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Abortion Debate Central to Supreme Court Nomination, Says IWU Political Scientist

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BLOOMINGTON, Ill. - The nomination of Supreme Court Justice Sandra Day O'Connor's successor will put abortion rights in the spotlight, but will probably not result in significant shifts in public opinion on the controversial issue, says Illinois Wesleyan political scientist Greg Shaw.

Shaw, who recently authored a study on American public opinion about abortion from the late 1980s to 2003, notes that there has been a slight movement in opinion toward a pro-life position during the past four to five years but that, generally speaking, opinion is divided 52% to 42% in favor of a pro-choice position when the issue is strictly whether or not a woman should have the right to choose an abortion and does not include questions about circumstances, motivation, or timing.

“By and large, this is not an issue on which people readily change their minds,” said Shaw. “During the 1980s and 1990s when changes to the Supreme Court highlighted abortion and when there was a period of [abortion] clinic violence you might have had reason to expect that opinion would change in one direction or another. Yet, there was very little change.”

The connection between O'Connor's vacancy and abortion rights is inevitable because of her key votes on the issue, but Shaw doubts that the Bush Administration will pay much attention to the public's view on abortion as it considers its potential nominees.

“This administration has not trumpeted its anti-abortion position despite the President's strong commitment in that area. There's a danger of mobilizing one's opposition along with one's core constituency when you aggressively advocate on a hot-button issue like this one,” said Shaw.

Shaw expects President Bush will “go for a home run” with the appointment. “I don't think you will see any moderate nominees because the president thinks he has the confirmation votes in the Senate,” Shaw said.

Rather than polling on the issue of abortion as a strategy for determining its position, Shaw believes the administration will be more interested in determining “how to pitch the argument” for the nominee. The question is not how pro- or anti-Roe v. Wade a nominee is, Shaw said, but rather how best to craft an argument in favor of that nominee.

“How you defend your nominee in a way that gets traction in the public will be a key question for the administration,” said Shaw. “If changing minds fundamentally about abortion rights proves too difficult, as I believe it would, the remaining terrain for political debate will likely be about the process of filling the Court vacancy more than about substantive issues.”

To discuss the issue of public opinion and abortion rights with Shaw, contact Jeffery Hanna or Ann Aubry at 309/556-3181.