

## Divergent Successes: What the Abortion Rights Movement Can Learn from Marriage Equality's Success

The public conversation about abortion rights in the United States asserts that abortion is “losing”—and by many metrics, that is right, even in the wake of the June 2016 Supreme Court decision in *Whole Woman's Health v. Hellerstedt*, which ruled some forms of abortion restrictions unconstitutional.<sup>1</sup> Since 2010, states have enacted nearly 300 new abortion restrictions.<sup>2</sup> Numerous dedicated abortion clinics have closed—87 in 2013 and 71 in 2014—and these closings have had negative effects on access to abortion.<sup>3–5</sup> Even when access to abortion in general persists, some kinds of abortion, such as procedures after 20 weeks' gestation, have become more difficult to access.<sup>6</sup> Although public opinion about the legality of abortion has been largely stagnant over the past 40 years, polls suggest that young adults are less interested in the issue in general than are adults older than 30.<sup>7</sup>

Meanwhile, other sexuality-related movements have enjoyed great success, most notably, the movement for marriage equality. In June 2015, the U.S. Supreme Court ruled that same-sex couples have a constitutional right to marriage.<sup>8</sup> Even prior to that ruling, the movement had witnessed a rapid increase in the number of states that legalized same-sex marriage: from just four (plus the District of Columbia) in 2010 to 35 (and the District of Columbia) by the end of 2014.<sup>9</sup>

The differing fortunes of abortion rights and marriage equality have inspired comparisons, many of which intimate that the movements' different outcomes are due to the content of their claims.<sup>10–14</sup> Writing in *The Nation*, for example, Katha Pollitt has argued that “marriage equality is about love,” and “reproductive rights, in contrast, is about sex.”<sup>10</sup> In *The News Tribune*, Cokie and Steve Roberts have argued, “Abortion has a tangible, identifiable victim.... Gay marriage has no comparable downside.”<sup>15</sup> Journalists' explanations for the movements' respective failures and successes, however, are not often grounded in the extensive literature on social movement success. If it is true that abortion is just different from same-sex marriage—and, by implication, tougher to advocate for—what explains the fact that at certain times in the past, same-sex marriage was vilified while abortion was supported? Any thinking about the present moment must acknowledge that the histories of both movements include triumphs and setbacks.

Thus, from an empirical perspective, three central questions remain unanswered. First, what makes a social movement successful? Second, how do the marriage equality

and abortion rights movements measure up? Third, what opportunities for the abortion rights movement does this analysis suggest?

### SOCIAL MOVEMENT SUCCESS

Social movements, broadly defined, are collections of individual actors and organizations that seek “to alter power deficits and to effect social transformations through the state by mobilizing regular citizens for sustained political action.”<sup>16</sup> (p.288) Although these actors and organizations may be coordinated in their efforts or operate independently, they can be understood collectively to represent a shared interest in social change. Yet the questions of whether social movements matter and what outcomes they effect are contentious among scholars.<sup>16</sup>

Scholars of social change movements have recognized that defining social movement success is not straightforward.<sup>16</sup> The first difficulty arises from the heterogeneity of social movements. Large social movements consist of numerous individuals and organizations, all of which agree on the need for change, but not necessarily on the specific changes needed, let alone the best processes for achieving change. Movements are often characterized by radical and mainstream threads, which make different claims and sometimes even mobilize against one another,<sup>17</sup> making it hard to nail down what outcomes constitute general victories.

Second, there is the question of measuring success. Scholars have predominantly defined movement outcomes in terms of policy changes, partly because they can be easily defined and measured.<sup>16,18</sup> However, this definition limits consideration of cultural and institutional consequences (e.g., changes in public opinion), and overlooks the possibility of unintended consequences even in the absence of measurable policy effects.<sup>16,18</sup> Some scholars have shifted to a focus on the idea of “collective benefit” as a way out of this measurement dilemma.<sup>16,19</sup>

Finally, there is the methodological challenge of attribution: Can a social movement really be credited (or blamed) for political, policy and cultural changes? Scholars have debated whether social movements ever matter, and some argue that change may be due to independent occurrences or other political actors, institutions and processes.<sup>20–22</sup> Nonetheless, the literature demonstrates that at least some social change comes about because of social movement advocacy.<sup>16</sup> Acknowledging these thorny conceptual challenges to defining “success,” scholars have generally shifted

By Katrina Kimport

Katrina Kimport is assistant professor, *Advancing New Standards in Reproductive Health*, University of California, San Francisco.

