

RISE OF THE MAMA GRIZZLIES: RETHINKING WOMEN'S DESCRIPTIVE AND  
SUBSTANTIVE REPRESENTATION IN THE AMERICAN STATES

BY

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Submitted to the graduate degree program in Political Science and the Graduate Faculty of the  
University of Kansas in partial fulfillment of the requirements for the degree of Master of Arts.

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the American States

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Date Approved: May 12, 2015

**Abstract:**

Prior theoretical and empirical research focusing on descriptive and substantive representation by gender frequently assumes that the election of women improves substantive representation by moving policy in a feminist-oriented direction. However, these studies often tend to focus on the passage of legislation as a function of women in the legislature and may neglect the important roles played by legislatures and political parties in facilitation (or mitigation) of these policy preferences. Newer empirical research reveals a greater appreciation for the ideological diversity of legislative women, as well as the need to understand the effects institutions have on the individual legislator's decision-making.

This paper tests the strength of the assumed link between descriptive and substantive representation in state legislatures by first placing elected women within the context of the legislature as well as of party. Using logistic regression analyses, I then evaluate the levels of support (sponsorship patterns and voting patterns) present in the highly-partisan policy environment of state-level abortion restrictions—previously thought to be a policy area where women were likely to vote together regardless of party.

Overall, I find support for the notion that abortion policy is more a partisan issue than a gender issue in the contemporary policymaking environment. As women have increased their ranks in the last twenty-five years, their diversity has increased as well. Implications for future research highlighting heterogeneity among women as well as intersectionality are briefly discussed.

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*“This year will be remembered as the year when common-sense, conservative women get things done for our country...If you think pit bulls are tough, you don’t want to mess with the mama grizzlies”*

*-Sarah Palin, July 2010*

## **Introduction**

In the run-up to the 2010 Congressional and state elections, former vice-presidential candidate and half-term Alaska Governor Sarah Palin endorsed a number of conservative women candidates. Palin deemed these women “mama grizzlies,” a term she coined at a speech delivered to a pro-life women’s group, referencing the willingness of the animal to protect its young (SarahPAC 2010). These women largely campaigned on standard conservative Republican orthodoxy, including but not limited to restricting abortion rights; reducing taxes and government spending; and increasing the role of the private sector in health care and education.

In many respects, Palin and those she endorsed are just the latest in a line of women reactionary to liberalization; such groups of women have existed since before the passage of (and indeed, in opposition to) the 19<sup>th</sup> Amendment, which granted women the vote. More recently, Phyllis Schlafly headed the Homemakers’ Equal Rights Association, a group formed with the purpose of opposing feminist policies such as ratification of the Equal Rights Amendment (Mansbridge 1986). Palin, however, represents a departure from the anti-suffragettes and Schlafly in at least one rhetorical aspect: Palin embraces the feminist label, using it to argue for equal rights by way of a pro-life position (Valenti 2010; Atal 2010).

Partially as a result of Palin’s rise to prominence as the 2008 Republican Vice-Presidential nominee, women nationwide in 2010 (disproportionately conservative Republicans) ran in record numbers for state legislative office; over 2,500 women ran for such offices (Center for American Women in Politics 2015), leading McManus (2010) to label the year “The Year of the Conservative Woman.” Many of these “mama grizzlies,” upon taking office, engaged in

policymaking that ran counter to the conventional wisdom regarding women in politics, including widespread support of a record number of abortion restrictions over the following two years (Guttmacher Institute 2012).

The failure of elected women in recent years to fall in line with an expected traditional feminist orientation and instead fall in line with partisan convictions reveals a disconnect between contributions—theoretical and empirical—by scholars of descriptive and substantive representation and the actions of women in state-level legislative environments. In this paper, I evaluate both, and identify and test hypotheses to determine the validity of these frameworks in a contemporary context. Though this work is not a philosophical piece, implications for feminism are briefly discussed.

### **Forms of Representation**

Hanna Pitkin (1967), in *The Concept of Representation*, introduced two important concepts to the lexicon of political scientists: descriptive representation and substantive representation. The former indicates a convergence between the representative and constituents based on superficial similarities as well as the resultant shared experiences between the representative and the represented. Substantive representation, by contrast, involves the representative standing in for the represented and their interests and preferences. Pitkin asserts that descriptive representation is best achieved in environments in which decision-making affects both the representative and the represented equally. In so claiming, Pitkin provides a concise yet revealing narrative that has formed the basis for scholarly evaluation of representation: a subgroup's convergence in experiences leads to a convergence in preferred outcomes.

This claim has led scholars of women in politics to normatively argue for higher levels of women in government to achieve the dual ends of more substantive representation and higher

levels of governmental legitimacy among broader swaths of citizens (Phillips 1991; Mansbridge 1999). Pateman (1988) agrees and further theorizes that Western civil society was founded on patriarchal and oppressive grounds; thus women gaining political power would necessarily lead to a previously unrealized self-determination among women.

Women in representative roles are thought to translate their descriptive representation of female constituents into substantive representation through an emphasis on “soft” issues perceived to be female-oriented (Bratton and Ray 2002; Thomas and Welch 1991; Boles and Scheurer 2007). Studies of descriptive representation in the United States and in other countries demonstrate that increases in elected women in the 20<sup>th</sup> century are associated with changes in policy outputs and policy priorities in gendered policy areas such as health and family issues (Thomas and Welch 1991; Bratton and Ray 2002) and funding for the arts (Boles and Scheurer 2007). Indeed, much of the work on representation in the decades since Pitkin relies on the definition and delineation of the two concepts, as well as the proposition that descriptive representation is followed by substantive representation (Mansbridge 1999; Grose 2005; Preuhs 2005; Squires 2007; Phillips 1991, 1995; Pateman 1989).

The proposition became so well established that Jane Mansbridge in 2005 claimed that “[d]escriptive representation by gender improves substantive outcomes for women in every policy for which we have a measure” (622). Similarly, Thomas and Wilcox (2014) claim that increased representation by women shifts policy in a more feminist direction. They qualify the claim by way of briefly mentioning the role ideology plays in gender-based policymaking; they leave, though, a strong implication that changes in gender proportions in legislatures should be sufficient to achieve the policy change desired by feminists. Based on a more complete understanding of gender proportions, there is ample reason to question whether sheer numbers of

women is sufficient to achieve feminist-oriented policy change, as institutional and majoritarian factors complicate what might otherwise be considered a linear relationship. I begin this line of questioning by introducing the frequently-used theoretical framework of gender-based tokenism and its attendant critical mass hypotheses, evaluating their application to legislative contexts and testing the framework in a contemporary context.

### **Tokenism: Gender Minorities in an Institutional Context**

Shortly after Pitkin's seminal work, Rosabeth Moss Kanter (1977) organized and expanded a sociological theory of tokenism in institutional contexts. Rather than viewing the individual as an independent decision-maker whose behavioral decision-making simply hinged on accountability afforded the individual, this theoretical broadening evaluated the roles out-group populations play, relative both to each other as well as the in-group population.

Kanter, in her evaluation of tokenism of gender minorities in organization, found that when members of the out-group (women) comprise a token level within an organization, the in-group<sup>1</sup> (male) population takes steps to preserve the in-group hegemony from out-group influence. At low proportions of out-group members, the dominant group views them as novel and gives the tokens heightened visibility. This extra attention afforded the token population, though, is deceptive: it serves to contrast and stereotype the token population, with dual goals of othering the women to preserve the dominant (masculine) culture within the organization, and to demonstrate to outsiders that the organization is in fact inclusive and in no need of reform.

In the industrial sales corporation that constituted the subject of her case study, Kanter further found that tokens tend to conform to the stereotype given to them. This was done both as

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<sup>1</sup> For the sake of clarity, throughout discussions of tokenism in this paper, I use the terms "in-group" and "out-group" to refer to gender minority/majority and the terms "majority" and "minority" to refer to legislative party-in-power.

a shortcut to forming an individual identity within the organization and reaping the short-term benefits afforded the token population. As a result, members of the out-group participated in what she terms “self-distortion” (237) as they identify less as individuals and more as representatives of their gender.

To the extent that a token population crosses the threshold into a bona fide minority, Kanter’s theory predicts changes in interaction. Members of the in-group derive negative utility from each additional member of the outgroup joining, as it threatens the male hegemonic status in the institution (Kanthak and Krause 2010). As the numbers of the out-group increase, no longer does the in-group attempt to provide the out-group special attention. Implicit in this reduction of visibility is the reduction of, as mentioned above, stereotyping and the out-group’s (strategic and/or entrapped) acceptance of the same. The out-group, as a result, identifies less with the stereotype of “woman” assigned to them by the in group, resulting in a more individualistic (and less homogenous) group of women in the organization (Kanthak and Krause 2012).

Though Kanter’s studies focused on an industrial sales company environment, the theory of tokenism opened the door to a more nuanced understanding of in-group/out-group interaction in other professional environments, particularly within legislatures (cf. Rosenthal 1998, among others). The theory largely maintains its value when translated to legislatures. Members of both the token out-group and the dominant in-group get increased marginal utility when their own group size increases and get decreased marginal utility when the opposing group size increases (Kanthak and Krause 2012). Additionally, women, to the extent that they comprise a token level of a legislature, become stereotyped by the men. Evidence of this stereotyping may be seen in studies that indicate that token women in the legislature tend to limit their activities (or have their

activities limited for them) to a set of interests described above as clichéd “women’s issues” (Heath, Schwindt-Bayer and Taylor-Robinson 2005).

