Shaping Abortion Discourse

DEMOCRACY AND THE PUBLIC SPHERE IN
GERMANY AND THE UNITED STATES

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Es [das sich im Mutterleib entwickelnde Leben] genießt grundsätzlich für die gesamte Dauer der Schwangerschaft Vorrang vor dem Selbstbestimmungsrecht der Schwangeren. It [the life developing in the mother's body] fundamentally takes priority over the pregnant woman's right to self-determination throughout the entire period of pregnancy.
　　(German Constitutional Court 1975, BVerG 1, 44)

The right to privacy, whether it be founded in the Fourteenth Amendment's concept of personal liberty and restrictions upon state action or in the Ninth Amendment's reservation of the rights to the people, is broad enough to encompass a woman's decision whether or not to terminate her pregnancy.
　　(*Roe v. Wade* 1973, 410 U.S. 177)

At the beginning of a new century, Germany and the United States have arrived at uneasy policy compromises on the vexed issue of abortion. The compromises are in some regards surprisingly similar: In Germany, a woman with an unwanted pregnancy can decide to have an abortion in the first trimester, although she is required to have counseling designed to encourage her to have the child. Access to abortion is relatively simple after a short waiting period. In the United States, the choice of abortion also rests with the woman in the first trimester. The 50 individual states may impose various restrictions as long as these do not place an undue burden on the woman's decision to end an unwanted pregnancy.

In other respects, the situations are sharply different. The similarity of practical outcomes is surprising because the public discussion of abortion and the constellation of actors attempting to shape it provide dramatic contrasts. The intensity of the debate and its ability to mobilize political passions in the United States are not matched in Germany; only the United States has experienced relatively widespread political violence over the abortion issue. As our opening citations suggest, the courts in each country chose a different route in laying out the constitutional framework for the acceptability of moral claims. Public speakers in each country have different historical and cultural traditions on which to draw as well. Some claims made in one country find no counterpart in the other and defy translation into such a different context. The comparison of public discourse on abortion is especially compelling in providing a lens in which the taken-for-granted in each country is rendered visible.

Our story is about the evolution and content of abortion *talk* rather than abortion *policy*. We interweave two closely related stories. The first is about the cultural contest in which abortion discourse is shaped. Here we ask who the major players are; what voice they have in the media; and how their framing strategies, interacting with a nationally specific constellation of opportunities and constraints, account for the differences that we observe in mass media discussions of the issue. It is a story about who says what to produce the outcomes that we observe and why some actors are more successful in promoting their preferred frames.

The second story is about the *quality* of abortion talk. Here we draw on democratic theory about the nature of the public sphere and what various theorists suggest that it should be to serve the needs of democracy. We look at how well the normative criteria suggested by different theoretical traditions – for example, *inclusiveness* or *civility* – are reflected in media discourse on abortion in Germany and the United States. In this we follow Susan Gal's (1994) suggestion that the nature of abortion talk tells a great deal, not only about reproductive rights and women, but also about the nature and concerns of democracy as a whole.

Both stories rely on the same data: a content analysis of a random sample of articles drawn from four elite newspapers, a survey of organizations attempting to influence the discourse, interviews with spokespersons for some of these organizations describing their efforts and their perceptions of successs, and, finally, interviews with journalists who most often wrote on abortion in the newspapers sampled. In

the first story we describe and explain media discourse as the outcome of a contest over meaning; in the second story we use this outcome as a way of evaluating the quality of debate in the public sphere as it is reflected on this issue.

Both of these stories are built on a comparative framework. We are comparing two countries that are very similar in some important respects. They are both highly industrialized, democratic states with cultural roots in the enlightenment. They are members of the same family of what Max Weber called "occidental societies."

On the other hand, they are so different. The United States is a decentralized, presidential democracy with a weak welfare state and a strong civil society. Germany is a modestly centralized parliamentary democracy with a strong welfare state and a weak civil society. Church and state are institutionally and normatively separated in the United States and somewhat intertwined in Germany. But culturally, religion and politics are more intertwined in the United States compared to a more secular Germany. German journalists provide access primarily to state and party actors and their institutional allies, while U.S. journalists are much more open to grassroots actors and ordinary individuals and place a higher value on personalization and narrative in constructing the news.

Feminism is more differentiated from the broader women's movement in Germany, and feminist groups are much more decentralized. The German women's movement is reflected in a variety of party-based organizations as well as by women's civic organizations. In the United States, national feminist groups take up a wide range of issues and have the potential for both cooperation and competition with other national interest groups, but they have no strong organizational base in the political parties as such.

This combination – Germany and the United States are so alike and yet so different – is particularly useful for teasing out the invisible assumptions that participants inside each single system take for granted. By adopting a comparative perspective, we use each country as a lens through which we can make visible the assumptions of the other. The comparative perspective also provides a valuable standard against which we can measure the discourse in each country – not, for example, as "inclusive" or "civil" in absolute terms, but as relatively inclusive or civil compared to the other country.

