Electoral Folklore: An Empirical Examination of the Abortion Issue

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For nearly a decade, the abortion issue has loomed large in American politics. City councilmen, state legislators, congressmen, presidents, and Supreme Court nominees are routinely asked their opinions on legalized abortion. Despite the controversy generated by pro-life and pro-choice1 interest groups, little is known regarding the issue’s impact upon voting behavior. This study seeks to enhance that knowledge by empirically examining congressional general elections in order to assess the impact of the abortion issue. We then review our finding that the abortion issue does not alter established voting patterns in these contests.

I. The Abortion Issue: A Political War Without Casualty Figures

During the past decade, abortion has been perhaps the most emotional and divisive issue in American politics. One national magazine, in its cover story devoted to the issue, described public division on the issue in Armageddon-like terms:

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1. Semantics has comprised a major battle of the abortion controversy. Those opposing the Roe v. Wade, 340 U.S. 113 (1973), decision have termed themselves “pro-life”, a designation frowned upon by those favoring legalized abortion. Not surprisingly, this “pro-choice” group resents the implication that it opposes life. This study will forego taking a position on terminology and refer to each faction in the terms that each group itself uses. Those against legalized abortion will be termed pro-life and those favoring legalized abortion will be termed pro-choice.
All across America, abortion is under greater attack than at any time since the Supreme Court legalized it in 1973. To its opponents, abortion is murder, and they have engaged in a crusade to wipe it out. Justifying their actions on moral grounds and backed by the authority and money of the Roman Catholic Church, they are engaging in civil disobedience reminiscent of the antiwar movement and taking their case to legislatures and the courts. And making considerable headway.2

That same year, a widely-read columnist observed:

Over the last few years, political analysts have noted the significance of the single-issue voter: the person who cares only about a candidate’s views on gun control, for example, or busing, or capital punishment. It is clear now, I think, that one such issue is likely to have the largest impact on American politics for the longest time. That is abortion.3

Political science professor Walter Dean Burnham of the Massachusetts Institute of Technology noted “[The abortion issue] is a single-issue movement with a difference. People who are against abortion care about it with the deepest intensity. For religious or other reasons, they treat it as a non-negotiable issue.”4

In addition to possessing zero-sum traits,5 the issue has polarized American opinion. Forty-one percent of Americans surveyed have agreed with the statement that “abortion is murder,” while 48 percent disagreed with the statement.6 The issue remains prominent and divisive today.7 Despite its prominence, the abortion issue is a paradox in

4. Id. at A27, col. 5.
5. A zero-sum issue is one in which the prevailing party gains a total victory while the losing party achieves none of its policy goals regarding the issue. Many political issues, e.g., block grant appropriations to states competing for these funds, are not zero-sum in nature. For example, New York may not get as much money as it sought because California received all it asked; nevertheless, New York gets at least some of what it sought. While, of course, there exist legal positions between the extremes of unrestricted abortion and completely forbidden abortion, these differences are relatively minor. Either abortion is basically legal or it isn’t. Thus, if the pro-choice position prevails, pro-lifers lose.

Professor Burnham’s observation, see note 4, supra, would therefore appear to apply to both pro-life and pro-choice forces. As NEWSWEEK’s 1978 cover story observed, “[f]or both sides, the abortion issue is an emotional one that does not lend itself to compromise or cool debate . . . . Both sides claim they are defending civil rights—opponents the rights of the unborn child, supporters the rights of the pregnant women.” See supra note 2, at 36, 37.

6. See de Boer, The Polls: Abortion, 41 PUBLIC OPINION Q. 554 (1978) (June, 1970 Harris Poll asks “It has been argued that abortion is murder and no one has the right to take the life of another under any circumstances. Others say that society takes human life for a number of reasons. Do you consider abortion murder or not?”); see also NATIONAL ABORTION RIGHTS ACTION LEAGUE, SHOULD ABORTION BE LEGAL? MOST AMERICAN VOTERS SAY “YES!”: PUBLIC OPINION POLLS ON ABORTION ISSUES, at 3 (1980) [hereinafter cited as NARAL, Should Abortion Be Legal?] (1979 ABC News/Harris Survey asks respondents to agree or disagree with the statement “To perform an abortion is the equivalent of murder, because the fetus’s life has been eliminated.”; 45 percent agree, 49 percent disagree).

7. See Wright, Human Life Federalism Amendment, (on file with the YALE L. AND P. REV.)
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that pro-choice and pro-life activists do not usually emphasize the issue to the electorate at large. Rather, both interest groups have sought to target their communications to those voters thought most receptive.\(^8\) Undoubtedly, these targeted efforts have achieved some success in creating interest group pressure that may be used to lobby incumbent legislators. Many observers have also credited these interest groups, particularly the pro-life forces, with substantial electoral impact.\(^9\)

Though partisans on both sides claim credit for electoral victories and defeats, and politicians treat both groups with deference, few studies have attempted to gauge the impact of the abortion issue in more than an anecdotal manner. In 1976, NARAL noted that of the 13 members of the U.S. Representatives that lost re-election bids, nine were pro-life, and four were pro-choice.\(^10\) A study conducted by the Alan Guttmacher Institute of the 1974 House races found that, in "competitive" districts, 92 percent of the pro-choice candidates studied were re-elected while only 61 percent of the pro-life candidates were returned to Congress. Among Republicans, 58 percent of the pro-life candidates

(hereinafter cited as Federalism Amendment) (proposed Hatch Amendment to the Constitution and Helms Human Life Bill proposed in Congress; Hatch Amendment approved by Senate Judiciary Subcommittee on the Constitution; awaiting Senate action); National Right to Life News, April 22, 1982, at 8 (pro-life activists plan convention, organized lobbying in favor of pro-life legislation and organized political efforts on behalf of favored candidates). See also infra p. 33.

8. See, e.g., Herbers, Anti-Abortionists' Impact is Felt in Elections Across the Nation, N.Y. Times, June 20, 1978, at A1, col. 1; B10, col. 2. (Iowa Pro-Life Action Council, seeking defeat of pro-choice Democratic Senator Dick Clark in 1978, distributed 300,000 pro-life pamphlets at church services, primarily Roman Catholic services, Sunday before election). Both pro-choice and pro-life groups have concentrated on direct mail, targeted leafletting, and telephone canvassing efforts against their congressional foes. Id. at B10, col. 5; Weinraub, Million-Dollar Drive Aims to Oust Five Liberal Senators, N.Y. Times, March 24, 1980, at B6, col. 3; Knight, Drive for Abortion Rights Begins, N.Y. Times, Jan. 23, 1980, at A12, col. 4.

In response to questionnaires concerning this study, only 32 of 190 respondent congressional candidates stated that they had issued press releases on the abortion issue, a rather surprising result in light of the public attention generally devoted to the issue.

9. In the wake of the 1978 elections, pro-life activism was credited with Republican Roger Jepson's unseating of Democrat Dick Clark in Iowa, and the defeat of pro-choice candidates Minnette Doderer (who was favored to win the Iowa Democratic lieutenant gubernatorial primary) and Clifford Case (who sought the Republican re-nomination to run for U.S. Senator, a post he had held for 20 years). See Herbers, supra note 8, at A1, col. 1. But see Pro-abortion Candidates Win in Primaries, 1980 CONG. QTLY WEEKLY RPT. 2775 (In two U.S. House Democratic primaries in Massachusetts, "The [Roman Catholic] church attempted to turn voters away from the pro-abortion stands of two liberals—5th District incumbent James M. Shannon and state Rep. Barney Frank, who was running in the 4th District. But the effort backfired, and both candidates won their Democratic primaries over conservative, anti-abortion challengers.").

10. See supra note 2, at 47. At this point, we wish to sound a cautionary note. In all studies that seek to examine the electoral fortunes of those with pro-choice and pro-life voting records, including our own, a researcher's characterization of a politician's voting record or issue stand as clearly "pro-choice" or "pro-life" may not be realized or shared by the electorate. See infra pp. 14-18.
won while the only pro-choice Republican in the sample lost. Of the Democrats studied, 100 percent of the pro-choice incumbents won while 75 percent of the pro-life members were re-elected. Overall, 98 percent (61 of 62) of the pro-choice members won while 81 percent (92 of 113) of the pro-life members prevailed.

An investigation which looks only at victory or defeat must, by design, obscure valuable information. For example, candidate A may be pro-life while incumbent candidate B is pro-choice. Incumbent B is re-elected, so everyone assumes that the abortion issue did not harm him. If, however, candidates from B’s party normally collect 56 percent of the vote, but B received only 50.1 percent, it is obvious that something—perhaps the abortion issue—hampered B’s performance. Furthermore, the partisan tides in the 1974 election may undermine the reliability of the Guttmacher study results. As most Republican candidates are pro-life and most Democratic candidates are pro-choice, any general tendency favoring Democrats will favor the pro-choice position.

A review of the existing literature reveals an absence of any attempt to examine, for legislative races, overall shifts in the general electorate’s voting behavior engendered by the abortion issue. This study seeks to

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11. Rosoff, Is Support of Abortion Political Suicide? 7 FAMILY PLANNING PERSPECTIVES 1, 15 (1975). The Guttmacher study used as its sample the 107 seats considered competitive by Congressional Quarterly Service in 1974 and added 12 seats in which the incumbent had received less than 55 percent of the 1972 vote, creating a total sample of 119 House seats.

12. Id. at 16-17.

13. To some extent, the Guttmacher Institute study’s focus on “competitive” seats may minimize the tendency of a won-lost study to obscure underlying shifts in voting behavior. Nevertheless, a study that examines change in normal vote will reveal more than a study of only incumbent survival.


15. See Rosoff, supra note 11, at 15-18 (Most Republicans in sample pro-life, while most Democrats in sample pro-choice); see infra pp. 16-18 (in our sample, Democrats, both incumbents and challengers, far more likely to be pro-choice than Republicans).

16. The most detailed empirical study of the abortion issue in elections concerns the 1976 Carter-Ford campaign. See Vinovskis, Abortion and the Presidential Election of 1976: A Multivariate Analysis of Voting Behavior, 77 MICH. L. REV. 1750 (1979), reprinted in C. SCHNEIDER AND M. VINOVSKIS, THE LAW AND POLITICS OF ABORTION 184 (1980) (hereinafter cited as SCHNEIDER AND VINOVSKIS). Vinovskis concluded that abortion “was never a very important concern of voters during the 1976 Presidential campaign.” Id. at 1767, 201. Vinovskis applied multiple classification analysis, (see note 35 infra) to presidential preference polling data. Holding other factors constant, Vinovskis tested 12 respondent traits, including views on abortion, and determined that a voter’s attitude on abortion made little difference in his presidential voting decision. “In fact,” noted Vinovskis, “the voter’s attitude on abortion was the weakest of all predictors.” Id. at 1766, 200. The two strongest predictors were party identification and ideology. Id. at 1766, 1769, 200, 203.
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partially fill this gap in the study of abortion's impact on American politics. In particular, we determined that an empirical examination employing interval data derived from federal general election contests would enable us to assess the electoral impact of this obviously prominent and divisive issue. We chose to study congressional elections because Congress has become the focus of pro-life efforts to make abortion illegal and to restrict its availability. Furthermore, data concerning these contests was available on a more widespread basis than was information regarding state and local contests. In addition, examining a cross-section of the congressional races provides the reader with information regarding the impact of the abortion issue in different regions of the nation.

II. An Empirical Examination of the Abortion Issue in Congressional Contests

A. Sample, Terms, and Methodology

A group of election contests to be studied was selected. This group included (1) all 1976 U.S. Senators and Representatives seeking re-election who had a clear and consistent voting record on the abortion issue and (2) all 1976 races for U.S. Senator and Representative in which no incumbents were running and where the contestants adopted a clear abortion position.