to evaluating how and whether social movements have influence.<sup>16</sup>

The past decade has witnessed a steep rise in scholarly investigation of social movement outcomes. In a comprehensive review of this literature, Amenta et al. found three key components of social movement that may help determine their influence, all of which, importantly, must work in concert.<sup>16</sup> First, the movement must be able to mobilize its resources, both financial and human.<sup>23</sup> In practice, this means that a movement must have a robust organizational infrastructure that can collect and skillfully deploy resources. Movements are most likely to be influential when they are populated by diverse kinds of organizations, including a variety of structures, sizes and leaders, as these variations can enable them to authentically connect with different constituent subgroups and audiences.<sup>24,25</sup>

Second, the movement must be able to persuade outsiders and people in power of its claim for social change.<sup>26–28</sup> Scholars have talked about this process as framing, showing that how a movement makes a claim matters for its ability to achieve change. Frames, often termed “collective action frames,” must be consistent with the audience’s personal experience and have cultural resonance—they have to make sense to the listener and comport with his or her experience. A frame requires strategic construction and cannot be reduced to *what* social change a movement seeks; it must convey *how* a movement makes its case for that change. Movements able to frame their message in ways that appeal not only to constituents, but also to decision makers<sup>29</sup> and the media,<sup>30,31</sup> are the most likely to succeed.

The values of these first two components of a social movement are not additive but interactive. For example, the more diverse a movement’s organizational infrastructure is, the more effectively the movement can deploy varied frames targeted to resonate with specific audiences.<sup>32</sup> Similarly, organizationally diverse movements with resonant collective action frames are able to engage in a range of tactics, from conventional to unconventional: Some organizations advance mainstream claims and engage in nonconfrontational actions like lobbying and electoral politics, while other organizations make more radical claims and may engage in innovative, entrepreneurial or disruptive tactics that grab headlines and connect to audiences emotionally. Successful social movements master the matching of tactics from authentic organizational sources with resonant framing.<sup>28</sup>

Finally, people in power must take action. For social movements with political goals, institutional political actors have to believe that supporting the movement will facilitate their own goals,<sup>33,34</sup> thus, the movement has to operate within a broad political structure that has its own rules, bureaucracies and history. Success, in other words, is necessarily politically mediated.<sup>16</sup> For example, Ferree et al. have argued that in the United States, which has a weak welfare state and strong civil society, abortion rights advocates rely primarily on a frame asserting individuals’ independence from the state; by contrast, in Germany, which has

a strong welfare state and weak civil society, frames about fetal life dominate.<sup>35</sup> Similarly, Halfmann has argued that varying political structures partially explain why abortion remains politically contested in the United States, but far less so in Britain and Canada: In the United States, dueling movements can make their cases in legislative, judicial and executive arenas, seeking a favorable political environment, but in Britain and Canada, decisions made by one branch of government cannot be easily appealed to another.<sup>36</sup>

Other scholars have suggested that favorable public opinion is an additional prerequisite to achieving major political change,<sup>22,37</sup> although public opinion could also be conceptualized as a social movement outcome itself, rather than a precursor to action.

It is worth noting what is not on this list of the components of social movements that lead to influence. The literature does not indicate that there is something fundamental about any given issue that makes a difference in success; the difference between success and lack thereof—or, better put, influence and a lack of influence—is structural. Likewise, the literature does not demonstrate that opposing movements play a primary role in determining social movement influence, although there is evidence that opposing movements play a mediating role, constraining a movement’s available collective action frames and affecting the political climate.<sup>16</sup>

## COMPARING TWO MOVEMENTS

### Marriage Equality

The marriage equality movement—defined here as the collective effort to secure for same-sex couples legal marriage rights that are equivalent to those afforded different-sex couples—has a surprisingly long history. Although advocacy for same-sex marriage burst into the public consciousness in 2004, with large-scale same-sex weddings in San Francisco and the advent of legal same-sex marriages in Massachusetts, that was not the beginning of activism for same-sex marriage. As early as the 1970s, same-sex couples approached county clerks to request marriage licenses—and they were denied, prompting legal challenges, which were generally unsuccessful.<sup>38,39</sup> There was an uptick in activism for and against same-sex marriage in the 1990s. In 1996, the federal Defense of Marriage Act was enacted, preventing same-sex couples from being recognized as spouses for purposes of federal laws, and enabling individual states to refuse to recognize legal same-sex marriages performed in other states.<sup>38</sup>

For the decade preceding the 2015 Supreme Court ruling in favor of a constitutional right to marriage,<sup>8</sup> the snapshot of the marriage equality movement depicted a movement with a robust organizational infrastructure. On the one hand, it included national, mainstream organizations, like the Human Rights Campaign, that were founded in the 1980s in response to a spate of antigay ballot initiatives<sup>40,41</sup> and could engage national, mainstream audiences. On the other hand, it included emergent local, more militant organizations, such as GetEqual, that could connect with more

marginalized audiences.<sup>42</sup> These diverse organizations could appeal to and mobilize distinct audiences without having to compromise or contradict their individual messages to achieve broader appeal. In essence, they were able to divide and conquer.

