

From *Counter-Movement* to  
*Transforming-Movement*?  
Towards the Crystallization and Dual  
Challenge of the *Consistent Ethic of Life*

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I have been thinking and researching and writing about abortion for some time. Like most,<sup>i</sup> until the Supreme Court *Roe* decision on January 22, 1973 I took no close notice of the efforts or the arguments in the 1960s to change centuries old laws that prohibited abortion and reflected the traditional Hebraic and Christian belief that abortion could not be reconciled to God's will for and love of the human creation. I began my first research during the summer of 1980, the first after my tenure,<sup>ii</sup> and I gave my first sociological paper on the topic in 1989 and published my first essay in *Commonweal* on November 20, 1981. I gave it the title that best summed up my interview experiences, "Beyond the Stereotypes: Interviews with Right-To-Life Pioneers." I think the abortion controversy two decades later is still rife with stereotypes that, among other things, enable both sides of the controversy to evade the deeper implications of their positions.<sup>iii</sup>

When I began the research, I had no idea of what I might find. I knew no activists on either side. My first paragraph, written in 1981, still has, I believe, some crucial implications not merely for my own deepening reflections but also for the pioneers and those who followed them in the controversy:

Right-To-Life activists are commonly characterized as sectarian, morally naive, politically conservative, and best understood in the reductive social-psychological terms of "status politics." Examples are not hard to find. In a syndicated column written during the 1975 Edelin case,<sup>iv</sup> Harriet Van Horne described right-to-life activists as the same people who were 'the hawks shrieking for blood in the dark days of Vietnam They are tainted with death ....' She cited no studies linking pro-war and anti-abortion attitudes."

I spent the next two decades (thus far) tracking the abortion controversy and thinking about the significance of the gap between my first empirical experience of abortion opponents and their characterizations by others, including scholars whose collective judgments count most in the long run.<sup>v</sup>

Here I consider (1) how abortion opponents are portrayed in the Social Movement literature; (2) how they are viewed by ordinary Americans, as inferred from social survey data; (3) their potential to progress from *counter-* to *transforming-* movement through self-renewal that I take to mean the continual retrieval and further crystallization of the *consistent ethic of life*; (4) as a topical test case of the *consistent ethic of life* explore the connections between abortion and capital punishment attitudes; and, at the end, ask (5) “What is to be done? and, more specifically, Whither the University Faculty for Life”?

#### SOCIAL MOVEMENT, BROADLY CONSIDERED

Technical definitions aside, for scholars and others the main point of using the summary term *social movement* is to quickly communicate the flavor of many thousands, and more often tens of thousands, of people who, in some diffuse affinity, feel strongly and certainly that “politics as usual” can no longer be expected to resolve a matter of great collective significance. Where the term appropriately appears, something far deeper than a connecting self-interest is at stake and the collective mobilization, often surprising the actors themselves, is experienced as a shared altruism made necessary by the pusillanimity of their ordinary leaders. Experienced at its deepest and most urgent level, this failure of leadership strikes the mostly ordinary men and women who become movement activists as a threat not only to them individually but to their society and their culture. In time, the morally aroused form a collective consciousness partially expressed through organizational forms which link the individual motivations of activists into bonds far deeper than the transient alliances pragmatically formed and broken among typical political actors. Wedding literalness and onomatopoeia, the term “movement” itself suggests the un-finishedness, fluidity and flux of

collective mobilizations driven by the perceived threat to meaning-bestowing identity that thwarts both the calculations of those seeking to co-op the energies of activists and the intellectual mastery that scholars professionally pursue.<sup>vi</sup> While the category of “authorized” biography makes some sense, an “authorized study of a social movement” makes far less, precisely because an authentic social movement has no single authorized voice. Nonetheless, in order to endure, social movements must have emergent “crystallizing” statements (I make much of this later) that revivify its inevitably frustrated activists, radically challenge its obdurate opponents as it challenges itself, and gradually require the consideration of the good-willed skeptic and at least the attention of the indifferent. The failure to achieve such renewing and morally anchoring *crystallizations* signifies a failure of moral imagination and, thus, the eventual demise of this mobilization as an authentic social movement.<sup>vii</sup>

Of course, within a social movement there will be internal competition about the ranking of emerging *crystallizations*, just as there are disagreements expressed in the causuistries of moral traditions more generally. But apart from its eventual history, a social movement has no supreme court, no pope, nor even, if we reject this use of polls, any external evaluator. In an authentic social movement, there is no single mailing address or telephone number from which to obtain any definitive answer to any particular inquiry or challenge.<sup>viii</sup> Which of the competing social movement organizations will accept as authoritative any analysis other than their own current version? Indeed, Zald and McCarthy (1987: 31) describe the total array of social movement organizations (SMOs) as comprising a “social movement industry” with SMOs “differentiated by conceptions of the extremity of solutions required (and) of strategies of goal accomplishment.” They note that mergers among SMOs are rare and that despite their obvious moral affinity their quotidian activities are characterized by high degrees of internecine conflict: “Organizations may wish death on one another; they may want to absorb the other, take over its domain, squash the competition. As we have noted, the greater the commitment to a zealot’s (sic) view of the proper state of the world, the more one can expect illegitimate, violent, and deadly organizational

relations.”<sup>xix</sup> A social movement will appear to be (or will be characterized as being) unitary and closely coordinated only to its ideological opponents who unify the activists only to simplify their analysis which is constructed not to understand but only to stigmatize.<sup>x</sup> Indeed, a realized authoritative account of a social movement would signify that in terms of efficacious energy this social movement had ended, either by a final defeat or by assimilation into a contemporary stage of status-quo politics.

But “status-quo” politics, as necessary as it is to the effective conduct of protest, is an anathema term to movement activists. Too much by way of personal identity and moral urgency is at stake. The reader will note how naturally, in a great variety of instances, their proponents refer to such life-engaging phenomena as *the Christianity movement*, the *family life movement*, the *peace movement*, the *non-violence movement*, the *civil rights movement*, the *women’s movement*, and so on. The self-ascribed term *movement*, in fact, means that its activists at some level know that their aim, while central to the achievement of self-dignity, will remain forever elusive in an endless spiral of frustration, partial achievement, and increasingly higher levels of aspiration. In a sentence that can apply to any authentic social movement, Alberoni (1984: 207) writes “Democracy therefore exists insofar as it is reborn and is refounded constantly as a movement that becomes a representative institution.”<sup>xi</sup> Indeed, considerations such as these are at the core of Alberoni’s vastly under-appreciated contribution to social movement terminology—a *permanent nascent state* (1984: 19-22, especially).<sup>xii</sup> I will argue that the pro-life movement (as contrasted with its competing term “anti-abortion” and even “right-to-life”) will remain in a state of *permanent nascence* whose public strength, in the North American experience, will vary to the degree that its latent progressive egalitarianism becomes more diaphanous and less attached to short-term tactical alliances with ideological fiscal conservatives.

But this is anticipation based on available social movement analyses, not history. Though they must disappoint their lay readers, in their summarizing contribution to the (1988: 728-72) *Handbook of Sociology*, McAdam, McCarthy and Zald honestly note that while there are many

studies of the emergence of social movements “we know comparatively little about the dynamics of collective action over time.”<sup>xiii</sup> Candidly, they acknowledge that there is no theory of “movement development” and “no real theory of the effect of a social movement and its social outcomes.” Yet, what interests us most is precisely how social movements develop, as *development* signifies growth and the potential for an on-going movement transformative power that merits the appellation of *permanent nascence*.

#### SOCIAL MOVEMENTS, MORE SPECIFICALLY CONSIDERED

But scholarly based anticipations can help. Besides many thousands of data-rich case studies of countless kinds of collective mobilizations, there is much of relevance in the social movement literature to the abortion controversy, both of fact and analysis, for scholars and activist citizen-intellectuals (and especially for those combining those roles as *organic intellectuals*<sup>xiv</sup>). The two broadest perspectives currently employed are “resource mobilization” and an older “hearts and minds” approach. A newer perspective, conjoining the older “intentional” and the newer “structural” foci and thus more interdisciplinary and more open to consideration of the role of “culture,” is also highly pertinent.

In explaining the origins of social movements, “resource mobilization” perspectives stress the role of “structural” factors such as the availability of money, government support, expertise, and time; the older “hearts and minds” perspective stressed the grievances held by a segment of the population. As a specific example of “resource mobilization,” McCarthy (1987: 33) reports that groups promoting legal abortion are “top heavy” and characterized by paid functionaries, formal bureaucracies, and philanthropic funding. “Its relative lack of usable social infrastructures, as contrasted with the pro-life movement, leads it (pro-choice advocacy) to depend far more heavily upon modern mobilization technologies in order to aggregate people and resources.” He concludes that it “can be safely said that pro-life is more dense in numbers, more grass-roots in nature, more variegated in organization form” than pro-choice organizations.

McCarthy found (1987: 59) that the membership of the main

abortion rights social movement organization (SMO), the National Abortion Rights Action League (originally the National Association for the Repeal of Abortion Laws and presently the National Association for Abortion and Reproductive Rights) were highly educated (55% with some graduate training), that its members were rarely active in local chapters (only 13%), while (77%) were unable to report whether any of their friends were also members. The NARAL involvement of its relatively nominal membership (as well as NOW's, Planned Parenthood's, ACLU's, and of numerous Population Control groups) was mostly limited to paying dues and receiving newsletters and could be momentarily mobilized only for "one shot emergency appeals which can be elegantly coordinated with legislative and movement struggle" (1987: 60). Much to the chagrin of the politically dominant and predominantly liberal branch of feminism,<sup>xv</sup> pro-choice attempts to create stable, more than *ad hoc* mobilizations, grassroots groups have been generally unsuccessful.<sup>xvi</sup> Both pre- and post-Roe legal abortion advocacy groups had and have, in McCarthy's terms, "thin infrastructures." The successful attempts of the legal-abortion proponents to piggy back on the women's movement brought it no reliable grass roots structure.

Lawrence Lader persuaded Betty Friedan that the newly formed National Organization for Women should endorse legal abortion which NOW did in 1967. A co-founder of the National Association for the Repeal of Abortion Laws (Lader: 1973: vii)<sup>xvii</sup> recalled that until the late 1960s the legal abortion movement was a "lonely" one consisting of "only a few clusters in a few states." Tribe (1990: 44) astutely notes that while in her 1963 classic work *The Feminist Mystique* Friedan does not even mention abortion, for NOW legal abortion "virtually defines the women's movement."<sup>xviii</sup>

Staggenborg (1991: 20) reports that Friedan's decision, on Lader's prompting, to institutionally commit NOW to abortion advocacy provoked at that time considerable conflict within NOW and did not necessarily even represent a majority decision. Clarke Phelan, coordinator of NOW's task force on abortion, recalled, "There was no networking (about the decision). There were phone calls for those that could afford them, but no regular communication." When NOW's leadership (with

little participatory democracy) endorsed legal abortion, many delegates resigned (Tribe, 1990: 45). Four years later, some chapters unsuccessfully tried to remove abortion from NOW's "Bill of Rights for Women" because it impeded their work on other crucial women's issues (day care, equal pay, medical insurance, neighborhood schools, etc.). In fact, it was two frustrated former members of NOW, one of them expelled because she would not cease objecting to the inclusion of abortion in NOW's bill of rights, who founded Feminists for Life of America.

Staggenborg (1991: 57) writes that for legal abortion proponents it was *Roe* itself which "created legitimacy for the movement."<sup>xix</sup> Rubin (1982: 1) characterizes the abortion movement not as a "grass roots" campaign but as a "litigation campaign" in which pressure group activity is "tailored to fit the format of a lawsuit but specifically designed to produce broad social change rather than to vindicate the private rights of the parties." Litigation campaigns originate not with grass roots groups but with elites who control significant economic and social resources. They are well-connected to other elites. Rubin observes (1982: 3) that litigation campaigns are extremely costly: "To control, organize, and manage a carefully selected sequence of cases, it is also necessary to have sizable resources in money, legal talent, and experience. Funding is especially important, for litigation is expensive." In litigation campaigns, the characteristic resource is not grass roots volunteers but routine access to elite networks. Ordinary people start social movements; elites start litigation campaigns. Donald T. Critchlow's *Intended Consequences: Birth Control, Abortion, and the Federal Government in Modern America* (1999) lists the very considerable foundation support for activists promoting legal abortion, and especially for its usefulness in population control. His enumeration reads like a "Who's Who" of American Foundations.<sup>xx</sup> Indeed, the need for a principled separation of feminism's *pro-choice* from the population movement's *pro-abortion* remains to clearly acknowledged.<sup>xxi</sup>

Litigation campaigns were new. Faux<sup>xxii</sup> describes what she calls the then novel *strategy* of the Association for the Study of Abortion, which had an active membership of only 20 (Staggenborg, 1990: 15), to solicit

and orchestrate “*amici curiae* briefs” from medical, professional, academic, religious and women’s groups. Interestingly, the Association’s only failures were their inability to organize briefs from Black women<sup>xxiii</sup> and one from prominent American women who had had abortions.<sup>xxiv</sup> The Association for the Study of Abortion obtained 42 briefs, a record at the time, showing that abortion movement activists, in Staggenborg’s phrase (1991:13; 17) were “in no way ‘outsiders’ to national centers of power. Abortion opponents commanded no similar elite support, and the Supreme Court received only four right-to-life briefs, from Americans United for Life, National Right to Life, Life (The League for Infants, Fetuses, and the elderly) and from “certain physicians of the American College of Obstetricians and Gynecologists.”<sup>xxv</sup> While very few Americans would recognize the groups signing the few right-to-life briefs, many of the pre-*Roe* pro-legal abortion groups had instant name recognition, and included the American Medical Association, the American Psychiatric Association, the American Women’s Association, NOW, the National Board of YWCAs, the American Civil Liberties Union, and the Law Center for Constitutional Rights.

#### LESSONS FROM THE SOCIAL MOVEMENT LITERATURE?

Apart from the details, right-to-life activists will find little of the above substantively new. It is mostly a retelling in academic prose of what they already know from their own activist experiences: that the social movement opposing abortion had and has numbers and that the proponents of legal abortion had and have social status and money. But it should be of some concern to members of University Faculty for Life that social movement texts typically characterize the right-to-life movement as a *counter-movement*.<sup>xxvi</sup> The term means several things, such as that there would be no specific right-to-life mobilization had there not been a legal abortion movement; that the single aim of the movement opposing legal abortion was narrow and negative, that is, to defeat efforts to make it legal. The first point is simply obvious, but the second point is not. The first point could be viewed as historically necessary; but the second point, if it remains generally true, turns the historical *counter* into the permanently *reactive*. A deepening of the movement’s collective moral



imagination beyond the mostly *reactive* required experience, and especially the experience of defeats.

Thus far, in the social movement literature the term *counter-movement* as applied to abortion opponents suggests, sometimes implicitly and sometimes explicitly, that the right-to-life movement is *reactionary*, in the sense that outsiders—especially those trained by the social sciences to be outsiders for the sake of objectivity—self-confidently assert that its essence is caught by seeing the movement solely as the reverse image of those seeking legal abortion. Given the elite status and connections of those who sought to overturn restrictive state abortion laws, *reactionary* also suggests the contrary of *progressive*. For example, McAdam, McCarthy, and Zald in their *Handbook of Sociology* summarily describe the movement opposing abortion as a “reactionary movement” that emerged “in opposition to the feminist movement” (1988: 711). More than a decade later Donald Schneller and M. Zakari Kano in their review of intro sociology and marriage and the family text books found that only a very small percentage could be classified as “pro-life” or even “neutral.”<sup>xxvii</sup>

Indeed, these dismissive academic terms are more rather than less democratically corroborated by surveys commissioned by right-to-life groups themselves. These surveys find that Americans are more likely to think more highly of Planned Parenthood than of abortion opponents and regard themselves more as pro-choice than as pro-life, even when their attitudes toward abortion are far from endorsing abortion as simply elective for any reason and throughout pregnancy. The December 1990 Wirthlin Report to the United States Catholic Conference reported that “on a thermometer scale ranging from zero to one-hundred, where a rating of zero indicates that a person or organization is completely unfavorable and one-hundred indicates that a person or organization is completely favorable, the average rating” received by Planned Parenthood is 69.4 while the National Right to Life Committee, the most visible social movement organization opposing abortion, was just a few points (6.1) over neutral (56.1).<sup>xxviii</sup> After nearly four decades of effort, the organized movement opposing abortion is still far from winning hearts and minds. Far from even the threshold of any *transformative* public

image, its “thick infrastructure” has yet to overcome the movement’s *counter-* and *reactionary-* perception among either social movement scholars or its fellow citizens.

