

# Introduction

Few issues in contemporary American politics have remained on the public agenda as long or split the country as divisively as abortion policy. Its inherent political, social, and moral dimensions make it an explosive issue that no institution, group, or religion has succeeded in containing.

It was not always so. Until the nineteenth century it was not difficult for most women to have an abortion into the fifth month of pregnancy, generally with no penalty. It was only in the 1850s that the American Medical Association sponsored an antiabortion campaign in a bid to professionalize medical practice. By 1900, the AMA had succeeded in passing laws that made abortions illegal, except when the woman's life was endangered, in almost every state and territory. These laws remained in force until the 1960s, when groups across the country employed a combination of legislative, judicial, and political campaigns to change them. The result was the 1973 landmark decision in *Roe v. Wade*, in which the Supreme Court held that laws prohibiting elective first-trimester abortions were unconstitutional because they violated women's right to privacy.<sup>1</sup>

The seeds of the controversy were sown in the seven years immediately preceding *Roe*. It was then, when the legislatures and the courts attempted to reconcile religious opposition to abortion with individuals' civil liberties, that the battle lines were drawn. The struggle began with the 1965 Supreme Court decision in *Griswold v. Connecticut*, which identified a right to privacy that protected married

couples' access to contraceptives.<sup>2</sup> Using *Griswold*, pro-abortion activists on the state level argued that women's access to abortions in certain circumstances was similarly protected, and they began campaigns to change the laws.

In the pre-*Roe* period between 1965 and 1972, thirteen states liberalized their statutes to allow abortions when the woman's health was endangered, and in cases of rape, incest, and fetal deformity. Four, including New York, repealed their abortion laws. One, Pennsylvania, tightened its law to make abortions more difficult to obtain. The remaining states retained their laws prohibiting all abortions except when the woman's life was in danger.<sup>3</sup> These conflicting policies provided fertile ground for forces on both sides to further their causes in the courts and legislatures, pitting women's right to privacy against states' rights to regulate abortion and protect maternal and fetal health.

Oddly enough, few books have comparatively examined the pre-*Roe* period, which is central to understanding the roots of the conflict.<sup>4</sup> There are several ways to examine pre-*Roe* abortion policy: an analysis of all fifty states, a comparison of the thirteen reform states, a case study of a single repeal state. Each has its limitations. An aggregate approach on the national level would identify some of the reasons that abortion bills were passed in certain states and not in others by examining such factors as religious demographics and the number of interest groups involved. But it could not provide the kind of microanalysis needed to describe the interaction between the Catholic Conferences, political parties, and interest groups on the state or local level. These factors, which significantly shaped pre-*Roe* politics, would probably be identified by an in-depth case study, but critics of this approach question the applicability of one state's findings to another. Given the political profile of each state, how can a

consensus be reached on which factors are most important in shaping abortion policy?

To avoid these pitfalls, this book compares pre-*Roe* abortion politics in New York with those in Pennsylvania, the two states that led the nation in creating abortion policy both before and after *Roe*. Although an argument can be made that early reform states such as California (1967) and Georgia (1968) were the forerunners in creating pre-*Roe* policy, the laws that they and eleven other states passed essentially legalized a widespread medical practice and affected only a tiny number of women whose pregnancies met the strict guidelines discussed above.

New York and Pennsylvania were the first states in this period to pass legislation that went beyond reform, albeit in different ways. In 1970 New York passed the least restrictive abortion bill in the country, allowing abortions in the first and second trimesters of pregnancy, with few restrictions. Two years later, neighboring Pennsylvania tightened its law to prohibit all abortions, except when the woman's life was endangered. Although this law was vetoed by Governor Shapp, in 1974 Pennsylvania passed the first of four abortion control acts and became a leading state in the pro-life movement. New York, whose 1970 statute the Supreme Court used in crafting *Roe*, remains one of the fourteen states that funds Medicaid abortions.<sup>5</sup>

Although no claim is made here that what happened in New York and Pennsylvania explains pre-*Roe* abortion policy in its entirety, these two cases provide rich insights into how party systems on the state level dealt with abortion policy before *Roe*, the role that grassroots and interest groups played in placing it on the political agenda, and how the nature of the discourses employed by various forces altered the parameters of the debate. In addition, the two states'

positions, at opposite ends of the policy continuum, necessitate an examination that accounts for the entire range of pre-*Roe* abortion policy. To broaden this approach, case studies of other pre-*Roe* abortion states are included here.<sup>6</sup>

### Divergent Neighbors

In the 1960s, New York and Pennsylvania shared several political characteristics that make them particularly well suited for comparative purposes. Both were large, industrial states with major metropolitan areas containing racially diverse populations. Mayhew (1986) classifies them as “regular organization states” with traditional party structures, partisan elections, and machine politics.<sup>7</sup> Both New York and Pennsylvania exhibited urban-rural cleavages, with the Democratic party dominating the cities, and the Republican party thriving in rural areas.

