

ABSTRACT

Title of Thesis: FEAR AND DARKNESS: ANTI-ABORTION
TERRORISM AND THE UNITED STATES SUPREME
COURT

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Relative deprivation theory (Davies, 1962) suggests that acts of anti-abortion terrorism result from the general widening of the gap between the individual's goals and expectations to a point of intolerance, whereas rational choice theory (Cornish and Clarke, 1986) sees such acts as the product of the individual's cost/benefit analysis. This thesis endeavors to improve upon our knowledge of the causal mechanisms associated with anti-abortion terrorism, within the context of relative deprivation theory and rational choice theory using a macro-level research design.

The results of this study suggest certain Supreme Court decisions have a significant influence on whether some within the pro-life community view the use of violence as an appropriate method of protest. Additionally, the results suggest that anti-abortion offenders make decisions according to a rational, cost/benefit analysis. This suggests that policy makers may effectively reduce the number of anti-abortion attacks by raising the penalties associated with the crime.

FEAR AND DARKNESS:¹
ANTI-ABORTION TERRORISM AND THE UNITED STATES SUPREME COURT

By

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¹ “And I fear for the darkness as four Justices anxiously await the single vote necessary to extinguish the light” (Justice Harry A. Blackmun, *Planned Parenthood of Southeastern Pennsylvania v. Casey* 505 U.S. 833 (1992)).

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Table of Contents

List of Tables	iv
List of Figures	v
Chapter 1: Introduction.....	1
Pro-choice and Pro-life Abortion Rulings.....	3
Chapter 2: Literature Review.....	16
Relative Deprivation Theory.....	16
Relative Deprivation and Anti-abortion Terrorism.....	20
Gender Roles and Power Relations.....	21
Religious Fundamentalism.....	23
Rational Choice and Frustration.....	24
Limitations with Previous Research.....	26
Chapter 3: Research Question.....	28
Chapter 4: Data and Methods.....	30
Statistical Methodology.....	32
Chapter 5: Results.....	38
Chapter 6: Discussion and Conclusion.....	49
Limitations.....	54
Practical Implications.....	55
Conclusion.....	57
Appendix A: Model Diagnostics for Multicollinearity.....	59
Appendix B: Model Diagnostics for Non-linear Relationships.....	61
Works Cited.....	65

List of Tables

Table 1: Curiae Case Rankings.....	5
Table 2: Descriptive Statistics for Variables.....	38
Table 3: Model Results.....	46

List of Figures

Figure 0: Curiae Case Ranking Bar Graph.....	6
Figure 1: Need Satisfaction and Revolution.....	18
Figure 2: Anti-abortion Attacks: 1970-2003.....	40
Figure 3: Evangelicals per Capita.....	42
Figure 4: Annual U.S. Abortion Rate.....	43
Figure 5: Annual U.S. Female/Male Income Ratio.....	44

Chapter 1: Introduction

*“a chill wind blows.”*²- Justice Harry Blackmun

It can be said that The United States Supreme Court (the Court) is the most influential legal body with respect to the issue of abortion. Entering the fray in 1973 through the case of *Roe v. Wade* (1973), the Court ruled in favor of the defendant, one Norma McCorvey, an unwed, pregnant, Texas woman who claimed the state’s anti-abortion laws were a violation of her constitutional rights. The fallout from the decision was profound. Literally overnight, restrictive abortion laws in thirty-one states were deemed unconstitutional on the grounds that they did not sufficiently protect a woman’s right to privacy (Faux, 1988). Pro-life activists scrambled in an attempt to nationalize their voice through the creation of such groups as the National Right to Life Committee (NRLC), and other organizations dedicated to overturning *Roe* (Blanchard, 1994). Although the NRLC’s methods of operation were peaceful, a growing sense of frustration amongst an increasingly unified pro-life community, eventually led to an increase in the number of violent and illegal anti-abortion protests.

Today, 33 years later, the topic of abortion and abortion-related conflict remains omnipresent within the nation’s consciousness. This is evidenced by the recent confirmations of two conservative Supreme Court justices (Babington, 2005; Stout, 2006), a steady rise in the number pro-life demonstrations outside of abortion clinics, (National Abortion Federation, 2006), and the current enactment of restrictive abortion

² These are the remarks of Justice Blackmun in his dissenting opinion on the Court’s 5-4 decision in the case of *Webster v. Reproductive Health Services* 492 U.S. 490 (1989). He is alluding to what he sees as the national advancement of the pro-life agenda and the curtailing of pro-choice interests.

legislation in South Dakota and Missouri (Nieves, 2006; British Broadcasting Company, 2006). Indeed, abortion evokes a wide array of responses. Although previous research has shown the majority of post-*Roe* abortion protests tend to be seen as peaceful (Kenney, 2002), there remain those who use violence and other illegal means to achieve their goals. Examples span from the mildly violent use of butyric acid in clinic ventilation systems to the pre-meditated murder of clinic staff (Mason, 2002). Protestors who use such tactics against pro-choice advocates, abortion clinics, and clinic staff members engage in what is commonly referred to as acts of anti-abortion terrorism (Kaplan, 1993).

This begs the question of what exactly an act of terrorism is. Unfortunately, the world community has yet to benefit from the creation of a universal definition. This can be best explained by the fact that not everyone considers an attack on an abortion clinic, government entity, occupying military force, etc. to be a terrorist act. There is however, a certain amount of agreement amongst the various definitions of terrorism. This is evidenced by the fact that most definitions regard terrorism as a political concept (Hoffman, 1998). The University of Maryland, whose definition I shall base the current study, is no exception:

The threatened or actual use of illegal force and violence to attain a political, economic, religious or social goal through fear, coercion or intimidation.

Although the definition of terrorism against abortion providers may seem trivial to some, the fallout from such acts has garnered the attention of a nation. Indeed, these attacks

have resulted in seven murders (National Abortion Federation, 2006), countless injuries, and a pervasive sense of fear in the years following the *Roe v. Wade* (1973) decision.

The current paucity of research on the causes of anti-abortion terrorism belies its importance, and given the recent events mentioned above, research on this area is needed now more than ever. It remains unclear as to when an anti-abortion terrorist is most likely to act, or whether there exists a universal trigger for these crimes. This research endeavors to add to the existing literature by providing answers to these questions, and in doing so, foster a better understanding for the causes of anti-abortion terrorism. The unique dataset which I employ for the purposes of this study allows me to do this through a previously yet to be attempted time series analysis of the link between anti-abortion terrorism and a nationally applied stimulus. Specifically, I shall analyze the relationship between pro-life and pro-choice U.S. Supreme Court abortion rulings and the nationwide number of anti-abortion terrorist attacks from 1977-2003. All analyses originate within the framework of Relative Deprivation Theory (Davies, 1962). First, I will discuss the most influential of the pro-choice and pro-life Supreme Court abortion rulings. Then, I shall explore the current literature with respect to anti-abortion terrorism and relative deprivation.

Pro-choice & Pro-life Abortion Rulings

Although Supreme Court cases are rarely black or white with respect to which side of the abortion debate the ruling complies with, most if not all Court abortion rulings contain a discernable and definitive pro-choice or pro-life bent. For the purposes of this study, I regard all pro-choice Court abortion rulings as those having the net effect of

loosening restrictions on a woman's right to obtain a legal abortion while pro-life rulings are said to result in the exact opposite.

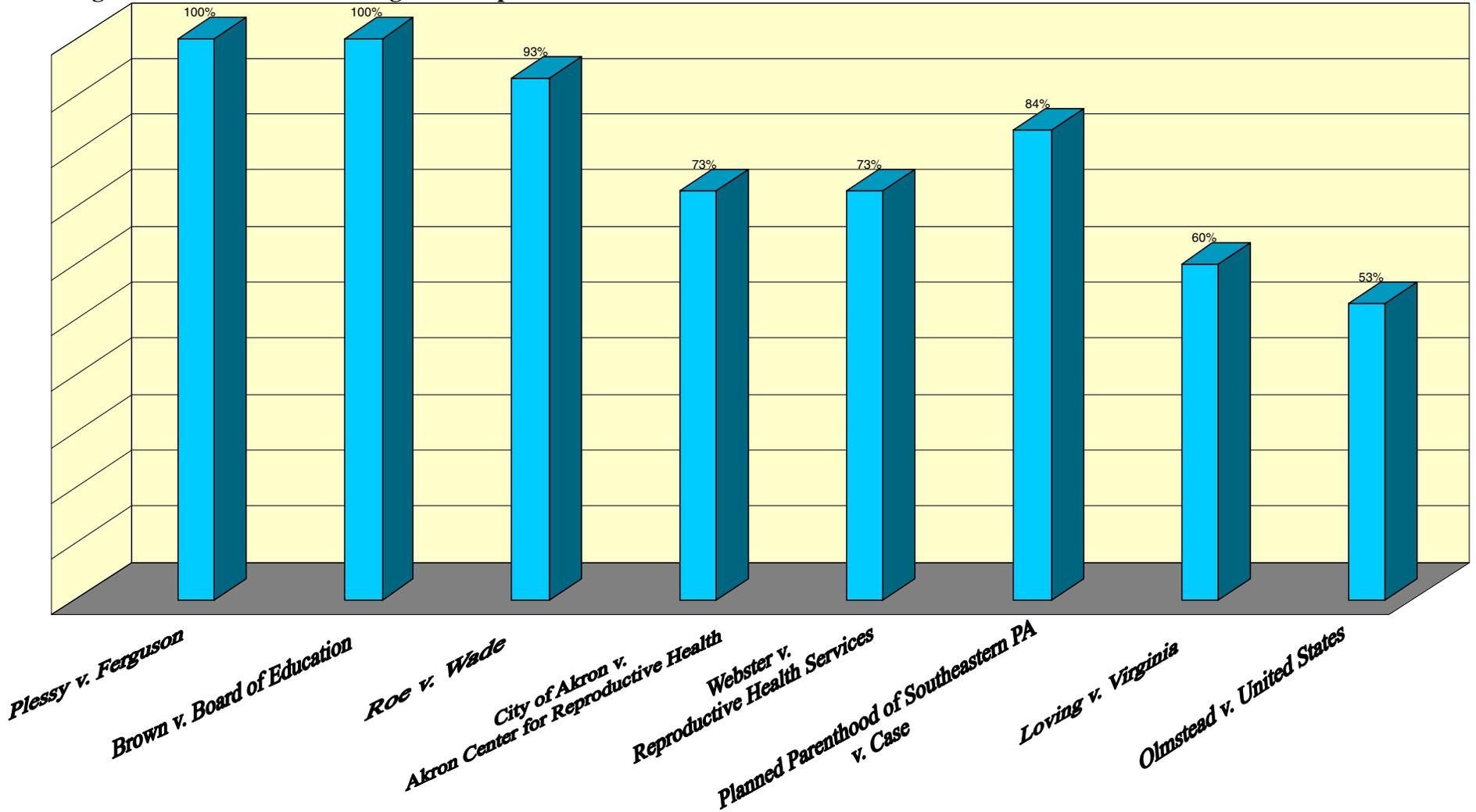
The four Supreme Court abortion cases used in this study include *Roe v. Wade* (1973), *City of Akron v. Akron Center for reproductive Health Inc.* (1983), *Webster v. Reproductive Health Services* (1989), and *Planned Parenthood of Southeastern Pennsylvania v. Casey* (1992). These abortion cases were selected because they are viewed as receiving the most national attention, as deemed by Yale University's Curiae Project. The Curiae Project represents an ongoing compilation and ranking of the most important and influential U.S. Supreme Court cases within the institution's history. The amount of influence accorded to each case is denoted by an apportioned score, equal to the number of 15 authoritative works on constitutional law which cite the case in question with primary treatment.³ Less than 200 Court cases out of 2110 in total were given primary treatment by a majority of these works. The four cases examined in this study, having received this recognition, represent the four most influential rulings on the topic of abortion. Table 1 and Figure 0 below provide an illustrated sample of the Curiae rankings.

³ Primary treatment refers to the authors referring to the case in detail rather than in a brief and superficial manner. Discussion of the case and its meaning are afforded a separate section within the work, as noted by a separate index or case list.