Starting in the early 2000s, though with traces dating from the 1990s,<sup>43</sup> the movement framed its advocacy of the right to marry in language emphasizing “love and commitment,”<sup>44</sup> and its diverse organizations leveraged this frame for their respective audiences. For example, some emphasized the importance of marriage rights for children of same-sex couples, asserting that love makes a family and the law of the land should reflect that. Others showed how the lack of marriage rights (and the associated lack of spousal social security benefits) limited the ability of older gay and lesbian couples who are in loving, committed relationships to financially protect one another in the event of one partner’s death.

The organizational diversity of the movement enabled it to deploy not only conventional tactics, such as political messaging and lobbying, but also the highly innovative direct action of requesting a marriage license. Mainstream organizations might have risked their donor base or upset more conservative constituents by engaging in such acts of civil disobedience, but smaller, more radical ones were not similarly constrained. The marriage license requests clearly benefited the movement,<sup>45</sup> but conventional actions were also integral. Ultimately, credit for the movement’s success cannot be attributed to particular organizations or actions; organizational diversity itself and the associated ability to advocate on multiple fronts facilitated influence and success.

Further, over the past decade, the lesbian and gay movement in general, and marriage equality in particular, has enjoyed favorable legal opportunities.<sup>45,46</sup> Between 2004 and 2015, the Supreme Court has ruled in favor of gay rights four times.<sup>38</sup> Lastly, after years of a hostile political climate, characterized by hostile legislators and antigay ballot initiatives,<sup>40,41</sup> the political environment improved greatly when President Obama came out in support of same-sex marriage in 2012 and similar support was adopted as part of the Democratic National Committee’s platform.

Throughout these efforts, marriage equality faced strong opposition in the form of the religious right movement,<sup>41</sup> and it experienced many setbacks. In 2008, just a few years before the Supreme Court found a constitutional right to marriage, California voters passed Proposition 8, rolling back legal same-sex marriage in the state. At that moment, success seemed elusive for proponents of legal same-sex marriage, even as the structural components that would soon enable success were falling into place.

### **Abortion Rights**

A different contemporary snapshot emerges of the abortion rights movement, defined here as a social change effort that seeks to ensure legal abortion access in the United States, although this definition overlooks nuances of and

disagreements within the movement. The literature on the contemporary abortion rights movement is far thinner than that chronicling the marriage equality movement—illustrating the importance of continuing and, indeed, increasing scholarly attention to the abortion rights movement from a social movement perspective. Because of the relative dearth of scholarship, the analysis below may not capture very recent developments in the movement.

The abortion rights movement is made up primarily of mainstream, national organizations that were founded during the 1960s and 1970s to advocate for legal abortion, such as NARAL Pro-Choice America;<sup>47</sup> it includes few emergent, less conventional or grassroots organizations.<sup>48</sup> This infrastructure has not always been so monolithic. Indeed, in previous decades, the prochoice movement was characterized by a diversity of organizational forms, including national, mainstream organizations, like Planned Parenthood and NARAL, but also local, more radical organizations, like Chicago’s Women Organized for Reproductive Choice.<sup>25,47,49</sup> As the movement professionalized, its local, smaller organizations folded, and its organizational diversity largely disappeared.<sup>49</sup>

One may think that organizations associated with the reproductive justice movement—a movement characterized by grassroots, community-based advocacy<sup>50</sup>—might serve as the more nimble arm of the abortion rights movement. Scholars and activists have debated the relationship between the abortion rights and reproductive justice movements, noting that many early constituents of the latter explicitly distanced themselves from the former.<sup>51</sup> Whereas the abortion rights movement is often associated with middle-class, white feminism, the reproductive justice movement (embodied in such organizations as SisterSong and Trust Black Women) starts explicitly from the experiences of women of color.<sup>51,52</sup> In so doing, reproductive justice emphasizes the importance of supporting individuals’ desire to parent, alongside ensuring access to abortion, and sees a narrow focus on abortion as overlooking the reproductive needs and experiences of low-income women and women of color.<sup>51,52</sup> If the abortion rights and reproductive justice movements can work through their tensions regarding class and race, there is enormous potential for both movements from the perspective of organizational diversity. The resulting heterogeneous organizational structure would enable advocates for safe, legal, accessible abortion to deploy a broader range of frames and reach a larger array of audiences.

