

**Sarah Weddington**

*Private Choices, Public Change*  
*The woman behind Roe v. Wade*  
by Michelle Moon Reinhardt

Sarah Weddington made a personal choice in 1967 that, in a way, affected every American woman alive today. She ended an unplanned pregnancy in a Mexican border town. Her private experience eventually led her to the United States Supreme Court to argue the landmark case that made abortion legal across the nation.

At the time, she was not the triumphant lawyer who had won *Roe v. Wade*, not the first woman elected to the Texas House of Representatives from Austin. She was a scared, unmarried, graduate student.

Weddington is reluctant to relive the details, “because the issue to me was whether women should have a choice, not whether I had had an abortion,” she says. But she wrote a personal account in her book, *A Question of Choice*, “because my editor told me, ‘People are not going to understand why you’ve done this for so many years, unless you explain that you and Ron had been to Mexico.’”

Thirty-five years ago, she and future husband Ron Weddington traveled to Mexico with four hundred dollars, on information that a doctor there could perform the abortion. She wrote in the book, “I was one of the lucky ones. The doctor was pleasant and seemed competent; this made me feel more at ease about being there...When I felt the anesthesia taking effect, my last thoughts were: I hope I don’t die, and I pray no one ever finds out about this.”

“I was forced to go to a foreign country where I didn’t speak the language, to someone I had no way of checking out,” recalls Weddington today. The experience clearly had an impact on her. “I didn’t want to write about it,” she says. And she has no desire to talk about the specifics to this day.

But consider how Weddington's choice made an impact on her life and many others. "I was able to finish law school myself, to put Ron through law school, and to become politically active," she says. She was also free to accept the challenge of *Roe* when it came. "For me...the whole reason I did not want to go through a pregnancy, similar to many women, was there were other things in our lives that we needed to do right then."

Divorced from Ron Weddington in 1974, Sarah never remarried, and says the issue of children, "never came up again."

Sarah Weddington may not have given birth to a child, but she has mothered the movement of a woman's right to choose, from its infancy to adulthood. This year, thirty years after the *Roe* decision, she continues to work ardently to see that it survives.

While Weddington's work has been largely defined by the abortion debate, there is much more to this woman who has risen from a West Texas preacher's daughter to the inner circles of the presidency. Her life mirrors thousands of women who were born in the years following World War II—the first sizable group of women since the suffragettes to flex their power and political muscle as they came of age.

### **West Texas Roots**

Sarah Ragle Weddington was born in Abilene, while her father, the Reverend Herbert Doyle Ragle, was serving as a Navy chaplain on a troop transport ship in the Pacific.

Her parents met while attending McMurry University, a United Methodist university in Abilene. Her mother taught school and was a high school basketball coach before becoming a preacher's wife. When Sarah's father returned from the Pacific, he taught religion at McMurry. The university became a jumping off point for the Reverend Ragle's long career as a Methodist pastor, ministering to several churches in small communities in West Texas.

“I grew up in small towns, where my mother was not worried about me staying in the yard. Everybody knew you, and if you got in trouble, somebody would help. I’m so glad I grew up that way, because I think it gave me a lot of independence,” says Weddington.

And the church gave her a sense of confidence. Whether she was singing in the choir or giving a devotional, Weddington recalls the support of church members during those years. “People would say, ‘You’re so wonderful.’ It doesn’t matter if you are or you aren’t, it really boosts your self-confidence. A lot of my sense of confidence about being in public comes from those church days,” she says.

That sense of self-assurance blended with the calm style she witnessed from her father’s Sunday sermons. “Daddy was the most influential in my speaking style. He was very much (about) what I call the gospel of Christian concern, not ‘hell and brimstone,’” she recalls.

While the church gave Weddington a home, her father’s preacher’s salary was stretched thin to accommodate the growing family. One of Weddington’s friends, Barbara Vackar, says Weddington was given a new dress as a young girl, and wanted to save it for a special occasion. “Well, she saved and saved it, until she had grown out of the dress. She was never able to wear it,” says Vackar. Vackar says from an early age, Weddington learned to deny herself things, in favor of working hard. “She has more drive, energy and determination than anyone I know,” says Vackar.

One place she focused that work was in the classroom. Encouraged by her mother, she skipped the sixth and eleventh grades. She was just sixteen when she went to college, and nineteen when she graduated from McMurry University.

When most women settled for careers in teaching or nursing, Weddington had higher aspirations. “I went to the dean of the college at McMurry and said, ‘I’m thinking about going to law school.’ And he said, ‘You can’t.’ and I said, ‘Why not? I have good grades.’ He said, ‘No woman from this college has ever gone to law

school; it would be too tough.’ So, at that moment I decided I would go to law school,” says Weddington.