Table 1: Curiae Case Rankings

Case Titles	Possible Points for Time of Case	Total Points	% Ranking
Plessy v. Ferguson, 163 U.S. 537 (1896)	15	15	100%
Brown v. Board of Education I, 347 U.S. 483 (1954)	15	15	100%
Roe v. Wade, 410 U.S. 113 (1973)	15	14	93%
City of Akron v Akron Center for Reproductive Health, 462 U.S. 416 (1982)	15	11	73%
Webster v. Reproductive Health Services, 429 U.S. 490 (1989)	15	11	73%
Planned Parenthood of Southeastern Pennsylvania v. Casey, 505 U.S. 833 (1992)	13	11	84%
Loving v. Virginia, 388 U.S. 1 (1967)	15	9	60%
Olmstead v. United States, 277 U.S. 438 (1928)	15	8	53%

Figure 0: Curiae Case Ranking Bar Graph



Roe v. Wade

The case of *Roe v. Wade* (1973) involves Norma McCorvey, a.k.a. Jane Roe, and Henry Wade. McCorvey, an unmarried, pregnant woman in Dallas, Texas, brought suit in 1970 against Wade, the Dallas County Prosecutor, to prevent him from enforcing the state's criminal abortion laws. Since the condition of Ms. McCorvey's pregnancy was not such that it threatened her life, Texas laws forbid her from obtaining the procedure. Seeking injunctive relief, she argued that these laws by design, infringed upon her constitutional right to personal privacy under the 14th amendment. In a 7-2 decision, the court concluded that anti-abortion laws such as those in 1973 Texas, violated McCorvey's constitutional right to privacy and as such, were struck down in their entirety (Finkelman and Urofsky, 2003). Justice Blackmun summarizes the Court's opinion:

A state criminal abortion statute of the current Texas type, that excepts from criminality only a lifesaving procedure on behalf of the mother, without regard to pregnancy stage and without recognition of the other interests involved, is violative of the Due Process Clause of the Fourteenth Amendment.⁴

Indeed, the right to privacy argument serves to affirm the ability of a woman to procure an abortion at any time within the first trimester as a fundamental right, thus rendering the Texas abortion laws unconstitutional. There were however, dissenting voices within this historic decision. Justice Rehnquist for example, takes exception with the right to privacy rationale.

⁴ *Roe v. Wade*, 410 U.S. 113 (1973).

The fact that a majority of the States reflecting, after all, the majority sentiment in those States, have had restrictions on abortions for at least a century is a strong indication, it seems to me, that the asserted right to an abortion is not "so rooted in the traditions and conscience of our people as to be ranked as fundamental," *Snyder v. Massachusetts*, [291 U.S. 97](#), 105 (1934). Even today, when society's views on abortion are changing, the very existence of the debate is evidence that the "right" to an abortion is not so universally accepted as the appellant would have us believe.⁵

The effect of the *Roe* ruling was to prevent states from regulating abortions until after viability. As Reiter states (2000:38), "The ruling was so broad and far reaching that virtually every state was affected" by serving to officially recognize a woman's right to choose while simultaneously galvanizing the pro-life movement (Garrow, 1999). In effect, *Roe* served to lay the foundation for pro-life frustrations by sanctioning the right to choose for the entire nation. These frustrations would continue to intensify as time went on as evidenced through the words of radical pro-life activists such as Randall Terry, founder of Operation Rescue, a leading pro-life organization: "The Supreme Court, more than any other legal body, has contributed to the moral cancer and anarchy ravaging our nation. The greatest crimes against humanity committed by these tyrants were *Roe v. Wade* and other subsequent pro-death rulings which legalized child-killing up until the day of birth" (Terry, 1990:20). I thus, view *Roe v. Wade* (1973) as a pro-choice ruling.

City of Akron v. Akron Center for Reproductive Health Inc.

The case of *City of Akron v. Akron Center for Reproductive Health Inc.* (1983) evolved from a 1978 Ohio lawsuit in which three abortion clinics challenged the imposition of 17 new

⁵ *Ibid.*

and restrictive statewide regulations on abortion providing facilities. Four of these regulations garnered the most attention from the Court as they: (a) required all abortions after the first trimester to be performed in a hospital, (b) set standards for requiring notification of parental consent before an unmarried minor receives an abortion, (c) required the attending physician to make certain comments to the woman and/or her legal guardian in order to ensure that the patient is truly giving her informed consent,⁶ and (d) mandated a 24-hour waiting period between the time the woman signs the consent form and the time the abortion is performed. The new regulations also completely barred clinics from performing abortions on women with diabetes, hepatitis, hypertension, and the disease which would eventually be known as AIDS (Baird-Windle and Bader, 2001). The plaintiffs argued that the new regulations represented an unnecessary burden to abortion providers as well as a blatant act of discrimination, as other ambulatory services were not subject to the same requirements.

In a 6-3 decision, the Court agreed with the position of the providers, holding unconstitutional all provisions of the Akron ordinance as they represented an unreasonable infringement upon a woman's right to decide to have an abortion. Furthermore, the decision served to validate the Court's findings in *Roe*, (1973) which guarantee a woman's right to terminate her pregnancy. As Justice Powell notes:

The doctrine of *stare decisis*, while perhaps never entirely persuasive on a constitutional question, is a doctrine that demands respect in a society governed by the rule of law. We respect it today, and reaffirm *Roe v. Wade*.⁷

⁶ One such statement required the physician to let the patient know that "the unborn child is a human life from the moment of conception" (City Council of Akron, 1870.06).

⁷ *City of Akron v. Akron Center for Reproductive Health Inc.* 462 U.S. 416 (1983).

To be sure, the *Akron* ruling is hardly equivocal. However, dissenting opinions provide insight into a growing dissatisfaction with the original *Roe* decision.

Justice O'Connor's dissenting opinion in particular, provides evidence of the growing rift within the Court concerning the constitutionality of abortion. Taking exception with the Court's interpretation of *Roe's* trimester framework, which forbids states from unduly burdening abortion opportunities within the first and second trimesters, she declares:

it is apparent from the Court's opinion that neither sound constitutional theory nor our need to decide cases based on the application of neutral principles can accommodate an analytical framework that varies according to the "stages" of pregnancy, where those stages, and their concomitant standards of review, differ according to the level of medical technology available when a particular challenge to state regulation occurs.⁸

This line of dissent challenges one of the fundamental underpinnings of the Court's ruling within *Akron* and *Roe*. Justice O'Connor continues in her dissent, arguing for the legitimacy of the Akron abortion law thereby disagreeing with every one of the majority's assertions. Her opinion eventually culminates with what can only be described as a belief that states should be able to regulate abortion practices throughout the entire pregnancy.

The Court also recognized that the State has "*another* important and legitimate interest in protecting the potentiality of human life." *Id.* at 162 (emphasis in original). I agree completely that the State has these interests, but, in my view, the point at which these interests become compelling does not depend on the trimester of pregnancy. Rather, these interests are present *throughout* pregnancy.⁹

⁸ *Ibid*

⁹ *Ibid*

Much like the opinions of the Court as a whole and Justice O'Connor in particular, the effect of this decision was not subtle. The *Akron* ruling helped to solidify the legitimacy of free-standing/out-patient clinics and loosen restrictions on abortion providers, making it easier for women to obtain an abortion. As such, I regard *Akron v. Akron Center for Reproductive Health Inc.* (1983) as a pro-choice ruling.

Webster v. Reproductive Health Services

The case of *Webster v. Reproductive Health Services* (1989) originated from a 1986 Missouri law that amended existing abortion law through the addition of 20 provisions to the existing law. The Court chose to focus on four of these provisions in particular: (a) declaring life to begin at conception, (b) prohibiting the use of state funds to counsel a woman to have an abortion unless the abortion is seen as necessary to save the woman's life, (c) forbidding the use of public facilities for the use of performing abortions that are not necessary to save the woman's life, and (d) requiring physicians to perform tests on gestational age, weight, lung capacity of all fetuses of and beyond 20 weeks of age so as to determine viability. In 1986, five state-health professionals and two nonprofit organizations brought suit against the state claiming the amended abortion law violated numerous constitutional rights including the right to privacy and a physician's right to practice medicine.

In a 5-4 decision, the court ruled in favor of the appellant, declaring that "none of the challenged provisions of the Missouri Act properly before us conflict with the Constitution" (Webster, 1989). But the Court's opinion, as written by Justice Rehnquist, does not stop there. Rather, the Court continues to criticize the original holdings within the *Roe* decision.

In the first place, the rigid *Roe* framework is hardly consistent with the notion of a Constitution cast in general terms, as ours is, and usually speaking in general principles, as ours does. The key elements of the *Roe* framework -- trimesters and viability -- are not found in the text of the Constitution, or in any place else one would expect to find a constitutional principle. Since the bounds of the inquiry are essentially indeterminate, the result has been a web of legal rules that have become increasingly intricate, resembling a code of regulations rather than a body of constitutional doctrine.¹⁰

Justice Rehnquist continues within the majority opinion, to acknowledge the desire of Missouri and United States Government, to have *Roe* overturned. What's more, he indicates what he believes to be, the likelihood that the Court will further limit the practice of abortion through future cases.

Both appellants and the United States as *Amicus Curiae* have urged that we overrule our decision in *Roe v. Wade*. Brief for Appellants 12-18; Brief for United States as *Amicus Curiae* 8-24. The facts of the present case, however, differ from those at issue in *Roe*. Here, Missouri has determined that viability is the point at which its interest in potential human life must be safeguarded. In *Roe*, on the other hand, the Texas statute criminalized the performance of *all* abortions, except when the mother's life was at stake. 410 U.S. at 117-118. This case therefore affords us no occasion to revisit the holding of *Roe*, which was that the Texas statute unconstitutionally infringed the right to an abortion derived from the Due Process Clause, *id.* at 164, and we leave it undisturbed. To the extent indicated in our opinion, we would modify and narrow *Roe* and succeeding cases.¹¹

As with many of the abortion cases prior to this one, the Court became engaged in a war of words over the future of *Roe*. Illustratively, the dissenting opinion of Justice Blackmun, the author of *Roe*, portends the eroding of a woman's right to choose. "Today, *Roe v. Wade*, [410](#)

¹⁰ *Webster v. Reproductive Health Services* 492 U.S. 490 (1989).

¹¹ *Ibid.*

[U.S. 113](#) (1973), and the fundamental constitutional right of women to decide whether to terminate a pregnancy, survive but are not secure” (1989). Blackmun goes on to say:

Although today, no less than yesterday, the Constitution and the decisions of this Court prohibit a State from enacting laws that inhibit women from the meaningful exercise of that right, a plurality of this Court implicitly invites every state legislature to enact more and more restrictive abortion regulations in order to provoke more and more test cases, in the hope that sometime down the line the Court will return the law of procreative freedom to the severe limitations that generally prevailed in this country before January 22, 1973. I fear for the future. I fear for the liberty and equality of the millions of women who have lived and come of age in the 16 years since *Roe* was decided. I fear for the integrity of, and public esteem for, this Court.¹²

The effect of the ruling was to provide states with the ability to substantially limit abortion rights and raise the expectations of the pro-life movement (Blanchard, 1994). With now multiple justices voicing their discontent with the *Roe* framework, victory for the pro-life community may have seemed imminent. With this in mind, I classify *Webster v. Reproductive Health Services* (1989) as a pro-life ruling.

Planned Parenthood of Southeastern Pennsylvania v. Casey

The case of *Planned Parenthood of Southeastern Pennsylvania v. Casey* (1992) came into being as a result of Planned Parenthood’s challenge to the 1988 & 1989 amendments to the Pennsylvania Abortion Control Act of 1982. The five provisions in question required that, with the exception of a medical emergency: (a) the patient must wait 24 hours after giving her consent before she receives an abortion, (b) the patient be given state-mandated information on abortion and fetal development prior to the procedure, (c) if the patient is married, she must inform her

¹² *Ibid.*

husband of her intent to have an abortion, (d) minors must obtain the consent of at least one parent or a judicial waiver before an abortion is performed and (e) clinics and physicians performing abortions must provide annual statistics on their abortion procedures to the state. This final provision includes the names of all participating physicians.