In terms of religious demographics, Catholics made up 36% of New York’s population in 1970 and 31% of Pennsylvania’s. With regard to the Jewish population, there was a significant difference between the states. In New York Jews comprised 11.8% of the population, compared to 4.0% in Pennsylvania. Since Jews constitute a potent political force in New York politics, and hold a generally secular view of abortion that defines access to abortion as a civil right, they provided a strong counter to Catholic influence on the abortion question in New York.

However, more important than demographics is how religious groups are politically mobilized. In a study of abortion rates on the state level since *Roe*, Hansen (1980) found that the measure of Catholic influence, rather than the absolute number of Catholics in a given state, offers a better explanation for the differences in the number of abortion

providers and abortion rates.<sup>8</sup> Similarly, in their analysis of pre-*Roe* abortion laws, Mooney and Lee (1995) concluded that the probability of a state reforming its abortion laws was negatively associated with the percentage of Catholics and fundamentalist Protestants in the population.<sup>9</sup> My research supports these findings and shows that before 1973, the influence that Jews in New York had on abortion policy was more a result of the open party system in the 1960s than of their numbers.<sup>10</sup>

When pre-*Roe* abortion bills were introduced, both states had governors who were pro-abortion, and both had well-established Catholic Conferences.<sup>11</sup> Public-opinion polls in New York in 1968 and in Pennsylvania in 1972—along with nationwide polls—showed majority support for abortion reform for physical or mental health reasons, yet neither state's policy reflected these preferences.<sup>12</sup> Given these similarities, one might have expected their abortion policies to have resembled those passed in the other states before *Roe*, or at least to have resembled each other. In fact, they could scarcely have been more different. The question is why.

This book attempts to solve this policy riddle by examining how political developments in the 1950s shaped the opportunities for abortion activism in the 1960s, the nature of the responses by the political parties, and the way abortion forces and grassroots groups institutionalized their respective discourses in the legislatures and the courts. In other words, it tries to understand how opportunities, parties, groups, and discourse interacted to create abortion policy before *Roe*, using the insights of institutional and political-opportunity theory. Blending these theoretical perspectives provides a fuller and more accurate analysis than either can supply alone, and builds upon the areas where they overlap.

This analysis rests on the view of recent institutionalists that political and institutional changes are conditioned by the historical period or “political order” within which they occur, a pattern similar to that which social-movement theorists refer to as “cycles of protest.”<sup>13</sup> Reform matters. The abortion campaigns in New York and Pennsylvania appeared in the wake of a national reform movement that occurred in various machine-dominated cities after World War II. Although these movements were concentrated in Manhattan and Philadelphia, the dissimilar approaches taken by the reformers, discussed in Chapter One, affected the Democratic Party in New York and Pennsylvania in different ways, and influenced the kinds of abortion policies each state adopted.<sup>14</sup>

Since efforts to change the abortion laws in all states were aimed first at the legislatures and later at the courts, an examination of institutional developments in the 1960s is essential to an understanding of the pre-*Roe* period. Rules have great significance, both for what gets accomplished and for what doesn't. They shape the efforts of political actors by reconciling their interests with broader purposes. Arguably, rules govern the legislative process in favor of institutional goals as opposed to democratic ideals of representation—although not always, as we will see. They regulate access to the floor and allow dominant forces to contain public debate, as was demonstrated by the successful efforts of the Catholic Conferences in New York and Pennsylvania in the mid-1960s to kill abortion bills in committee, before they reached the floor.

By the pre-*Roe* period, the rules governing standing in the courts had been expanded. This development was a particular boon to pro-abortion activists, whose lack of financial resources was mitigated by the free legal representation offered by attorneys and others interested in civil-rights

litigation. The relative swiftness with which the courts heard abortion cases in the seven-year period between the decisions in *Griswold* and *Roe* can also be accounted for by the number of “movement suits”<sup>15</sup> brought by feminists, which challenged restrictive abortion laws.