17. Social scientists generally refer to three different levels, or degrees, of measurement used to study social phenomena. The first, nominal measurement, merely classifies items with respect to a certain characteristic so that the grouping is as homogeneous as possible as compared with differences between categories. Dividing voters according to sex, race, or political party affiliation is an example of nominal categorization. It is the simplest level of measurement. Where the trait to be studied is composed of categories that differ in the degree to which they possess a certain characteristic but where the precise magnitude of those differences can not be measured on a scale, the categories may be ranked according to an ordinal scale of measurement. With ordinal data, we can rank the categories (e.g., lower class, middle class, upper class, varying in the amount of socioeconomic status they possess) but we can not gauge the exact distance between the groups. Where the trait to be studied may be ranked not only with respect to the degree to which the data possesses a certain characteristic, but also according to the difference in magnitude of the characteristic, such data can be given an interval level of measurement. Voting percentages constitute interval data. If candidate A receives 40 percent of the vote, we know exactly how much better he did than candidate B, who got 20 percent of the vote. Where it is possible to locate an absolute or nonarbitrary zero point on the interval scale, the interval data may also be studied according to a ratio scale of measurement, which is the higher level of interval measurement. Voting percentages satisfy the criteria for ratio scale measurement as well; receiving zero percent of the popular vote in an election is quite absolute. Thus, we know in the example above that candidate A did twice as well as candidate B. (As a contrasting example, Fahrenheit temperature is an interval measure but not a ratio measure; 70 degrees is not twice as hot as 35 degrees, it is merely 35 degrees hotter). See H. Blalock, Social Statistics 15-20 (2d ed. 1972). Thus, the levels of measurement are, in descending level of quality and information value: ratio-interval; interval; ordinal; and nominal.

18. See Federalism Amendment, supra note 7, at 9.
The incumbents in the first subgroup were selected by using the abortion position ratings compiled by the Alan Guttmacher Institute in 1976. These ratings looked at whether a member of Congress had sponsored an amendment to outlaw abortion and at four votes in each chamber that dealt with the abortion issue. Sponsorship or a consistently pro-life voting record in the four votes studied classified a Senator or Representative as pro-life. Those members of Congress who did not sponsor a constitutional amendment and voted consistently pro-choice in the rating’s four votes were classified as pro-choice.

These criteria yielded a group of 78 Senators with clearly defined abortion positions (48 pro-choice and 30 pro-life). In the House, 157 members appeared to have consistent stands on the issue: 43 were pro-choice, and 114 were pro-life.

To determine the abortion positions of the non-incumbent candidates challenging the incumbents included in our sample and the views of those competing for open Senate and House seats, a questionnaire was sent to all non-incumbents in the group of races studied. The questionnaire asked if each respondent agreed or disagreed with the Supreme Court’s 1973 *Roe* decision. Those who disagreed with the Court’s stance and supported legislative attempts to overrule *Roe* were considered pro-life and coded according to their preferred means of prohibiting abortion.19

Races were deleted from the sample for several reasons: there was not a candidate from each major party entered in the contest; candidates in the contest whose abortion position was not known did not respond to the study’s questionnaire; a proper Catholic index for the district could not be developed; etc. After the original sample was examined closely, 187 contests with full data constituted the final sample.20

19. Listed on the questionnaire as pro-choice options were: (1) a constitutional amendment flatly prohibiting all abortion (hereinafter a “total prohibition amendment”); (2) a constitutional amendment prohibiting abortion except in those cases in which the pregnant woman’s life would be endangered if the pregnancy were continued to term (hereinafter referred to as a “Buckley-like amendment”) after former Senator James Buckley, perhaps the politician most identified with this type of pro-life measure; (3) a constitutional amendment allowing each state to regulate or prohibit abortion as it desired (hereinafter the “States’ Rights amendment”); (4) any “Other” type of amendment restricting abortion; and (5) equal support of “Both” the total prohibition amendment and the Buckley-like amendment. At the time these questionnaires were drafted and sent to congressional candidates, the above options, all involving constitutional amendment, constituted the pro-life movement’s efforts to overrule *Roe* v. Wade, *supra* note 1. Since that time, several developments have occurred. See *Federalism Amendment*, supra note 7, at 10-14.

20. As we noted earlier, the original Guttmacher rating of incumbent legislators contained 157 House seats and 78 Senate seats that comprised the bulk of this study’s beginning sample. Additionally, 48 open House and Senate seats were included in the study.
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B. Examination of Abortion’s Impact on General Election Results

To best study the electoral impact of the abortion issue, it must be examined in terms of change in the normal party vote. The principal deficiency of prior studies has been that they examined only whether a congressman won or lost, rather than the margin of that victory or defeat and its relation to the normal partisan tendencies of the seat in question.21

Because the effect of the abortion issue may be subtle rather than obvious, this study analyzed the issue’s electoral effect by means of a regression equation.22 We compared the Republican and Democratic base vote for each district with the 1976 vote in terms of the candidates’

21. See, e.g., Rosoff, supra note 11.

22. Linear regression equations describe the best line, if any, that can be drawn among the points of a graph plotting data concerning one or more independent variables against data concerning a particular dependent variable, such as candidate views on abortion. The explanatory value of such an equation is related to how closely the plot of the data resembles a particular pattern and not a random arrangement of points. Specific calculations reveal the level of statistical significance of the equation—the probability that the pattern was not a random one. Further calculations can show the percent of variation in the fact one seeks to explain for which the independent variables are responsible—the closeness of the pattern of data to the line represented by the equation. See H. Blalock, Social Statistics 384-86 (2d ed. 1972); Kim & Kohout, “Multiple Regression Analysis” Subprogram Regression, in SPSS: Statistical Package for the Social Sciences 320, 321-23 (2d. ed. 1975).

The statistical significance of a regression equation is identified by its T-score. When compared to the size of the relevant sample, the T-score reports the probability that the relationship represented by the equation occurs randomly. This is the level of statistical significance of the equation. Thus, if an equation is statistically significant at the .01 level, the chance that it results from a random distribution is only 1%. See Kim & Kohout, supra, at 334-36. Commonly cited as conservative acceptable levels are .05, .01, and .001. See H. Blalock, supra, at 161.

Also of value in analyzing a regression equation is the \( R^2 \) score. The sum of the squares of the distances between the actual data points plotted for the sample and those predicted by the regression equation, \( R^2 \) represents the proportion of variation in the dependent variable that can be explained by the regression equation. For example, an equation with an \( R^2 \) of .10 is said to explain 10% of the variation in a dependent variable. See Kim & Kohout, supra, at 279.

The \( R^2 \) and T-scores help identify the importance of each of the independent variables. The variable’s T-score measures the statistical significance of its contribution to the entire equation. Also available for each independent variable are measures of their strength and direction. The b coefficient, or slope, describes the unit change in the dependent variable resulting from a unit change in the independent variable. A large coefficient indicates a strong independent variable. The sign of the coefficient indicates whether the direction of the independent variable’s correlation with the dependent variable is positive or negative. Id. at 323, 300.

The three independent variables tested in our model were not entered into the regression equation in any preordained order. Rather, the three variables “competed” in the SPSS program to be the first variable used to construct a line fitted to the cases of data observed. In effect, the most explanatory independent variable was used to construct the initial fitted line, then the second best variable entered the equation, followed by the third. This is important because the first independent variable entered into a regression equation sets the parameters of the equation. Though the second variable entered will alter those parameters to accommodate its impact upon the dependent variable, entry of a less explanatory variable prior to one with greater explanatory power will reduce the second variable’s b-slope and scores of statisti-
abortion stances,23 the Catholic index of the district, and the education index of the district.

The general formula for the equation is:

\[ 1976 \text{ Vote} = B_1 \frac{\text{Base Vote}}{\text{Voting Index}} + B_2 \frac{\text{Education Index}}{\text{Index}} + B_3 \frac{\text{Catholic Index}}{\text{Index}} \]

In order to utilize this regression model, construction of a base vote, a Catholic index, and an education index was required. The Catholic voting group was studied because public opinion polls show Catholics to more frequently hold pro-life views.24 Similarly, college-educated voters as a group show greater pro-choice sentiment than any other definable demographic bloc.25

Of course, these groups are not mutually exclusive, but they are clearly definable enough to facilitate scrutiny.26 If any group were to exhibit a change in voting behavior correlated to the abortion stance of congressional candidates, it would likely be one of these two.

**Base Vote**

For each of the House and Senate seats studied a base, or average, vote for both Republican and Democratic candidates was constructed. The “normal” vote was obtained by averaging the Republican and Democratic vote total in the district for the past three elections in the case of House seats. For Senate seats, the past four elections were aver-

23. To facilitate the use of this regression formula for the examination of subsamples based upon the candidates' abortion positions, all pro-life options were categorized into one over-all pro-life classification. If this recoding were not done, most of the pro-life categories (all but the Buckley-like amendment) would have possessed subsamples too small to produce reliable results.


25. See M. Hanna, supra note 24, at 169 (college graduates in Catholic, Protestant, and Jewish ethnic groups are more likely to favor legalized abortion than are those with a high school education or less).

26. In the sample employed in this study, there was no significant multicollinearity between the Catholic Index (Cathin) and the Education Index (Educin) used in the regression model. That is, the relative proportion of Catholic voters in the voting areas in our sample was not closely correlated to the relative proportion of voters over 25 with four years or more of college. Multicollinear independent variables may produce misleading regression models because the independent variables tend to move in step, making it difficult to discern which independent variable is truly correlated with the dependent variable. See H. Blalock, supra note 22, at 456-65. See also Blalock, Correlated Independent Variables: The Problem of Multicollinearity, in The Quantitative Analysis of Social Problems 418 (E. Tuft ed. 1970). The finding of little correlation between Cathin and Educin in this study reflects observed reality. Proportionately, Protestants have more college education than do Catholics. See Lazerwitz, A Comparison of Major United States Religions, 56 J. of the Am. Statistical Assn. 568 (1961) (nine percent of Protestants had four years or more of college compared with five percent of Catholics with equivalent college); M. Hanna, supra note 24, at 111 (education gap between those under 30 is smaller, but Catholics still trail Protestants in educational level).
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aged to arrive at the normal vote. With the base vote available as a means of comparison, the actual 1976 vote for each House or Senate seat studied was also compiled and recorded.

**Catholic Index**

For each contest to be studied, an index indicating the relative size of the Roman Catholic population in each district was constructed. Unfortunately, the U.S. Census Bureau does not record religious affiliation when conducting a census, and to the authors' knowledge, no agency or organization keeps such data in terms of congressional district makeup.

An accurate measure of the relative Catholic population in the districts studied can be created, however, by employing the data on “Foreign Stock” population of each district in *The Congressional District Data Book*, 1973. For each House and Senate contest in this study, foreign stock population was divided into “Catholic” and “Non-Catholic” according to the religious preference of the countries of foreign origin.\(^{27}\) The Catholic foreign stock population was then divided by the district’s total population. Although the resulting figure was, of course, very low, it nevertheless enabled the ranking of each district in our study according to its relative Catholic voting strength. This Catholic index (Cathi) was then available to be used to analyze the effect of the abortion issue on Catholic voters.

As a check on the accuracy of this study’s Cathi index, the index was compared to the religious affiliation figures of the book, *Churches and Church Membership in the United States*, authored by the Glenmary Institute of Washington, D.C. The Glenmary book contained data on church membership by county, rather than congressional district. Some congressional districts in this study did not violate county boundaries, or did so only minimally. Eleven of these districts were used to construct a

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27. Austria, Czechoslovakia, France, Hungary, Ireland, Italy, Poland, Portugal, Romania, and Yugoslavia were deemed so predominantly Catholic that all residents from these countries were classified as Catholic. Denmark, Finland, Greece, Lithuania, the Netherlands, Norway, Sweden, Switzerland, United Kingdom, and the U.S.S.R. were classified as entirely non-Catholic. Other countries were treated as special cases: Germany (one-half to Catholic group; one-half to non-Catholic group); Canada (New England residents considered Catholic; others one-half to Catholic group and one-half to non-Catholic group).

Beyond the assignment of foreign stock Americans into religious groups, another problem is presented. We must assume that the foreign stock population of a Congressional district or state is fairly representative of the district or state population as a whole. Though American immigration patterns change over time, the change has not been great during the past century. Most United States immigrants during the past thirty years have come from countries in Southern and Eastern Europe and Germany, as has been the case since the late 1800s. *See U.S. IMMIGRATION AND NATURALIZATION SERVICE, ANNUAL REPORT 47-49 (1968) (table of U.S. Immigration figures by decade).* It is therefore reasonable to assume that the current immigration and foreign stock populations reflect the entire area’s population makeup, at least religiously, if not economically or socially.
Catholic population figure derived from the Glenmary book. The Catholic population totals for these districts were compared to the Cathin index derived from the foreign stock data. Correlation (Pearson's R) between the two measures was .96, which suggests that the foreign stock Catholic index is an excellent surrogate. We therefore use the Cathin index without reservation. Appendix A discusses in detail the construction and verification of this index.

