

Facing voter backlash, California Republicans recalibrate their antiabortion stance

The Life at Conception Act is fewer than 300 words, but its language leaves little room for ambiguity on abortion.

The bill, introduced in the U.S. House earlier in the congressional session, seeks “equal protection for the right to life of each born and preborn human person,” specifying that it covers “all stages of life, including the moment of fertilization, cloning, or other moment at which an individual member of the human species comes into being.”

Put simply: “It would be a nationwide abortion ban,” said Mary Ziegler, a professor at UC Davis School of Law who studies reproductive rights. Even California, which has positioned itself as a haven for abortion rights, would be affected.

The legislation was co-sponsored by more than half of California’s Republican congressional delegation — including three representatives who face highly competitive races in the November midterm elections: Reps. Michelle Steel of Seal Beach, Mike Garcia of Santa Clarita and David Valadao of Hanford.

But in the two months since the Supreme Court’s Dobbs ruling overturned Roe vs. Wade, stripping away constitutional protections for abortion, the candidates have been noticeably quiet on the issue. Nationally, Republican candidates in tight races have appeared on the defensive, releasing ads downplaying their antiabortion stances. Instead of celebrating the monumental reversal of Roe vs. Wade, the GOP is trying to turn the focus elsewhere, even as Democrats aim to keep the spotlight fixed on it.

“I think Republicans in California would like to pretend [the abortion issue] doesn’t exist,” said Jodi Balma, a political science professor at Fullerton College who supports abortion rights.

In the past, Steel, Garcia and Valadao have quietly backed an array of antiabortion efforts. All three signed onto [a brief](#) asking the Supreme Court to end federal protections for abortion and they each [carry A+ ratings](#) from Susan B. Anthony Pro-Life America, a politically powerful antiabortion group.

Steel, running for reelection in one of Southern California’s most closely watched races, signed onto the Life at Conception Act as a co-sponsor 16 months ago. Now, despite her support for the measure, she says discussions “surrounding a nationwide ban on abortion are purely hypothetical at this point.”

Polling has consistently found that most Americans support some restrictions on abortion but did not want Roe to be overturned. For decades, Republicans have used abortion as a potent galvanizing issue for their base, particularly religious conservatives. But after the Dobbs ruling, there are signs that Democrats are more motivated. A [UC Berkeley Institute of Governmental Studies poll](#) released last week showed that 91% of California Democrats consider the issue important when deciding how to vote in congressional, state and local races.

“Dobbs has changed the reality of the abortion debate, and I don’t think everybody understands that yet,” Balma said.

After Roe was overturned in June, voters in conservative Kansas [resoundingly rejected an effort](#) to remove abortion protections from the state constitution. In four special House elections, Democrats this summer have gotten more of the vote than Joe Biden did in those districts in 2020, a sign that the pro-abortion rights energy may be lasting.



Abortion rights supporters in Overland Park, Kan., celebrate after voters rejected an effort to remove abortion protections from the state constitution.

None of the three front-line Republicans in California answered direct questions about the Life at Conception Act, which was introduced about a year and a half before the Dobbs ruling and [backed by 166 House GOP members](#). Ziegler, the UC Davis law professor, said the legislation’s ban on abortion could also extend to some contraceptives, such as morning-after pills, she said.

Steel and Garcia were not made available for interviews but provided statements about the abortion debate. Both indicated they back exceptions to abortion bans in cases of rape, incest or threats to the mother’s health — a departure from the bill. The measure is dormant in the Democratic-led Congress, but that could change if Republicans take control of either chamber next year. (The bill was never brought to the floor, where amendments could be introduced.)

The Valadao campaign did not respond to inquiries for this story.

While legislation stalls on the federal level, there has been a flurry of activity in conservative states since the Dobbs ruling.

Thirteen states, in anticipation of Roe being overturned, had “trigger laws” in place to ban abortion as soon as the Supreme Court issued its ruling, according to [the Center for Reproductive Rights](#), while several others had pre-Roe abortion restrictions that had gone unenforced. This month, Indiana became the first state to pass a ban on the procedure since the Dobbs ruling. Laws are in flux in many states as advocates sue to block the restrictions, but currently, abortion is illegal in at least 11 states, according to the center.