In addition to these generic advantages of comparative analysis, the abortion issue has several specific virtues. First, it has been a topic of

public controversy in both countries for approximately the same time period, with major events that are roughly parallel in their timing. In both countries, the abortion issue rose in salience and significance in the early 1970s, elicited an important decision from the highest court of the land, and then was re-visited by the court about 16 years later. In both countries, the courts reaffirmed their original principles but modified their practical application when they took it up again. Many other issues are on the public agenda of one country and not the other, but abortion has been a matter of controversy in both countries over approximately the same time period.

Second, abortion is an issue that engages women deeply in both countries and thus potentially offers a window into women's role in the political process that few other issues would so clearly reveal. The historical development of democracies left women on the sidelines for generations, and the extent and nature of women's citizenship in modern democratic states remains an important question. How women are spoken about, as well as how women as actors speak on this issue, provide clues to women's position in the public sphere more generally.

Third, the abortion issue, having been hotly contested in both countries over a 25-year time period, has given many different political actors the opportunity to settle – and sometimes change – their positions. As a contemporary issue, abortion reform emerged in the United States during the 1960s, while public discussion of abortion reform re-entered the public agenda in Germany during the early 1970s, after a relative period of quiet since the early 1930s. In the United States the visibility of the abortion issue in politics has risen fairly steadily since the mid-1960s, while in Germany intense discussion has come in two waves, in the first half of the 1970s and again in the early 1990s. Hence, the specific content and the overall quality of the discourse are observable over a period long enough to see what change, if any, has occurred.

Fourth, abortion invokes existential issues of life and death and taps into the deepest level of cultural beliefs: about the role of women, the role of the state as a moral agent, the sanctity of human life, the right to privacy, the nature of democracy, and society's obligations to those in need. Many have suggested that value conflicts pose special challenges to democratic processes of conflict resolution (Aubert 1972). Just which values are in conflict and whether and how they are reconciled becomes an empirical question when we take a comparative perspective on the issue. We can look at what values are most central in the discourse in each country and at how this changes over time. One need only look

back at the opening quotations to see how differently the highest court in each country framed the question of what values are at stake. Comparing media discourse on abortion is an opportunity to see how fundamental values can be handled in different ways in the public talk of different democracies.

Fifth, abortion also offers an opportunity to compare the role of social movements, political parties, and other actors in relation to each other. Many studies of political issues focus exclusively on the policy-making process or on the mobilization of protest outside of conventional institutions. The long time span of our data and comparative nature of our approach allow us to see how various social actors – government agencies, political parties, and advocacy organizations – enter and influence the public sphere in competition with each other. This interactive process between institutional politics and protestors is often viewed from only one side or the other in separated fields of study, whether conventional political science or social movements research. Looking at the public arena in which parties and movements contend allows us to see the common factors that impact both, as well as the ongoing process by which their influence relative to each other is achieved.

Finally, studying the shaping of media content is a way of assessing cultural impact: how the constellation of opportunities and constraints shape the strategies and use of symbols by those who seek to influence public discourse and how successful they are. Cultural change in civil society is often separated from institutional political change as if only one of these at a time could be the target of actors' deliberate strategy or social concern. Looking at culture as political and contested, as it so obviously is in regard to abortion, reconnects these dimensions. Similarly, it enables us to evaluate the content of public discourse where the challenge is greatest – on an issue fraught with moral dilemmas and conflicts.

In the following section we provide a framework that helps us to analyze the cultural contest in which abortion discourse is shaped, our first story; we then offer a framework for the analysis of the quality of abortion talk and the nature of democracy, our second story.

SHAPING PUBLIC DISCOURSE

We need to set the stage for our two stories, but a preview of the content is in order. Our first story will show how different types of actors play

leading roles. In Germany, political parties and state actors dominate the stage; in the United States, the political parties are mostly backstage, and advocacy organizations are major players.

Groups with the same policy position often talk and think about the issue in quite different ways. To convey the flavor of the differences that we will be discussing in detail in the followings pages, consider the contrasts in these quotations, all drawn from advocates of a woman's right to choose:

> All efforts to protect unborn life in the body of the mother must be directed to doing so with the cooperation of the woman and not in opposition to her. In no way, including through the law, can the protection of unborn life be coerced. (German Lutheran Bishop Martin Kruse, 1990)

> Mein Bauch gehört mir! (My belly belongs to me!) (Slogan used by German feminist groups in the 1970s)

> No one can remove the decision about the continuation or termination of a pregnancy from the unwillingly pregnant woman. The church distances itself from its murderous and inhumane history and forgets the persecutions of the witches, the deaths of women from illegal abortions and the countless unwanted pregnancies that resulted from the church's prohibition of contraception. (Verena Krieger, the Green Party, quoted in FAZ, 12/29/89)

> The final decison about the termination of pregnancy should remain with the woman, but . . . the constitution [should] be expanded with a clause that expressly encompasses the protection of unborn life . . . this [law protecting life] would secure the claim that women would have on counselling and financial assistance (Rita Süssmuth, leading feminist member of the CDU, quoted in FAZ, 7/24/90).