Movement activists themselves, of course, possess sociological insight, often keener than that of academics. We should have no trouble in sympathetically understanding why the right-to-life pioneers choose to be “single issue,” linking abortion only with infanticide and euthanasia. They came from all walks of life and many faith traditions, they were political novices, indeed, practically apolitical, and they could agree quickly and only that abortion killed a developing human life and thus could never be moral choice and should not be made legal.<sup>xxix</sup> The movement’s main recruitment tactic was not church teachings but pictures of fetal development and of aborted fetuses, especially from late-term abortions. Dr. Jack Willke, president of the National Right to Life Committee during the 1980s, credits the massive distribution of these graphic photos of the unborn for the pre-*Roe* defeats of the 1972 Michigan and South Dakota referenda to legalize abortion. Activists found it telling that supporters of legal abortion agreed to debate them publicly only after they were made to promise not to exhibit the pictures they offered as proof that abortion kills a human being but which their opponents trivialized as “emotional.”<sup>xxx</sup>

In fact, the first abortion opponents were not purely single issue in that the movement presciently predicted the re-emergence of the euthanasia movement and the dangers that legal abortion posed for the handicapped and the retarded. So, among the first abortion opponents there was not merely a counter-reaction to legal abortion activism but an anticipation of other threats to human life. Still, the academic term *counter* before “movement” applied in that the right-to-life pioneers talked about *restoring* the right to life to the unborn mostly by *opposing* and *defeating* those promoting legal abortion.

Nevertheless, in terms of collective moral consciousness it is significant that the first truly national right-to-life grassroots organization were in the movement’s “service wing.” These groups immediately realized the inadequacy of simply opposing legal abortion without at the same time helping women who were pregnant and did not want to be. In

1970 Louise Somerhill founded Birthright to provide counseling, financial assistance, medical help, and even private ‘birthright’ homes for women whose futures were threatened by an unwanted pregnancy. In 1971 Lori Maier founded Alternatives to Abortion International. Since then many other groups have started similar services—more than 3,000 such centers in the United States.<sup>xxx1</sup> While impressive, these groups are better categorized as “charities” than as justice-seeking groups since they aim at helping women choose birth rather than to change those structures needed for women’s equality and for a culture of life that efficaciously contests the “structures of sin”<sup>xxxii</sup> that thwart human solidarity. John Paul II notes in *Evangelium Vitae* that “Volunteer workers have a specific role to play” but “if charity is to be realistic and effective, it demands that the *Gospel of life* be implemented also by means of certain *forms of social activity and commitment in the political field*, as a way of defending and promoting the value of life in our ever more complex and pluralistic societies” (1995: #90, emphasis in original). In terms of the Pope’s categories, a “culture of life” that expands beyond the churches must explicitly challenge the “structures of sin” that shrink the “solidarity” that alone can appreciably diminish abortion by removing its causes (1995: #59).

But initially there was little in anti-abortion movement discourse that explicitly promoted any *transformation* of culture and social life that would produce the new structures or consciousness needed to augment human dignity. Indeed, the growth in movement political sophistication mostly led to connections with the Republican Party that impeded the crystallization of transformative discourse. In the vocabulary of social movement scholars, during the 1980s and 1990s the movement tactically expanded its “resource capacity” (some influence on Republican Party leadership) at the cost of depleting its strategic “hearts and minds” capacities (as it became identified with fiscal conservatives opposing programs aiding working and middle class families).<sup>xxxiii</sup>

Ironically, the movement’s initial post-*Roe* political hopes had resided largely with the Democratic Party, which at that time was the party-identification of the majority of activists, who were disproportionately Roman Catholic. Ellen McCormack’s, the housewife leader of the

Long Island “Women for the Unborn” and later a founder of the Right to Life Party, undertook a knowingly quixotic 1975 campaign for president in twenty democratic state primaries that was the movement’s first explicitly political action. While McCormack’s 1975 tactic was unanimously supported by the movement, her 1979 second run was almost universally criticized. By 1979 Ronald Reagan was an announced candidate for president and he promised abortion opponents that he would work to reverse *Roe*. While abortion opponents readily acknowledge that things did not turn out anyway near to what Reagan had promised, even more than a decade later they mistakenly blame only extrinsic factors and overlook the intrinsic limitations of the Reagan’s administration pro-life commitments. If the movement does not grasp why even a Reagan-led Republican Party could not undo legal abortion, it will make the movement permanently vulnerable to a corrosive nostalgia<sup>xxxiv</sup> which leads to the “sterile discouragement” (John Paul II, 1995: #25) that thwarts a movement maturation from *counter* to *transformative*.

#### THE LIMITED AND LIMITING REAGAN PRO-LIFE EMBRACE

Very soon, activists noticed that Reagan put abortion and other social issues on the “back burner” as he pursued tax reductions and increased military spending. In her 1996 critical “insider’s” account of this period, Tanya Melich<sup>xxxv</sup> reports that most of the delegates viewed Reagan’s courting of antiabortion activists as a shrewd tactic<sup>xxxvi</sup> to add numbers to a declining Republican-affiliated party base, which had slid to 20% of voters (Critchlow, 1999: 209). The 1976 Republican Convention delegate vote on including the *Roe* constitutional amendment in the Party Platform was scheduled after midnight and debate was limited to four speakers. Melich is certain that pro-choice delegates had enough states ready to call for a roll-call on the inclusion of a constitutional amendment overturning *Roe*, but they were ignored by the Convention Chairman, John Rhodes, who called for a voice vote which he, without any certainty, simply declared constituted a majority vote for the platform. Melich doubts that most delegates supported the constitutional amendment. What is beyond doubt is that polls of delegates to Republi-

can national conventions routinely show that the majority do not support the platform's call for a constitutional amendment overturning *Roe*. Almost all studies of donors to both parties, but especially to the Republican Party, show that they are overwhelmingly *fiscal* conservatives but *social liberals*. That is, just as they affirm values of *free* trade and consumer *choice*, they affirm values of *free choice* in matters of "personal" morality, such as abortion and gay rights.<sup>xxxvii</sup> While the party's tactical opening to abortion opponents certainly benefited the Republican Party, it is much less certain that it strategically helped the pro-life cause.

Even Melich acknowledges that "the religious right played a major role in electing the new Republican majority, not only in delivering votes but in grassroots organizing and raising campaign contributions" (1998: 335). She estimates that the 'Christian right' alone mobilized four million activists who reached fifty million voters. As an "insider," Melich sounds shrewdly right when she says that because most Republicans want (as most Democrats would) this grass roots support without alienating their pro-choice majority, the party has followed the "Teeter" principle. Melich reports that the core of the Republican leadership simply kept an astute silence about abortion, following the June 1984 campaign advice of one of Reagan's inner circle, Bob Teeter, that "It's one issue we ought not to talk about.... [The abortion opponents] know where we stand, and we've got a lot of people on the other side" (1998: 214).<sup>xxxviii</sup>

#### PRO-LIFE SURFACE, PRO-CHOICE SUBSTANCE

Another insider, Douglas W. Kmiec, who directed the Office of Legal Counsel during the first Reagan administration, has perceptively pointed out that in each of the Reagan administration's challenges to *Roe*,<sup>xxxix</sup> the Justice Department never endorsed any of the three core right-to-life contentions, namely, that from its conception a developing human life possessed a right-to-life, that abortion killed a developing human person, or that abortion should be illegal.<sup>xl</sup> To be sure, the Reagan administration solicitor generals did contest both *Roe*'s extension of the privacy doctrine to abortion and the Court's (until the 1989 *Webster* ruling) striking down of any state's legislative efforts to protect the unborn after viability; but,

he notes, these briefs never directly challenged the core pro-choice position that abortion should be legal. Kmiec tried but could not persuade the Reagan Justice Department to use language which reflected the core issue at stake in abortion: that abortion killed not a 'potential' but a developing human life. He recalls that when he reviewed the Administration briefs, he persistently sought to substitute terms which reflected Reagan's public endorsement on this core right-to-life position. For example, where they used the *Roe* Court's phrase "potential life," Kmiec unsuccessfully substituted "prenatal life" in the drafts of both Solicitor Generals Rex Lee<sup>xii</sup> and Charles Fried. Each time his revision was ignored. Kmiec's language changes could have prepared the ground for a foundational critique of *Roe*, as opposed to the post-*Webster* deference to *Roe* and the "right to know" the abortion facts and the available abortion alternatives which crystallized in the 1992 *Casey* decision at the end of the Reagan-Bush era. Kmiec ruefully recalls that his efforts to raise the core right-to-life principle in the Reagan Administration's Supreme Court abortion law interventions resulted only in finding himself "out of the loop." He reports that Fried did not even discuss the drafts of his *Webster* intervention with him and that 50 lawyers within the Department publicly protested any effort to reverse *Roe*.

At the end of his careful and sympathetic review of right-to-life "victories" during the eight years of the Reagan administration, Critchlow (1999: 291) concludes that "in the end, economics within the Reagan administration had won over the social issues." To make sure we grasp what we might call the political inevitability (or at least, the high likelihood) of fiscal conservatives abandoning the residue of those parts of their traditional social conservatism that impedes market efficiency), it is important to realize that the right-to-life experience with their Republican Party tactical allies fits the larger pattern Francome found in his world-wide comparative study of abortion law changes whereby fiscal conservatives and their political parties come to support legal abortion as a way of controlling the births of what they take to be the "unproductive" classes.<sup>xliii</sup> Put another and more specific way, in regarding abortion and American politics we can expect that Reagan's fiscal-social conservatism

would, under the pressures of this internal tension, politically morph to the *fiscal conservative-social liberal* republicanism of, say, Christie Whitman, Pete Wilson, Governor Weld, and any number of “younger” Republican Party elites.<sup>xliii</sup> Apart from the astute practice of the *Teeter* principle, any robust commitment to the pro-life cause will be publicly displayed only by Republican Party marginals, such as Patrick Buchanan.

To be sure, the right-to-life alliances with the Republican Party did bring abortion opponents clear short-term beneficial results, albeit always very partial and always very precarious. Critchlow summarizes some of them (212-13). In 1981 the Adolescent Health Services and Pregnancy Prevention and Care Act was refunded as the Adolescent Family Life Act, which required active involvement of religious groups in family planning and prohibited federal funds to any organization involved in abortion. The Department of Health and Human Services issued regulations that prohibited family planning clinics supported by Title X funding from providing any information about abortion. Reagan staffed his administration with many anti-abortion activists. He named Richard Schweiker to head the Department of Health and Human Services. Reagan’s Supreme Court appointees included Sandra Day O’Connor, William H. Rehnquist succeeding Warren Burger as chief justice, Antonin Scalia and (after the Robert H. Bork Senate defeat) Anthony Kennedy. The fact that O’Connor and Kennedy (with the Bush appointee David Souter) comprised the core of the Court’s 1992 *Casey* decision that rooted the *Roe* decision in the Court’s need for “legitimacy” shows from still another angle the cogency of Francome’s observation that fiscal conservatives are quickly won over to the cogency of a pro-choice position (save when it comes to government funding of abortion, which could be leveraged for government support for other medical needs of poor women).<sup>xliv</sup> Although it must sound, at best, elliptical, I think that any systematic reflection on authentic social movements reveals the accuracy of Alberoni’s gnomic conclusion that “all movements are anticapitalist.”<sup>xlv</sup> Once said, it seems inevitable, given that by definition grass-roots energy is populist and intuitively egalitarian while the efficiency logic of the market is inescapably elitist and intuitively anti-redistributionist. If we claim<sup>xlvi</sup> that abortion is not what most women

want, but what women choose when they run out of choices,<sup>xlvii</sup> then Alberoni's point applies especially to the pro-life movement.

Critchlow provides still another summary that can serve as a segue to my main theme. How might the *right-to-life* movement become *pro-life*, that is, how can a movement classified as a reactionary *counter*-movement become necessarily recognized by scholars and citizens as a transformative movement whose core is progressive, egalitarian, and non-violent?

Critchlow concludes that at the end of the 20th century, anti-abortion activists felt pessimistic. "From their perspective, the political fight had gone against them. They viewed recent Supreme Court decisions as victories for the abortion movement. In the end, the Supreme Court had not overturned *Roe*; the number of abortions in the United States had continued to rise (sic) since the 1970s;<sup>xlviii</sup> anti-abortionists had been ostracized by the Democratic Party; and the Republican Party appeared divided on the issue, and talk of the 'gender gap' portended a reversal of the party's anti-abortion position. State legislation to restrict the number of abortions had been overturned to all extents and purposes by activist judges. The media seemed hostile, portraying anti-abortionists as fanatics and members of the Christian Right as bigoted extremists" (1999: 235).

PERMANENT NASCENCE: ON RETRIEVING FROM PRO-LIFE COLLECTIVE MEMORY THE RESOURCES FOR CONTINUOUS RENEWAL AND TRANSFORMATION

While I said earlier that there can be no "authoritative" account of an authentic social movement, there can be efforts, more or less successful, to record and thematize the formation of its *collective memory*.<sup>xlix</sup> Inevitably, as the pioneer activists' political and legal success is much less than they had anticipated, they and those who follow begin to question not only their tactics but also their categories, especially when they prove to be inadequate for the counter-discourse they encounter among opponents. Although they legitimately begin in protest against a specific threat to the moral order, inevitably pioneers will find that for



plausibility and renewed commitment they must offer a vision of a transformed present. In order to retrieve for the future what they claim is an essential moral possession from the past, the movement must broaden and deepen its moral imagination. As Shils remarks, “Restorations are doomed to failure” (1981: 329). Capturing the process of *collective memory* is what we might call the *archeology*<sup>i</sup> of social movements, suggesting that we dig into the *collective memory* not for nostalgia but as a contribution to a transformed future. The notion of the process of *identization* analytically captures this intent as it focuses on efforts, usually highly contested among activists themselves, about what the movement *truly* is. The process of *identization* is shown by the many efforts of activists to decide on the proper name<sup>ii</sup> for their movement: from anti-abortion, to right-to-life, to pro-life. We learn much about the meaning of a social movement precisely from these efforts of activists to best name themselves. There is no democratic vote or official or final decision about which name best captures the movement’s essence and telos, but there are *crystallizing* terms that represent the *identization* process that comprises the *collective memory* of a social movement as currently formed and available. Some *crystallizing* terms have more potential for *nascence* and *transformation* than others. These will be the ones that most specifically capture the core authentic moral insight of the movement. One of the key contributions of social movement analysis is to provide a way (there are many, including movement oral history) of preserving a movement’s *collective memory* as a way of helping movement activists more wisely select among its possible names.<sup>iii</sup> Needless to say, this requires not merely empathy but the most self (and movement) critical efforts at objectivity. Not to be conscious of this function, since it is so intertwined with the biographical reasons of *any* researcher of *any* social movement, is to risk a distortion that on an “insider/outsider” continuum can range from a negative apologetics<sup>liii</sup> to out-right unfairness.<sup>liv</sup>

FROM COUNTER-MOVEMENT TO TRANSFORMING MOVEMENT: THE EMERGENCE OF THE CONSISTENT ETHIC OF LIFE AS A CRYSTALLIZING TERM

On December 6, 1983 the late Joseph Cardinal Bernardin gave the annual Gannon Lecture at Fordham University and retrieved (though he did not know it) from the movement's *collective memory* one of the few fresh phrases in the even then stale two decades old debate over abortion in America. He entitled his address "A Consistent Ethic of Life: An American Catholic Dialogue." Bernardin had been invited to speak on the American Bishops' just published and widely noted pastoral letter on the morality of nuclear warfare entitled "The Challenge of Peace." His audience and the reporters present, a rare occurrence at a Gannon lecture, expected to hear a discussion of the pastoral letter's moral critique of the Reagan administration's expansionist military policies with its endorsement of the doctrine of *mutually assured destruction*. But Bernardin surprised everybody, and confounded many, by announcing that he was going to talk about abortion, but in the larger context of the Church's evolving<sup>lv</sup> teaching about war and peace.