Similarly, scholars have noted the emerging participation of professional medical associations in advocating for legal abortion.<sup>49,53</sup> These organizations represent mobilization of a different constituency (i.e., clinicians); have access to different frames (e.g., physician autonomy); and include some more grassroots, emergent organizational structures.<sup>53</sup> They, too, represent opportunities for increasing the organizational diversity of the abortion rights movement. Before these opportunities can be fully realized, however, underlying ideological conflicts between the feminist and clinician

constituencies—historically, feminists have been critical of medical authority over the body, and clinicians have been committed to protecting their autonomy in medical decision making—must be worked out.<sup>49</sup>

The abortion rights movement's dominant collective action frame is a rights frame,<sup>35,54</sup> echoing the master frame of civil and equal rights that has strongly resonated for decades.<sup>55</sup> Whether articulated as being about women's privacy or about choice, the rights frame cites a collective good that a particular identity group (women) should have access to as part of a democratic nation. (The parallel assertion by abortion-providing physicians of the preeminence of physician autonomy,<sup>49</sup> while distinct, is consistent with the rights-based frame.) The movement's attachment to a rights frame has at least one clear advantage. "Rights" is the language of the law, and thus is both necessary and expedient in legal and judicial arguments in support of access to safe and legal abortion. The frame also has its critics: Women of color argue that the focus on abortion is untenably narrow and overlooks patterns of broader marginalization of their ability to determine when and if they want to parent;<sup>51,56,57</sup> providers feel that their nuanced and sometimes ambivalent experiences are unwelcome.<sup>58</sup> Simultaneously, the antiabortion movement has mediated the terrain on which the abortion rights movement is fighting,<sup>59,60</sup> co-opting the idea of rights by deploying claims about fetal rights and repositioning concerns about rights to focus on women's right to be protected from harm.<sup>30,61</sup> As a result of this mainstream organizational structure and staid rights frame, the abortion rights movement has a fairly narrow tactical repertoire, dominated by conventional political actions and lacking responsive, radical tactics.<sup>48,49,54</sup>

Finally, the abortion rights movement has faced an unsympathetic—and often, hostile—legal and political climate, created in part by the robust antiabortion movement.<sup>36,59,60</sup> In the years since *Roe v. Wade*, the Supreme Court has changed the legal standard for determining the constitutionality of regulation of abortion from strict scrutiny to undue burden.<sup>57,62</sup> That is, the Court has fundamentally shifted the legal burden from requiring abortion opponents to justify regulation of abortion access to requiring abortion rights supporters to prove that a given restriction impedes women's access to abortion.<sup>62</sup> *Whole Woman's Health v. Hellerstedt*—in which the Court found that requiring abortion providers to have hospital admitting privileges and provide care only in ambulatory surgery centers poses an undue burden on women<sup>1</sup>—was a legal victory for abortion rights supporters. Previous decisions, however, have not been favorable (e.g., *Gonzales v. Carhart*, in which the Court upheld a federal ban on a type of procedure used in some abortions after 20 weeks, ruling that it did not pose an undue burden<sup>63</sup>). Legal scholars have argued that Justice Anthony Kennedy, who functions as the deciding vote between liberal and conservative justices, is not a reliable vote on cases related to women's equality,<sup>64</sup> suggesting that the *Whole Woman's Health* decision may not represent a shift toward a favorable legal climate for abortion rights.

Although abortion rights has been part of the Democratic National Committee platform since 1992, the movement has experienced decreasing political support. Even as politicians have endorsed abortion rights, they have distanced themselves from unapologetic commitments to it—for example, with the emphasis on keeping abortion "safe, legal and rare."<sup>65</sup> Meanwhile, states continue to enact restrictions on abortion care, highlighting the strong political opposition to abortion rights.<sup>2</sup>

## ABORTION RIGHTS OPPORTUNITIES

A focus on the structural aspects of the same-sex marriage and abortion rights movements explains much about their divergent trajectories, but the content of these two movements is not extraneous. Both movements contest normative constructions of sexuality as primarily procreative. Both challenge deeply held social norms about gender and sexuality. (Early critics of marriage equality within the queer community asserted that marriage is fundamentally assimilationist, but contemporary scholarly consensus holds that same-sex marriage is not assimilationist.<sup>66</sup>) Given these similarities, marriage equality's success, built on a robust social movement, should be encouraging to abortion rights supporters: Simply put, social movements advocating on behalf of nontraditional sexuality can matter.