In the debate over abortion policy, the key struggle in the past two centuries has been over this question: What is being aborted, an embryo, a fetus, or a child? Whose rights are given priority? As E. E. Schattschneider noted, “The definition of the alternatives is the supreme instrument of power. . . .”<sup>16</sup> Thirty years later, Maarten Hajer observed that “The study of discourse opens new possibilities to study the political process as *mobilization of bias*.”<sup>17</sup> Schattschneider’s paradigm of power, in which competing forces attempt to narrow or widen the scope of the conflict for political leverage, supports the interpretation of discourse as a political weapon that groups use first to shape the way in which policy issues are understood, second to discredit their opponents, and third to bring about change. There are two ways to do this. One is in the legislatures; the other is through the courts.<sup>18</sup>

The centrality of discourse and framing to the abortion debate is discussed in Chapter Two, which traces the medical, religious, and legal discourses employed by activists on both sides. The key role played by feminist discourses in shaping the legal and political arguments used to repeal the abortion laws, and also in mobilizing activists and creating communications networks, is analyzed in Chapter Three. Although several states reformed their laws in the 1960s, the *repeal* of abortion laws took place only after the women’s movement had emerged.<sup>19</sup>

Mediating between institutions and the public are political parties. As agents of the parties, legislators and governors

attempt to reconcile interest groups' demands and electoral realities within the restraints imposed by institutional structures. The case studies of New York and Pennsylvania in Chapters Four and Five show why the degree of party support proved crucial to the success of early abortion campaigns. In New York, pro-abortion activists were aligned with the reform element of the Democratic Party, which helped them get annual abortion-reform bills introduced and, beginning in 1966, brought them into the policy stream. In Pennsylvania, antiabortion forces were able to block reform with the help of the Democratic leadership, which was aligned with the Pennsylvania Catholic Conference on reproductive issues.<sup>20</sup>

The taboo surrounding abortion delayed the formation and limited the effectiveness of most groups concerned with abortion policy until around 1970. With the exception of the National Conference of Catholic Bishops and its administrative arm, the United States Catholic Conference, none of the main interest groups involved, including the Clergy Consultation Service, the National Organization for Women, and the National Association for the Repeal of Abortion Laws, was an established player.<sup>21</sup> For this reason an accurate analysis of the pre-*Roe* era must include the actions of individual abortion activists and grassroots groups, as well as those of legislators and interest groups.

Chapter Six analyzes the effect of public discourse by contrasting the strategies of the successful forces in each state with those of their opponents. A chief reason for the victories of the pro-abortion activists in New York and the antiabortion forces in Pennsylvania was that they selected framing strategies in accord with the political opportunities they encountered; the New York activists, in fact, changed their approach when it became politically advantageous.



The unsuccessful activists in each state disregarded political developments for different reasons, and in Pennsylvania they forged ahead with a strategy that backfired.

Chapter Six also shows, however, that without the structural changes to the party system effected by reform campaigns in New York and Pennsylvania, neither the use of particular framing strategies, nor the participation of groups, nor the availability of resources adequately accounts for the policy discrepancies between the two states. Therefore, the analysis that follows examines partisan and institutional developments as well as the discourses and resources used by groups to show why New York and Pennsylvania passed vastly different pre-*Roe* policies.

*Roe* ignited rather than extinguished the debate over abortion by asserting that the states had an interest in protecting potential life prior to viability. For the next fifteen years, the courts, rather than the legislatures, were the key institutions making abortion policy. The *Roe* decision and its aftermath are assessed in Chapter Seven, with an analysis of the pro-life movement in Pennsylvania, one of the movement's flagship states.<sup>22</sup>

The legislative developments in Harrisburg provide a particularly apt context to measure pro-life activists' success in crafting restrictive abortion policy within the confines established by *Roe*. In 1989 a new Supreme Court revisited *Roe*, and in its five-to-four decision in *Webster v. Reproductive Health Services*, it returned to the states some of the power they had lost in 1973.<sup>23</sup> By 1990, twenty-five years after *Griswold*, the struggle had been renewed on the state level, where it had begun.