Weddington believes that the dean’s rejection only stiffened her resolve to succeed. “I think if he had said, ‘Sure, you can go,’ I wouldn’t have been quite so determined,” she says. Law school would not be the last challenge she would tackle.

## The Case

Before *Roe v. Wade*, Weddington had never argued a case in a court of law. Her entire legal experience consisted of uncontested divorces, wills, and one adoption. She says at the time, there were few jobs for female attorneys and she poured her time into women’s issues that were close to her heart. Reproductive rights was one of those issues.

When women at the University of Texas at Austin came to her seeking legal support, she helped them. The group had gathered information about places to obtain abortions and locations that they wanted women to avoid. “Their question was, ‘Can we give this information to the newspaper, can we talk about it on the radio, without being prosecuted as an accomplice of the crime of abortion?’” recalls Weddington.

When she took the case, Weddington knew that the US Supreme Court was likely to take up the issue of abortion only if many similar cases were pending, so she filed *Roe v. Wade*. “I thought I was helping another case get to the Supreme Court, not mine,” she says. As other cases fell away, *Roe*, which was built upon the issue of whether abortion restrictions were a violation of the Constitutional right to privacy, was brought before the court.

Weddington got the news that *Roe* would be heard before the high court while she was working in the city attorney’s office in Fort Worth. She and husband Ron Weddington quit their jobs to return to Austin and begin to work on *Roe*.

“I really don’t think Ron has gotten the credit he deserves for his work,” says Weddington. She says Ron wrote one of the most important parts of the brief, about the government’s predisposition to recognize the born, and not the unborn.

“She did fine,” says Ron Weddington, who practices law in Austin. “It was good that a woman argued the case, because women were most directly affected – but all of us are affected by the abortion issue.”

As she prepared to take the case to the highest court in the land, Weddington, just twenty-six years old, would tap the self-assurance and calm presence her parents had instilled in her. The morning of the oral arguments dawned, and Weddington was up early, having slept little the night before. At the courthouse, she headed to the lawyers’ lounge at the Supreme Court, to gather her thoughts and calm her nerves. Looking for the restroom, she was told the women’s facility was in the basement, and had to run down the stairs and back up to get to the court on time. (Weddington says a women’s restroom was finally added to the lawyer’s lounge five years ago.)

Even that morning, Weddington sensed the historical importance around the case. “The court had not heard cases like it. There was no precedence,” she says. “Betty Friedan (author and co-founder of the National Organization for Women) was in the courtroom, and has since said that her historic Geiger counter was clicking and she knew whatever happened would be important.”

On January 22, 1973, Weddington received the news from a reporter that she had won the landmark case. A telegram from the court arrived, collect, confirming the news. Weddington had won the case that overturned anti-abortion statutes in her home state of Texas, and across the nation. The case made first trimester abortions a private decision between a woman & her physician. In the second trimester, states can put limitations on abortion with regard to the health of the pregnant woman. In the third trimester, states can make abortion illegal except to save the life of the woman.

Diane Dwight was an eighteen-year-old freshman at Texas Woman’s University when the decision came down. “It was like a shock wave

through our peer group,” says Dwight, now a retired plaintiff’s attorney in Austin and friend of Weddington’s. “We never believed it would happen.”

Dwight first saw Weddington speak at a university gathering soon after the *Roe v. Wade* decision. “Here was this young woman, with a shock of red hair; she was so charming, so lady-like. She had achieved something no one had thought possible. And she was one of us,” Dwight recalls. Listening to Weddington speak, Dwight says she was inspired to pursue a career in law.

“Sarah opened a lot of doors for women by what she accomplished, and how she handled it,” says Dwight. “I tell people she is the Jackie Robinson of our profession. He was a great athlete but also a great human being. She showed by paving the way that women can handle the big cases, that women could compete on that kind of playing field—that’s the example she set for all of us.”

### Stepping Stones

Even before the *Roe* case made such news, Weddington and other Texas women were working to bring other women’s issues to the forefront. In 1971, a group of two hundred women in Austin formed the Texas Women’s Political Caucus. Their goal was to see that more women were elected to public office, so that an “attack could be made against sexism, racism, institutional violence, and poverty,” according to *The Handbook of Texas Online*.

Liz Carpenter, former Washington news correspondent, who served in the administrations of three US presidents, attended the caucus meeting. She remembers Weddington there. “She was wearing blue jeans, and had this long, red hair,” says Carpenter. “She was the calmest one in the room.”

“We felt part of something very powerful,” says Weddington. “The rights and wrongs to me were so obvious. Today, they are much more subtle.”