Research applying the theory of tokenism to legislative contexts, both in the United States and abroad, has uncovered institutional factors related to women’s decision-making once in elective office. Within legislative committees, Kathlene (1994) finds an increased male hostility toward women in legislative committee hearings as the numbers of elected women increase, indicative of the in-group’s decreased marginal utility as numbers of the out-group increase. Heath, Schwindt-Bayer and Taylor-Robinson (2005) show that, true to the theoretical framework, as women began to enter legislatures at both the state and federal levels in the last half of the twentieth-century, they were stereotyped by way of being systematically placed in committees dealing with women’s and social issues, while they were not proportionally represented in so-called power committees dealing with economic and judicial affairs (but see Carroll 2008). Swers (2002) finds the gender majority contributed to the increased visibility of token women by using them as a “soft” face or moral authority to promote occasionally antifeminist legislation.

### **Critical Mass: The Theory of Female Autonomy**

Continued theoretical and empirical research argues the treatment of women in the legislative context changes as their numbers increase. Arising from Kanter’s (1977) sociological work on gender tokenism is a body of political science literature forwarding a critical-mass hypothesis—that is, as the number of women in a legislative body increase, women become less a novelty to the in-group and increasingly become a group with its own distinctive set of preferences (Saint-Germain 1989; Gertzog 1995; Bratton and Ray 2002). To wit, Thomas (1991; 1994) hypothesizes that as the proportion of women to men in the state legislature increased, the

policy output would better reflect the interests of women in the population. Thomas finds support for this hypothesis: as the percentage of women in state legislatures increases, she finds that women legislators give higher priority to bills dealing with issues historically considered women's issues. Women's health, children and family policies were all introduced and passed at a higher rate than states with fewer women. Such bills included, but were not limited to, expansions of abortion rights.

It is arguable, though, whether any state in Thomas' analysis incontrovertibly clears the threshold beyond which women were no longer considered tokens and instead were perceived as legitimate political actors in their own right (even if still a gender minority). While Kanter places the threshold beyond which tokenism is diminished at 15%, others argue the threshold for legislatures is higher (Dahlerup 1988; Beckwith and Cowell-Meyers 2007). This higher threshold is consistent with an expansion of Kanter's theory (Lewis and Simpson 2012), which claims certain institutions, such as legislatures, are themselves inherently gendered; implicit in this argument is that an out-group seeking more power within the legislature need also change organizational norms, which will require a larger proportion of the out-group than would be needed in a less-masculine environment (Heath, Schwindt-Bayer and Taylor-Robinson 2005). The argument surrounding the threshold at which members of the out-group cease being tokens is not simply for its own sake. Consistent with Kanter's theory of tokenism, one would expect to see continued patronization on the part of the dominant group if women were indeed still considered tokens in the state's legislature.

Included in this stereotype of women is their alleged predisposition toward a specific set of interests thought to affect women more directly. Women are frequently placed, by request or otherwise, on committees dealing with policies such as women's health, social and family issues

and other traditionally female-oriented issues (Bratton and Ray 2002; Thomas and Welch 1991; Boles and Scheurer 2007). As such, when the question is asked if the increase in legislative women indeed “makes a difference” (to use the research question popularized by Thomas’ 1991 work), we would expect to see more frequent critical-mass effects in these policy areas.

[Figure 1 about here]

As figure 1 indicates, women have continued to increase their representative ranks in all state legislatures since 1992, dubbed the “Year of the Woman” by the media (Green 2013). Additionally, the average percentage of women in a state legislature in 2102 was 27.4%—very close to the 30.6% identified as the legislature with the highest proportion of women in 1988 (Thomas 1991) and certainly approaching theorized thresholds of critical mass. Yet, the adoption (or even the consideration) of the vast number of antiabortion policies in 2011-2012 seems to cut against the conventional wisdom that the number of women in the legislature is associated with increased levels of feminist legislative activity. This demonstrates the need to introduce partisanship as an important factor in women’s achievement (or non-achievement) of feminist legislative goals.

### **Tokenism, Coordination, and Party Structure**

Kanthak and Krause (2012), in perhaps the largest expansion of the theory of tokenism and the attendant critical mass hypotheses into legislative contexts, identify the need to understand not only partisanship but also coordination among woman legislators as a precondition for achieving the benefits of critical mass. They develop a refined, testable model of tokenism and critical mass that will help to form the operative definition of tokenism in this paper.

Unique to the application of tokenism to legislatures, however, are the contingency effects of political party. Kanthak and Krause (2011) theorized that members value their colleagues (of any gender) more highly when their ideological policy preferences more closely mirrored one another than when they do not. The replacement of a Democratic man with a Democratic woman in a legislature, in other words, is of much less utility to a Republican woman than if a Democratic man were to be replaced by a Republican woman.

Kanthak and Krause evaluate this asymmetrical tokenism present in party organizations. Republican women, they find, are tokens within the party; Democratic women, owing to their higher numbers within the Democratic Party, are no longer tokens but a full-fledged out-group-minority. Implications of this asymmetrical tokenism include the risk that Republican women are more subject to and less able to change the system (in this case, the party structure) they enter. Laws (1975) claims the benefits tokens receive are subject to their respect of the organizational “defining constraints”; Kanter (1977, 979) is more blunt in her claim that tokens must pass “loyalty tests” to receive benefits. A strong pro-life position is popularly associated with the Republican Party; submission to this party line by the token women in the party is essential to demonstrate to the dominant population that the tokens pose no threat to the (masculine) status quo in the party (Gertzog 2004). Though this initially seems to contradict the above finding that women in the 103rd Congress were more likely to cross party lines to vote in a women-friendly direction, Swers (2002) highlights the additional mitigating factor of majority-party status within the legislature. Swers finds that the in-group within a legislative party organization is more tolerant of occasional deviance when the party is in the minority, especially to the extent that it can help the minority party gain majority status.

Kanthak and Krause demonstrate that coordination among women (such as the existence of a legislative women’s caucus) matters in achieving policy outcomes desirable to women, but this too is complicated by way of partisanship. Token Republican women, eager to reap the benefits afforded them by their Republican colleagues, may devalue the concept of coordination; they may see coordination among women as unnecessary or even sexist, or they may fear a backlash by men (Kanthak and Krause 2012).

In contrast to the notion that women make an increased difference (in a specific direction) as their numbers increase, Kanthak and Krause find they instead become more diverse—perhaps too much so to consider themselves a cohesive group “women” with a distinctive set of preferences. This claim is worth additional consideration given that, as figure 2 shows, the proportion of Republican women relative to Democratic women in state legislatures hit a ten-year high in the 2011-2012 legislative sessions.<sup>2</sup>

[Figure 2 about here]

In tandem with this increase in Republican women came an unapologetic brand of conservatism that shifted the Republican Party—and the men and women in it—much further to the right. There is reason to believe the women in this time frame are more polarized than their historical counterparts and thus more likely to be subject to tokenism-by-party as opposed to tokenism-by-institution, which itself implies that women as a group will be less able (and have less incentive) to coordinate in order to achieve the benefits of their increased numbers.

In sum, the asymmetrical tokenism between the two major parties in state legislative contexts leads to a situation in which Republican women, loyal to the party line, enjoy the

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<sup>2</sup> It is worth noting, though, that the proportion of women to all state legislative Republicans still clearly places them in a token context: in 2011 state legislatures, the average percentage of Republicans who were women was 18%; the percentage for Democrats was 33%.

benefits of being in the token minority more than do their Democratic counterparts. The ascent of the Republican women is facilitated by Republican men eager both to satisfy a potential constituency and identify advocates for a set of policies that may be perceived as antifeminist (Dodson 2006).

### **Abortion as an Issue of Substantive Representation**

Previous studies examining the link between descriptive and substantive representation have been undertaken along a number of policy areas theorized to be affected by the inclusion of additional women. Most notable among these have been issues that have involved the status of women in the broader population. Black (1989) defines women-friendly policies as those that improve the autonomy of women. Gardiner and Leijenaar (1997, 61) define such policies as the “broad range of options available to European governments to improve the status of women, the adoption of and implementation of which reflect the existence of a culture of equality.”

Borchorst (1994) defines them similarly, connoting an implicit battle against the patriarchal elements in society in so doing. Perhaps the most instructive definition of woman-friendly or feminist policies comes from Mazur (2002) who identifies five criteria, of which three should be met. Mazur argues women-friendly policies should: 1) address improvements of women’s rights, status or situations to be in line with those of men’s; 2) reduce or eliminate gender-based hierarchies and/or patriarchy; 3) focus on the role of women in both or neither of the public or private spheres; 4) focus on both men and women; and 5) be readily associated with a recognized feminist group or actor.

By the criteria presented, Mazur defines reproductive rights as an area of interest to those desiring women-friendly policies. Abortion rights is included in this reproductive rights framework—in fact, abortion is identified as one of the earliest policy areas inspired by second-

wave feminism (Lovenduski and Outshoorn 1986). Abortion rights are seen, especially by feminist interests, as an issue of patriarchal power, fraught with policy that constrains a woman's autonomy and role in the larger society. Battles over abortion have often (though certainly not always) been fought through symbolic (as opposed to substantive) policy, contributing to abortion becoming perhaps the most high-profile of all so-called morality policies (Meier et al. 1996; Mooney 2001).

