

“The Devil of Abortion:” Bill Baird’s Crusade for Reproductive Rights in Boston

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Abstract

While the women’s liberation movement affected almost every aspect of life in the late 1960s and early 1970s, its impact on women’s healthcare proved to be one of the most critical outcomes. Boston, Massachusetts, an intellectual hub during the women’s liberation movement, housed many different organizations advocating for women’s rights, such as the Boston Women’s Health Book Collective. Bill Baird, a reproductive rights activist, took advantage of the political and social milieu in Boston to fight for change. Baird was crucial to the healthcare scene in Massachusetts, and ultimately, the entire United States. In 1967, Baird arranged to challenge the Massachusetts “Crimes Against Chastity” Laws, at Boston University. Baird was arrested shortly after giving a 22-year-old, single female, birth control foam. Baird’s involvement in Boston led to the repeal of three sections of the “Crimes Against Chastity” Laws, as well as two Supreme Court cases. This thesis will examine how Bill Baird’s involvement in Boston elevated Massachusetts to the national stage of the women’s liberation movement.

This paper includes a trigger warning for discussion of women’s healthcare, including birth control and abortion.

1. Body of Paper

In 1967, Massachusetts police arrested reproductive rights activist Bill Baird at Boston University after he gave a 22-year-old female student birth control foam. Baird, a seasoned reproductive rights activist known for his work in New York City, came to Boston in 1967 to fight Massachusetts’ restrictive “Crimes Against Chastity” Laws. These laws prohibited single and unmarried women from possessing birth control or any contraceptive and made abortions illegal. Taking notice of these restrictive laws, students at Boston University invited Baird to speak at the University on sexual health and to challenge the legitimacy of these laws. Baird’s involvement in Boston led to three United States Supreme Court cases, two of which are relevant to this thesis: *Baird v. Eisenstadt* (1971), which established that single women could acquire birth control, and *Baird v. Bellotti* (1979), which established that women under the age of 18 did not need parental consent to get an abortion.

¹ Housing upwards of thirty-five universities, colleges, and community colleges, Boston was an intellectual hub in every sense of the word. Women’s groups were somewhat common in Boston, but once Baird had become involved in the state’s “Crimes Against Chastity Laws,” women’s rights groups began to spring up all over Boston. One of the most notable groups was the Boston Women’s Health Book Collective, authors of *Women and Their Bodies*.² Bill Baird’s involvement in Boston helped Massachusetts rise to the national stage during the second-wave feminist movement.

Understanding the social and political climate that brought on the second-wave feminist movement is crucial to seeing how Boston became an intellectual hub. Sarah Evans gives meaning to the women’s liberation movement as it was for the individual, not just the collective in her book *Tidal Wave: How Women Changed America at Century’s End*. Evans covered both second-wave feminism of the 1960s and 1970s and the third wave in the 1980s and 1990s. Acknowledging race and class differences amongst women, she shows what the movement entailed for women of different statuses. She describes the second-wave of feminism as a “fast-moving and unruly storm” that was “massive

from the very outset.”³ While not overtly mentioned by Evans, class and racial differences impacted the accessibility of birth control and abortion during this period.

Scholars have been able to trace the importance of women in Boston. Early on in Boston’s history, women of the city had earned their seat at the table of trailblazers. Sarah Deutsch’s book, *Women and the City: Gender, Space, and Power in Boston 1870-1940*, explores the gendered spaces of Boston. Women changed the social norms of Boston from the Civil War to World War II. In an analysis of the city itself, Deutsch shows how Boston transformed from a place with no public space for women to a place where women were able to thrive. *Women and the City* creates a more compelling argument for Boston as an intellectual hub in the women’s liberation movement of the 1970s.⁴ Continuing on Boston’s gendered spaces, Daphne Spain’s article, “Women’s Rights and Gendered Spaces in 1970s Boston,” aims to understand how second-wave feminism affected gendered spaces in Boston. Spain discusses how women were able to claim their own spaces in terms of reproductive control, personal safety in the home, and an independent identity. She contextualizes the relationship between a woman’s status and the city to which she belonged in the 1970s. Since her article focuses explicitly on Boston, it provides much-needed context on how Boston fits into the larger role of the United States in the women’s liberation movement.⁵

Many scholars have written on the plethora of issues of reproductive rights and sexual freedom. Looking deeper into issues of women’s health during the liberation movement, Ruth Rosen’s book, *The World Split Open: How the Modern Women’s Movement Changed America*, provides an entire chapter on women’s health issues. Rosen starts her book with the impact of Cold War politics on women and discusses the rise of the movement, and its weaknesses and its strengths within class, religion, and race. This book also includes an extensive chapter on the women’s health movement and provides information on menstruation, marital rape, and sex.⁶ Linda Gordon gives a comprehensive history of birth control politics *The Moral Property of Women: A History of Birth Control Politics in America*. Gordon situates birth control politics at the center of women’s lives, and how historians can trace that it has always been controlled by outside forces. The changing relationship with sex is one of the best aspects drawn out by Gordon. In the 20th century sexual norms, women led grassroots movements, and transforming social relations were the foundation of the birth control movement.⁷ Rickie Solinger outlines women’s struggles to achieve reproductive rights in *Pregnancy and Power: A Short History of Reproductive Politics in America*.⁸ This book makes the important distinction between the value of fertility amongst affluent women, versus that of the lower class. Meg Gillette focuses on abortion in her article “Modern American Abortion Narratives and the Century of Silence.” Gillette gives a brief history of abortion politics in the United States and examines the discourse that surrounded the topic. The article uses testimonies of women who were searching for abortion or who had an abortion.⁹

There is limited scholarship on Boston, Massachusetts’ direct impact on the women’s liberation movement, and even less on how Bill Baird was able to take advantage of the state’s climate to fight for change. David P. Cline furthers the discussion of Boston during this movement but focuses more on the reproductive rights of women in “Surprising Allies: The Struggle Over Birth Control and Abortion in 1960s Massachusetts.” Cline gives a comprehensive history of the feminist and activist presence in Massachusetts. Focusing on the politics and presence of birth control, Cline discusses Baird’s contributions to the Boston area. Cline situates Massachusetts within the prominent conversation of birth control and abortion, showing how far behind the state was in terms of reform of these topics.¹⁰ Cline mentions Baird’s Supreme Court case, *Eisenstadt v. Baird*, as background information, but does not go into detail about his impact.