Without question, people's positions on abortion are shaped by a myriad of social, moral, and economic factors. But ultimately abortion policy is decided in the political

arena. This book examines how one of the most intimate decisions a woman makes, whether to continue or terminate a pregnancy, has become one of the most politicized issues in contemporary American politics.

## Notes

1. *Roe v. Wade*, 410 U.S. 113 (1973).

2. In *Griswold v. Connecticut*, the Court held that a Connecticut law that prohibited the sale of contraceptives to married couples was unconstitutional because it violated the individual's right to be left alone, as guaranteed by the First, Fourth, Fifth, and Ninth Amendments (381 U.S. 471 [1965]).

3. In addition to the four repeal states—Hawaii, New York, Alaska, and Washington—the District of Columbia allowed early abortions for any reason. In Mississippi a woman's life had to be endangered, or she had to be the victim of rape, to obtain a legal abortion. In New Hampshire and Louisiana abortions were technically prohibited because their statutes did not include therapeutic exceptions. In Pennsylvania the statute prohibited illegal abortions but did not define the difference between legal and illegal ones. See Chapter Five. For a list of pre-*Roe* abortion laws in the state, see Craig and O'Brien 1993, p. 75. See also Tatalovich and Daynes 1981, p. 24.

4. Although most books on abortion include a brief summary of the pre-*Roe* period, only two provide a detailed discussion of the events before 1973. Lawrence Lader's *Abortion II: Making The Revolution* (1973) is predominantly a study of the antiabortion movement before 1973. The author provides a detailed overview of the New York campaign and examines the political developments that led to the formation of the National Association for the Repeal of Abortion Laws, of which he was a founder. Much of the basic information contained in Chapter Four comes from Lader's account. Tatalovich and Daynes's *The Politics of Abortion: A Study of Community Conflict in Public Policymaking* (1981) analyzes the agenda-setting process of abortion politics between 1960 and 1980. Their focus is primarily on the policy-making process, and they examine the effect of public opinion and organized interests on abortion policy.

5. During the pre-*Roe* period, those in favor of reforming or repealing the abortion laws were referred to as "pro-abortion"; those opposed to changes were "antiabortion." After 1973 these names were replaced by "pro-choice" and "pro-life," for reasons discussed in Chapter Seven.

6. There are six single-state pre-*Roe* case studies: Jain and Gooch, *Georgia Abortion Act 1968* (1972); Jain and Hughes, *California Abortion Act* (1969); Jain and Sinding, *North Carolina Abortion Act* (1968); Steinhoff and Diamond, *Abortion Politics: The Hawaii Experience* (1977); Kristen Luker's *Abortion & the Politics of Motherhood* (1984), which examines pre-*Roe* abortion politics in California to analyze the worldviews of activists on both sides of the debate; and Marion Faux's account of the Texas challenge, *Roe v. Wade: The Untold Story of the Landmark Supreme Court Decision That Made Abortion Legal* (1988).

7. Mayhew 1986.

8. Hansen 1980, p. 385.

9. Mooney and Lee 1995, p. 619.

10. Ebaugh and Haney (1980) found that for the period between 1972 and 1978, Jews had more liberal attitudes on abortion than did Protestants or Catholics. This interpretation of the Jewish view of abortion was voiced by Rabbi Balfour Brickner, an early member of the Clergy Consultation Service. Interview with Brickner, March 24, 1998, New York, N.Y.

11. Strictly speaking, the first abortion-reform bill was introduced in Pennsylvania in 1967 (SB 38) when Governor Raymond Shafer, who opposed abortion reform, was in office. This bill was part of a broader effort to update the Pennsylvania Constitution as opposed to being a reform bill per se. Aside from SB 38, which died in committee, all the pre-*Roe* abortion bills were introduced when Milton Shapp, an abortion-reform supporter, was governor. Nelson Rockefeller, who favored reform, was governor of New York throughout the pre-*Roe* period.

12. Beginning in 1965, public-opinion polls showed majority support for abortions in cases of rape, incest, fetal deformity, and danger to the mother, yet only eighteen states in this period reformed or repealed their laws (Tatalovich and Daynes 1981, p. 118). On New York, see Lader 1973, p. 122. On Pennsylvania, see Walsh 1974, p. 4.

13. For an overview of recent approaches to the study of political change, see Dodd and Jillson 1994, especially Orren and Skowronek on political order. On cycles of protests, see Tarrow 1994.