In a 5-4 decision, the court upheld each of the restricting provisions save that requiring (c) spousal consent. The effect of the decision served once again, to criticize the foundations of *Roe* while allowing states to further restrict abortion practices. Again, the Court reasserts its opinion that *Roe* goes too far in the direction of pro-choice interests while it largely dismisses the pro-life position.

it must be remembered that *Roe v. Wade* speaks with clarity in establishing not only the woman's liberty but also the State's "important and legitimate interest in potential life." *Roe, supra*, at 163. That portion of the decision in *Roe* has been given too little acknowledgement and implementation by the Court in its subsequent cases.¹³

Looking to the dissenting justices, we see the divide between those in favor of the original *Roe* decision and those who are against, continues to widen. Concerning the Court's affirmation of the 24-hour waiting period, Justice Stevens notes that "the delay requirement may be premised on the belief that the decision to terminate a pregnancy is presumptively wrong" (1992). Thus, the implementation of the waiting period whether it is medically justified or not is likely to also serve as an ideological lever within the pro-life community.

Next, the state's requirement for physicians and only physicians, to give the patient a list of alternatives to abortion is also likely to further pro-life interests. As Justice Blackmun notes,

¹³ *Planned Parenthood of Southeastern Pennsylvania v. Casey* 505 U.S. 833 (1992).

such a requirement may result in little more than to make obtaining the procedure exceedingly difficult for some.

I remain unconvinced that there is a vital state need for insisting that the information be provided by a physician, rather than a counselor. *Id.*, at 448. The District Court found that the physician-only requirement necessarily would increase costs to the plaintiff clinics, costs that undoubtedly would be passed on to patients. And because trained women counselors are often more understanding than physicians, and generally have more time to spend with patients, see App. 366-387, the physician-only disclosure requirement is not narrowly tailored to serve the Commonwealth's interest in protecting maternal health.¹⁴

It is also likely the pro-life community would view the parental consent provision (d) as favorable since a requirement such as this may “carry with it the risk of a delay of several days or possibly weeks, even where the parent is willing to consent” (1992).

Finally, (e) the affirmation of the provision requiring clinics and physicians to provide annual reports to the state also falls into the pro-life win column. Although such a provision may seem innocuous when taken at face value, closer scrutiny reveals a significant obstacle for pro-choice interests. Notably, that requiring all physicians to list their names can deter some from providing the service for fear of being harassed (1992).

In conclusion, the ruling in the case of *Planned Parenthood of Southeastern Pennsylvania v. Casey* (1992) succeeds in striking down one restricting provision to the Abortion Control Act, while it affirms four others. The net effect serves to further restrict abortion practices. Thus, I classify this ruling as pro-life.

¹⁴ *Ibid.*

Chapter 2: Literature Review

In reviewing the literature, I first, intend to discuss the tenets and uses of Relative Deprivation theory in relation to political protest. Second, I will examine the literature regarding anti-abortion terrorism. In doing so, I intend to discuss the concept of anti-abortion terrorism as it relates to Relative Deprivation Theory, traditional gender roles, religious fundamentalism and rational choice.

Relative Deprivation Theory

Originally, Davies' (1962) theory of Relative Deprivation which posits feelings of dissatisfaction and deprivation lead to mass violence, was created to help explain and predict the occurrence of state-wide revolution. Building upon the works of Karl Marx (1955 [1849]), Davies focuses on a lesser known qualification for the theory of social degradation, which cites as a precondition to revolution the proletariat class experiencing a period of economic expansion. In this time, the workers' level of social satisfaction is said to rise in an objective sense but decline when compared to the greater increases in the wealth and social satisfactions of the capitalist class. Similarly, Alexis de Tocqueville posits that revolution is not solely the product of a continual and objective decline in the lives of the masses but rather a combination of large and lengthy declines followed by a short respite, which creates the necessary state of mind for action. In other words, "Evils which are patiently endured when they seem inevitable become intolerable when once the idea of escape from them is suggested" (Tocqueville, 1955 [1856]:214). Davies also borrowed from Emile Durkheim's *Suicide* (1951 [1897]), in which

Durkheim contends the level of individual satisfaction is indeed a relative phenomenon, one that corresponds to the rise and fall of one's need expectations which are instilled by society.

Integrating the ideas listed above, Davies concludes that it is the relative state of mind that predicts violent protest among the masses rather than a specific count of goods. As Davies himself states, "It is the dissatisfied state of mind rather than the tangible provision of "adequate" or "inadequate" supplies of food, equality, or liberty which produces the revolution" (Davies, 1962:6).¹⁵ Political violence then occurs when the gap between what people want and what they have, passes the point of tolerance. This theory is graphically interpreted below in Figure 1.¹⁶

¹⁵ This sentiment contrasts sharply with certain criminological theories such as classic strain theory (Cohen, 1955; Cloward and Ohlin, 1960; Rosenfeld and Mesner, 1995) which focuses on levels of monetary and social success as causes of crime. Specifically, classic strain theory posits that certain individuals within society are more likely to commit crime than others. These individuals are said to engage in crime when they are unable to achieve monetary success or middle-class status through legitimate channels. The modern revision known as general strain theory (Agnew, 2006) comes closer to relative deprivation theory in tone, as it includes all negative stimuli as a potential cause of crime. I believe however, that general strain theory remains inappropriate for the current research, as it cannot explain why some criminals, such as anti-abortion terrorists, tend to engage in only one form of criminal activity. That is to say, there is no evidence to suggest that anti-abortion terrorists are also robbers, burglars or drug dealers. In fact, they are often described as "good, hard-working, normal people" (Blanchard and Prewitt, 1993:208).

¹⁶ From (Davies, 1962)

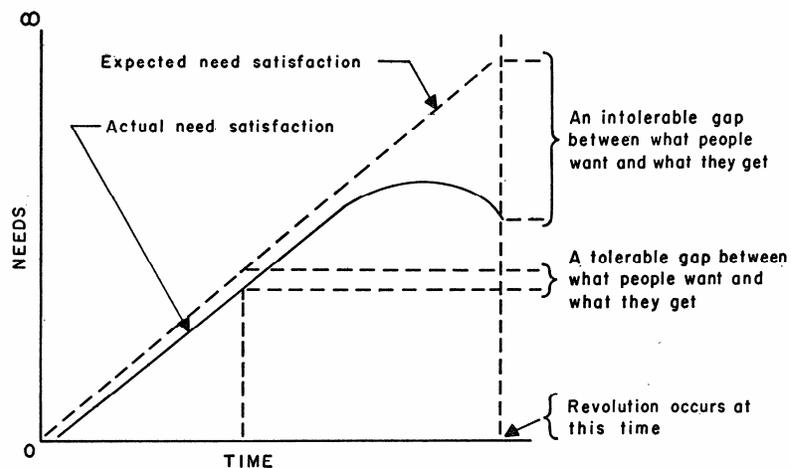


FIGURE 1. NEED SATISFACTION AND REVOLUTION

As Figure 1 illustrates, political violence occurs with the existence of an intolerable gap between what one wants and what one has. There exist three types of deprivation identified by RD theorists as responsible for this disparity: Egoistic Deprivation, Fraternal Deprivation, and Individual Deprivation. The present research however, looks solely to the latter as the study's focal mechanism.

Individual Deprivation

Individual deprivation refers to the disparity which forms from a gap between peoples' expectations and their current situation (Sayles, 1984). For instance, Feierabend, Feierabend and Nesvold (1969), in their study of 84 countries from 1948 to 1965, find that countries in the middle of the modernization process had higher rates of collective violence. This, according to the authors, suggests that modernizing countries experience an inordinate amount of collective

violence because the ruling government fails to increase the quality of their peoples' lives at a pace that is in sync with their rising expectations.

Conversely, Davies (1962) concludes that historically violent protests such as Dorr's Rebellion and the civil rights riots of the 1960s were preceded by periods of prosperity, followed by a period of sharp decline in life quality. This process of "progressive deprivation," also known as the "J-curve" effect (see Figure 1), results in the same intolerable gap between expectations and realizations. Other examples of supporting research include the works of Street and Legget (1969) and Meir and Rudwick (1969) who assert that spikes in collective black violence are preceded by periods of widespread progressive deprivation.

However, the support for relative deprivation is equivocal. Snyder and Tilly (1972) for instance, studied collective violence rates in France from 1830 to 1960. They find inconclusive evidence of the effect of relative deprivation, as measured by the price of food, manufactured goods, industrial production, and violence. Similarly, Wang's (1993) review of lesser developed countries with respect to levels of collective violence resulted in statistically insignificant coefficients for relative deprivation as measured through income inequality. Notably, these studies are criticized by some due to the use of variables that fail to accurately measure the true effect of any possible relative deprivation (Sayles, 1984; Canache, 1996). Indeed the use of such inaccurate measures is cause for concern, as they serve to cast doubt over the validity of the results.

A review of the literature details a historically ample use of Relative Deprivation Theory in the study of political violence. Although empirical findings prove equivocal in their support for the theory, many researchers argue that this is not due to the nature of the theory itself, but

rather to the use of inappropriate methodologies. Indeed, frustration levels may play an important role in driving an individual to abandon peaceful means of protest in favor of violence. In any event, politically motivated violence of all types represents a complex and pressing problem the world over.

Relative Deprivation and Anti-Abortion Terrorism

Although Relative Deprivation Theory has received a fair amount of attention within the academic community, its potential relevancy with regard to anti-abortion terrorism remain largely unexplored. This gap in the literature is especially glaring, considering the fact that existing anti-abortion terrorism research demonstrates abortion-related crime is salient to the medical profession, law enforcement, policymakers and the general public (Fitzpatrick and Wilson, 1999; Freilich and Pridemore, 2006; Pridemore and Freilich, 2006).

Illustratively, previous studies correlate anti-abortion violence with severe physical and mental trauma among clinic staff (Fitzpatrick and Wilson, 1999; Baird-Windle and Bader, 2001; Kenney and Reuland, 2002) and significant resource depletion among law enforcement agencies (Risen and Thomas, 1998). Indeed, much ink has been spilled on the destructive effects of anti-abortion terrorism (Baird-Windle and Bader, 2001; Blanchard, 1994; Blanchard and Prewitt, 1993; Mason, 2002; Reiter, 2000), yet precious little has been employed in the process of a systematic search for its correlates.

In his seminal study on the causes of abortion clinic violence in the US, Nice (1988) finds support for the notion that anti-abortion violence is more prevalent in states with high abortion rates. According to Nice, the knowledge of high abortion rates represents a particularly intense

negative stimulus for the anti-abortion terrorist, for he sees these abortions as a direct challenge to his main goal: the end of legalized abortion. In addition, the author finds that clinic bombings are also concentrated in states that had yet to pass resolutions calling for a constitutional amendment to ban abortion (Nice, 1988). These findings suggest that when presented with evidence that their goal of a ban on abortion is in jeopardy, certain pro-life advocates will forsake peaceful means of protest for violent acts of terrorism.

Gender Roles & Power Relations

Finally, the topic of the gender/power struggle has also permeated the literature on abortion-related violence. Numerous researchers have associated abortion terror with the presence of an ultra-masculine subculture consisting mostly of white men who see abortion as a public endorsement for the altering of traditional family roles/structures (Clarke, 1987a; Blanchard and Prewitt, 1993; Blanchard, 1994; Stern, 2003). A recent study by Freilich and Pridemore (2006), for instance, found certain anti-abortion crimes are more prevalent in states where female empowerment is low and female victimization is high.

Following Nice (1988), Freilich and Pridemore (2006) conducted a state-level analysis on the covariates of anti-abortion terrorism for the year 2000. The authors test several models based on the theory of Relative Deprivation and the system of patriarchy. Briefly, the patriarchy argument stems from the notion that some people are threatened by signs of female empowerment as this portends shifting gender roles. For example, Luker (1984) concludes many activists are drawn to the anti-abortion movement with considerable force as a result of their views and investments into traditional gender roles. Legalized abortion threatens to alter

women's social roles and challenge the moral and social basis on which many activists have based their lives. Freilich and Pridemore's (2006) study provides empirical support for this argument, citing an increase in the number of abortion clinic attacks for areas where abortion rates are higher and where female empowerment is weaker. The first finding echoes that of Nice (1988), suggesting that higher abortion rates may increase frustration levels within the anti-abortion community. Indeed, this backlash effect forms the crux of the relative deprivation theory. The authors conclude that increases in abortion rates could "create frustration among anti-abortion groups, thereby leading to escalation in the tactics they employ" (Freilich and Pridemore, 2006: 18).

