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# *Frontline's* "The Last Abortion Clinic": What's Fair in a Video World?

In early 2005, independent film producer Raney Aronson started a new commission for the public television news documentary program, *Frontline.* She wanted to examine the strategies and tactics of each side in the abortion debate, with a close look at state-level legislation. Early in the process, Aronson elected to tell the story on two levels: trace the complex history of abortion law since the landmark 1973 Roe v. Wade Supreme Court decision; and also portray how court decisions play out in the lives of individual women. That would allow her to leaven the complex legal history with personal stories for a more compelling piece of cinema.

Aronson ultimately decided to focus on the state of Mississippi, a leader in the pro-life strategy to restrict abortion by using available legal tools. The state had only one abortion clinic still operating. Aronson's first task was to win the trust and confidence of the champions on both sides of the abortion issue. She also had to gain access to an abortion clinic—not a straightforward proposal in many parts of the country. But her greatest challenge was to achieve a fair account, presented with a tone of informed neutrality. Aronson was well aware that the topic was explosive, value-laden and divisive.

After months of research, negotiation, filming, and successive scripts, Aronson was ready by late September 2005 to make a so-called "rough cut," or first draft, matching the script to the video and other material she had. She had some 100 hours of tape to marshal into a coherent, and fair, one-hour documentary. Fairness would require a look at both sides, but in her mind it would have been insufficient to think in terms of 'equal time' or 'equal treatment.' The weight of the reporting might require more or less time devoted to one side or the other. Besides, there was another factor: video carried an emotional weight which was hard to measure in feet of film or minutes onscreen. Nor was "good TV" the best yardstick—sometimes the most powerful footage was not fair at all because it verged on propaganda.

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As Aronson considered the various individuals and groups she had filmed, some sequences stuck in her mind for their visual power; others had a more cerebral appeal. The trick would be to balance the legal history with the personal stories, the emotional against the explanatory material—and still remain true to her theme of chronicling why there was only one abortion clinic left in Mississippi.

**Frontline: Brief History**

*Frontline* was a production of the flagship Public Broadcasting System (PBS) station WGBH-TV in Boston, Massachusetts. The show was the brainchild of David Fanning, a South African-born former newspaper journalist turned filmmaker. WGBH's dynamic head of national programming, Peter McGhee, had hired Fanning in 1977 to produce a series of international documentaries known as *World*. Executive Producer Fanning's 1980 film "Death of a Princess," about the execution of a Saudi woman, received global acclaim as well as high-level criticism: from the State Department, the Saudi government, and the Mobil Oil Corporation—at the time sole underwriter of a WGBH-produced national PBS series, *Masterpiece Theatre*.[1]

But WGBH stood by Fanning and later asked him to create a new PBS series, *Frontline*, which debuted in January 1983. The series would produce public affairs documentaries—a genre growing rare as television news networks turned increasingly to feature-filled news magazines designed to entertain as much as educate. By 2005, *Frontline* was producing some 20 programs a year. Most ran for an hour, a few for 90 minutes; occasionally there were special limited series. The unit worked entirely with independent producers who reported to Executive Producer Fanning, Executive Editor Louis Wiley Jr., Executive Producer for Special Projects Michael Sullivan, and Editorial Director Marrie Campbell. A staff of some 25 supported the executive team.[2]

*Frontline* topics—both domestic and international--ranged widely, from healthcare to war to genocide, mass murder, racial identity and professional sports. In its first 20 years, it turned out 420 programs. Starting with the 1988 presidential election, it also produced biographies of presidential candidates, which aired under the title "The Choice." After the terrorist attacks of September 11, 2001, the unit postponed its scheduled fall line-up and instead for six months ran in-depth programs on various aspects of terrorism. Later it produced numerous films on the war in Iraq.

While it provoked controversy from time to time, over the years *Frontline* earned top journalism awards many times over from numerous US and international organizations. *Frontline* did not escape, however, the changes and challenges that came with the emergence in the 1990s of the Internet as a source for news and entertainment. As with other broadcast network news

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1 "Princess" was co-written by David Fanning and Antony Thomas, and directed by Thomas.

2 Starting in 2002, a spinoff called *Frontline*/*World* adopted a format of 15- to 20-minute segments to bring viewers stories from around the globe.

programs, *Frontline* ratings had declined over time. They had hit a high in 1998 with "From Jesus to Christ," which attracted more than 14.4 million viewers and "The Farmer's Wife," which drew more than 16.6 million. But by 2005, the average per show viewership was a little under 5 million. Production costs ran on average $500,000 per broadcast hour.

In 1995, *Frontline* became one of the first news organizations to create an in-depth website to accompany its broadcasts. The website provided interviews with the producer, edited transcripts of the interviews conducted for the film, chronologies, sidebars, essays and other supporting materials of potential interest to viewers (as well as an online viewer forum). After they had been broadcast, *Frontline* also posted most of the documentaries online for viewing at will.