The theoretical framework suggested in this comment points to areas where the abortion rights movement could invest resources to change its fortunes. In the short term, it is unlikely to reform the unfavorable political and legal climates, although the vacancy on the Supreme Court following the death of Antonin Scalia and the favorable ruling in *Whole Woman's Health* offer the possibility of a more favorable legal environment in the near future. The movement nonetheless may have immediate opportunities to diversify its organizational structure by investing in emergent, grassroots organizations that could appeal to new audiences. These new organizations, further, might be able to develop and deploy innovative protest actions that cultivate new supporters, but do not undermine the mainstream legitimacy of current organizations. This organizational diversity may be easier to accomplish than it first appears. The abortion rights movement does not need to build new organizations from the ground up: The robust reproductive justice movement and the medical professional associations committed to abortion advocacy already boast organizational structures that differ from those of existing abortion rights organizations. If advocates from these groups can resolve the tensions that divide them, the resulting coalition will be characterized by strong organizational heterogeneity.

In addition, the abortion rights movement may have opportunities to strengthen its framing of its social change message. In this moment of critique, co-optation and waning cultural resonance, the movement does not need to rely exclusively on a rights frame. The abortion rights movement could consider its own version of marriage equality's successful love and commitment frame, one that similarly emphasizes the importance of self-determination in creating

families. Some alternative frames may already be emerging, such as the shift away from the language of “choice,” most publicly by Planned Parenthood, and the efforts, largely by independent abortion providers, to emphasize a message that “good women get abortions.” Additionally, there is evidence of the influence of reproductive justice frames,<sup>52</sup> as some abortion advocates emphasize the twin rights not to be a parent and to be a parent.

Marriage equality’s experience may yield lessons not only about the substance of persuasive frames, but also about the process of developing them. In the 1990s, the Hawaii effort to secure same-sex marriage largely relied on a rights-based framework—and it lost.<sup>43</sup> Marginal but emergent from the grass roots, however, was the love and commitment framework that, more than a decade later, was adopted and wildly successful.<sup>44</sup> The abortion rights movement should not delay a systematic investigation into alternative frames, especially those that have shown evidence of small-scale resonance.

The work on these two fronts, of mobilizing constituents and deploying resonant frames, will not be easy. Contention over abortion, like many other social movement issues, draws on—and foments—deeply held beliefs. These include ones about expectations of women, loosening sexual norms and the changing role of the family,<sup>67</sup> all of which, it happens, underlay the politics of marriage equality.<sup>41</sup> Research suggests, however, that these deeply held beliefs are mutable. Contests over abortion at different points in history have represented the manifestation of different social debates,<sup>68</sup> including ones over race and professionalization.<sup>69</sup> Likewise, there is evidence that activists are drawn into the antiabortion movement less because of deep-seeded beliefs than for social reasons, and that they only later fervently embrace its ideology.<sup>70</sup> Activism on behalf of social change is never easy, but beliefs, even deeply held ones, can and do change, most often to oppose the status quo.<sup>71</sup>

In the longer term, despite the currently unfavorable legal and political climate, the abortion rights movement can take some solace from marriage equality’s experience. The marriage equality movement experienced many of its gains prior to enjoying a favorable political environment, suggesting that abortion rights supporters have opportunities for success even without a favorable political environment. The political support of leaders like President Obama unquestionably mattered to marriage equality’s overall success, but it was not required for the movement’s early successes. Sexuality-related movements may be able to succeed with some combination of favorable institutional opportunities, but they do not explicitly require national political support.

## THINKING BIG PICTURE

While the divergent trajectories of the marriage equality and abortion rights movements have been attributed to something about the issues themselves,<sup>72</sup> a structural analysis offers important alternative insight into why marriage

equality is “winning” and abortion is “losing.” In essence, the marriage equality movement had all the components for success, while the abortion rights movement lacks several. Certainly, a focus on the structure of movements does not tell the full story of how social change happens—nor do structural analyses always explain instances in which movements are unsuccessful. Social movements are always only one player in a field that includes political leaders, opposing organizations and institutional processes, all of which condition the possibility of organizational diversity, availability of resonant frames, and political and legal climates. Social change regarding abortion involves a complex interplay of political mediation,<sup>35,36</sup> opposing movements<sup>59,60</sup> and media attention,<sup>30,73</sup> for example. Nonetheless, thinking about the structure of the abortion rights movement is an important corrective to accounts that posit current setbacks as the result of something intrinsic to the abortion issue.