> Jesus himself was feminist and believed that women were moral decision-makers . . . The Church itself, in becoming a patriarchal model, got away from that. We as women are calling the Church back to a belief that women are, in fact, moral decision-makers about our own lives and the lives of our families. (Jane Hull Harvey, *Methodist Church, General Board of Church and Society*, interview, Sept., 1997)

Instead of debating whether or not abortion is legal, we should be discussing what the concrete reality is if abortion is illegal. *Who* is it who suffers? . . . There are race and class issues related to that, as opposed to moral issues which don't have any bearing on what's concretely going to happen – if abortion is [not] safe, legal, and accessible. Because rich women will always have the right to go somewhere and find some means. . . . That should be where the debate should be, not on the morality. (Jana, *Refuse and Resist*, quoted from interview.)

Roe v. Wade found that abortion is so personal, so consequential that the public has no right to decide for the burdened woman. That principle deserves to rest undisturbed. (*New York Times* editorial, 1/21/89)

Take your rosaries off our ovaries! (Slogan used by American feminist protestors quoted in *The New York Times* 6/14/92)

In these quotes, speakers in each country frame the roles of women, church, and state in terms that are in part familiar and in part scarcely understandable to listeners in the other. But even within a single country the speakers differ significantly in the meaning they give to abortion regulations in spite of their common support for less restrictive abortion policies. Anti-abortion speakers are no less various in their repertoires of talk. Public discourse thus provides a window in the way that issue meanings are both shared and disputed within a political culture.

Theoretical Framework

We believe that the general framework and set of tools for analysis that we offer here can be applied to other politically contentious issues, such as welfare reform or worker rights. *Public discourse* is public communication about topics and actors related to either some particular policy domain or to the broader interests and values that are engaged. It includes not only information and argumentation but images, metaphors, and other condensing symbols.

Public discourse is carried out in various *forums*. A forum includes an *arena* in which individual or collective actors engage in public speech acts; an active audience or *gallery* observing what is going on in the arena; and a *backstage*, where the would-be players in the arena work out their ideas and strategize over how they are to be presented, make

alliances, and do the everyday work of cultural production. Figure 1.1 presents this visually, using a stadium metaphor.

There are different forums in which public discourse takes place: mass media, parliaments, courts, party conventions, town hall assemblies, scientific congresses, streets, and the like. We define the *public sphere* as the set of all forums. In the current era, there is one forum that overshadows all others, making them sideshows. For various reasons, general-audience *mass media* provide a master forum. The players in every other forum also use the mass media, either as players or as part of the gallery. The mass media gallery includes virtually everyone. All collective actors must assume that their own constituents are part of the mass media gallery and the messages that their supporters hear cannot be ignored, no matter how extensive the actors' own alternative media may be.

Second, the mass media forum is *the* major site of political contest because all of the players in the policy process *assume* its pervasive influence (whether justified or not). The mass media present – often in a highly selective and simplified way – discourse from other forums. The participants in these other forums look to the mass media forum to assess their effectiveness, measuring success by whether a speech in the legislative forum, for example, is featured prominently in *The New York Times* or the *FAZ* and whether it is commented on in a positive or negative way.

Finally, the mass media forum is not simply a site where one can read relative success in cultural contests. It is not merely an indicator of broader cultural changes in the civil society but also influences them, spreading changes in language use and political consciousness to the workplace and other settings in which people go about the public part of their daily lives. When a cultural code is being challenged, a change in the media forum both signals and spreads the change. To have one's preferred framing of an issue increase significantly in the mass media forum is both an important outcome in itself and carries a strong promise of a ripple effect.

The three parts of the mass media forum – arena, gallery, and backstage – require some elaboration.

