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ENSURING ABORTION RIGHTS FOR WOMXN*

Intended audience: Voters of any age who can elect officials who will act in defense of abortion rights.

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*Over the course of this essay, I will be advocating for safe abortions for all people, not just women. Many people who have uteruses don't identify as a woman. The term "womxn" was coined to be more inclusive. I will also be using they/them pronouns throughout this essay as it is more universal.

Abortion is an age-old practice that dates to ancient China and Egypt. Numerous methods have been used over the centuries, many of them unsafe and dangerous. In recent decades, medical advancements have allowed for the practice of safe abortions. Whether it be surgical or medicinal, abortion is common in the United States. However, there are many threats to abortion access nationwide. The limitations on abortion is an attempt to regain control of womxn and their lives. For the majority of history, womxn have not been seen as equal to their male counterparts. They have been treated like property in many cases; constantly being transferred from one man to the next – from father to husband, for example. As voters, we must elect officials who will ensure the safety of abortion rights. The best way to combat this blatant misogyny is to remove the filibuster so the Senate can pass The Women’s Health Protection Act, which the House has already passed, to ensure the right to a safe and legal abortion stays in place.

Abortion became legal nationwide in the United States only after the 1973 Supreme Court decision of *Roe v. Wade*. Under the Due Process Clause of the Fourteenth Amendment, a woman’s right to choose to have an abortion is protected, with this ruling, womxn across the country could receive an abortion “prior to viability,”; which means “having reached such a stage of development as to be capable of living, under normal conditions, outside the uterus.” (“*Roe v. Wade* 1973”) At the earliest, in the “United States viability presently occurs at approximately 24 weeks of gestational age,” and only with intense medical intervention (Breborrowicz). Viability can vary, as some hospitals are better equipped than others to handle such situations. The significance of viability is paramount when discussing terminating a pregnancy. As the recent laws in Texas and Mississippi have shown, many state legislatures do everything in their power to heavily restrict access. Most, if not all, of said legislatures are from conservative states which align with the self-proclaimed view of being pro-life. The primary problem with the laws these legislatures write is that they do not consult with medical professionals. A common restriction is banning abortion after a heartbeat is detectable, usually around six weeks of

gestation. Medical professionals would tell these politicians that “British researchers analyzed scans of the hearts of healthy fetuses in the womb and found that the heart has four clearly defined chambers in the eighth week of pregnancy but does not have a fully organized muscle tissue until the 20th week.” (“Fetal”). Since the heart has not fully formed at six weeks, the “heartbeat” detected is electrical impulses. Using the presence of a heartbeat at six weeks is as good as a complete abortion ban, as most women do not realize that they are pregnant at this stage. Periods can often be late for a variety of reasons, including stress, hormone changes, or medication. Abnormal uterine bleeding can cause very irregular periods, “affecting 14–25% of women of reproductive age,” (Whitaker). Before even realizing they are pregnant, the option for abortion is taken away from them. By implementing The Women’s Health Protection Act, states such as Texas will not be able to challenge abortion rights, ensuring the safety of women and their rights.

If Roe is overturned by the Supreme Court, a woman’s right to an abortion would revert to the states. Sadly, this disproportionately affects minority groups and those of low-income who may have to take time off work and possibly arrange for childcare to travel to a pro-choice state. Furthermore, under the Hyde Amendment of 2013, Medicare is prohibited from covering the cost of abortions except under two conditions: “(1) the pregnancy is the result of rape or incest; or (2) the woman suffers from a physical disorder, injury, or illness, including a life-endangering physical condition caused by or arising from the pregnancy itself, that would place her in danger of death unless an abortion is performed,” (“S. 142”). This further affects low-income and minority groups, as many cannot afford private insurance and rely on Medicare. Putting such limitations on abortion access forces women to go through with the pregnancy--something no one should be forced to go through, as it is an extreme physical and mental toll on them; especially when the pregnancy is a result of rape. The recent Texas abortion law reaches farther than the Hyde Amendment, as it does not allow exceptions for rape, incest, or the risk of the pregnant person. Many argue that an alternative to abortion is adoption. As Justice Amy Coney Barrett

stated, "...forced motherhood would hinder women's access to the workplace, and to equal opportunities, it's also focused on the consequences of parenting and the obligations of motherhood that flow from pregnancy—why don't the safe haven laws take care of that problem?" (Matthews). The fault in this argument is that it does not consider the eight months the womxn must spend carrying the fetus to term. Pregnancy is a life-changing event that causes drastic changes to one's body, such as shifting organs or swelling of the muscles. We must also consider the psychological damage of carrying an unwanted pregnancy to term – especially for those who do not identify as a woman. Adoption has been around since before Roe was first enacted, and yet many womxn still opted for an abortion instead. The burden of giving up your child can take a very heavy toll and is not as easy as Barrett makes it seem. She also seems to forget the thousands of kids currently in the U.S. foster system waiting to be adopted.

When a someone is raped and it results in a pregnancy, they have not only lost ownership of their body once, but twice if forced to carry the pregnancy to term. These patriarchal ideals are what fuels the fire behind the pro-life argument. Through the Texas bill, "...it would also empower any misogynist or anti-choice person to impose their bigotry on Texas residents through frivolous and harassing lawsuits," (Donegan). After Roe, womxn were able to decide if and when to have children, resulting in womxn joining the work force. Feeling threatened, numerous men wanted womxn to return to the home. Even with the booming economy that resulted from more people in the work force, the idea of womxn being equal to men and having ownership over themselves was threatening. With laws like the Texas abortion law in place – with no exceptions for rape or health risks – many womxn rightfully fear years of progress is being erased. Many comparisons are being made to Margaret Atwood's book, *The Handmaid's Tale*, because of the extreme lengths legislators are willing to go. When state legislatures only view womxn as baby makers and refuse to give any respite when violated, it is a fair comparison, especially due to the underlying religious argument which pro-lifers use. Nowhere does

it state in the Constitution that citizens must practice Christianity, yet abortion legislation is being written with the Bible in mind. Abortion is a common practice, and it should remain that way so womxn may choose what to do with their life. As history has shown, banning abortion only bans *safe* abortions. “Overall, about 1 in 4 women in the U.S. will have an abortion by the time they’re 45 years old,” and “6 out of 10 people who get abortions already have kids,” (“What”). If Roe is overturned, womxn of childbearing age will no longer have control over their lives and the economy will suffer. “Women were 47% of the workforce, as of August, and there is broad consensus among economists that increasing the women’s labor force could add billions of dollars to America’s gross domestic product,” (Tappe). An argument against abortion could be to tell womxn to stop having sex unless they are trying for conception, but womxn are sexual beings too and should not be punished for enjoying themselves the same way men do. Not to mention, the argument does not consider instances when rape has occurred or when birth control has failed.

Womxn make up half the population yet are being treated like second-class citizens. The right to choose should rest on the pregnant person’s shoulders, not the government. Once pregnant, it is still their body, contrary to pro-life belief. They do not lose themselves or become less than human, a mere incubator. Many womxn view an unwanted fetus as a parasite, as it is an unviable source of life that is very unwanted. It should be more controversial to force someone through pregnancy than to ban the abortion. By protecting womxn’s rights, we are protecting them from physical and psychological harm. Passing The Women’s Health Protection’s act is a necessity the womxn of this country need, as voters, we can make the conscious decision to elect those who would see it passed.

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