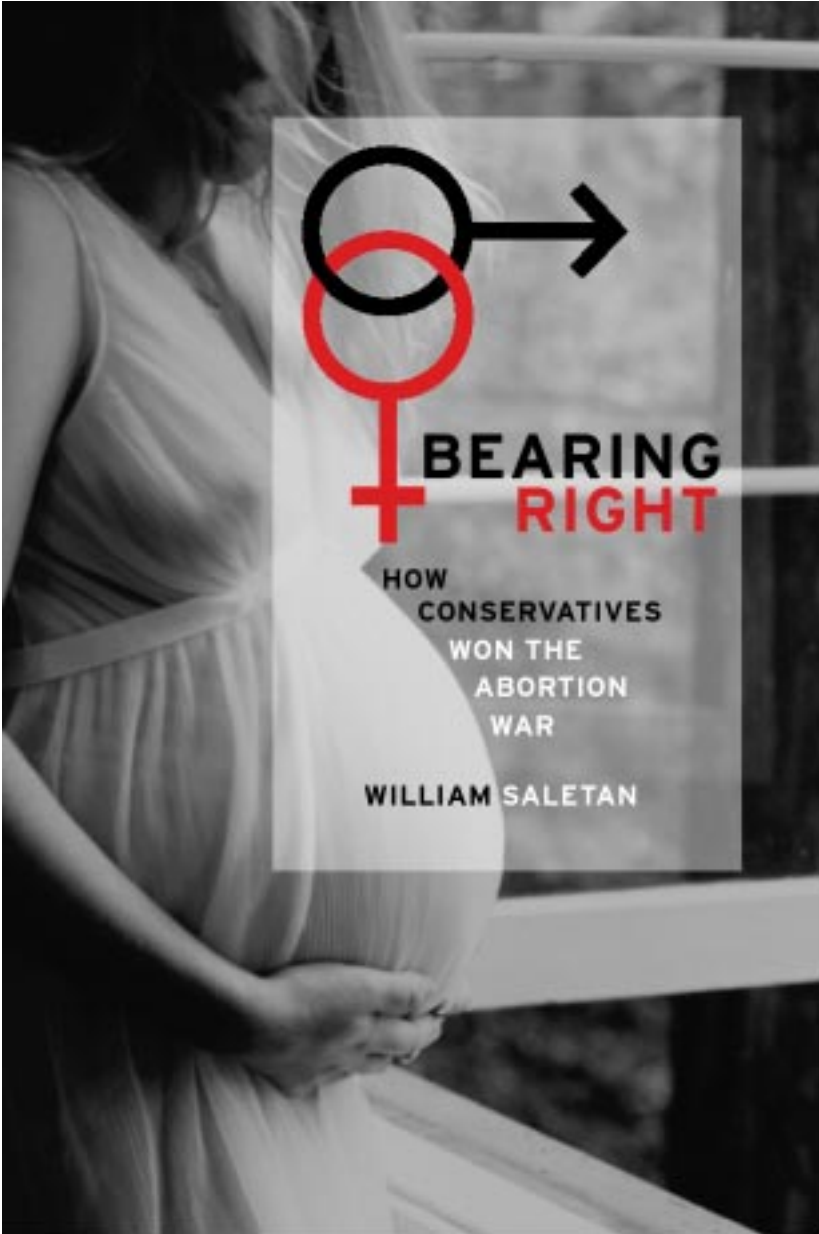


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A Place Called Hope

LITTLE ROCK, ARKANSAS
SEPTEMBER 29, 1986

The room was half dark when the visitors took their seats. Before them, curtains framed a wall of glass. Beyond the wall, an identical row of panes loomed like an optical illusion. Staring into the glass, the visitors beheld their own faint reflections, the faces of women who had marched for civil rights in the 1950s and 1960s and for sexual equality in the 1970s. They were here to survey what they regarded as the next battleground in the fight for freedom.

The outlook was bleak. In Washington, President Ronald Reagan and Republican senators were in their sixth year of power. Three days earlier, William Rehnquist, armed with fresh reinforcements in his campaign to overturn *Roe v. Wade*, had been sworn in as chief justice of the United States. In little more than a month, voters in four states would decide whether to ban public funding of abortions for poor women. Among these four battlefronts, the weakest position for pro-choice forces, the line most difficult to hold, was here in Arkansas. The job of the women in this room, against Reagan's will and without Governor Bill Clinton's help, was to hold that line.

Peering through the double glass, the women discerned the contours of another room beyond it. Their own reflected images obscured the details of that room. From the opposite direction, the glass functioned as

a mirror, rendering the women invisible to anyone on the other side. No sound breached the barrier between the chambers.

A technician twisted two dials on the wall behind the women, extinguishing the lights above them. The reflections in the glass vanished. Through the darkness, they beheld clearly the contents of the illuminated room. A dozen chairs surrounded a rectangular table. Above the table hung a microphone, through which sound could pass into the viewing chamber.

Through a doorway concealed from view, a line of women, and later a line of men, entered the illuminated room and filled its chairs. These miniature assemblies—“focus groups,” in the parlance of the polling industry—had been culled from the hundreds of thousands of voters who would decide whether to amend the Arkansas constitution to ban abortion subsidies. They didn’t think all abortions should be outlawed, but they were inclined to support the amendment.¹

Each of the women watching from the darkness was here to absorb a hard lesson. She would have to win over these voters. She would have to respect their values and accommodate their prejudices. She would have to perceive them clearly, without projecting her beliefs onto them. She would have to see what was beyond the glass, past the illusory reflection of herself.

The man seated at the near end of the table, with his back to the viewing chamber, was Harrison Hickman, the pollster who had arranged this encounter. He led each of the focus groups through a discussion. In the first session, the women in the illuminated room agreed among themselves that taxpayers shouldn’t subsidize abortions. It took Hickman three-quarters of an hour to find a question that gave them pause. What would you do, he asked them, if one of your own daughters were impregnated as a result of rape? In that case, they conceded, abortion might be acceptable. They were disturbed to hear that the amendment might deny them that option.