These works offer insight into the variety of issues surrounding the women’s liberation movement and reproductive rights. Little scholarship credits Baird for his work in fighting for female reproductive rights. Most scholars barely mention Baird in the context of reproductive rights. Of the sources used, only David Cline briefly mentioned Baird. Baird took advantage of Massachusetts political and social climate to push for change in reproductive rights across the United States. His involvement elevated the state to the national stage of the women’s liberation movement.

It is essential to understand the women’s liberation movement itself before narrowing in on Boston and Baird’s impact on the movement. The definition of women’s liberation changed from decade to decade. Historians agree that feminism re-emerged in America in the late 1960s, thanks in part to a radical women’s groups conference held in Chicago in 1968. During its early formation, the liberation movement stemmed from the Civil Rights Movement, as well as the New Left, a political movement made of activists who fought for civil rights, reproductive rights, and gay rights, among other social issues.¹¹ Robin Morgan describes the liberation movement as a “branch” of the New Left.¹² Women fought for reproductive rights, sexual freedom, political rights, and against discrimination in the workplace. Women urged states to modernize rape and divorce laws and to demolish gender differentials on the judicial level.¹³ Through conferences and the formation of women’s groups, women realized that their experiences were similar. Many women experienced gender discrimination in the workplace and at doctors’ offices and struggled with issues of sex, intimacy, and understanding their bodies.

Baird was a powerful advocate for women's sexual rights. A seasoned activist, Baird had made extensive reproductive progress in New York. Baird graduated from Brooklyn College in 1955 and spent one year at medical school before he began his work as an executive for a drug manufacturer.¹⁴ In 1963 Baird created the "Plan Van," in which he drove to communities populated by underrepresented people in New York City and invited them to discuss options of birth control and contraception. Baird converted the back of his van to resemble a living room, to make families feel more welcome and comfortable for sharing their reproductive health questions. The "Plan Van" soon became the Parent's Aid Society, located in Hempstead, Long Island. Baird later opened a branch in Boston, Massachusetts. The Parent's Aid Society "...provides the only abortion referral service in the country as well as free birth control information and devices to assist people- all people- in solving the problem of unwanted pregnancies."¹⁵

By 1964, Baird served as a clinical director to Emko, a contraceptive company.¹⁶ Abortion politics always held a special place in Baird's heart, as they are what brought him into the realm of fighting for women's reproductive rights. He often described his first experience with a woman who had tried to abort her pregnancy in 1963:

One of the turning points in my life 5 years ago when I had witnessed the pretty, young mother, 29 years of age, who was pregnant with her 9th baby, dying. She loved her children. She wanted to give them all she could. She suddenly found herself pregnant and she had heard from her "friends" that "just cause a little bleeding inside you, and the doc will fix you up." She was referring to the fact that the law of New York only permits an abortion to preserve the life of the mother, and this poor soul went to her closet door, took a wire coat hanger, twisted off a piece, and jammed it into her uterus, perforating her uterus. She's dead now.¹⁷

In another instance, Baird knew a mother who "threw herself down a flight of stairs to abort herself! She didn't want to lose her husband. They didn't have enough money to feed an eleventh child. I really believe her when she said she would commit suicide unless we helped her."¹⁸ Baird's one-on-one interaction with women who were in need drove his passion for finding and making reproductive resources available. While birth control and abortion laws tended to benefit helping the white elite, Baird believed that women's healthcare should be easily accessible to all women, regardless of race, age, or economic status. Police arrested Baird in 1965 for teaching birth control methods to the lower class women and men of Hempstead, Long Island. With the help of Mayor John Lindsey of New York, New York's own "Crimes against Chastity" laws were changed within eight months to allow unmarried people to have access to birth control.¹⁹ By 1966, Baird was a consultant to the New York State Senate and Assembly Joint Committee on Health to advocate for birth control and abortion rights.²⁰ He was soon again arrested in New Jersey for similar charges, and subsequently forced the states birth control statutes to the state Supreme Court for review.

He supported women as they began to speak openly amongst each other about their reproductive rights, and sexual freedom. Before the sexual revolution, Susan Lydon, in her contribution to *Sisterhood is Powerful: An Anthology of Writings from the Women's Liberation Movement*, argued that there was the old assumption that "women were asexual creatures, [and] girls were taught that since they needed sex less than boy did, it was up to them to impose sexual restraints."²¹ Once the new sexual revolution occurred, men still believed that women owed them sex, both in marriage and pre-marital, but a woman's obligation to say no was now replaced with the peer pressure to say yes to sex.²² Unlike many male public figures, Baird challenged society for its double standards on women's reproductive rights. Baird called out American society for "... its twisted double standards [that] will tell our young men to sow their oats, to have a good time before they are married so they can remain loyal to their wives, and we tell our young ladies to sit at home and remain pure."²³ Society embedded the minds of young men, telling them "that they should get their sex where they could find it, 'go as far' as they could."²⁴ The new pressures surrounding sex not only applied to adult women but also young women under the age of 18. Being that these young women were not of legal age, it became particularly important to preserve women's reproductive rights for all ages. Even girls under the age of 18 were under pressure to become sexually active, and there were no laws in place to protect this age group's reproductive rights. This new wave of sexual pressure made the need for access to birth control and abortion services critical to active women's health.

Baird was inspired by the work already being completed in Boston to support women's reproductive health. Early women's groups, such as the Boston Women's Health Book Collective, published their first book *Our Bodies, Ourselves* as a "scathing attack on the entire capitalist male medical establishment."²⁵ In the healthcare field, male doctors brushed off women's questions about their bodies and the changes they went through as they got older. Women talked about and educated themselves about their bodies. Judy Norsigian, a founding member of the Boston Women's Health Book Collective, said "... body education is really important in taking control of your own life. Your physical well-being, emotions and thoughts are all connected to understand all of them together, helps us to be more fulfilled."²⁶

Women continued to fight against the belief that they were only to serve as child bearers, and also to gain control of their health and bodies.