Education Index

Level of education appears to significantly affect attitudes toward abortion. For this reason an education index (Educin) was constructed in order to enable analysis of each contest studied according to the education level of the district. In each district or state in the study sample, the number of persons having four or more years of college was divided by the total number of persons older than 25 living in the district or state. The resulting index provides a good indication of the overall education level of the district as well as the voting strength of the highly educated in that district.

C. Analysis of the Abortion Issue Through a Linear Regression Model of the House and Senate Contests

We performed a regression analysis using the data and model described above. These results are presented in Table 1. The b-slope coefficients and t-scores of each variable are shown from the Republican perspective; that is in terms of their effect within a voting model predicting the fortunes of a GOP candidate.

### TABLE 1
ABORTION STUDY MODEL INVOLVING BASE VOTE, EDUCATION INDEX, AND CATHOLIC INDEX

<table>
<thead>
<tr>
<th>Sample Examined</th>
<th>Base</th>
<th>Educin</th>
<th>Cathin</th>
</tr>
</thead>
<tbody>
<tr>
<td>All contests</td>
<td>.774</td>
<td>.001</td>
<td>-.003</td>
</tr>
<tr>
<td>N = 187</td>
<td>(16.6*)</td>
<td>(.579)</td>
<td>(-2.64*)</td>
</tr>
<tr>
<td>Contests involving incumbents</td>
<td>.934</td>
<td>.002</td>
<td>-.003</td>
</tr>
<tr>
<td>N = 138</td>
<td>(18.5*)</td>
<td>(1.01)</td>
<td>(-2.28*)</td>
</tr>
<tr>
<td>Open Seats</td>
<td>.357</td>
<td>.002</td>
<td>-.00230</td>
</tr>
<tr>
<td>N = 49</td>
<td>(3.96*)</td>
<td>(.715)</td>
<td>(-.851)</td>
</tr>
<tr>
<td>Pro-choice Republican vs. Pro-life Democrat</td>
<td>.645</td>
<td>.003</td>
<td>-.003</td>
</tr>
<tr>
<td>N = 11</td>
<td>(2.24*)</td>
<td>(.280)</td>
<td>(-1.12)</td>
</tr>
<tr>
<td>Pro-life Republican vs. Pro-choice Democrat</td>
<td>.897</td>
<td>.001</td>
<td>-.002</td>
</tr>
<tr>
<td>N = 68</td>
<td>(12.8*)</td>
<td>(.432)</td>
<td>(-1.29)</td>
</tr>
<tr>
<td>Pro-choice Republican vs. Pro-choice Democrat</td>
<td>.831</td>
<td>.001</td>
<td>-.003</td>
</tr>
<tr>
<td>N = 36</td>
<td>(5.91*)</td>
<td>(.145)</td>
<td>(-.964)</td>
</tr>
<tr>
<td>Pro-life Republican vs. Pro-life Democrat</td>
<td>.585</td>
<td>.004</td>
<td>-.004</td>
</tr>
<tr>
<td>N = 50</td>
<td>(5.79*)</td>
<td>(.722)</td>
<td>(-1.26)</td>
</tr>
</tbody>
</table>

*indicates statistical significance at the .05 level.

30. Readers will note that the Cathin variable is statistically significant at the .05 level for the regression model involving all contests in the study and in the regression model concerning contests involving incumbents. Thereafter, the Cathin variable lacks statistical significance in the other regressions. This latter set of subgroups involves smaller Ns of cases than do the total sample and the incumbents subsample. One might therefore speculate that the Cathin variable loses its statistical significance only because of the small size of the open seat and abortion match-up subsamples. This, however, is not the case. As shown by a standard table of the distribution of t-scores, sample size does not greatly affect whether a given t-score will be statistically significant once the sample exceeds 30. See, e.g., H. Blalock, supra note 22, at 559. With a sample size of 30, for example, a t-score of 1.697 is required to achieve .05 level of statistical significance in a one-tailed t-test; with a sample of infinite number, the required t-score is lowered to 1.645. By contrast, increasing a sample from 10 to 30 decreases the required .05 level t-score from 1.812 to 1.697. As can be observed in Table 7, the t-scores of Cathin in both the total sample and the incumbents subsample are well above the 1.645 minimum required for statistical significance at the .05 level, while the Cathin t-scores for all other contests fall far short of the magnitude required for .05 significance. Even in the subsample pitting pro-choice Republicans against pro-life Democrats (N=11), the resulting t-score of 1.12 falls notably short of the 1.796 t-score required for statistical significance at the .05 level.

31. As discussed in note 26, supra, there was no substantial correlation between the Educin variable and the Cathin variables. Neither was there a substantial difference in the range of
As the model shows, the normal base vote is the only independent variable that is statistically significant. The Cathin variable achieves statistical significance only in two regression equations that do not include the abortion position variable. The Educin variable never achieves statistical significance. Our analysis suggests that the normal party vote of a congressional district or state provides an excellent predictor of the next election’s outcome, but that the abortion stands of candidates provide no reliable guidance as to election results.

When the abortion control is introduced, there is little change in the estimated values of the $B_1$ coefficients and no change at all that is accompanied by significant $t$ scores. The abortion stance of a candidate apparently does not significantly affect the normal voting patterns of an election district.

This indicates that the abortion issue, despite its publicity, controversy, and importance to interest groups, has not disrupted established partisan voting patterns. We wish to emphasize the higher $B_1$ coefficient contained in the regression for the contests involving incumbents. This suggests that the stabilizing influence of normal partisan voting patterns is further strengthened by the presence of an incumbent legislator whose name identification and political philosophy is well established with the electorate.

The $B_2$ coefficients of Cathin in the two equations in which this variable is statistically significant (the regression for all contests in the sample, and the regression for all sample contests involving an incumbent seeking re-election) is of an expected direction and magnitude. In these equations the Republican share of the vote is diminished in proportion to the relative number of Catholic voters in the district or state. These regression equations confirm the conventional wisdom: most Catholics vote for Democrats. As previously noted, these two regression equations did not address the candidates’ abortion positions.

For all regressions presented in Table 1 the $B$ coefficients for Cathin and Educin are of the expected direction and magnitude even though they are, for the most part, not statistically significant. As predicted, all of the $B_2$ and $B_3$ coefficients have different signs because Catholic voters are normally Democrats and college-educated voters are normally
Examination of Abortion Issue

Republicans. One would expect, therefore, the regression model to show pro-choice Republicans gaining a greater share of the college-educated vote while losing even more Catholic votes than normal. By the same token, a pro-life Democrat could be expected to gain a greater share of the Catholic vote than Democrats usually get, but do worse among the college-educated than most candidates of his party. B coefficients obtained in the regressions are inconclusive on this issue and not statistically significant. However, while the $B_2$ and $B_3$ coefficients obtained seem to confirm the conventional wisdom concerning Republican strength with college-educated voters and Democratic strength with Catholic voters, they would not, even if statistically significant, suggest that a candidate's abortion stance alters these partisan demographic relations.

The $R^2$ of the equations, which ranges from .40 to .75, shows a good but not perfect fit between the outcomes predicted by the regression models and the observed reality of the 1976 election outcomes. This suggests that election outcomes are sufficiently complex that it is unlikely that they can be fully explained by even a multi-factor regression model, let alone a single factor such as candidate abortion stance. In addition, more than 90 percent of the observed $R^2$ values are attributed to the base vote variable. The Educin and Cathin variables do not significantly improve the fit between the regression model’s predicted results and the actual election results. We conclude that, in federal general elections as a whole, candidate performance is not affected by candidate abortion stance. We suspect that the abortion issue may become more important in primary elections where turnout is lower and one-issue voters can make their numbers felt without deserting their party.

D. An Analysis of the Sample: Candidate Views on Abortion, Partisan Differences, Candidate Match-ups

Examination of the sample illustrates the extreme differences between

32. See M. HANNA, supra note 24, at 169.
33. Many observers attribute former Minnesota congressman Donald Fraser's defeat in the 1978 U.S. Senate Democratic Farmer-Labor primary to pro-life activism on behalf of his opponent, millionaire businessman Bob Short. Short lost the general election to pro-life Independent-Republican David Durenberger, giving Short an 0-for-3 record in general elections (for congressman, lieutenant governor, and senator). Fraser had won eight general elections to Congress and has since been twice elected Mayor of Minneapolis by wide margins. However, we note with passing irony that the DFL Feminist Caucus, upset with Short's pro-life, anti-ERA views and his vigorous attacks on the pro-choice, pro-ERA Fraser, openly campaigned against Short in the general election against pro-life Republican David Durenberger, who won the Senate seat with 62 percent of the vote. Demise of Hubert's DFL, TIME, Nov. 20, 1978, at 21.
Republican and Democratic candidates concerning the abortion issue. More than 71 percent of the GOP contestants expressed support for some type of legislative action to prohibit abortion. Less than one-third of the Republican candidates studied (28.2 percent) supported the 1973 pro-choice decision of the Supreme Court.

Among the Democrats studied, a far different picture emerges. More than 60 percent of the Democrats supported the *Roe* decision; only 37.6 percent endorsed pro-life measures. As Table 2 indicates, Democrats in the contests studied were more than twice as likely to be pro-choice as were Republicans.

**TABLE 2**

**FREQUENCY DISTRIBUTION OF ABORTION STANCES FOR ALL RACES**

<table>
<thead>
<tr>
<th>Abortion Category</th>
<th>Percentage of Position-Holders by Party</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Republican</td>
</tr>
<tr>
<td>0) Pro-Choice</td>
<td>28.2</td>
</tr>
<tr>
<td>1) Total Prohibition</td>
<td>1.1</td>
</tr>
<tr>
<td>2) Buckley-like amendment</td>
<td>51.7</td>
</tr>
<tr>
<td>3) States’ Rights</td>
<td>11.5</td>
</tr>
<tr>
<td>4) Other</td>
<td>5.7</td>
</tr>
<tr>
<td>5) Both (Options 2 and 3)</td>
<td>1.7</td>
</tr>
<tr>
<td>TOTAL</td>
<td>100.0</td>
</tr>
</tbody>
</table>

N = 174

N = 178

A simple crosstabulation of the abortion positions of the Republican and Democratic candidates is shown in Table 3. One-fifth of the contests studied involved two pro-choice candidates. Another third of the contests studied involved two pro-life candidates.

In total, about half of the congressional contests involved candidates who shared similar positions on the abortion issue. Nearly another half of the contests involved a pro-choice Democrat against a pro-life Republican. The partisan differences are striking in the match-ups presenting a clash of candidate abortion stances. Equally striking is the frequent absence of candidate clash on this issue.

In only about one-half of these election contests was the electorate provided with a clear choice on the abortion issue. In order to examine
TABLE 3
ABORTION POSITION CROSSTABULATION
FOR ALL CONTESTS—TOTAL
PERCENTAGES

<table>
<thead>
<tr>
<th>Republican Position</th>
<th>Democratic Position</th>
<th>Pro-choice</th>
<th>Ban All Abortion</th>
<th>Buckley-like</th>
<th>States' Rights</th>
<th>Other</th>
<th>Both</th>
</tr>
</thead>
<tbody>
<tr>
<td>0) Pro-choice</td>
<td>21.6</td>
<td>0</td>
<td>6.0</td>
<td>1.2</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>1) Total Prohibition</td>
<td>0</td>
<td>0</td>
<td>1.2</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>2) Buckley-like amendment</td>
<td>26.3</td>
<td>.6</td>
<td>18.6</td>
<td>1.8</td>
<td>1.8</td>
<td>1.2</td>
<td></td>
</tr>
<tr>
<td>3) States' Rights</td>
<td>9.0</td>
<td>0</td>
<td>1.2</td>
<td>.6</td>
<td>.6</td>
<td>.6</td>
<td></td>
</tr>
<tr>
<td>4) Other</td>
<td>4.8</td>
<td>0</td>
<td>.6</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>.6</td>
</tr>
<tr>
<td>5) Both (Options 2 and 3)</td>
<td>.6</td>
<td>0</td>
<td>1.2</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>TOTAL - 100.0</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>N=167</td>
</tr>
</tbody>
</table>

these match-ups in a bit more detail, crosstabulations were also performed using subsamples determined by incumbency. In the races involving incumbent Senators or Representatives, there were fewer matches of equivalent abortion positions (37.6 percent) than in the sample as a whole and, consequently, a slightly higher percentage of direct clashes between pro-choice and pro-life candidates.