In an extension of the previously discussed research study, (Pridemore and Freilich, 2006) take another look into the causes of anti-abortion terrorism for the year 2000. However, in this study the authors focus solely on the notion of relative deprivation as it relates to terror attacks. Although ultimately inconclusive, the results of the study suggest that a backlash effect may exist in states that have pro-choice abortion laws with respect to anti-abortion protest activities. The authors believe they uncovered evidence, albeit weak, to support the view that enforcing clinic-protection laws leads to further clinic attacks or defiance rather than deterrence, as pro-life activists may feel as though they have no other recourse (Kaplan, 1993, 1996; Mason, 2002; Maxwell, 2002). In essence, the clinic attacks are said to be out of desperation from fear of losing the war on abortion (Blanchard and Prewitt, 1993; Blanchard, 1994; Risen and Thomas, 1998).

Religious Fundamentalism

Religious views also often play a critical role in defining one's stance on the issue of abortion (Himmelstein, 1986; Hunter, 1994). Numerous studies suggest religious conservatism is related to right-wing terrorism in general (Smith, 1994; Hewitt, 2003) and anti-abortion violence in particular (Lo, 1982; Clarke, 1987a; Clarke, 1987b; Blanchard and Prewitt, 1993; Kaplan, 1993; Blanchard, 1994; Risen and Thomas, 1998; Juergensmeyer, 1998; Garrow, 1999; Ferrell and Websdale, 1999; Kahane, 2000; Reiter, 2000; McVeigh and Skidmore, 2001; Mason, 2002; Maxwell, 2002; Kirkwood, 2003; Mason, 2002; Mason, 2004; Pridemore and Freilich, 2006). Indeed, religious values can provide the impetus for various actions (Swidler, 1986) and reactions within a given situation. The reason for this, Himmelstein says (1986:12), is because pro-life religious people "posses a culture that sanctions traditional family relationships and women's roles." Specifically, it is thought that members of the Protestant fundamentalist movement, such as Evangelicals, are more likely to view abortion as a sin against God (Green, 1999; McVeigh and Sikkink, 2001) as well as an incursion upon their moral values. Unlike mainstream denominations such as Catholicism, Evangelicals adhere to a form of dualism that often frames any conflict as a fight between good and evil (Risen and Thomas, 1998). Thus, abortion related influences are thought to be especially threatening to the Evangelical belief system. As Evangelicals believe the world should be without abortion, the evidence of pro-choice progress serves to widen the gap between this goal and their current situation.

Rational Choice & Frustration

Some scholars, in the tradition of rational choice theory (Cornish and Clarke, 1986), have posited that anti-abortion terrorists operate from a utilitarian philosophy, with respect to a cost/benefit analysis. In fact, one of the leading criticisms of past research into the causes of relative deprivation is that little attention is paid to the possibility that certain forms of collective violence may represent a form of rational, goal-seeking behavior (Brush, 1996). Illustratively, a small number of studies suggest that laws representing increased penalties in the protection of reproductive rights and abortion clinics effectively deter anti-abortion crime (Kaplan, 1996; Baird-Windle and Bader, 2001). In response to the increase in violent protests of the early 1990's, President Clinton signed into law the Freedom of Access to Clinic Entrances (FACE) Act. This piece of 1994 federal legislation serves to prohibit the threat or use of force or physical obstruction to "injure, intimidate, or interfere with providers of reproductive health services or their patients" (18 U.S.C. Sec. 48). FACE also makes it a federal crime to damage clinic property, which raised penalties for such crimes considerably (Kenney and Reuland, 2002). This tipping of the cost-benefit scales is designed to augment the punishment to the point where it outweighs the crime's potential gains.

Similarly, frustration-aggression theorists (Dollard, Doob, Miller, Mowrer and Sears, 1939) postulate acts of aggression or violence are the result of the presence of an external instigating condition or frustration. Specifically, aggression is said to be the product of goal blocking. For the anti-abortion terrorist, this suggests that intensely valued goals such as the overturning of *Roe*, must be achieved within the pro-lifer's expected timeframe or violence will

ensue. Thus, various Court decisions which serve to block expectations for the demise of *Roe*, may prove deadly.

Much like rational choice theory (Cornish and Clarke, 1986), frustration-aggression theory treats the crime or act of violence as instrumental in nature (Dollard, Doob, Miller, Mowrer and Sears, 1939). This is to say, the attack on the abortion clinic is not viewed as a random display of rage that is without purpose. Rather, the aggressive act is seen “as an action having a fairly definite objective: the infliction of injury (Berkowitz, 1989:61). In the case of the anti-abortion terrorist, the purpose of violence becomes the elimination of his/her source of frustration, namely the abortion clinic or staff members.

It bears mentioning that there are many instances where people who are prevented from achieving their goal refrain from violence (Bandura, 1973; Baron, 1977; Zillman, 1979). To be certain, not every pro-life activist resorts to violence when frustrated. This exception to the frustration-aggression thesis can be at least partially explained through expected punishments. Similar to rational choice theory (Cornish and Clarke, 1986), frustration-aggression theory allows for the inhibiting effects associated with potential punishments (Dollard, Doob, Miller, Mowrer and Sears, 1939). Therefore, it follows that legislation such as the FACE Act may deter those within the pro-life community who would otherwise resort to violence.

To summarize, the literature on anti-abortion terrorism appears to suffer from a lack of empirical data. That being said, the concepts of desperation and frustration are common throughout. Anti-abortion terrorism therefore, may result from a prolonged sense of failure within the pro-life community and a fear of losing the war altogether. Put another way, signs of pro-choice success or pro-life failure cause a widening of the gap between a pro-lifer’s goals and

his/her current situation. When this gap reaches an intolerable stage, the individual is more likely to abandon peaceful means of protest for acts of terrorist violence. This penchant for violence in turn, may be counteracted through the increase of costs associated with committing acts of terror.

Limitations with Previous Research

Although instructive, there are several limitations in prior anti-abortion terrorism research. To be sure, previous works of anti-abortion terrorism research are mired in descriptive language, the lack of a time series design, and insufficient data. I discuss each of these limitations in further detail below.

First, previous studies on the causes of anti-abortion terrorism are mostly of a descriptive or qualitative nature (Clarke, 1987a; Clarke, 1987b; Blanchard and Prewitt, 1993; Kaplan, 1993, 1996; Blanchard, 1994; Risen and Thomas, 1998; Ferrell and Websdale, 1999; Garrow, 1999; Reiter, 2000; Baird-Windle and Bader, 2001; Mason, 2002; Maxwell, 2002). As Freilich and Pridemore (2006:3) observe: “It is...surprising that little systematic, objective, analysis of the nature and extent of the violence [and] its antecedents has occurred.” Indeed, qualitative research on the topic of anti-abortion terrorism provides us with necessary insight into the context of the struggle for each side, but in order for us to one day realize the causes and consequences of this brand of terrorism, more must be presented from a quantitative framework.

Second, of the quantitative studies in existence, all are of a cross-sectional design (Nice, 1988; Freilich and Pridemore, 2006; Pridemore and Freilich, 2006). This is likely to inhibit any effort to uncover causes of anti-abortion terrorism that develop subtly over time. Pridemore, in

speaking about the possible effects of clinic protecting legislation, admits “it is possible that the deterrent or backlash effects may be missed in a cross-sectional study like ours if it takes time for such effects to emerge” (Pridemore and Freilich, 2006:20).

Third, studies that rely on self-survey reports (Freilich and Pridemore, 2006; Pridemore and Freilich, 2006) to test for relative deprivation are often vulnerable to the biased results (Canache, 1996). Specifically, these studies rely on abortion clinics to voluntarily fill out and return the survey. Consequently, the authors (Freilich and Pridemore, 2006; Pridemore and Freilich, 2006) are forced to work with data from only 45 percent of all clinics that were contacted, leading to possible self-selection bias. This in turn, leads to a fourth limitation, the use of nominal level data.

Previous studies have attempted to measure the frequency of anti-abortion attacks with an ordinal scale (Freilich and Pridemore, 2006; Pridemore and Freilich, 2006). Specifically, instead of asking each clinic how many times they had been victimized, the authors asked if they had been victimized at all. Since dichotomous data can only speak to the presence or absence of the variable in question, (Ritchey, 2000), the true number of attacks is unknown. In this thesis, I employ the use of a specific count of events (i.e. ratio-level data).

Chapter 3: Research Question

Although previous research indicates that United States Supreme Court decisions are unlikely to change the average opinion on any given issue (Blake, 1977; Tanenhaus and Murphy, 1981; Barnum 1985), let alone those of extremists (Hoekstra and Segal, 1996), these decisions still hold a special significance for those on either side of the abortion debate. The Court rules regularly on controversial issues such as that of abortion, upholding and striking down various state and federal laws, appeasing some while raising the ire of others. Although the hypothesis has never been tested, much of the previous literature on anti-abortion terrorism suggests that certain pro-choice rulings may have been responsible for galvanizing the anti-abortion movement and increasing the number of clinic attacks (Blanchard and Prewitt, 1993; Blanchard, 1994; Risen and Thomas, 1998; Garrow, 1999; Kaufman, 2000; Reiter, 2000; Bard-Windle and Bader, 2001; Mason, 2002; Maxwell, 2002; Kenney and Reuland, 2002; Mason, 2004). This leads to the following hypotheses:

- ❖ H1: Pro-choice Court rulings on the topic of abortion will result in additional acts of anti-abortion terrorism.

- ❖ H2: Pro-life Court rulings on the topic of abortion will result in fewer acts of anti-abortion terrorism.

- ❖ H3: The deterrent effects of the implementation of the F.A.C.E. Act will result in fewer acts of anti-abortion terrorism for each additional year.

- ❖ H4: Increases in the annual abortion rate will increase the offenders' gap between expectation and reality to the point of intolerance, resulting in additional acts of anti-abortion terrorism.

Chapter 4: Data and Methods

Sample

In order to address the research question outlined above, data on acts of anti-abortion terrorism were attained through the University of Maryland Global Terrorism Database (GTD). During 2003-2004, the University of Maryland coded a database of terrorist events originally collected by an outside source. The data include more than 69,000 terrorist events recorded worldwide from 1970 to 1997, and were based on the systematic coding of wire service data which was obtained primarily from scanning English and foreign language media reports. The data include information on type of terrorist activity (e.g., bombing, assault, kidnapping, etc.), incident date, whether domestic or international, weapons used, victim characteristics, target characteristics and incident outcome. These data provide the framework for the current GTD, which extends and updates data on all terrorist acts, including acts against abortion clinics and staff members through 2003.

Database Strengths

The GTD data are noted for four particular strengths. First, the GTD is the most comprehensive source of terrorist events available. This is the only such database to include data on both domestic and international terrorist attacks over an extended period of time (LaFree, Dugan, Fogg, and Scott, 2006).

Second, the GTD method and process of data collection was largely unchanged for the entire 27 years of the project. Indeed, only two managers were ever in charge of the project, adding to the reliability of the data.

Third, GTD data were collected by a private company. Thus avoiding many of the various political pressures associated with government agencies of a similar nature.

Finally, GTD defined terrorism in an exceptionally comprehensive manner:

The threatened or actual use of illegal force and violence to attain a political, economic, religious or social goal through fear, coercion or intimidation.

This contrasts with other existing definitions, such as those of the Federal Bureau of Investigation (FBI) and the U.S. State Department which exclude threats of force and limits the motivations of perpetrators and types of violence (LaFree, Dugan, Fogg and Scott, 2006). As such, the GTD may be less likely to omit relevant data on anti-abortion terrorist attacks than other terrorist data sources.

Database Weaknesses

Although the GTD data have many strengths, important weaknesses are also present and must be recognized. I note of three such weaknesses common to the GTD and all other open source terrorism databases.

