: University of Michigan Press; Jonathan Neale, 2004, *What's Wrong with America*, London: Fusion; Michelle Alexander, 2010, *The New Jim Crow: Mass Incarceration in the Age of Colorblindness*, New York: The New Press; Marie Gottschalk, 2014, *Caught: The Prison State and the Lockdown of American Politics*, Princeton: Princeton University Press.

[15] Start with Caitlyn Flanagan, 'Bill Clinton: A Reckoning', *Atlantic*, 13 Nov 2017; Dylan Matthews, 'The rape allegation against Bill Clinton, explained', *Vox*, 14 November 2017; Michelle Goldberg, 'I Believe Jaunita', *New York Times*, 13 Nov 2017.

[16] The long-time President of Planned Parenthood, Cecile Richards offers a compelling account this process in her autobiography, *Make Trouble, Standing Up, Speaking Out, and Finding the Courage to Lead – My Life Story* (Touchstone, 2018). Richards also emphasises, with many useful examples, the importance of grassroots resistance.

[17] Robert P. Jones, Daniel Cox and Rachel Laser, 2011, *Commitment to Availability, Conflicted about Morality*, Washington DC: Public Religion Research Institute. This useful book was published eight years ago, and may be out of date now.

[18] Summer Balentine, 'Missouri down to 1 abortion clinic amid legal battle', *St Louis Post-Dispatch*, 3 Oct 2018.

**[THREE]**  
**BLASEY-FORD, KAVANAUGH**  
**AND FIVE INSIGHTS ABOUT SEXUAL VIOLENCE**

Last Thursday, Christine Blasey Ford testified before the judiciary committee of the US Senate. She said that Brett Kavanaugh, the nominee for the Supreme Court, had attempted to rape her when she was 15. He denied it. She told the truth and he was lying. Everyone in the room knew this, including all eleven Republican senators.

What happened next was something else. The Republican senators rallied to defend the right to rape. Sure, class also mattered, and abortion, and Trump, and the midterm elections. But centrally, they did not want Kavanaugh to pay a price for his sexual violence. An extraordinary moment of #metoo resistance had provoked that Republican backlash, and they closed ranks fast and hard.

When a system is working smoothly the mechanics of power are hidden. But when there is a breakdown, a 'breach case', we sometimes have an opportunity to see how the system works. And the links and deep loyalties that keep inequality in place become visible. The hearing has offered such an opportunity. It gives us a chance to formulate seven useful ideas about sexual violence.

**One**

The first thing the breach case exposed were the links between class and sexual predation.

We have learned that at Kavanaugh's high school, Georgetown Prep, jocks punched nerd boys hard in the balls, in the hallways, routinely, over and over again.

We also learned Kavanaugh belonged to the same fraternity at Yale as George Bush Sr. and George Bush Jr., Delta Gamma Epsilon (the Dekes). Six years ago, as part of the initiation into the Dekes freshmen boys at Yale paraded through the campus chanting, 'No means Yes, Yes means Anal.'

We have learned too that at Yale, Kavanaugh joined a secret drinking society formally called 'Truth and Courage', but known to all at 'Tits and Clits.

And other connections have been exposed. The students at Yale Law School have gone into occupation, and classes are being cancelled. We hear that Amy Chua, the author of the vicious book on Tiger Moms, is a professor there. Students and ex-students are angry because she was the point person who sent Yale women to clerk for Kavanaugh, and advised them on how to dress and groom themselves for him. We learn that Chua's husband, Jeb Rubinfeld, who wrote a racist book with Chua, has been suspended while his behavior with female students is being investigated.

In short, an education into the US elite is saturated with misogyny, sexual violence and predation.

## **Two**

The second useful idea that the breach case brings into clear focus starts with a premise basic to both democracy and human psychology.

Part of growing up is learning to tell when people are lying and when they are telling the truth. We need this skill to survive. It takes time, and some of us are better at it than others. Sometimes we cannot tell or cannot be sure. But the foundation of a jury system is that the average person can be trusted to judge if a witness is telling the truth or not. This is particularly easy when there are only two opposing witnesses. And in this case, everyone in the Senate hearing room knew Blasey Ford was telling the truth.