Expanding Thomas' (1991) model of critical mass to abortion policy, Berkman and O'Connor (1993) found some support for the hypothesis that the proportion of women in a state legislature directly affected non-adoption of a policy along an up-or-down floor vote, even after controlling for ideological and demographic factors. Importantly, they also found that women were able to influence policy adoption through obtaining leadership roles within the legislature, a task which women consciously set out to do, especially in state legislative environments with few women and that are prone to support other abortion-restrictive policies. It may be seen, incidentally, as supportive of Kanter's theory that in legislative environments with few women, token women legislators set out to influence policy change in an area strongly and stereotypically associated with women.

### **Previous Research**

Almost invariably, scholars have used liberal-feminist-oriented definitions of what constitutes substantive representation of women (Tamerius 1995; Mazur 2002; Swers 2002). However, this approach has some limitations. First, the very notion of "women's issues" has been found to vary, contingent on the ability of one political party to set the legislative agenda unchecked (Osborn 2012; Swers 2013).

Relatedly, elected women identify such issues differently by party affiliation. Republican and Democratic women tend to identify different policy areas as important to women. Democratic women identify women's issue area in a manner more traditionally considered in line with a feminist definition; Republican women tend to identify as women's issues feminine interpretations of issues less-frequently thought of as gendered, such as economic policy (Osborn and Kreitzer 2014).

Even on the issues agreed upon by both major parties in a given legislature as "women's issues," the partisan divergence of policy preferences is an impediment to using the feminist definitions of women's issues as a universal goal of substantive representation. Assuming Republican and Democratic women in a legislature agree on an issue being a "women's issue," their prescriptions for solutions may be vastly different (Reingold and Faust 1989; Phillips 1995).

These differences should not be seen as a lack of substantive representation; rather, it should be seen as an alternative perspective of the same (Schreiber 2008). Women in legislatures, regardless of party, take their jobs as representatives seriously; they identify more readily with the women in their district. They are more likely than men to feel they are especially representing the women in their districts (Reingold 2008). Elected women, additionally, are subject to the same electoral mechanisms of accountability as are men; they thus have a responsibility to represent their constituents (Swers 2002). And while women are frequently found to be more liberal than their male counterparts, this largely translates into intensity of opinion and not directionality thereof (Reingold 2000; Thomas and Wilcox 2012; Dodson 2005; Thomas 1994). In short, elected women may be representing their female constituency simply by behaving as an elected partisan. Thus, scholarship that captures the extent to which

unidirectional policy change is successful tells us nothing about if and how women with an other-than-liberal feminist viewpoint feel they are being substantively representative.

This point becomes especially evident in light of the post-1992 and especially post-1994 realignment of parties around abortion (Abramowitz 1995; Sabonmatsu 2002; Wolbrecht 2000). Abortion has become an issue that the left largely ceded to social conservatives in the post-1994 political environment (Petrocik 1996; Pope and Woon 2009; Sellers 2010). In a more modern context, in other words, there may not be a reason to expect Republican women to cross party lines to support pro-life positions. And indeed, women in the electorate are “no less likely [than are men] to see themselves as partisans and there is little empirical evidence that women’s affinity for women crosses party lines” (Dolan 2008, 88; Dolan 2004).

Finally, scholarship evaluating the extent to which links exist between descriptive and substantive representation tend to focus on a limited variety of outputs, with a set of issues that fail to appreciate the breadth of the dependent concept. The most popular approach is the measurement of policy output as a function of the proportion of women in the legislature (Berkman and O’Connor 1993; Tatalovich and Schier 1993; O’Connor and Berkman 1995; Kreitzer 2015). While important in its own right, the output variable only captures a small part (arguably, one of the least important parts) of policymaking. Measuring descriptive representation by way of whether a bill-or set of similar bills-passed only measures the directionality of the policy preferences of the legislature as a whole; it does not measure the salience of the issue to the legislature or the closeness of the floor vote (Tamerius 1995).

[Figure 3 about here]

Figure 3 indicates that, with regards to antiabortion bills adopted or passed in 2011-2012, there is essentially no relationship between the proportion of women in the legislature and bills

adopted or bills passed. Though it is not, of course, conclusive here that women have become more heterogeneous than previous studies indicated, these scatterplots indicate the need to evaluate legislative activity at a smaller level of analysis.

### **Recent Developments in the Abortion Policy Landscape**

Since Berkman's and O'Connor's (1993) and Swers' (1998) work on the role of women in institutional-level abortion policy output and individual-level policy preferences, changes have materialized in the political landscape as it pertains to abortion. In addition to the 2010 wave election discussed above, elections between 1994 and 2010 saw a trend toward increased Republican representation at the state level (Jenkins et al. 2006). At the national level, the first decade of the 2000s saw eight years of a socially conservative, pro-life president in George W. Bush. This is important not only by way of the opportunity afforded to the pro-life movement by way of President Bush's use of the bully pulpit but also by way of judicial and executive appointments President Bush was afforded the opportunity to make.

Two of the most significant shifts in abortion-related politics were the *Stenberg v. Carhart* (2000) and follow-up *Gonzales v. Carhart* (2007) cases. These judicial battles were over a Nebraska law banning all late-term abortions except to protect the life of the mother. As the law did not contain a provision to protect the health of the mother, it would have seemed to run afoul of the prior *Webster* (1989) and *Casey* (1993) decisions in which states were permitted to restrict abortion to the extent that they did not interfere with the preservation of the life or health of the mother. *Stenberg* overturned the late-term abortion ban; *Gonzalez* reinstated it. The *Gonzalez* case, the result of an appeal by President Bush's Attorney General and decided by a Supreme Court with two Bush appointees, allowed more restrictive abortion policies to become enshrined in law.

The *Gonzalez* decision was a policy shock at the federal level that allowed pro-life activists to call for—and their legislative allies to enact— further incremental abortion restriction at the state level (Camobreco and Barnello 2008; Roh and Haider-Markel 2003). The older battlegrounds in the abortion war—such as parental notification laws and state funding of abortion (Berkman and O’Connor 1993)—were largely (though not completely) replaced by battles over so-called “woman-protective” antiabortion policies.

Woman-protective abortion policies, as the name suggests, were framed as ostensible protections for the abortion-seeking woman against deceptive and unsanitary abortion providers and facilities. In practice, though, they shared the same goal as other abortion restrictions. Such laws, intentionally or not, served to embarrass or otherwise remind the abortion-seeking woman of her gender-based role in society as perceived by many in the pro-life movement (Siegel 2007). Policies included mandated ultrasounds prior to abortion; mandated waiting periods and counseling; and policies restricting private insurance coverage of abortion (Guttmacher Institute 2012). These state-level policies ranged in severity: an ultrasound may be required for every abortion; mandatory pre-abortion counseling may include accurate or inaccurate information regarding the health risks of abortion.

In addition, the passage of the Affordable Care Act in 2010 gave abortion opponents another avenue to pursue restrictions in a familiar battleground of state-level abortion funding: several states proposed and adopted abortion restrictions for the health insurance plans available on the state-based insurance marketplaces. Several states adopted such restrictions in spite of already-enacted prohibitions on private health insurance plans that had already covered exchange plans, a move that could be considered symbolic as it serves no functional purpose other than to reiterate opposition to abortion.

[Table 1 about here]

Table 1 indicates that while the majority of antiabortion bills in 2011-2012 that were used in this analysis<sup>3</sup> did not pass the legislature, a total of 58 standalone antiabortion bills passed. Additionally, the largest number and percentage of antiabortion bills were classified as woman-protective. A majority of these abortion restrictions were considered in 2011, directly after the conservative wave elections of 2010. At the same time, the extent to which women can be considered tokens within their respective legislative bodies has diminished in tandem with the steadily increasing proportion of legislative women since 1992. Seemingly, support has also diminished for the critical mass predictions that women would begin to substantially shift policy in a more women-friendly direction upon achieving a certain threshold. The apparent incongruence between these two facts highlights the need for contemporary research on the role of women in state legislatures.

Women legislators were, over twenty years ago, found to be more likely to be supportive of liberal abortion policies than are their male colleagues (Tatalovich and Schier 1993). Swers (1998), in her analysis of individual legislator voting patterns in the 103rd Congress, finds that while women may not necessarily be more liberal overall than their male counterparts, they are more likely to vote together to support women-friendly legislation on issues that more directly affect women. Republican women in particular, Swers finds, were more likely to vote with their female colleagues, including crossing party lines to support a pro-choice position with regards to abortion.

These analyses—the most recent of their kind—were conducted around two decades ago, with fewer women in Congress relative to present day. A number of changes in the legislative

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<sup>3</sup> Not included in this analysis are antiabortion amendments or riders attached to nongermane bills such as omnibus spending bills.

landscape imply these assumptions may not hold in a modern context: first, Swers (1998) and Tatalovich and Schier (1993) analyzed a time period in which Republicans were in the minority party. Later research finds that when Republicans claimed the Congressional majority in the 104th Congress, in part due to the social conservative wing of the party (Williams 2010), Republican women were admonished more readily for deviation from the party line (Swers 2002) and thus were more likely to support the pro-life position of their party. Thanks in part to these admonitions, Republican women at every level have adhered more closely to the pro-life position of the party since the 1994 conservative wave elections (Schreiber 2008).

Most recently, female conservative superstars such as Sarah Palin have attempted to redefine feminism in a more conservative fashion (Schreiber 2008). Of course, conservative women are not a new phenomenon, but rhetoric from Palin and others like her suggest a trend toward co-opting the feminist label. This represents a departure from traditional conservative opposition to the tag. Included in this embrace (or redefinition) of the term is an anti-abortion message framed as one of woman's empowerment or protection (Gardner 2010).