THE ARENA The arena is a place where participants engage in speech acts of various sorts. The speech acts are intended to convey a message about either the policy issue under discussion or the organization that they are speaking for. Commentary on the issue is an attempt to convey a preferred way of framing it and to increase the relative prominence of the preferred frames in the mass media arena.
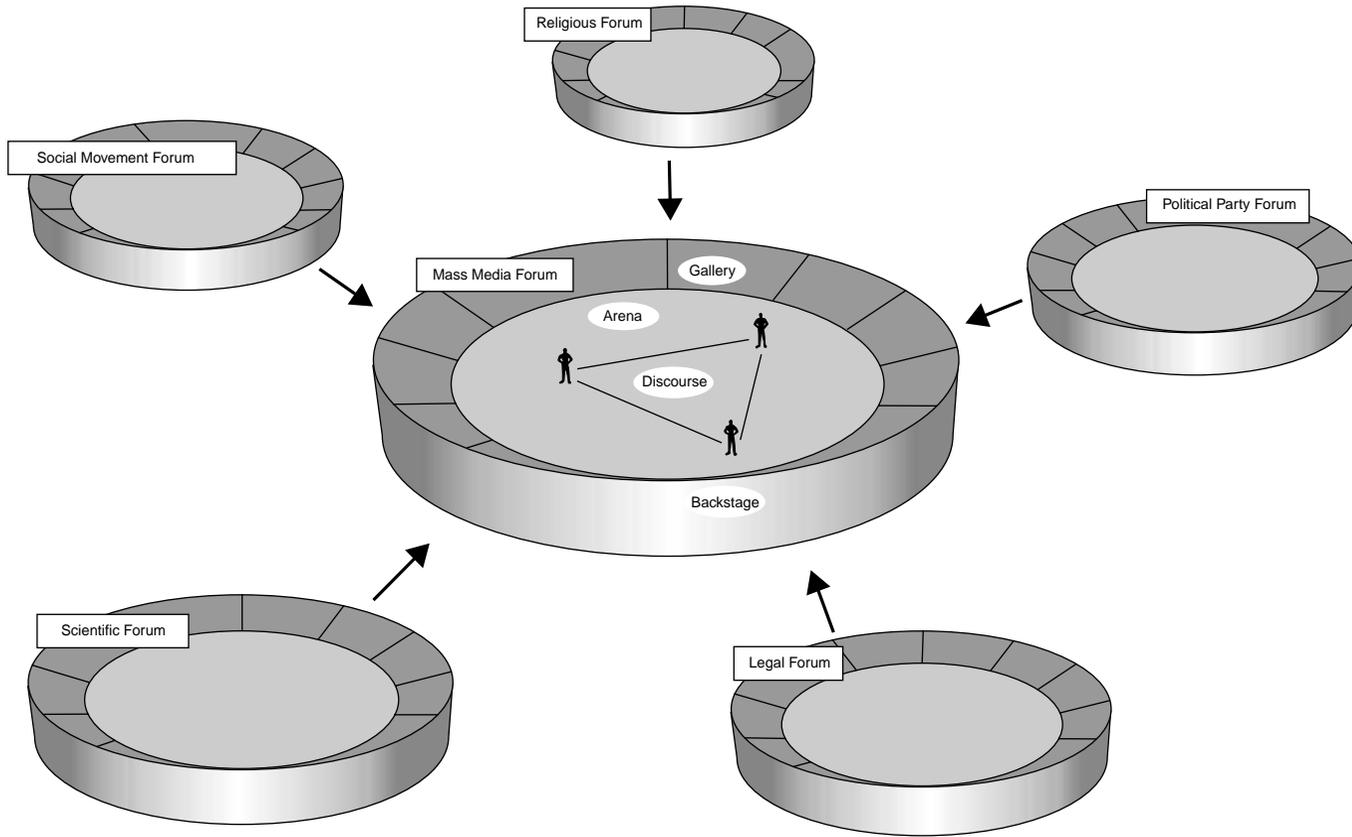
Figure 1.1. Theoretical model of forum.

Those who are quoted are overwhelmingly spokespersons for collective actors – government ministries, political parties, or organizations that claim to represent the interests or values of some constituency, speaking for or on behalf of them. These players speak for an organization or advocacy network that in turn claims to speak for some section of the gallery. Whether gallery members in fact accept such representation is an empirical matter.

Journalists play a dual role in this arena. First, they are gatekeepers. By including quotations and paraphrases from various spokespersons, journalists decide which collective actors should be taken seriously as important players. However, journalists are not *merely* gatekeepers in this process. They are themselves players who comment on the positions that other actors take, and they participate in framing the issue under discussion. They can interpret and provide their own meaning when they choose to, operating within the constraints provided by accepted journalistic practice in their respective countries. Journalists, then, play a double role both as purveyors of meaning in their own right and as gatekeepers who grant access or withhold it from other speakers.[2]

Our stadium metaphor is misleading if it suggests that the playing field in this arena is like the flat, orderly, and well-marked field in a soccer stadium. The field in which framing contests occur is full of hills and valleys, sinkholes, promontories, and impenetrable jungles. To make matters even more complicated, the contours of the playing field can change suddenly in the middle of the contest because of events that lay beyond the control of the players; and players can themselves sometimes change the contours through actions that create new discursive opportunities. This complex playing field provides advantages and disadvantages in an uneven way to the various contestants in framing contests.

THE GALLERY The gallery is not just a bunch of individuals. Most of those watching the media carry around with them various collective identities – solidarity groups with whom they personally identify. Anderson (1991) captures the idea best with his concept of *imagined communities*. Examples would include women, workers, Christians, environmentalists, conservatives, Latinos, the "left," and many others.

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[2] The complex interaction between institutionalized political actors, social movements, and media has only begun to be studied as a triad of influence in which all three types of actors have interests and routine practices that affect the work of each of the others. See for example the discussion in Oliver and Maney (2000).

Since people have multiple identities, they are potentially part of many imagined communities.