Contraception became an extensive fight across the United States. By 1968, 60% of states had laws that limited the distribution of contraceptives.²⁷ Some people believed that the selling of contraceptives encouraged immoral and frivolous lifestyles. State laws criminalized abortion across the United States. Selling abortion-inducing products was illegal, but gas stations, restaurants, garages, soda fountains, pool rooms, grocery stores, and pharmacies all sold abortifacients. More and more women performed their own abortions, resulting in injury and death.²⁸

With its expanding boundaries, a large female labor force, abundant female associations, and a female majority in the general population, Boston had been ideal for exploring dynamics between women and the urban, public space.²⁹ Women and gender politics started to evolve in the late 1800s within the city. In 1877, the Women's Education and Industrial Union opened its doors to promote both economic and intellectual independence for women.³⁰ This was the early beginning of Boston's feminist climate that would eventually draw Bill Baird to the area. In the years leading to the 1970s, Boston women influenced government policy, created settlement houses, and opened vocational schools.

Boston's fight for access to abortion and birth control drew Bill Baird to the area, to push the movement further. With a blossoming economy and nearly thirty-five universities and colleges within the city, Boston was not only an intellectual hub, but it also became a hub for feminist activism throughout the 1970s. Bostonian women took it into their own hands to create gendered spaces within the city to increase their access to goods and intellectual property. Priscilla Long, a Cambridge native, held gatherings in her home in the spring of 1969 for women to discuss their experiences as women. In her contribution to the *Feminist Memoir Project*, she stated that "Thinking about the position of women in society was new to us... The theme of sex roles percolated constantly in our conversations. Others in Boston began working on reproductive rights and on violence against women... Slowly women began entering trades like printing and construction, and professions like medicine and law."³¹ These small, intimate gatherings, like Long's, that women held to discuss issues of the body flourished in the Boston area. For example, what would become the Boston Women's Health Book Collective started as a gathering of women to talk about gender politics and their bodies. Many women were proactive in trying to make their lives easier. In Boston, women were refusing to stay silent. This lack of silence within the fight for access to birth control and abortion is what drew Bill Baird to the city.

Students invited Baird to Boston to challenge Massachusetts chapter 272 of the state's general laws adopted in 1879, "Crimes Against Chastity, Morality, Decency, and Good Order."³² Two sections that came under heavy scrutiny were Sections 19, "Procuring Miscarriage," and Section 21, "Instruments or other articles for self-abuse, prevention of conception or abortion, in general." Section 21A, "Furnishing drugs, articles or information for prevention of pregnancy or conception," also became a subject of scrutiny. This law made it illegal to prescribe or sell drugs, as well as distribute information on contraception and abortion. Section 19 of these "Crimes against Chastity" laws are about abortion. Section 19 made abortion illegal in Massachusetts. The law stated that "Whoever, with intent to procure the miscarriage of a woman, unlawfully administers to her, or advises or prescribes for her, or causes any poison, drug, medicine [sic] or other noxious thing to be taken by her or, with the like intent, unlawfully uses any instrument or other means whatever, or, with like intent, aids or assist[s]..." will be imprisoned or fined.³³ This section criminalizes the doctors who performed them or the mothers who attempted a self-induced abortion. Typically, the only exception to this law is if the abortion is necessary to save the mother's life. Section 21 deals with the selling of contraceptive devices.³⁴ This law made it illegal for anyone to sell, lend, or exhibit a contraceptive to another unmarried person. This included birth control and condoms, as well as pamphlets or information on how to acquire these goods. This made it very difficult for women to learn about their options or to learn safe sex practices. Similarly, the legislation of Section 21A allowed only doctors, physicians, or pharmacists were legally allowed to sell contraceptive devices. These laws limited access to contraceptive resources for unmarried women, as well as educational resources on reproductive health.³⁵ Discussing reproductive health was a taboo topic, and in Massachusetts specifically, these laws assume some of the blame as to why.

The enforcement of these laws came into question in the 1970s. These anti-sin laws could "be used as cop-outs when, for instance, college women demand that university health departments provide them with contraceptive services, but they have also been used to keep poor women from having access to public birth-control clinics."³⁶ In other words, when an underrepresented population needed service but did not have the money to accommodate their own needs, these laws were conveniently enforced. There were networks across Massachusetts that could provide people with counselors, birth control, and abortion information providers, and those who could give women illegal referrals to abortion providers.³⁷ At this same time, however, many women's groups and universities in the Boston area were circulating information about birth control and abortion. For example, Larry Berger of Harvard published the "Student Guide For Birth Control, Abortion, VD, and Drugs: Resources in the Boston Area" in 1970.³⁸ Berger's pamphlet gives information on how to obtain a legal abortion, how to go about looking for an illegal abortion, morning-

after treatment, as well as a list of resources on women's health. On all accounts, this publication should have been illegal under Section 21.

Bill Baird was met with a different fate when distributing contraceptive information to unmarried students. Students at Boston University noticed the hypocrisy of the "Crimes Against Chastity" laws, and whom they applied to. Bill Baird, birth control and abortion rights activist, was invited by students to speak at their University to test these laws in 1967. When asking who Bill Baird was, people would often receive different answers depending on their view of women's reproduction. The Boston Sunday Globe described Baird as either "... the crusader, or the Crimean convicted up to ten years imprisonment for a felony in Massachusetts for violating the state's Crimes against Chastity laws."³⁹

Another underlying concern of Baird's was how class divides affected the legality and accessibility of abortions. A flyer titled "Abortion is our Right!" released by women's group Bread and Roses reported that a legal abortion cost between \$350 and \$1,000, while an illegal abortion cost between \$150 and \$1,000.⁴⁰ The cost divide almost always reflected the safety of an abortion. Women who did not have the means to get a legal abortion would go through back channels to get a lower price. The impact that safe and accessible abortions had is clear in statistics. In 1969, there were 145 reported deaths due to abortion, while there were only 51 deaths reported in 1973.⁴¹ Of legal abortions in 1973, the death rate was only 3.5 deaths for every 100,000 legal abortions.⁴²

