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The Criminalisation of Abortion in America: Waging War on Women's Rights. A Genealogy.

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1.1 Acknowledgements

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1.2 Abstract

The introduction of heavily restrictive abortion legislation in America has sparked international controversy surrounding the status of women's rights, granted by *Roe V. Wade*. This is especially controversial due to the decriminalisation of abortion in Northern Ireland in the same year. I aim to provide insight into how similarly Westernised countries can have such conflicting ideas on the right to an abortion, and whether the introduction of heavily restrictive abortion legislation is to *solely* control women through a (Foucauldian) genealogy. I look at the growth and power behind the pro-life movement in America and how this is sustained through the implementation of 'norms' through the use of Foucauldian Power-Knowledge thesis. By identifying the social dynamics that feminist theories fail to recognise as a contribution to instituting success in anti-abortion views, I explore the context and religious significance in America using secondary data. I conclude that, through evangelical Christian affiliation with Republican politics, the combined agenda in growing their causes, and as a response to the threat to American identity, restrictive abortion legislation is implemented as a political tactic. By targeting America's strong desire to be a 'true American', and the desire for '*El Pluribus Unum*', Republican politicians capitalise this by spreading anti-immigration and terrorism fears to strengthen evangelical presence in Republican politics. As a result, they are presented as 'saviours' of American identity, and as a result, gain more power which increases their capacity to elicit change. This capacity allows them to implement 'norms' and morality through the Power-Knowledge thesis – this being their 'knowledge' and beliefs surrounding abortion rights for women. By implementing legislation in line with evangelical teachings, to target America's white, patriotic nation (their majority), it strengthens Republican positions in the dominant hierarchy. Therefore, politics favours religion, in which the subordination of women is sub-consequential.

1.3 Introduction

In America a uterus is more heavily regulated than a firearm. During Trump's term in presidency, there has been an increase in successful restrictive laws placed on abortion rights, which feminists across the globe have interpreted as an unfiltered attack against women, their bodies and their rights. The United States has also seen a significant rise in the power of the anti-abortion movement and its attempts to undermine the legal rights given to women provided by Roe Vs. Wade in 1973 (Roe v. Wade, 410 U.S. 113 (1973)), which is now in imminent danger of being completely overturned.

In 2019, the State of Alabama placed a law, "The Alabama Human Life Protection Act", which bans abortion even in cases of rape and incest, as the law defines a foetus as a legal person (with rights) from conception. This new regulation makes it a crime for medical professionals to perform abortions and makes criminals of women who obtain abortions. The officials behind this ruling have compared abortion to the Holocaust and other genocides (Law, 2019) and have been backed by a large population of evangelical Christians. Arguably, the rape and incest clause places a higher value on a foetus than a woman, making this bill one of the most extreme law changes in history to hit the Western world.

Soon after, a domino effect of 'heartbeat bills' were implemented in neighbouring States, (Georgia, Ohio, Kentucky, Mississippi and Louisiana) where abortion is prohibited after 6 weeks of gestation, usually before a woman realises that she is pregnant. There is an

extreme shortage of clinics due to strict legislation driving clinics out of business, making abortions difficult to acquire (Glenza, 2019a). This deprivation of abortion for women raises the question of what has recently enabled Government officials to redact women's right to an abortion and why does there seem to be a rapidly developing anti-woman discourse in America.

Almost simultaneously to the Alabama bill, in a predominantly religious Northern Ireland, the polar opposite happened. Since 1967, when Northern Ireland refused to follow suit with the UK's relaxation of abortion rules, women have faced long prison sentences for having illegal abortions. However, in October 2019, abortion was de-criminalised for health and social reasons in fetuses up to 12 weeks old and this was seen by many as a social breakthrough (Amnesty International, 2020). It is interesting to compare how two parts of similarly Westernised cultures have conflicting ideas of abortion rights to the point where they are integrated within internal law enforcement. The religious, but conflicting views provokes an inquest into whether other factors, such as political capital, are contributing to the enforcement of anti-abortion views and legislation in the USA. I aim to identify, specifically in America, what has happened that has caused such juxtaposed ideals of women's abortion rights in the same year in Western culture and how the anti-abortion movement has obtained such power. I will use Foucault's (1970 [1966]) Power-knowledge thesis to contribute to the change and development in adapting 'norms' in different cultures.

Because the topic of abortion is so controversial in modern Western culture, there are growing fears that America's diverse move is a regressive step for women's rights- an issue

that has been heavily highlighted in the public eye. Alabama's change in law in 2019 prompted 400 pro-choice demonstrations across 50 States in America (The Guardian, 2019). In these protests and current discussions, the perceived sole motive for restricting abortions is to first and foremost subordinate women. However, there is more to the criminalization of abortion than being purely a method of control over women. I aim to decipher what powers have driven the regressive movement to criminalise abortion in America again, how and why the legislation has been allowed to have been passed and what America hopes to achieve by banning abortion. Furthermore, I aim to postulate an explanation into what has motivated an antifeminist discourse in current America, redacting women's liberalisation by enforcing such extreme laws against women's rights and to consider why it is a political issue rather than a medical issue.

1.4 Methodology

My research will be conducted as Foucauldian genealogy. It will feature the use of three online databases: Google Scholar, the Leeds Beckett online library and Research Gate. I will frame my literature review into three chapters – Feminism, Religion and Politics. Firstly, I will review feminist literature in accordance with abortion rights - that the introduction of abortion legislation is instituted solely to subordinate women. I will address the gaps in literature and look at other motivations from social, political and religious dynamics. Secondly, I will look further into the religious demographic in the USA, briefly compare it with the situation in Ireland and discuss how this has contributed to sustaining restrictive abortion legislation in relation to patriotic identity. I will also look at the importance and prevalence of American identity in referral to social identity theory and how religion has been incorporated into this. Thirdly, I will delve into how the discourse has become

apparent and grown in political nature by looking at the utilisation of a 'threat' to American identity. I will then conclude my findings. This topic of research is incredibly timely as it is rapidly developing as I write this dissertation.