Imagined communities are not collective actors. They can only speak through some form of organization or advocacy network that attempts to generate, aggregate, transform, and articulate their concerns.[3] These carriers attempt to represent and make claims on behalf of the interests and values of particular communities that become their constituencies. Often rival carriers compete for the same constituency offering different and even contradictory claims about the "real" interests of the general public or some more specific constituency such as women or Christians.

BACKSTAGE Although a small minority of the speakers in the arena are individuals speaking only for themselves, generally those with standing are spokespersons for collective actors. These speakers have the advantage of being able to prepare backstage with the help of an organized production center. Their organization may provide material resources, strategic analyses of the playing field and the opportunities and constraints that it provides, professional know-how in the ways of the media, and useful alliances in the presentation of preferred frames in the arena. Speakers without such an organized production process behind them are severely handicapped against such competition.

Standing and Framing as Measures of Success

We measure success in the mass media forum by two criteria: standing and framing. By *standing*, we mean having a voice in the media. In news accounts, it refers to gaining the status of a regular media source whose interpretations are directly quoted. Standing is not identical to receiving any sort of coverage or mention in the news; a group may appear when it is described or criticized but still have no opportunity to provide its own interpretation and meaning to the events in which it is involved. Standing refers to a group being treated as an actor with voice, not merely as an object being discussed by others.

Even if a player gains standing, there is no guarantee that the media will report what the organization would like. Success is also measured by the degree to which its preferred frames are prominently displayed relative to rival frames and how this relative prominence increases over time. A *frame* is a thought organizer.

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[3] This discussion draws heavily on Rucht (1995).

There are three principal meanings of frame in the English language, the first two of which apply to our use here. The first, as in a picture frame, is a rim for encasing, holding, or bordering something, distinguishing it from what is around it. A frame in this sense specifies what is relevant and what should be ignored. A second meaning, as in a building frame, is a basic or skeletal structure, designed to give shape or support. The frame of a building, covered by walls and insulation, is invisible once construction is completed. Although we do not actually see it, we can infer its presence in the finished product from its visible manifestations.[4]

As a social science concept, both of these meanings apply. Issue frames call our attention to certain events and their underlying causes and consequences and direct our attention away from others. At the same time, they organize and make coherent an apparently diverse array of symbols, images, and arguments, linking them through an underlying organizing idea that suggests what is at stake on the issue. Framing deals with the *gestalt* or pattern-organizing aspect of meaning.

There is a large and growing social science literature using the concept that we will review here quite selectively.[5] "Media frames," Gitlin (1980, p. 7) writes, "largely unspoken and unacknowledged, organize the world both for journalists who report it and, in some important degree, for us who rely on their reports." This usage of the term "frame" implies a range of positions rather than any single one, allowing for a degree of controversy among those who share a common frame. One can see in these quotations how differently supporters of less restrictive abortion policies can frame what is at stake on the abortion issue.

Media Discourse, Public Policy, and Everyday Life

Although success in having an impact on media discourse is important, it does not necessarily translate into impact on either public policy or on the everyday lives and practices of people in the gallery. With respect to public policy, decision-makers in the political system are

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[4] The third meaning, largely irrelevant for our usage, is to rig evidence or events to incriminate someone falsely. It has some echoes in the strategic use of frames to make one's opponent's ideas "unspeakable" (Zirakzadeh 2000).

[5] For more extensive discussions see especially Goffman (1975), Bennett (1975), Tuchman (1978), Gitlin (1980), Gamson and Modigliani (1989), Ryan (1991), Gamson (1992), Snow and Benford (1988, 1992), Gerhards and Rucht (1992), Gerhards (1995), and Oliver and Johnston (1999).

clearly an attentive part of the gallery and may be influenced directly by the metaphors, images, and arguments that they see in the media. But other forums may be more important in influencing their thinking – including policy forums where the gallery is less the general public and more those with professional work interests and responsibilities in the policy domain.

Most of the impact of the media forum on decision makers is indirect, mediated by the perceived or actual impact of media discourse on the distribution of individual opinions among voters. To the extent that media discourse shapes opinions on issues that are electorally relevant, it will constrain political decision-makers or induce them to follow dominant tendencies to avoid defeat at the next election. This argument can be seen as a version of the two-step flow of influence – in this case, from the media to voters to policy-makers.

But the opinions of voters – whether in the form of sample surveys or the words of one's taxi driver – are open to interpretation. Various speakers compete to give their spin on what the "public" really thinks. For issue advocates in the policy arena, media discourse may be primarily a cultural tool whose content they can use in their own efforts to garner support rather than something by which they are influenced directly.[6]

Policy processes, however, are not driven only or even primarily by ideas. Decision-makers may be influenced by many other factors that operate with substantial insulation from public discourse – for example, the exchange relationships and deal-making of political insiders, support from influential political actors who may have substantial material interests engaged, and the demands of party discipline. It is quite possible to win the battle of public discourse without being able to convert this into the new advantages that flow from actually changing public policy. It is also possible to lose the battle of public discourse but successfully defend one's own cause by other means, for example, by lobbying legislators or winning in court.