First, all major open source terrorism databases (ITERATE, MIPT-RAND and GTD) rely on the use of various news sources for information on terrorist activity (LaFree, Dugan, Fogg and Scott, 2006). This practice may inject a certain type of bias into the database should less newsworthy terrorist acts fail to garner media attention (Falkenrath, 2001), suggesting that there exists a dark figure of terrorism which is not accounted for. That is to say it is likely that some of the failed and successful attacks have gone unnoticed (Falkenrath, 2001). Should this be the case, additional bias may be present.

Second, prior to 1994, the GTD substantially underreports the number of terrorist attacks on abortion clinics and staff members: a fact that is evidenced through comparisons with other

anti-abortion attack data bases such as that of the National Abortion Federation (NAF). This lack of data however, was mediated through the inclusion of NAF violence and disruption statistics (National Abortion Federation, 2006). Although the goal of a completely inclusive anti-abortion terror database remains elusive, combining the GTD data with the NAF data serves to create what I believe to be the most comprehensive source to date.

Finally, during the beginning of the GTD project, all data were transferred to the University of Maryland. Prior to the move, the majority of data on incidents occurring in 1993¹⁷ were lost and never recovered. Again, this problem was mediated through the inclusion of NAF data.

Statistical Methodology

I will employ the use of a modified time-series, Ordinary Least Squares multiple-regression analysis in order to estimate the impact of Court abortion cases on the national level of anti-abortion terrorism from 1970 to 2003. This analytic technique is well suited for assessing the impact of my independent variables on a discrete dependent variable such as annual counts of anti-abortion terrorist acts.

In order to adjust for the presence of serial-correlation and heteroskedasticity within my model, I will also be employing the use of the Prais-Winsten transformation¹⁸ (Prais, 1954), and

¹⁷ See Figure 2.

¹⁸ Diagnostic tests on the specified model revealed the presence of negative serial correlation among the error terms, which leads to increased probabilities for type one errors. The Prais-Winsten transformation, corrects for the presence of serial correlation while retaining the first observation within the regression estimate. This makes the Prais-Winsten transformation especially suitable since the sample size of this model is somewhat small (N=34).

the Huber/White sandwich variance estimator¹⁹ (White, 1980) respectively. The regression equation to be estimated is as follows.

$$\text{Attacks} = B_0 + B_1\text{Roe} + B_2\text{Akron} + B_3\text{Webster} + B_4\text{Casey} + B_5\text{FACE} + B_6\text{Abortion} + B_7\text{Religion} + B_8\text{Religionsquare} + B_9\text{Income} + B_{10}\text{Income2} + B_{11}\text{Year} + \varepsilon$$

Originally, missing values in some of the independent variables reduced the sample size. For example, the membership numbers for the Evangelical Covenant Church of America as listed by the United States Census Bureau are missing for the years 1970, 1992, 1994, 1996, 2002, and 2003. Similarly, national abortion rates were missing for the years 1970, 1971, 1972, and 2003. This is to be expected however, since data for the independent variables were acquired from multiple sources. In order to compensate for these missing values, I made use of the analytical technique known as marginal mean imputation (Allison, 2002). This procedure allowed me to replace the missing values with numbers based upon the mean values of the cases which were present. Admittedly, this procedure can be troublesome as there is always some uncertainty regarding imputed values. I believe however, that the potential for added bias through these values is kept to a minimum since neither of the variables in question show evidence of outliers or sharp changes in pattern. Thus, I believe the ten imputed values closely approximate the real values and as such, the integrity of the model is maintained.

¹⁹ Formal diagnostic tests on the model were inconclusive regarding the presence of heteroskedasticity among the error terms, which leads to increased probabilities for type two errors and bias standard errors. However, individual scatter plots of the error terms with the independent variables were suggestive of the presence of heteroskedasticity. As a precaution, Huber-White estimators were used to adjust for this by including robust standard errors within the model.

Dependent Variable

For the purpose of this study, acts of anti-abortion terrorism are defined as those which include any of the following: bombings, attempted bombings, assault & battery, arson, attempted arson, stalking, kidnapping, murder, and attempted murder. The current GTD provides data on 284 anti-abortion attacks from 1970-2003. Each year within this period represents the unit of observation, providing a sample size of (n = 34).

The anti-abortion terrorist data are aggregated to the national-year level, which represents the most appropriate level of analysis for two reasons. First, this study is concerned with assessing all possible patterns of clinic and staff attacks regarding the relative pro-life state of mind. As such, I am interested in determining if pro-life terrorists within the United States react in a similar fashion to particular stimuli. Previous studies of the effects of state-level legislation on anti-abortion terrorism attempt this (Pridemore and Freilich, 2006), but some scholars argue that a state-level analysis may be inappropriate since acts of national significance and application on are expected to be exempt from state-level variation (Baird-Windle and Bader, 2001). Additionally, federal legislation and Court rulings may, as Pridemore and Freilich (2006:20) note, render state statutes protecting clinics “superfluous given potentially more potent federal protections.”

Independent Variables

In order to test my hypotheses, I regress anti-abortion terror attacks on the five main independent variables of interest: ROE, AKRON, WEBSTER, CASEY, and FACE for each given year. Each binary variable represents the presence of one of the four most influential

Supreme Court rulings involving the topic of abortion as well as one of the most influential Supreme Court rulings in general, according to the Curiae Project. For the sake of simplicity, I have grouped each case into the pro-choice or pro-life camp as shown below. Each variable is dichotomous, assigned a 1 for years during or after the ruling took place and a 0 for all years before.

Pro-choice Rulings

- ROE = the case of Roe v. Wade (1973)
- AKRON = the case of City of Akron v. Center For Reproductive Health (1983)

Pro-life Rulings

- WEBSTER = the case of Webster v. Reproductive Health Services (1989)
- CASEY = the case of Planned Parenthood of Southern Pennsylvania V. Casey (1992)

FACE

This dichotomous variable controls for the deterrent effect of the Freedom of Access to Clinic Entrances (FACE) Act. The variable is coded as a one for all years in which the FACE Act is present (1994-2003), and zero for every other year.

Abortion

This discrete variable provides an additional measure of pro-life success and failure. The variable lists the annual number of legal abortions per 1,000 women aged 15-44 within the United States, as obtained from the Allen Guttmacher Institute²⁰.

Control Variables

There are four control variables in this study. They are Religion, Abortion and Income.

Religion

This discrete variable controls for the effect of religious fundamentalism on anti-abortion terrorism. The variable lists the annual estimates for the Evangelical Covenant Church of America per capita, as provided by the United States Census Bureau (1971-2003).²¹

²⁰ Finer and Henshaw (2003) provide annual statistics on abortions within the United States from 1973-2002. In order to compensate for the missing years of 1971-1972 and 2003-2004, I employed the use of the marginal mean imputation procedure (Allson, 2002) wherein the mean value of the series is substituted for the missing data.

²¹ The United States Census Bureau provides annual, self-reported membership statistics for the three largest Evangelical churches: Evangelical Covenant Church of America (ECCA), Evangelical Free Church of America, and The Association of Evangelical Lutheran Churches from 1970-2003. This study only uses statistics from the ECCA however, since missing data for the two remaining churches prevented them from being useful in this study. As such, there may exist some question about the ability of a single church to represent the entire Evangelical

Income

This discrete variable is a proxy for levels of female empowerment through the annual ratio of female to male median income as provided by the United States Census Bureau. Table 2 below lists the descriptive statistics for each of the variables discussed above.

community. The ECCA data is presented in the form of a specific membership count for each year, which I then divided by the United States Census Bureau's national population estimate of the same year in order to acquire the number of ECCA members per capita. The latter numbers are used for analysis.

Chapter 5: Results

Four separate models were estimated in order to gauge the effects of the aforementioned Court case rulings on the annual number of anti-abortion terrorist attacks within the United States. Model 1 reflects the bivariate analyses for each Court case variable. Model 2 attempts to gauge the effect of each Court case separately with the addition of the control variables. Model 3 includes every Court case and the control variables whereas Model 4, the final model, includes every variable, with the exception of Income. Although I believe the Income variable to be of value, model diagnostics and analyses indicate this variable is strongly correlated with many of the other independent variables that keeping it in the model suppresses important findings.²²

Descriptive Statistics

The sample used in this research consists of 291 anti-abortion attacks from 1970-2003 (n=34). The distribution of each variable is detailed below in Table 2 and in the following paragraphs.

Table 2: Descriptive Statistics for Variables

Variable	Min	Max	Mean	Standard Deviation
<i>Attacks</i>	0.00	44.00	8.559	10.061
<i>Akron*</i>	0.00	1.00	0.618	0.493
<i>Webster*</i>	0.00	1.00	0.441	0.504
<i>Casey*</i>	0.00	1.00	0.353	0.485
<i>Religion</i>	0.000327	0.003268	0.000433	0.000501
<i>Abortion Rate</i>	5.00	29.30	23.559	5.582
<i>Income</i>	0.566	0.766	0.662	0.065
<i>F.A.C.E.*</i>	0.00	1.00	0.294	0.462

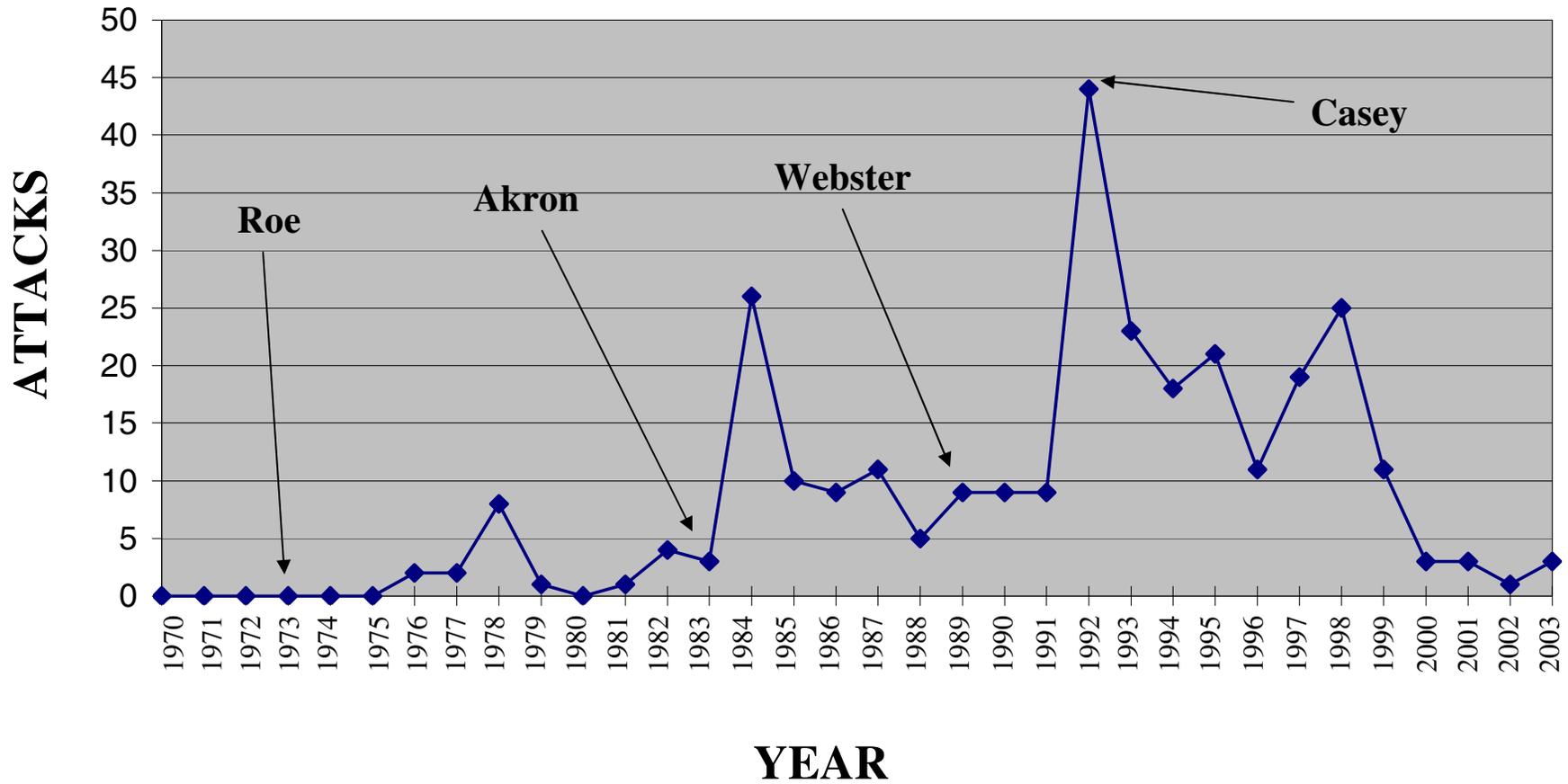
*Dichotomous variables, for which the mean represents the proportion of non-zero cases. i.e. for Akron, 61.8% of the years in this dataset reflect the presence of this Court ruling.