1.5 Ethical considerations

See Appendix i and iii.

2. Chapter One: The Feminist Perspective

2.1 The Criminalisation of Abortion

Perhaps the most sustained attack on the weakening of the Roe V. Wade case has come from writers in the feminist tradition. Initially, feminist perspectives for liberalizing these laws in the second wave of feminism was to fight for equal rights for women in an oppressive society (Garrow 1998; Kesselman, 1998; Munson, 2018). More recently, feminist theologians believe that removing the right to an abortion is a method to further subordinate and control women; reflecting the economic and social dynamics of female repression within a male dominated society and disputing the claim that abortion legislation has been instigated to protect the unborn child's life (Garrow 1998; Kesselman, 1998; Munson, 2018; Durkin, 2019a). I will briefly outline the history of abortion legislation in America to identify social feminist discourse and the state of abortion rights for women. I will then analyse a variety of feminist theories and their suggestions behind the motivations for restricting abortion – if it is *solely* to control women and their bodies.

Up until 1821, there were no legal restrictions on abortions in America and women with unwanted pregnancies used unsafe, non-medical remedies to self-induce abortions, which, at the time, was a socially acceptable practice. Laws began being introduced in 1821 for two main reasons; new medical developments to remove unsafe abortion methods; and the reaction to “fears of immigration, that the population would be dominated by the children

of immigrants, whose birth rates were higher than those of “native” Anglo-Saxon women” (National Abortion Federation, 2015).

During this time, although abortion was legally accepted until the feeling of ‘quickening’ (approximately 12 weeks), it was still practiced illegally, unsafely and unprofessionally. So, to positively impact on women’s healthcare, the governance over obtaining an abortion shifted from the individual pregnant woman to that of increasingly more knowledgeable medical professionals (Munson, 2018). Between 1821 and 1970, basic abortion laws were becoming stricter and were more rigorously enforced in several States. By 1965, illegal abortions were still being carried out and particularly by women in low income households. In the height of the sexual revolution (1965), illegal abortions were responsible for one sixth of pregnancy related deaths (Planned Parenthood, 2020a). As laws clamped down on abortions, feminists fought for the right for reproductive freedom.

Known as the second wave of feminism (which was concerned merely with gender inequality) (Rampton, 2015), pro-choice movements started the liberalisation of the abortion laws, due to the expanding influence of the women’s liberation movement and The National Organisation of Women (NOW) (Munson, 2018). Betty Friedan (2010 [1963]) argued that reproduction is a female quality that has long been used to oppress and control women. Friedan was responsible for driving the women’s movements in which she exposed the suppressed reality of the housewife; unearthing the depression and the substance abuse that was hidden behind forced femininity by women for many years (Cochrane, 2013). Friedan then led the creation of NOW, which evidently, became successful in fronting the Roe V. Wade case in 1973 (Roe v. Wade, 410 U.S. 113, 1973), which affirmed that access

to safe and legal abortion is a constitutional right (Planned Parenthood, 2020a). Not only did Friedan help to liberalise abortion laws to an extent, she publicised women's issues and elevated feminism into a growing movement enabling the public expression of reproductive rights. Therefore, it is largely seen that feminist movements were a main component in the success of liberalising previous abortion legislation.

Since medical intervention, abortions have become safer than childbirth (Raymond and Grimes, 2012) so the health risk is unattested. This raises the issue of why the governance over obtaining an abortion has been inexplicably linked to political values. The aim of protecting the life of an unborn child or foetus is particularly evident in Alabama's extremely restrictive law, arguably disregarding the quality of life of the pregnant female. Field (1989) believes that this is because reproductive qualities in women have been historically used as a method of oppression by the government and by others even before the new legislation was introduced in 2019.

In agreeance with this, Mahdawi (2019) reports that the total ban on abortion and 'heartbeat bills' go further than making abortion merely illegal. It is understood that the State of Missouri keep a government record of women's menstrual cycles through planned parenthood to 'keep track of failed abortions'. Planned Parenthood believes that the actual purpose of keeping these spreadsheets was to govern women's bodies in an attempt to end abortion access (Lodi, 2019). Although abortion is legal in the State of Missouri up to six weeks, it is extremely hard to access as there is only one clinic serving a population of over six million people and this clinic is due to close in spring 2020 (Mahdawi, 2019). The monitoring of women's menstrual cycles mirrors incidents from former Trump

administration who admitted to tracking the menstrual cycles of migrant girls and women whilst in the custody of the United States (Lodi, 2019). Using these extreme methods to survey women are personal and invasive and unearth the abuse of authority and power to gain personal information to be used for ulterior motives.

Not only are women being monitored, they are also being criminalised. Women can face murder charges when putting the life of a foetus at risk. 'Foetal assault' laws make women feel they have to 'prove' their miscarriages or still-births. Such laws can actually discourage some women from seeking medical help during their pregnancy as they may become subject to a criminal investigation (North, 2019). Judicial systems fail to recognise the social inequality that homeless women or women in poverty experience when accessing sufficient health care requirements, especially for drug addiction. For example, in 2019, Chelsea Cheyenne Becker gave birth to a stillborn baby in California and is now faced with murder charges as there were traces of the drug methamphetamine in the foetus's system (North, 2019). Rehab facilities, if free, are hard to acquire, and others are extremely costly.