Women in Massachusetts had begun to confront the lack of accessible and legal birth control and abortions in the late 1960s. Students across the country saw Baird's success in New York, and over 700 university students and general student organizations reached out to him for birth control help.⁴³ He became of particular interest in Boston, Massachusetts. Students at Boston University were aware of the Crimes against Chastity laws, and how they impacted their everyday lives. The students decided to put them to the test. They wrote a letter to Baird explaining the laws and their plan to test them. In April of 1967, Baird gave a presentation on birth control and safe sex practices to 2,500 students at Boston University. Baird displayed a birth control pill, diaphragm and coil, and gave a 22-year-old student Emko birth control foam. Baird was arrested and jailed for three months for this infraction. This caused a boom of public awareness in Boston. Letters to the Governor poured in to repeal the arcane laws and to release Baird from prison. The Ethical Society of Boston wrote to Governor Francis Sargent on February 24, 1970:

William Baird has been sent to jail for violating one of our commonwealth's absurd, vicious, and discriminatory birth control laws. It is absurd because it punishes legitimate activities, vicious because it prohibits the transmission of factual information to propel who desperately need it and whose lives would be better if they had it, and discriminatory because it denies to the poor that which is freely available to the rich and middle class.⁴⁴

People in Boston were well aware of the injustice of these laws. Boston's sizeable feminist population was there to support Baird in all of his endeavors to help the women of Massachusetts. Baird's involvement only furthered the boom of feminism, as more women were joining and creating advocacy groups where they were welcome to speak about their issues openly with other women. Baird had put on full display the issues of women's health in Massachusetts and encouraged women to speak out about the injustices they faced.

Baird had violated the "Crimes Against Chastity" laws for "... giv[ing] away a drug, medicine, instrument, or article for the prevention of conception except in the case of (1) a registered physician administering or prescribing it for a married person or (2) an active registered pharmacist furnishing it to a married person presenting a registered physician's prescription."⁴⁵ The question raised to the Supreme Court was whether the Massachusetts "Crimes Against Chastity" laws violated the decision of *Griswold v. Connecticut*, 1965. This U.S. Supreme Court case established that the Constitution protected the right to marital privacy. Baird states in a letter to the Committee on the Judiciary:

No government, no group of legislators, no religious group or anyone else has the right to invade the privacy and sacredness of a couple's bedroom to rule by law what their sexual behavior should be. Whatever way two consenting adults wish to express their love and affection for each other is the sole business and responsibility of that couple, their god, and whatever sexual morality they choose to follow.⁴⁶

Baird believed the Massachusetts "Crimes Against Chastity" to be unconstitutional under *Griswold v. Connecticut* (1965). Baird took his case to the Supreme Court to fight for unmarried women's right to take birth control. Baird won his Supreme Court case, *Baird v. Eisenstadt* (1971), and changed restrictive birth control laws in 26 states. Unmarried women were now allowed to receive and take contraceptives. While Baird could have attempted to start this fight with the anti-sin laws of other states, the growing feminist climate of Boston made it the perfect place to

start this campaign. In Wisconsin, officials arrested Baird just six months after his arrest in Boston for displaying birth control pills, abortion instruments, and a diaphragm, amongst other things.⁴⁷

Students flooded Baird with requests to speak at Universities across the entire United States, but his talk at Boston University proved to be one of the most influential. From January of 1970 through December of the same year, he spoke at 93 universities.⁴⁸ Throughout 1970, he still fought in his Supreme court case. Baird continued to educate young students on how to have safe sex and what their options would be, should they get pregnant. The decision of *Baird v. Eisenstadt* (1971) was also a catalyst for reform that started small in Massachusetts and spread to the rest of the United States. While Baird was away from Boston, Universities were carrying on his legacy and began to draw more attention to issues of abortion. Nancy Kierzek, a community college student in Massachusetts, died in 1970 due to an attempted abortion by an amateur. Dr. Robert Gage, director of the University of Massachusetts at Amherst's health services, released this statement:

The tragic death of a coed from a nearby school as the aftermath of an attempted abortion... once again focused the attention of much of the University community on the problems of abortion. Each time the discussion is intensified there is hope that a few more adults will have ventured from the comfort of their cherished moral strongholds and may have even dared to share with students the bold search for a code of action which is more closely related to reality and a legal framework which meets today's needs.⁴⁹

Students, University officials, and doctors were calling for changes to abortion laws. Baird had set a precedent on how to get work accomplished on the judicial scale, and Boston was itching for more. This trend continued past 1970, as women's reproductive health gained more ground on the federal level.

The next U.S. Supreme Court case to take place regarding women's health was *Roe v. Wade*. Decided in January of 1973, it established that abortion was legal, with stipulations on what trimester the mother is in. Baird's supreme court case *Baird v. Eisenstadt* (1971) was cited six times in the decision of *Roe v. Wade*.⁵⁰ Up until the passing of *Roe v. Wade*, only therapeutic abortions were legal in some states. A therapeutic abortion the "interruption of pregnancy before the 20th completed week of gestation for legally acceptable, medically approved indications."⁵¹ Even if a woman wanted an abortion within this statutory period, they were not always accessible.

In 1974, Massachusetts passed "An Act to protect unborn children and maternal health within present constitutional limits." This act was in response to the decision of *Roe v. Wade* and limited abortion rights to women under the age of 18. This act states that "If the mother is less than eighteen years of age and has not married, the consent of both the mother and her parents is required."⁵² In 1972, $\frac{1}{3}$ of women receiving abortions were 19 years old and younger, $\frac{1}{2}$ were 20-24 years old, and $\frac{1}{3}$ were 25 years old and above.⁵³ Young unmarried women were also in need of access to abortions, partially due to the sexual revolution. Baird knew that this act could be detrimental to young women's health. Some young women would be forced to resort to back-alley abortions that could result in serious health complications or even death.