Conversely, in the contests involving two non-incumbent candidates there were fewer differences in the abortion stands of the major party candidates. In half of these cases, there was no difference at all between the two challengers; voters who wished to make a voting decision based solely on candidate abortion position were out of luck. We emphasize, however, that such a voter was only slightly better off participating in the elections involving incumbents, where the candidate abortion positions were congruent nearly forty percent of the time. There appears to be a tendency for the abortion stances of the major party opponents to converge, perhaps as a tacit means of neutralizing the issue. This tendency, however, is most pronounced among non-incumbents who are facing a difficult—and for them, untested—issue.

This characteristic varied somewhat by region. The incidence of congruent candidate abortion positions ranged from 30.7 percent in the
South to 48.0 percent in the East. The Western races experienced 41.9 percent congruence while 38.7 percent of the Midwestern contests involved two candidates with the same abortion stands. In the South, East, and West, most abortion stance match-ups involved two pro-choice candidates; in the Midwest, most involved two pro-life candidates. In all four regions, most contests where candidates held different abortion views pitted a pro-choice Democrat against a pro-life Republican. In political battles, many perceive safety in sameness. The high incidence of congruent abortion positions held by opponents, especially non-incumbent opponents, would seem to indicate that no small number of political actors believe this dictum and strive for its fulfillment.

The partisan differences in abortion views are somewhat counterintuitive. We might expect Democrats, who enjoy disproportionate support among Catholic voters, to tend toward the pro-life position while expecting Republicans, who enjoy disproportionate support among the college-educated, to tend toward the pro-choice position. As we have seen, exactly the opposite occurs: most Democratic candidates are pro-choice and most Republican candidates are pro-life. This relationship may not be consistent with components of the parties' constituencies (the college-educated and the Catholic) but it is consistent with party ideology. Democrats are generally more liberal than Republicans. The pro-choice abortion stand is generally considered the liberal viewpoint on this issue; the pro-life perspective is generally regarded as the conservative stand. Apparently, candidate views on abortion are more affected by their overall political ideology than by their parties' bases of support.

In the districts that are overwhelmingly Republican (those in which

34. Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Texas, Virginia.


37. Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, South Dakota, Wisconsin.

38. See Ladd, Shifting Party Coalitions 1932-1976, in EMERGING COALITIONS IN AMERICAN POLITICS 81, 87, 98 (S. Lipset ed. 1978) (hereinafter cited as Lipset) (college-educated voters are more likely to identify themselves as Republicans; majority of college-educated voters have supported GOP presidential candidate since 1948); Vinoskus, supra note 16, at 1769, 203 (Jimmy Carter ran better with college educated voters than most Democrats have, see Orren, Candidate Style and Voter Alignment, reprinted in Lipset, supra at 127, but Gerald Ford nevertheless carried the college-educated subgroup of voters). See also supra p.10 explaining the education index constructed for this study and the association between college experience and pro-choice views.
more than 60 percent of the vote normally went to the GOP)\textsuperscript{39} the Republican candidates studied were overwhelmingly pro-life, even more than Republicans as a group, as Table 4 indicates. This partisan "over-typicality" was reversed among Democratic candidates in our sample, however. In districts where the normal vote was more than 60 percent Democratic, the Democratic candidates, though still predominantly pro-choice, were less likely to support the \textit{Roe} decision than were Democratic candidates as a whole.

TABLE 4
FREQUENCY DISTRIBUTION OF ABORTION STANCES IN SAFE (BASE VOTE OF MORE THAN 60 PERCENT) REPUBLICAN AND DEMOCRATIC SEATS

<table>
<thead>
<tr>
<th>Abortion Category</th>
<th>Percentage of Position-Holders by Party</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Republican</td>
</tr>
<tr>
<td>0) Pro-Choice</td>
<td>7.7</td>
</tr>
<tr>
<td>1) Total Prohibition</td>
<td>0</td>
</tr>
<tr>
<td>2) Buckley-like amendment</td>
<td>59.0</td>
</tr>
<tr>
<td>3) States' Rights</td>
<td>23.1</td>
</tr>
<tr>
<td>4) Other</td>
<td>5.1</td>
</tr>
<tr>
<td>5) Both (Options 2 and 3)</td>
<td>5.1</td>
</tr>
<tr>
<td>TOTAL</td>
<td>100.0</td>
</tr>
<tr>
<td>N = 36</td>
<td></td>
</tr>
</tbody>
</table>

One would initially suspect that "safe" Republican districts have an unusually educated and pro-choice electorate while safe Democratic districts are more heavily Catholic and pro-life. Democratic candidates running in "safe" races behave in a manner closer to that predicted, but Republican candidates in "safe" areas do not. This seeming contradiction in regard to Republicans has a likely explanation, however. Safe Republican districts tend to be more rural than competitive or Democratic districts are,\textsuperscript{40} but rural areas contain a smaller proportion of col-

\textsuperscript{39} See \textit{supra} p.8-9 for an explanation of the normal or "base" vote calculated for the states and congressional districts in this study.

\textsuperscript{40} See Greeley, \textit{Catholics and Coalitions}, in Lipset, \textit{supra} note 38, at 276 ("The Republicans have historically been the party of the small city, the town, the upstate regions of the Northeast and North Central part of the Central States, . . . [and of] the well-to-do farmer."). Orren, \textit{supra} note 38, at 165, 174; Jensen, \textit{The Search for Modern Values}, in Lipset, \textit{supra} note 38, at 35 (farmers and rural residents support GOP); M. Vinovskis, \textit{supra} note 16, at 1769, 203
lege-educated voters than suburban and urban areas. Thus, a higher percentage of GOP voters in the safe GOP areas probably hold Republican views because of the general conservatism of rural areas, socioeconomic (SES) factors other than education (e.g., income, religion, ethnicity), and local voting tradition rather than because of their educational background.

Many of the upper-SES Republican voters found to exist in national or statewide surveys are likely to reside in urban and suburban areas—regions containing Democratic or competitive congressional seats rather than safe Republican seats. If this hypothesis is correct, Republicans in the safe GOP areas may take pro-life views without alienating a large portion of the party's college educated constituency as much of that constituency does not reside in the safe Republican districts. Furthermore, as our regression model suggests, the abortion issue probably is not salient to the upper-education voters that disproportionately vote Republican.

Democratic candidates in safe areas, however, are predictably less pro-choice than Democratic candidates as a whole. One predicts this because many safe Democratic areas are also heavily Catholic and urban. Though normally inclined to support Democrats, Catholics are also inclined to hold pro-life views. Urban Catholics have generally held more pronounced pro-life views than suburban Catholics. In light of this information, many Democratic candidates in heavily Catholic party strongholds probably believe that the Catholic electorate's partisan tendencies would yield to concern over the abortion issue. Furthermore, many of the Democrats seeking office in safe districts may be members of the Catholic church and/or hold pro-life views regardless of political considerations.

(U.S. Bureau of the Census, Educational Attainment in the United States 3 (Series P-20, No. 356, 1980) (12 percent of metropolitan population more than 25 years old has completed four or more years of college; figure in non-metropolitan areas is 7.7 percent). This relationship is consistent throughout our sample.


43. See M. Hanna, supra note 24, at 103-10.

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III. The Continuing Validity of the Regression Model

Our empirical study suggests that a congressional candidate's abortion stance will not affect his general election chances. Some observers, viewing increased interest group activity concerning the abortion issue, have concluded that the saliency of the issue has increased. Most such observers assert that the pro-life forces have acquired electoral effectiveness, though some find pro-choice forces to have been equally successful. In order to gauge the continuing validity of our model, we will briefly examine some case studies some prominent 1978 and 1980 races in which abortion was thought to play a major role. We then discuss the three major independent variables in our model—the base vote, Catholic index, and education index—to determine whether national traits regarding these variables have changed. We also analyze congressional incumbency and public opinion poll data concerning abortion, both before and since 1976. Then, we examine the growth in interest group organization or financing since 1976 and the changing shape of the abortion battle to determine whether shifting tactics, semantics, or coalitions might alter the model's validity in 1982.


According to most observers, former Iowa Senator Dick Clark "paid dearly for his liberal stand on abortion." Clark was unseated in 1978 by former Lt. Governor Roger Jepson, a conservative pro-life Republican businessman. Jepson won by 26,000 votes. A DES MOINES REGISTER poll suggested that as many as 25,000 Iowa voters may have supported Jepson because of his pro-life stand. Clark aides and Democratic activists accepted this polling inference and assumed that Clark would have received all these votes were it not for the abortion issue. Clark aides and supporters, however, viewed the contest as one of greater ideological dimension. According to them, a coalition of conservative groups supported Jepson over the "ultra-liberal" Clark.

Basing conclusions upon casual observation and the comments of in-

47. See, e.g., Pro-Abortion Candidates Win in Primaries, supra note 9; Golden, Abortion's Morning After, N.Y. Times, Dec. 4, 1978 at A20, col. 1 (though pro-life movement could claim victories in 1978, an equivalent number of pro-choice candidates won).
49. Kneeland, supra note 46, at A18, col. 3.
50. Id.
51. Id.
terested parties entails risk. In assessing this contest, loser Clark has an incentive to ascribe his defeat to an unrepresentative single issue group while winner Jepson has an interest in characterizing his triumph as a result of overall philosophical agreement between him and the electorate. The regression model of this study seeks to substitute a cross-section of empirical data for the homilies and anecdotes that have heretofore characterized analysis of the electoral impact of the abortion issue. It is therefore with some trepidation that we, on the basis of the available reports, suggest that much more than the abortion issue contributed to the defeat of Clark.

Clark was a union supporter in a right-to-work state, a supporter of comprehensive government assistance to the poor in a fiscally conservative state, a supporter of gun control in a state with a strong National Rifle Association chapter, and a supporter of the then-controversial Panama Canal treaty.\(^5\) Said one Jepson aid, "inflation and taxes were the overriding things" in the election.\(^5\) Republican party officials concurred in that assessment and added that both Jepson and incumbent GOP Governor Robert Ray had benefited from an extensive get-out-the-vote campaign. The pro-choice Ray ran 67,000 votes ahead of Jepson, and GOP insiders suggested that Jepson benefitted from at least some coattail effect of the candidacy of the popular (6 terms as governor) Ray.\(^5\) Futhermore, Clark, whose Senate voting was distinctly liberal, was also tied closely to former President Jimmy Carter, an immensely unpopular figure in Iowa.\(^5\)

In other 1978 elections, pro-choice Democratic Senator Floyd Haskell was unseated by pro-life Republican Representative William Armstrong in Colorado. Just across the ballot, however, prominently pro-choice Democratic Governor Richard Lamm (he has served on Planned Parenthood's national board) won re-election, as did Democratic Representative Patricia Schroeder, an outspoken, pro-choice feminist. In Michigan, Democratic pro-choice challenger Carl Levin unseated pro-life Republican Robert Griffin. In Massachusetts, Republican Senator Edward Brooke, an incumbent on the "hit" list of the National Right to Life Committee because of his vociferous opposition to the Hyde

\(^5\) And the Senate Bids Farewell, supra note 48.  
\(^5\) Id.  
\(^5\) Kneeland, supra note 46.  
\(^5\) Clark, in addition to being the Senator rated most liberal by the Americans for Democratic Action (ADA) was also the Senator who most consistently supported the Carter Administration in Senate votes. Jepson emphasized both facts throughout the campaign. Between April, 1977 and August, 1978, Carter's approval rating in Iowa plummeted from 80 percent to 39 percent—from 85 percent to 32 percent among farmers. See Bode, Number-One Friend, NEW REPUBLIC, August 19, 1978, at 14.
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Amendment limiting the use of federal funds for abortions, went down to defeat to another pro-choice candidate, Democrat Paul Tsongas.

Of course, the mere victory of a pro-choice or pro-life candidate does not indicate the saliency of the abortion issue to the electorate. News coverage of the 1978 elections mentioned abortion as an issue in only a very few races. An interview with the chairmen of the two major parties in the fall of 1978 evoked no mention of the abortion issue. At a minimum, the 1978 election failed to contradict this study's regression model.