As a rule, however, doing badly in mass media discourse creates vulnerability in pursuing policy interests. Political parties and individual politicians looking for issues that will attract voters and embarrass or divide their opponents may make the issue electorally relevant. For supporters of existing policies, the success of challengers in the mass media

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[6] This is the sense in which framing evokes its linguistic rig-the-evidence roots as well.

forum puts them on the defensive and complicates their work. They are left vulnerable when their would-be allies are worried that their policy choices will become an issue that opponents are likely to use against them in the next election. If challengers are sufficiently successful in defining the terms of debate in media discourse, the support of a powerful but discredited interest group may stigmatize those who help them in policy disputes. The weakened position of tobacco companies in American politics provides a current example of how adverse framing in the media can make other resources less usable.

The link between mass media success and policy outcomes is further mediated by the complicated relationship of media discourse to the attitudes and understanding of people in the gallery. Gamson (1992, p. 179) likens people's efforts to make sense of issues to finding their way through a forest:"The various frames offered in media discourse provide maps indicating useful points of entry, and signposts at various crossroads highlight the significant landmarks and warn of the perils of other paths." In their attempts to make sense of the world of public affairs, ordinary people are only partially dependent on media discourse. Their dependency varies widely among different issue domains.

On certain issues, media discourse may be a first resort and the primary resource for making meaning, but even then people typically will find multiple frames available. The openness of the media text requires that they use other resources as well to complete the task. People control their media dependence in part through their willingness and ability to draw on popular wisdom and experiential knowledge to supplement what they are offered. In most cases, this is not only a reflection of an isolated individual but a social process by which people discuss and weigh their perceptions and experiences in light of those of their peers, friends, or family members, and in view of their other political, social, and religious commitments. If media dependence is only partial when media discourse serves as the starting point, it is even less so on an issue such as abortion, where experiential knowledge is likely to be a primary resource for finding a path through the forest.

Finally, success in media discourse also fails to guarantee that broader cultural and institutional practices will change. One may win the battle of words while practices remain unchanged or even change for the worse. Here, the abortion issue will serve well as an illustration. Most studies of media discourse on abortion, including this one, suggest that

in the United States the proponents of frames emphasizing rights of individual privacy and women's self-determination do very well. At the same time, access to abortion is not increasing anywhere and has already declined in some areas. As of 1992, 84% of all counties in the United States had no known abortion provider and only 12% of residency programs required doctors-in-training to learn how to perform first-trimester abortions (Monangle 1995). Some states have only a single abortion provider, requiring women to travel great distances. The symbolic contest over the framing of abortion may be very far from the minds of potential abortion providers who are deterred by the fear that they may become the target of anti-abortion violence – regardless of whether such violence is roundly condemned in media discourse and public opinion.

EVALUATING PUBLIC DISCOURSE

[The discussion of abortion] has become stuck in the jungle of principles and emotions. . . . It is time to pull the debate back out into coolness, into pragmatism. (*Frankfurter Allgemeine Zeitung* (*FAZ*), July 30, 1971)

Civil discourse on this issue is really important and is sorely lacking. (pause) Sorely lacking. (Frances Kissling, Catholics for a Free Choice, Interview, May 1997)

It seems to be basic journalism that you really try to paint black and white because grey is not really that interesting. The business of the media is to paint polar opposites, [not] to create solutions. (Serrin Foster, Feminists for Life, Interview, July 1997)

Every effort to present a political opponent as a criminal is wicked. But, on the other side, tough arguments are quite appropriate. Politics is not a choral society full of harmony. If I want to change something in society, then I have to be able to stand the battle. (Stephan-Andreas Casdorff, *Die Süddeutsche Zeitung* (*SZ*), Interview, March 2000)

You are always more likely to get people to read your story if you can humanize it and personalize it. But you have to be careful in the process not to trivialize and sensationalize it. . . . I think you run the risk of sensationalizing it if you lose sight of the fact that we are talking about a serious public policy issue. You just have to

strike a balance. (David Shaw, *The Los Angeles Times*, Interview, May 1998)

On the abortion issue, it is always important to keep the focus on what the issue is about, which is the lives of women and the quality of lives of women, in my opinion. I think this sometimes gets lost in the day to day reporting or the political rhetoric, or the latest wrinkle on the story. (Linda Greenhouse, *The New York Times*, Interview, June 1998)

Do the mass media provide the tools we need for democratic public life? The answer to this big question clearly depends on the theory of democratic politics with which one begins. More specifically, it depends on what role the model envisions for citizens, and, on this question, there is a long history of controversy with little normative consensus.

In spite of this lack of consensus on what the normative criteria should be, there seems to be a surprising amount of agreement that the mass media as they currently operate are seriously inadequate. The complaints are diverse and sometimes contradictory, especially if the target includes not only elite news media but also a broader spectrum of the popular press and television. No one seems to think that the media provides what citizens need to sustain a vital democracy.

