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In Memoriam

The Life and Legacy of Norma McCorvey

By Jacquylne Anton

They say that abortion is a controversial issue, but friends, let me tell you: privacy should not be controversial. It is a constitutional right. A human right.—Norma McCorvey, 1994.¹

I'll be serving the Lord and helping women save their babies. I will hold a pro-life position for the rest of my life, I think I've always been pro-life. I just didn't know it.—Norma McCorvey, 1994.²

Norma McCorvey, better known as Jane Roe, died on February 18, 2017 at the age of 69 due to heart failure. The once anonymous plaintiff in the influential Supreme Court case *Roe v. Wade* was an unlikely heroine, the antithesis of what some might consider the quintessential feminist icon.³ A poor, working-class woman from Louisiana, burdened with the psychological pain of an unplanned pregnancy, unwittingly became the catalyst in the fight for the legalization of abortion.

Norma McCorvey, born in 1947 as Norma Leah Nelson, to parents Olin “Jimmy” Nelson and Mary Mildred Gautreaux, lived

¹ Norma McCorvey and Andy Meisler, *I Am Roe: My Life, Roe v. Wade, and Freedom of Choice* (New York: HarperCollins, 1994), 208.

² By the time her autobiography, *I Am Roe: My Life, Roe v. Wade, and Freedom of Choice*, was published in 1994, McCorvey had become a born-again Christian and reversed her stance on abortion. See Norma McCorvey quoted in *Colin Dwyer*, “Norma McCorvey, Roe of Landmark ‘Roe V. Wade’ Ruling on Abortion, Dies at 69,” *National Public Radio*, <https://www.npr.org/sections/thetwo-way/2017/02/18/515972447/norma-mccorvey-roe-of-landmark-roe-v-wade-ruling-on-abortion-dies-at-69>.

³ *Roe v. Wade* was a landmark case that guaranteed freedom of choice to all American women through the legalization of abortion throughout the United States. See N. E. H. Hull and Peter Charles Hoffer, *Roe v. Wade: The Abortion Rights Controversy in American History* (Lawrence: University Press of Kansas, 2010).

a life filled with violence, anger, drugs, and alcohol. Norma's relationship with her mother Mary was anything but stable; Mary was an abusive alcoholic who physically and verbally abused her. Her father abandoned her family when she was 9, causing her mother to uproot her and her younger brother and move to Houston, Texas. At the age of 10, Norma began to lash out and thus began her lifelong relationship with the police. After robbing a register at a gas station, Norma and her friend ran away to Oklahoma City, but were caught when a maid walked into the hotel room and caught the girls kissing and reported them to the police. Norma was made a ward of the court and sent to a Catholic boarding school in Dallas, Texas. It was at this institution that Norma would suffer her first encounter with sexual assault, this time at the hands of a nun from the Catholic boarding school.

Between the ages of 11 and 15, Norma lived at the State School for Girls in Gainesville, where she claims to have had "the happiest [days] of [her] childhood."⁴ Here, Norma had many girlfriends and began experimenting with her sexuality. When she was too old to stay at the State School, she was sent to live with a distant relative of her mother, who proceeded to rape her for a three-week period, before her mother found out and brought her home. Norma and her mother decided not to take legal action against her rapist. Back at home, Norma landed a job working as a waitress at Cybil's, a drive-in burger joint. It was here that she met the father of her first child and the man that would soon become her ex-husband, Woody McCorvey. After finding out that Norma was pregnant, Woody began to beat her, prompting her to leave him. At the age of 18, Norma gave birth to her daughter, Melissa.

Following the birth of her daughter, Norma began to drink excessively. She would frequent gay bars in Dallas where she made many friends who helped her come to terms with the fact that she was a lesbian. Her mother did not take the news well, and, after Norma took a weekend trip to visit some friends, charged her with abandonment and took her daughter from her. Norma continued to drink heavily and frequented the Red Devil, a lesbian bar; there she entered into her first serious relationship with a woman. Norma had an affair with a male colleague of hers and ended up pregnant with her second child, which she put up for adoption. This pushed her into a period of heavy drug use during which she abused acid

⁴ McCorvey and Meisler, *I Am Roe*, 35.

and other hallucinogens. In 1969, Norma slept with a friend of hers and became pregnant with her third child, now infamously known as the Jane Roe baby.