## Choosing the Line-up

*Frontline's* reputation rested to a considerable degree on its choice of topics. Fanning, who likens his role at *Frontline* to that of the executive editor of a newspaper or magazine, says conversations about potential topics were ongoing. He maintained a running list of contenders. "We very often sit and talk about ideas," he says of his executive team and producers, "and an idea begins to emerge."

> It's not actually so much what the subject of the film is going to look at, it's the angle of vision. If you can find a way to kind of move the chisel over to another place, and hit it sharply, you might just crack it open in a new way. That's the heart of what we're trying to find.[3]

But where newspapers typically were looking for a story that would resonate the next day, and magazines the following week or month, *Frontline* had to work six to nine months in advance. "I think a little bit of it's crystal ball stuff, a little bit of it is us trying to second guess where the *zeitgeist* is going to be," notes Fanning. One technique *Frontline* employed to identify unique angles on stories was to give producers the time and resources to research a topic before any film was shot. "The greatest gift of *Frontline*, the thing that distinguishes it from everything else in television, is the time that we give people to do that, the time to research and the resources to research," says Fanning.

*Producers. Frontline* chose its producers carefully. It maintained contractual relationships with some 20 independent producers across the country. *Frontline* might work with seven or eight of them in any given year. The producers ran independent businesses, but once they signed a contract with *Frontline*, editorial control passed to the program. In producers, Fanning looked for "this very peculiar combination of real journalistic instinct and reporting skills, and then I'm looking for filmmaking. I'm looking to marry those two."

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[3] Author's interview with David Fanning, Brighton, MA, on July 9, 2007. All further quotes from Fanning, unless otherwise attributed, are from this interview.

Once he had assigned a producer to do a film, Fanning took on a more literary role. He helped frame the narrative, focused always on what would fit into an hour of video. "It's a very old-fashioned blue-pencil kind of idea, saying 'I think you buried your lead,' or 'You want to impose some shape on it.'" He tended to think in terms of acts: "There's three acts or five acts… and sometimes there's a prologue and three acts and an epilogue." Executive Editor Wiley calls it film architecture:

> How do we create an architecture in picture terms that does service to the journalism?... It's very challenging work to sustain a program without commercials for an hour, and sometimes 90 minutes."[4]

While Fanning played the role of narrative guru, Wiley was in charge of maintaining uniform editorial standards, as well as reviewing scripts with an eye to such elements as bias, wrong word choices, or missing information. "My job is trying to maintain the journalistic standards and practices that we use," says Wiley. But mostly, Fanning and Wiley acted as intelligent cheerleaders, encouraging quality work. Says Fanning:

> The job of an editor, in the literary sense, is to encourage an author to find the enthusiasm firstly, and secondly the obsession. Because they're not good if they're not obsessives; they do have to get pretty obsessed by the film.

Fanning was prepared to support his producers if things did not go as expected. He was also ready to take the tough decision to pull the plug on a project he deemed irretrievable. But in the end, *Frontline* producers enjoyed significant autonomy. Fanning says trust was essential to the institutional relationship:

> We are only as smart as our producers are smart. We are as honest as our producers are honest. We are as trustworthy as our producers are trustworthy. You've got to give them their freedom to do the work.

In the fall of 2004, Fanning thought it might be time for *Frontline* to take a look at the state of the national debate over abortion. It had not addressed the subject for over 20 years, since a landmark 1983 film called "Abortion Clinic." That film took viewers for the first time inside a clinic to talk to patients and doctors. Fanning thought he had just the producer to tackle such a topic: Raney Aronson.

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[4] Author's interview with Louis Wiley, Jr., Brighton, MA, on July 5, 2007. All further quotes from Wiley, unless otherwise attributed, are from this interview.

**Raney Aronson**

Aronson was a filmmaker in her early 30s who ran a production company called A Little Rain Productions in New York City. Aronson had been working on documentaries since 1996—first for ABC television—and went out on her own in January 2002 with a contract to produce a documentary for *Frontline*. Her preferred subjects were issues with two strongly opposed, yet equally compelling, sides. "That's really the thing I love the most, going into something with my eyes open and having two sides presented," she says.[5]

Her first *Frontline* project was an investigation of alternative medicine, which aired in November 2003. That was quickly followed by two reports for *Frontline/World*: a June 2003 report from India about traveling theater companies, and a June 2004 piece on India's AIDS crisis seen through the eyes of sex workers. Aronson's second full-length *Frontline* documentary was *The Jesus Factor*, which explored the role religion had played in the life and career of President George W. Bush, as well as the growing political influence of the country's 70 million evangelical Christians. The film aired in April 2004. "I was so impressed," says Fanning, "by the rigor of her work on *The Jesus Factor*, and her really sharp eye on the journalistic standards."

By the end of 2004, she was looking for another project.[6] Aronson had been struck, in researching *The Jesus Factor*, by how important the abortion issue was to evangelical Christians. She was eager to explore the topic further. In November 2004, she and Fanning sat down to talk about the possibility of taking a new look at abortion.