Siegel (2007; 2008) argues this change in framing antiabortion policy is not limited to Palin. She highlights the change in abortion policy rhetoric as an intentional reaction to the rhetoric in the *Casey* and *Carhart* rulings, which focused on dignity, both of the fetus and woman seeking abortion. The decisions reinforced, and, she argues, encouraged perpetuation of, the emergent trend in which antiabortion legislation is framed as a protection of the woman's dignity as much as the dignity of the fetus. Siegel frames this shift as the reaction of the antiabortion movement to the success abortion advocates have experienced in changing the terms of the debate from fetal concerns to concerns about the rights and well-being of the woman seeking abortion. Indeed, one may see previews of Palin's pro-life argument in Reardon's (1996)

*Making Abortion Rare*, which lays out a strategy for antiabortion advocates of rhetorical woman-empowerment in implementing a pro-life agenda.

The change in abortion rhetoric and policy highlights the interaction of elected men and women: Levy, Tien and Aved (2001) demonstrate that women in Congress contribute to a shift among women and men in the abortion debate towards a focus on the health of the woman seeking abortion. This is consistent with the experience of Rep. Susan Molinari, who claims that Republican women in Congress in the 1980s were able to “teach” Republican men proper framing of their opposition to abortion (Molinari 1998).

Another line of research, however, has indicated a backlash effect: as the number of members belonging to the out-group increases within an organization, the in-group responds by preserving their dominant status. Bills contrary to out-group interests have been found to be introduced at higher rates alongside increases in out-group descriptive representation, especially as the out-group’s increase threatens the in-group’s hegemonic status (Bratton and Ray 2002; Crowley 2004; Haider-Markel 2007). Especially to the extent that abortion policy is seen as a referendum on the societal role of the woman, the possibility exists of higher levels of introduction and support of antiabortion bills by men in the state legislature as the number of women increases.

With new developments in theoretical frameworks and the policy landscape, as well as the potential shortcomings of descriptive representation literature in mind, I evaluate herein if women translate descriptive representation into substantive representation in the sense prescribed by feminist policy theorists, e.g. actively taking pro-feminist stances by way of abortion voting.

### **Research Question and Hypotheses**

R1: *Under what circumstances are women legislators likely to take pro- or anti-feminist policy stances?*

My hypotheses are as follows:

### **Sponsorship hypothesis**

H<sub>1</sub>: As the proportion of women in the legislature increases, men and women within the same political party sponsor antiabortion bills at the same rate as each other.

### **Voting hypothesis**

H<sub>2</sub>: As the proportion of women in the legislature increases, men and women within the same political party vote for antiabortion bills at the same rate as each other.

Previous research has found that pro-choice legislation was more likely to be sponsored - by women (Thomas 1994). However, in the more conservative political environment of 2011-2012, pro-choice legislation was much rarer than antiabortion legislation. Thus, given the new context, this research can answer whether a the opposite holds true—if women are less likely to sponsor anti-abortion legislation than are men, and in so doing answer whether these trends have held up or dissipated over time.

### **Data**

To evaluate potential links between descriptive and symbolic representation of and by women, this work will evaluate individual state legislators' decisions made regarding anti-abortion bills (N=392) in the 2011-2012 time period. To better identify policy-based decision-

making, only bills specifically anti-abortion in nature are included in this analysis. Bills such as omnibus bills with antiabortion clauses or bills unrelated to abortion with pro-life amendments were eliminated from the dataset to reduce ambiguity.

Among the advantages of this particular analysis is that these policy areas were, at the time, largely uncharted territory—the *Gonzales v. Carhart* case, which validated such restrictions, was decided only three years prior to the timeframe in this analysis. The outcome of the 2010 elections afforded conservatives the opportunity (in some cases, for the first time since *Carhart*) to advance such legislation. State legislatures took full opportunity to do so: in the 2011-2012 legislative sessions, 46 states considered 443 anti-abortion bills. Evaluating these bills, then, minimizes the possibility of similar legislation having been considered prior to the time frame in question. As the bills were introduced in a relatively short time period, the risk is also minimized of widespread shifts in public opinion or other exogenous shocks influencing patterns of policy activity.

Anti-abortion bills in 2011-2012 were far from monolithic. A number of policies were considered in the state legislatures, each with various purposes. Anti-abortion bills ranged from the symbolic (legislation creating optional license plates with a message such as “Choose Life”) to the substantive (bans on insurance coverage of abortion, mandatory ultrasounds or counseling) (Guttmacher Institute, 2012). Looking at legislators’ decisions across all bills satisfies the pro-feminist definition of substantive representation used by authors of previous studies, as well as the understanding that individual legislators may each define substantive representation differently (Reingold 2008).

Regarding abortion generally, there exists a wide partisan divide that this study attempts to account for in its analysis of legislative women’s activity (Abramowitz 1995; Carmines and

Woods 2002). This study will evaluate the effects of different types of anti-abortion bills, which is made more important in light of Siegel's (2007) argument that many of these new-wave abortion restrictions are ostensibly intended to protect the dignity of women, but are instead based on stereotypical assumptions about a woman's role in society and as a result are derogatory of women.

In one of the most exhaustive theoretical contributions to date of women's legislative action qua women, Swers (2002) postulates that gender is the most significant predictor of a legislator's action on antifeminist policies. She holds that the more a policy problem is related to gender, the more likely it is that gender will be a motivating factor in policymaking decisions. To that end, it is important to distinguish between the ostensible targets of the bill. By nature of the traditional gender roles ingrained in the so-called woman-protective antiabortion policies, these bills may see a greater difference in voting and/or sponsorship patterns by gender, regardless of partisanship, than a bill with less-biased language, such as an effort to end insurance coverage for abortions (Swers 1998).

Despite the advantages of choosing anti-abortion legislation, it is not without its set of disadvantages. Most obviously, a legislator's action on a given set of anti-abortion bills is not a perfectly generalizable indicator of where that legislator may stand on a variety of other issues seen as important to women. Given the breadth of this analysis and the scholarly narrative this work hopes to contribute to, however, this work will help us determine if women qua women, as opposed to women qua feminists, are making a feminist mark on public policy as their numbers have increased.

## **Models**

I use two separate models, each with a unique dependent variable, that when analyzed in tandem should provide further insight into the link between descriptive and substantive representation. The two dependent variables I use in this model are 1) the roll-call voting behavior and 2) bill sponsorship or co-sponsorship behaviors of individual legislators. Each of the variables captures a different part of policymaking, with its own unique characteristics. Roll-call voting provides perhaps a more robust measurement of differences, as upon a bill's arrival on the floor, members of the body choose whether to vote for or against the bill. Of course, not all bills make it to the floor, and choosing to vote for or against a measure reveals little regarding intensity of preference (Tamerius 1995; Cowell-Meyers and Langbein, 2009). Bill sponsorship activity should then account for this gap in opportunity and enthusiasm, and the shortcomings of this dependent variable—most notably, that there are significantly fewer sponsors than there are legislators who vote on the bill upon its arrival to the legislative floor—should be accounted for by the inclusion of the roll-call voting variable.

The dependent variables are dichotomous; I use logistic regression for the sponsorship models and the floor-vote models. Though the unit of analysis is the individual legislator, the independent control variables are measured at the state level, resulting in serial correlation that must be accounted for. To overcome the limitations of this analysis type, as well as to correct for potential understatement of standard errors and overstatement of statistical significance, I use Huber-White sandwich robust standard errors clustered by state (Moulton 1990; Cameron and Miller 2010). Such an approach has been used previously when aggregate-level (state) data and (individual) micro-level observations are combined in a regression model (Bertrand, Duflo and Mullainathan 2004). Though newer methodological research indicates the coefficient values should be taken with caution (Freedman 2006), the value of the model's statistical significance

and directionality of fixed effects should be preserved, making it a useful tool to, at minimum, point in the direction of future research.

### **Dependent Variables**

Both dependent variables are dichotomous—coded 0 if the legislator had the opportunity to co/sponsor a bill and did not do so and 1 if the legislator did so. Similarly, the voting variable was coded 0 if the legislator had the opportunity to vote on the legislative floor for the bill and voted against the bill and 1 if the legislator voted for the bill. Values were coded as missing under one of the following conditions: If the bill was not introduced in the legislator’s legislative body; if the bill did not make it to that particular state legislative body’s floor; or if the legislator did not vote (or voted “present” or similarly) on the bill.

### **Independent and Control Variables**

Consistent with my hypotheses, the independent variables of interest used in this analysis capture the gender of the legislator and political party of the legislator. For the variable measuring gender, legislators are coded 1 if male and 0 if female; with regards to the party variable, legislators are coded 1 if Republican and 0 otherwise. This data is provided by the National Council of State Legislatures. Consistent with my hypotheses, I expect no effect of gender within party affiliation across abortion bill activity. Post-analysis of the logit regression holding these variables at different values should capture the cross-pressures that arise in the case of a legislator belonging to a party that opposes abortion and possessing a theorized desire to advance women’s interests (Mansbridge 1999).

Rather than evaluate antiabortion bills as equal and interchangeable, I identify in the dataset distinctive types of antiabortion bills. Content-analysis of bills presented in state

legislatures<sup>4</sup> in 2011-2012 reveals fourteen content areas that standalone anti-abortion bills took. Content such as mandatory ultrasounds; provider regulation; insurance bans or limits; mandatory waiting periods; and changes in state appropriations for abortion providers reveal different sets of underlying arguments. Further revealing the delineation is the underlying frame of the bill—that is, the set of assumptions upon which the bill is written. Consistent with Siegel's (2008) argument that the abortion debate has (at the elite level, at least) shifted from a concern about the unborn fetus to a more woman-protective framework, I identified the target of each policy proposal by evaluating the latent frame and content of bills. I include a factor variable identifying the bill target.