After suffering years of physical and emotional abuse, the pregnancy brought Norma immense psychological pain. Norma began to seek out abortion clinics and discovered that the only one accessible to her had been closed down just days prior. A friend of Norma's passed her name along to two female lawyers, Linda Coffee and Sarah Weddington; these two women subsequently became the lawyers in the *Roe v. Wade* Supreme Court case. In February 1970, Norma McCorvey sat down at a restaurant in Dallas, Texas and became Jane Roe. Nervous and afraid, Norma claimed that she was raped and that that was how she became pregnant. Norma was not looking to become the protagonist in the legal case that would become a landmark in legalizing abortion for women across the United States. Rather, she was simply looking for the right to safely and legally end her own unwanted pregnancy.

In *Roe v. Wade* 410 U.S. 113 (1973), Roe—an unnamed plaintiff whom we now know as Norma McCorvey—brought a class action challenging the constitutionality of the Texas laws criminalizing abortion against Henry Wade, the Dallas district attorney; the case made it to the Supreme Court in 1971. In 1973, the decision on *Roe v. Wade* declared that all state anti-abortion laws were unconstitutional, stating:

This right of privacy, whether it be founded in the Fourteenth Amendment's concept of personal liberty and restrictions upon state action, as we feel it is, or, as the District Court determined, in the Ninth Amendment's reservation of rights to the people, is broad enough to encompass a woman's decision whether or not to terminate her pregnancy.⁵

During this time, the decision in a similar case, *Doe v. Bolton*, ruled that all abortion “reform” laws—laws that placed abortion rights in the hands of doctors and hospital committees, instead of

⁵ Kinda Gordon, “The Struggle for Reproductive Freedom: Three Stages of Feminism,” in *Applications of Feminist Legal Theory to Women's Lives: Sex, Violence, Work, and Reproduction* ed. D. Kelly Weisberg (Philadelphia: Temple University Press, 1996), 956.

private citizens, or laws mandating that only state residents be allowed to receive abortions—were illegal. Together, these monumental decisions paved the road for an era of women's reproductive freedom.

It is extremely important to remember that Norma did not choose to become Jane Roe because she wanted to enact social and political change in the development of women's reproductive rights. Norma was a twenty-one year old, financially unstable, pregnant lesbian seeking out a safe and legal abortion in Texas, and going to court seemed to be the only plausible solution to her unfortunate situation. In *I Am Roe: My Life, Roe v. Wade, and Freedom of Choice*, Norma makes it clear that she did not intentionally become part of what would become one of the most prominent Supreme Court cases in the nation's history. She was a reserved, unsure, and troubled woman seeking a way out of a pregnancy she wanted no part of. Nevertheless, Norma McCorvey undeniably became the protagonist in the fight against anti-abortion legislature. After the ruling in *Roe*, Jane Roe became an icon for pro-choice supporters to rally behind and was hailed by many to be a feminist hero.

Norma McCorvey remained anonymous until 1980, when she accepted an interview with a reporter from Channel 8 news in Dallas. The interview came at a time when Norma was coming to terms with being Jane Roe, after a lifetime of feeling like she was living a life with two separate identities. In *I Am Roe*, Norma states, "[I]ying awake at night, I thought about myself and Jane Roe. I realized that she was a big part of me, and that I would probably never get rid of her. She and I would have to come to some sort of agreement eventually. And do things together."⁶ In 1987, Norma did a thirty-minute interview with Carl Rowan for a public television special called "Searching for Justice." It is in this special where she admits that her unwanted pregnancy was not the consequence of rape, but rather that she was desperate and looking for a way out of the pregnancy. Sarah Weddington issued a statement calling the lie "irrelevant," stating that she never "touched the issue of rape and only emphasized the question of

⁶ McCorvey and Meisler, *I Am Roe*, 157.

whether the Constitution gives to the state or leaves to a woman the questions of what she can or must do with her body.”⁷

After the decision of *Roe*, abortions became a normal medical procedure. In 1973, there were 16.3 abortions per 1,000 women, and by 1980, there were a total of 29.3 abortions per 1,000 women.⁸ Legal and safe abortions were now accessible to all women: poor women, working women, upper class women, non-educated women, women with college degrees, even women who felt they were unable to take on tremendous responsibility raising a child requires. Abortions were relatively inexpensive and could be paid for by state Medicaid plans; women in need of an abortion no longer had to search for illegal and dangerous back-alley abortions. Before *Roe v. Wade*, unsafe abortions were a common occurrence amongst women in the United States; a survey taken in New York City in the 1960s reveals some of the more abhorrent abortions practices. Women would ingest turpentine, bleach, detergents, and Quinine and chloroquine (medicines used to treat malaria) in order to terminate an unwanted pregnancy. Furthermore, women would place potassium permanganate in the vagina, causing severe chemical burns, and squirt toxic solutions such as soap and turpentine into the uterus, often causing kidney failure and death.⁹