The election of 1980 was something of a watershed in the Senate. Republicans captured the upper chamber, gaining 12 seats. In the House, the Democrats suffered a net loss of 30 seats. Of particular interest are the defeats of several prominent liberal Democrats who were on the “hit” lists of pro-life activists and other conservative groups such as the National Conservative Political Action Committee (NCPAC).

In 1980, the National Right to Life Committee targeted the following pro-choice members of Congress for defeat:

<table>
<thead>
<tr>
<th>Senate</th>
<th>House</th>
</tr>
</thead>
<tbody>
<tr>
<td>Birch Bayh (D-Indiana)</td>
<td>John Anderson (R-Illinois)</td>
</tr>
<tr>
<td>Frank Church (D-Idaho)</td>
<td>Mendel Davis (D-South Carolina)</td>
</tr>
<tr>
<td>Alan Cranston (D-California)</td>
<td>Robert Drinan (D-Massachusetts)</td>
</tr>
<tr>
<td>Gary Hart (D-Colorado)</td>
<td>Robert Edgar (D-Pennsylvania)</td>
</tr>
<tr>
<td>Jacob Javits (R-New York)</td>
<td>Joseph Fischer (D-Pennsylvania)</td>
</tr>
<tr>
<td>Patrick Leahy (D-Vermont)</td>
<td>Kent Hance (D-Texas)</td>
</tr>
<tr>
<td>George McGovern (D-South Dakota)</td>
<td>Harold Hollenbeck (D-New Jersey)</td>
</tr>
<tr>
<td>Robert Packwood (R-Oregon)</td>
<td>Peter Kostmayer (D-Pennsylvania)</td>
</tr>
</tbody>
</table>

In the House, the pro-life targets escaped relatively unscathed. John Anderson ran for President rather than seek re-election to the House and captured seven percent of the national vote. Father Robert Drinan, responding to Pope John Paul II’s command that priests withdraw from

56. See Federalism Amendment, supra note 7, for a more complete explanation of the Hyde Amendment.
57. Golden, supra note 47.
61. Id. at 13-B (before 1980 in the House: 273 Democrats; 159 Republicans; 3 vacancies; After 1980: 243 Democrats; 192 Republicans).
overt political life, retired and was replaced by pro-choice Democrat Barney Frank. Mendel Davis also retired, presumably for personal reasons. Harold Hollenbeck and Kent Hance won re-election easily. Hollenbeck had the largest margin of victory in his career. Robert Edgar also won, running stronger than he had in 1978. Kostmayer lost, but to another pro-choice candidate. However, Fisher was defeated in a close contest by a challenger who openly sought pro-life support.

In the Senate, four of the eight pro-choice targets lost re-election bids. Birch Bayh, Frank Church, Jacob Javits, and George McGovern were replaced by clearly pro-life Republicans. In addition, pro-choice Democrats John Culver and Gaylord Nelson were also unseated by pro-life Republicans.

Without doubt, these elections resulted in gains for the pro-life movement, however, they were also gains for groups opposed to gun control, equal rights for homosexuals, government social welfare spending, limited military budgets and liberalism in general. In the six contests resulting in pro-life victories, the overall ideological contrast of the candidates was stark. Comparison of composite liberalism ratings of

63. See Pro-Abortion Candidates Win in Primaries, supra note 9 (many voters “angered” by seeming hypocrisy in Pope’s edict that priests like Drinan withdraw from electoral politics while local Roman Catholic leaders actively campaigned against Frank).

64. Hance was unopposed and received more than 90 percent of the vote. 14 America Votes 376 (1981) [hereinafter cited as America Votes].

65. Id. at 266.

66. Id. at 340.

67. Id. at 340.

68. Id. at 396.

69. The inclusion of Church on the pro-life hit list is somewhat puzzling, as his Senate record on abortion was, at best, mixed. He had declined to sponsor a pro-life constitutional amendment but had several times voted in favor of efforts to curtail the use of federal funds for abortions. Church’s opponent, Republican Congressman Steve Symms, clearly supported a pro-life amendment and had consistently cast pro-life votes on the funding questions while in the House. However, some pro-choice activists such as Karen Mulhauser, then-president of NARAL, characterized Church’s inclusion on the pro-life hit list as “evidence of more far-reaching right-wing aims”—a broad-based attack on liberal Democrats by a coalition of conservative groups which included pro-life activists. See Abortion Foes Gird For Iowa Caucuses, N.Y. Times, Jan. 13, 1980 at A22, col. 3.

70. See Kondracke, Liberals Besieged, New Republic, Oct. 25, 1980, at 8. Of the six defeated pro-choice senators, all except Nelson were also targeted for defeat by NCPAC, which spent more than a million dollars in negative saturation advertising against them. Most of the advertisements focused on taxing and spending issues, accusing the Democratic incumbents of being big spenders who were too liberal to accurately represent their states’ electorates. See Weinraub, supra note 8.

71. The composite rating was derived by subtracting from each candidate’s 1979 ADA (Americans for Democratic Action) rating as a Senator or Representative the candidate’s 1979 ACA (Americans for Constitutional Action) rating. The ADA is a liberal interest group while the ACA is a conservative interest group. Thus, the higher the candidate’s composite score, the more liberal his overall past voting record. It was possible to draw this comparison because the Republican challengers in five of the six contests involving the defeat of pro-
Examination of Abortion Issue

the opponents in five of these six contests produced this lineup:

<table>
<thead>
<tr>
<th>Pro-choice Democratic Incumbent</th>
<th>Pro-life Republican Challenger</th>
</tr>
</thead>
<tbody>
<tr>
<td>Indiana: Birch Bayh</td>
<td>86.8</td>
</tr>
<tr>
<td>Idaho: Frank Church</td>
<td>73.0</td>
</tr>
<tr>
<td>Iowa: John Culver</td>
<td>92.0</td>
</tr>
<tr>
<td>South Dakota: George McGovern</td>
<td>90.4</td>
</tr>
<tr>
<td>Wisconsin: Gaylord Nelson</td>
<td>89.6</td>
</tr>
<tr>
<td></td>
<td>12.2</td>
</tr>
<tr>
<td></td>
<td>2.0</td>
</tr>
<tr>
<td></td>
<td>13.3</td>
</tr>
<tr>
<td></td>
<td>13.6</td>
</tr>
<tr>
<td></td>
<td>14.0</td>
</tr>
<tr>
<td>Dan Quayle</td>
<td>Steve Symms</td>
</tr>
<tr>
<td>Charles Grassley</td>
<td>James Abdnor</td>
</tr>
<tr>
<td>Robert Kasten</td>
<td></td>
</tr>
</tbody>
</table>

In addition, the five Democrats faced other problems. Javits’s defeat in the primary does not implicate this study’s general election regression model. Alfons D’Amato’s victory in the three-way general election race, to the extent it reveals anything, shows that more than half the New York voters supported a pro-choice candidate (either Liberal Javits or Democratic Holtzman). In both the Republican primary and the general election, Javits’s age (76) and health were considered substantial factors harming his re-election chances.

Of the four pro-choice Senate targets who won re-election, two (Hart and Cranston) faced pro-choice Republican opponents. Packwood, who like Brooke was especially resented by the pro-life movement, won handily, as did Leahy.

In another Senate race that received the attention of both pro-life and pro-choice forces, Democratic Congressman Christopher Dodd easily defeated his Republican challenger, former New York Senator James Buckley, the first Senate author of a pro-life constitutional amendment.

choice incumbents had served in the House (all except Republican Robert Kasten of Wisconsin in 1979-80; his 1977-78 ratings were used).

72. Kondracke, supra note 70.
73. Bayh sought a fourth consecutive term, something Indians had never given a Senator.GOP’s Fading Chances to Capture Congress, U.S. NEWS AND WORLD RPT., Sept. 8, 1980, at 22. No Iowa Democratic senator has ever been re-elected. Yepsen, Iowa, NEW REPUBLIC, October 25, 1980, at 19-20. McGovern was required to gain renomination in a divisive primary fight against a conservative Democrat heavily supported by NCPAC. Raasch, South Dakota, NEW REPUBLIC, October 25, 1980, at 23-24. McGovern won the primary with 62 percent of the vote.
74. Senator Javits had two opponents, Republican Alfonse D’Amato, who won the New York GOP primary, forcing Javits to run as the Liberal Party nominee, and Democratic Rep. Elizabeth Holtzman, whose House voting record was somewhat more liberal than Javits’ Senate record. See Kondracke, supra note 70.
75. GOP’s Fading Chances to Capture Congress, U.S. NEWS AND WORLD RPT., Sept. 8, 1980 at 22.
76. Packwood, along with Brooke, has been an outspoken floor leader opposing the Hyde Amendment. See Congressional Quarterly Service, Federal Funds for Abortions, 1980 CONG. QTRLY ALMANAC 467 (1981). Packwood also has criticized the pro-life movement as a danger to feminism and has predicted that the success of the pro-life movement would lead to an increase in other efforts to limit women’s rights. See Anti-Abortion Group Asks Defeat of Javits and Five Others at Polls, N.Y. Times, Jan. 19, 1980, at A11, col. 1.
Dodd received 56.3 percent of the vote. In our test of the Cathin index, Connecticut's Third District was the highest in relative Catholic population. If Catholic voters in 1980 chose candidates on the basis of their abortion positions, one would expect Buckley to have done well in the district. However, in the eight (of 15) counties in the Third District for which vote totals are available (comprising 67 percent of the total district vote), Dodd received 57.9 percent of the vote, a better percentage than he received in the state as a whole. At the same time, Republican pro-choice House candidate Lawrence DeNardis won the open Third District seat with 52.3 percent of the vote. At first glance, Buckley appears to have been hindered by his pro-life position.

Of course, this discussion of the 1980 Senate races is at best a cursory glance. The "conclusions" one reaches about the abortion issue in 1980 vary with the race examined, the information available, the circumstances unique to each race, and the viewer's predisposition. No firm or accurate assessment emerges. The validity of the model is not undermined by the results of the 1980 election, however.

B. The Base Vote: Partisan Loyalty in U.S. Politics

The only independent variable in our model that proved consistently statistically significant was the base vote, or normal party vote, for the races in our sample. Overall party identification has not changed significantly since 1973 although the success or failure of individual candidates may have slightly altered the base votes of some states or House districts since our 1976 sample.

78. See Appendix A, infra p. 138.
79. AMERICA VOTES, supra note 64, at 3.
80. Id. at 2.
81. In analyzing the Connecticut situation, we note that Buckley faced a "carpetbagger" image problem concerning his former status as a New York Senator while Dodd benefitted from his family's long-time political prominence in Connecticut.
82. One can characterize the 1980 federal elections as a victory for conservatives and, hence, a victory for the pro-life movement, as conservative congressmen are more likely than liberal congressmen to hold pro-life views. This correlation is also reflected in the electorate, making it difficult if not impossible to determine whether the pro-life movement begets a conservative trend or merely benefits from it. See Granberg, Pro-life or Reflection of Conservative Ideology? An analysis of Opposition to Legalized Abortion, 62 SOC. AND SOC. RES. 414 (1978). It would be inappropriate to conclude that the conservative victories in 1980 resulted from the pro-life views of conservative candidates, or from their stances on any particular social issue.
83. For example, the retirement of former House member Robert Giamo of Connecticut's Third District in 1980 undoubtedly altered the political landscape. Giamo was a 24-year veteran of the House and in his last three campaigns (1974, 1976, 1978), he received an average of 58.9 percent of the vote. In 1980, Republican Lawrence DeNardis and Democrat Joe Lieberman vied for the open seat; DeNardis won with 52.3 percent of the total vote. AMERICA VOTES, supra note 64, at 90. Thus, the base or "normal" vote for Connecticut's
Examination of Abortion Issue

In 1973, 42 percent of adult Americans considered themselves Democrats, while 27 percent called themselves Republicans and 31 percent were Independents. In 1980, the figures were 43 percent, 29 percent, and 28 percent, respectively. Thus, it seems the nation’s “normal” partisanship has not changed during this period. Therefore, one major component of the model—the base vote—is as valid a measure today as it was in 1976.

Third District in 1976 was 38.7 percent Republican. In 1982, it is 45.8 percent Republican. Absent any evidence to the contrary, however, we may assume that such changes (e.g. retirement of popular incumbents) occur randomly and balance one another over time. See, e.g., Michigan’s 10th District in 1978; 13-term Republican Elford A. Cederberg was defeated by Democrat Donald J. Albosta lowering the GOP base vote in the District from 59.2 percent to 47.9 percent.