After the women left, Hickman brought in the group of men. They, too, thought abortion should be reserved for rape victims. But unlike the women, the men didn’t address the issue in personal terms. They were more outraged by the general idea of government interference in family life. Several men nodded as one member of the group asserted, “We live in the U S of A and are supposed to have freedom of choice.”

The women watching from behind the glass remembered what freedom of choice had meant to Arkansans not long ago. On September 23, 1957, before the eyes of a rapt nation, 1,000 segregationists had mobbed Little Rock's all-white Central High School, forcing nine black children to abandon their attempt to attend classes there. The black students hadn't returned until President Dwight D. Eisenhower dispatched 1,200 army paratroopers to protect them.²

Which legion was freedom's enemy that day—the segregationists or the soldiers? Most southerners said it was the soldiers. Arkansas governor Orval Faubus accused the federal government of trampling “individual rights” and “the rights of a sovereign state.” South Carolina's governor and senior U.S. senator denounced the government's assault on white citizens' “personal and property rights,” especially its “invasion of their homes.” Georgia's governor vowed never to “surrender our liberty and our freedom.”

In the view of liberals, the freedom at stake was that of the nine black students. The government might deny the students the right to enroll at Central High School, as Faubus had done two weeks before the mob arrived. But it might also guarantee that right, as Eisenhower did in the end. In theory, the Little Rock School Board had declared the students free to enroll at their leisure. But in practice, they couldn't have exercised that freedom without government intervention. As one white student put it, “If they don't have guards with them niggers, they're going to get murdered.”

Conservatives saw it differently. For them, the freedom at stake was that of white parents. The government was denying those parents the right to direct their children's education. “We're not trying to tell others what to do,” the vice president of the local Mothers League insisted. “That's what we dislike—people trying to tell us what to do about our own schools.” To protect white families from government intrusion, segregationists proposed, in the wake of Eisenhower's invasion, to privatize the public schools. And to avoid subsidizing a practice they despised, they sought to ban the spending of state tax money on integrated schools.

Three decades later, a few miles from the scene of that confrontation, the women behind the glass perceived the same resistance. In the illuminated chamber, men decried government intrusion in their affairs, and women bristled at laws that in the name of universal justice would, as they saw

it, allow their daughters to be defiled. Such entrenched convictions—suspicion of government, love of parental sovereignty, faith in easy distinctions between angels and animals—would probably strengthen the campaign against public funding of abortion, just as they had strengthened the campaign against public funding of integration.

But perhaps the effect could be reversed. Perhaps these attitudes about government, family, and good breeding could be turned against pro-lifers. Perhaps, one of the women mused in the dark, people who didn't like the government messing with their guns or schools wouldn't like it messing with their pregnancies. The same idea dawned on another of the women as she studied the strangers in the illuminated chamber. *Let's be them*. How easy it would be to adapt the rhetoric of abortion rights to the mind-set of these voters. How easy to adopt their logic and their language. How easy to pass from this side of the glass to the other.

And how hard to come back.

The battle of Arkansas unfolded little more than a decade after *Roe v. Wade*, when advocates of legal abortion, under attack throughout the country, were realizing that the courts wouldn't protect them. They would have to defend their cause in the electoral arena, not with the subtleties of law, but with the blunt weapons of politics. This was quite a challenge, since abortion rights had never been politically secured. Before 1973 only four states had legalized abortion outright. The Supreme Court's decisions in *Roe* and its companion case, *Doe v. Bolton*, created overnight a nationwide regime of abortion rights for which no consensus had been built.

Pro-lifers spent the next decade exploiting that weakness. Their principal target was public financing of abortions for poor women. They convinced lawmakers in many states to stop covering abortions under state Medicaid programs. In 1976 Congress passed the Hyde amendment, essentially abolishing federal Medicaid coverage of abortions. In 1977 and 1980 the Supreme Court refused to block these rollbacks.

By 1984 two-thirds of the states had banned or sharply restricted the use of their funds for abortions. Of those that still subsidized abortions, one-third did so only because courts had ruled that their state constitutions required it. Even then, pro-lifers held the ultimate trump card. Most voters opposed government financing of abortions. If they engraved that judgment in their state's constitution, even the state's highest court would have to give way.

With that in mind, pro-lifers launched several ballot measure cam-

paigns against abortion funding. Arkansas hadn't paid for abortions since 1977, but in 1984 pro-life strategists decided to go a step further. They offered Arkansas voters a state constitutional amendment against abortion funding, onto which they piggybacked a declaration of the rights of the unborn. The amendment's funding clause said, "No public funds of this state shall be used directly or indirectly to pay for all or any part of the expenses of performing or inducing an abortion," except to save the woman's life. The unborn-rights clause said, "It is the public policy of the state of Arkansas to promote the health, safety and welfare of every unborn child from conception until birth."

Until 1984 pro-choice lobbyists in Arkansas had worked backstage in the legislature, relying on personal relationships to quash pro-life forays. The ballot measure, Amendment 65, rendered that strategy moot. Defenders of abortion rights could no longer rely on back rooms or courtrooms. They would have to fight this battle in the open.

Planned Parenthood's New York office dispatched one of its top political strategists, Lydia Neumann, to Little Rock to scout the terrain. In an internal report, she observed that in other states liberal and feminist groups such as the National Organization for Women (NOW), the American Civil Liberties Union (ACLU), and the National Women's Political Caucus were "well respected." In Arkansas, however, pro-choice activists were "viewed as espousing an agenda considerably more liberal than that of the community at large." To win the election, Neumann wrote, they would have "to shift people's perception away from the notion that pro-choice was necessarily a radical position to hold." They would have to mute their feminism and marshal "other more conservative voices" for abortion rights.³

Two weeks before the election, as polls showed Amendment 65 heading for a landslide victory, pro-choice activists got a reprieve. The Arkansas Supreme Court struck the proposal from the ballot on the grounds that its title, "The Unborn Child Amendment," was misleading. One last time, the ACLU and the courts had rescued abortion rights from a showdown with the electorate. But everyone knew the amendment would return to the ballot in 1986. Its supporters would have to change only its title. Its opponents would have to change the minds of hundreds of thousands of voters.

