

WRATH OF ANGELS

By David J. Garrow

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WRATH OF ANGELS

The American Abortion War.

By James Risen and Judy L. Thomas.

Illustrated. 402 pp. New York:

Basic Books. \$25.

ARTICLES OF FAITH

A Frontline History of the Abortion Wars.

By Cynthia Gorney.

575 pp. New York:

Simon & Schuster. \$27.50.

ABORTION WARS

A Half Century of Struggle, 1950-2000.

Edited by Rickie Solinger.

413 pp. Berkeley:

University of California Press.

Cloth, \$45. Paper, \$16.95.

By David J. Garrow

IN books about *Brown v. Board of Education*, the 1954 Supreme Court decision that voided school segregation, the words "movement," "struggle" and, though less often, "campaign" occur over and over again. "Battle" appears rarely, and a long list of titles of books on civil rights includes hardly any that contain the word "war." The legacy of *Roe v. Wade*, the ruling that 25 years ago last week established a woman's constitutional right to an abortion, has been fundamentally different. Three new books reflect an explicit consensus that only a military lexicon accurately describes the confrontations that followed the abortion decision, the most momentous ruling since desegregation: this has been a domestic war. And for a large portion of the story these books seek to tell, the facts show that the

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military motif is appropriate.

Two of the books — "Wrath of Angels," by James Risen and Judy L. Thomas, and "Articles of Faith," by Cynthia Gorney — illuminate the two distinct faces of the post-*Roe* drive against abortion, those of protesters and those of legislators. And both show how much more anti-abortion activists of the 1970's had in common with the nonviolent protesters of the civil rights movement than with the terroristic Ku Klux Klansmen whom many abortion opponents of the 1990's would come to resemble.

Attempts to liberalize the laws against abortion that existed in all 50 states had got under way across much of the country a good six years before *Roe v. Wade*. The first, very modest legal reforms occurred in Colorado, North Carolina and California in 1967; early in 1970 the legislatures of Hawaii, New York and Alaska repealed their abortion bans outright, with Washington State voters enacting a similar repeal in November. But New York had taken the most decisive step: its legalization of abortion included no residency requirement, making it America's center for women with unwanted pregnancies, and giving impetus, more than two full years before *Roe*, to the modern anti-abortion movement. In May 1972, opponents of abortion won a reversal in the New York State Legislature, a reversal that Gov. Nelson Rockefeller successfully vetoed; that fall, abortion-rights measures on statewide ballots in Michigan and North Dakota went down to heavy defeats.

Though the political tide was turning, *Roe v. Wade*, a suit from Texas challenging a 19th-century anti-abortion law, and its equally important but less well-known companion case, *Doe v. Bolton*, a suit from Georgia challenging a 1968 law that allowed some abortions only, were pending in the Supreme Court. So were a dozen other constitutional challenges to state anti-abortion

laws across the country. The Court's 7-to-2 decisions in *Roe* and *Doe* in early 1973 made abortion legal, but its unwillingness to address "the difficult question of when life begins" further spurred anti-abortion activism.

In "Wrath of Angels," Risen, a Washington correspondent for *The Los Angeles Times*, and Thomas, a reporter for *The Kansas City Star*, have written what is far and away the most thorough and knowledgeable history of anti-abortion activism after *Roe*. "Articles of Faith" concentrates on Missouri's war story, both before and after 1973. Cynthia Gorney, a former reporter for *The Washington Post*, focuses much of her book on two particular individuals, the abortion clinic founder Judith Widdicombe and the abortion opponent Samuel Lee.

But Risen and Thomas also trace how Sam Lee, and the nonviolent sit-ins he helped pioneer at St. Louis area abortion clinics in 1978, best represented the spirit that briefly dominated the anti-abortion protests of the 1970's. Charles Fager, a Quaker and veteran of the civil rights movement, and John Cavanaugh-O'Keefe, a Roman Catholic and Vietnam war conscientious objector, inspired the nonviolent approach. But by 1984, when several of O'Keefe's recruits betrayed him by bombing Washington area abortion clinics that he had targeted for sit-ins, the anti-abortion movement's precipitous slide from principled nonviolence to deadly terrorism was under way.

The instigator of those 1984 bombings was Michael Bray, a Naval Academy dropout and the leader of a suburban Lutheran splinter congregation who subsequently became the most influential proponent of anti-abortion violence. Even after several years' imprisonment for those 1984 attacks, Bray continued to champion deadly force, and his advocacy — including a 1994 book entitled "A Time to Kill" — has made him per-

haps the most important abortion opponent of this decade.

Risen and Thomas do an impressive job of tracing the rise and fall of the two best-known anti-abortion activists of the 1980's and early 1990's, Joseph Scheidler and Randall Terry. Scheidler attracted far more attention than Michael Bray as a proponent of closing down abortion clinics by force of arms, but Randall Terry undeniably became the symbol of anti-abortion protest.