This analysis is not meant to be definitive or exhaustive. Rather, it aims to offer explanations for the current status of abortion rights that the public conversation, with its focus on the essential “meaning” of abortion, has neglected. Indeed, the Supreme Court decision in *Whole Woman’s Health v. Hellerstedt* illustrates that the abortion rights movement can win; the topic of abortion does not make success impossible or, at the least, fundamentally harder than advocacy for same-sex marriage. This analysis also aims to infuse the conversation with an empirically informed assessment of ways to strengthen the movement. Momentous as the *Whole Woman’s Health* ruling was, the abortion issue is unlikely to be resolved any time soon, and scholars and advocates alike can anticipate ample opportunities to continue this conversation about what makes for success, evaluate the effects of movement actions and propose new strategies for ensuring access to safe and legal abortion.

## REFERENCES

1. *Whole Woman’s Health v. Hellerstedt*, 579 U.S. 2\_ (2016).
2. Guttmacher Institute, 2015 year-end state policy roundup, 2016, <https://www.guttmacher.org/article/2016/01/2015-year-end-state-policy-roundup>.
3. Grossman D et al., Change in abortion services after implementation of a restrictive law in Texas, *Contraception*, 2014, 90(5):496–501.
4. Grossman D et al., The public health threat of anti-abortion legislation, *Contraception*, 2014, 89(2):73–74.
5. Roberts SC et al., Implications for women of Louisiana’s law requiring abortion providers to have hospital admitting privileges, *Contraception*, 2015, 91(5):368–372.
6. Roberts SC, Gould H and Upadhyay UD, Implications of Georgia’s 20-week abortion ban, *American Journal of Public Health*, 2015, 105(8):e77–e82.
7. Pew Research Center, 5 facts about abortion, 2016, <http://www.pewresearch.org/fact-tank/2015/06/11/5-facts-about-abortion/>.
8. *Obergefell v. Hodges*, 576 U.S. (2015).
9. A timeline of same-sex marriage in the US, *Boston Globe*, Jan. 9, 2016, <https://www.bostonglobe.com/2016/01/09/same-sex-marriage-over-time/mbVFMQPyxZCpM2eSQMUsZK/story.html>.