Three primary policy targets were identified in my analysis: fetus-protective, woman-protective and neutral-target. Bills were coded as targeting the fetus by way of fetal-pain and fetal-personhood (including infanticide for abortions) proposals. Bills were coded as woman-protective if they suggested, by content and/or framing, that women were in need of protection from unethical or coercive abortion providers or simply education regarding her abortion. Examples of woman-protective bills include mandatory ultrasounds and/or waiting periods; regulations requiring disclosure of health information (of varying levels of accuracy) prior to abortion procedures; and bans on abortions for purposes of sex/race selection. Finally, the bill was coded as neutrally targeted if the combination of frame and content did not suggest concern with the individual but rather sought to restrict or dissuade abortions by other means, such as elimination of taxpayer-funded abortion services. By understanding which bills attract support from whom and under what circumstances, we can better discern the validity of the theoretical concepts discussed herein.

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<sup>4</sup> Data regarding antiabortion bills and content, frame, and passage thereof comes courtesy of Prof. Alesha Doan, University of Kansas and her research assistants.

Consistent with critical mass theories, as understood by Thomas (1991) and incorporated into theories of tokenism by Kanthak and Krause (2012), I include in the models the proportion of women in the legislative body. This data comes from the Center for American Women in Politics from Rutgers University and the National Council of State Legislatures.

To further evaluate the claim that not just the number of women, but also organization and mobilization of women as a distinctive group matters, I include a dummy variable indicating whether the legislature to which the individual belongs has a formal or informal women's caucus. This data comes from the National Council of State Legislatures. Though Kanthak and Krause (2012) find a tendency of Republican women to dismiss the usefulness of women's caucuses, fully thirty states have legislative women's caucuses, ranging from Southern conservative states to Northeastern and Interior Western liberal states. Of course, this is not a guarantee that all women participate in the women's caucus, but even the opportunity to coordinate with other women should at minimum affect voting patterns at the margins (cf. Laws 1975).

The extent to which party matters in policy adoption is affected by the professionalism of the legislature. States that are more professionalized tend to have longer sessions and more career-oriented politicians in the legislature, which leads to the introduction and support of heavily polarized legislation at higher rates (Squire 2007). In the context of abortion policy, having longer sessions increases the likelihood of abortion bills being introduced; and the presence of more full-time legislators increases the legislators' (and staffs') reliance on state and national parties, as well as interest groups, for policy guidance (Reingold 2000; Berkman 2001). Perhaps most importantly for purposes of this analysis, the career orientation of more professionalized legislatures leads to greater levels of party-line conformity. This is largely a

calculated decision on the part of the legislator who continually has one eye on future success—and the party support needed to achieve it (Reingold 2000). To that end, I include Squire’s legislative professionalism to control for the influence party has.

I additionally account for the explanatory framework provided by Erikson, Wright and McIver (1989), who hold that state policy decisions can be explained by partisan control of the legislature. I operationalize partisan control of the legislature through a variable that captures proportion of the total legislative seats held by Republicans.

To account for ideology by state, I utilize Berry’s, Ringquist’s, Fording’s and Hanson’s (1998) measurement of state-level government ideology from 2010. Though this variable is not limited to abortion policy in its measurement, scholars have found robust links between conservative government ideology and conservative abortion policies in the states (Norrander and Wilcox 2005).

Measurements for government ideology, citizen ideology and public opinion were all highly collinear, such that it would be unwise to include all three in the present models. Of the three, I chose to include government ideology as a control variable for a number of reasons. Primarily, I chose this variable as the result of the dominant framework I am using: government ideology is the level to which government is responsive to the public as well as to interest groups. In situations of morality policy, democratic responsiveness is quite high, especially among the most salient morality policies, as abortion generally is (Haider-Markel and Meier 1996; Doan and Kirkpatrick 2013). Further, government ideology is a stable explanatory variable in between-state policy adoption differences (Brace, Arceneaux, Johnson and Ulbig 2004). Finally, it satisfies the claim that abortion policy may be as much redistributive policy as it is

morality policy (Roh and Berry 2008), as this measure has previously been used in empirical models using both policy frameworks (Mooney 2001; Doan and McFarlane 2012).

The presence of a referendum mechanism in a state has been found to increase legislative accountability in numerous policy areas, including abortion policy (Arceneaux 2002). I operationalize a dummy variable to account for the presence of such an option within a state. Data is provided by the Direct Democracy League.

Certainly, the goals of restricting or maintaining/expanding access to abortion services have real implications for women, but the philosophical root of the abortion debate is, in many respects, a symbolic referendum on the role of women in society, fought with both substantive and symbolic legislation (Meier et al. 1996; Siegel 2007, 2008). Consequently, those women who are more highly educated (and are thus more likely to work outside the home) are more pro-choice than their counterparts without a college degree (Luker 1984; Gallup 2010). I measure the percentage of women in the state with bachelor's degrees or higher. Data here is provided by the United States Census Bureau. Religion is also an important determinant in abortion opinion. I account for the percent of a state's population identifying as Roman Catholic, as the church holds a well-known anti-abortion stance (O'Connor and Berkman 1995). Data here is provided by the Pew Forum on Religion and Public Life 2013 Survey. The Roman Catholic and women with degrees variables represent a slight shift away from a strictly representation framework and toward a morality policy framework; however, I include them to account for completing explanations and also because the two frameworks may in fact be complementary in explaining abortion policy (Kreitzer 2015).

## **Results**

### **Sponsorship pattern models**

[Table 2 about here]

Table 2 shows the results of the logistic regressions. In all cases, there appears to be strong support for the hypothesis that in the context of this analysis, gender is no longer a significant predictor of a legislator's decision to sponsor or co-sponsor a piece of antiabortion legislation. This hypothesis is supported in an analysis of all bills regardless of policy target, as well in as separate analyses of bills by policy target.

In analyses of all bill types except fetal-protective policy, legislative professionalism is associated with an increased likelihood of the legislator to sponsor or co-sponsor a bill. This is probably not surprising, given the associations discussed above between legislative professionalization and career-minded (and, as a result, ambitious) legislators, increased party strength, and capacity to listen to concerns of outside interest groups.

[Figure 4 about here]

To further illustrate this finding, figure 4 maps the predicted probability and confidence interval of an individual legislator (of each of the four combinations of party and gender) sponsoring or cosponsoring an antiabortion bill as a function of the proportion of women in the legislature. I hold all other values in the model at their mean (or mode, for dichotomous variables). If theories of tokenism and critical mass hold up in this context, we should see a divergence in probability by gender as the proportion of women increases, especially past theorized critical mass thresholds of .15 and .3. I then repeat this process for the individual model of each of the three policy targets identified.

There appear not to be significant gender effects of tokenism, critical mass, or gender-majority backlash at any proportion in this dataset, regardless of the subset of bills. The predicted probability increases only a negligible amount as the proportion of women increases, and the

predicted probabilities track closely by intra-party gender and increase in a nearly parallel fashion.

### **Voting Pattern Models**

[Table 3 about here]

The results presented in table 3, by contrast, show individual statistical significance in the direction expected for both of the primary variables of interest. Additionally, in the model including all bills, as well as the model including only woman-protective bills, the proportion of women in the legislature is significantly negatively correlated with the likelihood of legislator support. The significance of these variables belies, though, the effects all three variables play both uniquely and together.

[Figure 5 about here]

To illustrate the effect of the significant variables on the likelihood of a legislator voting in favor of a bill, figure 5 graphs the predicted probabilities of a legislator voting for a bill as a function of proportion of women in the legislature similar to the above graphs modeling sponsorship behaviors. Here, the inter- and intra-party differences are more substantive, especially with regard to the model including all bills and the model including only woman-protective bills.

Among all bills that arrived on the legislative floor, there is no overlap in the probability of vote between legislators of different parties, regardless of gender. Among all Republicans, Republican women are predicted to break away from their male colleagues at a faster rate as the proportion of women increases, although the null hypothesis cannot be ruled out at any place along the x-axis.

On the Democratic side, evaluating all bills, the opposite appears to occur: Democratic men tend to converge with their female counterparts as the proportion of all women in the legislature increases. In addition, at certain observed levels of proportion of women, there is a statistically significant difference between Democratic men and women. Between approximately 14% and 20% women in the legislature, there is a gap in the confidence interval boundaries between Democratic men and women of between .016 and .017—not an especially substantive amount in probabilistic terms, but nonetheless an interesting and counterintuitive finding. The significant differences between Democratic men and women and the proportions at which they occur are detailed in table 4.

[Table 4 about here]

Regarding woman-protective bills, there exists here the largest partisan voting pattern difference of all bills. Here, we see more exaggerated trends between intra-party genders: divergence among Republicans and convergence among Democrats. Again, however, the differences between intra-party genders are interesting but not statistically significant.

## **Discussion**

Far from the popular perception that pro-life legislation is forced upon women by men, this research indicates that partisanship matters more than gender in the adoption of such policy. Conversely, the advancement of feminist policy (or the suppression of anti-feminist policy) may be more greatly influenced by liberal legislators than by women.