Bills have been introduced in eight states to grant fetuses legal rights, [according to the Guttmacher Institute](#), a nonprofit that supports access to abortion and tracks abortion regulations. Georgia and Arizona have passed bills granting fetal personhood, but the law in the Grand Canyon State was blocked by a federal judge in July who ruled that the measure was too vague.

In a statement the day the Supreme Court reversed the 1973 Roe ruling, Garcia said abortion is now an issue for the states and that the decision “will not change access to abortions” for Californians.

“If you are concerned over your abortion rights,” he said, “call your state assemblyman or senator as the law now falls under the guidance of Sacramento.”

His campaign, like those of most Republicans, is trying to keep the focus on the economy and inflation.

Asked about abortion, a spokesperson for Garcia, Ben Williamson, said economic issues are “at the forefront of” the lives of voters in his district. “Garcia will keep fighting for them on those issues — and voters will have their say on the issue of abortion at the state and local level, just as they should.”

But Democrats are seeking to make it hard for Republicans to sidestep the issue. The party has spent more than \$57 million on television and digital ads mentioning abortion since the Dobbs ruling, according to the media tracking firm AdImpact, compared with just over \$10 million for Republicans.

In California, Democrats are further highlighting the issue by backing Proposition 1, which would add language to the state constitution saying women have the “fundamental right to choose to have an abortion and their fundamental right to choose or refuse contraceptives.”

If Democrats are going to pull off a surprise in November and maintain control of the House, it will have to be with the help of voters in districts like Steel’s, which curves through a section of northern Orange and southern Los Angeles counties, and Garcia’s, in northern L.A. County.

White college-educated voters in suburbs like those will be key to determining the balance of power in November, said Mike Madrid, a Republican political consultant who co-founded the anti-Trump Lincoln Project. Nationwide, about two-thirds of college graduates say abortion should be legal in all or most cases, according to [data from the Pew Research Center](#).

“Those communities have a very uneasy relationship with the Republican Party generally,” Madrid said. “They are still Republicans because they’re not Democrats. But these social issues have been really testing their ability to stay in the party.”

The number of registered Democrats in Orange County has increased by more than 4,100 since a draft of the landmark redistricting, according to data from the Orange County Registrar of Voters.

“When you touch something as fundamental as women’s bodily autonomy, that is going to drive out turnout,” said Jay Chen, Steel’s Democratic opponent, pointing to the results in Kansas. “The Republicans — Michelle Steel, in particular — they’ve overreached by sponsoring and pushing for the overturn of Roe vs. Wade and sponsoring things like the Life at Conception Act.”

Chen, a businessman and Navy Reserve intelligence officer, has frequently attacked Steel over the issue on social media, calling her position extreme.

Steel said she is “proud to support life,” with exceptions to abortion bans for rape, incest, and the health and life of the mother. Like many other Republicans, she portrayed Democrats as too permissive in allowing abortions late in pregnancy. House Democrats recently passed a bill that would allow states to place prohibitions on abortion after viability except in cases when a woman’s life or health are at risk. The measure has no chance of success in the Senate.

“Unlike my opponent, I don’t support the Democrats’ radical agenda of abortion on demand, or painful late-term abortions where we know the child can feel pain, nor do I support taxpayer-funded abortion,” Steel said. “I also believe we must protect women and ensure they understand all the resources they have in order to choose life.”

In the Central Valley, Valadao has come under fire from his Democratic opponent, Rudy Salas. The assemblyman called Valadao’s support for the Life at Conception Act “appalling.”

“We must prevent this bill from passing,” he said in a statement.

But the issue may play a less prominent role in [Valadao’s district](#) than it does in Orange and L.A. counties, said Thomas Holyoke, a political science professor at Fresno State University.

“I think that it’s going to be a little more muted in this district than, perhaps, in some,” he said, adding that economic issues and water are likely to be more important in the agriculture-rich Central Valley. “It’s a Democratic-leaning district, no question about it, but it’s a lot of conservative Democrats.”

The challenge is greater for Garcia, whose northern L.A. County district has become more Democratic after redistricting. Former state Assemblywoman Christy Smith, who has lost to Garcia twice, hopes abortion will help make the difference this time around.

“With so much focus and momentum on the issue, with the fact that we will have a statewide ballot initiative to codify those protections in our state constitution, this is absolutely an issue that could really change the shape of this election,” she said.