*Abortion as subject*. Abortion was a tricky subject. It had divided US public opinion since before the historic 1973 Roe v. Wade Supreme Court decision gave women legal access to abortion. The court decision had hardly settled matters. If anything, it galvanized conservatives, who for a while resorted to violence against abortion clinics and doctors. But by 2004, the pro-life movement—as it called itself—had revised its strategy, preferring to work at the state level to restrict the availability of abortion.

Fanning thought the time could be ripe to look at where the pro-life strategy had led. "Abortion had become such an issue in the Bush years, and there was the rise of evangelicals, and then the very real chance of change in the Supreme Court," he recalls. Eight of nine Supreme Court justices were over 65, and one was seriously ill. President George W. Bush was in a position to realign the court in a conservative direction, with consequences likely to last for decades.

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[5] Author's interviews with Raney Aronson on July 5, August 13 and August 20, 2007. All further quotes from Aronson, unless otherwise attributed, are from these interviews.

[6] She was wrapping up another *Frontline* piece—*The Soldier's Heart*, about the psychological after-effects of war—which ran in March 2005.

Aronson was enthusiastic, and agreed to pursue the abortion debate as a documentary topic. "It was just an opportunity I jumped on," she says.

> That's how it works a lot. If you really want to do something, and you have enough passion about it, and there's a good story there, generally that's a combination that works here.

The first challenge would be finding the right angle, an approach both visually and intellectually engaging. Hopefully, that would emerge during the research phase.

## Fairness policy

Aronson knew that *Frontline* was not interested in advocacy pieces.[7] "If you want to make a polemic, it's easy," comments Fanning. Finding a neutral voice, introducing facts in a balanced and equitable manner, was harder. *Frontline* set itself high standards, codified in a set of *Guidelines on Journalistic Standards and Practices*.

While it was not possible to anticipate every situation, the guidelines stipulated that producers be "interested in honest inquiry into the matter at hand, and … approach the making of programs with an open mind." The producer, it said, "must be sensitive to issues of fairness if the program is to have credibility. Truth is an elusive combination of fact and opinion, of reason and experience." Producers "will try to keep personal bias and opinion from influencing their pursuit of a story." Intent, *Frontline* stated, counted for a great deal:

> If the intent is seen to be fair, whatever message the program carries is reinforced. When a program seems to the viewer to be unfair, it defeats itself. On a controversial subject, the ideal program is one whose tone is persuasive, not argumentative.

Fairness, the guidelines spelled out, did not mean equal time for conflicting opinions. "However," they continued, "it does require the acknowledgement of, and responsible statement of, those conflicting opinions." Wiley adds that *Frontline* emphasizes fairness over balance for a reason:

> The reason is that the weight of reporting may fall on one side or the other. There may just be more interesting facts and more stories and more information from one side or the other in a controversial issue. So it isn't a balancing test, it's a fairness test that I like for all of our programs.

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[7] *Frontline* had, however, told some stories which advocacy groups applauded. In particular, award-winning producer Ofra Bikel had won recognition for her in-depth investigations of the criminal justice system, several of which sparked changes in legislation, re-trials or other action.

With a hot-button topic like abortion, expands Fanning, "everybody's going into a film like this with all of their antennae out."

> This is one of those films where you have an obligation as a journalist to be extremely careful of being fair to the subject. You know you're going to be scrutinized. [But] if you respect the people who are going to be in your story, if you respect that they come to those conclusions, those positions, in honesty, and if you can say to yourself I'm going to be fair to them, then you can function.

Frontline was no stranger to controversy, and had learned some things over the years, says Wiley: "As a subject defines itself automatically at the high end of controversy, you focus your attention a little more on how you're going to deal with the fact that you're in controversial territory." Aronson intended to keep her own views to herself. "I am very strict on this," she says.

> We are professional journalists, and that's what we do. It doesn't matter if I have a strong point of view on abortion. I'm not going to share it. It doesn't matter what I believe, because I'm going to actually be able to put my personal point of view aside and report on the issue.

That goal shaped her strategy. "Really going inside the pro-life movement was important to me, and giving them a voice was really important to me. It was also extremely important for me to go inside the pro-choice movement and look at what they were feeling were their strongest arguments. I was like a conduit," she explains. But first she had to decide what story she wanted to tell.

## Framing the Story

In March 2005, Aronson started to research the status quo of the abortion debate. The research would determine whether Frontline decided to move forward with the documentary or not. "Part of the job of the producer is not just getting a green light from David [Fanning], but is actually vetting the story idea," explains Aronson. She chose as her associate producer Amy Baxt, who had joined Little Rain in 2002.

The two women crisscrossed the country in search of experts, background, and a compelling story. They identified and talked to activists on both the pro-life and pro-choice sides of the debate. They interviewed academics and authors on abortion politics. They also talked to lawyers and judges. While they did not have a camera with them, they were gathering material and would return later to get it on film. Clarifies Aronson:

> It's a combination of reporting and pre-production… The minute that you have the cameras involved, it's very expensive.