14. My discussion of reform politics focuses on the Democratic Party in New York and Pennsylvania because in both states it was the party most active in pre-*Roe* abortion politics. The Republican Party in New York was instrumental in passing the 1970 abortion repeal law, but its involvement came in the last stages of the battle. The bill's passage was more the result of Constance Cook's feminism than of her party affiliation, though her party standing undoubtedly helped the repealers. Although the Republican machine had dominated politics in Pennsylvania from the

Civil War to the 1940s, the GOP in Pennsylvania did not become a player in abortion policy until the post-*Roe* period, as was the case for the GOP nationwide.

15. These suits also were brought in an effort to raise public awareness and shape the public discourse about illegal abortions. See Rubin 1987, pp. 49–50.

16. Schattschneider 1960, p. 68.

17. Hajer 1993, p. 45.

18. Activists on both sides also used public opinion, but as a means to an end. On the process of discourse institutionalization, see *ibid.*, p. 46.

19. Exactly when any social movement begins is debatable, but the 1970 Women's Strike For Equality seems a logical starting point, in that it was the first national demonstration of the women's liberation movement.

20. I use the term "activists" to describe challengers and "forces" to describe groups seeking to maintain the status quo, with slight variation depending on context.

21. The one exception was the American Civil Liberties Union, whose members worked on pre-*Roe* abortion cases.

22. The reasons for and significance of the change in the terms used to describe antiabortion activists after 1973 is discussed in Chapter Seven.

23. *Webster v. Reproductive Health Services*, 492 U.S. 490 (1989).

# 1 Reform and Opportunity

When pro-abortion activists in New York and Pennsylvania began their campaigns to change the abortion laws, the obstacles they faced were similar: public opposition to reform, well-organized opponents, party indifference, and limited resources. Yet within five years the state legislatures in Albany and Harrisburg had passed radically different policies. Why activists in New York triumphed while their counterparts in Pennsylvania were defeated can be traced to a number of interdependent factors.

The most important factor was the progress of political reform, because it affected both the degree of access new forces had to the parties and the political opportunities and resources available. The varying degrees of openness encountered by pro-abortion activists in New York and Pennsylvania in the 1960s had a significant impact on the abortion policies passed in each state before *Roe*. This, in turn, affected the kinds and amounts of resources available to them and their ability to challenge dominant forces.

## Reform Politics

The movement for political reform in America emerged in the wake of the Civil War, and subsided roughly 100 years later with the gradual demise of the political machines. The

reform ideal united Mugwumps, Populists, and Progressives in the belief that political participation should be motivated by personal commitment and civic virtue, as opposed to political favors promised by the party bosses. Generally speaking, reformers charged their opponents with varying degrees of corruption and inefficiency. Outnumbered by immigrants whose political allegiance was to the boss, they traditionally capitalized on elite dissatisfaction with party government and on internal factions within the parties to build support to challenge the machine.

The national reform movement that emerged during the Progressive Era at the turn of the century laid the foundation for a series of reform campaigns in party-machine states, including New York and Pennsylvania, that continued for the next fifty years. The most successful political reform effort in nineteenth-century Philadelphia was begun in the 1870s by the Quakers, who formed the Committee of One Hundred to expose the corruption of the public gas utility.<sup>1</sup> In 1894 the National Municipal League, the first national reform organization in the country, was established in Philadelphia by delegates to the First Annual Conference for Good City Government.<sup>2</sup> This was followed by several unsuccessful attempts to change Philadelphia's city charter, beginning in 1901 and ending in 1939. The backbone of all these campaigns were various civic organizations.

This "blue-ribbon" approach to reform reflected Philadelphia's Quaker traditions and its British heritage.<sup>3</sup> The Quaker attitude to conflict, where consensus is favored over compromise, encouraged participation through civic organizations as opposed to political parties. This attitude was shared by the British upper class, which generally disdained politics as a vocation. In both cases, private philanthropy

was the preferred method of elites to solve social problems—a preference reinforced by the Philadelphia reformers' lack of electoral success in changing the city charter.

Throughout the late nineteenth century, civic elites in New York attempted to topple the Democratic Party's infamous machine, Tammany Hall. Unlike their counterparts in Philadelphia, however, the Manhattan reformers aligned with Republicans and other anti-Tammany forces, and in 1901 they formed a fusion coalition that intermittently succeeded in electing three reform mayors, most notably Fiorello La Guardia in 1933.<sup>4</sup> After twelve years of his administration, Tammany Hall no longer had the ability to channel all political activity in the city,<sup>5</sup> and the seeds of the contemporary party-reform movement had been sown.