With differing emphases in each country, political commentators suggest that most media discourse:

- is irrational and lacks reasoned argumentation;
- contains lies, distortions, and deliberate misinformation;
- shows a lack of civility and mutual respect;
- polarizes issues and discourages dialogue among those with differing opinions;
- appeals to the emotions rather than to the brain;
- is superficial, contains gross oversimplifications, and lacks subtlety and nuance;
- excludes many voices and lacks openness to many perspectives, especially those held by groups with fewer resources and less cultural power;
- encourages passivity, quiescence, and nonparticipation on the part of the citizenry.

How does one assess such claims? We use theories of democracy and the public sphere to suggest the relevant criteria. All theories of democ-

racy start from the assumption that subjecting political decisions to public debate is a key element of the democratic processes. It is codified in existing democracies by rules about freedom of opinion, assembly, speech, and media intended to secure the public sphere. However, the questions of *who* should participate in public discourse, *when*, *how*, and *what* constitutes the most desirable *process* and *outcome* are all contested issues.

For convenience, we have divided democratic theory into four traditions: *Representative Liberal* (with its roots in Burke [1790], Mill [1861], and Schumpeter [1942]); *Participatory Liberal* (for example, Barber [1984]); *Discursive* (especially Habermas [1962, 1984, 1992, 1996]); and *Constructionist/Feminist* (for example, Benhabib [1996], Fraser [1997a], and Young [1996]). We often find different traditions calling attention to similar criteria, and sometimes there are different emphases among theorists we are grouping together and calling a tradition. Our purpose here is not to draw boundaries but to highlight normative criteria that are either matters of debate or consensus, looking at what democratic theories collectively imply.

We organize the criteria around the norms for participation (who should speak and when), content and style (what and how), process, and outcomes. The criteria that emerge from this analysis are *inclusiveness*, *civility*, *dialogue*, *argumentation*, *narrative*, *empowerment*, *closure*, and *consensus*. Our second story is about operationalizing these criteria using abortion discourse, comparing how well each of them is met in Germany and the United States. As we will see as the analysis unfolds, Germany does relatively better on those emphasized by the representative liberal tradition, while the United States does better on those emphasized by the participatory liberal and constructionist/feminist traditions. But there is much more to be told in later chapters.

PLAN OF THE BOOK

In the first section of the book, Chapter Two opens the way by providing some historical context for understanding the contemporary debate on abortion in each country. It is necessarily an abbreviated history, highlighting the major events that led to a wave of reform in the late 1960s and early to mid-1970s and what has happened in each country since then. The major court and legislative decisions of the 1970s were both a response to the reform wave and shaped the context for later

discourse. We identify three main stages of debate in both countries and draw out both parallels and differences between the two countries that make them especially well suited for this comparative analysis.

In Chapter Three we describe the nature of our data for the general reader, with additional detail for methodological specialists included in an appendix as well as on the Web ⟨www.ssc.wisc.edu/abortionstudy⟩. We explain our focus on newspapers and the choice of the four newspapers in our sample: *The New York Times, The Los Angeles Times, Die Süddeutsche Zeitung*, and the *Frankfurter Allgemeine Zeitung*. We describe our complicated procedures for coding a sample of about 2500 articles, about one-half from each country. We carefully recorded who was given voice in these articles to articulate their own views. We also coded the frames displayed by both those who were quoted and by the authors of the articles.

In addition, we surveyed organizations involved in producing this media content, 94 in Germany and 55 in the United States. The survey tells us about the resources available to these organizations, their sophistication and professionalism in dealing with the mass media, their own perspective on the abortion discourse, and their sense of success or failure in shaping it. In selecting organizations to survey we made an effort to include "backstage" actors who chose less visibility and those whose voice was largely excluded from mainstream media. We also interviewed a selective sample of spokespersons for some of these organizations, either because they were central players or because of other characteristics that make them theoretically interesting. Finally, we interviewed a small number of journalists who wrote extensively about the abortion issue in the newspapers that we sampled.

The second part of the book provides a comparative overview of the framing contest as a whole – the framework of opportunities in which it is waged, the main players involved, and the leading frames used in both countries – highlighting the similarities and differences that we found. Chapter Four looks at some of the differences in the politics and culture of Germany and the United States that shape and constrain different types of actors, inevitably influencing who receives voice and what frames are easy or difficult to express. Here we describe the discursive opportunity structure in the two countries as it applies to collective actors in general, not only on the abortion issue. This includes especially the differences in the role of political parties in the two countries, in the diffusion and decentralization of government authority, in the cultural acceptance of the welfare state, in the politics of gender

in and outside of government, in the relations of church and state, in the handling of social justice claims, and in mass media norms and practices.