What Aronson and Baxt discovered was that the 1992 *Casey v Planned Parenthood of Pennsylvania* case had changed the political landscape more profoundly than generally appreciated. Pro-choice advocates at the time had celebrated the Casey decision because the Supreme Court had not overturned *Roe v Wade*. But pro-life advocates had taken full advantage of what Casey provided: greater state-level control over restrictions on abortion so long as they served a "legitimate state interest." This latitude had led to wide differences among states in the availability of abortions.

*Which story?* Knowing this, Aronson conferred with Fanning and Wiley about the direction the film could take. It was their first tough editorial call. As they explored the topic, they debated where to focus. One possibility was to chronicle the evolution of the legal environment since Roe v. Wade. A serious look at the legislative history of abortion would be praiseworthy, but inevitably present the filmmaker with a nuanced conceptual story difficult to tell in pictures. Another option was to create a human interest film more along the lines of the earlier "Abortion Clinic" about individual women's experiences. That would have great emotional impact and was almost guaranteed to make for compelling footage. Or conceivably the documentary could try to do both, which ran the risk of doing neither particularly well.

Fanning worried, he says, "that we were going to end up with a big, 'everything you probably are tired of hearing about abortion' film. It's all very worthy but I'm just not sure it's something you necessarily would want to watch." To avoid that, he envisioned a film "about tactics and about a campaign."

> I thought that being able to tell the story of how the organized pro-life movement had laid out templates for shifting the ground locally was a very, very good story and, at the time we went at it, a relatively untold story.

Aronson wanted to elect the third—and arguably riskier—option. Wiley was not so sure. "I believe there is an inherent contradiction in trying to tell a good history of the political battle and a current affairs, on-the-ground-now approach," he said in an April 20 email.[8] He suggested instead a two-part film, with the first on history and the second focused on a state.

In the end, they opted for the ambitious goal of telling the legislative story, but enlivening it with personal scenes from the frontlines of the abortion debate. They also agreed to focus on one state, which could illustrate just how effective the pro-life movement had been. Persuaded by the discussion and Aronson's research, Wiley supported the decision. "You have to be very careful not to let a preconceived notion take hold about what a film might be about," says Wiley. "You have to trust your reporter. That's basically the bottom line." The next question was: which state?

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[8] Email April 20, 2005, from Wiley to Aronson and Fanning.

*Which state?* How far could a state go to regulate abortion without any change at all in existing federal law? Where had the pro-life movement scored its greatest success? Aronson's quest for answers to those questions led her to consider several states, including Pennsylvania, North Dakota, Alabama, California and Mississippi. In two states, she and Baxt discovered, there remained only a single abortion clinic: South Dakota and Mississippi. Expands Aronson:

> If you look at the landscape of America, where is it hardest to get an abortion? That's where I wanted to go, because I was looking at states which had been very activist in a pro-life kind of way. I was deliberately looking at how the states had been taking action to pass laws around abortion.

Aronson actively researched both states. At first, she favored a focus on South Dakota. "There were all sorts of stereotypes about Mississippi being conservative, and you would just assume it would be pro-life. South Dakota was a little bit more of an unknown," recalls Aronson. But no one from the lone South Dakota abortion clinic would agree to meet with her. In fact, it was very difficult to find anyone to speak on the record about abortion at all. Moreover, the state was so sparsely populated that even absent strict abortion laws, it could likely have supported only a couple of abortion clinics.

Mississippi, by contrast, offered a complex and intriguing situation. It was hard to get an abortion. Abortions were relatively expensive, there was only one clinic, and there was a social stigma attached to the procedure. The state had taken full advantage of *Casey*, passing a 2003 law which allowed health-care providers to refuse any abortion-related service, including referrals. It also was one of only two states which required the consent of both parents for a minor to get an abortion. The state's governor, lieutenant governor and attorney general were all pro-life. After discussions with Fanning and Wiley, Aronson by late April decided to focus on Mississippi.

*Terminology*. As she narrowed her focus, Aronson was also making key decisions. "Basically, you're doing an awful lot of editorial decision-making every step of the way," she observes. For example, what should she call each side in the debate? Many of those she hoped to interview wanted to know what she intended to do. The pro-life movement termed its opponents pro-abortion; the pro-choice movement referred to its opponents as anti-choice, and "each movement has a very strong opinion about the terminologies," she says. "A pro-life person would say, 'you're not pro-choice, you are pro-abortion, so you are pro death of the fetus.'" After consulting with Executive Editor Wiley, Aronson decided to call the two movements what they called themselves.

On June 3, 2005, as she left the office to get married the next day and go on a honeymoon, Aronson submitted her research report. The topic, as she defined it, was "to explore abortion politics today by looking at both the national and the state level." She thought she had successfully found a focus for the film, as well as lined up key interviews. The one looming exception, however,

was also a potential deal breaker. Aronson still had not found an abortion clinic in Mississippi or nearby which would let her film crew in the door.