Baird knew first-hand the importance of fighting the Massachusetts statute. Reporter Stacy Jolna featured Baird in an article titled "Legal Battle Over Teenage Abortions." At his own Boston clinic, in 1978, 92% of the women that he saw under the age of 18 could not tell their parents they had sex, let alone that they needed an abortion.⁵⁴ Baird knew that minors were afraid to tell their parents about being pregnant, they would likely seek out an unsafe, illegal abortion. This same article gives accounts of some of the young women seeking abortions at Baird's clinic. Susan, a 16-year-old junior in high school stated "I didn't even think of telling them. My mother would hit me, and my father would cry. If I had to tell them, I'd probably run away..."⁵⁵ A 17-year-old named Mary could not tell her parents about her abortion because "... They would kick me out of the house. My sister had an abortion five years ago, and they're still not talking to her, 'Your sister killed her child' - that's all I ever heard. They wouldn't even let her come over for Christmas."⁵⁶ Carol, a 15-year-old from the suburbs of Boston, was not the first to find out she was pregnant, as her mother kept a calendar of her menstrual cycle. Carol told Joins "She kept jumping at me. She was screaming. She was hysterical... She said 'How could you let him take advantage of you? How can you disgrace us like this? You're not keeping it. I'm calling Bill Baird.'"⁵⁷ Baird was able to see first hand the anxieties young women were having when they found out they would need an abortion.

Baird again turned to the Supreme Court in *Baird v. Bellotti* (1979) to challenge the Massachusetts statute. Baird questioned if the Massachusetts statute requiring minors to have parental consent for an abortion was unconstitutional in restricting minor's ability to have an abortion.⁵⁸ The Massachusetts statute was found unconstitutional on two grounds. First, the court had decided that it withheld the opportunity for a mature, competent minor to make their own choices about seeking an abortion. Secondly, it required minors to have parental consent in all cases, without allowing

for an assessment of their competence to decide on an abortion. Baird had again made women's healthcare accessible to those in Massachusetts.

Many pro-life supporters saw Baird as a threat to society. They believed he corrupted morals and called him as "the devil of abortion."⁵⁹ Anti-abortion protests echoed from the hub in Boston through the United States. In Marlboro, Massachusetts, a baby was denied a baptism unless the mother publicly denounced Baird as the devil in 1974.⁶⁰ A volunteer counselor for Birthright, an organization that assisted pregnant teenagers in keeping their children, Joan Hunerwadel spoke on the *Baird v. Bellotti* case stating that "kids think their parents will be much worse... Nine times out of 10, parents will come around, and there is much more support than the kids believed possible."⁶¹ Bill Baird believed that it should not be left to chance whether a family would accept their daughter's pregnancy. While not all hate was expressed directly at Baird, abortion was a hot button issue with politicians who aimed to erase Baird's work. At a pro-life demonstration, Senator Orrin G. Hatch of Utah stated "I call this (abortion) an epidemic and it has to be stamped out now..." and that federal funding for abortions made it "possible for genocidal programs as were practiced in Nazi Germany."⁶² This comparison was popular amongst the crowd, and its use continued. Some protests had become violent toward clinics providing safe and legal abortions.

In 1978, Baird published a booklet titled "Abortion Center Survival- A Partial Guide."⁶³ Abortion centers were under attack, and it was a regular thing. Baird's Long Island clinic was the first firebombed in 1979, with 50 workers and patients inside. In 1980, Baird sued the FBI for not investigating the firebombings of abortion facilities. Enraged by the lack of action, Baird created a system to keep everyone inside safe in case of an assault. He gave details about what people should do in case of an attack, and what supplies should be on hand during an attack. It is easy to see that Baird was never hands-off when it came to protecting a woman's reproductive health.⁶⁴ Baird committed to keeping women's rights safe, including the rights threatened with the passing of the 1974 Massachusetts statute for young women.

Even with a long list of credentials, not all women that were publicly advocating for women's rights believed in Baird's involvement, most notably Betty Friedan, author of the *Feminine Mystique*. Friedan had made it clear that she had never liked Baird. In a CSPAN Book TV interview in 2000, Friedan discussed her work *Life So Far: A Memoir*. Joni Baird, Bill Baird's wife, was in the audience and asked Friedan to apologize to Baird for implying that Baird himself was a CIA agent. Friedan then stood from her chair and said "Do you want me to leave? Do you want me to leave? I will not be insulted in this way. Bill Baird has been trying to muscle in, exploit, damage, divert, disrupt the women's movement for twenty-odd years."⁶⁵ Friedan believed that Baird "was driven by a desire to play the 'knight in shining armor rescuing the meek woman'."⁶⁶ She accused him of being egotistical, counterproductive, and disruptive.⁶⁷ Years prior, in a letter to Friedan, Baird states,

As you well know, I have fought for almost a decade for human rights for all people, particularly in the area of abortion and birth control. I am the only person in the history of our movement jailed 7 times in 4 states fighting archaic laws. This included a women's liberation lecture where I was jailed for corrupting the morals of a 14 month old baby because I had exhibited abortion devices. Were you silent then because of your chauvinism to a male leader?⁶⁸

Baird gives his credentials to Friedan in an attempt to prove that he fights for the women's movement, not against it. Baird accuses Friedan of treating him with "blatant chauvinism" at the Equality Day Rally in August of 1971 in New York.⁶⁹ Baird had asked to speak, but he claims that rally officials rejected his offer because he was a man. On a separate occasion, Baird recalled in this letter to Friedan "when you and I appeared at NBC TV Studios that day and you refused to appear with me on the same screen so that Sander Vanocur had to interview us separately and you demanded to be on last."⁷⁰ Despite Friedan's distaste for Baird, he had made considerable progress in women's health in Massachusetts and across the United States. While Friedan ostracized Baird for being a male within the movement, others detested him for what he stood for.

Following the Supreme Court Case *Baird v. Bellotti*, Baird remained involved in the movement. By 1978, Baird had been jailed eight times in five states due to birth control and abortion laws. He continued to lecture at Universities on reproductive rights. He and his second wife, Joni Baird, ran the Pro-Choice League until they ran into financial trouble, and Baird's health declined. Baird received death threats, and was on the receiving end of attacks, both physical and mental, throughout his entire career.