Bernardin's critical conjoining of the violence of war and the violence of abortion should not have surprised at least the most literate and attached Catholics, as the American Bishops had already linked the violence of war and the violence of abortion in their "peace pastoral" published in May entitled *The Challenge of Peace*. There, seven months before Bernardin's address, the Bishops taught (paragraphs #286-87) that the same moral principle governed both the classical just war principle of *discrimination* (prohibiting any direct targeting much less the killing of noncombatants) and the traditional prohibition against direct induced abortion. "Nothing," they taught, "can justify the direct attack on innocent human life, in or out of warfare. Abortion is precisely such an attack."

The Bishops acknowledged that many who opposed the use of nuclear weapons did not oppose abortion. Bernardin made the same acknowledgment and hoped for a dialogue about the consistency of the American debate on life issues, adding that he did not "underestimate the intrinsic intellectual difficulties of this exercise nor the delicacy of the question—ecclesially, ecumenically, and politically." He understood, he said, that while "the spectrum of life cuts across the issues of genetics,

abortion, capital punishment, modern warfare, and the care of the terminally ill..., these are all distinct problems, enormously complicated, and deserving individual treatment. No single answer and no simple responses will solve them.”

Moreover, he noted that at present “No other major institution presently holds these two positions (linking abortion and war) in the way the Catholic Bishops now do.” He also acknowledged that while “a consistent ethic of life must be held by a constituency to be effective..., we should begin with the honest recognition that the shaping of a consensus among Catholics on the spectrum of life issues is far from finished.”

In terms of the *archeology* of social movements and a movement’s process of *identization*, it is important to note that for his Gannon Lecture Bernardin had not originated but retrieved from the *collective consciousness* of the prolife social movement the *crystallizing* phrase *the consistent ethic of life*. Bernardin was its prominent promulgator, not its source.<sup>lvi</sup> Some in the Catholic Peace Movement were the first to use the phrase “the consistent ethic of life” and explicitly to link their opposition to war and their opposition to abortion. Tom Cornell, a founder of the Catholic Peace Fellowship (1964) said that pacifism led to both his opposition to the Vietnam War and to his opposition to abortion. “Catholic pacifists,” he explained, “are opposed to war because it is the planned mass-taking of human life for political purposes and violates God’s exclusive dominion over human life. We are opposed to abortion, euthanasia, capital punishment, and economically enforced starvation also, on the same basis.”<sup>lvii</sup>

Especially in terms of the importance of *permanent nascence* for social movements, it is important to emphasize that the term “consistent ethic” linking oppositions to abortion and war, as well as to capital punishment, appeared in Catholic lay activist and intellectual circles very early in the abortion controversy and more than a decade before Bernardin’s *crystallization* of the term. Germain Grisez’s *Abortion: The Myths, the Realities, and the Arguments* (1970) appeared in the same year as his essay “Toward A Consistent Natural Law Ethics of Killing” in *American Journal of Jurisprudence* (Vol. 15). In 1971 Gordon Zahn, one

of the founders of *Pax Christi*, wrote an essay entitled “The Unborn Life and the Protection of Life” where he uses the term “consistency” and explicitly links the oppositions to the Vietnam war and abortion.<sup>lviii</sup>

Nor was Bernardin the first Catholic bishop to use the phrase “consistent” to draw attention to the linkage among oppositions to abortion, war, and capital punishment. On July 4, 1971 at St. Patrick’s Cathedral at a liturgy for Catholic judges, lawyers and public officials the late Archbishop Humberto S. Medeiros of Boston gave a homily entitled “A Call to a Consistent Ethic of Life and the Law.” Medeiros preached that opposing abortion required a consistency and a comprehensiveness<sup>lix</sup> that included opposition to the arms race, militarism, capital punishment and poverty. “If we,” he told the assembled judges and officials, “are vocal about the rights of innocent life in the womb yet indifferent to the equally innocent life in warfare, we destroy the consistency of our ethical posture: either all life is always sacred, or no segment of life is ever secure from indiscriminate attack.”

When the American Bishops began their “Respect Life Program” in 1972 they invited Catholics to focus on the “sanctity of life and the many threats to life in the modern world, including violence, hunger and poverty.” Six years after *Roe*, in 1979 Juli Loesch began *Prolifers For Survival*, which was a SMO which linked oppositions to war and abortion. In 1980 the Evangelical Christian journal *Sojourners* explicitly linked opposition to abortion with its opposition to the arms race and to capital punishment. The editors used the term “consistent” and added that they had previously hesitated to make public their opposition to abortion because “like many, we have often been put off by the *anti-abortion* movement” (emphasis added). The editors added, “the truth is that many poor women do not regard abortion as a real solution but as a brutal substitute for social justice and even as white society’s way of controlling the population of racial minorities.”<sup>lx</sup> Closer to the Bernardin Gannon Lecture, Mary Meehan wrote a November 1980 essay for *Soujourners* entitled “Will Someone Please Be Consistent.” (This issue also contained prolife statements from Daniel Berrigan and (yes) Jessie Jackson).

My listing of some of the antecedents of Bernardin’s *crystallizing* phrase “a consistent ethic of life” has followed a chronological order. But

I have saved one that illuminates the process of *identization* by its immediate reference to engaging the moral imaginations of movement *bystanders*. Six years before *Prolifers for Survival* there was a social movement organization that explicitly linked opposing abortion and opposing the Viet Nam War—the National Youth *Pro-Life* Coalition (emphasis added). The Coalition began in the same year as *Roe* and its *Declaration of Purpose* explained that “the Coalition is deeply concerned that our contemporary society is not *consistent* in its respect for human life” (emphasis added). The Coalition challenged those who were “antiabortion, pro-war and pro-capital punishment” to become more consistent because “true conservatism should involve a willingness to ‘conserve’ all human life.”

The Coalition began on the campus of the University of Minnesota where any defense of the unborn without linking it to the Viet Nam war and the arms race struck most student *bystanders* as, if not an immature morality, then as an underdeveloped moral reflection. Susan Hilgers, one of the founders of NYPLC, added (telephone interview) that the founders also realized that “by and large, women who were faced with having an abortion often times were first socially aborted by those around her.”

In terms of the *archeology* of the movement opposing abortion it is clear that the late Cardinal Joseph Bernardin *crystallized* rather than originated the term *a consistent ethic of life*. Even the accompanying phrase *the seamless garment*, which Bernardin used during the media interviews following his Gannon address, was retrieved from movement discourse.<sup>lxi</sup> The late Eileen Egan, a member of *The Catholic Worker* and one of the founders of *Pax Christi*, recalled that in exasperation “the word popped out” in a conversation with the late English journalist Malcom Muggeridge, who agreed with her on abortion but not on nuclear disarmament. But the *crystallization of the consistent ethic of life* is far from being the core of the identity of the movement as a whole.<sup>lxii</sup>

#### SEEKING A CONSISTENT ETHIC CONSTITUENCY

The *consistent ethic* approach was and is highly contested with the right-to-life movement. Most main stream activists rejected it simply as poor politics. Others were less polite. Judy Brown, the founder and only

president of the *American Life Lobby*,<sup>lxiii</sup> declared that for the movement to take a multi-issue approach would be to “commit hari kari.” The late James McFadden, the publisher of *The Human Life Review*, complained that Bernardin’s “many issues approach still cloaks pro-abortion Catholic politicians” like Edward Kennedy, Geraldine Ferraro, Mario Cuomo and Patrick Leahy who vote for poverty programs and military cuts but are pro-choice. James Hitchcock wrote in *The Human Life Review* that if voters took Bernardin seriously, they would have no one to vote for. The National Right to Life Committee, the largest and most prestigious social movement organization opposing abortion, did invite Bernardin to speak at its June 1984 national convention in Kansas City, Missouri. Bernardin recalled (personal interview) that at the end of his address entitled “Linkage and the Logic of the Abortion Debate”<sup>lxiv</sup> about half applauded and half “sat on their hands.” And, Dr. Jack Willkie, then NRLC President, recalled (interview) “that among the half that applauded, half applauded half-heartedly.” In the next edition of *The National Right to Life News*, Dr. Jack Willkie advised his membership that “There is nothing any of us will probably do in our lifetime that is more important than being an active part in the re-election of President Ronald Reagan in November.” In the same issue, the editorial was entitled “Single Issue and Proud of It,” a theme repeated in many subsequent issues of the *National Right to Life News*.

But, as they say in politics, there is no free lunch and the Reagan embrace of the mainstream right-to-life movement, which brought abortion opponents for the first time into the White House<sup>lxv</sup> with its considerable powers of Court appointments and policy impacts, had its costs. Less than five years before the Reagan candidacy, editor Jane Grant in the September 1974 edition of *The National Right to Life News* characterized legal abortion supporters as mostly wealthy upper-class elites whose notion of equality stopped at equal access to abortion: “The rich want to ‘share’ abortion with the poor. But ‘sharing’ stops when it comes to wealth, clubs and neighborhoods.” After Reagan, the careful reader of *The National Right to Life News* can find no similar editorial or story or comment or sentiment that comes anywhere near Grant’s expression of the morally conservative, economic egalitarianism

characteristic of the grass-roots footsoldiers who subscribe and make donations of time and money to the movement. Around the same time (*NRLNews*, February 1973) Donna M. Sullivan urged readers to ask those supporting legal abortion, “Are social pressures now geared more to getting rid of poor babies than assisting their mothers with their economic problems?” She added that when abortion opponents oppose using their tax money for Medicaid-funded abortions, “we are really saying that even if it costs us more to help those who cannot help themselves, we are willing to spend more, if necessary, so long as it is spent to foster and sustain life.” (The “Hyde amendment” prohibiting Medicaid funding of abortion passed the House three years later in 1976 and during that and subsequent debates the prolife sentiment expressed by Sullivan was never expressed). The Reagan embrace with its promise of Republican Party support came to restrain the deep egalitarian attitudes of the multitude of ordinary men and women who comprise the movement opposing abortion. Nevertheless, it is important to note that nowhere in movement literature is there expressed any preference for Republican Party signature economic policies, such as tax cuts or cuts in social programs. Indeed, a familiar movement theme is criticism of the Reagan administration for putting abortion on the “backburner” while administration leaders righted the economy.<sup>lxvi</sup>

In an article for *Sisterlife*, the predecessor of *The American Feminist*, Jane Thomas-Bailer wrote, “Nor are most pro-lifers die-hard right wingers. Most are relatively apolitical, formerly apathetic people who have suddenly been galvanized on the issue of abortion. If you told many of them that the best way to stop abortion was to join the Socialist Workers party, they would do so without blinking. What happens is that as they become active, the right wing welcomes them with open arms while the left wing tells them to take a long walk off a short pier. They identify with the right wing because they are offered no alternative.”<sup>lxvii</sup>

In later addresses on the *consistent ethic of life* Bernardin endeavored to answer critics within the movement and invited them to consider ways of showing the long-term transformative pro-life aspiration even as they sought tactical ways to influence election results and to affect abortion laws. For example, in his March 11, 1984 address at St. Louis

University entitled “A Consistent Ethic of Life: Continuing the Dialogue,” Bernardin assured his critics that the consistent ethic did not make “quality of life” and “right-to-life” issues morally equivalent. Nor, he said, did he think it wrong that movement activists focus on abortion. “It is,” he acknowledged, “not necessary or possible for every person to engage in each issue.” Still, “the way we oppose one threat should be related to support for a systemic vision of life” because “there is, I maintain, a political and psychological linkage among the life issues—from war to welfare concerns—which we ignore at our own peril: A Systemic vision of life seeks to expand the moral imagination of a society, not partition it into airtight categories.”

There is much more to say, of course. But here time constraints require omitting a discussion of the reception of the consistent ethic among peace organizations and among those parts of the movement opposing abortion that did and do endorse the consistent ethic of life—such as Feminists for Life and the hundreds of groups who subscribe to the mission statement of the *Seamless Garment Network*.<sup>lxviii</sup> For my conclusion I want to draw attention to some of the implications of my title: “From *Counter-Movement* to *Transforming-Movement*? Towards The Crystallization and Dual Challenge of the *Consistent Ethic of Life*.”

NAMES ARE MORE THAN “JUST NAMES”: MOVEMENT NAMES BOTH REFLECT AND FORM CONSCIOUSNESS

Used by those who characteristically consider themselves fair-minded, *anti-abortion* is the phrase that describes abortion opponents as reactionary to the progress made for increases in human freedom and specifically in women’s equality (ideological enemies of abortion opponents use the phrase *anti-choice*).<sup>lxix</sup> Right-to-life is the term chosen most often by activists opposing abortion themselves. But, as the recent scholarship critiquing the limitations of *rights language* shows, simply adding the unborn to all the other claimants to rights (women who are but do not want to be pregnant, handicapped golfers who want carts allowed in PGA tournaments, Blacks who want economic recompense for ancestors’ plantation labor) by itself adds neither a transformative nor a



radical critique of existing society. Indeed, in practice, “rights language” continues the standard cost-benefit and the political-compromise analyses that defines the politics of competing interest groups. The operational rhetoric of the right-to-life movement has been essentially liberal, which renders it a radical movement without a transformative language.

The most respected social science research on abortion (as judged by professional academic citations, references, and so on) remains Kristin Luker’s *Abortion and the Politics of Motherhood* (Berkeley, California, The University of California Press, 1984). The great majority of sociologists share her thesis that the abortion debate “is so passionate and hard-fought *because it is a referendum on the place and meaning of motherhood,*” with feminists and housewives forming the major competing camps among abortion opponents (emphasis in original, p. 193). But Luker and, as far as I can judge, her commentators and citers, fail to incorporate into her “politics of motherhood” thesis—that is, feminist equality versus traditionalist gender proponents—what she herself empirically found as the core of pro-life concern—namely, the moral intuition of the pro-life women that abortion does not serve but subverts equality. It is worth citing what Luker herself overlooks (1984: 236):

The pro-life movement will also eventually have to come to terms—one way or the other—with abortion intended to prevent the birth of a deformed child. According to public opinion polls, such abortions are acceptable to more than four-fifths of the American public. However, compared with the other two cases (life of the mother, incest and rape), this one is the *least* ideologically tolerable for pro-life people. Many of the pro-life activists we interviewed were ambivalent about abortions to save the life of the mother, and a few were ambivalent in the cases of rape or incest, but there was no ambivalence at all about the case of ‘fetal indications.’

On the surface, this appears strange: opinion polls seem to suggest that the general public accepts abortion in this case as ‘necessary’ rather than ‘discretionary.’ But abortions for fetal deformity cut to the deepest level of pro-life feelings about ‘selective’ abortion. Because the logic of abortion in this case depends upon a judgment that the embryo is ‘damaged’ in one respect or another, it suggests to pro-life people an acceptance of the idea that humans can be ranked along some scale of perfection and that people who fall below a certain arbitrary standard can be excluded.<sup>lxx</sup>

If I might turn bold. Like social movements generally, *University Faculty For Life* also evolves or languishes. It seems to me that at our origins we were at worst defensive and even today remain largely apologetic, in the classical meaning of that term (OED: “of the nature of a defense; vindicatory”).<sup>lxxi</sup> I remember early membership invitations asking if we wanted our names published on membership lists, thus inviting us to think of UFL as a kind of academic haven. Many of our Conference contributions are largely deconstructions and unmasking of our opponents. All of these functions are good and necessary, yet incomplete. They represent more an effort at *restoration* than a contemporary *retrieval* of the pro-life moral insight that all of human life has an inalienable value. As Shils observes, “Restorations are doomed to failure” (1981: 329).

For a focus on *transformative* movement discourse, the linking of oppositions to abortion and capital punishment, urged by Bernardin in his 1983 address, is an apt example of the distinction between *retrievals* and *restorations*. With Chris Kudlac (“Pro-Life, Anti-Death Penalty? *America*, April 1, 2000: 6-8) I examined the longitudinal data from the General Social Survey of the University of Michigan from the early 1960s to the late 1990s. When the 1960s began, most Americans opposed both legalized abortion and the death penalty. One year after *Roe* two-thirds supported both legal abortion and the death penalty. In 1995 in his encyclical *Evangelium Vitae* Pope John Paul II taught that opposing the death penalty should be part of pro-life witness for a culture of life that promotes human dignity and solidarity. During this period just about every Catholic Bishop and every Catholic Conference promoted this teaching, often with well publicized pleas that a governor commute the death sentence of a soon to be executed murderer.