**What price access?**

The one clinic in Mississippi was in its capital, Jackson. But Susan Hill, the clinic director, told the filmmakers that she could not admit them to the clinic; she had already signed an exclusive agreement with another documentary filmmaker. "The first instinct," recalls Fanning, "was oh dear, we'll have to go somewhere else." On the other hand, *Frontline* was accustomed to being turned down for interviews. That alone did not usually discourage them. "Journalists would really be falling down on the job if we let that stop us from doing a story," says Wiley.

At the same time, Aronson had learned that—while pro-life advocates claimed the state abortion rate had dropped some 50 percent since newly restrictive laws went into effect—nearly 60 percent of Mississippi women seeking abortions had resorted to using clinics in neighboring states. If the Jackson clinic was off-limits, Aronson thought it might be viable to follow these women across the border to some other clinic. She and Fanning discussed whether they could sustain the narrative line if they went across state lines to Louisiana, Tennessee, Arkansas or Alabama.

*Across border*. After numerous conversations, they decided to try for an out-of-state clinic. "Basically, what I decided was if I could get access to an abortion clinic across the border in one of these states, then I had an interesting film," remembers Aronson. "As a filmmaker, you have to figure out okay, if you don't have access how are you going to make a story still?"

One clinic quickly emerged as a front-runner, but getting its consent was not easy. For weeks, Aronson and Baxt tried to make contact with its director—without success. In June, while Aronson was on her honeymoon, Baxt finally simply boarded a plane and went to visit the clinic. When she knocked on the door, the director agreed to talk—but only off the record and off-camera. Negotiations continued, however, once Aronson returned, and by late June the director had consented to an interview; she also agreed to let cameras into the clinic. But she set numerous conditions: no interior or exterior shots that could identify the clinic; no last names; no name at all for herself (although she agreed to go on camera). In late July, she added another demand: *Frontline* could not identify the state.

*Frontline* had gone along with the earlier conditions, but this last one stopped them in their tracks. What would justify making such an unusual arrangement? Again, Aronson turned to Executive Editor Wiley for guidance. Wiley "got involved when we had ethical questions," clarifies Aronson. "He will play devil's advocate with me… Do we really need to give her this type of protection? Is it real or is she making a political statement here?" In a July 25 email, Wiley asked for more details about what might be motivating the clinic owner. He did not want *Frontline* to be put in the politically delicate position of implying—unless the facts were incontrovertible—that

threats against abortion clinics or providers were so serious that they could not be named. Had there been recent incidents? He added:

> I wonder whether we know whether other national broadcast reports, if any, have been protecting the identity of abortion providers in these areas of the South... Do you know whether she or her clinic have received threats and whether she reported them to the police? I have been prepared to go to some lengths to protect the clinic's name and location, and now even her name, but we will have to disclose this in our reporting.[9]

Aronson reported back that the clinic owner had not gone on camera for 13 years for fear of retaliation, that another clinic director in the same state had been even more fearful, and that there had been a recent arson attack against a Florida abortion clinic.[10] With this evidence, Wiley and Aronson agreed: the state would remain anonymous.[11] Meanwhile, filming was in full swing.

**Summer on the Road**

During the months of July and August, Aronson and Baxt spent many weeks on the road. They filmed interviews with experts like Bonnie Scott Jones, attorney with the Center for Reproductive Rights in New York, which represented the Jackson clinic. They talked to Professor Jack Balkin, constitutional law specialist at Yale Law School and to Peter Samuelson, president of a pro-life, non-profit law firm named Americans United for Life (AUL). They interviewed Ted Joyce, professor of economics and finance at Baruch College at the City University of New York (CUNY), and William Saletan, chief political correspondent for *Slate* magazine and author of a book on abortion politics.

The expert interviews, conducted all across the country, were essential to Aronson's plan to tell the legislative history of abortion. But most of the *Frontline* team's interviews—seven weeks' worth of shooting—were in Mississippi and the adjoining state where the clinic was located. Those interviews focused on caregivers and patients; they put a human face on the legislative story. Aronson had settled on four principal film sites: outside the Jackson clinic (since they were not allowed inside); a public health clinic in the rural Mississippi Delta community of Clarksdale; a Christian-affiliated, pro-life "crisis pregnancy center" in Jackson which counseled women with unplanned pregnancies; and the abortion clinic in a neighboring state.

*Win trust*. In Mississippi, the *Frontline* team had first to gain the confidence of pro-life activists, who viewed with suspicion a crew based in New York City. Moreover, Aronson was filming in the midst of a raging national debate over whether or not the Corporation for Public

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[9] Email from Louis Wiley to Raney Aronson, July 25, 2005.

[10] Email from Raney Aronson to Louis Wiley, July 27, 2005.

[11] *Frontline* has never publicly identified the clinic or the state.