In their fight against Amendment 65, pro-choicers were up against more than the pro-life lobby. A simultaneous referendum on a similar amend-

ment in Colorado showed why. The strategist in charge of the campaign for the Colorado amendment recognized that pro-lifers weren't a voting majority. They needed help from anti-tax voters, many of whom viewed abortion as a private matter.⁴ With that in mind, newspaper ads for the amendment told voters that according to the U.S. Supreme Court, "the private right to an abortion does not mean taxpayers must pay for it."⁵ A campaign flyer for the amendment asked:

Why should any taxpayer be forced to pay the bill for those who decide to have an abortion at public expense? This is an unfair burden imposed on Coloradans who each year see their taxes grow higher and higher. Those who choose to have an abortion should accept the personal responsibility of paying for it. They have no right to expect taxpayers to foot the bill for a personal, private decision.⁶

After the amendment passed, Colorado's leading pollster concluded, "The winning percentage had to do with money, not abortion." The amendment, by his estimate, had "probably picked up the support of 15–20 percent of the voters who don't care about abortion but are against public expenditures no matter what." Observing that similar majorities could be assembled elsewhere, Planned Parenthood predicted that pro-life groups in other states would try to duplicate the Colorado campaign.⁷

A national poll commissioned in 1984 by Planned Parenthood, the National Abortion Rights Action League, and other pro-choice organizations taught the same lesson. In that survey, pollster Tubby Harrison found that many voters who opposed banning abortion also opposed paying for it. These two positions struck pro-choice activists as contradictory, but in fact they were connected.

Philosophically, the anti-ban and anti-funding positions followed from the principle of minimal government involvement in private life. The poll showed that people made this connection spontaneously. "The reasoning used (again on an *unprompted* basis) most often by opponents of federal funding," Harrison wrote, "is that abortion is a private matter that the government should stay out of—confirming the two-edged nature of this argument."⁸

Politically, the anti-ban and anti-funding positions were linked by hostility to taxes and welfare. When interviewers introduced the word *welfare* into the conversation, the margin of opposition to abortion subsidies doubled. As Harrison noted, "The public opposes the use of federal funds to pay for abortions for *poor women* by 55% to 42%, with

that margin growing to 62% to 36% when the words ‘*women on welfare*’ are substituted for ‘poor women.’ . . . [I]n the case of ‘poor women,’ strong opposition outweighs strong support by a little over 2 to 1; in the instance of ‘welfare women,’ the margin leaps to slightly more than 4 to 1.”

Economic rather than moral concerns seemed to account for this reaction. When the question was rephrased, with “poor women” replaced by “women on welfare,” the percentage of respondents citing moral reasons for their opposition to abortion subsidies dropped by one-fourth. Meanwhile, the percentage who rejected these subsidies on the grounds that they imposed “a burden on taxpayers” or that if the “government pays, more people will want abortions” more than doubled. Harrison concluded that “opposition to federal funding of abortions for women on welfare seems to be a mixture of opposition to abortion and opposition to government spending.”

The results were even more striking when broken down by race. Blacks narrowly favored abortion funding; whites broadly opposed it. Changing the language of the question from “poor women” to “women on welfare” didn’t affect blacks’ feelings about abortion funding. But among whites, the margin of opposition surged from 17 to 29 percentage points.

Confronted by this latent coalition of pro-life, anti-government, anti-tax, anti-welfare, and anti-black voters, abortion rights activists had two choices. They could declare war against all of these constituencies in the name of a broad liberal agenda. Or they could divide the coalition and isolate pro-lifers by seducing the other constituencies.

In spring 1986 Lynn Paltrow, a New York ACLU attorney, came to Little Rock to counsel the first course. In a speech to abortion rights activists, she argued that the movement should stand for a society “that respects privacy but also one that takes public responsibility for all its citizens—including women.”⁹ Government noninterference wasn’t enough. “You need to make it a requirement to talk *now* about how we can do more than maintain the status quo,” she demanded. “Here the status quo is that poor women—the poorest of the poor in this state—are denied funding for abortions. We need to win public funding so that *ALL* women have the right to choose to have an abortion.”

Paltrow conceded what Harrison’s poll and the defeat in Colorado had shown: To win public funding, pro-choice activists would have to challenge an array of conservative beliefs. So be it, she concluded. The

pro-choice agenda was indivisible. The resentments that stood in its way—against abortion, against taxes, against welfare—must be swept aside by a campaign of enlightenment:

Our opponents can only win when they link their small anti-abortion constituency to something else. So they have had some success limiting international family planning, including abortion, by linking anti-abortion constituencies with those opposing foreign aid. And they have succeeded in cutting off domestic funding by linking anti-abortion constituencies with anti-welfare and racist constituencies.

This means that in order to achieve our long term goals we will need to address not only anti-abortion sentiments, but also anti-welfare sentiments and racism.

That was one view. The woman in charge of the campaign against Amendment 65, Brownie Ledbetter, took another. She had spent much of her life grappling with the resentments of which Paltrow spoke. In the 1950s Ledbetter had worked in the civil rights campaign that forced the confrontation at Central High School. In the 1960s and 1970s she had helped to lead the fight for the Equal Rights Amendment (ERA). And when Planned Parenthood sought her aid in defeating Amendment 65, she answered the call.

Ledbetter was no stooge. In 1978 President Jimmy Carter appointed her to his National Advisory Committee on Women. The committee was cochaired by Ledbetter's friend, former representative Bella Abzug, Democrat–New York. Six months later, when the panel warned that Carter's policies would hurt women by raising unemployment and gutting social programs, Carter fired Abzug. Ledbetter and most of the other panelists resigned. They blasted Carter for supposing that "women should be seen but not heard."