## **Three**

Our third idea concerns the outpouring of visceral feeling against Kavanaugh from women and, as many have commented, from men as well. Those men are not only acting from solidarity with women. They are men who were bullied in high school, by big, strong rich boys – hit and humiliated. As men they have been bullied by supervisors, lawyers and teachers. Many men, when they saw and listened to Blasey Ford, could see a more extreme version of their own suffering and subordination.

#### **Four**

But the relationship between dominant and subordinate men is not the whole story. Many have commented on how many women have supported Kavanaugh. The fourth useful insight comes from considering that, among others, almost all the Republican women in Congress support him. Even though they too certainly know he is lying.

To understand why such women support Kavanaugh, we need to put sexual violence in context. Most men do not assault women. Yet a third of American women have been assaulted. So let's estimate that half of offenders assault only one woman, and the other half assault an average of ten women. That means only 6% of men need to offend for 33% of women to be attacked.

Only a few men are active offenders on this scale. Yet the overwhelming majority of men in positions of power – managers, company lawyers, deans, bishops – cover up sexual violence. Usually they let it go. Sometimes they admonish or fire the person. Almost always, the offense is hushed up and kept secret, so the other abused women and men come to believe that if they speak out, they will get no redress.

The overwhelming majority of women in positions of power do the same as their male colleagues. They too act to protect sexual predators from being outed or punished. The men and women who do this often say they are doing it to protect the institution. But in the process, they uphold the right to rape as a basic right for men in power.

Only a few men rape, but the great majority of men and women in power protect them when they do.

#### **Five**

How does this work, you ask. Fear is the answer, and our fifth insight is made crystal clear by the breach case.

Look what the Republicans did. First they heard and saw Blasey Ford and knew she was telling the truth.

Then Kavanaugh came in shouting that he was the victim of the Democrats. He said they were spending millions of dollars from secret rich donors on the left, and seeking revenge for Kavanaugh's involvement in the Kenneth Starr impeachment of Bill Clinton. But even more important was Kavanaugh's tone. He was performing, and feeling, rage. And his rage conveyed a message. Kavanaugh was inviting the Republican senators to join him, and Trump, in making anyone who dared stand in their way afraid.

In the hearing the Republicans had ceded their question time to the woman sex crimes prosecutor. She had questioned Blasey Ford gently on their behalf. She questioned Kavanaugh gently too, bringing down the temperature. But that was not what Kavanaugh wanted.

The woman sex crimes prosecutor took Kavanaugh through the daily calendar he had kept in the summer of 1982, and she called attention to one date. There it was: – a party in the late afternoon, attended by Kavanaugh himself and the two other boys Blasey Ford had named. The prosecutor pointed this out to Kavanaugh. And at that point Republican Senator Lindsay Graham stepped in to take over from her.

Graham threatened the Democratic Senators, and wavering Republicans, with unspecified consequences. It was not just the content of Graham's words that conveyed his threat, but the tone. Graham's face and whole body were twisted with rage, his mouth snarling words.

Blasey Ford had begun her testimony in the morning by saying she was terrified. Now Graham was saying to everyone in the room –'Be terrified'. He was rallying the troops, and making it clear that even when a woman is telling the truth, she must be punished.

It was an extraordinary, naked moment, and the Republican troops rallied.

Trump, Graham and all the other Republicans could have let Kavanaugh go. They could then have rushed through the nomination of Judge Amy Coney Barrett, an anti-abortion conservative and a woman. They could be pretty sure Barrett had abused no one, though she might have covered up abuse at one time or the other. There would be time to confirm her in the legislative session after the midterm elections but before the new senators

took office. The Republicans would still get their conservative supreme court with a majority of justices prepared to take away the right to an abortion.

But even with a Republican nominee in place, the #metoo moment would have won a decisive victory on a global stage. No rapist or harasser in America, and no institution or manager who had concealed rape or harassment, could feel safe.