84. M. BARONE and G. UJITUSA, THE ALMANAC OF AMERICAN POLITICS 1982 xxvii-xxiii (1981). According to Professor Burnham, a critical election is one resulting in a basic change in the composition of the coalition supporting one or both of the major parties. See generally W. BURNHAM, CRITICAL ELECTIONS AND THE MAINSPRING OF POLITICS (1966). Other analysts prefer to talk of “maintaining” elections (those that do not involve a fundamental shift in the electorate’s partisan behavior, whatever the result of the election and “realigning” elections (those associated with a fundamental shift in partisan strength). See K. PHILLIPS, THE EMERGING REPUBLICAN MAJORITY (1969).

85. However, a long-lasting shift to the GOP, if it occurred in 1978-80, would probably aid the pro-life movement, as a much higher proportion of Republican candidates hold pro-life views. See supra pp. 16-18.
C. The Education Index: Increase in U.S. Education Levels

Another independent variable in our model was the education index (Educin), a measure of the proportion of those over 25 in a state or district who had attended four years or more of college. To derive this index, we referred to the CONGRESSIONAL DISTRICT DATABOOKS' data, which was derived from the 1970 Census. Between 1970 and 1979, the percentage of Americans 25 years old and over who had completed four years of college or more rose from 11.0 percent to 16.4 percent, an increase of 5.4 percent. Thus, the regression model in 1982 would have a larger education index unless the selected sample contests uniformly ran counter to the national trend of increased college education, an unlikely result. Available evidence suggests that an electorate with more college background accrues to the benefit of pro-choice candidates, however, the Educin variable was not statistically significant in either our total sample model or any of the subsample models.

D. The Catholic Index: A Continuing Decline in Devoutness

The third independent variable in our model was the index of the relative percentage of Roman Catholic voters derived from the percentage of foreign stock Americans in a given state or district. The b-slope associated with this variable favored Democrats, while the Educin b-slope favored Republicans. Unlike the Educin b-slope, however, the Cathin b-slope was statistically significant in two regression equations: the model for the total sample; and the model for the subsample of contests involving incumbents.

During the past 20 years, observers have widely perceived a decline in church support, including the Catholic Church. Survey data supports this view. In the past decade, Catholic church attendance has declined

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88. U.S. DEP'T OF COMMERCE, BUREAU OF THE CENSUS, EDUCATIONAL ATTAINMENT IN THE UNITED STATES 1 (1980) (Series P-20 No. 356) (hereinafter cited as EDUCATIONAL ATTAINMENT). College attendance increased more among white (5.6 percent) than blacks (3.4 percent) and the proportion of college males of both races grew faster than the percentage of college females. (6.4 percent increase for white males; 4.7 percent for white females; 3.7 percent for black males; 3.1 percent for black females). Id. at 1. Among younger persons, the overall increase was 6.7 percent. Id. The increase in college attendance was greater in metropolitan areas (6.3 percent) than in nonmetropolitan (4.8 percent). Id. at 3.

89. See supra p. 10 (higher education correlated with pro-choice opinions).
90. See supra p. 12.
91. See infra Appendix A.
92. See supra p. 12.
93. See, e.g., A. GREELEY, CRISIS IN THE CHURCH 9-10 (1979) ("For Roman Catholicism in the United States, the problem [of a declining church] is especially acute. There have been massive resignations from the priesthood and the religious life, vocations have declined drastically, and the credibility of the church as a teacher of sexual ethics seems to be eroding rapidly.")
Examination of Abortion Issue

markedly as has expressed adherence to church doctrine. Church attendance is highly correlated with pro-life opinions and political activism among Catholics. This decline in Catholic Church attendance and support might appear to undermine pro-life political efforts. Catholics are still better church-goers than Protestants, however, though the differential has narrowed over the past 25 years. Rank and file Catholics also evidence greater support for the Church stand on abortion than they do its views regarding artificial contraception. This probably minimizes any decline in the Church’s leadership as a pro-life force despite the overall decline in church support and attendance. This component of the regression model should therefore remain valid.

E. Incumbency: The “Ins” are still more equal than the “Outs”

As previously noted, incumbency is an important and valuable status for political candidates. The overwhelming majority of incumbents seeking re-election, particularly House incumbents are returned to office. Between 1956 and 1976, the success ratio of incumbents increased, prompting many political scientists to refer to “vanishing” marginal or competitive districts. Scholars have posited many different explanations for the increasing advantage of incumbency, including: (1) redistricting in which the map-drawing of incumbent legislatures

94. See M. Hanna, supra note 24, at 105-07 (1980).
95. Id. at 128-34.
96. Id. at 117-35 (Catholics who attend church less often are less likely to hold political opinions consistent with church doctrine regarding social issues and are also more likely to be tolerant of non-conformity in others).
97. Id. at 119.
98. Id. at 107 (in 1970, 64.6 percent of Catholics reported attending church at least once per month; for Protestants, the figure was 49.1 percent).
99. Id. (1950, 81.3 percent of Catholics attended church at least once per month as compared to 54.4 percent of Protestants); See also Lazerwitz, A Comparison of Major United States Religions, 56 J. OF THE AM. STATISTICAL ASSN. 568 (1961), reprinted in The Social Meaning of Religion 130 (W. Newman ed. 1974) (in 1957, 72 percent of Catholics said they attended Church regularly; for Protestants, the figure was 39 percent).
100. M. Hanna, supra note 24, at 170, 174.
102. See Congressional Quarterly Service, 1974 Annual Almanac 840 (1975) ("In virtually every election in recent years, more than 90 percent of all incumbents sought re-election, and more than 95 percent of those who ran won."); See also Cover, One Good Term Deserves Another: The Advantages of Incumbency in Congressional Elections, 21 AM. J. POL. SCI. 523 (1977); Erikson, The Advantage in Incumbency in Congressional Elections, 3 Polity 395 (1971).
protection; greater visibility of incumbents to the voter; a decline in party identification that enhances the importance of incumbent visibility and existing organizational infrastructure; the high cost of campaigns coupled with the tendency of "smart" contributors to back the favored incumbent in order to gain future legislative favor; and the increasingly ombudsman-like role played by congressional offices, prompting voters to view incumbents as helpful troubleshooters rather than representatives of certain parties, ideologies, or interest groups. Whatever the reason, the political science community appears to agree that an equally resourceful incumbent of today is in a stronger re-election position than two decades ago. To the extent that incumbency's value increased since 1976, our model would, ceteris paribus, overstate the psychological importance of the abortion issue.

In recent years, the proportion of congressional incumbents seeking re-election has remained relatively stable. In the House, incumbent retention has been stable since 1976. Even in 1980, the year of highly publicized defeats of long-term senators such as Bayh and McGovern, 91 percent of the House was re-elected. The last three Senate elections were laced with incumbent demise, however. The retention of Senators was 63 percent in 1976, 67 percent in 1978, and 63 percent in 1980, compared to a pre-1976 norm of over 90 percent. Thus, it seems that our model of the 1976 federal elections took a snapshot of a typical House election year and the beginning of what may be an era in which Senate incumbents are more vulnerable than previously. It therefore

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105. Mayhew, supra note 103, at 311.
108. See Fiorina, supra note 103, at 179-81; Born, supra note 103, at 811, 813-14.
110. In 1976, only thirteen of 381 Representatives seeking re-election (3.4 percent) were defeated. In 1978, only 19 of 377 incumbent House members (5 percent) lost. In 1980, 31 of 392 House incumbents (7.9 percent) met defeat, a lower figure than in 1974. Furthermore, 1980's slightly higher incumbent casualty figures may have resulted in part from the ABSCAM prosecutions of several prominent House members who were later turned out of office. Also, nine of the defeated incumbents were Democratic "Watergate babies" first elected in 1974. In the 1976 and 1978 elections combined, nine Watergate baby Democrats went down to defeat. Some or all of the these 1980 incumbent losses may have resulted from a six-year return to normalcy in their districts. CONGRESSIONAL QUARTERLY SERVICE, 1980 CONGRESSIONAL QTRLY.
112. Despite the well-publicized conservative gains in the Senate in 1980, the 1980 elections were no worse statistically for Senate incumbents than were those of 1978 or 1976.
Examination of Abortion Issue

appears that, concerning the impact of incumbency, the 1976 model remains valid in 1982.

One might also ask whether Senators and Representatives have taken more polarized abortion stances since 1976. It appears they have not. As heretofore noted, the 1976 Guttmacher Institute rating used in this study resulted in 78 Senators with clearly defined abortion positions (48 pro-choice and 30 pro-life). According to the 1982 Guttmacher-Planned Parenthood data, 66 Senators (40 pro-life and 26 pro-choice) held consistent abortion positions during 1979-81; 157 Representatives had clearly defined abortion positions (43 pro-choice and 114 pro-life). In 1979-81, 251 Representatives held consistent positions (127 pro-life and 124 pro-choice). The Congressional voting evaluations of the National Right to Life Committee reflect similar legislator consistency on the issue. Though the profile of Congressional incumbents on the abortion issue has increased somewhat in recent years, the increase is not vast. On balance, we conclude that neither the vulnerability, availability, nor the visibility of incumbent congressmen has so changed since 1976 as to undermine the validity of the model.

F. Public Opinion on Abortion

If public opinion on the abortion issue has changed since 1976, the model's results might be altered. Public opinion regarding abortion has remained nearly constant since 1973, however. Most polls have found the public to hold qualified abortion attitudes. Generally, those supporting some form of legal abortion are divided into two camps: those who are willing to allow abortion for "soft" reasons such as the pregnant woman's being unwed or poor, or the child being unwanted, form a small majority. Those who endorse abortion only when necessitated by

113. See text and notes accompanying notes 19-20, supra.
115. Id. It is of interest to note that the ratio of pro-life to pro-choice "committed" members has shifted to the pro-life advantage in the Senate and toward a narrowing of the pro-life edge in the House. In constructing this count, we considered all members who voted uniformly pro-life or pro-choice, even those new members who had voted only a few times. This may have caused both the increase in the number of "committed" House members and the pro-life shift in the Senate, as several 1980 contest resulted in the replacement of pro-choice Senators with pro-life Senators. See supra pp. 21-24.
so-called "hard" reasons such as danger to the pregnant woman's life or health or a substantial chance that the fetus, if carried to term, would be deformed, add substantially to this majority. Those who oppose abortion for any reason are a distinct though large minority.\textsuperscript{118}

Abortion attitudes in the U.S. have steadily become more liberal. One study of surveys conducted between 1965 and 1970 concluded that a "substantial shift toward more permissive attitudes on abortion occurred in the five-year period."\textsuperscript{119} Public approval of abortion for both hard and soft reasons continued to increase during the early 1970s and increased after the 1973 Supreme Court decision. This was true among both Catholics and Protestants, as Table 5 shows.

\begin{table}[h]
\centering
\begin{tabular}{|l|c|c|c|c|}
\hline
\hline
Danger to mother's health & 83 & 91 & 80 & 88 \\
Rape & 74 & 81 & 70 & 75 \\
Chance of defective child & 75 & 83 & 67 & 77 \\
Child unwanted & 36 & 46 & 29 & 34 \\
Mother unwed & 39 & 48 & 32 & 34 \\
Too poor to have child & 45 & 52 & 36 & 39 \\
\hline
\end{tabular}
\caption{Abortion approval by reason: Protestant Catholic}
\end{table}

The DeVries Poll, commissioned by the National Committee for a Human Life Amendment and taken in December 1974, elicited reactions to a statement that brought abortion absolutism into sharper focus: "Abortion should not be allowed under any circumstances". Table 6 lists the results of that survey.

\begin{itemize}
\item \textsuperscript{118} See generally Uslaner and Weber, Public Support for Pro-Choice Abortion Policies in the Nation and States: Changes and Stability After the Roe and Doe Decisions," 77 Mich. L. Rev. 1772 (1979), reprinted in Schneider and Vinovskis supra note 16, at 206. Applying an extensive collection of pre- and post-Roe survey data, the authors conclude that broad public consensus regarding abortion was and is lacking and that Roe did not significantly increase public support for legalized abortion subject only to the constraints set forth in that decision.
\item \textsuperscript{119} 1 Comm'n on Population Growth and the American Future, Demographic and Social Aspects of Population Growth, 577 (1972).
\item \textsuperscript{120} National Abortion Rights Action League (NARAL), Public Opinion Polls Since the Supreme Court Decision of 1973 1 (1976) [hereinafter cited as NARAL, Public Opinion Polls]. But see Uslaner and Weber, supra note 118, at 1779, Schneider and Vinovskis, supra note 16, at 214 ("We have not seen substantial increases in public support for abortion after the Court decisions; instead, we have witnessed a hardening of positions by many who were opposed to abortions"). Nevertheless, Uslaner and Weber feel that the abortion controversy has become "increasingly salient," if not resolved.
\end{itemize}
Examination of Abortion Issue