Bill Baird proved himself as an advocate for women's reproductive rights early on in his career. Baird took advantage of the social climate and the concentration of feminist groups in Boston to get abortion and birth control policies to the Supreme Court. Women had been making their own places within Boston society since the late 1800s. Since then, women have been a driving force of the economy and social and cultural changes. Baird's efforts helped elevate the fight in Boston to reach the national stage and the Supreme Court, and his efforts in Massachusetts affected

the whole country. Fighting Massachusetts' arcane "Crimes Against Chastity" laws led to the dissolution of similar laws in twenty-six other states, improving the lives of women all across the United States. Women's groups and advocates were able to distribute information on birth control practices to foster a healthier sex life. Baird's argument against these laws also proved crucial in *Roe v. Wade*, as well as many other Supreme Court cases. Over 52 Supreme Court cases from 1972 through 2002 have cited Baird v. Eisenstadt.⁷¹ When Massachusetts again targeted the access to safe abortions for minors, Bill Baird and other women's groups were there to combat the state's attempt to control women's bodies. In his "Abortion Survival Guide," Baird states "My worst critics and my best allies could never deny my total commitment to our movement. We must not surrender one inch of ground in this battle for freedom and dignity. I live, breathe and sleep this movement."⁷² Baird's commitment to the movement and involvement in Boston impacted not just Massachusetts, but the entire United States.

2. Appendix of Laws

2.1 Appendix A

Massachusetts. Chapter 272 "Crimes Against Chastity, Morality Decency, and Good Order."

Section 19. Whoever, with intent to procure the miscarriage of a woman, unlawfully administers to her, or advises or prescribes for her, or causes any poison, drug, medicine or other noxious thing to be taken by her or, with the like intent, unlawfully uses any instrument or other means whatever, or, with like intent, aids or assists therein, shall, if she dies in consequence thereof, be punished by imprisonment in the state prison for not less than five nor more than twenty years; and, if she does not die in consequence thereof, by imprisonment in the state prison for not more than seven years and by a fine of not more than two thousand dollars.

2.2 Appendix B

Massachusetts. Chapter 272 "Crimes Against Chastity, Morality Decency, and Good Order."

Section 21. Except as provided in section twenty-one A, whoever sells, lends, gives away, exhibits, or offers to sell, lend or give away an instrument or other article intended to be used for self-abuse, or any drug, medicine, instrument or article whatever for the prevention of conception or for causing unlawful abortion, or advertises the same, or writes, prints, or causes to be written or printed a card, circular, book, pamphlet, advertisement or notice of any kind stating when, where, how, of whom or by what means such article can be purchased or obtained, or manufactures or makes any such article shall be punished by imprisonment in the state prison for not more than five years or in jail or the house of correction for not more than two and one half years or by a fine of not less than one hundred nor more than one thousand dollars.

2.3 Appendix C

Massachusetts. Chapter 272 "Crimes Against Chastity, Morality Decency, and Good Order."

Section 21A. A registered physician may administer to or prescribe for any married person drugs or articles intended for the prevention of pregnancy or conception. A registered pharmacist actually engaged in the business of pharmacy may furnish such drugs or articles to any married person presenting a prescription from a registered physician.

A public health agency, a registered nurse, or a maternity health clinic operated by or in an accredited hospital may furnish information to any married person as to where professional advice regarding such drugs or articles may be lawfully obtained.

This section shall not be construed as affecting the provisions of sections twenty and twenty-one relative to prohibition of advertising of drugs or articles intended for the prevention of pregnancy or conception; nor shall this section be construed so as to permit the sale or dispensing of such drugs or articles by means of any vending machine or similar device.

2.4 Appendix D

Bellotti v. Baird. United States Supreme Court Reports. “U.S. Reports: *Bellotti v. Baird*, 443 U.S. 622.” 1979. <http://cdn.loc.gov/service/ll/usrep/usrep443/usrep443622/usrep443622.pdf>

(1) If the mother is less than eighteen years of age and has not married, the consent of both the mother and her parents is required. If one or both of the mother's parents refuse such consent, consent may be obtained by order of a judge of the superior court for good cause shown, after such hearing as he deems necessary. Such a hearing will not require the appointment of a guardian for the mother. If one of the parents has died or has deserted his or her family, consent by the remaining parent is sufficient. If both parents have died or have deserted their family, consent of the mother's guardian or other person having duties similar to a guardian, or any person who had assumed the care and custody of the mother is sufficient.

(2) The commissioner of public health shall prescribe a written form for such consent. Such form shall be signed by the proper person or persons and given to the physician performing the abortion who shall maintain it in his permanent files.

3. Acknowledgements

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4. Annotated Bibliography

4.1 Secondary Source Annotated Bibliography

Cline, David P. “Surprising Allies: The Struggle Over Birth Control and Abortion in 1960s Massachusetts.” *Historical Journal of Massachusetts* 47 (2006).

Cline discusses birth control and abortion within the city of Boston. Using oral history interviews and his analysis of the climate in Boston, Cline gives a comprehensive history of feminism and activism in Massachusetts.

Deutsch, Sarah. *Women and the City: Gender, Space, and Power in Boston 1870-1940*. New York: Oxford University Press, 2000.

Deutsch's book gives context to the climate of Boston regarding women and gender, leading up to second-wave feminism. This book provides the precursors to the movement and how the interpretation of liberal thinking within the area. Deutsch argues that Boston was the perfect space for exploring the dynamics of the city in terms of the women's space, and how a changing urban environment impacted women's space.

Evans, Sara. *Tidal Wave: How Women Changed America at Century's End*. New York: Free Press, 2003.

Evans' book *Tidal Wave*, gives a comprehensive history of second-wave feminism. Giving a new perspective than most of the other sources used in this paper, Evans talks about women of color's involvement in feminist activism. Evans covers politics, culture, family, marriage, and economics to give new meaning to the feminist movement.

Gillette, Meg. "Modern American Abortion Narratives and the Century of Silence." *Twentieth Century Literature* 58, no. 4 (2012): 663-687.