Broadcasting—which channeled federal funds to public broadcasters—was guilty of liberal bias and whether it deserved continued public funding.[12] "We came from public television, we lived in the east, we lived in New York City, and we weren't professing to be pro-life and we weren't saying we were Christians," recalls Aronson. "So right away we had a lot of distrust."

Thanks in part to personal connections Aronson had made while working on *The Jesus Factor*, members of the pro-life groups eventually agreed to talk to her. The first important figure to cooperate was the president of Pro-Life Mississippi, Terri Herring. "Terri was amazing because she actually just sort of let us in in a way that we weren't quite expecting," remembers Aronson. Due to her schedule, Herring was also the first on-camera interview that the team filmed in Mississippi. This was not ideal from a producer's point of view; it's preferable to record key interviews later in the process when questions can be fine-tuned. But Aronson got the material she needed.

Once Herring was on board, others followed readily, including Lieutenant Governor Amy Tuck. Aronson was delighted, too, that the former director of the Jackson, Mississippi, clinic—Betty Thompson—agreed to be interviewed. The film crew also shot hours of footage outside the clinic, where pro-life groups regularly staged rallies, held prayer vigils or implored clinic clients to continue their pregnancies.

The team also spent time at the Center for Pregnancy Choices, a pro-life clinic in Jackson for pregnant women. There were 26 in Mississippi and some 2,000 throughout the country—some of which received federal funding. Aronson found that the very existence of the centers challenged some of her own preconceptions. "Before I started my research on the abortion issue, I didn't even know those places existed. The amazing thing about this whole process is when you learn something just completely surprising," she notes. Aronson's crew visited the largest center in the state, a Christian-based organization that was privately funded.

*Clarksdale*. After a week or so filming in Jackson, the team moved south to Clarksdale and its community health clinic. While not as difficult as finding an abortion clinic, it had nonetheless been a challenge to locate a cooperative health clinic. Aronson had found most Mississippi doctors and nurses "very reticent to discuss abortion, period. The reason being that because it is such a pro-life state, they were worried about backlash." But the Clarksdale clinic director was accommodating. A doctor, he was not pro-abortion, but he did believe that women should be able to choose. "He said very bluntly that women in Mississippi don't have a choice," remembers Aronson. The clinic's longtime nurse/midwife, Patricia White, was also happy to talk, and to let the crew interview clients (with client consent). "The difference was they were willing to talk to us

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[12] David Boaz of the conservative Cato Institute observed July 11, 2005, that "there has never been a *Frontline* documentary on the burden of taxes, or the number of people who have died because federal regulations keep drugs off the market, or the way that state governments have abused the law in their pursuit of tobacco companies, or the number of people who use guns to prevent crime. Those 'hard questions' just don't occur to liberal journalists." See: www.cato.org/testimony/ct-db071105.html

about the realities," says Aronson. "I felt like one, we needed access, and two, we wanted a rural clinic. We were just lucky they let us in."

Aronson had hoped for a specific scenario in Clarksdale. The town was near a state border. "What we were hoping to do, our dream, was to find—and this is why we chose this town—a few women who were seeking abortions and follow them across the border," says Aronson. "That didn't materialize. We waited and waited and waited..."

## Keeping Fairness in Mind

Throughout the filming, Aronson had to maintain a kind of mental ledger sheet to ensure that she had strong and persuasive material from both the pro-life and pro-choice sides of her controversial topic. She also had to be aware of the fine line between giving a group a fair hearing, and becoming an instrument of its propaganda. So she worked hard to flush out and identify hidden agendas where they existed. "Any advocacy group is going to use us in a sense," acknowledges Aronson. But she wanted to be conscious of when that happened.

One strategy was to pose questions which would compel revealing answers. Thus, when she was in the Center for Pregnancy Choices, Aronson questioned specifically whether the clinic, if asked, would refer a woman for abortion. The answer was no. On the other hand, when interviewing pro-choice lawyer Bonnie Scott Jones, Aronson was struck by one term the group used: "trap" laws (laws which the movement felt "trapped" abortion clinics because to follow them was close to impossible). So Aronson made sure to ask whether the term was a legal one, or a word chosen by pro-choice advocates for its public relations value (the answer, though equivocal, did not dismiss the possibility outright).

Aronson likewise sought balance after the Center for Pregnancy Choices allowed her to film a powerful scene in which a nurse administered a sonogram to show a woman what her fetus looked like. In a separate interview, Aronson made certain to ask a pro-choice spokesperson about the sonogram procedure. This ensured she had video giving the pro-choice view that, absent a medical need, there was no reason for a pregnant woman to have a sonogram. "A pro-choice person would say [the sonogram is] manipulative," says Aronson. "I tried to present both sides because there are strong arguments on both sides, and actually both arguments are reasonable when you think about it from their perspective." She clarifies:

> The pro-life perspective is that if you show a woman that she has an 11-week-old fetus and she sees the movement, and that convinces her to keep the fetus, then isn't that a good thing? Whereas a pro-choice person would say she didn't come in and know she was going to get a sonogram; there is no medical reason for it. So why are you offering a sonogram except to convince a woman not to have an abortion, which is what she really wanted to do?