Roe v. Wade was a monumental victory for pro-choice supporters across the nation that furthered their determination to fight for women’s reproductive rights. Feminist activists lobbied for what would come to be known as, the Freedom to Access Clinic Entrances (FACE) Act which:

prohibits the use or threat of force and physical obstruction that injures, intimidates, or interferes with a person seeking to obtain or provide reproductive health services or to exercise the First

⁷ Kenneth B. Noble, "Key Abortion Plaintiff Now Denies She Was Raped," September 8, 1987, accessed February 21, 2018, <https://www.nytimes.com/1987/09/09/us/key-abortion-plaintiff-now-denies-she-was-raped.html>.

⁸ "U.S. Abortion Rate Hits Lowest Level Since 1973," Guttmacher Institute, February 1, 2018, accessed February 19, 2018, <https://www.guttmacher.org/news-release/2014/us-abortion-rate-hits-lowest-level-1973>.

⁹ Steven Polgar and Ellen S. Fried, "The Bad Old Days: Clandestine Abortions among the Poor in New York City Before Liberalization of the Abortion Law," *Family Planning Perspectives* 8, no. 3 (1976): 125.

Amendment right of religious freedom at a place of religious worship. It also prohibits intentional property damage of a facility providing reproductive health services or a place of religious worship. FACE authorizes the Attorney General to seek injunctive relief, statutory or compensatory damages, and civil penalties against individuals who engage in conduct that violates the Act.¹⁰

Nineteen years after the decision of *Roe v. Wade*, Norma McCorvey began to doubt her stance on abortion. In 1992, Norma and Connie—her girlfriend of nineteen years—were living together as housemates, but nothing more. In *Won by Love: Norma McCorvey, Jane Roe of Roe v. Wade, Speaks Out for the Unborn As She Shares Her New Conviction for Life*, published in 1997, Norma states that by 1992 she had “grown weary of the homosexual lifestyle.”¹¹ During this time, Norma worked at A Choice for Women, an abortion clinic in North Dallas, where her reservations towards abortion burgeoned. In *Won by Love*, Norma details her time as a women’s rights activist as one of hostility with the other female leaders of the movement. She claims that they resented her lack of education and limited knowledge on the issues she was advocating for. She even states that a few of them expressed their resentment towards her for letting Sarah Weddington and Linda Coffee use her as the plaintiff because they saw her as unfit for the role.¹²

In March 1995, Operation Rescue—a pro-life Christian advocacy group—moved into the empty office space next to the abortion clinic that Norma was working at. Norma had previous altercations with Phillip Benham, the then leader of Operation rescue, however, within a couple of months, Norma’s hostile attitude towards the pro-lifers began to diminish. Emily, the seven-year-old daughter of the marketing director for Operation Rescue, formed a friendship with Norma that would end in Norma’s adoption into the Christian faith. In July 1995, Norma McCorvey

¹⁰ “Department of Justice.” The United States Department of Justice, August 5, 2015, accessed February 22, 2018, <https://www.justice.gov/crt-12>.

¹¹ Norma McCorvey and Gary Thomas, *Won by Love: Norma McCorvey, Jane Roe of Roe v. Wade, Speaks out for the Unborn as She Shares Her New Conviction for Life* (Nashville: Thomas Nelson Publishers, 1997), 32.

¹² McCorvey and Thomas, *Won by Love*, 94.

went to church with her friends from Operation Rescue and “accepted Jesus into her heart,” finalizing her transition to pro-life ideology.¹³ Norma repented for her sins, denounced the sinful nature of abortion and her relationship with Connie. On Tuesday, August 8, 1995, Norma televised her baptism and publicized her conversion for the world to see. Three weeks later, Norma did a Nightline special for ABC news where she stated that, “[she] still supports a woman’s right to choose an abortion, in the first trimester only.” She claims that her conversion was about Jesus, not to make a political statement on abortion.¹⁴ However, a couple months later, she would retract her statement and insist that abortion, in any form, is a sin, that it is shameful and wrong. It is difficult to say whether or not Norma McCorvey herself had a direct impact on the increase of nationwide anti-abortion sentiment after her conversion, however, it is impossible to deny that she gained a significant following in the pro-life movement and was a major proponent in the fight against pro-choice legislation. In the years following her conversion, Norma led many protests, advocated for *Roe v. Wade* to be overturned, and spoke out against the legalization of abortion.