Gillette gives a brief history of abortion politics in the United States, as well as the discourse surrounding the topic. Gillette's article will provide this thesis with the abortion narrative through time, to contextualize the politics and thoughts around abortion in Boston.

Gordon, Linda. *The Moral Property of Women: A History of Birth Control Politics in America*. Chicago: University of Illinois Press, 2002.

Gordon gives a comprehensive history of birth control politics in America, focusing on the political thinking surrounding birth control. Gordon argues that birth control has always been a matter of politics, rather than technology.

Macpherson, Myra. "The Forgotten Father of the Abortion Rights Movement." *The New Republic*, October 7, 2019.

Macpherson's article in The New Republic gives background on Baird, as well as tells where he is now.

Rosen, Ruth. *The World Split Open: How the Modern Women's Movement Changed America*. New York: Viking, 2000.

Rosen starts her book with how Cold War politics impacted women. She discusses the rise of the movement, and its weaknesses and its strengths within class, religion, and race. Rosen also includes an extensive chapter on the women's health movement. She provides information on menstruation, marital rape, and sex. Rosen's analysis of the women's health movement helps define the health movement itself.

Solinger, Rickie. *Pregnancy and Power: A Short History of Reproductive Politics in America*. New York: New York University Press, 2002.

Solinger's book examines political moves, legal cases, as well as cultural understandings to create a thorough history of reproductive rights in the United States. Ranging from the 1770s until the 1980s, the reader gets a clear picture of how reproductive politics evolved. Solinger examines race and class relations, and how they impacted laws passed, as well as societal perceptions.

Spain, Daphne. "Women's Rights and Gendered Spaces in 1970s Boston." *Frontiers: A Journal of Women Studies* 32, no. 1 (2011): 152-178.

Spain uses both archival data and interviews to understand how second-wave feminism affected gendered spaces. She discusses how women were able to claim their own spaces in terms of reproductive control, personal safety in the home, and an independent identity. Spain focuses her research specifically on the Boston area. This book provides context on how Boston fits in the picture with other cities that were big in the Women's Liberation Movement.

4.2 Primary Source Annotated Bibliography

Papers of Bill Baird, 1930-2015 (inclusive), 1963-1993 (bulk), MC 831. Schlesinger Library, Radcliffe Institute, Harvard University, Cambridge, MA.

The Papers of Bill Baird, 1930-2015 (inclusive), 1963-1993 (bulk), is a collection on reproductive rights activist, Bill Baird. The whole collection is 196.96. Boxes 32, 74, 75, 82, 114, and 246 were used in this paper. Sources used in this paper include newspapers, biographies on Baird used at Universities, speeches, brochures, and flyers from various groups.

Bellotti v. Baird. United States Supreme Court Reports. “U.S. Reports: *Bellotti v. Baird*, 443 U.S. 622.” 1979. <http://cdn.loc.gov/service/ll/usrep/usrep443/usrep443622/usrep443622.pdf>

This is the United States report on the 1979 Supreme Court case *Bellotti v. Baird*. The ruling of *Bellotti v. Baird* established that minors have the right to an abortion without parental consent.

Bellotti v. Baird. United States Supreme Court Reports. “U.S. Reports: *Bellotti v. Baird*, 428 U.S. 132.” 1976. <http://cdn.loc.gov/service/ll/usrep/usrep428/usrep428132/usrep428132.pdf>

This ruling of *Bellotti v. Baird* upheld the Massachusetts law that required minors to receive parental consent to obtain an abortion.

Boston Women’s Health Collective. *Women and Their Bodies: A Course*. 1970.

This is the first edition of the book *Women and Their Bodies*, written by the Boston Women’s Health Collective. The book covers topics ranging from post partum, venereal disease, sexuality, and anatomy, among other topics.

Roe v. Wade. United States Supreme Court Reports. “U.S. Reports: *Roe v. Wade*, 410 U.S. 113.” 1972. <https://www.loc.gov/item/usrep410113/>

This is the United States report on Supreme Court case *Roe v. Wade*. The ruling of *Roe v. Wade* legalized abortion in the United States.

Eisenstadt v. Baird. United States Supreme Court Reports. “U.S. Reports: *Eisenstadt v. Baird*, 405 U.S. 438.” 1971. <https://www.loc.gov/item/usrep405438/>

This is the United States report on Supreme Court case *Eisenstadt v. Baird*, written by Judge William Brennan. The ruling of *Eisenstadt v. Baird* established that unmarried men and women could legally acquire contraceptives.

DuPlessis, Rachel Blau. *The Feminist Memoir Project: Voices from Women’s Liberation*. New York: Three Rivers Press, 1998.

This book contains 32 women’s accounts of their time in the late 1960s, as the women’s liberation movement was forming. Readers can see why these women decided to rebel and become members and trailblazers in the Feminist Movement.

Editors' Note. *The New York Times*. April 29, 1993.

This editors note acknowledges that editions of an article printing on April 14, 1993, referred to Bill Baird as “The Devil of Abortion.”

Friedan, Betty. “Betty Friedan CSPAN Book TV” (video). May 9, 2000.

This is a recording of a question and answer session with Betty Friedan, at a discussion of her book, *Life So Far: A Memoir*. In the video, Joni Scott challenges Friedan’s claim that Bill Baird is a CIA agent. Friedan is offended by Scott’s claim and airs her distaste on Baird and his involvement in the movement.

Gruson, Lindsey. “Abortion Clinic Pioneer Fears Defeat.” *The New York Times*. January 29, 1985. <https://www.nytimes.com/1985/01/29/nyregion/abortion-clinic-pioneer-fears-defeat.html>

This 1985 article published in *The New York Times* discusses Baird’s involvement within the reproductive rights movement.

Killilea, John. "Time Runs Out for William Baird: State May Be Winning Birth Control Battle." The Harvard Crimson, October 23, 1967. <https://www.thecrimson.com/article/1967/10/23/time-runs-out-for-william-baird/>

This article published in the Harvard Crimson discusses Baird's involvement in the reproductive rights movement.