"I never had a film like that before," says Aronson, "where reasonable people on both sides just saw things so completely differently. It's a real exercise in journalism because you have to be thinking [all the time] about being fair."

**Assembling Material**

By late September, the filming was done. Editor Seth Bomse had been working on the project since July, helping Aronson decide what material would work best in the film. As video came in, Bomse and Aronson reviewed it, labeling some sequences to keep, some to discard, and some to decide about later. The next step was to create the "rough cut" or first draft of the film. Typically, a rough cut ran about 15 minutes longer than the final product, so for an hour-long documentary the rough cut would be 75 minutes long. Aronson had shot nearly 100 hours of video. That meant only she, Baxt and Bomse saw most of the material; it never went to Fanning or Wiley.

Aronson tried to think through her narrative. Her theme was the legislative history of abortion and, as its most recent chapter, the strategies and tactics of the pro-life movement. When she consulted him, Fanning urged Aronson to "stay close in the story, don't widen out." Aronson, he says, "has a tendency to reach out and gather a lot of material."

> She had a thoroughness to her own reporting, and felt an obligation to explain a lot more. My job was to say to her, "Don't get bogged down, keep narrowing in. Trust to the judgment that instinctively that one-liner, 'the last abortion clinic,' is your headline, it's your title."

Aronson and her team were confident that they could chronicle the legal story accurately and in a fair fashion. They had good footage of interviews with articulate and sincere people on both sides of the debate, who would present arguments in a cogent and credible fashion. While it would be tricky to explain some of the subtleties, Aronson knew it would come together.

More challenging was to choose among the numerous "scenes" she had shot, which portrayed real people whose lives were touched in some way by the abortion debate. Most often, that meant pregnant women. These scenes would provide the human drama, and the narrative glue, for her documentary. Aronson had numerous very powerful pieces of video that she could use in the film if she wanted to. But at the same time, she realized that their emotional impact had the potential to overwhelm the important legal story she wanted to tell. She would have to choose carefully.

Aronson looked over her list of scenes. Several she was already pretty sure she would use.

- In an interview, Pat White (the ob/gyn at the clinic in Clarksdale) mentioned that Coahoma County had the third highest teen pregnancy rate in the state. That segued nicely into a

consultation by White with one of those teens, Melanie—who already had two children at home. As Aronson's camera rolled, the young woman learned that she was fully six months pregnant—apparently a surprise to her.

- A woman identified only as Tracy visited the unnamed abortion clinic in a neighboring state. Tracy explained that she wanted to terminate her pregnancy because she already had a toddler at home, and her boyfriend had died in a car accident. "I prayed about this decision, and I finally got my answer from God," Tracy told the clinic counselor.

- A woman named Shanine was given a sonogram at the Jackson Center for Pregnancy Choices. In the scene, center Director Barbara Beavers stood by while Shanine watched the image of the fetus on a screen. "I just can't believe that's a baby inside there," Shanine commented.

- Extensive footage from outside the Jackson abortion clinic showed protestors chanting, "I love you, Mama! Please let me live! I want to see your face, Mama!" The protestors' avowed purpose was to close down the clinic, meaning there would be no abortion clinics in Mississippi.

But there was another scene about which Aronson was uncertain. It was powerful, a meeting of three women who had had abortions—and who regretted it. As the rough cut began to come together, Aronson, Bomse and Baxt debated whether the scene was right for the film.

**To Use or Not to Use?**

The abortion support group met at the Jackson Center for Pregnancy Choices. The session—filmed on July 21, 2005—was titled "Grieving the Loss."[13] Group facilitator (and center director) Barbara Beavers wanted to help the three women confront their feelings about the abortion and allow them to grieve, which in turn would help them move on. She explained the presence of the *Frontline* film crew as an opportunity for the women to give testimony, a common practice in evangelical Christian circles.

The footage from the session contained numerous powerful moments. In one excerpt, a woman started to cry as she imagined what the baby pictures of her unborn child would have looked like. In another, Beavers asked "What has prevented us from grieving our pre-borns in the past?" The women gave various reasons, including guilt. Another participant asked: "How could I do such a thing as murder my child?"

*Drama.* Aronson, Bomse and Baxt could all see both pros and cons for including the scene in the film. One powerful argument in favor of using the scene was its sheer drama. "When you're

[13] The session was one in a series of 12.

doing public affairs reporting, you're desperate for scenes," explains Aronson. "You're desperate for anything that isn't a sit-down interview and somebody looking blankly ahead telling you their story. It's so hard to put any sort of movement or emotion or anything into these films."