Disadvantaged women who can't receive proper care can struggle to have a child with no complications. California especially, has some of the highest levels of poverty across America, but impose criminal charges instead of support networks for disadvantaged women (Walters, 2019).

Surely if these laws are being implemented into society, they are reflective of majority consensus. However, recent opinion surveys on abortion views in the US show that 25% of the population believe that abortion should be legal under any circumstance, 53% believe that it should be legal under certain circumstances and 21% believe it should be

illegal in all circumstances (Gallup, 2019). With only a 21% National consensus for a total abortion ban, heavily restrictive laws are most definitely not reflective of the American majority, leaving the installation of these laws questionable.

State legislation is what complicates national perspective, as each State is able to introduce and adhere to its own individual laws (Koh, 1997) whereby conflicting views contribute towards a divided nation. For example, in 2019, the Democratic leader, J.B. Pritzker, brought the 'Illinois Reproductive Health Act' into legislation, ensuring a definite future for the protection of women's reproductive rights and health care. He wrote on social media "women's rights in Illinois do not hinge on the fate of Roe v. Wade or the whims of an increasingly conservative Supreme Court" (Clarke, 2019) which outspokenly conflicts all other methods that have been taken to restrict abortion access by other political leaders which is why the topic of abortion has become so controversial.

Historically, successful liberalization of abortion laws was reflective of societal growth, education, development, changing morale, new feminist discourse and was representative of the majority. Yet, abortion has been re-criminalized which leads feminist theorists to fear for the future status of women's rights in America; citing a rise in anti-women patriarchy; hegemonic masculinity and a response to growing gender equality as a way to regain male dominance for possible reasons for the introduction of such extreme pieces of legislation against abortion rights for women.

2.2 Patriarchy

A significant thread running through much feminist thought is the concept of patriarchy.

Concepts of patriarchy deduce the criminalisation of abortion as a direct attack on women due to the dominant male culture that orders society, which is referred to as 'patriarchy' (Sultana, 2010). According to radical feminists, patriarchy is primarily an explanation of the power relations between men and women, describing it as:

"A system of structure and institutions created by men in order to sustain and recreate male power and female subordination [...] structures include law, religion and family [...] to ensure women and men develop behaviour and belief systems appropriate to the powerful or less powerful group they belong to" (Rowland and Klien, 1996. p15).

This means that economic, social and political structures are established by men to ensure the male domination over women. In this perspective, abortion legislation is a way to reinforce patriarchal dominance and more traditional gender roles; reinforcing the theory that 'male knowledge is all knowledge'¹. This is shown through male dominated Congress in America which is responsible for introducing Alabama's restrictive legislation. Although this legislation was signed by a woman, the gender makeup of Congress is compiled of middle class, religious white men. Indeed, analysis of voting when the restrictive Abortion bills in Alabama, Missouri and Georgia were passed, shows that out of 367 voters who were in favour of the legislation, seven out of eight were white, middle-class, evangelical Christian men (Prasad, 2019). So, these restrictive laws were indeed pushed and placed by hierarchical men, who in retrospect, don't have female reproductive organs, but hold 'the

¹ This enforced knowledge is in referral to Foucauldian power knowledge thesis and how it creates 'norms' as a result that I will later contest (Foucault, 1970[1966])

knowledge'² and power to control how women use them. In doing this, they regain power and control over sexual reproduction that was arguably lost during the sexual revolution.

Feminist academia has attempted to explain the growth of the pro-life movement and the success in enforcing its values - it is response to threat of traditional ideas of patriarchy.

With the sexual revolution and the second wave of feminism, America has seen more women's marches, more protests. In a few cases, exhibiting placards stating "grab 'em by the Patriarchy", mimicking Trump's famous words - "Grab 'em by the pussy" - in referral to using his status to assault women (Higgins, 2018). Moreover, Hilary Clinton was in the final running for president in 2016 and would have been the first woman president if elected. This was significant for women as it was a display of a successful, powerful woman in the political arena – a historically rare event.

Public displays of 'anti-patriarchy' have also been seen in the recent 'Me Too' campaign in 2019, instating a more powerful voice for women. This movement saw women who attended the Golden Globes ditch their elaborate fashion statements to wear plain black to protest and highlight the sexual allegations of rape and assault against Harvey Weinstein (Barnes and Buckley, 2018). There have also been public sexual allegations against Donald Trump himself as well as other Republicans. So, as patriarchy cracks, higher-ranking, powerful, male politicians become threatened. Trump himself takes the pro-life stance and is the first President to attend pro-life marches and demonstrations (Crowley, 2020). It is arguable, that the hierarchical, dominant men of State Senate are putting these restrictive

² I will later refer to Foucauldian power-knowledge thesis in reference to this.

laws in place to restore the patriarchy that they believe is threatened in attempt to restore control over women, by reducing their reproductive rights.

The second wave of feminism's account of patriarchy is missing an account of the patriarch's motivation, or its limits to a kind of motivation-less (Nietzschean) will to power (Nietzsche, 1967). It may also be said that it fails to recognise the *roots* of masculine hegemony in the operation and perpetuation of financial capital. The radical feminist interpretation of patriarchy is purely focused on power within relationships. It derives the only purpose for abortion legislation to be purely a domineering force to control women to ensure male control. It does not take into context the specific society in which we live. We operate in a capitalist world, driven by money and profit. Marxist-Feminists utilise this concept in their relation to patriarchy as it is vital to evaluate other aspects that drive human motivations and behaviour i.e in attempt to boost their value, profit and in relation to the economy.