In Chapter Five we examine which actors receive standing in the mass media in the two countries – that is, which actors are used as quoted or paraphrased sources in news reports and commentary on abortion – and how this has changed over time. We show how quite different types of actors are given significant voice in the two countries on this issue – emphasizing the different roles of political parties and social movement organizations in particular. We compare the organization, resources, and media relations skills of similar types of actors in each country as a way of understanding why some are more successful, even when recognizing that the playing field is more advantageous for some than for others.

Chapter Six provides an overview of the framing contest on abortion in the two countries and how the careers of different frames have changed over time. We find that different frames are dominant in the discourse of the two countries and that, somewhat to our surprise, the "clash of absolutes" (Tribe 1990) is more evident in Germany, even though the German debate has been more tempered in many ways and unmarred by the wave of anti-abortion violence found in the United States. At the same time, there are certain elements of consensus in German discourse that are not present in the United States. The United States discourse includes many more claims about the role of the individual and the state and more strongly polarized claims about the morality involved in abortion. We also find that the German discourse has generally moved toward a more anti-abortion framing of what the issues are and the American debate has moved in a more pro-abortion-rights direction from the beginning of the period.

The third part of the book explores the representation of the discursive interests of three major constituencies on the abortion issue. We examine who makes claims on behalf of each constituency – and their relative success in shaping abortion discourse. In Chapter Seven, we look at who attempts to represent women's claims. In both countries, there is an active women's movement that seeks to connect abortion rights to women's rights, but the movements differ in significant ways and have differential success. We examine both the voice that women have as speakers in the media discourse and the career of gendered frames sponsored by different mediators. We find that abortion is a more gender-polarized and gender-identified issue in Germany than in

the United States, and has been from the very beginning of the period we study.

In Chapter Eight we examine the nature of the religious constituency and the relative success of those promoting religious frames in shaping the abortion discourse. We particularly focus on the churches, active in both countries, and on the successful mobilization of the Christian Right constituency in the United States. There is much less of a social movement component in the field of actors speaking against abortion on religious grounds in Germany, leaving the institutional churches, particularly the Catholic Church, as the major spokespersons for a religious constituency. The United States not only has a variety of anti-abortion actors for a religious constituency but also has pro-abortion-rights speakers who are invoking a sacred canopy, arguing that abortion can be a moral choice for a religious person under some circumstances. United States speakers invoke religious pluralism and the diversity of moral values to legitimate choice, while German speakers assume a moral consensus from which they are more or less willing to countenance exceptions. There is also less ambivalence in Germany about the state as the guardian of morality and as a moral actor.

Chapter Nine considers what we have labeled the tradition of the left, a constituency that emphasizes inequality based on class, race, or ethnicity as well as gender, and responds in terms of meeting needs and supporting autonomy for disadvantaged groups as well as making claims for social justice. We examine the impact of the would-be mediators of the tradition of the left in shaping abortion discourse, focusing on the left–right continuum in politics and the alignment of political parties as representatives of "the disadvantaged." The abortion issue in Germany was historically part of class politics, and from the beginning of the period that we study the German parties had clearly divergent positions. In the United States, abortion has also been a partisan issue, and in both major parties' efforts to preempt the middle, advocacy for the poor or for racial and ethnic minorities often must come from social movement organizations. We look at the discursive obstacles that lead American groups to back away from such advocacy. In Germany, the framing of abortion as help for the needy, in this case pregnant women, also raises issues of state paternalism and women's autonomous decision making that are sources of controversy in and for the imagined community of the left.

In the fourth part of the book we turn from the task of explaining how abortion discourse has been shaped to an evaluation of what these

outcomes mean for the functioning of democracy in the two countries. In Chapter Ten we mine different theoretical traditions for their normative criteria about what are desirable qualities in a democratic public sphere and in the particular forum that concerns us here: the mass media. In some cases, different traditions point to similar or overlapping criteria; in other cases, there are theoretical controversies and a lack of normative consensus. We use this chapter to delineate four basic traditions – *Representative Liberal, Participatory Liberal, Discursive,* and *Constructionist/Feminist* – and to outline what each tradition would highlight as the most desirable criteria for a well-functioning public sphere.

In Chapter Eleven we operationalize these criteria for good public discourse, measuring them in the ways that our data allow. We then compare German and United States discourse on how closely the different criteria are met and whether there are any visible trends over time in how well they are met. Where there is a lack of normative consensus on the desirability of a criterion, we leave the reader to judge whether meeting this standard reflects positively or negatively on the society that does.

In Chapter Twelve we look at what the participants and journalists involved in the abortion issue have to say about the quality of discourse. Here, our data on actor observations come from a survey of organizations and interviews with organizational spokespersons. Our data on journalist observations come from our interviews with journalists who covered the abortion issue and other journalists' comments on the quality of the discourse that appeared in our newspaper sample. In general, the actors and journalists involved tend to see the discourse accurately as it is reflected in our analysis, but they see it selectively, missing much of what is there.

In a final concluding chapter we review the various findings in the two main sections of the book and examine their implications for understanding cultural change and democratic theories of the public sphere.