10. Pollitt K, There's a reason gay marriage is winning while abortion rights are losing, *The Nation*, Apr. 22, 2015, <http://m.thenation.com/article/205049-theres-reason-gay-marriage-winning-while-abortion-rights-are-losing>.
11. Pollitt K, If abortion were about equality, would Americans like it better? *The Nation*, 2015, July, 2, 2015, <http://www.thenation.com/article/if-abortion-were-about-equality-would-americans-like-it-better/>.
12. Pollitt K, There are no abortion cakes, *The Nation*, Apr. 8, 2015, <http://www.thenation.com/article/203809/there-are-no-abortion-cakes>.
13. Michaelson J, Ten reasons women are losing while gays keep winning, *The Daily Beast*, July 6, 2014, <http://www.thedailybeast.com/articles/2014/07/06/ten-reason-women-are-losing-while-gays-keep-winning.html>.
14. Gibson D, Why the Supreme Court's gay marriage decision is not like legalizing abortion, *Religion News Service*, July 2, 2015, <http://www.religionnews.com/2015/07/02/supreme-courts-gay-marriage-decision-not-like-legalizing-abortion-analysis/>.
15. Roberts C and Roberts S, Why same-sex marriage decision isn't like *Roe v. Wade*, *News Tribune*, July 2, 2015, <http://www.thenews-tribune.com/2015/07/01/3897136/why-same-sex-marriage-decision.html>.
16. Amenta E et al., The political consequences of social movements, *Annual Review of Sociology*, 2010, 36:287–307.
17. Ferree MM, Resonance and radicalism: feminist framing in the abortion debates of the United States and Germany, *American Journal of Sociology*, 2003, 109(2):304–344.
18. Earl J, The cultural consequences of social movements, in: Snow DA, Soule SA and Kriesi H, eds., *The Blackwell Companion to Social Movements*, Malden, MA: Blackwell Publishing, 2004, pp. 508–530.
19. Amenta E and Caren N, The legislative, organizational, and beneficiary consequences of state-oriented challengers, in: Snow DA, Soule SA and Kriesi H, eds., *The Blackwell Companion to Social Movements*, Malden, MA: Blackwell Publishing, 2004, pp. 461–488.
20. Skocpol T, *Diminished Democracy: From Membership to Management in American Civic Life*, Norman, OK: University of Oklahoma Press, 2003.
21. Burstein P and Sausner S, The incidence and impact of policy-oriented collective action: competing views, *Sociological Forum*, 2005, 20(3):403–419.
22. Giugni M, Useless protest? A time-series analysis of the policy outcomes of ecology, antinuclear, and peace movements in the United States, 1977–1995, *Mobilization: An International Quarterly*, 2007, 12(1):53–77.
23. McCarthy JD and Zald MN, Resource mobilization and social movements: a partial theory, *American Journal of Sociology*, 1977, 82(6):1212–1241.
24. Olzak S and Ryo E, Organizational diversity, vitality and outcomes in the civil rights movement, *Social Forces*, 2007, 85(4):1561–1591.
25. Staggenborg S, The consequences of professionalization and formalization in the pro-choice movement, *American Sociological Review*, 1988, 53(4):585–605.
26. Snow DA et al., Frame alignment processes, micromobilization, and movement participation, *American Sociological Review*, 1986, 51(4):464–481.
27. Benford R and Snow DA, Framing processes and social movements: an overview and assessment, *Annual Review of Sociology*, 2000, 26:611–639.
28. McCammon HJ, *The U.S. Women's Jury Movements and Strategic Adaptation: A More Just Verdict*, New York: Cambridge University Press, 2012.
29. Polletta F and Ho MK, Frames and their consequences, in: Goodin R and Tilly C, eds., *The Oxford Handbook of Contextual Political Analysis*, New York: Oxford University Press, 2006.
30. Rohlinger DA, *Abortion Politics, Mass Media, and Social Movements in America*, New York: Cambridge University Press, 2015.
31. Sobieraj S, *Soundbitten: The Perils of Media-Center Political Activism*, New York: New York University Press, 2011.
32. Evans JH, Multi-organizational fields and social movement organization frame content: the religious pro-choice movement, *Sociological Inquiry*, 1997, 67(4):451–469.
33. Meyer DS and Minkoff DC, Conceptualizing political opportunity, *Social Forces*, 2004, 82(4):1457–1492.
34. Meyer DS, Social movements and public policy: eggs, chicken, and theory, in: Meyer DS, Jenness V and Ingram H, eds., *Routing the Opposition: Social Movements, Public Policy, and Democracy*, Minneapolis: University of Minnesota Press, 2005, pp. 1–26.
35. Ferree MM et al., *Shaping Abortion Discourse: Democracy and the Public Sphere in Germany and the United States*, New York: Cambridge University Press, 2002.
36. Halfmann D, *Doctors and Demonstrators: How Political Institutions Shape Abortion Law in the United States, Britain, and Canada*, Chicago: University of Chicago Press, 2011.
37. Powell B, Quadlin NY and Pizmony-Levy O, Public opinion, the courts, and same-sex marriage: four lessons learned, *Social Currents*, 2015, 2(1):3–12.
38. Ghaziani A, Taylor V and Stone AL, Cycles of sameness and difference in LGBT social movements, *Annual Review of Sociology*, 2016, doi: 10.1146/annurev-soc-073014-112352.
39. Ghaziani A, *The Dividends of Dissent: How Conflict and Culture Work in Lesbian and Gay Marches on Washington*, Chicago: University of Chicago Press, 2008.
40. Stone AL, *Gay Rights at the Ballot Box*, Minneapolis: University of Minnesota Press, 2012.
41. Fetner T, *How the Religious Right Shaped Lesbian and Gay Activism*, Minneapolis: University of Minnesota Press, 2008.
42. Weber S, Daring to marry: marriage equality activism after Proposition 8 as challenge to the assimilationist/radical binary in queer studies, *Journal of Homosexuality*, 2015, 62(9):1147–1173.
43. Hull KE, The political limits of the rights frame: the case of same-sex marriage in Hawaii, *Sociological Perspectives*, 2001, 44(2):207–232.
44. Moscowitz L, *The Battle Over Marriage: Gay Rights Activism Through the Media*, Urbana, IL: University of Illinois Press, 2013.
45. Taylor V et al., Culture and mobilization: tactical repertoires, same-sex weddings, and the impact on gay activism, *American Sociological Review*, 2009, 74(6):865–890.
46. Andersen EA, *Out of the Closets & into the Courts: Legal Opportunity Structure and Gay Rights Litigation*, Ann Arbor, MI: University of Michigan Press, 2005.
47. Staggenborg S, *The Pro-Choice Movement: Organization and Activism in the Abortion Conflict*, New York: Oxford University Press, 1991.
48. Kimport K, Organizational dominance and its consequences in the online abortion rights and anti-abortion movements, *Research in Social Movements, Conflicts and Change*, 2012, 33:139–161.
49. Joffe CE, Weitz TA and Stacey CL, Uneasy allies: pro-choice physicians, feminist health activists and the struggle for abortion rights, *Sociology of Health & Illness*, 2004, 26(6):775–796.
50. Luna Z, From rights to justice: women of color changing the face of US reproductive rights organizing, *Societies Without Borders*, 2009, 4(3):343–365.