2.3 Marxist-Feminism

Marxist-Feminists developed an alternative understanding of patriarchy: controlling women for capitalist production. The main concepts are similar to that of radical feminism but incorporate capitalism into the motivations behind male domination. Rowbotham (1973) suggests that "Patriarchal authority is based on male control over women's productive³ capacity and over her person" (p117). In this sense, the subordination of women is a by-product of capitalism; in attributing a women's use to her economic value, the roles of an

³ As I will contend later, the product of the womb is the conduit for the transfer of capital power across generations.

un-paid full-time housewife, and her presence within the labour force. By introducing restrictive abortion legislation, it reinforces women to their economically and socially destined careers in order to keep a male dominated workforce; thereby, reducing women to their socially prescribed gender roles.

Other Marxist-Feminists specifically focus on the mode of production in locating patriarchy within the social relations of reproduction. Engels (1884) writes in this perspective:

“The social institutions under which men of a definite country live are conditioned by both kinds of production; by the stage of development of labour on the one hand, and of the family on the other” (p.455).

Thus, splitting production into two meanings: the production of substance and labour; and the production of human life. He infers that reproduction is in fact a mode of capitalist production.

Issuing reproduction as a mode of male production enhances female oppression by reasserting female expectations in domestic, mothering and reproductive roles, as well as controlling female reproductive capabilities (Beechey, 1979). Female reproduction is therefore mechanical, purely profitable for male growth in economy and capital, completely diminishing any ideas of female reproductive rights. In this perspective, reinforcing restrictive abortion legislation is therefore a response to the representation of women within the workforce and an attempt to reassure male dominance within a capitalist mode of patriarchy. By doing so it reaffirms the male aim to diminish women to the traditional childbearing roles they were once prescribed in order to enhance male presence within a capitalist society.

Another Marxist perspective is that the criminalization of abortion is an attempt to widen the gap between the rich and the poor, using pregnancy as a mode of production and economic growth (Carson, 2019). The baby industry is continuously expanding, as well is the mere cost of having a baby itself.

“The average cost to have a baby in the US, without complications during delivery, is \$10,808 — which can increase to \$30,000 when factoring in care provided before and after pregnancy”, regardless of insurance (Borden and Hoffower, 2019).

That is the cost of just removing the child from its mother’s body. Buying baby essentials like clothes, bottles and cots, as well as the expenses up until the child is financially independent, adds to the mounting costs of bearing a child. Whereas, abortion costs ranges from about \$350 to \$950 (Planned Parenthood, 2020b). So, it is clear which one is more economically profitable, and therefore arguable that criminalizing abortion is purely for economic growth, trapping vulnerable women into a lifelong financial commitment in order to profit the state. This could also reason why countries in the Western world with free healthcare, like the U.K, are much more accepting of abortions.

Similarly, other Marxist-Feminists suggest that recent abortion laws are specifically targeted towards working class women. Godelier (1981) writes that “it deeply involves the working class, since all the negative consequences of sexual inequality pile up on the shoulders of working women” (p4). This is currently viable, as 75% of women who obtain abortions are low-income and half of the women are in poverty (Tavernise, 2019). This is because wealthier women have better access to healthcare, reproductive education and contraception. Therefore, lower class women are most profoundly affected by the new legislation and as Godlier (1981) suggests, abortion legislation is another method of

widening the gap between the lower class and the wealthy. This is because abortion legislation has not stopped abortions, it has just increased the amount of 'back-alley' abortion methods, as seen throughout history especially before Roe V Wade (Durkin, 2019b). Before the abortion ban was revoked in Ireland, it was reported that "at least two Irish women a day were self-administering abortions using pills" (Oberman, 2018). These kinds of abortions have become more accessible in current times due to the availability of medications on the internet, but they are still dangerous to women's health, especially if they go wrong and medical attention is needed. Women will face prison if a doctor recognises her attempt to self-induce (Durkin, 2019b). Therefore, poorer women succumb to these methods due to not being able to afford medical care, transport to another country or obtain the wealth required to have a child (Tavernise, 2019).

Criticisms of Marxist-Feminist ideology suggest that Marxist-Feminists have failed to argue and to analyse 'patriarchy' itself, as it only configures its relationship with modes of production (Beechey, 1979; McDonough and Harrison, 2013;). This is because it cannot separate the subordination of women from other oppressive symptoms that arise from capitalist society, for example, class exploitation and racism. Therefore, it has regarded the oppression of women as simply a side-effect of class exploitation (Beechey, 1979). In comparison to recent representation of gender work make up, this literature is outdated as there is now much wider representation of women in work. The gender pay gap, although still apparent, has begun to close in some industries, and there are growing number of women in University, senior roles and politics. Concepts of patriarchy are not compliant with evidence of high-achieving women in current mainstream politics or high-ranking jobs.

2.4 Hegemonic Masculinity

Patriarchy as a concept has aroused criticisms due to the wide array of theoretical adaptations of the concept, causing conflict in the understanding of the main ideas of patriarchy. A major challenge to concepts of patriarchy is that it constructs an idea of a 'typical male' or 'typical female' and doesn't acknowledge the variations of power within subcategories of both genders, making it incredibly one-dimensional (Messerschmidt, 2018). Also, it has been criticised for not being compatible with cross-cultural variations of female subordination (Walby, 1989).