²² See Appendix A for details of the diagnostics for the effects of multicollinearity.

Attacks

As the dependent variable of this study, Attacks represents the annual number of anti-abortion attacks within the United States from 1970-2003. Figure 2 below, illustrates the distribution of the variable in relation to the four Court cases, with the maximum number of attacks occurring in 1992 (44). Conversely, the years 1970-1975 and 1980 show a minimum of zero attacks.

Figure 2:
Anti-abortion Attacks 1970-2003



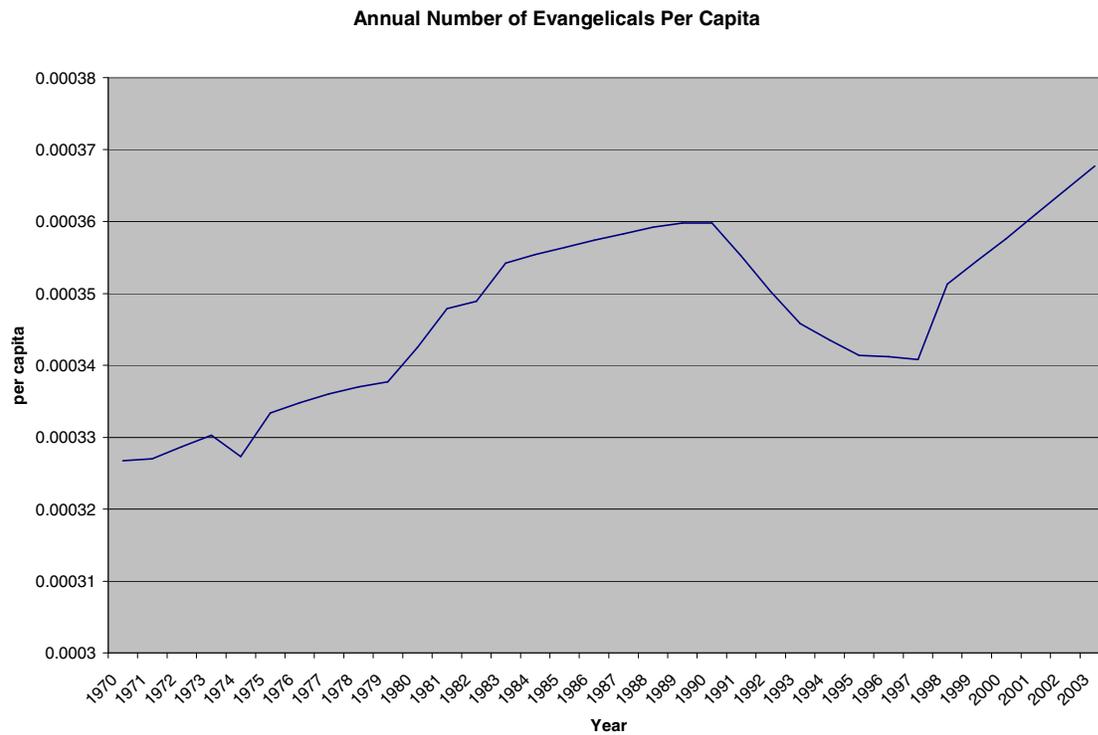
Akron, Webster & Casey

The three main independent variables of interest; Akron, Webster and Casey, are dichotomous in nature. As such, the effect of each Court case within the regression model will only be present during and after years in which the ruling was issued. Table 2 illustrates the distribution of each variable with Akron present in 61.8% of the observations. This compares with the Webster and Casey decisions, which are present in 44.1% and 35.3% of years respectively.

Religion

Figure 3 below captures the annual number of members within the Evangelical Covenant Church of America per-capita. 2003 represents the strongest year in terms of membership numbers, with 0.000367 members per capita. Conversely, the lowest membership point is 1970, with 0.000327 members per capita.

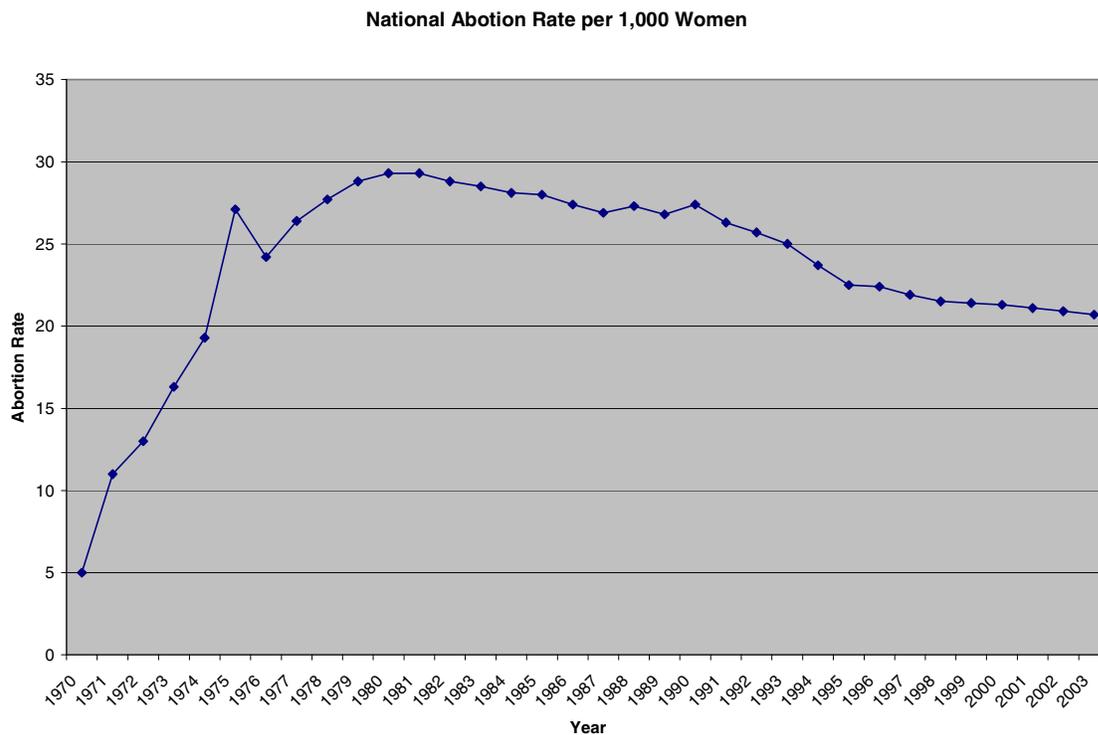
Figure 3: Evangelicals per capita



Abortion

The national abortion rate per 1,000 women is represented in Figure 4. We can see that the 1980-1981 period bore witness to the greatest number of legally performed abortions at a rate of 29.3 abortions per 1,000 women. Conversely, the low point came in 1970 when the abortion rate was only 5 per 1,000 women and *Roe* (1973) was still three years away.

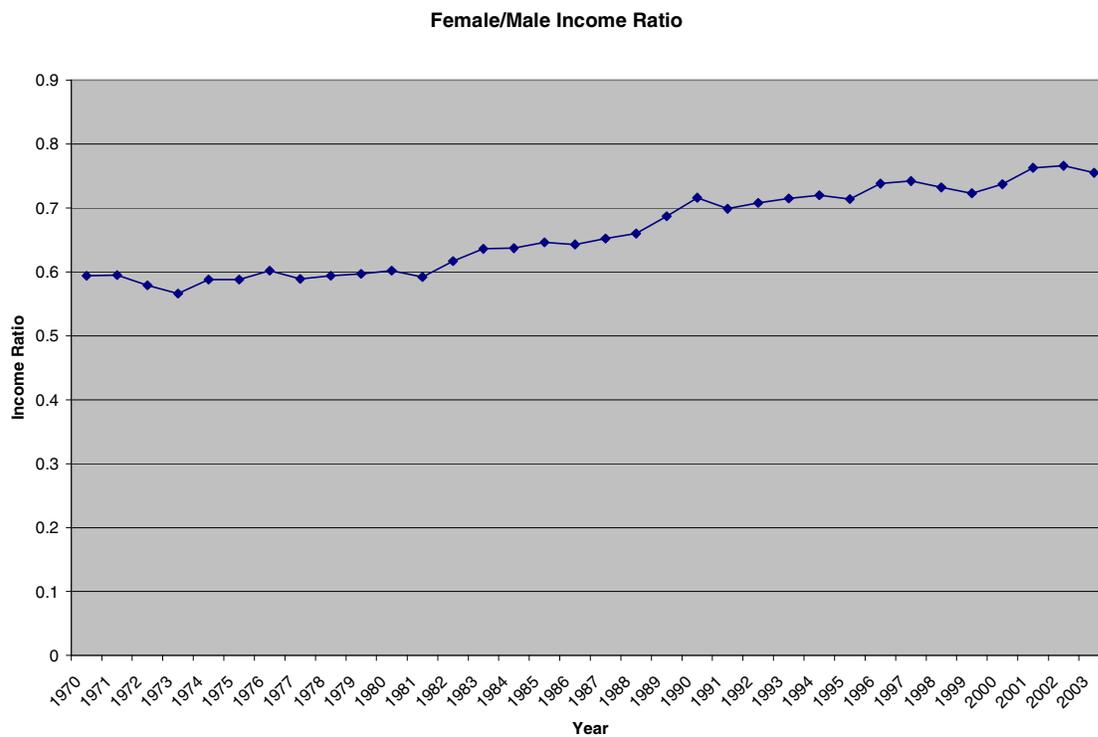
Figure 4: Annual U.S. Abortion Rate



Female/Male Income Ratio

As Figure 5 illustrates, the year in which the median earnings for women is strongest relative to men is 2002. During this time, the median income ratio is 0.766. Hence, women were making nearly 76.6% of what men were making. This number contrasts with that from 1973 when women were making just 55.6% of the median male income.

Figure 5: Annual U.S. Female/Male Income Ratio



F.A.C.E. Act

Recall that FACE is a dichotomous variable and thus, the effect of this variable within the main model is only apparent from 1994 through 2003. Table 2 above lists the mean value for FACE at 0.294. Thus, it may be said that the effect of the FACE Act within the model is apparent in 29.4% of the years.

Model Results

The regression estimates from the final model are listed in Table 3 below. Again, the Income variable has been removed in order to adjust for the potential problems associated multicollinearity. The results of this model find a significant relationship between two of the four Court cases (Akron and Casey) and the level of anti-abortion terrorist attacks. Furthermore, FACE and Religion were also found to be significantly related to ant-abortion attacks while Abortion was not. Below I shall discuss the relationship between each independent variable and the number of anti-abortion attacks in detail.