That's our fifth insight. The Republican senators have been less concerned with defeating abortion than with defending the right of the powerful to rape. That is exactly what normally happens in colleges, courts and corporations. But it is normally hidden. It has become visible in this breach case because of the power of Blasey Ford's testimony, the scale of the #metoo resistance, and the peril of the moment for the powerful.

## **Six**

Our sixth useful insight is about why Trump and the senators decided to hang onto Kavanaugh rather than go with Barrett.

Any system of oppression is a continuum. But that oppression is always anchored by the threat of violence.

For example, the threat of violence anchors a whole racist system of criminal justice in America. The great majority of American cops never shoot a black man. But the small minority who do so are protected afterwards.

Sexism is likewise best seen as a continuum, ranging from arguments over washing dishes through inappropriate remarks to dominant men humiliating subordinate males, beating up gay men and lesbians and raping women. The threat of violence anchors that continuum. At the extremes this leads to gang rape and systematic military rape. And while the great majority of men never rape, the small minority who do are protected afterwards.

Women who are attacked pay the price. But so do others who can't protect themselves: women, gay men, lesbians and trans people. Because they always have to be 'careful', because they have to remember every day that they are afraid. And that fear keeps the system in place.

Of course, sometimes men are convicted of rape. But they are very few. All over the world there are informal rules that make poor women, and women of the wrong caste or colour, especially vulnerable to powerful men. And there are informal rules that poor men, men of the wrong caste or colour, can be punished severely for raping women of higher status – whether or not they are innocent.

There are other contradictions too. A whole system of sexist morality demands sexual modesty, and therefore officially condemns rape, even when the enabling of rape and harassment is routine, but routinely hidden. That is why the first rule of the oppressors is: If you must make an accusation, don't do it in public.

The threat of rape anchors sexism, and sexism anchors a whole world of inequality. Before we can speak, before we can remember, we all learn to regard sexual inequality as normal and part of the natural order. We learn this from people who love us – our parents, teachers and friends, by the way they love us and each other. And sexual inequality anchors inequality wherever it appears. So when push comes to shove, inequality is what the Republicans must protect.

### **Seven**

The seventh insight we gain from the breach case concerns Kavanaugh's bullying of the Democratic senators. Those senators are experienced politicians, a number of them former prosecutors who in a courtroom would never have allowed a witness to talk over them and silence them the way he did. Yet all of them but Corey Booker went easy on the man.

They concentrated on his drinking, not his raping. They said we cannot know for sure. They talked about credibility, not lying. Not one of them said that Lindsey Graham too knew Kavanaugh was lying.

Why? For one thing, the Democratic senators were trying to win over the one wavering Republican senator on the committee, Jeff Flake, to secure an FBI investigation. For that purpose, they felt they had to appear reasonable. But they would have appeared just as reasonable to expect the same courtesy from Kavanaugh as from a courtroom witness. So something else was also

going on. The bottom line, it seems, is that Kavanaugh could bully them because they had been bullied before.

No one comes up in the world of politics or the law without being bullied. And they all knew the informal rules that protected rapists. They may have chafed and loathed those rules. But all their lives they had been part of institutions that hide and, in effect, condone harassment and rape – whether in a church organisation, the military, a university, or the Democratic Party itself. The Democratic senators were crossing the line in calling out Kavanaugh, and that made them feel afraid.

### **Resistance**

Our breach case has afforded us seven insights into the usually covert workings of power. But it also shows how resistance can limit that power.

Maybe their strategy of turning Senator Flake and appealing to the FBI will work, and maybe not. But it only worked at all because two women trapped Flake in an elevator and told him the full truth about their rapes, shouting and screaming.

Maybe Kavanaugh's nomination will be overturned, but maybe not. Either way, Blasey Ford's courage was only possible because a legion of women, and men, had told the truth before. Some went to the management, the police, the media or the courts. But even telling one person, privately, made a difference, and from this groundswell has come #metoo. Blasey Ford's bravery, in turn, will make it possible for many more to speak.

Her testimony happened in a room, in Washington, in America. But it was not an American moment. All over the world, the movement against sexual violence has been building for years, gathering pace. In India, Britain, South Africa, China, and in the place where you live.