Shifted thinking from patriarchy to gender prompted new thinking of feminism into what is known as 'hegemonic masculinity', seen as a resolution to the problem of the legitimacy of patriarchy (Messerschmidt, 2018). It has been argued by Connell (1985;1987;1995) that hegemonic masculinity is a:

"Configuration of gender practice which embodies the currently accepted problem of the legitimacy of patriarchy. This guarantees (or is taken to guarantee) the dominant position of men and the subordination of women" (Connell, 1995.p77)

In other words, the process of institutionalisation of men's dominance over women. When one's hegemonic masculinity is challenged, those whose dominance is challenged display what is referred to as a 'symbolic masculinity': "Strong affirmations of alternative aspects of hegemonic masculinity are made in an effort to downplay the significance of areas where they do not meet the hegemonic standard " (Casino, 2007, p.202). For example, when a woman earns more than her male counterpart, he may avoid housework to compensate for the threat to his masculinity (Bittmann et al., 2003).

But it also extends to dominance within the same gender using ideas of masculinity as a foundation - This is referred to as subordinated masculinities (Demetriou, 2001), assimilated to such ideas of femininity (Connell, 1995; Budgeon, 2014). Demetriou (2001) describes this as follows "The structural dominance of men over women provides the essential foundation on which forms of masculinity and femininity are differentiated and hierarchically ordered" (p343), meaning that ideas of femininity and masculinity are caused and accentuated by dominance and levels of hierarchy which provides more dimensions to masculinity and femininity. This would suggest that abortion laws and regulation are a reflection of dominant ideas of masculinity, perpetuated by social constructions to exacerbate gender gaps and to buttress individual masculine hegemony and dominance over women.

Unsurprisingly, the reality of hegemonic masculinity is evident in the gender make up of Congresses passing these laws, as well as the entry of women into politics and their condemnation by the media. Political representation is seen as dominant male activity, in which women are perceived as being deficient in the capabilities or knowledge necessary to run for office (LaPira et al, 2019). Moreover, women still perceive themselves as being inadequate to the task of running for office (Stolle and Gidengil, 2010). This then bolsters the notion that political practice constitutes male knowledge and hence is intrinsically doxastic as women are hesitant to question its authority and correctness.

These feminist explanations can go some way to answering the question concerning the rise of restrictive abortion laws in the US, but they fail to address why only some States in America are pursuing this direction. Northern Ireland did the exact opposite in fact, at the same time abortion was re-criminalised in America, Northern Ireland ruled that abortion

laws were a breach of human rights, resulting in their de-criminalisation, overturning laws that had been in place since 1890 (Connolly, 2020; Amnesty, 2020). Not only will they be providing two hospital environments for women to receive abortions, they passed a law to prosecute protesters causing obstruction, being one of the first to do so (Connolly, 2020). So, whilst one country is liberalising, the other is de-liberalising, making the Western ideologies split and divided.

2.5 Pro-life Feminism and Feminist Men

In general, feminist theory argues that abortion legislation is routed to be *only* the male control over women in different contexts. However, the criminalisation of abortion is also seen to extend to men. In Alabama, doctors and physicians (of both male and female gender) face murder charges and are ordered to fulfil non-existent operations (re-implant ectopic pregnancies) all in the name of saving a foetus (Lou, 2019; Glenza, 2019b). These new laws are not solely focused on the oppression of women, they are embedding themselves into medical practice, creating new medical ‘knowledge’⁴ on medical practices regarding pregnant women. In extending this issue to be more than morality, it creates divisions in medical practices, including female practices, especially seen in the closure of Planned Parenthood clinics. This creates more tension and more outrage, making the issue global.

The idea of a culture of control and domination is not true across all types of men. The “Men for Choice” campaign is specifically targeted to help men fight for women’s rights, to

⁴ This ‘knowledge’ is again in reference to Foucauldian power-knowledge thesis.

choose to have reproductive freedom. They acknowledge that abortion legislation directly affects men (NARAL, 2020). Therefore, there must be other explanations for repeal of reproductive rights other than to dominate control over women.

Alternatively, there are pro-life women who agree and celebrate abortion legislation.

Feminists for Life, founded in 1972, is a non-profit organisation "shaped by the core feminist values of justice, non-discrimination, and non-violence" and these women advocate a pro-life stance (Feminists for Life, 2020). They believe that abortion is a reflection of society not meeting the fundamental needs of women, and this neglect 'drives' women to abortions. So, there are women who believe in equal rights for women, who also oppose abortion - meaning not all feminist perspectives believe that the new abortion laws are an attack on women. They believe that by banning abortion they and are in fact helping women, as "women deserve better than abortion" (Feminists for Life, 2020).

2.6 Conclusion of Feminist Literature

In a general consensus, feminist theory suggests the result of abortion legislation is a mechanism of female subordination in an oppressive society. The main contention around differentiating feminist theory is the motive to control women. Radical feminism argues that women are subordinated by a patriarchal society, whereas Marxism proclaims an economic and capitalist motive. As a critique to patriarchy, hegemonic masculinity offers a more complex view that abortion legislation is an attempt to reassert the dominance of male archetypes with masculine ideology that subordinates women.

To some extent, Westernised society is hegemonically structured, but this does not adequately justify the extent of abortion legislation. If feminist theory was absolutely correct, there would be no other motivation for introducing abortion legislation other than as a means to control women. Also, the cross-cultural variations of female subordination within different cultural contexts are not adequately explained by feminism. Furthermore, it doesn't explain why there is such a large controversy around the subject; how countries and states have become so divided – why is it acceptable and applauded in certain parts of America but has stricken outrage elsewhere in Europe. Therefore, one must dive further into the social context of America, where this is specifically happening, analysing the demographic and discourse that has shaped current American society. What I aim to address is what makes America different from the rest of the Western world, with reference to the de-criminalisation of abortion in Ireland in the same year. This I believe is rooted in religion and politics.