Baxt in particular favored using scenes with emotional content. "It is really hard to make a concept- or theory-based film. You always want people telling the story, not just talking about ideas," she says.[14] The team repeatedly asked itself: "Where is the heart of the story? Why should this audience care about it?" In any film, she notes, "we need to engage with the human emotion of the story, or else why does the audience care? … Why else am I spending all my time on doing this? What actually matters to people in their lives? I tend to always push to get the human emotion of the story in there."

At the same time, the very emotion in the abortion support group scene was also an argument against using it. The filmmakers had to guard against being used. Center Director Beavers, recalls Aronson, "was very passionate that she wanted me to see this." Did that mean the resulting footage came too close to pro-life propaganda? Elaborates Bomse: "We were particularly watchful and careful about what emotional strings we were pulling because it's such an incredibly emotional and personal issue."[15]

*Rare footage.* Another pro-use argument was the unusual material in the scene—women from the South willing to talk about their abortions. As Baxt notes, "one of the things we struggled with in the film was getting women to go on camera and speak in the first person." Aronson agrees. "The most compelling reason for me [to include it]," she says, "was because it had energy."

> It was raw, it was unusual. I had never seen anything like this on TV before… I'd never seen a room full of women actually saying yeah, this happened to me and I regret it. The powerful part for me was the regret.

*Key point*. The team also considered the fact that the scene illustrated a key plank in the pro-life platform—that pro-lifers cared equally about the woman and the fetus. "One of the most compelling reasons to use that clip would be to show you how the pro-life community was looking at this from all different angles," says Aronson: protesting at abortion clinics, offering free ultrasounds, providing counseling, giving women baby equipment and clothes—and supporting women who decided on abortion. Bomse concurs that the scene made a significant point: "Here was what one group in Mississippi was offering to pregnant women. Part of their services… was these post-abortion support groups."

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[14] Author's telephone interview with Amy Baxt, August 28, 2007. All further quotes from Baxt, unless otherwise attributed, are from this interview.

[15] Author's telephone interview with Seth Bomse, August 27, 2007. All further quotes from Bomse, unless otherwise attributed, are from this interview.

*Consistency*. At the same time, Aronson felt there was something about the scene which did not quite fit the theme of the film. "We basically had a very strict story we were telling, which was—what happened since the states got more power?" she explains.

> I couldn't look at that pro-life support group and say, 'Because of these laws or because of action by the Mississippi state legislators, they were able to have a support group for women who had abortions.' … We had to constantly be coming back [to ask] what's the point? What's the spine?

Bomse, too, asked himself whether the scene belonged. On the one hand, he comments, "it seemed outside the boundaries of where we were in this film… The question it's raising really is simply: is abortion good or bad?"

*Placement*. There was also discussion about where, if they used the scene, it should go. "One of the things that we asked is, does it belong in a different part of the film?," says Baxt. "It's not just [whether to use] that bite, but where it's placed in the construction of the film." They could conceivably open with the scene, or close with it. Baxt adds:

> It can be something that helps you fill in the background. It can be a last word kind of thing. It can be one of the stops along the way. There's lots of ways it can be included when you're doing something that's nonlinear.

*Time*. Finally, they considered how much time they would have to allot to the scene if they opted to use it at all. The team had only 52 minutes for the film. "In order to do that scene right," says Aronson, "my thinking was you would have to devote at least five to seven minutes." In addition, Aronson felt that if she used the scene, she would need to interview in-depth at least one of the women in the support group in order to create a stronger emotional connection for viewers with that woman.

## The Rough Cut

Aronson was scheduled to show the rough cut to Fanning and Wiley on October 4, 2005. The piece would air on November 8. In the rough cut, Fanning would be looking for narrative coherence. Fanning, says Aronson, is the "king of narration… Every single question he asks is related to 'What's the story?' … It's all about creating a narrative that hangs together and works." For his part, Wiley would be looking for "what's missing here from the viewer's point of view," he says.

> Is this as clear as it could be?... Is there some entity or person that's been left out?... Sometimes it's as simple as the acknowledgement that someone wouldn't talk to us. It's very important sometimes to get that in, because the viewer doesn't know we tried.

Wiley was well aware that the legal story alone was complicated. "What was being conveyed here were some very sophisticated legislative approaches to regulate abortion, and you needed to know how does that work," he says. In addition to content, he and Fanning would also look at pacing—the rhythm of the narrative. It could be grueling to produce the rough cut. "When you shoot all this material, you can easily get lost and you can have scenes drag on much too long," says Wiley.

> You can have no pacing in terms of changing from this location to that location. All these things have nothing to do with the content… We're just talking about how are you going to sustain people's interest for this period of time?

As they pulled together the rough cut for October 4, the documentary production team had plenty to consider. Among the many issues they debated was what to do about the abortion support group. Aronson, Baxt and Bomse had to decide—should they use the scene at all? If they did use it, which excerpts worked the best? How, if challenged, would they defend their decision to Fanning and Wiley? They sat down to look at the highlights of the abortion support group one more time. As they watched, they tried to keep in mind the various dimensions of the film they wanted to make.