But Ledbetter was no radical either. She had worked in more than twenty campaigns for political office, usually as the chief strategist. She understood that to stage a successful rally, her friends at Arkansas NOW needed only a few dozen feminists. To score a victory in court, her friends at the ACLU of Arkansas needed only a few liberal judges. But to win a statewide political campaign, she needed the support of half the voting public.

As the second showdown with Amendment 65 approached, Ledbetter struggled to impress this point on her fellow activists. She wanted to hire a pollster. They wanted to spend the money on getting out the vote among the faithful. Ledbetter replied that the faithful—"all 14 feminists," she jokingly called them—would hardly suffice. She worried that

feminist rallying cries would alienate the electorate. In 1984 a prominent pro-choice activist had urged voters to oppose Amendment 65 if “we value women’s ability to control their bodies and their lives.”¹⁰ Most Arkansans didn’t value that agenda, and insisting that they do so was a sure way to lose.

Sandra Kurjiaka, head of the ACLU of Arkansas, wanted to mount an ACLU “public education campaign” against the amendment. Ledbetter cringed at the idea. “When issues go before the voters it is very different from the courts,” she told Kurjiaka in a February 1986 letter. The two arenas “require different strategies,” Ledbetter argued.

I have shared with you our firm commitment to broaden the constituency beyond those of us, ACLU, NOW, and [the Arkansas Women’s Political Caucus], who have struggled to defeat these issues over the years. There are not enough of us to win. I believe that the only way to break through the current Arkansas voters’ perception of “crazies opposed to abortion” on one side and radicals “for abortion on demand” on the other is to establish a very public mainstream presence.

In Colorado, pro-lifers had established that mainstream presence. In Arkansas, they hadn’t. Their literature and campaign events focused on the unborn’s right to life rather than the taxpayer’s right not to pay for abortions. They also burdened their amendment with an unborn-rights clause that appeared to oblige taxpayers to subsidize the “welfare of every unborn child.” This was no way to build a conservative coalition. The anti-government voters who had carried pro-lifers to victory in Colorado could sink them in Arkansas.

Ledbetter knew such a flanking maneuver was possible. Late in the 1984 campaign, Lydia Neumann had hired Tubby Harrison to test various arguments against Amendment 65. Neumann thought Arkansans would be upset to learn that the amendment would halt access to birth control at public clinics. She was mistaken. They were more interested in three other arguments—that abortion should be available to rape victims, that the government should stay out of the issue, and that by funding abortions, taxpayers could avoid subsidizing pregnancies and children.¹¹

The findings were tenuous. Few people had been polled, and the invalidation of the ballot measure three weeks later spared Ledbetter the task of testing the arguments in a media campaign. She didn’t think Harrison understood Arkansas, but she suspected he was on to something. She wanted a more complete analysis of what the electorate was prepared to hear and how to say it.

Ledbetter had a network of friends in Washington, D.C. Her son, who worked for the Democratic Senatorial Campaign Committee (DSCC), had a network of his own. They drew up a list of pollsters and interviewed several for the job. Many didn't understand the Bible Belt. Others didn't understand that women differed from men in their perceptions of abortion and other issues. Only one pollster understood both.

Harrison Hickman had been born, raised, and educated in North Carolina. He epitomized the South's cultural stubbornness, its reverence for God, and its irreverence for liberal anti-religious snobbery. The Quakerism of his grandmothers, refracted through the Methodism of his parents, had inspired his dual faith in communal morality and its individual interpretations. His philosophy of personal autonomy came not from the sexual revolution but from the Protestant Reformation. He had grown up learning about the separation of church and state among Southern Baptists who worried less about religion polluting politics than about politics polluting religion.

Hickman's parents raised him to believe in civil rights. He learned to get along with neighbors who saw the issue differently. They might have some bad ideas, but they were still good people. Hickman didn't just make peace with this sort of paradox; he thrived on it. He developed an acid taste for irony and an acid distaste for ideologues. In college he scorned radicals who glorified the murderous Viet Cong. When male leaders of the anti-war movement spoke of liberation, he cast a cold eye on their sexist treatment of subordinates.

He disdained the left's naïveté about government. The state was conscripting Americans into a foolish war in Southeast Asia. Why did leftists assume it would beneficently oversee the welfare programs of the Great Society? Hickman agreed that the government could help people, but he worried that it could reach too rashly into their wallets and homes. The Democratic Party, his party, had lost its ironic distance from state power. It believed too casually that politicians could solve the nation's deepest problems.

Hickman loved to dissect ideas. But beneath the mind of a philosopher lurked the soul of an engineer. He wanted to analyze other people's beliefs, not his own. He wanted to comprehend the laws of political thought and behavior in order to exploit them.

The profession to which this interest led him, political consulting, wasn't purely mercenary. Every consultant was expected to confine his clientele to one party or the other. Hickman chose the Democrats since

he believed that by and large they stood for the common man against the elite.

He also adopted a professional creed grounded in a theory of democracy and its limits. On the one hand, he considered himself an instrument of democracy. In an interview with *Campaigns & Elections*, Hickman argued that although candidates or activists paid for his work, his job as a pollster was to “represent the voters’ interest.”¹² The pollster didn’t simply manipulate voters on his clients’ behalf, as critics supposed. He helped his clients discern and heed the will of the voters.

On the other hand, his job was to win and get out of the way. The pollster’s domain, according to Hickman, was “elections and not governments.” How the client construed or executed his mandate wasn’t the pollster’s ultimate concern.

Statesmanship during the election was a delicate matter. If the client’s position on the central issue of the campaign was unpopular, what should the consultant do? Candidates hated to swallow their convictions, particularly on moral issues. Many imagined that their charisma would bring voters around. Media consultants who made the candidates’ television ads encouraged that idea. They believed in what they sold, the power of image and emotion to transform public opinion.

Hickman rejected this poetic conceit. He was a scientist, not an artist. Voters’ attitudes weren’t fluid, much less impulsive. They were structured. Conclusions rested on premises, and premises were difficult, if not impossible, to move. The South’s resistance to integration taught that lesson. Too many politicians and ad makers, blinded by vanity, refused to recognize that they didn’t think the way most voters did.