Table 3: Results from Models 1-4 on Anti-Abortion Attacks

	Model 1		Model 1		Model 1		Model 1		Model 2		Model 2		Model 2		Model 2		Model 3		Model 4		
	Co	Sig	Co	Sig	Co	Sig	Co	Sig	Co	Sig	Co	Sig	Co	Sig	Co	Sig	Co	Sig	Co	Sig	
Roe	5.92 (3.94)	0.072							5.74 (4.97)								-1.37 (3.70)		0.03 (3.18)		
Akron			10.74 (3.12)	0.001**							17.19 (6.08)	**					17.90 (5.33)	**	17.29 (3.54)	***	
Webster					8.76 (4.35)	0.027*								-5.18 (6.23)			4.96 (4.33)		2.36 (3.08)		
Casey							29.28 (7.52)	0.000***								23.27 (9.27)	**	19.74 (7.55)	**	19.51 (7.41)	**
FACE									-18.96 (9.45)	*	-20.90 (6.98)	**	-21.76 (8.73)	*	-13.94 (9.13)	*	-14.12 (7.02)	*	-14.26 (6.94)	*	
Abortion									-0.90 (0.45)	*	-0.49 (0.25)	*	-0.62 (0.30)	*	-0.04 (0.34)		0.10 (0.47)		0.04 (0.44)		
Religion ²³									188.56 (115.86)		207.84 (114.26)	*	163.61 (102.73)		108.13 (85.87)		141.51 (111.75)		186.47 (88.34)	*	
Religion Squared									-2.81 (1.64)		-3.12 (1.63)	*	-2.47 (1.46)		-1.57 (1.22)		-2.07 (-1.59)		-2.71 (1.26)	*	
Income									1722.13 (477.68)	***	-246.60 (818.59)		1596.22 (515.21)	**	2123.65 (538.13)	***	208.32 (613.99)				
Income Squared									- 1286.28 (365.58)	**	120.42 (631.48)		- 1168.24 (392.72)	**	- 1547.40 (386.42)	***	-214.72 (484.41)				
Year									1.51 (1.04)		1.70 (0.86)	*	1.86 (0.92)	*	-0.41 (1.18)		-0.18 (1.10)		-0.60 (0.90)		
N=	34		34		34		34		34		34		34		34		34		34		
R ² =	0.006		0.0194		0.101		0.334		0.742		0.842		0.753		0.769		0.876		0.873		

- sig. at .05 ** sig. at .01 *** sig. at .001

²³ For aesthetic purposes, the coefficient for the Religion variable was re-scaled by multiplying times 100,000. Hence, this variable represents the number of Evangelicals per 100,000 people within the United States.

Roe v. Wade (1973)

Table 3 shows no evidence that the pro-choice ruling in *Roe v. Wade* (1973) has any significant effect on the annual number of anti-abortion terrorist attacks within the United States.

City of Akron v. Akron Center for Reproductive Health Inc. (1983)

The relationship between the pro-choice ruling in *City of Akron v. Akron Center for Reproductive Health Inc.* (1983) was found to be positive and significant ($p=.000$). According to the estimate in Table 3, beginning in the year of this ruling (1983), the United States will on average, see an additional 16.35 anti-abortion terror attacks with each additional year.

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

Table 3 shows no evidence that the pro-life ruling in *Webster v. Reproductive Health Services* (1989) has any significant effect on the annual number of anti-abortion terrorist attacks within the United States.

Planned Parenthood of Southeastern Pennsylvania v. Casey (1992)

The relationship between the pro-life ruling in *Planned Parenthood of Southeastern Pennsylvania v. Casey* (1992) and the number of anti-abortion terrorist attacks was found to be positive and significant ($p=.002$). According to the estimate in Table 3, beginning in the year of this ruling (1992), the United States will on average, see an additional 16.02 anti-abortion terror attacks with each additional year.

F.A.C.E.

As predicted in Hypothesis 3, the relationship between the implementation and existence of the Freedom of Access to Clinic Entrances (FACE) Act (1994) was found to be negative and

significant ($p=.001$). According to the estimate in Table 3, beginning in 1994, the United States will on average, see 19.70 fewer anti-abortion terror attacks with each additional year.

Abortion

Table 3 shows no evidence that annual fluctuations in the national abortion rate have any significant effect on the annual number of anti-abortion terrorist attacks within the United States.

Religion

The relationship between the number of members within the Evangelical Covenant Church of America per-capita and the annual number of anti-abortion terrorist attacks within the United States is significant ($p=.021$), ($p=.018$) and curvilinear in nature. The reported coefficients in Table 3 indicate that a one unit increase in the number of church members per 100,000 people from the lower quartile of 33.70 to 34.70 produces an additional 3.82 anti-abortion attacks. Conversely, a one unit increase in the number of church members per 100,000 people at the upper quartile of 35.74 to 36.74 results in 7.24 fewer attacks. Similarly, at the median number of church members per 100,000 people, a one unit increase from 34.84 to 35.84 results in 2.36 fewer attacks.

Chapter 6: Discussion and Conclusion

In this paper I endeavor to examine the relationship between the various rulings on abortion procedures by the United States Supreme Court and the level of anti-abortion terrorist attacks within the framework of relative deprivation theory (Davies, 1962). Davies argued that political acts of violence are linked to the offender's state of mind. Specifically, when the gap between what the offender's wants and his current situation reaches a point of intolerance, peaceful means of protest are abandoned in favor of violence. In the case of the anti-abortion terrorist, I hypothesized Court rulings which veer away from pro-life interests, will result in further attacks while pro-life rulings will result in fewer attacks.

Independent Variables

The analyses presented in this study found that the rulings in *City of Akron v. Akron Center for Reproductive Health* (1982) and *Planned Parenthood of Southeastern Pennsylvania v. Casey* (1992) were significantly related to the annual number of anti-abortion terrorist attacks while the rulings in *Roe v. Wade* (1973) and *Webster v. Reproductive Health Services* (1989) were not. Moreover and contrary to my initial hypotheses, the direction of the Akron and Casey coefficients are each positive, suggesting that the direction of the ruling matters not. I discuss each finding in the section below.

Roe v. Wade (1973)

The estimates from the regression model show that the decision in *Roe* (1973) is not significantly related to the annual number of anti-abortion attacks and thus, offers no support for relative deprivation theory. This finding suggests that the motivation for the majority of attacks did not come into being until years after. It is quite possible however, that the majority of anti-abortion attacks would not have taken place had it not been for the *Roe* ruling. The fact that this variable was not significant may reflect certain attributes of the anti-abortion terrorist. Specifically, the regression results may suggest that the majority of offenders are reacting to changes in what they perceive to be the chances are to overturn *Roe*. This suggests that the offender's perception of said chances have a dynamic quality. Essentially, the pro-lifer's expectations may change over time. This brings us to the next Court case of interest.

City of Akron v. Akron Center for Reproductive Health (1982)

The regression estimates indicate that the pro-choice friendly *Akron* ruling served to increase the number of anti-abortion attacks as was hypothesized. This finding lends support to the relative deprivation theory, as it suggests that various pro-life activists saw the *Akron* case as a potential reversal of *Roe* (1973). It appears that the refusal of the Court to overturn *Roe*, effectively widened the gap between what the pro-life activist wanted and his/her reality. For some, the distance proved intolerable and thus, extremist means were substituted for peaceful ones.

Webster v. Reproductive Health Services (1989)

Initially, I hypothesized the pro-life friendly ruling in *Webster* would result in fewer anti-abortion attacks. The results however, indicate that this ruling is not significantly related to the number of annual anti-abortion attacks. As a result, this finding does not support the chosen theory of relative deprivation.

Planned Parenthood of Southeastern Pennsylvania v. Casey (1992)

Analyses from the regression model revealed a significant relationship between the *Casey* ruling and the annual number of anti-abortion attacks. Notably, the direction of the coefficient is positive and thus, in the direction opposite of my initial hypothesis. Indeed, the results suggest this pro-life friendly ruling served to increase the number of anti-abortion attacks. Even so, I believe this result provides support for relative deprivation theory when one considers the possibility that the pro-life community's expectations regarding the overturn of *Roe* (1973) may have shifted in the months leading up to the decision in *Casey*. Moreover, some within the research community have suggested this to be the case, as *Casey* represented the first time that the five newly appointed justices from the Reagan and Bush Sr. administrations would have a chance to overturn *Roe* (Blanchard and Prewitt, 1993; Blanchard, 1994; Risen and Thomas, 1998). When the desired effect failed to materialize with over 50 percent of the court having been remade with conservative justices, it is quite possible that some within the pro-life community ceased to see the Court and peaceful means in general, as viable tools for ending the practice of abortion.

The findings presented above offer partial support for the relative deprivation hypothesis. However, we must consider the possibility that the agenda of the average pro-life protester consists of not only limiting the practice of abortion, but to eliminate it altogether through the reversal of *Roe* (1973). In this view, any Court ruling that runs short of the complete reversal of *Roe* may be considered a failure and hence, an added source of frustration. Certainly, this appears to be the case as the decisions in Akron and Casey are significantly related to increases in the number of anti-abortion attacks.

F.A.C.E.

The estimates for the FACE variable provide support for my hypothesis and the corresponding theories of rational choice (Cornish and Clarke, 1986) and frustration/aggression (Dollard, Doob, Miller, Mowrer and Sears, 1939), which define the average offender as analytical in nature: often balancing the costs and benefits of his/her potential actions. The typical anti-abortion terrorist seems to fit this pattern as well when we consider the fact that anti-abortion attacks have decreased substantially following the passage of the FACE Act (1994). Thus, it appears that the increased penalties imposed by the FACE Act have effectively raised the costs of committing violent crimes against abortion clinics and staff to the point where it has deterred a significant amount of would-be anti-abortion terrorists.

Abortion

Estimates for the abortion variable were also insignificant, indicating that the national abortion rate does not have a significant effect on the number of anti-abortion attacks. In so

saying, this estimate failed to provide support for my hypothesis and the relative deprivation theory.

Control Variable

Analyses of the control variable estimates indicate that the numbers of evangelicals per capita are significantly related to the number of anti-abortion attacks while the national female/male earnings ratio are not. I shall discuss each finding below.

Religion

One of the more unusual findings in this model regards the curvilinear relationship between religion and attacks. Specifically, the results of the analyses show that as the number of evangelicals increases, so do the number of anti-abortion attacks, until the church reaches a certain size. Once the size of the church crosses this threshold, the effect on attacks is reversed and thus, increases in church membership result in fewer attacks. This may be the result of the incremental diversification of opinions amongst the church membership, which can result in less extreme or doctrinal policies over time. If this is the case, it stands to reason that a church's shifting toward a more mainstream stance on abortion could result in fewer attacks.

In general, I find partial support for relative deprivation theory (Davies, 1962) and the notion that the average anti-abortion terrorist is influenced by the rulings of the Supreme Court. Specifically, I find that certain abortion Court rulings, regardless of their ideological siding, result in an increase in the annual number of anti-abortion attacks, suggesting that the Court's refusal to overturn *Roe* (1973) effectively widens the offender's situation/goal gap to the point of intolerance. I also find support for rational choice theory (Cornish and Clarke, 1986) and frustration/aggression theory (Dollard, Doob, Miller, Mowrer and Sears, 1939) within the

estimates for the FACE variable. In short, the implementation of the F.A.C.E. Act (1994) and its increased penalties, appear to serve as a deterrent to many of those who would engage in anti-abortion terrorism. And finally, the results of this study also point to small and possibly non-diverse Evangelical churches as a source for anti-abortion terrorism while large, and potentially more diverse Evangelical churches seem to be associated with fewer attacks.

Limitations

There are several important limitations to this study. First, it is likely that the results suffer from omitted variable bias since certain other possible explanations for the variation in the number of anti-abortion attacks were not controlled for. Specifically, this study did not examine the impact of state abortion laws. Quite possibly, the typical anti-abortion terrorist will be influenced to a greater degree by the events in his home state rather than those of national import. Additionally, the type and amount of media coverage devoted to the topic of abortion was not accounted for either. Perhaps the media's actions have an effect on how the typical pro-life offender views the issue of abortion.

Second, the data used in this study suffers from an extremely small sample size (N=34). The results of the model in turn, are more likely to suffer from type II error. Certainly, the use of a small sample size increases the difficulty associated with finding significant effects within the model. Future efforts to provide insight into this topic could be improved by including more observations.

Third, the methodology associated with this study is not able to assess the exact times at which the Court case begins and ceases to have an effect on the dependent variable. Such

information could allow one to predict when the effect of a certain ruling would begin and end. Other analytical techniques such as survival analysis may provide a way to accomplish this task.

Fourth, as the four Court case variables are dichotomous in nature, they are meant to represent the effect of each case on a given year. Unfortunately, coding these variables to the annual level effectually assumes each case to have been decided on January 1st. This is simply not the case. *Roe* (1973) for instance, was decided on January 22nd. Likewise, the *Casey* (1992) opinion was delivered on June 29th. As such, any anti-abortion attack occurring within the year of said ruling, yet before the actual date in which the opinion was delivered will inevitably be counted as if it occurred after the fact. This added bias compels one to use caution when observing the results of this model.