After World War Two, both cities weathered reform movements, but the developments described above shaped their forms and outcomes. In Philadelphia a new breed of reformers emerged with political aspirations based on a New Deal philosophy of government as a positive social force.<sup>6</sup> Led by Richardson Dilworth and Joseph Clark, upper-middle-class attorneys with political ambitions, a "good government" coalition consisting of civic groups, the business community, and social-science professionals gave birth in 1949 to the "Philadelphia Renaissance," a decadelong municipal-reform campaign aimed at putting the city's affairs in order. In Manhattan the "reform" Democrats, who represented the interests of constituencies at odds with the machine, competed for control of the Democratic Party with the "regular" Democrats, whose ties remained to the organization.<sup>7</sup> The different outcomes of the reform movements in New York and Philadelphia in the 1950s affected how open the party system in each state was to abortion-policy changes in the following decade.

The modern history of reform in Pennsylvania began in the late 1940s with the unsuccessful campaign of Richardson Dilworth for mayor of Philadelphia. Revelations of municipal graft and corruption formed the basis of Dilworth's campaign against the Republicans in the 1947 Philadelphia race. Throughout his campaign, Dilworth leveled specific attacks against incumbent Republicans, accusing them of being associated with organized crime.<sup>8</sup> Although the Republicans denounced Dilworth in the press, he had already established a large personal following, which became his future campaign base. After his defeat in the election, he was elected chairman of the Americans for Democratic Action, a group of professionals and activists interested in political careers. The ADA later became a campaign vehicle for Dilworth and to a lesser degree Joe Clark.<sup>9</sup>

Mayor Bernard Samuel, the Republican who defeated Dilworth, realized how much political support the idea of municipal reform had attracted in the campaign. Shortly after his victory he appointed The Committee of 15, a group of local citizens, to suggest ways to improve the city's efficiency. The following year, an investigation into the city's finances revealed well-entrenched practices of graft and corruption in several city departments.<sup>10</sup> This led to more investigative reports, and was followed by the suicide of four city officials including an employee of the Amusement Tax Office, who left a note that accused tax-office employees of embezzling public funds.<sup>11</sup>

Another significant result of the committee's findings was its recommendation of the adoption of a new city charter, which contained a home-rule provision for Philadelphia.<sup>12</sup> The adoption of the city charter became the campaign



platform of the ADA.<sup>13</sup> It was also the catalyst for a group of prominent city leaders to organize The Greater Philadelphia Movement, aimed at insuring the ratification of the new charter. Although the GPM drew people from education and labor, control of the group rested with business leaders, who had concluded that corruption in the city was threatening the business community. The GPM's involvement was characteristic of past efforts in Philadelphia, where elites had pursued reforms through a proposed new city charter.

With support for reform growing, it became clear that the Democrats could sweep city hall.<sup>14</sup> In the off-year election in 1949, the Democrats drafted Richardson Dilworth to run for city treasurer, and his former campaign manager, Joe Clark, for city controller.<sup>15</sup> As a result of the scandals and Dilworth's name recognition, the Democrats won the 1949 election by 100,000 votes.<sup>16</sup>

After taking office, Clark and Dilworth cooperated with the Democratic organization by employing party supporters.<sup>17</sup> In return, in 1951 the Democrats nominated Clark to run for mayor, and nominated Dilworth, who had lost races for mayor and governor, for district attorney. This strategy was highly successful, with Clark and Dilworth carrying every district in the city except those in the Republican stronghold known as the River Districts.<sup>18</sup> In addition to voting in a reform administration, city voters ratified the Home Rule Charter.