3. Chapter Two: Religion

3.1 The Religious Demographic of America

The main aspects that feminist theories fail to take into account regarding the introduction of restrictive abortion legislation are the social and religious demographic of America and future political motivations. With regard to the legal and political context of recent abortion legislation, feminist theory doesn't address the political fundamentalism driving the restrictive legislation to such success. With a heavily religious demographic, it is important to explore its influence on the success of passing abortion legislation and how this is reflective of American society. I will explore the culture of female subordination within religion if present and address the religious affiliation in mainstream politics. I will also explore the significance of religion in America and how this has influenced the growth of the anti-abortion movement.

The denominating reason for endorsing strict abortion legislation is 'protecting the life of the foetus', which has been heavily supported by evangelical Christians (Munson, 2018). Traditionally, Christians believe that human life begins at conception (Ling, 2017) which teaches that abortions are a direct taking of a human life and therefore defy one of the ten commandments: "thou shalt not murder" (Exodus: 20:13). Interestingly, although many modern Christians in other Westernised countries support abortion for medical and social reasons, the viewpoint of many in America's population differs. I will now address how and why America's demographic differentiates.

In a recent Gallup report, it was revealed that 41% of the religious demographic of the United States identified as evangelical or 'born again' Christians (Newport, 2019), and in broader terms, seven-in-ten adults identify as Christian (Fahmy, 2018). Interestingly, the religious demographic of this branch of Christianity has not drastically changed in the last 30 years, in fact, numbers have been consistent. However, when abortion laws were repealed in 1973, representation of other branches of Christianity were far greater (64% were Protestant and 24% Catholic). Even though evangelical Christianity hasn't necessarily grown since the 1990s, the pro-life movement has. In 1995, 33% of Americans identified as pro-life, which has risen to 49% in 2019. In comparison, the pro-choice movement has dropped in the same time period from 56% to 46%. This means that the pro-choice movement is now the majority (Gallup, 2019). The pro-life movement itself has therefore become a larger assemblage⁵, attracting more participants, overtaking their counterpart, thus allowing the assemblage to become stickier and resultingly more powerful.

In the UK, the religious demographic is vastly different from the United States, with 52% of the English public now stating they do not belong to any religion. Christianity identity has also fallen from 66% to 38% since 1983 (Sherwood, 2018). Although there is still a fairly substantial Christian presence, the percentage of British evangelicals is small, which

⁵ Assemblage theory is concerned with the constant state of 'becoming' (Crewe, 2010). It refers to the desire to become like others, usually at the top of hierarchy of social institutions and adapting norms and beliefs to conform to this, which is social mobility "I want to belong so I will do this to belong" – sustained through communication (Delanda, 2006). In Deleuze and Guattari's (1988) typology of assemblages (territorial, state, capitalist, and nomadic), they argue that politics is central to the construction of assemblages "Politics proceeds being": practice does not come after the emplacement of the terms and their relations, but actively participates in the "drawing of the lines" meaning that politics is the driving force behind the development of each assemblage (Deleuze and Guattari, 1988, p203). As assemblages are made of capacities, this means that "Power is emergent... [from the] territorializing processes of assemblage" (Crewe, 2010, p14) it means the larger the assemblage, the larger the capacity is holds to elicit change, the more the assemblage *can* do. This means that [Foucauldian] power and knowledge is emergent from assemblages. Therefore, the larger the assemblage becomes, the 'stickier' it gets, the more power it obtains resulting in more truths or norms it outputs and the more and individual will conform to these (Crewe, 2010). These norms change depending on status.

distinguishes the rigorousness and practice of faith from that of America. Also, the affiliation between religion and politics is less substantial in other Western countries, which I will contend in the next chapter. Northern Ireland, however, has a long, complex history of issues surrounding politics and religion. 84% of the population identify as Christian – the majority being Protestant, and the minority Catholic (McClements, 2019). However, even so, in 2019, the government de-criminalised abortion (Belfast Telegraph, 2019). If religious alignment is not the common denominator in the viewpoint around abortion, there has to be other factors. Unlike the UK, in the United States, there are close links between social identity, politics and religion and I will contend this in the next chapter. However, the religious standpoint also includes the feminist theory of female subordination, which I will discuss next.

3.2 Female subordination within Religion

Some may argue that there is a culture of female subordination within religious practices and beliefs. Previously, Christian teachings have thrived on hegemonic, patriarchal and subordinated concepts that have envisioned an archetype of gender superiority.

“This tradition locates its origins in the Apostle Paul's teaching that women should "submit to their husbands as to the Lord" (Eph 5) and should not "teach or have authority over men" in the church because "Adam was created first" and Eve "deceived"" (Gallagher, 2004. P. 219).

Similar texts have been historically used to promote the inferiority of women as an absolute truth to justify gender inequality amongst the sexes. As Alba (2019) suggests, the subordination of women is woven into Christianity, seen through the personification of God being male, the exclusion of women from priesthood and men being perceived as having

higher spiritual authority. As a result, this socialises young girls into thinking they do not belong in positions of authority and leadership. The presence of female subordination as a 'norm' in religious culture draws upon the concept of Foucauldian power-knowledge as 'expert knowledge' that is transcribed as 'truths'.