We found that in all the GSS data, pro-choice Americans were the most likely to support the death penalty, certainly a sobering finding for those who automatically think of a pro-choice position on abortion as part of any progressive politics. To the surprise of many, so great are the stereotypes, we found that abortion opponents were more likely than the general public to be *against* the death penalty. More than a decade earlier, others had noted the fact that abortion opponents are more likely

than others to also oppose capital punishment, but the observation was ignored not only by movement critics but also movement insiders.<sup>lxxii</sup> And among all classifications, Catholics who opposed abortion and who said the church was important to them were the most likely of all to oppose the death penalty (GSS data did not include a separate category for Black Americans). Moreover, the tendency for “consistency” between abortion and death penalty attitudes increased for Roman Catholics during the 1990s.

But I have left out the numbers. And for a purpose. First, the numbers: Overall, in 1998 while 76% of those accepting *any* reason a woman might give for an abortion *also* favored the death penalty, 72.5% of those who opposed some abortions also supported the death penalty. This is not a large difference (not quite 4%) but it does show the persistent and deepening tendency for those hesitant about abortion also to be more hesitant than others about capital punishment. Opposition to capital punishment among Catholics in general in 1998 was 27% (conversely, 73% approved) while Protestant opposition was 24.2% (or 75.5% approve). But among Catholics who attended Church more frequently, nearly every week or more, and thus who were more likely to hear about the hierarchy’s disapproval of the death penalty, 40% opposed capital punishment. So even where a *consistent ethic* is more likely to be preached, the Catholic community as a whole has a long way to go before it is consistently pro-life, as measured by the tendency to link oppositions to abortion and capital punishment. Still, the data are even more daunting for those who place their faith in, for want of a better term, what we might call a *progressive liberalism*. Whereas opposition to abortion increasingly is associated with opposing the death penalty, there is an increasing tendency of the most pro-choice to also endorse capital punishment.<sup>lxxiii</sup>

At the beginning of my remarks, I referred to social movements texts that characterized abortion opposition at best as a counter-movement and implicitly as a reactionary movement. So I took some academic delight in finding this sentence in Robert Jay Lifton and Greg Mitchell’s *Who Owns Death? Capital Punishment, the American Conscience, and the End of Executions* (Harper Collins, 2000, p.246):

“In addition, some anti-abortion activists are now speaking up against the death penalty, claiming a desire to be ‘consistent’.” Not much there, and it is only begrudging (“now speaking up”; “claiming a desire to be ‘consistent’”), but considering the academic literature it qualifies as a minor breakthrough.

My scholarly hope is that were UFL to take more seriously a *consistent ethic* approach Lifton’s and Mitchell’s *anti-abortion* would be immediately recognized as applying only to the beginning of the movement which intuitively knew that laws that made killing the unborn a “right” as necessary for autonomy would eclipse the human conscience and subvert all aspirations for transforming societies into communities of non-violence that valued all humans not because of they were like us but simply because God created them. The right-to-life movement would become, truly, the pro-life movement.

In view of the powerful elite support for abortion and the seemingly successful effort to present it as a progressive right necessary for modern, secular society, such a retrieval must be arduous. But there are precedents. In his study of the fate of traditions Shils writes (1981: 286):

The revival of a tradition can be effective without reconquering the center of society. The traditions which the prophets of Israel held before their audiences were the traditions which applied to the center of their society as standards which the center repeatedly disregarded. The criticism of the center was made from the periphery. It was never wholly successful but it survived for more than two and a half millennia, recurrently reanimated. The prophetic tradition is indeed one of the oldest in human history. It owes its life however to its precipitation in the Old Testament and the Christian belief that the New Testament contained its fulfillment.

#### NOTES

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i. Save for those early pioneer activists in a loose network diffusely centered by Msgr. James McHugh of the “Family Life Bureau” of the National Conference of Catholic Bishops (see James R. Kelly, “Toward Complexity: The Right to Life Movement,” *Research in the Social*

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*Scientific Study of Religion* 1: 83-107), my experience was entirely typical. In his biography Robert P. Casey, the Pennsylvania democratic governor (1987-1994) who became a pariah in his own party by his promotion of the party's abandoned social conservative-fiscal liberal new deal tradition, recalled that he took his abortion opposition "instinctively...I cannot recall the subject of abortion ever being mentioned, much less discussed in depth, in school or at home. My position was simply a part of me from the beginning (*Fighting for Life*, Dallas: Word, 1996: 178).

ii. I can thus make no claim to even academic courage for placing the pursuit of truth before professional self-security. But it is pertinent to observe that the climate of most professional academic organizations was (and is) pro-choice with an implicit (and often explicit) tone of "progressivism" and even of "triumphalism."

iii. When they do, they will understand the authentic meaning of *common ground* as it first emerged in 1989 in St. Louis, Missouri when pro-life lawyer Andrew Puzder (he co-authored an article proposing the Missouri statue upheld by the Supreme Court in its July 3, 1989 ruling *Webster v. Reproductive Health Services*) published in the *St. Louis Dispatch* Dec. 26, 1989 commentary section "Common Ground on Abortion." Noting the high rates of poverty among Missouri's children he wrote, "While neither side is going to make concessions on the basic underlying issue, it is difficult to see how either side would hurt its position by jointly seeking legislative aid for impoverished women and their children.... While the common ground may be slim, it exists. If we can put aside for a moment our simple win-lose attitudes and approach this issue sensibly and calmly, perhaps we can jointly accomplish some good for those we all seek to protect." See James R. Kelly, "Truth, Not Truce: 'Common Ground' On Abortion, A Movement Within Both Movements," *Virginia Review of Sociology*, 2 (1995) 217; also James R. Kelly, "A Dispatch From The Abortion Wars," *America* (Sept. 17, 1994) 8-13; and "Some Complicated Thoughts on a Complicated Term," *Harmony* 6 (1997) 12-14; and "Common Ground For Pro-Life and Pro-Choice," *America* (Jan. 16, 1999) 8-13.

iv. On Feb. 15, 1975, a Boston obstetrician, Dr. Kenneth C. Edelin, was convicted of manslaughter for the death of a baby born alive during an abortion he legally performed. The case and the sentencing drew national headlines and raised question eerily similar to those raised now by partial birth abortion, the extent of legal protection to a viable *ex utero* fetus, and about the practice of temporarily sustaining fetal life under

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laboratory conditions. More existentially, the case highlighted the severe moral pressures placed on nurses who were instructed, contrary to all their professional socialization and, one presumes, their human instincts, not to do anything to help the neonate live. It might have been this case that gave rise to the self-damning characterization of some abortion industry persons that *Roe* meant that a woman had the right not only to an abortion but to a dead fetus.

v. An important print media examination of the characterization of abortion protagonists is David Shaw's "Three Part Series on Abortion Reportage," *Los Angeles Times* (July 1-4, 1990).

vi. So far, I have made two efforts. See James R. Kelly, "Towards Complexity: The Right-To-Life Movement" in *Research in the Social Scientific Study of Religion*, vol. 1 (JAI Press, 1989); and "Right to Life Groups" in *The New Dictionary of Catholic Social Thought*, ed. by Judith A. Dwyer (Collegeville: The Liturgical Press, 1994) 845-49.

vii. It is precisely in the all important realm of the *process of crystallizations* that the long term significance of religion and, in our society, the churches matter most. Thus a most important issue is how a movement deals with the inevitable disputes between the *tactical*, that is, immediate efforts to affect politics and the *strategic*, that is, long-term efforts to affect a culture. My analysis of the *Reagan* embrace of anti-abortion activists should be read in this light. Indeed, an important measure of the *maturation* of a social movement is its learned ability to keep the *tactical* and the *strategic* in creative tension. When this tension is lost the movement experiences a deep loss of moral credibility, its most essential resource as concretely embodied in its *crystallizations*. Thus, in my estimation, the failure of the right-to-life movement to respond fully—that is, by pointing to the *consistent ethic of life* as the movement's moral framework—to the outbreak of violence perpetrated in its name shows both the incompleteness of the process of *crystallization* and thus the very partial *maturation of the movement*. As we shall see, this paper in effect argues that the crystallization of the *consistent ethic of life* is necessary to keep a transparent link between the merely *tactical* and the finally decisive *strategic* in movement politics. A very close analogy (I think it is more than analogous) is the ability of a peace movement to keep publicly visibly its ultimate roots in the utopian but morally necessary commitment to non-violence, as in the maturation of Martin Luther King's teaching about the civil rights movement in our era.

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viii. The editors of the 1989 edition of the *Encyclopedia of Associations* were able to obtain information from 61 distinct anti-abortion groups. For an account of some of the main cleavages in the early right-to-life movement, see James R. Kelly, "Learning and Teaching Consistency", Ch. 9 in Timothy A. Byrnes and Mary C. Segers (eds.) *The Catholic Church and the Politics of Abortion* (San Francisco: Westview Press, 1992) 152-68.

ix. Mayer Zald and John D. McCarthy, *Social Movements in an Organizational Society* (New Brunswick: Transaction Books, 1987).

x. See, for example, the efforts by the first legal abortion proponents to characterize its opposition as solely "Catholic" and financed by an authoritarian (and male) church hierarchy. Bernard N. Nathanson, *The Abortion Papers* (New York: Frederick Fell, 1983) 177 ff.

xi. Francesco Alberoni, *Movement and Institution* (New York: Columbia Univ. Press, 1984).

xii. See also Kurt W. Bach, *Family Planning and Population Control: The Challenges of a Successful Social Movement* (Boston: Twayne, 1989) 3. In effect, Bach argues that the family planning movement is endangering its "nascent" potential by allowing proponents of involuntary measures of birth control some legitimacy and thus risking becoming a "population control" social movement organization that subverts the moral appeal of family planning.

xiii. Doug McAdams, John D. McCarthy and Mayer N. Zald, "Social Movements" in Neil J. Smelser (ed.) *Handbook of Sociology* (California: Sage, 1988) 728-72.

xiv. The term derives from Antonio Gramsci (1891-1937), who criticized his fellow Marxists for thinking that the abstract principles of Marx could take hold, in this case, in Italy, without first being persuasively attached ("organically") to important dimensions of the "proletariat's" (he used the word non-dismissively, as I describe below) identity, and thus of their Italian Catholicism. (Among the numerous parallel conceptions of a *non-vanguard* intellectual in our culture are Michael Walzer *The Company of Critics: Social Criticism and Political Commitment in the Twentieth Century* (1988); Christopher Lasch, *Progress and its Critics* (New York: W. W. Norton, 1991). I prefer the term *organic* to the currently fashionable *public* intellectual in that the latter succeeds when he or she succeeds in making his expertise interesting to a wider public while the former can succeed only when her work contributes to a

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*crystallization* that animates a social movement. When answering his critics, a public intellectual demonstrates that he is more brilliant, or at least more relevant, than they; when answering her critics, an organic intellectual reflects on the adequacy of her experience and of her moral imagination. The temptation of the organic intellectuals in our *University Faculty for Life* is to think that our moral imagination is sufficiently deep simply because we know that life begins at conception and that our primary work is to unmask the moral deceptions of those who deny this. Also, Gramsci calls attention to the fact that *each* human being leads an intellectual life and any political movement that does not respect this cannot call on our deepest allegiance. The temptation of the non-academic activist organic intellectuals is to think that their moral life, or their tradition's, does not require an intellectual development that takes seriously the moral objections to the teaching that every abortion is always immoral. An interesting and important book would be the *organic intellectuals of the right-to-life* movement, which could include not only the works of *University Faculty For Life* but also the ungathered partial *crystallizations* of non-academic *organic intellectual* activists as, for example, which can be found in the Dr. Joseph R. Stanton Library cared for by the *Sisters of Life*, 1955 Needham Avenue, Bronx, NY 10466.

xv. For an effort to provide an inclusive anthology of the many voices of feminism, see Alison M. Jaggar, ed., *Living with Contradictions: Controversies in Feminist Social Ethics*, Westview Press, 1994. This anthology "explores conflicts that presently occur within Western feminism (and) represents an in-house discussion among feminists" (1). While the anthology has no explicit essay on "pro-life" or "the right-to-life," in her introduction to Part IV "Women's Fertility-Individual Choices and Social Constraints, A. Abortion, B. Procreative Technology and Procreative Freedom" Jaggar writes that while "Commitment to a legal right to abortion is sometimes taken as synonymous with feminism..., there is no necessary connection between feminism and the commitment to abortion rights: some people advocate abortion rights on grounds quite unrelated to feminism, whereas some feminists believe that the availability of abortion reflects and/ or reinforces women's subordination" (263-64). She immediately adds, "Although many advocates of abortion rights are not feminist and although it is possible to be simultaneously feminist and opposed to the availability of abortion, it is undeniable that most feminists in contemporary Western Europe and North America support women's right to choose" and the readings here "address only briefly the dispute between feminists who favor a legal right to abortion and those who oppose it... (and almost always) explore



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differences between pro-choice feminists” (264). In her own contribution “Abortion and a Woman’s Right to Decide” Jaggar (who makes “no presumptions about the moral status of unborn human beings other than to assume they do not have a right-to-life so absolute that there are *no* circumstances so absolute that the question of abortion may never be raised” (281) concludes that her abortion-pertinent principles (the right-to-life means the right to a full human life and decisions should be made only by those who are importantly affected by them) lead to the “paradox” that “the attempt to guarantee the conditions in which each woman’s right to decide about abortion would become a real option results in the achievement of conditions in which she no longer has that right.” But Jaggar does not note that her paradox implicitly and ironically requires the perdurance of the prolife movement as a *nascent* social movement, as is clear, at least to me, in her concluding paragraph: “The resolution of this paradox lies in the recognition that the establishment of political rights is inadequate as an ultimate social ideal. As such rights cannot guarantee justice, neither can they guarantee real freedom or equality. Unless our society is fundamentally changed, only a few women will be able to make a choice that is not determined by their economic condition.... The abortion issue shows clearly why, in our search for justice, freedom, and equality, it may well be more fruitful to change our emphasis from the establishment of individual rights to the fulfillment of human needs” (287). Incidentally, the anthology contains many critics not of legal abortion but of the *Roe* privacy argument, which is dismissively described as “liberal” in that “Abortion promises women sex with men on the same terms in which men have sex with women,” that is, “without consequences, meaning no children” which under conditions of gender inequality means that by making abortion “private” *Roe* removed the one remaining reason “that women have had for refusing sex besides the headache” (see Catherine A. MacKinnon, 278). Only wealthy men could survive “privately,” and the privacy right “to be left alone” was derived from S. Warren and L. Brandeis, “The Right to Privacy” *Harvard Law Review* 4 (1980) 205, which was concerned about the threat to convenience and rank caused by the tabloids of the late 19th century.

For the historical evidence that the founders of the American feminist movement supported laws against abortion, judging that abortion put women at men’s disposal and also implied the patriarchal premise that the stronger (the mother) had rights over the weaker (fetus), see Rachael MacNair, Mare Krane Derr & Linda Naranjo-Huebl, (eds.) *Prolife Feminism: Yesterday & Today* (New York: Sulzburger & Graham, 1995).