The null finding with regards to the sponsorship hypothesis is perhaps the most marked departure from previous studies I encounter in this work. Sponsorship is, after all, a high-profile display of support for a particular position (Tamerius 1995; Dolan 2006). Women have previously been found to sponsor pro-life legislation at rates significantly lower than those of

men, regardless of party (Swers 2002). If women and men within the Republican Party sponsor antiabortion legislation at statistically similar rates, the implication is that legislative women have shed a stereotypical gender identity in favor of a stereotypical partisan identity. Thomsen (2012) identifies a potential cause of this shift as one of self-selection: as the party has become more conservative, moderate Republican women may have selected out of running for office as Republicans due to a perception of ill fit with the party platform.

The results here stand in contrast to previous studies of tokenism and critical mass effects in a United-States context, in part due to a change in the political environment in the states, as well as to an individual-level analysis that has previously been passed over in favor of aggregate outputs. In aggregate, this research supports Reingold's (2008) assertion that women are in politics more fully now than in the past and that while gender pressures exist, feminist policymaking is a partisan rather than gender issue.

Further, this work demonstrates that theories of gender-based critical mass are limited in their predictive power. At higher levels of women in the legislature (beyond approximately .2), the rate of probability change picks up speed, leading both Republican and Democratic women to vote for bills at lower rates; though because the highest observed proportion of women is .38, it is as yet unclear whether this will translate into a significant difference between genders within a party.

Questions of tokenism by way of legislative action, though, are more difficult to answer from this analysis. Kanter (1977) found in her analysis that the token woman would distort their own self-perception to fit in with the concept of a stereotypical woman. Within the Democratic Party, which is strongly and stereotypically associated with a liberal-feminist interpretation of women's rights, the results indicate potential gender effects. Certainly an average Democrat is

likely to support abortion restrictions at a lower rate than an average Republican; however, the results indicate that at lower proportions of women in the legislature, the average Democratic woman is significantly (though marginally) less likely than her male counterparts to support such bills. The difference in the rates at which Democratic men and women vote for antiabortion legislation seems to suggest a desire on the part of the Democratic woman to represent the interests of her (Democratic) women constituents (Reingold 2000; Epstein, Niemi and Powell 2005). The difference may also highlight the influence additional women have on the terms and framing of the abortion debate in the legislature.

Though the possibility of backlash by the gender majority—by way of increased antiabortion policy support by men—was not explicitly hypothesized, there appear to be no significant backlash effects in state legislatures during the time period in question. This does not mean this phenomenon does not exist, but rather it may be mitigated by state characteristics; a time-series analysis at the state-level may well uncover such phenomena.

Certain images of the stereotypical woman may include general support for abortion rights (Fox 1997). Legislative token women's support of these rights, though, is not an aspect of the stereotyped woman supported by the present analysis. It appears that that the partisan trumps the gendered—because the Republican Party largely supports greater restrictions on abortions, token women may need to prove fealty to the party over a more abstract, gender-based policy support.

Limitations of the present study are present and should be explicated. First, this work does not, by design, take into account intersectionality of legislative women. Analyses have, to great effect, used such intersectional descriptions to account for the diversity of experiences and the effects thereof (cf. Tamerius 1995; Bright and Haider-Markel 2014; Garcia Bedolla, Tate and

Wong 2014; Bejarano 2014; among numerous others). A fuller analysis should include additional elements of descriptive representation such as race and ethnicity, religion, sexual orientation and identity.

Ironically, a primary motivation for the exclusion of the effect of intersectionality on substantive representation was to demonstrate the need for further works to include such factors. By way of highlighting the co-partisan nature of men and women, this paper provides additional evidence that women are “in” politics now. As such, scholars of descriptive representation should continue to incorporate experiences of intersectional women (Reingold 2000).

Also, though it has been mentioned before, it is worth repeating that abortion is obviously a highly partisan issue. Therefore, the findings here may not, in fact, be generalizable to the broader swath of issues defined in the literature as “women’s issues.” Still, this work provides evidence that partisan factors can and do influence legislators’ policymaking positions, even in the presence of potentially mitigating factors.

## **Conclusion**

Building upon Pitkin’s (1967) work, scholars have argued for the inclusion of more women in politics, implying or even explicating that feminist ideals will result from such inclusion (Carey, Niemi and Powell 1998; Epstein, Niemi and Powell 2005). Women generally want to make a mark in women’s interest areas (Thomas and Wilcox 2012). Not only do they want to make a mark in such areas, they also value bringing a different perspective of the issue to the policy debate (Levy et al. 2001). In gender-specific descriptive representation literature, the underlying assumption has often been that those marks and perspectives are liberal-feminist in nature (cf. Reingold 2000). Making these assumptions is done at the peril of losing sight of the impact women do, in fact, make.

Since the time of the women's suffrage movement, women have frequently been represented on both sides of debates that revolve around differing definitions of equality (Mansbridge 1986). Since *Roe v. Wade*, women have been represented on both sides of the abortion issue. To label a broad swath of women as less than women-friendly by way of their nonsupport of abortion, as many scholars whose work I build upon here have, is perhaps surprising. While the claim that women have shared experiences that enhance identification with one another (Tamerius 1995) is certainly accurate, shared experiences do not necessarily result in shared preferences (Phillips 1995). Claims of gender homogeneity based on mutual experiences can themselves be seen as essentializing and sexist (Reingold 2000, 41).

None of this work should be mistaken to claim that descriptive representation is not important, or that gender does not matter. On the contrary, policy outcome is only one of many routes by which descriptive representation may lead to substantive representation. Substantive representation is at least as much process as it is outcome (Franceschet and Piscopo 2008). Women's descriptive representation is associated with an increase in perceptions of governmental legitimacy (Phillips 1991; Mansbridge 1999). In part, this is because gender informs numerous aspects of the representative's job: women have been found to be more inclusive in decision-making (Thomas 1994) and women expand the agenda to include issues overlooked by men (Gertzog 2004).

In an ironic way, these findings may encourage those who advocate for increased descriptive representation. Women, though certainly not proportionally represented, appear to have increased their numbers within legislatures such that they carry with them a greater variation of preferences than has been the case in the past. Those concerned with direction of

policy outcomes, on the other hand, may do well to consider numbers within parties rather than within legislatures (Kanthak and Krause 2012).

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## Appendix

### Appendix A. Determination of bill content as a combination of latent frame and bill content

Latent Frame of Bill	Bill Content				
	Fetal pain	Taxes for abortion services	Ultrasounds	Homicide laws	Clinic/Provider regulations
Unborn feels pain	Fetus	.	.	Fetus	Fetus
ACA allows gov't sponsored abortion	.	Neutral	.	.	.
Women need information	.	.	Woman	.	Woman
Clinics are unsanitary	.	.	.	.	Woman
Define homicide/infanticide	.	.	.	Fetus	Fetus
Right to refuse service, moral/religious	.	.	.	.	.
Regulation vs. predatory industry	Fetus	.	.	Fetus	Woman
Juveniles (institutionalized)	.	.	.	.	.
Parental rights	.	.	.	.	.
General state regulation	.	.	.	Fetus	Woman
Race/sex selection abortions	.	.	.	.	.
Bans taxes for abortion services	.	Neutral	.	.	.
State right to regulate abortion	.	Neutral	.	.	Neutral
Fetal personhood	.	.	.	Fetus	Fetus
	Insurance ban/limit	General regulation	Sex/race selection ban	State appropriations	Public Safety
Unborn feels pain	.	Fetus	.	.	.
ACA allows gov't sponsored abortion	Neutral	.	.	Neutral	.
Women need information	Woman	Woman	.	.	Woman
Clinics are unsanitary	.	.	.	.	Woman
Define homicide/infanticide	Fetus	.	.	.	.
Right to refuse service, moral/religious	.	.	.	.	.
Regulation vs. predatory industry	.	Woman	.	.	Woman
Juveniles (institutionalized)	.	Woman	.	.	.
Parental rights	.	Woman	.	.	.
General state regulation	Neutral	Neutral	.	Neutral	Woman
Race/sex selection abortions	.	Fetus	Fetus	.	.
Bans taxes for abortion services	Neutral	Neutral	.	Neutral	.
State right to regulate abortion	Neutral	Neutral	.	.	Neutral
Fetal personhood	.	Fetus	.	.	.
	Father's rights	Waiting period	Req. to determine post-fert. age/fetus	Juvenile waiver	Parental notification/consent
Unborn feels pain	.	.	Fetus	.	.
ACA allows gov't sponsored abortion	.	.	.	.	.
Women need information	.	Woman	Woman	.	Woman
Clinics are unsanitary	.	.	.	.	.
Define homicide/infanticide	.	.	.	.	.
Right to refuse service, moral/religious	.	.	.	.	.
Regulation vs. predatory industry	.	.	Fetus	.	.
Juveniles (institutionalized)	.	.	.	Woman	Woman
Parental rights	.	.	.	.	Woman
General state regulation	Woman	.	.	.	.
Race/sex selection abortions	.	.	.	.	.
Bans taxes for abortion services	.	.	.	.	.
State right to regulate abortion	.	.	Fetus	.	.
Fetal personhood	.	.	Fetus	.	.