These norms resonate from biblical passages that have historically caused the oppression of women within the religious culture. For Foucault (1972), norms arise from those in power: power equates to knowledge and vice-versa for those in power who obtain 'knowledge' (not truth) (Rouse, 1994). Norms, behaviours and socially constructed views are representative of those in power who distribute their truths down the social chain. Through the concept of assemblage theory, norms for social groups grow larger in power and capability along with the growth of the assemblage (Crewe, 2010). This concept definitely resonates with the growth and the power behind the prolife movement and I will explore how it is utilised in religion and politics.

The role of women in a religion arguably began to adapt and diversify in the 1960s alongside the sexual revolution, the second wave of feminism and liquid modernity. Until the 1960s, equal rights for women and men had not been addressed until literature inside churches began addressing gender inequality along with other human rights movements such as race and class. Evangelical feminist movements (The Evangelical Women's Caucus (EWC)), formed from the second wave of feminism, argued that:

"Gender hierarchy was neither an element of God's original design", nor that the "justified subordination of women following Eve's sin..."[gender inequality] represented a

fundamental disregard for the image of God present in every person and a perversion of the ideal of cooperation and partnership” (Gallagher, 2004. P224).

As a result, women began challenging more traditional gender associated roles that had not had previous support pre liberalisation era.

More recently, there has been a rise in evangelical feminism, adopted by younger millennials, who, although they hold pro-life values, promote belief in “patriarchy of any kind to be the result of the fall of humankind (Genesis 3:16), not God’s original design for His beloved children” and that “darkness will not be defeated until the daughters and sons of God are united once and for all’ (Micah, 2016). This mimics similar ideas to the those of EWC. Together with other groups like ‘Feminists for Life’, evangelical feminist women who still promote pro-life values believe that abortion is undoubtedly wrong.

In the USA’s heavily evangelical Christian demographic, somewhat surprisingly, the majority of pro-life supporters and evangelical Christians promoting the criminalization of abortion are in fact women. Murphy (2016) reports that women tend to be more religious than men, and that they are more rigorous in their religious practices. Arguments against this would suggest that women have been *socialised* into accepting ideas and practices that subordinate women through the ritual of religious practices, meaning that female oppression is an institutionalised ‘norm’ of Christianity⁶.

⁶ The ‘norm’ that resonates from Foucauldian power-knowledge. In this sense, densely popular religions (Christianity) has instituted such norms through its power and status.

3.3 Religion and American Identity

Considering that the nature of Christianity arguably inherently subordinates women, questions formulate around the widespread acceptance and institutionalisation of such norms amongst women and, as a result, their adoption of traditional, Christian, patriarchal views on abortion rights. Identity theory poses a response to this question. The initialisation of religion is a strongly held, widely implemented culture in American society today is rooted in the socialisation of the constructs of 'norms' and the significance of identity (individual, national and political). This making its domination one of the most visible, strongest and deeply rooted cultures in history. I will look into the importance of religious identity in an attempt to identify causal factors as to why women support the prolife cause and how Christianity has become such an influential part of American culture.

Social identity theory talks about status hierarchy and social change within intergroup relations. In a society consisting of many social groups, only the dominant social groups with high status can illicit social change, eventually feeding down through a hierarchal, structured tier to individuals. Social identity is based on the competition of 'in groups' and 'out groups' to increase self-esteem (Tajfel et al, 1979). Ross (1975) also contributes that an individual will commit 'individual social mobility' in a desire to abandon original group morals, teaching and beliefs in attempt to move upwards towards a group with higher status.

The benefits of belonging to a social group are a sense of belonging, improvement of wellbeing, an increased chance of achieving goals, some of which could not be done as a lone individual (Ysseldyk et al, 2010). This is what attracts an individual to a religious community. Ideas of social mobility are adopted in assemblage theory through the use of

Nietzsche's 'herd behaviour' whereby individuals follow the masses with the desire to belong to the largest most powerful group, thus explaining the large powerful following behind evangelical Christianity and the implementations of their beliefs in American culture (Crewe, 2010)

Religious views on abortion have contributed to the appeal of re-liberating traditional views of American Identity. Indulgence in the heavily regarded ideals of American identity can constitute extreme measures being passed through politics. Lenihan (2016) reports that American identity consists of:

"Judicial fairness, liberty and freedom granted by the Constitution, the ability to achieve the American dream, and the country's government [...], regardless of party identification" (p. 1).

Moreover, Citrin et al (1990;2000) investigated American identity and the meaning of being a 'True American' and found that it depended on the need for belief in God. This contributed to a national identity and the political consequences that follow (Huddy, 2001; Huddy and Khatib, 2007). This desire to be a 'True American' has been the driving force behind the strengthening of evangelical ideals American society which I will contend later.

According to some, religious identity exceeds the level of personal significance that one would receive from other social groups. Park (2007) states that religion offers a system of fundamental beliefs to guide one's experiences and give meaning, structure and form to live by and follow. Similarly, Ysseldyk et al (2010) concludes that

“Religious identification offers a distinctive sacred worldview and eternal group membership, unmatched by identification with other social groups, and hence religiosity might be explained (at least partially) by the immense cognitive and emotional value that religious group membership provides” (p67).

These belief systems give one a social identity, by making the individual incorporate subliminal relevant group identities that refer to the self and to further structure the complete group identity (gender identity, political identity) (Ysseldyk et al, 2010). Religious identity and affirmation within the social group also provides absolute knowledge, where members convey their beliefs as ‘truths’ due to the following of biblical teachings which assert the ‘rightfulness’ of their choices and their beliefs. This emphasises the stability, psychological significance and enrichment that religious identity offers the individual. These ‘truths’ again refer to the Foucauldian power knowledge thesis, whereby such truths are transcendent from those in power.