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xvi. In *The Pro-Choice Movement: Organization and Activism in the Abortion Conflict* (New York: Oxford Univ. Press, 1987) Staggenborg reports that “some of my (feminist) informants confessed a bit of embarrassment in looking back of their own rhetoric, at the time they thought of themselves as part of a larger movement that was challenging basic social, economic, and political institutions. Legal abortion was simply a part of the larger revolution they thought was near. Their goal was to create participatory democratic institutions that would serve human needs rather than corporate interest” (p.44). The nascent moral instinct of early abortion opponents was that legal abortion, far from solving woman’s problems or leading to women’s equality, would undermine both. This is the core of John Paul II’s crystallizations of *the culture of life versus the culture of death* in *Evangelium Vitae* (1995). By *culture of death* John Paul crystallizes the cultural shift when killing becomes, literally, an ordinary and “normal” act: “Broad sectors of public opinion justify certain crimes against life in the name of individual freedom, and on this basis they claim not only exemption from punishment but even authorization by the state, so that these things can be done with total freedom and indeed with the free assistance of health-care systems” (#4). Indeed, he continues, abortion and euthanasia “are being presented as elements of progress in view of a new world order” (#5). He characterizes this transformation of a moral evil into a legal right as a cultural “eclipse of conscience” where “it becomes increasingly difficult to distinguish between good and evil in what concerns the basic value of human life” (#4), as the violent killing of abortion is masked by “innocuous medical terms” which “distract attention from the fact that what is involved is the right to life of an actual human person” (#11). He cautions those who classify abortion and assisted suicide as extensions of human liberty that they should expect the very reverse as violence becomes more and more a taken for granted part of our “normal” expectations which leads in time to assertions of a Darwinian right of the stronger to dominate the vulnerable, now bereft of any ground for assertions for protection and care based simply and solely on their participation in human dignity. See especially #12 (“it is possible to speak in a certain sense of a *war of the powerful against the weak*”), #101 (“There can be no *true democracy* without a recognition of every person’s dignity and without respect for his or her rights. Nor can there be *true peace* unless *life is defended and promoted.*” Incidentally, #101 is the last section of *Evangelium Vitae* and the Pope’s connection of abortion and peace begins his penultimate paragraph. His last sentence has particular relevance for *University*

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*Faculty For Life* in that he invites the “people of life” to make their abortion opposition a part of “a new culture of love and solidarity for the true good of the whole of human society,” which in our terms requires a transformative social movement with crystallizations that attract and challenge those whose “normal” expectations assume that abortion is an extension of human liberty and necessary for women’s equality. Finally, to return to Staggenborg’s account of the surprise of the early liberal feminists that pro-choice did not, as they had expected, lead to a larger revolution creating “participatory democratic institutions that would serve human needs rather than corporate interest” (1991: 44), John Paul’s discussion (#18; #19) of what he calls “*the roots of this remarkable contradiction* (emp. in original) in modernity where inviolable rights are “solemnly affirmed” while human dignity and basic rights are “being denied or trampled upon) dramatically shows that “freedom negates and destroys itself, when it no longer recognizes and respects its *essential link with the truth*” (emphasis in original).

xvii. *Abortion II: Making the Revolution* (Boston: Beacon Press, 1973). An earlier Lader book was *Breeding Ourselves to Death* (New York: Ballantine Books, 1971), showing that his earlier interest was in population control and not gender equality.

xviii. Lawrence Tribe, *Abortion: The Clash of Absolutes* (New York: W. W. Norton, 1990). The editor of a recent work on the social ethics of feminism notes that while “Commitment to a legal right to abortion is sometimes taken as synonymous with feminism” (1994: 263), “a striking feature of Western feminism’s recent history has been the progressive enlargement of its moral and political concerns” (1994: 3-4). Feminists today, she writes, are increasingly recognizing that “moral or public policy issues cannot be separated cleanly into those that are and those that are not of special concern to women. On the one hand, since men’s and women’s lives are inextricably intertwined, there are no women’s issues that are not also men’s issues. The availability or otherwise of child care and abortion, for instance, has significant consequences for the lives of men and men’s power over women” (4). In *Living with Contradictions*, Jaggar never defines what she means by “contradictions” but judging from the text she uses it to characterize the “disagreement (that) is endemic to feminism” and to all significant topics. But she sometimes comes close to signifying by “contradiction” some feminist positions that cancel each other out and thus need rethinking. One is especially pertinent to the *consistent ethic of life*. Among the disagreements she notes are those about “militarism,” that is, women as

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taxpayers and fighters. “Similarly, feminist opposition to militarism and other forms of violence seems to conflict with feminist goals of promoting women’s economic and physical independence when these are expressed through desires for a career in the military or a determination to defend oneself physically. Such conflicts of principle may lead to apparently self-contradictory conclusions, such as the need to ‘fight against violence’ or even ‘fight for peace’” (1994: 7). Feminists for life argue that abortion represents an inversion of authentic feminist values, in that the life of the weaker and dependent fetus is subordinated to the life of its relatively (since she too is often dependent on others who fail her) stronger mother.

xix. I remember that it was not until the late 1970s that contribution-seeking mail I received from abortion advocacy groups (such as NARAL and Planned Parenthood) no longer came in white or brown envelopes without an identifying label or return address. I think it was not until the early 1980s when the yellow pages used the explicit term “abortion” in its “pregnancy” and “family planning” pages.

xx. Pg. 283, n.29. Compare his data with the speculations and innuendo about right-to-life financial resources of Connie Paige in *The Right to Lifers* (New York, Summit Books, 1983).

xxi. In 1989 Back cautioned that “If the principles of family planning and population control are carried out to their ultimate logical conclusion, then they will inevitably conflict with many of the principles of other movements who generally support family planning aims.” Kurt Back, *Family Planning and Population Control: The Challenges of a Successful Movement* (Boston: Twayne, 1989) 154. Back reports that population control elites do not explicitly oppose social welfare programs aiding poor women—such as welfare, maternity benefits, free education—only because “this would be tactically unwise” (1989: 154). While no public or publicized efforts to disengage pro-choice feminism from pro-abortion population planning has been made (save in the case of sex-selection abortions), individual pro-choice feminists have at least acknowledged it. Toubia has observed, but seemingly fatalistically, that “those who control economic resources at both the national and international levels are more interested in investing in family planning programs than in other health or development needs. We will not be able to change their motives to some abstract egalitarianism in which they never believed” (Nahid Toubia, “Redefining Survival,” *Conscience* 12/5 (Sept.-Oct. 1991) 7. Perhaps it is significant that Toubia, a feminist with third-world connections, has most forcibly made the point that not all supporters of

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abortion also support women seeking an equality that includes government interventions requiring distributive justice. With the exception of the attention given to sex selection abortions and China's policy of one-child family and reports of forced abortions, it is mostly right-to-life authors who publicly warn that population control in the third world frequently overrides any real "free consent." But see Betsy Hartman, *Reproductive Rights and Wrongs* (New York, Harper and Row, 1987). For example, see Elizabeth Liagin's work for Information Project for Africa, Inc. (P.O.Box 43345, Wash. D.C.; <http://www.africa2000.com>). In *Choices: Reproductive Rights & Population Control in the Twenty-first Century* (Bethesda: I.P.F.A., 1999) Liagin points out the variety of ways population groups under contract to the US Agency for International Development are cautioned to characterize population reduction as a "social" rather than a "political" issue, and especially as a matter of "choice." "In essence," she argues, "talk about 'reproductive health,' 'women's rights,' and, most of all, 'choice' obscures the fact that the programs are designed to change the reproductive behavior of people who are not U. S. subjects and have no vote in U. S. politics—and to do so in ways that have an unquestionable political outcome" (1999: 3). Liagin has doggedly traced the recent emphasis on population control as a primary factor in geo-politics to *Central Intelligence Agency* memos declassified under the *Freedom of Information Act*. "The urgency that fuels aggressive population control campaigns is illustrated in a 1977 Central Intelligence Agency report, still partly classified, which explicitly states that the objective is to prevent a shift in the balance of world power and to keep the United States and its allies dominant in world affairs. Says the CIA document, 'world population growth is likely to contribute, directly or indirectly, to domestic upheavals and international conflicts that could adversely affect US interests. Population growth will also reinforce the politicization of international economic relations and intensify the drive of (less-developed) countries) for a redistribution of wealth and of authority in international affairs'" (1999: 9).

xxii. Marian Faux, *Roe v. Wade* (NY: New American Library, 1988) 233-36.

xxiii. Black women continue to show high rates of moral distaste for abortion. In her essay "Choosing Ourselves: Black Women and Abortion" (Jaggar, 1994: 290-92), Beverly Smith writes "that the feminist connection to abortion sometimes turns Black women off, particularly because feminism is so closely associated with white women." Smith points to the religious values of Blacks, the fear of genocide, and the

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experience of forced sterilization. While Black women have more abortion than white women, they are more likely to disfavor it, showing, among other things, the need to look at “choice” in a wider context that includes control of economic and social resources.

xxiv. In 1972, 53 notable American women signed their names to a legislative petition published in *Ms.* magazine. Personal testimony came in 1991 in Angela Bonavoglia (ed.), *The Choices We Made* (New York, Random House).

xxv. The grass roots vitality of the movement is vividly shown by the contrast of the 1989 *Webster* Decision sixteen years after *Roe*. Garrow reports that “A veritable deluge of amicus briefs—seventy-eight in all, twenty more than the previous Supreme Court record of fifty-eight eleven years earlier in the *Bakke* affirmative action case—had been filed in *Webster*... (and) a distinct majority of amicus filings, however, sided with Missouri.” David J. Garrow, *Liberty and Sexuality* (New York: Macmillan, 1994) 674.

xxvi. Cassidy is right to point out that the much larger academic literature on abortion opponents, as contrasted with the far fewer studies of pro-choice proponents, probably reflects the value commitments of both journalists and academics” which “predispose them to see the pro-life movement as problematic in a way that the pro-choice movement is not, and hence in need of explanation and interpretation.” Keith Cassidy, “Interpreting the Pro-Life Movement: Recurrent Themes and Recent Trends,” *Life and Learning IX* (Washington, D.C.: UFL, 2000) 249-50.

xxvii. “Text Book Coverage of Abortion” in *Life and Learning* (1993) 215-23. Keith Cassidy finds that generally historians have not yet written directly on abortion. See his even-handed “The Abortion Controversy as a Problem in Contemporary American History: Some Suggestions for Research,” *Journal of Policy History* 1/4 (1989) 440-60.

xxviii. See James R. Kelly, “Abortion: What Americans Really Think and the Catholic Challenge,” *America* (Nov. 2, 1991) 310-16. More precisely, the survey commissioned by Americans United for Life found that most Americans identify strongly with neither a “pro-life” nor a “pro-choice” label. Overall, 42% of the Gallup poll respondents described themselves as pro-life (but only 26% answered “strongly”), while 33% said they were “pro-choice” (with 17% saying “strongly”). The Wirthlin poll commissioned by the National Conference of Catholic Bishops found that roughly the same percentage (40%) were willing to describe themselves as pro-life as pro-choice. But Wirthlin says it is significant

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that more than two-thirds (68%) agreed that “the central issue in the abortion debate is who decides—the woman or the government.” Wirthlin concluded that “If the battle is framed in terms of ‘who decides’ and not by what is right or wrong, the abortionists win.”

xxix. Consider the fact that Edward Golden, the first president of the first national organization formed after *Roe*, the National Right to Life Committee, found it necessary to take a course in public speaking to overcome the discomfort he felt when he had to talk to reporters (personal interview). There is nothing comparable to Golden’s political tyro status to be found in the memoirs of those promoting legal abortion through their “litigation” campaigns. In my very first interviews of 28 local anti-abortion activists I found that, with the exception of the three who were lawyers and the three who were clergy, “They had not previously thought of themselves as community leaders and they described themselves as reluctant and self-taught activists... with no previous experience in public speaking, lobbying, or politics” (“Beyond the stereotypes,” *Commonweal*, Nov. 20, 1981: 659).

xxx. The main activity of the pioneers was the *unmasking* of pro-choice words to show pro-choice reality, that abortion meant the death of a developing human life. For example, Barbara and Jack Willke, in the foreword to their revised edition (Hayes Publishing Co., 1979: iv) of *Handbook on Abortion*, the most widely translated and read right-to-life book in the world, wrote that “Since the idea of killing humans remains repugnant to most people, this idea has to be denied. Therefore, the cornerstone of their (pro-choice) argument has been the denial of the humanity of the being who is killed by abortion. This has partly been accomplished by the semantic gymnastics of words such as ‘terminate,’ and ‘interrupt’ pregnancy so that the more accurate biological term ‘kill can be avoided. The major ploy however, has been to dehumanize the developing living human in the womb.” Pictures quickly appear on page 28 of *The Handbook*.

xxx. A proper noting of these many groups would require a full chapter, at least. For example Care-Net, founded in 1975 by Drs. Harold O.J. Brown, Dr. Francis and Edith Schaeffer and Dr. C. Everett Koop (in the home of Rev. Billy Graham), is now a network of more than 300 crisis pregnancy centers which served more than 300,000 women in 2000. See [www.pregnancycenters.org](http://www.pregnancycenters.org); [www.cpcworld.org](http://www.cpcworld.org).

xxxii. John Paul II uses this powerful phrase to emphasize the

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institutional level of injustice, which requires for its remedy collective and transformative actions, and not only personal charity. The terms were first used by Pope Paul VI in the late 1960s in his encyclical *Populorum Progressio*, which considered the meaning of “development” when seen through the eyes of the “third-world” poor. Published two decades later in Feb. 1988, John Paul II’s *Sollicitudo Rei Socialis* commemorates the 20th anniversary of *Populorum Progressio*, Pope Paul VI’s encyclical on development in 1967 whose point was to reexamine the question of development. John Paul in #35 notes that “Precisely because of the essential moral character of development, it is clear that the *obstacles* to development likewise have a moral character.” After mentioning “a world that is divided into blocs, sustained by rigid ideologies,” John Paul II writes “If the present situation can be attributed to difficulties of various kinds, it is not out of place to speak of ‘structures of sin’.... rooted in personal sin, and thus always linked to the *concrete acts* of individuals who introduce these structures, consolidate them and make them difficult to remove. And thus they grow stronger, spread, and become the source of other sins, and so influence people’s behavior. ‘Sin’ and ‘structure of sin’ are categories which are seldom applied to the situations of the contemporary world. However, one cannot easily gain a profound understanding of the reality that confronts us unless we give a name to the root of the evils which afflict us.” While the Pope’s phrase “culture of death” has become widespread in movement literature, the phrase “structure of sin” has not.

xxxiii. In my “Why Republican and New Democrat Welfare Changes Need Legal Abortion” (*America*, Dec. 30, 1995: 7-11) I argue that without an implicit reliance on legal abortion the Clinton administration’s shift of welfare costs from federal to state levels, thus reversing the party’s “New Deal” direction set by Franklin Delano Roosevelt during the Depression era, could be neither thinkable nor doable. For these welfare “reforms” mean that on the local level, which has less leverage for redistributionist tax measures, advocates for the poor will now compete on even less favorable terms against equally committed advocates for other socially compelling reforms, such as funds for the elderly, for education, for libraries, and so on.

xxxiv. Of great usefulness, especially when the movement is tempted to remember Ronald Reagan as a pro-life champion, is Christopher Lasch’s Ch. 3 “Nostalgia: The Abdication of Memory” in his *The True and Only Heaven: Progress and Its Critics* (New York. W. W. Norton,



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1991). Lasch shows that while nostalgia, unlike the reality engaging active memory of history, which involves gratitude and repentance, leads to either pious moralizing or passivity. Pertinent to social movements especially is Lasch's observation that "The barrier that divides the past from the present, as it appears to the nostalgic sensibility, is the experience of disillusionment, which makes it impossible to recapture the innocence of earlier days" (1991: 83). Thus, Lasch distinguishes "memory," which leads to a renewed engagement, from "nostalgia," which leads to disillusionment and withdrawal. Although it is not my main point, but it certainly is his, Lasch begins Ch. 3 drawing the connection between the myth of progress and the uses of nostalgia: "If the idea of progress has the curious effect of weakening the inclination to make provision for the future, nostalgia, its ideological twin, undermines the ability to make intelligent use of the past. Seemingly at odds, these attitudes have a good deal in common."

xxxv. Tanya Melich, *The Republican War Against Women* (Bantam, 1998, 1996).

xxxvi. Needless to say, this is not to impugn Reagan's integrity. Reagan authored *Abortion and the Conscience of a Nation*, which appeared in *The Human Life Review* (Spring 1983) and was published in hardcover (23 pages with additional afterwords by E. Everett Koop and Malcolm Muggeridge) the next year by Thomas Nelson Publishers (New York, 1984). Also see his several references to abortion as undermining the sacredness of life in his *Speaking My Mind* (New York, Simon and Schuster, 1989) 172, 212, 274.