Weddington certainly had the personal drive to launch a political campaign. But she had something even more valuable - a law

degree. Many of the men in the Texas Legislature had a background in law. The women who would challenge them would need the same credentials. So Weddington was encouraged to take a lead in gaining a seat in the legislature. In February of 1972, Sarah Weddington announced her candidacy for the Texas House of Representatives.

Running against male candidates with more experience and more money, Weddington cobbled together a grass-roots campaign that appealed to younger voters. (Eighteen year olds had just gotten the right to vote.) Ann Richards, future governor of Texas, was a volunteer in the campaign.

After winning a tough Democratic Primary contest, Weddington was the first woman elected to the Texas House from Austin. The election also brought more women into the Legislature, including now US Senator Kay Bailey Hutchison and US Representative Eddie Bernice Johnson.

Those first years in the Legislature were exciting, says Weddington. Motivated by their own experiences, she and her staff introduced some of the first legislation that gave women in Texas increased rights.

Barbara Vackar worked on Weddington's staff. "I was a working wife and mother at the time, but I did it because I was so mad," says Vackar. "My husband and I had applied for a loan, and the bank wouldn't even consider my work for the loan. It was like I didn't exist."

At the time, women could not even get credit cards without their husband's signature. Weddington's bill changed that, making it unlawful to deny credit or loans on the basis of sex.

She passed legislation with Eddie Bernice Johnson to prevent teachers from being fired if they became pregnant. Weddington passed legislation allowing girls to play full-court basketball. She teamed up with Kay Bailey Hutchison to protect rape victims. Together, they passed a bill that prohibited attorneys from questioning rape victims about their prior sex life. She was named

by *Texas Monthly* as one of the “Ten Best Texas Legislators”—the first woman ever included.

“We take those things for granted now, but in the seventies, it wasn’t the case; we had to work hard for those rights,” says Vackar. “This group, with Sarah leading the pack, changed how people thought about the abilities of women.”

“There were a lot of men who went out of their way to work with us,” says Weddington. “Even if you didn’t agree on the issues, there was a sense of working together to get things done. I made some of the best friendships of my life then.”

One of the men instrumental in getting her elected, was her former husband, Ron Weddington. He helped organize her campaign and filmed her first television commercial. He says as Weddington’s political power grew, so did the size of her entourage.

“All politicians of some fame, and Sarah at that time was one, get a group of folks who gather around them – sycophants really – who say, ‘you’re so wonderful.’ And it’s really the last thing famous politicians need to hear,” says Ron Weddington. “It seemed like there was a constant battle with those folks. (I would say,) ‘Wait a minute – there’s constructive criticism that’s needed here.’”

One of the criticisms Ron Weddington has, is that the women in that first group began to see all issues through a political filter.

“I think Sarah, and a lot of the women of the seventies and eighties – just as a lot of Black leader or Hispanic leaders – they tend to get tunnel vision. Everything is measured against, ‘What does this do for the women’s movement?’”

Ron Weddington says this “tunnel vision” has pushed Sarah and other women out of the mainstream political discussion. “There are a lot of white, Republican males that view Hillary Clinton, Sarah Weddington as somebody who’s out to castrate them,” he says.

But in 1977, Sarah Weddington was part of the mainstream political landscape. That year, she left the Texas House, tapped by the

Carter administration to serve as the general counsel for the US Department of Agriculture. She was the first woman—and the youngest person, at age thirty-two—to take the post.

As general counsel, Weddington served as head of a legal department for the USDA, overseeing two hundred lawyers. After only a year, she resigned this position, to become special assistant to President Jimmy Carter.

“I was in charge of the appointment of more women to top positions in government,” says Weddington. Among the strides made for women during that time was the first federal funding for violence shelters and the authorization for women in the military to fly non-combat missions.

“What most people don’t know is that she helped appoint women to federal judgeships,” says friend and lawyer Diane Dwight. “The Carter White House appointed more women to the federal bench than any administration up to that time. That happened under Sarah’s stewardship. She helped get Justice (Ruth Bader) Ginsburg’s first appointment to the federal bench.”

Barbara Vackar, who had worked on Weddington’s Texas legislative staff, followed her to Washington. She recalls how much Weddington expected of those who worked for her. “She demands a lot of the people her, because she demands so much of herself,” she says. “It’s hard to be satisfied, when you’re always driving, and driving and driving. It’s hard to be satisfied with others, too.”

Diane Dwight says the work Weddington did as a legislator and presidential advisor changed so much for her generation, and for generations of women to come. “She is a pioneer, a trailblazer. She never hesitates to take on a challenge and get it done, no matter what,” says Dwight.