<table>
<thead>
<tr>
<th></th>
<th>Total</th>
<th>Catholic</th>
<th>Protestant</th>
<th>Jewish</th>
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</thead>
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<td>Strongly agree</td>
<td>15.8%</td>
<td>22.3%</td>
<td>14.6%</td>
<td>2.6%</td>
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<tr>
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<td>7.8</td>
<td>9.0</td>
<td>7.9</td>
<td>3.6</td>
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<tr>
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<tr>
<td>Strongly disagree</td>
<td>50.5</td>
<td>42.0</td>
<td>49.5</td>
<td>86.9</td>
</tr>
<tr>
<td>Not sure</td>
<td>4.2</td>
<td>4.0</td>
<td>4.8</td>
<td>2.4</td>
</tr>
</tbody>
</table>

Despite some angry reaction to the *Roe* decision and stepped-up pro-life efforts to affect public opinion, pro-choice sentiment continued, by most indications, to grow slightly in 1973 but level off thereafter.122

More recent polls show no substantial change in public attitudes toward abortion. Response in given surveys will vary according to the phrasing of the questions, but 1979, 1980, and 1981 surveys show that, overall, between two-thirds and three-fourths of Americans feel a woman and her doctor should be permitted to make the abortion decision; between 50 and 70 percent of the public opposes legislation designed to overrule *Roe v. Wade*.123

An August, 1980 New York Times/CBS Poll124 reveals both the stability and volatility of public opinion on the abortion issue. When respondents were asked: “Do you think there should be an amendment to the Constitution prohibiting abortions or shouldn’t there be such an amendment?”, 62 percent took a pro-choice position in opposition to a pro-life amendment (29 percent favored such an amendment and 9 percent weren’t sure).125 When asked “Do you believe there should be an amendment to the Constitution protecting the life of the unborn child, or shouldn’t there be such an amendment?”, 50 percent took a pro-life stance favoring such an amendment while 39 percent opposed it and 11 percent were undecided.126 When asked “If a woman wants to have an abortion and her doctor agrees to it, should she be allowed to have an abortion or not?”, 62 percent of the respondents again took a pro-choice position while 15 percent said the woman’s freedom to obtain an abortion depended on the circumstances; 19 percent adopted a pro-life posi-

121. NARAL, *Public Opinion Polls*, supra note 120.
122. See de Boer, supra note 6; Uslaner and Weber, supra note 118, at 1776, 211.
123. See Adamek, *Abortion and Public Opinion in the United States*, National Right to Life News, April 22, 1982, at P8-9. See also NARAL, *Should Abortion Be Legal?*, supra note 6, at 1 (August, 1979 poll conducted for NARAL Political Action Committee shows that one-fifth (19 percent) of respondents think abortion should be “legal in all circumstances” while an additional two-thirds (64 percent) think abortion should be “permitted in some situations.”
125. Id.
126. Id.
tion against any abortions.\textsuperscript{127} This observed respondent inconsistency has existed throughout the 1970s.\textsuperscript{128}

All told, an examination of the polls on abortion suggests that the model has not been dated by any subsequent shifts in public opinion that could translate into changes in general election voting regarding abortion.

G. Changes in the Political Scene

Of course, a regression model of the results of political candidates may no longer be accurate if the nature of politics has changed. Thus, we briefly examine the general shape of political events surrounding the abortion issue since 1976.

During the past several years, several new pro-life legislative efforts have been added to those involved in classifying the candidates in our 1976 model. These include the Hyde Amendment prohibiting the use of federal funds for abortion, which passed Congress in 1976. Spousal and parental consent and notification restrictions have also been pursued by various states. The major newcomer is the “Human Life Federalism Amendment” (S.J. Res. 110) authored by Senator Orrin Hatch (R-Utah), which was reported out of the Senate Judiciary Committee in Fall, 1981.\textsuperscript{129} We suggest, however, that the average voter, to the extent he finds the abortion issue salient, cares only about the “bottom line,” \textit{i.e.}, what a given candidate thinks regarding the legality of abortion.

The appearance of these new pro-life options has not appeared to fragment pro-life electioneering efforts. The larger pro-life community appears to support both the Hatch Amendment and the Helms Bill as well as the more venerable Buckley-like amendment and states’ rights amendment.\textsuperscript{130} The emergence of new pro-life legislative initiatives has

\textsuperscript{127} \textit{Id.;} respondents to the Times poll with more years of education were less likely to shift positions according to different phrasings of the question.

\textsuperscript{128} See \textit{Blake, Elective Abortion and Our Reluctant Citizensry; Research on Public Opinion in the United States}, in \textit{The Abortion Experience: Psychological and Medical Impact} 20 (1973) (wide differences in poll response according to phrasing of the abortion question); Adamek, \textit{supra} note 123, at 10.

\textsuperscript{129} See \textit{Federalism Amendment, supra} note 7, at 9-20.

\textsuperscript{130} See \textit{Andrusko, Reagan’s Plea Unifies Protestant Leaders}, National Right to Life News, April 22, 1982, at 1, col. 1 (representatives of National Association of Evangelicals, the Southern Baptist Convention, Moral Majority, Pro-life Ministers, Lutherans for Life endorse both measures; National Right to Life Committee president Jack Willke states that the religious group “endorsements should put to rest once and for all any doubts pro-lifers may have that either the HLB [Helms Human Life Bill] or the ‘Hatch’ [Hatch Human Life Federalism Amendment] represent in any way a compromise of principle. Until we can muster the support for legislation such as a total abortion ban or a Buckley-like amendment] it is vital that we do not allow our present favorable situation to slip by without passing a ‘first step,’ whether that be the bill or the Hatch . . . or both.”). \textit{See also Anti-Abortion Group Backs Hatch
not seemed to weaken the political force of the pro-life movement. Rather, these newly proposed measures seem to have enhanced the pro-life political efforts.\textsuperscript{131} The Buckley-like amendments never were reported out of subcommittee or committee; the Hatch amendment was.

The direct evidence of organized pro-choice and pro-life interest group activity since 1976 suggests that both groups have been organized and active.\textsuperscript{132} The published accounts suggest somewhat greater pro-life electioneering activity.\textsuperscript{133} However, any current pro-life activity advantage appears to have also existed before 1976;\textsuperscript{134} no information suggests the widening of the activity gap between 1976 and the present.

However, since 1976, “New Right” political groups such as the National Conservative Political Action Committee (NCPAC), Moral Majority, and the National Committee for the Survival of a Free Congress (NCSFC) have grown in activity and funding, thereby coming to play a larger role in campaigns.\textsuperscript{135} To the extent that these groups’ activities help elect pro-life politicians, they will aid the pro-life movement. Though the New Right groups espouse fiscal conservatism, their conservativism is perhaps best known regarding social issues where they have sought to defeat legislators with “liberal” positions on social issues—principally abortion, the Equal Rights Amendment, and gay rights.\textsuperscript{136}

New Right activists view their conservative alliance with fundamentalist religions as a symbiotic association and an important development.\textsuperscript{137} According to a 1980 New York Times/CBS Poll, “the evangelicals\textsuperscript{138}—particularly those who are Protestant—were substan-
tially more conservative" than other survey respondents. According to Richard Wirthlin, President Reagan’s pollster, “born-again” Catholics are more conservative than “born-again” Protestants, who are more conservative than practising but not evangelical Catholics. However, the degree of difference in conservatism between evangelicals and the electorate at large is rather small. They were, however, much more likely to oppose legalized abortion and the Equal Rights Amendment “although even on these issues, substantial evangelical minorities dissented from the conservative view.”

Increased religious political activity will likely aid the pro-life movement, but perhaps no more than it aids conservatism as a whole. Terry Dolan, NCPAC activity director, succinctly stated, “[b]eing an evangelical naturally leads to a person being a conservative.” However, Charles Cade, director of state organizing for Moral Majority, has emphasized the role of economic issues in the political activism of the evangelicals. Said Cade:

Abortion, pornography, homosexuality, those are hard for average Christians to relate to. They don’t read Playboy, their daughters aren’t pregnant, they don’t know any queers. But when people’s life savings are deteriorating at 15 to 20 percent a year, that is evil.

At this juncture, we can not accurately assess the impact of the emerging evangelical right on the politics of abortion.

Increased New Right organizing and campaign spending appeared to have contributed to the 1980 defeats of Bayh, Church, McGovern, and Culver. However, some have argued that New Right efforts may have engendered a backlash against conservative candidates due to the

made a personal commitment to Jesus Christ. See Evangelicals’ Vote is Major Target, N.Y. Times, Jan. 29, 1980, at A16, col. 1. Forty-two percent of respondents said they had made such a commitment.

139. Id.
140. Id.
141. Id.
142. Id.

143. God and Politics: Mixing More Than Ever, 1978 CONG. QTRLY WEEKLY RPT. 2565, 2566. Dolan’s comment could be amended to read “being religious” or “attending religious services regularly” and would then be supported by a wealth of survey data indicating that church attendance correlates with conservative ideology. See, e.g., M. Hanna, supra note 24, at 115-30; A. Greeley, supra note 93, at 80.

144. In 1980, NCPAC spent more than one million dollars on political campaigns, $128, 169 in direct contributions to congressional candidates, (see Contributions of Selected Political Action Committees, 1980 CONG. QTRLY WEEKLY RPT. 3406), and two to three million dollars more on politically related activities. In 1978, NCPAC spent more in direct campaign contributions, $184,541, (see Contributions to Selected Political Action Committees, 1978 CONG. QTRLY WEEKLY RPT. 3261), but far less in “independent” expenditures in opposition to foes or on behalf of favored candidates. See Weinraub, supra note 8, at B6, col. 1.
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movement's strident rhetoric.\textsuperscript{146} We view recent elections and New Right activity as indicating, in 1978 and 1980, a conservative trend in American politics. Logically, pro-life candidates will benefit from this trend, should it continue, but only in part because of their views on abortion. It seems unlikely that the abortion issue, in and of itself, has fueled the conservative trend. Rather, abortion is but one of myriad issues employed by better organized and financed conservative interest groups. To the extent that pro-life candidates benefit from a trend toward conservatism, their electoral security is somewhat perilous. As noted earlier, the conservative trend of recent years may have been largely economically based. Should the national economy continue to perform poorly in 1982 and 1984, we may witness a return to more "liberal" voting patterns favoring Democrats and pro-choice candidates. We therefore note conservative gains through 1980 but suggest that the impact of the abortion issue in general elections remains unchanged since 1976.

IV. Conclusion

An examination of empirical data, modeled through regression analysis, indicates that the abortion issue had not altered the net voting for major party candidates in congressional general elections. In our model, only the normal party vote was consistently correlated with candidate performance in a statistically significant way. We further found no statistically significant indication of abortion-based voting shifts by the general electorate, Catholic voters, or the highly educated. This suggests that the abortion issue, in and of itself, will not affect partisan voting patterns.

Our data confirm the long-established political dictum that American Catholics, the voting bloc whose political behavior was most expected to respond to the abortion issue, strongly support the Democratic Party, so much so that their voting pattern exhibits little change in response to the abortion issue. The college-educated bloc tends to possess voting habits less consistent than those of Catholics. The college-educated variable's impact on elections is also statistically insignificant in the face of any abortion position assumed by the candidates of either party. If this

\textsuperscript{146} See Gallup Poll Shows More Than Half of Americans Know of Moral Majority, N.Y. Times, Jan. 24, 1982, at A24, col. 4 (55 percent of Americans know of Moral Majority; more than two-thirds of these respondents have unfavorable opinion of the organization); See also Englehardt, Indiana, NEW REPUBLIC, Oct. 25, 1980, at 18-19 (Republican Representative Dan Quayle, who successfully challenged Democratic Senator Birch Bayh in Indiana in 1980 sought to avoid being labeled as the candidate of New Right groups such as NCPAC and Moral Majority due to possible backlash).
group comprises the nucleus of the pro-choice movement, its numbers and solidarity suggest little direct impact on voting. We reiterate: the normal party base vote of a district and the presence of an incumbent legislator produced greatest impact on the 1976 vote.