Once secure in their new positions, however, Clark and Dilworth distanced themselves from the Democratic Party in order to reform city government. Instead of giving city jobs to party regulars, Mayor Clark used civil-service examinations to fill city positions and hired outside experts as well.<sup>19</sup> He upheld the newly ratified charter, which further weakened party power, and he strictly enforced several of its

provisions, including barring city employees from engaging in political activity and requiring proof of incompetence before a city employee could be dismissed, thus protecting the jobs of competent employees who happened to be Republicans.<sup>20</sup>

Clark and Dilworth were municipal as opposed to party reformers; they were primarily concerned with the mismanagement of the city, not with reforming the party. They underestimated the machine's organizational strength on the precinct level and its ability to deliver votes, and they did not attempt to gain control of the party apparatus or create a third party to weaken it. An address made by Dilworth to the American Institute of Planners in 1957 shows his lack of concern with party politics. "When you think about it," he said, "our reform movement was sparkplugged by the planners not the politicians! The first impetus to move the city out of the rut came from those concerned about corruption, and the push for a city seen in terms of organized planning brought about the demand for orderly and honest government. This is probably a unique experience."<sup>21</sup> Although it was characteristic of elite reformers,<sup>22</sup> Clark and Dilworth's underestimation of the party was also due to their political inexperience and the state of the Democratic Party after decades of Republican control in Philadelphia. The mutual dependence of the reformers and machine Democrats to keep the Republicans out of power, along with the regulars' fear that the reformers had more public support than the party did, enabled Clark to secure the party's nomination, if not its blessing.<sup>23</sup> In 1956 Clark was elected to the U.S. Senate, with Dilworth succeeding him as mayor.

By the time Dilworth ran for governor in 1962, however, the regulars had regained the upper hand. Their gradual comeback had begun in 1953 with a newly mobilized

Democratic machine consisting of disgruntled Democratic regulars and crossover Republicans. The election of two Democratic governors, George Leader in 1954 and David Lawrence in 1958, further signaled the regulars' increasing strength. Unable to overpower the Democratic city chairman, William Green, Leader turned over thousands of patronage jobs to the machine.<sup>24</sup> Lawrence, as Democratic state boss, had funneled patronage to the Democratic machines in Philadelphia and Pittsburgh since the New Deal, and continued to do so in the 1960s.<sup>25</sup>

During the 1962 gubernatorial race between William Scranton and Dilworth, Scranton exploited the reformers' weak hold on the party by tarring them with the regulars' brush: "I think the Republicans have an awfully good issue here on this bossism business which doesn't please me in the least."<sup>26</sup> Scranton beat Dilworth by half a million votes. One key factor that contributed to Dilworth's 1962 defeat was his attempt while mayor of Philadelphia to cooperate with the machine and amend the city charter so that a person could hold more than one political office at a time.<sup>27</sup> It failed, and Dilworth was forced to resign in the middle of his second term. This botched attempt also helped the organization reassert itself by casting doubt on the altruism of the reformers. The underhanded manner in which Dilworth attempted to amend the charter, the so-called "secret agreement" he made with the Democratic organization soon after his election as mayor, cost him support from Democratic reformers and reform-minded Republicans in his run for governor.<sup>28</sup> In a neat twist, Scranton successfully incorporated the reform theme created by Dilworth into the campaign against him.

Despite Governor Scranton's campaign promises to rid the state of "bossism," both the Democratic organization

and the Republican machines remained powerful.<sup>29</sup> In the early 1960s the regular Democrats recaptured Philadelphia with the mayoral elections of Raymond Tate in 1963 and 1967 and Frank Rizzo in 1971. Within fifteen years of their triumph over the machine, the reformers' ascendancy had ended, and a political climate hostile to challengers, including the pro-abortion activists, had returned.<sup>30</sup>

### The New York Reformers

Beginning in the late 1950s, reform forces in Manhattan launched a campaign to gain control of the Democratic Party. New York's postwar regime of New Deal liberals and Democratic machine politicians faced the usual charges of corruption and financial mismanagement, and came under attack for other reasons as well.<sup>31</sup> New York City's population was decreasing and changing: Established populations of older residents, including groups of Italians and Irish, were being replaced by middle-class professionals in lower Manhattan, and by blacks and Puerto Ricans in Harlem.<sup>32</sup> These demographic changes yielded a constituency for young attorneys and social workers, who disagreed with the city's treatment of the poor and racial minorities, and for journalists who objected to the omnipotence of the public-works czar, Robert Moses.<sup>33</sup>

Another wing of the postwar reform forces in New York included people politicized by Adlai Stevenson's 1950s presidential campaigns. "We would never have grown up without Adlai Stevenson," stated, the executive director of the New York Committee for Democratic Voters. "He, so far as I'm concerned, is the spiritual and intellectual leader of the reform movement."<sup>34</sup> Finally, business interests, which were disenchanted with the city's fiscal policies, and Republicans,