51. Silliman JM et al., *Undivided Rights: Women of Color Organize for Reproductive Justice*, Cambridge, MA: South End Press, 2004.
52. Luna Z and Luker K, Reproductive justice, *Annual Review of Law and Social Science*, 2013, 9:327–352.
53. Joffe C, *Roe v. Wade at 30: What are the prospects for abortion provision? Perspectives on Sexual and Reproductive Health*, 2003, 35(1):29–33.
54. Fried MG, Reproductive rights activism in the post-Roe era, *American Journal of Public Health*, 2013, 103(1):10–14.
55. Snow DA and Benford R, Master frames and cycles of protest, in: Morris A and Mueller CM, eds., *Frontiers in Social Movement Theory*, New Haven, CT: Yale University Press, 1992, pp. 133–155.
56. Price K, What is reproductive justice? How women of color activists are redefining the pro-choice paradigm, *Meridians*, 2010, 10(2):42–65.
57. Hooten A, A broader vision of the reproductive rights movement: fusing mainstream and Latina feminism, *Journal of Gender, Social Policy, and the Law*, 2005, 13(1):59–86.
58. Harris LH et al., Dynamics of stigma in abortion work: findings from a pilot study of the Providers Share Workshop, *Social Science & Medicine*, 2011, 73(7):1062–1070.
59. Meyer D and Staggenborg S, Movements, countermovements, and the structure of political opportunity, *American Journal of Sociology*, 1996, 101(6):1628–1660.
60. Meyer D and Staggenborg S, Opposing movement strategies in U.S. abortion politics, *Research in Social Movements, Conflicts and Change*, 2008, 28:207–238.
61. Siegel RB, The right's reasons: constitutional conflict and the spread of woman-protective antiabortion argument, *Duke Law Journal*, 2008, 57(6):1641–1692.
62. Hull NEH and Hoffer PC, *Roe v. Wade: The Abortion Rights Controversy in American History*, second ed., Lawrence, KS: University of Kansas, 2010.
63. *Gonzales v. Carhart*, 550 U.S. 124 (2007).
64. Cohen DS, Justice Kennedy's gendered world, *South Carolina Law Review*, 2008, 59:673–700.
65. Weitz TA, Rethinking the mantra that abortion should be “safe, legal, and rare,” *Journal of Women's History*, 2010, 22(3):161–172.
66. Bernstein M and Taylor V, eds., *The Marrying Kind?: Debating Same-Sex Marriage Within the Lesbian and Gay Movement*, Minneapolis: University of Minnesota Press, 2013.
67. Luker K, *Abortion and the Politics of Motherhood*, Berkeley, CA: University of California Press, 1984.
68. Kimport K and Freedman LR, Abortion: a most common deviance, in: Brown SA and Sefiha O, eds., *Handbook of Deviance*, New York: Routledge, forthcoming.
69. Mohr JC, *Abortion in America: The Origins and Evolution of National Policy, 1800–1900*, New York: Oxford University Press, 1978.
70. Munson ZW, *The Making of Pro-Life Activists: How Social Movement Mobilization Works*, Chicago: University of Chicago Press, 2008.
71. Dorf MC and Tarrow S, Strange bedfellows: how an anticipatory countermovement brought same-sex marriage into the public arena, *Law & Social Inquiry*, 2014, 39(2):449–473.
72. Kimport K, Divergent successes: marriage equality and abortion, paper presented at the annual meeting of the American Sociological Association, Chicago, Aug. 22–25, 2015.
73. Rohlinger D, Framing the abortion debate: organizational resources, media strategies, and movement-countermovement dynamics, *Sociological Quarterly*, 2002, 43(4):479–507.

#### Acknowledgments

The author thanks Jennifer Earl, Carole Joffe, Josh Gamson, Verta Taylor and the 2015–2016 fellows at the Center for Advanced Study of the Behavioral Sciences at Stanford University for their immensely helpful comments on early drafts of this comment. A version of this comment was presented at the annual meeting of the American Sociological Association, Aug. 22–25, 2015, Chicago. This analysis was supported by a Junior Investigator Award from the Society of Family Planning.

**Author contact:** [katrina.kimport@ucsf.edu](mailto:katrina.kimport@ucsf.edu)

**doi:** 10.1363/48e10416