In April 1996, Jane Roe returned to the Supreme Court as Norma McCorvey—a poor, working-class woman from Louisiana, a sexual assault survivor, a former pro-choice activist, and a newly devout Christian—and attempted to get the members of the Supreme Court to overturn their decision on *Roe v. Wade*. She testified in front of Congress in 1998, and again in 2005.¹⁵ In the year 2000, Norma met with the lawyers from The Justice Foundation with the objective of seeing *Roe* overturned. They collected over 1,500 affidavits from women regarding their experiences with abortion, none of them good. Norma, The Justice Foundation and the women who wrote the affidavits founded Operation Outcry, a movement which “seeks to end the pain of abortion in America and around the world by mobilizing women

¹³ McCorvey and Thomas, *Won by Love*, 312.

¹⁴ McCorvey and Thomas, *Won by Love*, 350.

¹⁵ See Norma McCorvey’s testimony before Congress in 1998 as well as her testimony at the 2005 hearing, U.S. Congress, Senate, Subcommittee on the Constitution of the Senate Judiciary Committee, *The Consequences of Roe v. Wade and Doe v. Bolton*, 109th Congress, 1st Session, June 23, 2005, 3.

and men hurt by abortion who share their true stories of the devastating effects of abortion.”¹⁶

In 2003, she filed a motion with the U.S. District Court in Dallas to have the *Roe* decision overturned, asking them to consider new evidence that proves that abortion hurts women; an appeals court denied her motion in 2004. Norma was persistent, and in 2005 she testified in front of Congress for the second time:

Senators, I urge you to examine your own consciences before Almighty God. God is willing and able to forgive you. He sent his only son, Jesus Christ, to die on the cross for my sins as Roe of *Roe v. Wade*, and for our sins in failing to act to end abortion and to truly help women in crisis pregnancies.¹⁷

The Supreme Court rejected her appeal later that year. Nevertheless, Norma continued to take part in a number of anti-abortion protests, ranging from peaceful to violent and disruptive. In May of 2009, she was arrested on trespassing charges after joining more than 300 anti-abortion protesters when President Barack Obama spoke at the University of Notre Dame. Later, in July of 2009, she was arrested for protesting at Sonia Sotomayor's Supreme Court nomination hearing. A report published by the Guttmacher Institute in January 2012, states that there was an unprecedented amount of attention given to issues regarding reproductive health and rights at the state level.¹⁸ Over 1,100 reproductive health and rights-related provisions were introduced in the 50 states combined. By the end of the year, 135 of these provisions had been enacted in 36 of the states, showing an 89 percent increase from 2010.

Whether you view Norma McCorvey as Jane Roe, the women's reproductive rights activist who sought a solution to an unwanted pregnancy, or as the working woman from Louisiana who struggled with her sexuality and found herself burdened by

¹⁶ “Operation Outcry: Touching Hearts, Changing Lives, Restoring Justice,” Operation Outcry, accessed February 26, 2018. <http://www.operationoutcry.org>.

¹⁷ Norma McCorvey, quoted in Subcommittee on the Constitution of the Senate Judiciary Committee, *The Consequences of Roe v. Wade and Doe v. Bolton*, 9

¹⁸ “States Enact Record Number of Restrictions in 2011,” Guttmacher Institute, January 2012. Accessed February 26, 2018. <https://www.guttmacher.org>.

her third pregnancy at the age of twenty-one, her decisive impact on the trajectory of women's reproductive rights in the United States is undeniable. Norma was an enigma, a whirlwind of uncertainty and determination. She unintentionally became one of the most prominent faces of the pro-choice movement, but later renounced her position sought to reverse the supreme court ruling that had been won in her name. Whether she is remembered as Jane Roe or Norma McCorvey, her legacy will continue to foster heated debate, and the supreme court case for which she is widely remembered, will remain a historic landmark of political and social reform in the realm of women's reproductive rights across the nation.

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Author Bio

Jacquelyne Anton is an undergraduate student at California State University, San Bernardino and is set to graduate in the fall of 2018. She is working towards a Bachelor's degree in History, with a concentration in U.S. studies and a minor in Political Science. Upon graduation, Jacquelyne will go on to get her teaching credentials and become a high school teacher. She will continue her education, receiving a Master's Degree, and eventually her Doctorate in History. She is a feminist activist who is passionate about issues such as gender inequality, LGBTQ rights, interpersonal violence, mental health, and racial disparities. During her free time, Jacquelyne can be found traveling around the world with her close friend.

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