Certainly, the partisan allegiances activated in a general election reduce the potential impact of the abortion issue. In many contests, the concerned voter was denied the possibility of choice on the abortion issue. As we have seen, clear-cut distinctions between major party candidates did not exist in about half of the districts; much of the time, voters viewed a “tweedledeedum” and “tweedledeedee” contest. The homogeneous nature of congressional districts and the nomination system in American politics, rather than candidates fear of pro-choice and pro-life interest groups, probably creates this congruence.

Primary election experience in some states suggest that the abortion issue can take on greater importance in primary contests. Though an exhaustive study of congressional primaries would be more difficult and time-consuming than our general election examination, it could well yield different results. Volunteer recruitment and interest group activity present other facets of electioneering in which the abortion issue may increase in salience. Should one set of abortion activists show a greater willingness to work for its preferred candidate, the marginal electoral impact of the issue could increase. Only an extensive case study of several congressional races can assess this.

Regarding general elections, we must conclude that the vast majority of congressional races simply will not be electorally affected by the abortion issue, except according to random chance. This suggests that politicians would do well to base their abortion positions upon sound evidence and reflection rather than the illusory possibility of electoral gain.
Appendix A: Testing the Catholic Index

To test the hypothesis underlying this study’s Catholic Index, eleven congressional districts which lend themselves to a Catholicism test were randomly selected from this paper’s sample. These districts were testable because of the continuity of their county and congressional district boundaries. This continuity enabled the Catholic index of each district that was derived from the foreign stock totals to be compared to the religious affiliation of each county, as reported in the book *Churches and Church Membership in the United States* by the Glenmary Institute of Washington, D.C.

The Catholic membership for each county listed in the Glenmary book, was added together to arrive at a total for each district. This was divided by the total population for that district. This Glenmary Catholic index was then correlated with the foreign stock Catholic index. This paper’s foreign stock shortcut for calculating Catholicism explains more than 90 percent of the variance in Catholic population between congressional districts. It is important to remember that this Catholic index is only an indication of the relative degree of Catholic population, it does not indicate the actual number or percentage of Catholics in each congressional district. For example, the Catholic index of 70.7 in Connecticut’s 3rd House District does not mean that 70 percent of the district’s residents are Catholics. Rather, it means that there is a proportionally greater Catholic population in that district than in Florida’s 1st District, where the index is only 5.4. The index reveals the relative strength of the Catholic vote in the districts this paper is studying. This knowledge enables us to analyze the 1976 election results to determine if the results differ between districts with large or small “Catholic votes,” and allows us to determine if the more heavily Catholic districts do in fact evidence greater support of pro-life candidates.

As the Scattergram in Table 7 indicates, the relationship between the

---

147. California 18; Connecticut 3; Florida 1; Illinois 17; Illinois 21; Iowa 1; Maryland 1; New York 39; Ohio 10; Pennsylvania 8; Pennsylvania 24.

148. Most of the eleven districts in this mini-sample did not dissect counties at all. The others cut into a county only a small amount or contained roughly 90% of a county that was shared with another congressional district. Where a district, such as California’s 18th, contained only a small portion of one county, that county’s religious affiliation figures from the Glenmary book were not included in the comparison. When a district, such as Illinois’ 21st, contained the vast bulk (but not quite all) of a county, the entire county religious affiliation from the Glenmary book was included in the comparison of the Glenmary index and the Foreign Stock index.

Glenmary figures and this study's foreign stock index is consistent, with one outlier. This suggests that the high Pearson's R between the foreign stock Catholic index and Glenmary figures did not result from an averaging of disparate relations.

**TABLE 7**

**SCATTERGRAM—GLENMARY AND FOREIGN STOCK FIGURES**

<table>
<thead>
<tr>
<th>Foreign Stock Catholic Index</th>
<th>Glenmary Figure for Catholic Church Membership</th>
</tr>
</thead>
<tbody>
<tr>
<td>80</td>
<td></td>
</tr>
<tr>
<td>75</td>
<td></td>
</tr>
<tr>
<td>70</td>
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<td>55</td>
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<td>50</td>
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<td>45</td>
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<td>40</td>
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<tr>
<td>35</td>
<td></td>
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<tr>
<td>30</td>
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</tr>
<tr>
<td>25</td>
<td></td>
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<tr>
<td>20</td>
<td></td>
</tr>
<tr>
<td>15</td>
<td></td>
</tr>
<tr>
<td>10</td>
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<tr>
<td>5</td>
<td></td>
</tr>
<tr>
<td>0</td>
<td></td>
</tr>
</tbody>
</table>

A comparison of key demographic statistics of the sample of 11 House districts with the nation as a whole shows that the sample districts used

<table>
<thead>
<tr>
<th></th>
<th>x</th>
<th>y</th>
<th>x^2</th>
<th>y^2</th>
<th>xy</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cal 18</td>
<td>3.3</td>
<td>12.6</td>
<td>10.9</td>
<td>158.8</td>
<td>41.6</td>
</tr>
<tr>
<td>Conn 3</td>
<td>18.3</td>
<td>70.7</td>
<td>334.9</td>
<td>4,998.5</td>
<td>1,293.8</td>
</tr>
<tr>
<td>Fla 1</td>
<td>1.5</td>
<td>5.4</td>
<td>2.3</td>
<td>29.2</td>
<td>8.1</td>
</tr>
<tr>
<td>Ill 17</td>
<td>7.3</td>
<td>27.8</td>
<td>53.3</td>
<td>772.8</td>
<td>202.9</td>
</tr>
<tr>
<td>Ill 21</td>
<td>3.2</td>
<td>12.8</td>
<td>10.2</td>
<td>163.8</td>
<td>41.0</td>
</tr>
</tbody>
</table>
Examination of Abortion Issue

to test the foreign stock index are not "oddballs".\textsuperscript{151} For example, the average age of the population in the sample is 27.3 compared with 28.1

<table>
<thead>
<tr>
<th></th>
<th>x</th>
<th>y</th>
<th>x²</th>
<th>y²</th>
<th>xy</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cal 18</td>
<td>3.3</td>
<td>12.6</td>
<td>10.9</td>
<td>158.8</td>
<td>41.6</td>
</tr>
<tr>
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<td>70.7</td>
<td>334.9</td>
<td>4,998.5</td>
<td>1,293.8</td>
</tr>
<tr>
<td>Fla 1</td>
<td>1.5</td>
<td>5.4</td>
<td>2.3</td>
<td>29.2</td>
<td>8.1</td>
</tr>
<tr>
<td>Ill 17</td>
<td>7.3</td>
<td>27.8</td>
<td>53.3</td>
<td>772.8</td>
<td>202.9</td>
</tr>
<tr>
<td>Ill 21</td>
<td>3.2</td>
<td>12.8</td>
<td>10.2</td>
<td>163.8</td>
<td>41.0</td>
</tr>
<tr>
<td>Iowa 1</td>
<td>1.6</td>
<td>17.6</td>
<td>2.6</td>
<td>309.8</td>
<td>28.2</td>
</tr>
<tr>
<td>MD 1</td>
<td>1.6</td>
<td>13.6</td>
<td>2.6</td>
<td>185.0</td>
<td>21.8</td>
</tr>
<tr>
<td>NY 39</td>
<td>7.5</td>
<td>23.1</td>
<td>56.3</td>
<td>533.6</td>
<td>173.3</td>
</tr>
<tr>
<td>Ohio 10</td>
<td>1.2</td>
<td>5.7</td>
<td>1.4</td>
<td>32.5</td>
<td>6.8</td>
</tr>
<tr>
<td>PA 8</td>
<td>10.1</td>
<td>27.0</td>
<td>102.0</td>
<td>729.0</td>
<td>291.9</td>
</tr>
<tr>
<td>PA 24</td>
<td>8.9</td>
<td>28.9</td>
<td>79.2</td>
<td>835.2</td>
<td>240.3</td>
</tr>
<tr>
<td>Totals</td>
<td>64.5</td>
<td>245.2</td>
<td>655.7</td>
<td>8,748.2</td>
<td>2,349.7</td>
</tr>
</tbody>
</table>

The formula for determining the correlation coefficient Pearson's R is:

\[
R = \frac{\sum xy - (\sum x)(\sum y)}{\sqrt{[\sum (x^2) - (\sum x)^2] [\sum (y^2) - (\sum y)^2]}}
\]

The following calculation was performed.

\[
\frac{11 (2349.7) - (64.5) (245.2)}{\sqrt{[11 (655.7) - (4,160.3)] [11 (8,748.2) - (60,123.0)]}}
\]

\[
= \frac{25,846.6 - 15,815.4}{\sqrt{3,052.4} (36,107.2)}
\]

\[
= \frac{10,031.3}{10,497.6} = .96 = R
\]

\[
R^2 = .91
\]

As the preceding table and calculations show, the Glenmary Catholic figures and the Foreign Stock Catholic index correlate closely with an R of .96 and an \( R^2 \) of .91.

151. Because the Catholic index could not be tested where congressional districts significantly bisected counties, such districts were not able to be part of the sample group. They were discarded and another district was chosen by using a table of random numbers until the sample was large enough to facilitate calculating a correlation coefficient. Understandably, the sample is therefore somewhat less urban and metropolitan than the nation in aggregate. This, however, is the only area in which the sample demographic figures significantly differ from national census figures.

Comparison of the 11 Cathin Congressional Districts with the U.S. averages for key demographic characteristics.

<table>
<thead>
<tr>
<th>Age</th>
<th>Cathin Sample</th>
<th>U.S. as whole</th>
</tr>
</thead>
<tbody>
<tr>
<td>mean (of 11 districts)</td>
<td>27.3</td>
<td>28.1</td>
</tr>
<tr>
<td>Median family income</td>
<td>$9,547</td>
<td>$9,586</td>
</tr>
<tr>
<td>Percent of Urban Population</td>
<td>60.5%</td>
<td>73.5%</td>
</tr>
<tr>
<td>Percent of White Collar Workers in Workforce</td>
<td></td>
<td></td>
</tr>
<tr>
<td>mean</td>
<td>Cathin</td>
<td>U.S. as a whole</td>
</tr>
<tr>
<td>Mean</td>
<td>36.5%</td>
<td>40.0%</td>
</tr>
<tr>
<td>Per Capita Income</td>
<td>$2,934</td>
<td>$3,119</td>
</tr>
</tbody>
</table>
for the nation as a whole. The median family incomes are $9,547 and $9,586, respectively. Median monthly rent for the sample is $106.40; for the nation it is $108. In the sample of eleven, 49.5 percent of the workforce is classified as blue collar compared to a national figure of 47.3 percent.

<table>
<thead>
<tr>
<th></th>
<th>Mean (of districts)</th>
<th>$16,113</th>
<th>$17,100</th>
</tr>
</thead>
<tbody>
<tr>
<td>Median Home Value</td>
<td>Mean</td>
<td>$106.40</td>
<td>$108.00</td>
</tr>
<tr>
<td>Percent of Population</td>
<td>Mean</td>
<td>9.37</td>
<td>9.9</td>
</tr>
<tr>
<td>Rural Non-farm Percentage</td>
<td>Mean</td>
<td>42.3</td>
<td>43.0</td>
</tr>
<tr>
<td>of Population</td>
<td>Mean</td>
<td>29.5</td>
<td>22.4</td>
</tr>
<tr>
<td>Rural Farm Percentage</td>
<td>Mean</td>
<td>5.02</td>
<td>4.1</td>
</tr>
<tr>
<td>Metropolitan Residents</td>
<td>Mean</td>
<td>50.6</td>
<td>68.6</td>
</tr>
<tr>
<td>Percentage of Population</td>
<td>Mean</td>
<td>49.6</td>
<td>47.3</td>
</tr>
<tr>
<td>Blue Collar Percentage</td>
<td>Mean</td>
<td>7.5</td>
<td>8.1</td>
</tr>
<tr>
<td>of Work Force</td>
<td>Mean</td>
<td>6.4</td>
<td>4.5</td>
</tr>
</tbody>
</table>