Hickman saw one way out of this dilemma. Voters reasoned thematically rather than deductively. Their premises might be set in stone, but their conclusions weren’t. The trick was to extract the candidate’s conclusion from the voters’ premises. It didn’t matter that the candidate’s route to that conclusion differed from the voters’. What mattered was that the candidate didn’t have to change his position. He could simply preach a different line of reasoning to the same result. Hickman had no compunction about this tactic. He sometimes joked that he didn’t care why voters pulled the lever for his candidate, even if they did it by accident.

In the early 1980s, Democratic consultants often found that their clients were more liberal than the electorate. The young pollster worried that his party, while attracting blacks and women, was losing everyone else. He understood the logic of conservatism. In a debate rehearsal dur-

ing the 1984 North Carolina Senate race, he played the part of Republican senator Jesse Helms so well that he flummoxed his own client, Governor Jim Hunt.¹³ In newspaper interviews, Hickman warned that liberals weren't a majority, and he spoke enviously of Reagan's talent for "running against the government."¹⁴

Hickman realized that this anti-government message, properly exploited, could shatter the Republican alliance between libertarians and moral conservatives. In a 1979 essay, he wrote, "American conservatism is a broad spectrum, including members supporting tenets that are philosophically contradictory. . . . The libertarians support the idea that freedom is essentially the absence of political constraint; the traditionalists argue that freedom is to be found in a stable society. In this sense, their dual existence seems incompatible."¹⁵ But Hickman's analysis of this contradiction, using the ideas of the libertarian thinker F. A. Hayek, also implied the reverse: The same anti-government wedge, applied from the opposite direction, could shatter an alliance between libertarians and liberals. As Hickman put it,

Hayek rejects the basic ideas of later liberals . . . who align freedom with an active state creating the material conditions in which man can most fully enjoy the advantages of liberty. Hayek believes the principal threat to freedom comes primarily from the political arena or the state. . . . He does not consider economic deprivation a serious threat to freedom. . . . Thus, freedom must be maximized by limiting the areas in which a government can meddle.¹⁶

Abortion rights first caught Hickman's attention not as a cause but as a study in the nuances of polling. Perusing surveys as a political science student, he was struck by the superficiality of abortion questions. The surveys asked whether respondents were for or against abortion, or whether abortion should be legal or illegal. There was no allowance for Hickman's view: against abortion but in favor of keeping it legal. As a pollster in 1981 and 1982, he saw his clients paralyzed by this dichotomy. Afraid of being labeled "pro-abortion," they falsely pleaded that they wanted to ban abortion but were thwarted by *Roe*. They didn't realize that their distaste for abortion could be reconciled with the deliberate preservation of its legality.

Hickman never saw abortion as a feminist issue. Indeed, he never saw himself as a feminist. He believed that America had oppressed women and blacks, and he had favored the ERA when North Carolina's legislature debated it during his college days. But he considered the sexual revolution and the anti-war riots of the 1960s recklessly excessive, and he

viewed their association with the abortion rights movement as an unfortunate accident. Mainstream America had needlessly come to regard legal abortion as a symptom of liberalism run amok.

Hickman might never have invested much thought in the issue had another accident not transformed his career. In 1983 Martha Layne Collins, lieutenant governor of Kentucky, hired him to counsel her campaign for governor. Her victory gave Hickman a decisive credential in an emerging political market: female candidates. Over the next three years, several prominent women enlisted his help, including Senator Barbara Mikulski of Maryland and former vice presidential nominee Geraldine Ferraro of New York. Hickman's talent for absorbing foreign ways of thinking served him well. He made himself an expert in voters' assumptions about women and "women's issues" and in differences between male and female political psychology. He devoured gender-related survey data and theoretical works such as Carol Gilligan's *In a Different Voice*.

But while absorbing this new culture, Hickman never lost touch with the old one. A few weeks before the Arkansas campaign, Terry Sanford of North Carolina told Hickman a story from his 1960 campaign for governor. One day, Sanford was introduced to a rural man who was thinking of working for him. The man told Sanford that the big controversy in those parts was the "nigger issue." He asked where Sanford stood on it. Sanford replied indignantly, "You know very well where I stand on that." Mistaking this for racist solidarity, the man thanked Sanford and helped to elect him. Only later would he learn that Sanford was an enemy of segregation.

The story amused Hickman for years. What a deliciously clever answer, he thought.

From the outset of the Arkansas campaign, Hickman looked for popular assumptions he could exploit. He liked the anti-government theme suggested by Tubby Harrison's 1984 survey, but it was tricky. The contexts in which this theme flourished in Arkansas were the same as in North Carolina: gun control and desegregation. White southerners feared, loathed, and furiously resisted attempts by outsiders to confiscate their firearms or bus their kids to black schools.

Hickman believed that these contexts could be separated from the theme. He believed that many Southern Baptists had resisted federal civil rights legislation not necessarily because they were racists but because they sincerely opposed federal intrusion into families and communities.

He believed that he could steal this theme and apply it to abortion. But he also believed that he had to start where the voters were. Ledbetter agreed with him. In their first survey questionnaire, with the help of Hickman's deputy, Rich Schreuer, they distilled the argument to one sentence: "The government is threatening to take away our right to own a gun and telling us where to send our children to school, and now they want to say that women can't have abortions—even if they're raped."¹⁷

This wasn't the first time pro-choice strategists had portrayed abortion restrictions as government interference in private life. But it was the first time they had embraced the broader conservative implications of that theme. They hoped the embrace would serve their cause. They didn't think it would change it.

Hickman and Schreuer conducted the survey in March and wrote up the findings in a report to Ledbetter. When asked about "social issues like abortion and school prayer," nearly half of those who planned to vote in the election called themselves conservative. Only a quarter called themselves liberal. By a margin of better than two to one, voters supported Amendment 65. Hickman stated the task bluntly:

To win the election we need to sway all of the currently undecided voters, as well as a large portion of those who are now "soft" supporters of the Amendment. When weighing the effectiveness of different arguments it is important to keep this "target group" in mind. It is less important to consider how arguments affect voters already committed to their position, than to consider their effect on the "swing" constituency that is crucial to our victory.