Still, in terms of "winning hearts and minds" it is pertinent to note that Nancy Reagan disagreed with her husband. "I'm not exactly sure where I come down on that one, because I can't get past the feeling that abortion means taking a life. But in cases of incest, rape, or the mother's well-being, I accept it." Nor did their children Ronnie and Maureen share their father's expressed hope to see *Roe* overturned. See Nancy Reagan, *My Turn*, with W. William Novak (New York: Random House, 1989) 177; 154.

Also of some pertinence is the fact that Reagan's Surgeon General, C. Everett Koop, M.D., who claims to have "played a major role in the pro-life movement of Evangelical Protestants," acknowledged that "there will always be abortions, law or no law" and opined that "Abortion may be the greatest moral issue facing the nation, but that does not make it the greatest political issue and the competence of elected officials...should never be determined by a single issue." He sardonically

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notes that “I never unraveled the exact relationships among the various pro-life groups” and found their tone “strident” and their rhetoric “vindictive.” Koop describes the pro-life Reagan supporters as “long on symbolism and posturing, (but) short on political savvy.” He notes that in Reagan’s first term the administration priorities were the economy and national defense and that in his second term Reagan on abortion “did almost nothing...except to make the usual gestures.” While the right-to-life activists, who visited the President’s office nearly every January 22 during their annual March on Washington, had been promised a surgeon general sponsored scientific study of the effects of abortion on women, Koop said Reagan had to be constantly reminded of this promise. When Koop finally examined the data he found that “There was as much evidence of positive effects of abortion on woman as negative” and there were many “women who said that their abortions had saved their marriage or job.” For a summary see James R. Kelly, “The Koop Report and a Better Politics of Abortion, *America* (June 6, 1990) 542-46. I wrote this before the publication of Koop’s memoirs, where he writes, “In spite of my feeling (sic) that the fetus was an extraordinarily important being, I felt as a public health officer that the number of deaths each year from smoking made it the number one public health problem (New York: Random House, 1991) 279, 140, 268-70, 275; 270). Under the category of adding anti-abortion insult to injury, Koop proclaims himself “the most visible pro-life symbol within the administration, except, perhaps (sic), for the President himself” (1991: 270). Finally, he adds that the pro-life movement “does little regarding the death penalty” (1991: 283). As the saying goes, “With Reagan-friends like this, who...?”

This long footnote derives from my experience during the question-period that followed my plenary session on June 1 at the June 2001 University Faculty for Life Conference. Reacting to my remarks about pro-life costs of “the Reagan embrace” and more specifically to the Melich “insider’s account” of the Republican 1976 Convention and its adoption of what came to be the Republican Party’s Platform’s call for a human life amendment reversing *Roe*, Dr. Jack Willke, the most accomplished right-to-life leader, with some exasperation exclaimed, “But you weren’t there!”. Which is true. My last questioner recalled how on Reagan’s departure from the White House on his last day in office, the President thanked him for the contributions of Physicians For Life, who he called “the real doctors.” In my response I acknowledged I felt humbled by pro-life activists. Willke’s exclamation, of course, is one that all scholars must fact; on the other hand, activists must also confront the

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question of even unintended co-option, which surely is at least a pertinent issue about the “Reagan embrace,” as shown by any number of sources.

xxxvii. See the study of Congressional Donors who contributed \$200 or more to Congressional candidates in 1996 funded by the Joyce Foundation of Chicago. Eighty one percent had annual family incomes higher than \$100,000, 80% were men (95% were white). More than half favored tax cuts even if they required cuts in public services but only one-quarter wanted to prohibit abortions, the majority opposed national health insurance but backed gay rights and free trade. For a summary see, Bob Herbert, “The Donor Class,” *The New York Times* (July 19, 1998) WK: 15. Regarding abortion, to the degree that both the Republican and Democratic Party place economics first (as they do), and define economic success in terms of market efficiency (which since Clinton the democrats also do) then neither party can offer a coherent rationale for abortion restriction. Since consumer choice justifies the market, to resist its migration to sexual ethics would require, first, “teleological explanations and a hierarchy of goods,” which by definition market efficiency denies (and subverts), or demonstrative empirical data that free choice in sexual and reproductive matters weakens economic performance, which is most unlikely (though Daniel Bell, in his *The Cultural Contradictions of Capitalism*, and others have tried to argue). As Alasdair MacIntyre lucidly notes, in our culture of “liberal individualism” the root premise, the unexamined start of all personal and political practical reasoning veers toward “What are my wants? And how are they ordered”? The conception of the good in liberal individualism prioritizes tolerance and rival conceptions of the good are permitted only as preferences that do not impede other preferences. “The parallels between this understanding of the relationship of human beings in the social and political realm and the institution of the market, the dominant institution in a liberal economy, are clear. Alasdair MacIntyre, *Three Rival Versions of Moral Inquiry: Encyclopedia, Genealogy, and Tradition* (Univ. of Notre Dame Press, 1990) 336.

xxxviii. For a scathing review of the avoidance of the topic of abortion by Reagan’s successors, George Bush and Robert Dole, and incidentally their sheerly tactical arrangement with right-to-life leaders, see Robert G. Morrison, “Breakfasting With Champions,” *Life and Learning VIII* (Washington, D.C.: UFL, 1998) 187-97.

xxxix. See *Akron vs. Akron Center for Reproductive Health Inc.*, 462 U.S. 416 (1983); *Thornburgh vs. American College of Obstetricians and*

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*Gynecologists*, 476 U.S. 747 (1986).

xl. *The Attorney General's Lawyer* (Praeger, 1992), Ch. 4: "Family: Abortion, Aids, Pornography, and School Choice."

xli. In his *Liberty & Sexuality* (Macmillan, 1994: 641) David J. Garrow, who interprets *Roe* as a moral and legal extension of the *Griswold* (1965) right to privacy basis of striking down state restrictions on contraception, reports the following exchange in the administration's *amicus* in defense of Akron's "antiabortion regulations" (1982) between Rex Lee and Justice Harry Blackmun, chief author of *Roe*: "Mr. Solicitor General, are you asking that *Roe v. Wade* be overturned?" "I am not, Mr. Justice Blackmun." "Why not?" "That is not one of the issues presented in this case." Much to the point, Garrow (1994: 701) approvingly cites as "correct" the judgment of "Harvard law professor Laurence H. Tribe's" and "New York University's Ronald Dworkin's" that the Court's 1992 *Casey* decision written by the Reagan-Bush appointees Sandra Day O'Connor, Anthony Kennedy and David Souter "puts the right to abortion on a firmer jurisprudential foundation than ever before" and "considerably strengthens the case for *Roe*" by giving women's right to choose "an even more secure basis."

xlii. Colin Francome, *Abortion Freedom: A Worldwide Movement* (London: George Allen and Unwin, 1984) 210.

xliii. For an apt example of the deep tensions between a *fiscal* and a *social* conservatism, see David Stockman, *The Triumph of Politics: Why the Reagan Revolution Failed* (New York: Harper & Row, 1986).

xliv. It is not the case that the Reagan appointees had feigned their personal difficulties regarding the morality of abortion or thought they were compromising them in *Casey*. There the majority opinion reads (by Court standards) with an almost plaintive eloquence: "Men and women of good conscience can disagree, and we suppose some always shall disagree, about the profound moral and spiritual implications of terminating a pregnancy, even in its earliest stage. Some of us as individuals find abortion offensive to our most basic principles of morality, but that cannot control our decision. Our obligation is to define the liberty of all, not to mandate our own moral code. The underlying constitutional issue is whether the state can resolve these philosophic questions in such a definitive way that a woman lacks all choice in the matter, except perhaps in those rare circumstances in which the pregnancy is itself a

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danger to her own life or health, or is the result of rape or incest.” June 29, 1992, *Planned Parenthood of Southeastern Pennsylvania vs. Casey* in *Origins* (July 9, 1992). It is highly significant that these three (O’Connor; Kennedy; Souter) Republican appointees ground their refusal to reverse *Roe* not in any newly found fact or closer inspection of the Constitution but in the very legitimacy of the Supreme Court itself, thus meaning—and this is key—that for them social traditionalism now includes a constitutional protection of a woman’s right to abort.

xliv. “From this follows the important corollary that all (sic) movements are anticapitalist.... Since all movements, being solidaristic, are necessarily anti-capitalist.” Francesco Alberoni, *Movement and Institution*, tr. by Patricia C. Arden Delmore (New York, Columbia Univ. Press, 1984) 316-17.

xlvi. The claim is empirically warranted. In the mid-1980s Henshaw and Silverman found that while 14% of all American women fall below the poverty line, one-third of all abortion patients did. Stanley K. Henshaw and Jane Silverman, “The Characteristics and Prior Contraceptive Use of U. S. Abortion Patients,” *Family Planning Perspectives* (July/ August 1988) 158-60. Torres and Forrest found that the second among the dozen reasons women give for aborting was that “she couldn’t afford the child.” Ada Torrest and Jacqueline Darroch Forrest, “Why Do Women Have Abortions?” in *Family Planning Perspectives*, (July/ August 1988).

xlvii. Frederica Mattewes-Green, “Silence is Golden,” *Care Net Report* 2/2 (2001) 11.

xlviii. Citing the Centers for Disease Control 1997 statistics, the June 2001 *National Right To Life News* report that from 1990 to 1997 the overall number of abortions declined 17%, but only 6.7% among Blacks (and increased among “other races”). 81% were to unmarried women, 48.2% to women over 25, and 20.1% to women 19 and under.

xlix. See Maurice Halbwachs, *The Collective Memory*, tr. by Francis J. Ditter, Jr. and Vida Yazdi Ditter (New York: Harper Colophon Books, 1980, 1950). Also, Eduardo Hoornaert, *The Memory of the Christian People*, tr. by Robert R. Barr (Maryknoll, NY: Orbis Books, 1988). For analytic terms unpacking collective memory, see Hank Johnston and Bert Klandermans (eds.) *Social Movements and Culture* (Minneapolis: Univ. of Minnesota Press, 1995). Johnson and Klandermans note that “Students of social movements have felt the limitations of excessively

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structural and interest oriented perspectives... (so that) a growing interest in culture can be observed among social movement scholars” (1995: vii). See especially Alberto Melucci “The Power of Collective Identity”; Michael Billig “Rhetorical Psychology, Ideological Thinking, and Imagining Nationhood.” For a major work on the potential for permanent nascency of social movements, as well as one of the few efforts to integrate the social movement literature with classical sociological theory, see Francesco Alberoni’s *Movement and Institution* (cited above). For the underlying philosophical grounding of this recent turn in the social movement literature towards the communal roots of moral protest see Eric Voegelin’s magisterial *Anamnesis*, tr. Gerhart Niemeyer (Indiana: Univ. of Notre Dame Press, 1978). Of great usefulness, especially when the movement is tempted to remember Ronald Reagan as a pro-life champion, is Chapter 3 of Christopher Lasch, *The True and Only Heaven*. Lasch shows that nostalgia, unlike the reality engaging active memory of history, of gratitude, or of repentance, leads to either pious moralizing or passivity. Pertinent to social movements especially is Lasch’s observation that “The barrier that divides the past from the present, as it appears to the nostalgic sensibility, is the experience of disillusionment, which makes it impossible to recapture the innocence of earlier days” (1991: 83). Thus, Lasch distinguishes “memory” from “nostalgia.”

i. This non-traditional extension of the term “archeology” from a past retrieved for the sake of a future transformed will remind the reader of the work of Michael Foucault.

ii. What activists and, as important, what “society” and scholars eventually name a movement is part index and part determinant of its transformative potential. See Jane Jenson, “What’s In A Name?: Nationalist Movements and Public Discourse” in Hank Johnston and Bert Klandermans (eds.) *Social Movements and Culture* (Minneapolis: Univ. of Minnesota Press, 1995) 107-26. Jenson perceptively writes, “Politics, then, involves a struggle to be self-naming rather than outside named, as well as to realize collective interests. Such struggles creates ‘winners’ and ‘losers.’ Success in occupying space in the universe of political discourse...may reconfigure the political opportunity structure. Thus, struggle over naming involves the exercise of power” (p. 115).

Jenson helpfully notes that the activists’ choice of a movement name affects the strategy a group adapts and affects strategic resources and the groups potential for alliances. As important, it affects the possibilities for coalition formation and ultimately the degree of solidarity

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the movement might hope for. For scholars the key point is that a movement's "selecting one name over another sets discursive boundaries such that some claims become meaningful and others are less relevant" (p. 116). See my "Seeking a Sociologically Correct Name for Abortion Opponents" in Ted G. Jelen and Marthe A. Chandler (eds.) *Abortion Politics in the United States and Canada* (Westport: Praeger, 1994) 15-40.

According to pioneers, the first grass roots group opposing abortion was founded in 1971 in Lynchburg, Virginia, and the founding activists called it (and the first state-wide right-to-life organization) *The Society for Human Life* (Holly Miller, "Lynchburg Chapter of Virginia Society for Human Life; Nation's First Local Chapter Celebrates 30th Anniversary," *National Right To Life News* (June 2001) 21, 23.

lii. While all social scientists would agree with the generalized proposition that memory is not "merely" an individual faculty but, and more crucially, that there is such a thing as a "collective" or "social" memory, there are important and largely unexamined (because the work would be intensely interdisciplinary) differences "as to where this phenomenon, social memory, can be found to be most crucially operative." Paul Connerton, *How Societies Remember* (New York: Cambridge Univ. Press, 1989) 1. Connerton is surely on target in his core structural question asking "how is the memory of groups conveyed and sustained?" (as opposed to, say, more putative psychological sources of Jungian "archetype" or Freudian "ontogeny recapitulating phylogeny" analysis). This structural question, he adds, leads to the issue of social memory as a dimension of political power for "it is surely the case that control of a society's memory largely conditions the hierarchy of power." Unfortunately, as he concedes, he "touches upon" but does not address this key point about memory and political impact in "an explicit and systematic way" (p. 1). There are, he rightly notes, enormous difficulties in "developing a theory of memory as a form of cognition" (21). It hardly needs saying that a crystallization such as *the consistent ethic of life* is powerfully resistant to political manipulation and cooption.

liii. "Where negative apologetics is defensive, positive apologetics is offensive; where negative apologetics means the barricades, positive apologetics takes the battle to the enemy's camp. Positive apologetics is, by its very nature, part of an evidentialist program; it tries to show, by cumulative-case arguments, that the conceptual system it is attempting to establish is more likely than not, or more likely than some specific competitor, to be true, both in its parts and as a whole." Paul J. Griffiths,

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An Apology for Apologetics: A Study in the Logic of Interreligious Dialogue (Maryknoll: Orbis Books, 1991) 14-15. Pro-life and principled pro-choice activists have much worth learning from this thoroughly admirable book, as neither group has the least interest in compromise for, just as in the case of religious belief, the stakes are so high both for personal identity and for thinking with integrity. For example, both sides could wrestle with Griffiths' observation that "Apologetics also usually uses only methods of argumentation and criteria of knowledge acceptable to the adversary. This is to rule out, among other things, appeals to sources of authority not recognized by one side in the debate" (1991: 15). There are, Griffiths notes, "degenerate forms of apologetics" (15). Thus, it might not only be a failure of prudence but also a degenerate form of apologetics for anti-abortion activists to require for being "completely pro-life" an acceptance of the immorality of all forms of contraception save for "natural family planning" modes. Some of the critical audience reactions to my paper were complaints that I had not mentioned birth control, which, the questioners pointed out, produces the "contraceptive mentality" that makes abortion legally necessary. Some important anti-abortion social movement organizations such as the American Life League and Human Life International make anti-contraception a part of their own version of a "consistent ethic." On the other hand, soon after the post-*Roe* formation of the National Right to Life Committee, which adopted neutrality on the issue of birth control, some dissidents (there should be a better term) formed American Citizens for Life, which explicitly supported (it became defunct in 1987) sex education, family planning and social legislation that might reduce the numbers of abortion (see James R. Kelly, "The Vanishing Middle in Abortion Politics," *The Christian Century* 105/3 (August 3-10, 1988) 708-11. See also James R. Kelly, "Residual or Prophetic? The Cultural Fate of Roman Catholic Sexual Ethics of Abortion and Contraception," *Social Thought* (Spring, 1986) 3-18; and James R. Kelly, "Catholic Sexual Ethics Since Vatican II" in Helen Rose Ebaugh, ed., *Religion and the Social Order* 2 (1991) 139-54.

liv. For an insightful and much needed analysis of abortion coverage in the print media see the important review by David Shaw, "Bias Sweeps into News on Abortion: Media Coverage Shifted after *Webster* Decision in 1989" (first of four articles on "Abortion and the Media"), *Los Angeles Times* (July 1) A1. Actually, the "higher" journalism, since the formation of an anti-abortion movement, had always been biased in their editorial policy instructing journalists in what terms ("anti-abortion," not "pro-life"; "pro-choice," not "pro-abortion") to describe activists. See Kerry Sipe,



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“Labeling: Are Newspaper Terms Neutral in Abortion Debate?” in *Virginia-Pilot and Ledger-Star* (Nov. 19, 1989) 6. For lack of reflexivity, or just plain self-deception, see *New York Times*, Internal Memorandum (July 3, 1989) which the reader can find in James R. Kelly, “Seeking a Sociologically Correct Name for Abortion Opponents” in Ted G. Jelen and Marthe A. Chandler (eds.) *Abortion Politics in the United States and Canada* (Westport: Praeger, 1994) 16. The 1989 electronic memo sent to New York Times Service Subscribers nationally read in part: “WE DO USE: women, not mother, in reference to a pregnant women. Everyone agrees she’s a woman; some say she isn’t a mother until she gives birth. WE DO USE: fetus, not baby, in reference to the embryo (sic) she carries. There’s agreement that it’s a fetus, no agreement that it’s a baby..... WE DON’T USE: pro-life, pro-choice. They’re both propagandistic.”