## Figures and Tables

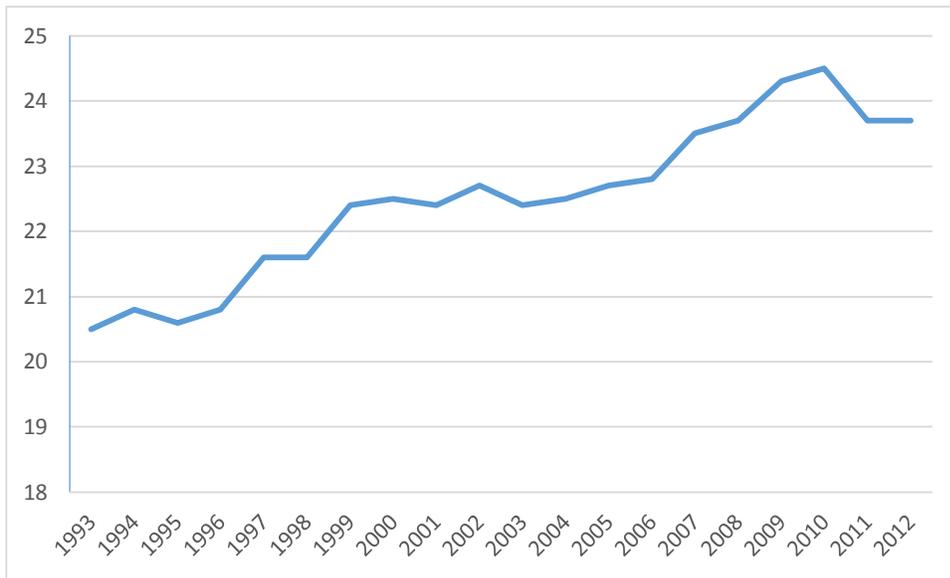


Figure 1. Percent of women legislators as a percentage of all state legislators, 1993-2012.

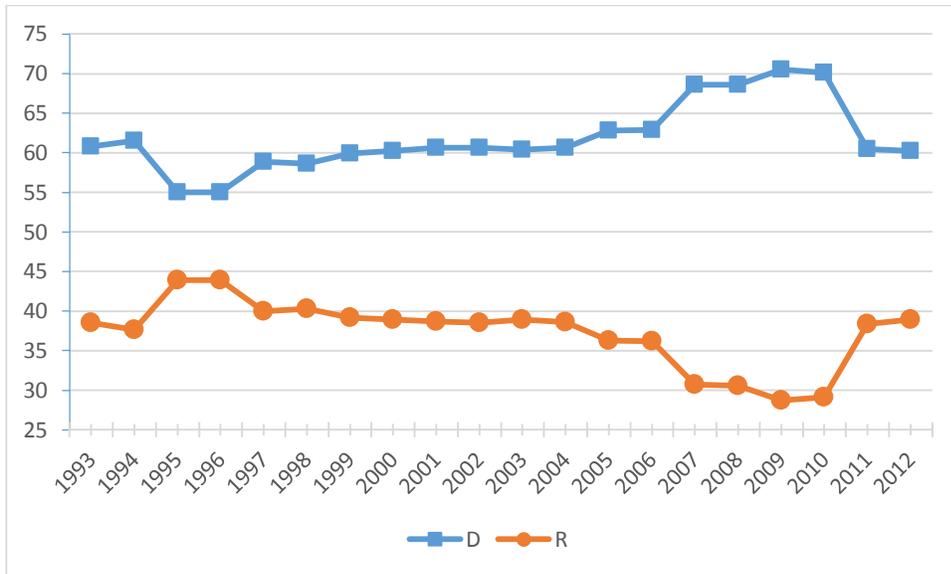


Figure 2. Percent of women legislators by party, 1993-2012.

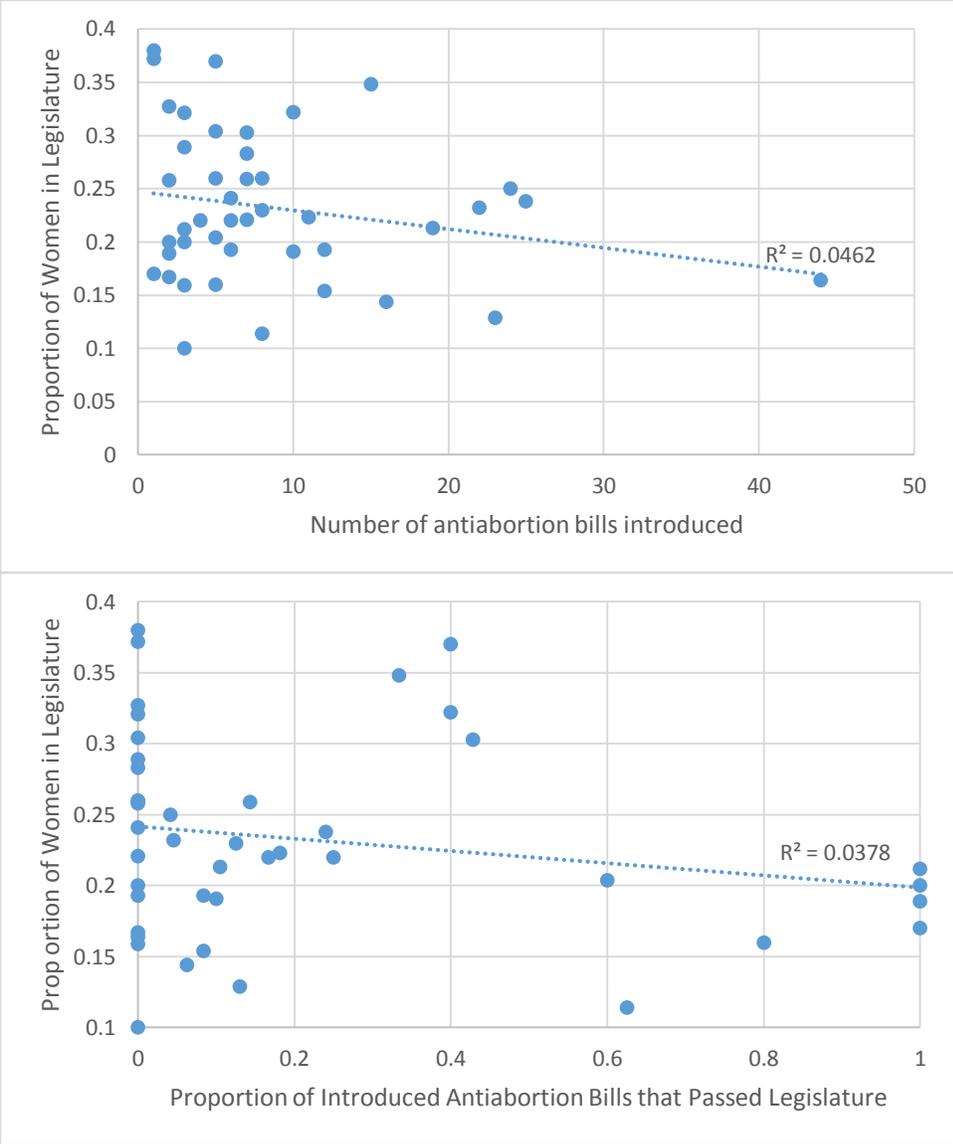


Figure 3. Scatterplots of 1) antiabortion bills introduced and 2) proportion of introduced bills that passed the legislature, as a function of proportion of women in legislature

	Neutral	Fetal- Protective	Woman- protective (inc. juvenile)	Total
Passed	14 (11.97%)	11 (13.92%)	33 (16.84%)	58 (14.80%)
Did Not Pass	103 (88.03%)	68 (86.08%)	163 (83.14%)	334 (85.20%)
Total	117	79	196	392

Table 1. Success rate of bills introduced by type.

Sponsorship	All Bills	Neutral-target	Fetal-protective	Woman-protective
Republican	1.884 (6.40)**	1.801 (3.29)**	1.908 (5.39)**	1.954 (6.21)**
Male	0.089 (1.09)	0.238 (1.52)	0.193 (1.84)	-0.053 (0.62)
State level variables				
Legislative Professionalization	6.939 (3.75)**	11.559 (4.18)**	0.691 (0.26)	9.21 (3.61)**
Prop. women in legislature	1.191 (0.45)	3.006 (0.77)	1.432 (0.42)	1.027 (0.35)
Percent of women with degree	0.633 (0.16)	2.745 (0.44)	-6.892 (1.47)	5.073 (0.94)
Percent Catholic	-1.096 (0.41)	-6.865 (1.60)	3.01 (0.90)	-2.559 (0.66)
Government Ideology	-0.006 (0.92)	-0.021 (2.11)*	0.009 (0.80)	-0.015 (1.95)
Prop. of seats held by Rs	0.616 (0.49)	-2.822 (1.75)	1.929 (1.19)	0.472 (0.35)
Referendum	-0.261 (0.84)	-0.351 (1.19)	0.251 (0.48)	-0.48 (1.26)
Presence of Women's Caucus	-0.317 (0.83)	-0.485 (0.87)	-0.647 (0.90)	-0.183 (0.33)
_cons	-4.851 (3.79)**	-2.933 (2.27)*	-4.048 (2.03)*	-5.525 (3.28)**
N	36,527	10,932	7,705	17,890
Pseudo R2	0.133	0.137	0.133	0.171
Huber-White robust standard errors clustered by state; Z-scores in parentheses. * $p < 0.05$ ; ** $p < 0.01$				

Table 2. Logistic regression table of models of legislators' sponsorship patterns.