A battery of questions posing rationales for the amendment teased out the attitudes of these swing voters. Half responded favorably to the argument that "the mother's rights" had been elevated too far above "the rights of the unborn child." Nearly four in ten responded favorably to the suggestion that abortions were "against religion and God's will." Many embraced the idea that the amendment would "save money because it will prevent our taxes being used to fund abortions." A substantial number liked the argument that the amendment would discipline a society that "has gotten too liberal." Many favored the amendment as a way to "cut down on teenage sex."

In short, Ledbetter's instincts were correct. Talking about abortion as an issue of women's rights, taxpayer funding, sexual freedom, liberalism, or freedom from religion would lose the election. Most respondents generally opposed "the right of women to have an abortion." More than six

in ten favored efforts to make sure “no state funds could be spent to directly or indirectly pay for abortions.” Messages and messengers that inflamed these hostilities had to be squelched, Hickman wrote. Pro-choice advocates should avoid the word *funding* when referring to the amendment, and they should “keep the public involvement of the ACLU and NOW to a minimum.”

The most effective approaches were the least radical. One was to focus on rape. Only 11 percent of respondents said abortion was acceptable “if the mother is an unwed teenager.” Just 9 percent said it was acceptable if “the parents can’t afford to care for” the child. But 66 percent said it was acceptable “in the case of incest or rape.”

The argument about busing and gun control turned out to be even more potent. “*Government intrusion . . . is our most effective argument*,” said the report. “One-third of our target voters said they were definitely less likely to support the Amendment after hearing: ‘The government is threatening to take away our right to own a gun and telling us where to send our children to school, and now they want to say that women can’t have abortions—even if they’re raped.’” While the mention of rape moved female respondents, “the government intrusion aspect of the message ha[d] the greatest impact among men,” Hickman wrote. “Younger men, and men in general, will be motivated to oppose the Amendment primarily because of their concern about government intervention in their private lives.”

These arguments attracted broad support because they meant little. Tolerance of abortion in rape cases didn’t entail tolerance of abortion generally. Nor did opposition to government intrusion entail respect for women’s autonomy. Voters who strongly favored Amendment 65 opposed “the right of women to have an abortion,” yet nearly 40 percent of these voters agreed with the statement, “Abortion is a private issue between a woman, her family and her doctor. The government should not be involved.” Just because they distrusted the government didn’t mean they trusted a woman to choose abortion without the consent of her husband, doctor, or clergyman.

Hickman zeroed in on this conceptual gap between the feminist minority and the conservative majority. To win the election, feminists had to cross that gap. They had to reduce abortion rights to a negative proposition. “Our goal must be to redefine the issue away from a question of rights, to one of government intrusion, privacy, and the right to an abortion in a variety of circumstances,” Hickman wrote. “We must not stress the individual’s right to abortion, but rather, that

the government *does not* have the right to say that abortion is *never* acceptable.”

Hickman added that even if his clients redefined the issue this way, their opponents could win by pointing out that Amendment 65 didn't ban abortions; it merely banned state financing of abortions, in compliance with the electorate's belief that the government should stay out of the issue. He advised Ledbetter to unleash a massive blitz of television and radio ads two weeks before the election, allowing no time for an effective rebuttal. As to Lynn Paltrow's call for a crusade against Arkansas's statutory ban on public funding, Hickman recommended the opposite. He counseled his clients to “take a conservative position” and “claim that Arkansas laws are working well now.”

In late April Ledbetter summoned other pro-choice activists to discuss the poll results and the battle plan. Fireworks ensued. A black friend angrily confronted Ledbetter over the poll's slap at desegregation. Ledbetter invoked her credentials as a civil rights activist and said she was only experimenting to see whether the segregationist mentality could be diverted to good use. Janet Pulliam, chair of the Arkansas Women's Political Caucus, fielded similar complaints. While assisting the campaign, Pulliam was also litigating a school desegregation case. Her friends worried that the campaign would stoke the same sentiments she was fighting in court. Other activists called for an education project to persuade voters to oppose Amendment 65 for the right reasons. They dismissed Hickman's strategy as degrading.

Hickman had no patience for this squeamishness. His target was a voting majority, not a marginal sisterhood of the pure. He despised idealists who preferred to lose the election standing for principle. More than that, he despised their contempt for the public's way of thinking. Did they regard ordinary people as stupid or dirty? Did they consider democracy an inconvenience? Did they imagine that “education” would wash away popular folkways? At times during the focus groups, Hickman felt more at home among the participants in the illuminated room than among the observers in the dark.

In the end, Hickman's view prevailed. Some activists agreed with his sober assessment; others grudgingly accepted his advice. Strategists for NOW and the ACLU purged their literature of references to their organizations. They called themselves the “Stop Big Government Committee of Arkansas” and distributed flyers proclaiming, “KEEP BIG GOVERNMENT OUT OF BEDROOMS.” ACLU director Kurjiaka wrote to a

right-wing lawmaker, reminding him that “government intervention” was a hallmark of “communist, socialist or Marxist societies.” The headline over NOW’s newspaper ads bragged, “NOT ONE RED CENT. THAT’S HOW MUCH YOUR TAXES PAY FOR ABORTIONS.” The ads assured readers that no one in Arkansas was proposing to change that policy.¹⁸

Far from challenging the public’s resistance to welfare spending, the activists exploited it. A NOW radio ad reminded voters that the money they saved by not subsidizing abortions would be dwarfed by the cost of subsidizing pregnancies, deliveries, and children. Planned Parenthood, the ACLU, and the Arkansas Women’s Political Caucus told taxpayers that the amendment would force them to subsidize prenatal care for all pregnant women. A pro-choice fund-raising letter claimed that the amendment would require “tax-supported state maternity centers” to provide “free prenatal care.” According to the letter, Arkansas would become a welfare magnet for “families of child-bearing age.”¹⁹