For examples of an “out-right unfairness” towards abortion opponents see Andrew H. Merton’s *Enemies of Choice: The Right-To-Life Movement And Its Threat To Abortion* (Boston: Beacon Press, 1981) which I review in “Turning Liberals into Fascists: A Case Study of the Distortion of the Right-To-Life Movement,” *Fidelity* (July-August, 1987) 17-22; and Connie Paige, *The Right to Lifers: Who They Are, How They Operate, Where They Get Their Money* (New York: Summit Books, 1983) which I include in my broader review in “Tracking the Intractable: A Survey on the Abortion Controversy,” *Cross Currents* (Summer/ Fall 1985) 212-18.

lv. For an accessible and persuasive summary of this evolution, see Francis X. Meehan, “Utilizing Just War Teaching To Condemn Modern War: A Reflection On The Developing Church Teaching” in Robert Keeler (ed.) *Just Peace: A Revolution in Progress* (Erie: Pax Christi USA, 2000) 23-45. Meehan’s third point (2000: 24) has particular resonance for the pro-life movement: “This movement of the church toward a posture of nonviolence need not and must not be accomplished in a sectarian manner. That is, there is a way for the church to adopt a posture of nonviolence without falling into an excessive withdrawal from the world. In fact, with the help of Gandhi’s teaching, the Christian following of Jesus’s Sermon (On The Mount) can be seen as a secular wisdom which seeks not a private purity, but a public good.”

lvi. There are also ecclesial antecedents for a comprehensive and consistent approach to abortion. The Second Vatican Council (1962-1965) like most everyone else during that time took little note of the movement to legalize abortion. The term *abortion* does not even

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appear in the 45-page index of the American edition of the Council documents. The Council documents do mention abortion in two brief passages, and significantly both are in the context of comprehensiveness and consistency. The Council's first mention of abortion is in "The Pastoral Constitution on the Church in the Modern World" in #27 which is captioned "Reverence for the Human Person." There the Council includes abortion as the third of its 16 examples of violence against the human person: "Furthermore, whatever is opposed to life itself, such as any type of murder, genocide, abortion, euthanasia, or willful self destruction, whatever violates the integrity of the human person, such as mutilation, torments inflicted on body or mind, attempts to coerce the will itself; whatever insults human dignity, such as subhuman living conditions, arbitrary imprisonment, deportation, slavery, prostitution, the selling of women and children; as well as disgraceful working conditions, where men are treated as mere tools for profit, rather than as free and responsible persons; all these things and others of their like are infamies indeed." The Council's second mention, also appearing in its document "Pastoral Constitution of the Church in the Modern World," simply teaches that "Therefore from the moment of conception life must be guarded with the greatest care, while abortion and infanticide are unspeakable crimes."

In the Roman Catholic tradition the major non-conciliar teaching is the *Sacred Congregation for the Doctrine of the Faith*. In its November 18, 1974 "Declaration On Abortion" the Congregation reaffirmed the teaching that all directly intended abortions were grave moral offenses. But the Congregation showed considerable social realism about the practice of abortion and about the limits of law. In Section #19 we read "it is apparent that, where they still exist, the laws condemning abortion appear difficult to apply" as "the crime has become too common for it to be punished every time." The Congregation acknowledges that "public authorities often find it wiser to close their eye to it" as they recognize that "clandestine abortion puts women...in the most serious dangers for future pregnancies and also in many cases for their lives." In #21 the Congregation drew on the classical distinction between law and morality and acknowledged that "civil law cannot expect to cover the whole field of morality or to punish all faults" so that it "must often tolerate what is in fact a lesser evil in order to avoid a greater one." Without specifying how this might be structured in pluralistic societies and amidst moral debate, the Congregation added that while "human law can abstain from punishment" it "cannot declare to be right what would be opposed to the nature law" because—and for my argument this is crucial—this would

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impede “the path of true progress.” The congregation does not promote abortion laws that simply keep abortion illegal. They teach that a morally acceptable abortion law must directly contribute to a “reform of society and of conditions in all milieu, starting with the most deprived, so that always and everywhere it may be possible to give every child coming into this world a welcome worthy of a person. Help for families and for unmarried mothers, assured grants for children, a statute for illegitimate children and reasonable arrangements for adoption - a whole positive policy must be put into force so that there will always be a concrete, honorable and possible alternative to abortion” (#23, emphasis added).

Also crucial to the argument here, the Congregation’s teaching on abortion was explicitly comprehensive. They write that a decision not to abort often requires a “heroism” from the pregnant woman and that this obliges officials to find ways that the “weight of the sacrifices and burdens” of such a choice for life should be shared by the community. In #23 they explicitly link abortion restrictions with social policies that provide community help for women with unwanted or burdensome pregnancies.

lvii. The linkage between opposing war and opposing abortion did not emerge only in Roman Catholic circles. In the early 1960s the distinguished Protestant moral theologian Paul Ramsey compared the moral dilemma presented by nuclear deterrence to the case of a woman with a scarred uterus which will not carry another pregnancy to term. The hysterectomy is scheduled but the woman subsequently discovers that she is pregnant, in Ramsey’s example. The death of the non-viable fetus would be indirect. But the mother is deterred by the “menace” to her child. She can “deter” without wanting the death of the child. It is precisely the latter that she wants to avoid. But this is analogous to the contention that unavoidable collateral deaths need not be directly willed when I accept the deterrent effect their prospects create. Cited in Richard A. McCormack, S.J., *Notes on Moral Theology: 1965 through 1980* (Washington, D.C.: Univ. Press of America, 1981) 105.

lviii. In *Commonweal* (May 28, 1971). Zahn recalls that “As early as 1971, years before the Supreme Court opened the gates to elective abortion and before the bishops discovered the linkage between all the life issues, I published an article in *Commonweal* anticipating, though I did not use the term, Cardinal Joseph Bernardin’s ‘seamless garment’ argument. If anything, my concluding paragraph made the point with sharper emphasis: ‘It is not just a matter of consistency; in a very real sense it is the choice between integrity and hypocrisy. No one who

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publicly mourns the senseless burning of a napalmed child should be indifferent to the intentional killing of a living fetus in the womb. By the same token, the Catholic, be he bishop or layman who somehow finds it possible to maintain an Olympian silence in the face of government policies which contemplate the destruction of human life on a massive scale, has no right to issue indignant protests when the same basic disregard for human life is given in government policies permitting or encouraging abortion." From "Casting a Vote for Life," *America* (Nov. 24, 1984) 337-39.

lix. Consistency by itself is hardly a virtue or even a desirable trait. A consistent liar or manipulator, one expects, would possess less moral character than a less systematic one. Consistency is only as good as the premises it starts from. And sometimes even a consistency starting from worthy premises results in unworthy consequences. A consistency without good sense would result in the familiar spectacle of the well-intentioned doing more harm than good. Prudence is the first, and chief, of the four cardinal virtues. "Consistency," Emerson famously remarked, "is the hobgoblin of little minds." That is, consistency can simply be unimaginative rote. Consistency in Bernardin's (and his predecessors') usage means that we cannot expect a sense of the sacredness of developing life in the womb to exist in a culture that resorts to violence in other areas, such as war and capital punishment. Medeiros had earlier added "comprehensiveness" to consistency pointing to the need for social policies that concretize this non-violence into quality of life considerations. Bernardin does as well, grounding "quality of life issues" in the "right to life" and testing the commitment to a "right to life" by support for "quality of life issues," which Bernardin acknowledges is inadequately understood in the Catholic community itself" (1983: 8). "Consistency," he said, "means we cannot have it both ways. We cannot urge a compassionate society and vigorous public policy to protect the rights of the unborn and then argue that compassion and significant public programs on behalf of the needy undermine the moral fibre of the society or are beyond the proper scope of governmental responsibility" (1983: 9).

lx. November 1980, Vol. 9, #11.

lxi. Neither Bernardin nor his intellectual confidant Rev. Brian Hehir could recall where the phrase came from. Interestingly enough, Bernardin echoed Egan's recollection and said that the phrase "just popped out" when he had difficulty explaining to reporters that opposing abortion and opposing the arms race implied each other, even though this was far

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from Ronald Reagan's positions or what they heard from anti-abortion activists. (Personal interviews).

lxii. We can only speculate what might have happened, or in the case of abortion opponents killing doctors who perform abortions, what might not have happened if the *consistent ethic of life*, with its linking of opposition to abortion to opposition to war had become with Bernardin's publicity the general if not universal *crystallization* of the movement opposing abortion. There have been six such direct murders and one unintended death caused by a clinic bombing. In March 1993 in Pensacola, Florida, Michael Griffith murdered Dr. David Gunn. In July, 1994, also in Pensacola, Paul Hill killed Dr. John Britton and his escort James Barrett. In December 1994, John Salvi killed Shannon Lowney and Leanne Nichols, both receptionists at a Brookline, Massachusetts clinic. In August 1993, Rachelle Shannon shot and wounded Dr. George R. Tiller in Wichita, Kansas. In August, 1993, the owner of four abortion clinics, Dr. George W. Patterson, was murdered in Mobile, Alabama, though the assailant has not been identified. On October 23, 1998, James Charles Koop killed Dr. Bernard A. Slepian with a bullet fired from a high-powered rifle through his kitchen window. On January 29, 1998, a bomb placed at the Birmingham, Alabama *All Women Health Care Clinic* killed Robert D. Sanderson, a policeman working there part-time as a security guard, and badly injured Emily Lyons, a nurse who was opening the clinic. Movement leaders, of course, denounced the murders and pointed out that none of the murderers were members of any organized right-to-life groups but, as is typical of such cases, they were marginal people acting entirely on their own. For example, after the January 29, 1998 death caused by a clinic bomb Texas Right to Life immediately issued this statement (infonetlist@prolife.org): "Texas Right to Life advocates only peaceful, legal means to protect the innocent human lives that are threatened everyday by abortion, infanticide, and euthanasia. We have always believed that one cannot do an evil act in order to obtain a good. Texas Right to Life has a policy of forbidding violence, or any illegal activity, by its staff, directors, officers, and affiliated local chapters. Texas Right to Life's purpose is to protect human life." But while the murders were denounced as inconsistent with pro-life identification, none of the mainstream organizational leaders went on to say that not only do they oppose violence against abortion clinics and doctors but that it was plainly contradictory because they even oppose capital punishment and war. In short, they could not simply say that their opposition to abortion was simply a part of their commitment to non-violence. David J. Garrow closes his account of the

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legal history of *Roe* in *Liberty and Sexuality* (1994: 703-4) with statements from Andrew Burnett of *Advocates for Life Ministries* and Don Treshman of *Rescue America*: “I’m supportive of what she (Rachelle Shannon) did. It was a courageous act”; “We are sure to see more of these incidents.”

Since 1973 more than 150 clinics have been bombed or set on fire. When the first occurred the National Right to Life Committee itself offered a reward for information leading to the arrest of the arsonist(s), adding that it was inconceivable that any one connected with the movement could have employed such violence in the defense of the unborn. A group calling itself *The Army of God* has a Web site called The Nuremberg Files, which lists the names of abortion clinics and doctors who perform abortions. After the murder of Dr. Slepian, whose name was then taken off the list, Planned Parenthood and four doctors sued 12 members of the group for inciting violence against doctors who perform abortions. On February 28, 2001 a three-judge panel of the US Court of Appeals for the Ninth Circuit (San Francisco) unanimously threw out a \$109 million dollar verdict awarded by a Portland, Oregon jury in 1998. The Court of Appeal ruled that since the web site pictures and names did not contain threats by the site operators to commit violent acts but “merely encouraged unrelated terrorists, then their words are protected by the First Amendment.” The defendants maintained they were political protesters who collected information on doctors who perform abortions so that they could one day be put on trial for crimes against humanity, just as the Allies judged Nazi war criminals in Nuremberg after World War II. An HBO documentary “Soldiers in the Army of God” shown on April 1, 2001 (produced by Daphne Pinkerson, Marc Levin, Daniel Voll) shows Griffith and Hill justifying their murders because abortion is murder and just war theory, as well as the Old Testament, justify killing to save the lives of the innocent.

John Kifner (“A Religious Searching Leads to the Anti-Abortion Movement,” March 30, 2001: B4) writes that the 40-day jail experience of more than a hundred participants in the Randall Terry Operation Rescue held during the 1988 Democratic Convention in Atlanta, Georgia, during the height of The Operation Rescue clinic blockade campaign, was key to some of the abortion doctor killings. In defiant non cooperation, they refused to give their real names to the authorities. The atmosphere inside the jail was intense, fervid, according to people who were held there, with daylong preaching and prayers deepening devotion to their cause. For some, the spiritual experience was so powerful that they became the nucleus of a more violent anti-abortion movement. Alongside Mr. (James C. ) Kopp were Rachelle Shannon, who would

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shoot a doctor in Wichita, Kan.; John Arena, convicted of dousing clinics with butyric acid, a respiratory poison; Andrew Cabot, one of the signers of a declaration calling the killing of abortion providers ‘justifiable homicide’; and the Rev. Norman Weslin, founder of an itinerant band of Roman Catholic protesters known as the Lambs of Christ.” Kifner reports that after Atlanta the “Manual of the Army of God” was written, and a copy was found buried in Rachelle Shannon’s backyard. It contains instructions on how to make C-4 plastic explosives, homemade ammonium nitrate bombs, and an introduction that explains “This is a manual for those who have come to understand that the battle against abortion is a battle not against flesh and blood, but against the devil and all the evil he can muster among flesh and blood to fight at his side.”

In his “Pro-Life Direct Action Campaigns: A Survey Of Scholarly and Media Interpretations” Keith Cassidy reports that Dallas Blanchard and Terry Prewitt in their *Religious Violence and Abortion: The Gideon Project* (Univ. Press of Florida, 1993: 215, 257) purport to illustrate the “levels of involvement in the anti-abortion movement” by a continuum that moves from an outer circle of “public opinion” to its last and logical point of “radical violence.” He then astutely observes that “The assumption is, of course, that anti-abortion activity reaches its logical culmination in extreme violence. Since it could more reasonably be assumed that the highest level of involvement might be a total rejection of all violence (the ‘seamless garment’ approach), it is hard to see how the authors reached their conclusion” (*Life and Learning VI*: 238). But Cassidy does not develop this point, at least here. My effort here is to make Cassidy’s insight the common thought of movement activists and through them the challenging way citizens must deal with the meaning of abortion. In her prison memoir *I Will Never Forget You* with John Cavanaugh-O’Keefe (San Francisco: Ignatius Press, 1988), Joan Andrews, who spent two and a half years in prison, often in solitary confinement, for her “rescue” work which stopped clinic abortions, entitles Chapter 15 “Following in Jagerstatter’s Steps” but she does not explicitly link her work with the peace movement.