MUCH of the anti-abortion fury that Terry represented stemmed not just from the Supreme Court's continued adherence to *Roe v. Wade* but from the abject failure of abortion opponents in Congress, even at the height of Ronald Reagan's Presidency, to unite successfully behind any one version of a constitutional amendment against abortion. Those legislative failures, which Gorney recounts with impressive clarity, effectively allowed the leadership of the anti-abortion movement to pass from lobbyists and legislators to clinic harassers like Terry.

The press coverage that Terry won for his "Operation Rescue" efforts to blockade clinic entrances in the late 1980's and early 1990's remains the enduring public image of anti-abortion activism. Risen and Thomas's account of the internal conflicts that led to Terry's downfall and Operation Rescue's organizational decline, like their broader account of the anti-abortion movement's evolution, is far more comprehensive and better informed than anything that previously has appeared.

Gorney's concentration on two central characters in one state's abortion-law struggles gives her thoroughly reported story a tidy structure, but deprives it of greater import. Sam Lee, uncomfortable with the protest movement's evolution, traded his sit-in

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clothes for the suit and tie of a legislative lobbyist. He helped draft an anti-abortion statute that Judy Widdicombe's clinic, Reproductive Health Services, challenged in Federal court once the Missouri legislature adopted it. In 1989, that challenge came before the Supreme Court, with inconclusive results. In the well-known case of *Webster v. Reproductive Health Services*, the Court neither reversed nor reaffirmed *Roe*. Gorney's portrait of Sam Lee is more impressive than her treatment of Judy Widdicombe, but her focus on nonviolent opposition to abortion gives insufficient attention to the pro-violence radicals who have dominated anti-abortion activism in the 1990's. Gorney devotes only 10 pages to developments since 1989, and that choice makes "Articles of Faith" seem outdated and incomplete.

In "Wrath of Angels," Risen and Thomas correctly identify *Webster* as the high-water mark for the anti-abortion cause," and emphasize how the Supreme Court's 1992 ruling in *Planned Parenthood of Southeastern Pennsylvania v. Casey* was the watershed decision that *Webster* was not. In *Casey*, a trio of Republican-appointed justices — Sandra Day O'Connor, Anthony M. Kennedy and David H. Souter — surprised

almost everyone by joining Harry A. Blackmun and John Paul Stevens to issue a resounding reaffirmation of *Roe*'s constitutional core even as they gave states greater leeway to dissuade but not obstruct women from choosing abortion.

CASEY'S resolution of the constitutional struggle was soon followed by Congress's enactment of a 1994 law, the Freedom of Access to Clinic Entrances Act (or FACE), which all but put an end to obstructive assaults on abortion clinics. "Once FACE was the law of the land," Risen and Thomas note, "the potential punishment for conducting a clinic blockade went from a few days in jail to years in a Federal prison; 'rescue' quickly ended as a result."

With the freedom of access law and *Casey* in place, the abortion battles of the mid-1990's could no longer be thought of as constituting a war. "All that was left" of anti-abortion activism, Risen and Thomas observe, "was a handful of extremists" who openly cheered the murders of five clinic workers in 1993 and 1994. Tragic as those deaths were, the killings reflected the weakness of the anti-abortion movement, not its strength; Risen and

Thomas believe the shootings, by Michael Griffin, Paul Hill and John Salvi, marked "the end of anti-abortion activism as a significant political and cultural force in American society."

The law and the decision not only ended the "war"; they allowed legislators to take the anti-abortion lead from protesters for the first time in over a decade. Debates about late-term abortion procedures and fetal development supplanted arguments about anti-abortion terrorism. Abortion-rights advocates who had succeeded in portraying anti-abortion politicians as part of big government — "Who Decides, You or Them?" — shuddered as more and more political attention shifted toward fetuses and away from women and families.

The abortion-rights voices of the 1990's are not much present in either "Wrath of Angels" or "Articles of Faith." "Abortion Wars," edited by Rickie Solinger, a historian and the author of "Wake Up Little Susie: Single Pregnancy and Race Before *Roe v. Wade*," gives them their place in the battle ranks. The three most memorable contributions in this collection of 18 essays by supporters of abortion rights come from physicians. Both Jane E. Hodgson and Warren M. Hern have

worked as abortion providers ("abortionist" is abhorrent to abortion-rights advocates, though "Articles of Faith" employs it) for more than a quarter of a century, and their autobiographical essays have notable historical value. Elizabeth Karlin became an abortion specialist in Madison, Wis., only in 1990, but her account of how she and other practitioners "encourage patients to feel positive and actively proud of their decision" will be a bracing tonic for supporters of abortion.

An analysis by William Saletan of political messages and public opinion is especially insightful. Saletan, a columnist for the on-line magazine *Slate*, warns that while *Casey* may have resolved the constitutional struggle, and FACE the battles for access to clinic doors, Americans' ambivalence about abortion — don't outlaw it but do discourage it — means that legislative tussles will persist. "Many people think that the political struggle over abortion has been resolved and that those who advocate women's rights won," he writes. "That conclusion is a mistake."

Roe v. Wade's constitutional legacy is alive and well at age 25, and the abortion "war" is over. But Saletan is certainly correct that battles over *Roe*'s political legacy will continue. □