Massachusetts. Chapter 272 "Crimes Against Chastity, Morality Decency, and Good Order."

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<https://law.justia.com/codes/massachusetts/2016/part-iv/title-i/chapter-272/section-21/>.

<https://law.justia.com/codes/massachusetts/2016/part-iv/title-i/chapter-272/section-21a/>.

This gives the exact wording of Chapter 272, Section 19, Section 21, and Section 21A. For the exact wording of these laws, see the appendix of this paper.

Morgan, Robin, ed. Of *Sisterhood Is Powerful: An Anthology of Writings from the Women's Liberation Movement*. New York: Vintage, 1970.

This book includes testimonies, documents, poems, and essays from individuals within the women's liberation movement. It gives the perspective of 50 women, all from different ethnic and socioeconomic backgrounds.

Records of the Boston Women's Health Book Collective 1905-2003 (inclusive), 1972-1997 (bulk). MC 503. Schlesinger Library, Radcliffe Institute, Harvard University, Cambridge, MA.

The Records of the Boston Women's Health Book Collective 1905-2003 (inclusive), 1972-1997 (bulk), is a collection of the women's group the Boston Women's Health Book Collective. The items used in this paper include pamphlets

5. Endnotes

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2 Boston Women's Health Collective, *Women and Their Bodies: A Course*, 1970.

3 Sara Evans, *Tidal Wave: How Women Changed America at Century's End*, (New York: Free Press, 2003), 1.

4 Sarah Deutsch, *Women and the City: Gender, Space, and Power in Boston 1870-1940*, (New York: Oxford University Press, 2000).

5 Daphne Spain, "Women's Rights and Gendered Spaces in 1970s Boston," *Frontiers: A Journal of Women Studies* 32, no. 1 (University of Nebraska Press, 2011): 152-178.

6 Ruth Rosen, *The World Split Open: How the Modern Women's Movement Changed America*, (New York: Viking, 2000).

7 Linda Gordon, *The Moral Property of Women: A History of Birth Control Politics in America*, (Chicago: University of Illinois Press, 2002).

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20 "Who is Bill Baird?" 1968.

21 Susan Lydon, "The Politics of Orgasm," in *Sisterhood is Powerful: An Anthology of Writings from the Women's Liberation Movement*, ed. by Robin Morgan (New York: Random House, 1970), 202.

22 Rosen, 143.

23 Bill Baird Speech-- University of Connecticut, December 16, 1968, *Papers of Bill Baird, 1930-2015 (inclusive), 1963-1993 (bulk)*, Schlesinger Library, Radcliffe Institute, Harvard University, Cambridge, MA.

24 Morgan, Lydon, 202.

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27 Lucinda Cisler, "Unfinished Business: Birth Control and Women's Liberation," in *Sisterhood is Powerful: An Anthology of Writings from the Women's Liberation Movement*, ed. by Robin Morgan (New York: Random House, 1970), 248.

28 Gillette, 668.

29 Deutsch, 4.

30 Spain, 152.

31 Pricilla Long, "We Called Ourselves Sisters," in *The Feminist Memoir Project*, ed. by Rachel Blau DuPlessis and Ann Snitow, (New York: Three Rivers Press, 1998), 328.

32 Cline, 52.

33 "Individual Freedom," *Papers of Bill Baird, 1930-2015 (inclusive), 1963-1993 (bulk)*, Schlesinger Library, Radcliffe Institute, Harvard University, Cambridge, MA.; Crimes Against Chastity, Morality, Decency and Good Order, *Massachusetts General Laws*, ch. 272, sec. 19.; See Appendix A.

34 Crimes Against Chastity, Morality, Decency and Good Order, *Massachusetts General Laws*, ch. 272, sec. 21.; See Appendix B.

35 Crimes Against Chastity, Morality, Decency and Good Order, *Massachusetts General Laws*, ch. 272, sec. 21A.; See Appendix C.

36 Cisler, Morgan, 248.

37 Cline, 48.

38 Larry Berger, "Student Guide For Birth Control, Abortion, VD, and Drugs: Resources in the Boston Area," 1970, *Papers of Bill Baird, 1930-2015 (inclusive), 1963-1993 (bulk)*, Schlesinger Library, Radcliffe Institute, Harvard University, Cambridge, MA.

39 Boston Sunday Globe, October 13, 1968, *Papers of Bill Baird, 1930-2015 (inclusive), 1963-1993 (bulk)*, Schlesinger Library, Radcliffe Institute, Harvard University, Cambridge, MA.

40 Bread and Roses, "Abortion is our Right!" *Papers of Bill Baird, 1930-2015 (inclusive), 1963-1993 (bulk)*, Schlesinger Library, Radcliffe Institute, Harvard University, Cambridge, MA.

41 Susan J. Lowe, "The Right to Choose: Facts on Abortion," Zero Population Growth in cooperation with the National Abortion Rights League, *Records of the Boston Women's Health Book Collective 1905-2003 (inclusive), 1972-1997 (bulk)*, Schlesinger Library, Radcliffe Institute, Harvard University, Cambridge, MA.

42 Lowe, "The Right to Choose: Facts on Abortion."

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45 *Eisenstadt v. Baird*, 405 U.S. 438 (1971).

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48 Lecture Spaces, 1970, Papers of Bill Baird, 1930-2015 (inclusive), 1963-1993 (bulk), Schlesinger Library, Radcliffe Institute, Harvard University, Cambridge, MA.

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54 Stacy Jolna, "Legal Battle Over Teenage Abortion," Newsday, January 30, 1978, Papers of Bill Baird, 1930-2015 (inclusive), 1963-1993 (bulk), Schlesinger Library, Radcliffe Institute, Harvard University, Cambridge, MA.

55 Legal Battle Over Teenage Abortion, January 30, 1978, Papers of Bill Baird, 1930-2015 (inclusive), 1963-1993 (bulk).

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60 Bill Baird, "Abortion Center Survival- A Partial Guide," 1978, Papers of Bill Baird, 1930-2015 (inclusive), 1963-1993 (bulk), Schlesinger Library, Radcliffe Institute, Harvard University, Cambridge, MA.

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