Ixiii. The American Life Lobby began in 1979 soon after Mrs. Judie Brown, with no little acrimony on both sides, left her position as director of the Washington Office of the *National Right to Life Committee*, then and now the lead SMO. Echoing familiar patterns observed by students of social movements schisms, while NRLC leaders attributed the schism to personality clashes and thwarted ambitions, Brown ruefully points to betrayed principles and expedient strategies. For example, for constitutional amendments reversing *Roe*, *ALL* (as well as Nellie Grey

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sole head of the annual March on Washington) has supported solely the “Paramount Right to Life” amendment which states that “the paramount right to life is vested in each human being from the moment of fertilization without regard to age, health or condition of dependency.” The “Paramount Right to Life” amendment would constitutionally ban all abortions, even though, in practice, Brown says, it would permit abortions, justified by the principle of “double effect,” where pregnancy in those extremely rare cases would result in the death of the mother. Public support for early abortions in case of rape and incest suggest the improbability of two-thirds of Congress voting for such an amendment. Brown even testified against less restrictive constitutional amendments (such as the 1981 “Hatch-Eagleton Amendment,” endorsed by the National Right to Life Committee, the National Conference of Catholic bishops, the Mormon Church and many evangelical and fundamentalists organizations, accusing their advocates of political expediency). The amendment read: “The right to abortion is not secured by this Constitution. The Congress and the several states shall have the concurrent power to restrict and prohibit abortions: Provided, that a law of a state more restrictive than a law of Congress shall govern....” ALL had charged the Catholic Bishops in particular of political expediency and of weakening abortion opposition saying that their support of “non-purist” constitutional amendments (since the “Hatch-Eagleton” amendment simply returns the right to legislate abortion restriction to the states and to the congress, and does not of itself constitutionally ban it) as an out for liberal Democrats, many of the more prominent being Catholic, allowing them to self-claim the description “pro-life” since they are more likely than Republicans to oppose capital punishment and favor increase in social spending and cuts in the military budget. ALL especially fits the media stereotype of the anti-abortion movement as comprised of Christian fundamentalists (Brown is Roman Catholic) who disfavor government intervention in the economy but favor government intervention to protect public morals by restricting abortion, suppressing pornography, supporting prayer in the schools, etc. ALL found ready assistance from conservative Republican strategists (such as Richard A. Viguerie, Paul Weyrich, Howard Phillips, John Terry Dolan) and formed the first anti-abortion political action committee (which they named the Life Amendment Political Action Committee (LAPAC) directed by her husband Paul) which published “hit lists” of prominent pro-choice liberal democrats and even filing suit against every Roman Catholic diocese because church officials would not permit LAPAC to distribute single-issue campaign literature listing specific candidates to vote against. In the November 1978 congressional elections, anti-abortion



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pacers were credited with contributing to the defeats of several major supporters of legal abortion and Medicaid funding for abortion: Senators Edward Brooke (Mass.), Dick Clark (Iowa), Floyd Haskell (Colorado). (But other pro-choice candidates won in the same states, notably Gov. Richard Lamm and Rep. Patrick Schroeder in Colorado and Senator Paul Tsongas in Massachusetts. Still, anti-abortion PACs showed that they had *some* political impact, especially in close elections where grass roots activity can provide a margin of victory). ALL peaked in the mid-1980s when Brown claimed a membership of "just under 300,000" and in 1986 attempted, unsuccessfully, to open offices in Washington, D.C., Houston, and New York City, in addition to their home base, still existing, in Stafford VA. But even then most staff (about 30 then) were busy mostly with mail order fundraising, and movement critics, especially in the National Right to Life Committee which ALL was seeking to succeed as main SMO, charged that less than 20 percent of LAPAC's funds actually went to political campaigns. Following the common pattern of SMOs, the reasons for ALL's waning are the inverse of its waxing. Its movement niche became crowded when the Reagan administration secured the mainland of the religious right, and the tactical value of its ALL beachhead to conservative Republican Party interests diminished. Finally, the explicitly religious discourse of ALL (its publications denounced contraception, pornography, secular humanism, homosexuality, etc., as well as abortion) lost its SMO marketing niche as newly formed anti-abortion groups within conservative Protestantism (such as the now defunct Christian Action League (1975), Baptists for Life, Presbyterians for Life (1979), Lutherans for Life (1978), etc.) provided alternative social movement niches for those abortion opponents especially concerned with guarding the historic Christian teaching about abortion in denominations whose leadership appeared to accept *Roe*. For more detail, see James R. Kelly, "Ecumenism and Abortion: A Case Study of Pluralism, Privatization and the Public Conscience," *Review of Religious Research* 30/3 (March 1989) 225-35.

lxiv. Bernardin's first ten addresses on the consistent ethic can be found in Joseph Cardinal Bernardin, *Consistent Ethic of Life*, ed. by Thomas G. Fuechtmann (Chicago: Univ. of Chicago Press, 1988).

lxv. Indeed, literally. On the occasion of the annual January 22, "March on Washington" President Reagan usually invited some two dozen right-to-life leaders to the oval office. A picture of the meeting would then appear in many movement newsletters and journals.

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lxvi. For example, in its August 17, 1981 newsletter *Actionline* the Christian Action Council observed that “many Republican regulars have never been comfortable with Reagan’s pro-life convictions. They see his support for anti-abortion measures not only as an embarrassment, but as a political liability.” The tax money that alternatives to abortion requires, *Actionline* continued, “would jeopardize their plans to scuttle New Deal welfare programs. They have viewed the influx of moderate-to-liberal anti-abortionists into the Republican Party with great apprehension.” In his *Lifeletter* #11, 1988, Jim McFadden complained that Reagan’s vice-president and successor George Bush was trying to “bury the abortion issue” and said that while “Bush will get all the ‘country club’ GOP vote, many who are indeed pro-abortion” but this leaves the Republicans in their pre-Reagan position where they need “the ‘Reagan’ democrats’ vote which will decide the outcome.” A Dec.1980-Jan.1981 editorial in *The New Human*, the newsletter of the National Pro-life Youth Coalition, rhetorically asked, “Have you met one rank-and-file pro-lifer who trusts George Bush?” The editorial noted that Bush had been on the board of directors of the Population Crisis Federation of Texas and that his press-conference statements on abortion when he announced his candidacy were “incomprehensible.” Morrison notes that when he thought he needed help in party primaries in the Spring of 1988 Vice President Bush promised to address the annual right-to-life convention scheduled for June in Washington. But by June, Bush had already clinched the Republican Party nomination and in lieu of his promised appearance, sent his regrets along with his substitute speaker Jack Kemp. Morrison calls the broken promise “a portent” and cautions grass roots activists away from a “pragmatist” strategy of “endorsing whichever Republican seems likely to win, providing that his record is, or can be made to seem, even modestly pro-life” Robert G. Morrison, “Breakfast With Champions,” *Life and Learning* VIII (1998) 196.

lxvii. “Pro-Lifers Playing Trivial Pursuit: A Call to Action,” *Sisterlife* (Fall 1985) 3.

lxviii. The *Seamless Garment Network* began after the demise of *Pro-Lifers for Survival*. Juli Loesch began PS for the explicit purpose of encouraging dialogue about abortion within the peace movement and, conversely, for promoting a moral critique of war and of the nuclear arms race within the pro-life movement. PS lasted from 1979 to 1987. Its membership never exceeded 2,000 and its top yearly funds was \$42,087, with about 25 percent of that coming from grants from Roman

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Catholic religious orders. Much to the point of mainstream right-to-life skepticism about *consistent ethic* discourse, while PS members were able to participate in annual *National Right To Life* conventions, they were never accepted by secular anti-war groups, and indeed that era's main umbrella group *The Mobilization Of Survival* rejected PS's membership application. Loesch later recalled ("Solidarity & Sexual Shalom: The Tale Of A Feminist 'Freak'," *The New Oxford Review* (May 1990) 11-14; see also her Ch. 3 "Solidarity and Shalom" in Phyllis Tickle (ed.) *Confessing Conscience: Churched Women On Abortion* (Nshville: Abingdon Press, 1990) 39-50. "I felt a strong thirst for dialogue with people on the Left. But the white secular Left was simply not interested." Only "segments of the Christian Left seemed more than willing to acknowledge the radiating pain of abortion, and to struggle with it on a moral and caring level" (May, 1990: 13). She describes the mainstream right-to-life response to PS "peace-movement proselytism" as an "oddly symmetrical" part of the PS story (May 1990: 13). But when Loesch disbanded PS, the *Seamless Garment Network* immediately formed (indeed at the same 1979 Camp New Hope retreat) and most (but not all) participants came from various parts of the "Christian Left," such as the Catholic Peace Fellowship, Pax Christi, many Catholic Worker Communities, Sojourners, and Evangelicals for Social Action. Among the more than 150 other member organizations are Feminists for Life, Jews for Life, the Pro-Life Alliance of Gays and Lesbians, Agnostics for Life, the Buddhist Vihara Society and many more (see [www.seamless-garment.org](http://www.seamless-garment.org)). Its mission statement reads: "We the undersigned are committed to the protection of life, which is threatened in today's world by war, abortion, poverty, racism, the arms race, the death penalty and euthanasia. We believe that these issues are linked under a consistent ethic of life. We challenge those working on all or some of these issues to maintain a cooperative spirit of peace, reconciliation, and respect in protecting the unprotected."

See also the *Common Ground Consistent Life Awareness Fund* (<http://www.consistentlife.org>), whose mission statement reads: "In support of the consistent life ethic, we strive to educate the community to protect human life from the irrevocable destruction common to abortion, capital punishment, economic injustice, euthanasia and war." Its operating principles are: All human life is sacred and we strive to educate people to the connectedness of being consistently respectful of life. Too often our society chooses death as a quick fix for complex social, economic, political and moral problems. And the protection offered for some people is undermined by disrespect on other issues. Death for the unborn, the infirm, the civilian in war zones, the impoverished and the

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criminal has increased exponentially during the past three decades. Neglect and overt actions threaten humanity and are tolerated by a public that is increasingly frustrated, frightened and hopeless. Common Ground analyzes these problems systematically and offers life promoting solutions. We are an education organization primarily involved in dialogue, presentation, and publishing of non-violent solutions or alternatives to life issues. The *Common Ground Consistent Life Awareness Fund* began in 1987 in Rochester NY.

lix. This is the usual practice of David J. Garrow in his *Liberty & Sexuality: The Right to Privacy and the Making of Roe v. Wade* (New York: Macmillan, 1994) 629, 633, 657, etc.

lxx. Luker operationalized “intensity of commitment” by defining an activist as someone “working at least ten hours a week on the abortion issue.” She remarks: “Though ten hours a week is not in itself a trivial commitment, almost all of the pro-life activists made the cut-off point easily; in fact, most worked between thirty and forty hours a week on this issue. This is especially remarkable when contrasted with pro-choice levels of activity... by the time of the present study, we had to define the minimum involvement as five hours a week in order to find a sample of pro-choice activists. For most of the current activists, five hours a week represented the maximum, and this group included people who were full-time employees of family planning agencies with responsibility for outreach, education, and lobbying on the abortion issue” (1984: 218).

When I conducted my very first interviews of abortion activists one of my major interest as a sociologist was just what motivated people to spend so much of their time and energies in movement activities? After all, they were exceedingly busy people with many family responsibilities and had shown little prior history of public involvement. And so I asked each interviewee, “What was special or different about you that made you become an activist?” What I found has great relevance for the latent radical egalitarianism of the movement; it can be found in *Commonweal* (Nov. 20, 1981) 659. I found that almost one-third volunteered the information that in their own families they had either a retarded child or senile or handicapped parents. The strong personal reaction to abortion legislation might be partially explained by activists’ personal experience with extremely vulnerable forms of human life.

lxxi. Even calls for peer reviewed social science research “for the public policy battle on the life issues” and “original social science research” call only for “critical analysis of pro-abortion and pro-euthanasia claims” but not for any self-critical and reflexive consideration of any anti-abortion

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analyses and tactics (as in Clark D. Forsythe, Esq., “The Critical Need For Social Science Research For The Public Policy Battle For Life,” *Life and Learning V* (1996) 273. The closest to such self scrutiny might be Paul Swope, “Abortion: A Failure to Communicate” in *Life and Learning* (1998) 199-209.

Ixxii. For example, Donald Granberg and Donald Denny, “The Coathanger and the Rose: Comparison of Pro-Choice and Pro-Life Activists in the U.S.,” *Transaction/Society* (May 1982). Virtually ignored by the movement are very early studies done by Paul Cameron of the University of Nebraska which clearly anticipate a consistent ethic approach. (These studies are not cited, for example, in either of the two essays on capital punishment appearing in UFL’s *Life and Learning Series*: John J. Conley, S. J., “Against Capital Punishment: A Teleological Argument” (1999: 93-100); Kevin E. Miller, “The Role of Mercy in a Culture of Life: John Paul II on Capital Punishment” (2000: 405-12). For example, in a paper delivered at the Eastern Psychological Association entitled “Militarism and the Price of An Antiseptic Hit” Cameron examined whether males who claim they have killed someone in their military service were more likely to indicate a willingness to favor suicide and abortion. He found the results suggested consistency. In his April 6, 1978 paper at the Rocky Mountain Psychological Association entitled “Do Women Who Obtain Abortions Hold Human Life Less Dear?” he reports that women who have aborted are more likely than other women to favor legalization of suicide and capital punishment.

Ixxiii. In his “Attitudes toward Abortion and Capital Punishment: Pro-life, Pro-choice, Seamless Garment, and Inconsistency,” Bradley R. Hertel places a “?” in the box “favors abortion and capital punishment” in his classification of attitudes toward abortion and capital punishment, though he can name the other three boxes (seamless garment--oppose both abortion and capital punishment; political conservatives--support capital punishment, oppose abortion; political liberals--favor abortion, oppose capital punishment). But in his conclusion Hertel, without reflection, reports that the unnamed box of supporting both abortion and capital punishment is where “mainstream Americans” are empirically: “Those who support both capital punishment and abortion were most difficult to characterize at the outset but were found to be identifiable, as any of the other groups. They are disproportionately male, married, urban, rather well educated, employed full-time, and Republican. In short, *they are mainstream American society, or ‘establishment,’ and more than any*

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*other group, they embrace and define dominant norms*" (emphasis added, 1994: 183) in Ted G. Jelen and Marthe A. Chandler, *Abortion Politics in the United States and Canada* (Westport: Praeger, 1994). Hertel confesses to confusion: "additional research is needed" (1994: 183) about how the high proportion of low frequency church attendees, including white Catholics in this "mainstream and establishment" category are to be explained. We might simply suggest that they are nominally religious and secularized into an American individualism highly congruent with capitalist or free market ideology. In her *Divided Passions: Public Opinions on Abortion and the Death Penalty* (Boston: Northwestern Press, 1998), Kimberly J. Cook also seems confused about how to categorize her data into the "normal" political and sociological categories which seemingly have no logical room for a *consistent ethic*. She says "Scholars who are concerned with abortion and capital punishment have been curious about the seemingly inconsistent view of those who oppose legal abortion and also support the government's use of legal executions" (9) but expresses no curiosity at all about those who support both capital punishment and legal abortion. She finds that the predominant (the "establishment" position) trend has been Americans becoming *both pro-choice and pro-death penalty*. The "progressive liberal" (what other term might fit here?) position of *anti-death penalty-pro-choice* shows the greatest decline, down to just over 10% of all Americans. While Cook expresses no analytical or moral interest in the increase of those supporting both abortion and capital punishment her interview data shows that they mostly complain about high welfare costs and high prison costs. Conversely, her interviewees who oppose both abortion and the death penalty are the most likely to favor government support and higher taxes for those in need. Cook shows no interest in thinking about the consequences of these data. There is one mention of Cardinal Bernardin and "the seamless garment philosophy" (30) in a sentence describing the 1984 presidential elections, but, curiously, Cook for some reason does not apply it to her data.