The campaign also spotlighted the rights of families rather than the rights of women. This was another way to reduce abortion rights to a negative proposition. The sovereignty of “the family” defined the limits of government without asserting the independence of wives or daughters. To traditionalists, it connoted parents’ and husbands’ rights. As a male spokesman for the campaign put it, “I’ll be hanged if I’m going to surrender my rights over family decisions to the government.”²⁰

Like the anti-welfare argument, the family-rights argument embraced attitudes antagonistic to much of the pro-choice agenda. Four years before *Roe v. Wade*, Arkansas had granted men the authority to deny abortions to their daughters or young wives. That authority had been enjoined by the courts but never repealed. Pro-lifers wanted to restore it. Throughout the 1986 campaign, they protested that Arkansas was failing to enforce parents’ authority over minors’ abortions. One member of the committee sponsoring Amendment 65 complained openly that adult women were being allowed to get abortions without their husbands’ consent. Pro-lifers resolved to introduce legislation requiring teenagers to get parental approval for abortions.²¹ The popularity of requiring at least parental consultation was clear from Tubby Harrison’s 1984 report:

In cases involving unmarried, pregnant teenage girls, the public, by almost 3 to 1 (it is better than 4 to 1 among people who have a teenage daughter[.]) favors requiring parental notification before the abortion. Furthermore, arguing against parental notification either on the grounds that it is unnecessary (because in most cases the parents have already been brought

into the picture by the girl herself) or that this will cause many teenage girls to endanger their lives (by going to someone other than a doctor for an abortion or waiting until very late in their pregnancy) is successful only to the extent of bringing opposition down to better than 2 to 1—with nearly half the public still strongly opposed even after the arguments.²²

The third issue of the campaign was rape. The worst thing about Amendment 65, according to pro-choice activists, was that it would prohibit public clinics and hospitals from providing abortions or morning-after pills to rape victims.²³ Focusing on rape had always been an effective pro-choice tactic, but nobody quite knew why. The reason was that it changed abortion from a welfare issue to a crime issue.

Pro-lifers often spoke of abortions for “convenience.” On the surface, this meant that most women who had abortions did so for trivial reasons. As one pro-lifer put it in the *Arkansas Gazette*, “Can we really trade a life for the risk of stretch marks?”²⁴ But the only abortions pro-lifers consistently excluded from the “convenience” category were those that resulted from rape or incest. The rape/convenience distinction had nothing to do with protecting life. It had to do with enforcing the consequences of the choice to have sex.

Speaking in Little Rock early in 1986, a senior official of the National Right to Life Committee (NRLC) affirmed that women should reap what they sowed.²⁵ An Arkansas columnist agreed:

We often hear the propaganda, offered mainly by feminist groups, that every woman's body belongs to her and that she has the right to determine how it will be used. Well, from this writer's point of view she made that determination when she placed herself in a position to mandate what she sees as a need for an abortion. . . . No woman is forced to become pregnant unless she is forcibly raped. It simply gets back to choice and responsibility. Those who would dance usually have to pay the fiddler.²⁶

The involvement of tax money compounded this argument. Even if abortion remained legal, the columnist observed, “it is another thing entirely to say that taxpayers should be required to pay to correct the mistakes of others.” Responsible people shouldn't have to bail out irresponsible people. That was the rationale for opposing welfare in general and for drawing a rape/convenience distinction on abortion funding in particular.

Rather than confront this distinction, abortion rights advocates in Arkansas turned it to their advantage. They persuaded voters that Amendment 65 wouldn't punish bad girls, since they were already off the dole. As one pro-choice leader put it,

The backers of Amendment 65 tell us that its only purpose is to limit the use of your and my tax dollar to provide abortions of convenience to irresponsible little trollops whom they feel get pregnant for the pleasure of a safe abortion at taxpayer expense. If the amendment said only that, neither I nor most of the others now doing so would be spending our time fighting this amendment, for the state is not now funding abortion.²⁷

Instead, pro-choicers argued, the amendment would hurt the good girls—the ones who hadn't chosen to have sex—by halting their access to morning-after pills. Worse, it would reward the criminals who had impregnated them. To law-and-order voters, this was an outrage. "I believe in a strong defense and fiscal responsibility," wrote one citizen in a letter to the *Gazette*, "[but] I don't see how you can responsibly argue that some leftover semen from a rapist or incestuous abuser has more rights than the victim."²⁸

No one seemed less likely to view the issue that way than the ACLU, a longtime advocate of defendants' and prisoners' rights. Yet no one argued more loudly that Amendment 65 was soft on crime. One Arkansas ACLU pamphlet screamed, "Protect Victims of Rape and Incest. Vote No! on Amendment 65." Another asked whether a woman should "be forced to bear a rapist's child." On a radio program, ACLU director Kurjiaka warned that under Amendment 65, "never in the future can these victims of violent crimes be helped by the state of Arkansas." In a letter to newspapers, she wrote, "We've made a good beginning in helping crime victims—let's not stop now."²⁹

Ledbetter held out hope that Governor Clinton would join the campaign. She knew he was pro-choice. Bruce Lindsey, Clinton's friend, had drawn Ledbetter into the Amendment 65 fight in the first place by putting Planned Parenthood in touch with her. Betsy Wright, Clinton's chief political operative, had secretly coached the campaign. And just before the state supreme court announced in 1984 that it would strike the amendment from the ballot, Hillary Clinton had phoned the campaign headquarters to leak the good news.

Publicly, however, Bill Clinton positioned himself as a defender of the taxpayer's right not to subsidize abortions. In 1984 and 1985 he declared Amendment 65 harmless but pointless, observing that Arkansas didn't pay for abortions and, under his leadership, wasn't likely to do so. In September 1986 he questioned the implications of the amendment's unborn-rights clause but said he had "no problem with the stated purpose" of its funding clause. In deference to taxpayers' objections, he affirmed that Arkansas "shouldn't spend state funds on abortions."³⁰

From Ledbetter's standpoint, these remarks were worse than unhelpful. She had it on good authority that Clinton wanted the amendment to lose but deemed it too popular to oppose. She pleaded with Wright and sent Clinton a memo urging him to come out against the amendment. The best she could wring from him was silence. Even after the referendum, Clinton refused to say how he had voted. Six months later, in their "Guide to the Presidential Candidates," Voters for Choice and the National Abortion Rights Action League would tartly recall that Clinton had "provided no leadership against" the amendment.