Finally, the data used to comprise the Religion variable is somewhat wanting. Admittedly, the annual number of members within one Evangelical church relative to the national population is not likely to be representative of the entire fundamentalist population within the United States. As such, the results associated with the Religion variable may be bias due to measurement error. With the addition of more representative data, future studies can avoid this problem.

Practical Implications

One of the strongest driving forces for social research lies within the hope of presenting viable options for policymakers and professionals alike. The crimes associated with anti-abortion terrorism in particular, seem to cry out for such attention. That said, I believe this study offers the following ideas.

First, Supreme Court abortion rulings and possibly other nationally recognized events may be used to help predict periods of increased anti-abortion terrorism. The utility of such information cannot be overstated, as it would allow policymakers to proactively implement various programs aimed at preventing the attacks as opposed to dealing with the fallout after the fact. Essentially, knowing when a crime is more likely to happen, allows for the placement of increased security around clinics and staff, potentially, deterring would be offenders.

Second, although the evidence was somewhat weak, this study found a significant link between the growing number of evangelicals nationwide and the number of anti-abortion attacks. I recognize that not every evangelical possesses fundamentalist viewpoints. However, several studies including this one have shown the evangelical faith to be associated with anti-abortion activity (Green, 1999; McVeigh and Sikkink, 2001). And although the majority of anti-abortion protests within the evangelical community are undoubtedly peaceful, it is possible that the extremist will at some time, be attracted to such activities. Law enforcement officials and policymakers alike could therefore benefit from establishing a dialogue with the religious community in an attempt to provide another peaceful means for pro-life activists to express their opinions.

Finally, this study provides strong support for the notion of deterrence relative to the anti-abortion offender. As illustrated in Table 4, the enactment of the F.A.C.E. Act (1994) resulted in steep declines for anti-abortion violence for the next nine years. This suggests that the typical offender is indeed calculating and cognizant of the prospective costs and benefits associated with committing an act of terrorism. Furthermore, the results suggest that federal policy and criminal

legislation may be used to alter the offender's cost/benefit analysis to the point where the crime no longer appears as a viable option.

Conclusion

The dearth of quantitative research on the causes of anti-abortion terrorism is startling, especially when considering the level of engagement with which contemporary society treats the topic of abortion. Furthermore, certain methodological limitations within the few existing studies, have underlined the need for further research. This study has attempted address these issues while providing insight into avenues for future research.

The findings from this study suggest that certain Supreme Court rulings on the topic of abortion, serve to increase the number of anti-abortion attacks nationwide. These findings provide support for relative deprivation theory in so much as they suggest that any Court ruling that runs short of the overturning of *Roe* (1973), serves to widen the pro-life offender's situational/goal gap past the point of tolerance. Additionally, these findings suggest that the typical anti-abortion terrorist is associated with certain parts of the Evangelical church, and acts according to a rational, cost/benefit analysis (Cornish and Clarke, 1986). Furthermore, this method of analysis appears to be affected by national policies of deterrence, as evidenced by the drop in anti-abortion attacks following the signing of the F.A.C.E. Act (1994).

Our understanding of anti-abortion terrorism can be furthered through future research into its correlates. Specifically, future research would do well to make use greater sample sizes. This would increase the statistical power of the model, while allowing for the inclusion of additional independent variables.

Since only two of the four Court cases used in this study produced significant estimates, future research should attempt to include a broader range of abortion Court cases. The inclusion of these additional cases would serve to test for a case by case variation in the effects imposed upon anti-abortion terrorists.

Future research should also attempt to include a more representative variable controlling for the effects of fundamentalist religion. Unfortunately, membership data on religious organizations is often spotty. However, the addition of a more representative religion variable should add substantially to the model's ability.

Finally, future research into this area should attempt to further our understanding of rational choice theory as it relates to anti-abortion terrorism. This can be accomplished through the inclusion of variables controlling for varying deterrence-based laws and policies such as state abortion protest laws.

Appendix A: Model Diagnostics for Multicollinearity

The correlation matrix below indicates high correlation scores for several independent variables. This poses a formidable challenge to the results of my model as collinear variables raise the chances of committing type II errors. Put simply, when two or more independent variables are highly correlated, standard errors are inflated, possibly resulting in erroneously null findings.

Correlation Matrix: Independent Variables

	Roe	Akron	Webster	Casey	FACE	Abortion	Religion	Income
Roe	1.000							
Akron	0.395	1.000						
Webster	0.276	0.699	1.000					
Casey	0.230	0.581	0.831	1.000				
FACE	0.201	0.508	0.727	0.874	1.000			
Abortion	0.786	0.221	-0.052	-0.164	-0.214	1.000		
Religion	0.512	0.777	0.460	0.298	0.300	0.467	1.000	
Income	0.352	0.851	0.921	0.844	0.784	0.043	0.667	1.000

In order to confirm the presence of multicollinearity, I also computed the variance inflation factors (VIF) for each of the independent variables. The figures provided below provide additional evidence for the presence of multicollinearity within the model since all variables with

the exception of Roe have a variance inflation factor of 10 or higher.²⁴ Unfortunately, the high levels of correlation among the four Court case variables cannot be avoided since they are all dichotomous representations of events during and after the year of said ruling. As such, there is a certain degree of overlap. The Religion and Income variables however, have by far the highest VIF scores among the independent variables.

Variance Inflation Factors

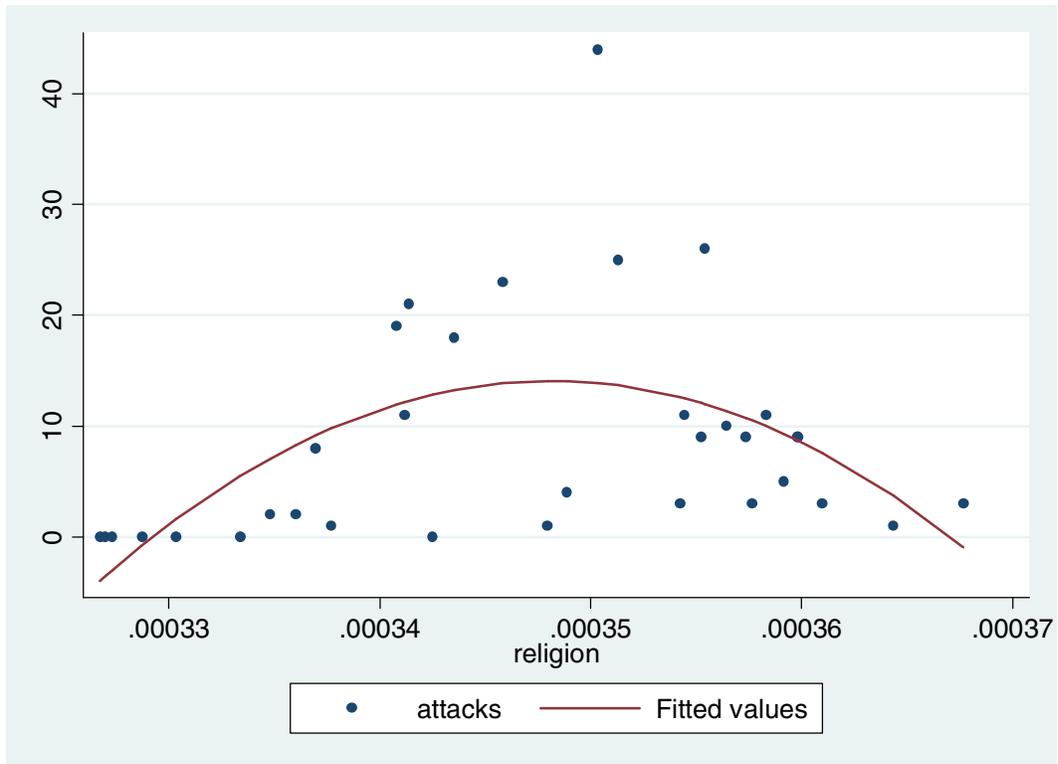
Variable	VIF	1/VIF
Roe	5.82	.172
Akron	11.77	.085
Webster	12.42	.081
Casey	16.03	.062
Face	11.23	.089
Abortion	11.48	.087
Religion	21007.08	.000
Religion square	20529.41	.000
Income	4342.76	.000
Income square	4199.98	.000
Year	142.14	.007
Mean VIF	4578.19	

²⁴ According to Hilderbrand and Ott (1998), scores of 10 or more represent very high levels of multicollinearity.

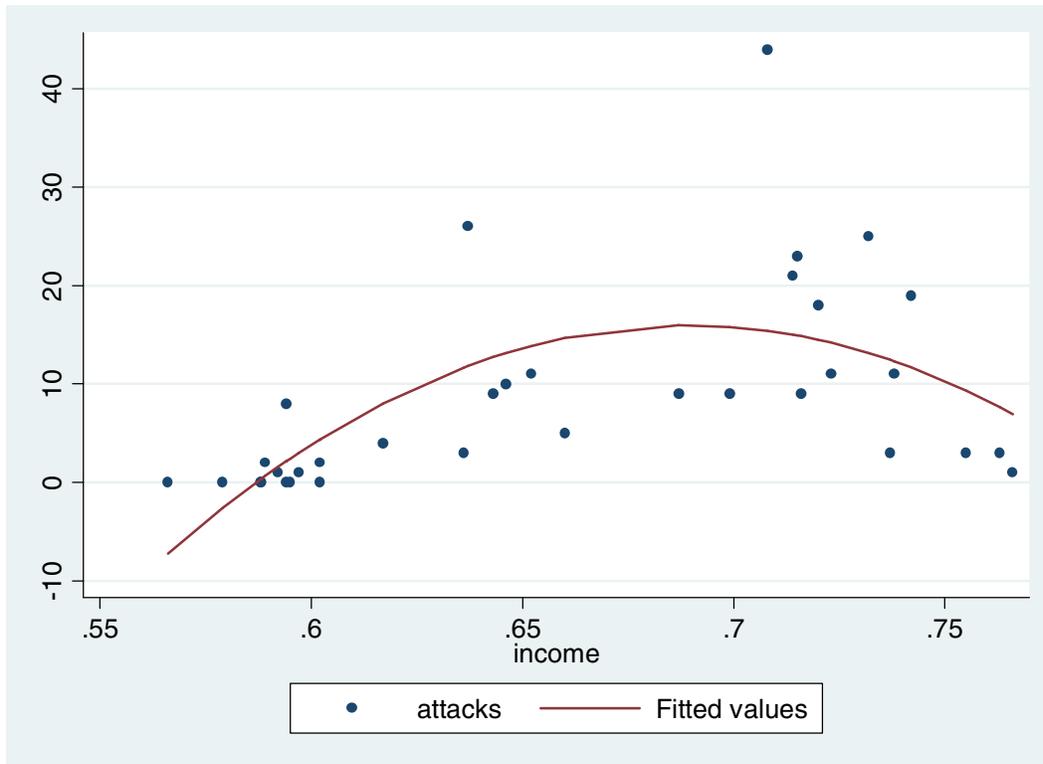
Appendix B: Model Diagnostics for Curvilinear Relationships

The graphs below depict the relationships between the dependent variable and the Income and Religion variables. The inverted U shape of each graph suggests these relationships are not linear. By keeping these variables in the regression model, I would be forcing a linear prediction on two nonlinear relationships, resulting in bias estimates. In order to adjust for this potential model deficiency, I created two squared terms for Income and Religion and placed them within the model (see tables below). The resulting regression estimates show the squared terms to be significant and thus confirm the presence of a curvilinear relationship for both variables.

Attacks, Religion, and the fitted values



Attacks, Income, and the fitted values



Testing Income for a Curvilinear Relationship

N = 34		
R ² = 0.3067		
	Coefficient (Standard Error)	Sig.
Independent Variables		
Income	1997.28 (697.77)	.004**
Income squared	-1447.69 (520.33)	.005**

- sig. at .05 ** sig. at .01 *** sig. at .001

Testing Religion for a Curvilinear Relationship

N = 34		
R ² = 0.1695		
	Coefficient (Standard Error)	Sig.
Independent Variables		
Religion	0.000000249 (9847878)	.009**
Religion squared	-0.00000000357 (0.0000000142)	.009**

- sig. at .05 ** sig. at .01 *** sig. at .001

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