### **Thirty Years After *Roe v. Wade***

“If you had told me thirty years ago, we would still be debating this issue, I would not have believed it,” Weddington says.

“I think she has totally misread what a lot of people about abortion,” says Joe Pojman, executive director for Texas Alliance for Life, a nonprofit organization opposed to the advocacy and practice of abortion.

But as the abortion debate reaches adulthood, the debate continues, with new trends. The rate of abortions today has declined to the lowest level since 1974. No group has seen a bigger drop in abortions in recent years than teenagers. The rate among women ages fifteen to nineteen dropped twenty-seven percent between 1994 and 2000, according to The Alan Guttmacher Institute, a nonprofit organization whose mission is to protect the reproductive rights of women and men.

“Planned Parenthood would say (that lower abortion rates show) federal funds put to good use for birth control,” says Pojman. “But there’s more abstinence education and fewer unplanned pregnancies.” Pojman also says the restrictions placed on obtaining an abortion have also reduced the number. Federal funding for abortions has been limited, parental consent laws have been passed in several states, including Texas, and fifteen states have enforced waiting periods before getting an abortion.

Pojman says Americans are supporting limits on abortions, because “I think most people are uncomfortable with abortion, and that they oppose abortion in most cases.”

Others disagree.

“These policies erode access, and the people most affected are the poor and people in rural areas,” says Glenda Parks, executive director of Planned Parenthood of the Capital Region. Planned Parenthood has charged that the Bush administration has declared a “war on women” and is quietly dismantling reproductive rights.

Parks says in the years since the *Roe* decision, fewer doctors will provide abortions, because the pro-life movement has been able to intimidate them and to shame women into taking their experiences “underground.” “It amazes me that one out of eight women in the

United States has had an abortion—it's a secret no one wants to talk about. But in fact, it is one of the most commonly-shared experiences by women," says Parks.

Weddington has carried the responsibility of this debate for three decades. "She doesn't talk about the so-called 'burden of *Roe*,' but I have observed it," says close friend Diane Dwight. "She has to be the spokesperson. By doing what she's done, she's foreclosed on a lot of other opportunities she would have otherwise had. Her role is not without its rewards, but it's brought plenty of responsibility and costs, too."

"It all happens for a reason," says friend and colleague Barbara Vackar. "She had the ability that few of us had, and she has been able to continue it for the rest of her life."

## **A Time To Teach**

When Weddington graduated from college, she thought she might become a teacher, and even did some training in an eighth-grade classroom. But eighth-graders "weren't for me," she says, and she chose to pursue law school. Through the years, she has maintained a love for teaching, and is now an adjunct professor at the University of Texas at Austin's Center for Womens Studies. She continues to mentor students who have an interest in politics or law.

But Weddington's biggest focus of the last two years has been her battle with breast cancer. Diane Dwight remembers shortly after her diagnosis, Weddington came to her with a request. "She said, 'I want you to help me design my memorial.' Well, I went into a deep depression. We were all so worried about how she would do with the treatments," Dwight says.

Weddington knew the severity of her diagnosis. She had returned to Austin in 1984 to help care for her younger sister, who died from breast cancer. "Her oncologist is my oncologist," she says. "Her doctor came to her memorial service, and he said, 'Doctors can't save everyone, but at least they can care,' and I'll never forget that."

After several rounds of treatment, Weddington's cancer is now in remission, although she has lost her trademark long hair to the chemotherapy. She has come to think of her cancer like Osama bin Laden. "We don't know if he's dead or alive and hiding in some cave. Similarly, I don't know if the cancer is dead or alive and hiding in body caves," she wrote last year, chronicling her treatments for the *Austin American-Statesman*.

Weddington continues to travel, to teach and to give of herself to students and friends. Diane Dwight remembers traveling with her to Manhattan for a luncheon with a group of friends. "Everything was great, the food was great, and conversation was great; it was wonderful," she says. Then, a late spring thunderstorm dumped a heavy rain on Madison Avenue, and no taxicabs could be found. One of the women had brought her new baby with her to the luncheon. "Who went out into the pouring rain, with no coat, no umbrella, to hail a cab for her and the baby? Sarah did," says Dwight.

The story is no surprise to those who know Sarah Weddington well. "She believes in helping others," says Liz Carpenter. "She's made a life's work out of it."

From small deeds, to sweeping decisions, Sarah Weddington's work has touched women personally and professionally. Whatever you think of her choices, of her politics, Sarah Weddington has succeeded in affecting every woman's life. And, in the process, has made the lives of all women better.

*Michelle Moon Reinhardt has benefited from full court basketball, her own credit cards, and a host of other rights Weddington worked for tirelessly.*