In late September 1986, while Clinton was endorsing the amendment's "stated purpose," Hickman and Schreuer completed a second poll that verified the popularity of Clinton's position. A week later, Hickman flew to Little Rock to conduct the focus groups. On October 10 he and Schreuer sent Ledbetter a summary of their findings. Little had changed. Conservatives still outnumbered liberals two to one. Likely voters still opposed state funding of abortions and rejected "the right of women to have an abortion." Rape and government interference were still the most effective arguments against the amendment. And the amendment was still likely to pass by a two-to-one margin. Polls released to the media on October 14 and 21 suggested that the margin would be even wider.³¹

The election was just two weeks away.

One of the women behind the glass on September 29 was Jill Buckley, Hickman's friend and fellow Washington consultant. Having helped to write the campaign plan, Buckley was now charged with executing the final stage, a blitz of television ads making the arguments that had shown the most promise. Three impressions from the focus groups reinforced patterns in the initial poll. One was the effect of the rape question on the women; another was the extent of antigovernment feelings among the men. The third was the mistaken belief—repeatedly cited by the women as grounds to vote for Amendment 65—that Arkansas was still subsidizing abortions.

Over the next three weeks, with help from Hickman and Ledbetter, Buckley fashioned these themes into a pair of television commercials. The task of the first commercial was to neutralize the strongest argument for the amendment. The ad informed viewers that Arkansas didn't subsidize abortions—and then falsely implied that the amendment might change that policy. Buckley, Hickman, and Ledbetter would later admit that they had designed this ad to deceive viewers.

The task of the second commercial was to deliver the strongest arguments against the amendment. Somehow, it had to integrate the rape scenario with the family-versus-government theme. A teenage virgin was the perfect vehicle. To stop her from getting an abortion, the government would have to overrule her father and mother. This was an affront to traditionalists as well as feminists. Ledbetter wanted to make clear that it was also an assault on the authority of the church and the medical profession.

On the morning of October 25, Ledbetter called a press conference to launch the ad campaign. The first commercial was too crudely dishonest to parade before reporters, so she showed them the second. It opened with a chastely dressed girl walking home from school with books under her arm. "Imagine," said the male narrator. "Your fourteen-year-old child, your own sweet daughter, is raped and pregnant. She's frightened, confused, and so are you." On the screen, the girl sobbed in her mother's arms.

The narrator went on: "Imagine, too, the government says *they'll* make the decision. Never mind the circumstances. You, your doctor, your preacher, your daughter have no say in this personal, private tragedy." As he spoke, this panel of authorities appeared on the screen. The girl sat between her father and mother as a gray-haired physician explained that he couldn't help them end the pregnancy.

As the narrator enumerated the people excluded from the decision—parents, doctors, preachers—the visual image switched from a wide shot of the family and doctor to consecutive close-ups of the dismayed father and mother. The nightmare dissolved as the narrator concluded, "Don't let this bad dream become reality. Vote against Amendment 65."³²

Ledbetter announced that the commercial would begin running the next day. Pro-lifers called the ad "a straight-out lie," noting that the amendment didn't ban abortions.³³ But Hickman had calculated correctly. With a week remaining and just \$24,000 available for their own commercials, pro-lifers had no chance to launch an effective rebuttal. Buckley and Ledbetter buried their protests under \$115,000 worth of television and radio advertising. Commercials pounded the amendment fifteen to twenty times a day in every corner of the state.

Five days into the bombing campaign, National Right to Life Committee president Jack Willke flew into Little Rock in a desperate attempt to halt the damage. He conceded that support for the amendment was collapsing under the onslaught. "This campaign has nothing to do with a 14-year-old rape victim," he pleaded.³⁴ But Willke didn't control what

the campaign was about. Hickman, Buckley, and Ledbetter did. Thanks to their ads, the election was about what they wanted it to be about: protecting families from big government, protecting good girls from criminals, and protecting the state's ban on abortion funding from clumsy do-gooders.

Arkansas voters flocked to the polls on November 4. At midnight the returns were still too close to call. The next morning, with only two precincts remaining to be tallied, UPI reported that the amendment would pass by about 1,600 votes. "We are grateful to the Lord for this victory," said a pro-life spokesman.³⁵ Then United Press International reversed itself, projecting a narrow defeat. The returns continued to fluctuate. By evening, the Associated Press was reporting that the amendment had failed by 623 votes. A correction cut the margin to 585. Another correction cut it to 418. It took the state three weeks to resolve the outcome. More than 635,000 ballots had been cast. Amendment 65 had failed by 519 votes.

The defeat knocked pundits off their chairs in Little Rock and Washington, D.C. "Downright phenomenal," declared the state's top political columnist. "Here we sit, forming the buckle of the Bible Belt, where Southern Baptists and scripture-quoting football coaches roam, and half the voters, perhaps a few more than half, said 'no' to a two-sentence anti-abortion proposition." NOW president Ellie Smeal lauded Ledbetter's performance. The head of the Religious Coalition for Abortion Rights called the win in Arkansas a virtual "miracle." Planned Parenthood hailed it as "a special triumph in a Southern state dominated by . . . fundamentalist Christians."³⁶

The war would go on, but the battle was over. For Brownie Ledbetter and the Arkansas brigade, it was time to stop the campaigning, with its ugly devices and deceptions, and begin the healing and helping. At a press conference after the votes were tallied, Ledbetter pleaded that abortion not be turned into a political wedge issue. "It's not a Democratic or Republican issue or a liberal or conservative issue," she insisted. "It's not about those things."³⁷

But, of course, it was.