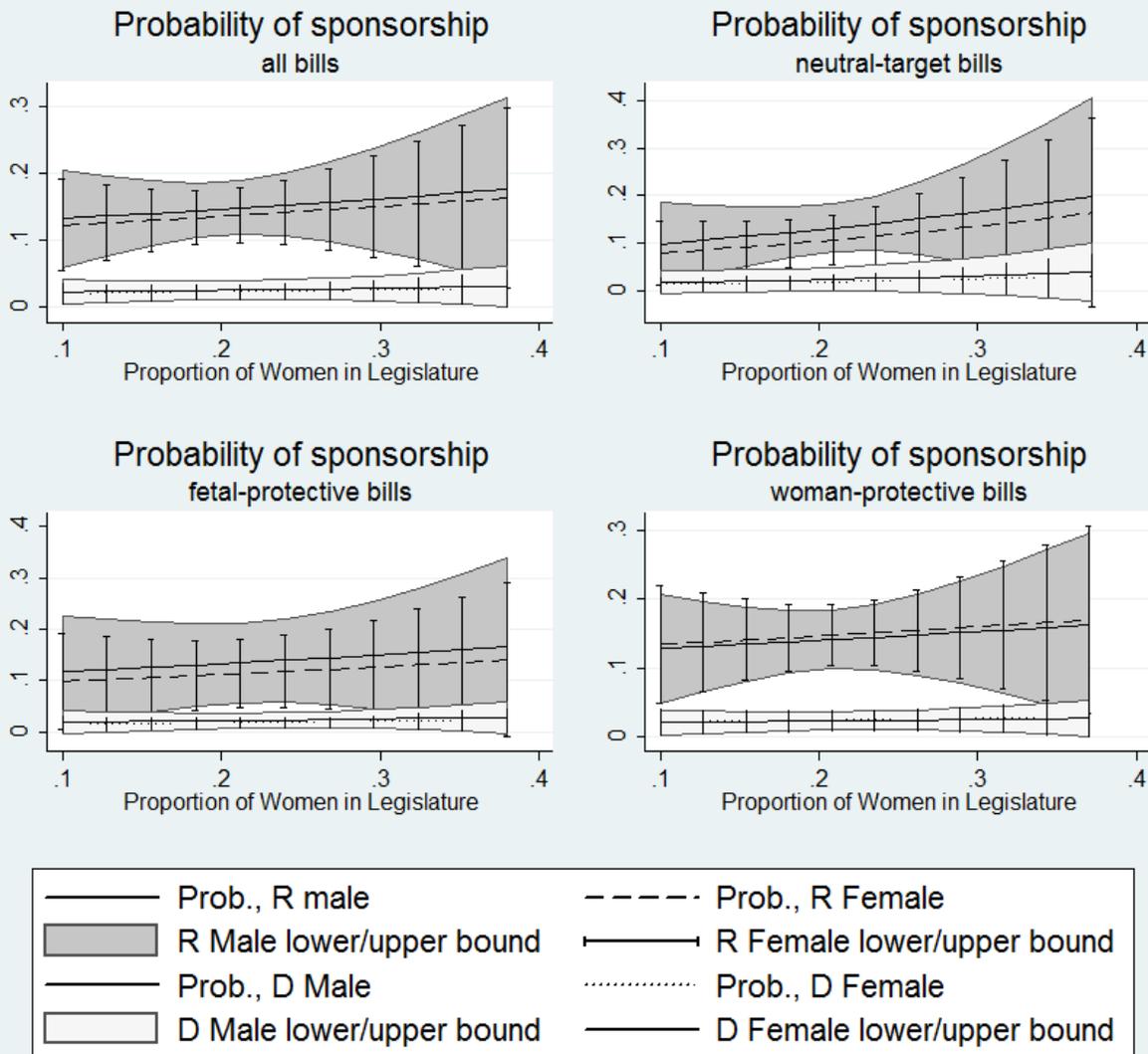


Figure 4. Probability of antiabortion bill sponsorship by target, as a function of proportion of women in legislature.

Vote	All Bills	Neutral-target	Fetal-protective	Woman-protective
Republican	3.243 (3.98)**	2.285 (2.02)*	2.045 (1.41)	4.382 (7.80)**
Male	1.039 (4.90)**	0.997 (2.49)*	1.327 (6.08)**	0.932 (6.96)**
State level variables				
Legislative Professionalism	-2.684 (1.91)	0.799 (0.50)	0.561 (0.10)	-3.531 (2.19)*
Prop. women in legislature	-0.049 (2.45)*	-0.007 (0.28)	-0.111 (1.74)	-0.081 (4.39)**
Percent of women with degree	-9.761 (2.18)*	-11.11 (2.30)*	-10.869 (1.64)	-6.014 (0.97)
Percent Catholic	3.456 (1.76)	1.164 (0.90)	9.854 (1.49)	3.344 (1.47)
Government Ideology	-0.006 (1.42)	-0.006 (1.24)	0.006 (0.87)	-0.01 (1.21)
Prop. of seats held by Rs	-3.706 (1.84)	-1.753 (0.81)	-1.167 (0.37)	-5.635 (2.53)*
Referendum	-0.08 (0.25)	-0.414 (0.92)	-0.436 (0.84)	0.307 (0.81)
Presence of Women's Caucus	0.231 (0.69)	-0.303 (0.62)	-0.071 (0.14)	0.762 (2.06)*
_cons	4.666 (2.40)*	3.549 (2.23)*	3.544 (1.00)	5.119 (2.29)*
N	10,153	2,272	1,823	6,058
Pseudo R2	0.362	0.233	0.244	0.493
Huber-White robust standard errors clustered by state; Z-scores in parentheses. * $p < 0.05$ ; ** $p < 0.01$				

Table 3. Logistic regression table of models of legislators' voting patterns.

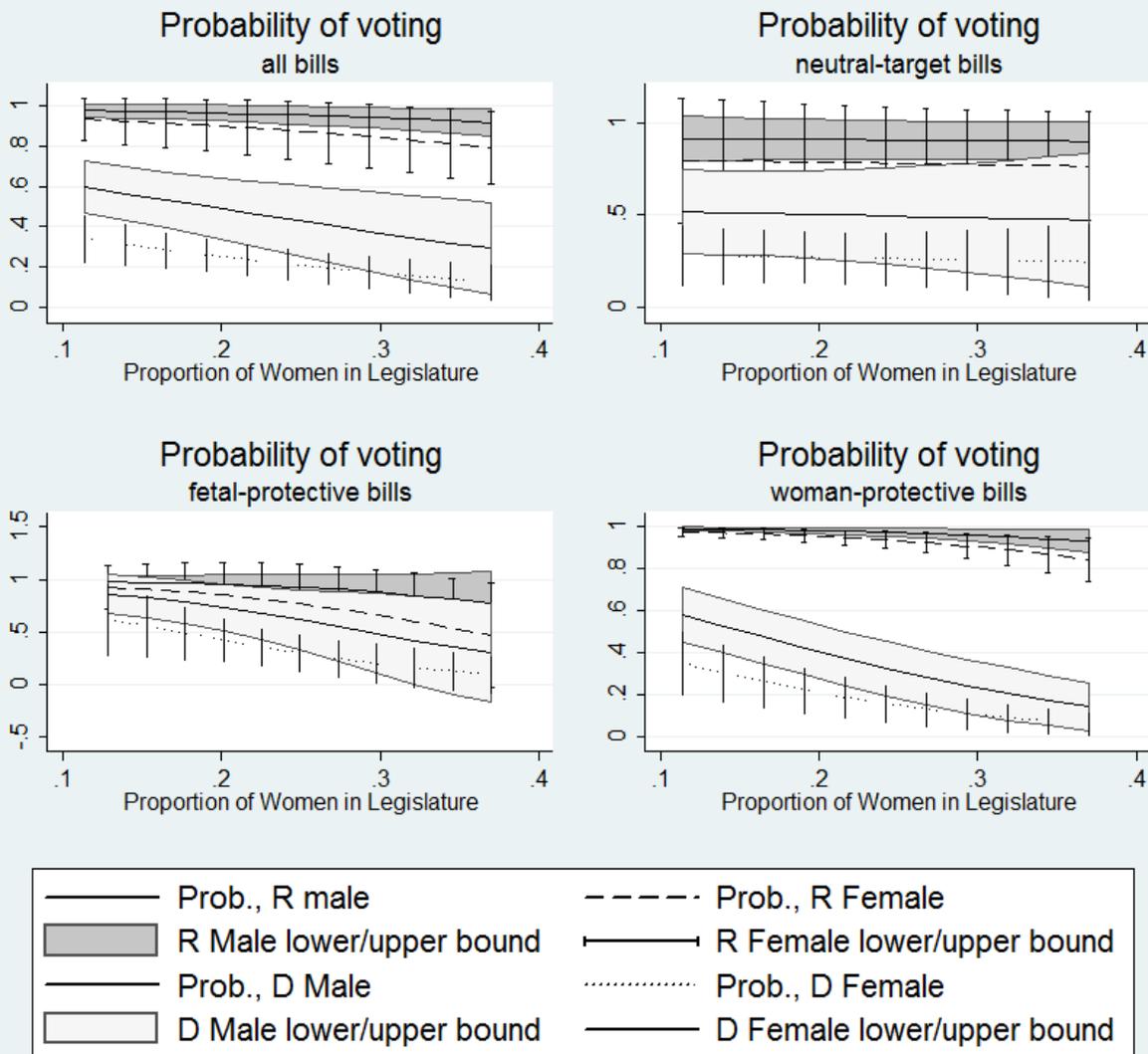


Figure 5. Probability of voting for antiabortion bills by target, as a function of proportion of women in legislature.

Prop. Women	Democratic Men 95% CI		Democratic Women 95% CI		Difference (DMlower-DWupper)
0.14	0.432	0.695	0.211	0.416	0.016
0.165	0.395	0.67	0.197	0.378	0.017
0.191	0.355	0.647	0.18	0.344	0.011

Table 4. Significant differences between Democratic men and Democratic women in predicted probabilities of abortion voting between .14 and .191 proportion of women in legislature.