3.4 National Identity

On a national level, the idea of identity is further strengthened as a nation acts as an even larger social group to belong, becoming consequentially patriotic. The religious affinity with being a ‘True American’ has heavily influenced practice within political nature (Citrin et al, 1990). This heavily religious following resultingly impacts on the development of political infrastructure, specifically the implementation of recent restrictive abortion legislation.

National identity is generally defined as an internalised shared belonging to one’s nation or culture (Huddy and Khatib, 2007; Bond, 2006); whilst patriotism is the attachment, devotion

and pride one feels for their country, nationality or culture. *Blind*⁷ patriotism is more commonly related to Conservatism in America (Huddy and Khatib, 2007). National identity is so heavily regarded and fought for in the US as it is believed that it outperforms all other measures of national attachment whilst promoting civic involvement (Huddy and Khatib, 2007). The resultingly high level of civic involvement has allowed its roots to become strong and grounded in the American culture, identity and politics that drive the USA we know today.

As it is deemed that “Christianity is the rightful foundation for national identity and a moral code for public life” (Hunter 1991; Bean, 2014. P169), and evangelicalism is now the dominant religious group in the USA, herd mentality sees the majority conforming to the practices and teachings of evangelical Christianity in order to be a ‘True American’. This then impacts on American patriotism, especially when it is *blind*. According to Social Identity Theory, religious identity has exceeded personal identity in being a ‘True American’. This reasons why evangelical Christianity as an identity has been embraced with such tenacity due to being deeply embedded in American identity (Ysseldyk et al, 2010).

^{7 7} *‘Blind’* patriotism, also known as *‘uncritical patriotism’* is defined as “an unwillingness both to criticize and accept criticism” of the nation in question belonging to the individual (Schatz and Staub 1997. P. 231)

4. Chapter Three: Politics

4.1 Religion's involvement in Politics and the 'Moral Majority'

Now that it is understood why religious identity is so important to evangelical Christians and how it is embedded in American culture, I must now delve into its influence in politics. More specifically, I will look into how evangelical Christianity has been affiliated with political motive and the incorporation of identity into politics and into a larger American national identity.

Initially, the Republican Party supported the constitutional rights for abortion in the Roe Vs Wade case. The opposition – the Democratic Party - were leaning towards a pro-life stance (Munson, 2018). This is extremely juxtaposed to the current views held by both parties, both of which have swapped directions. Now, their identification on pro-life or pro-choice stance is incorporated into American political identity, partisanship and the polarization that has caused each party to become conflicted groups separated by extreme dynamics.

Evangelical Christianity was not invested in politics until the 'Christian right' was targeted by the moral majority to stabilise Republican presidential victories throughout the 1980's, starting with Ronald Reagan. His ideas for anti-Communism and a limited government gained him two-thirds of support from white evangelical voters which essentially won him his presidential term (Haberman, 2018). Evangelical voters became increasingly utilised and important to the Republican Party, seeing new social issues reflective of the teachings of evangelicals becoming central to political debates in the 1980s, for example issues of race

and sexual morality (Munson, 2018). The emergence of the Christian right into evangelicalism was prompted by merging individual rights and an apparent cultural 'moral decline' (Lewis, 2017. P5).

As Lewis (2017) claims, "Abortion politics has been instrumental to the expansion of conservative religious advocacy in the United States" (p8). The sole reason abortion issues were brought into politics to begin with was to unite the 'Christian right' with the Catholic pro-life movement (Lewis, 2017; Munson, 2019). The joint viewpoint of these two religious parties was supported and utilised by the Republican party within their political agenda to attract support and votes from religious groups, schools, media and other organisations that the Republican Party previously lacked. These leaders then used organisational infrastructure to promote an opposition to abortion as solely a Republican issue and part of their political identity (Munson, 2018).

Not only has political strategy been used to capitalise votes, it is mutually beneficial for both investors as religious organisations can in turn increase their gravitas and power within political infrastructure. Evangelicals shifted their goals in order to portray themselves as the protector of community morality and decency, and to expand their influence in current political agenda by joining forces with the Christian right (Lewis, 2017). "Once a political movement fixes on an identity, it becomes the foundation of the new political truth that the movement espouses" (Hekman, 2000. P295) - Being exclusively related or connected to a particular group's ethnic, social or religious identity is how American politics have become polarised by identity politics. Affiliation with group identities allowed the polarization of the Republican and Democratic party, pushing Republicans to the Christian right (identifying

with pro-life movements) and Democrats to the left (identifying with pro-choice). The pro-life views of the Republicans interlocked evangelical Christianity with the Republican nation (Haberman, 2018).

The use of strong identity has been capitalised for political gain, allowing the evangelicals political assemblage to grow and become stickier. This reinstates Deluze and Gatttuari's (1988) notion that all assemblages are politically primed and motivated. By identifying with the moral majority, the party endorses its religious belief as absolute, thus, initiating the new wave of religious discourse amongst American legislation increasing its capacity to elicit social change and public morality.

4.2 American identity and Mass Immigration

I aim to look at what has changed in societal discourse since the sexual revolution and liberalisation of the 1960's to warrant criminalisation of the abortion laws and how this has been used by politicians. When assessing the success of the repeal of Roe vs Wade, one must explore the different dynamics that are potent in modern American society.

Immigration numbers into the United States have more than tripled since the 1970's, when abortion legislation was originally liberalised, seeing the immigration population skyrocket from 9.6 million to 28.4 million (Camarota, 2001). These growing immigration numbers have been perceived as a threat to White Christian American identity, in terms of their dominance in American society.

As Citrin et al (2001) explain, America possesses a strong *El Pluribus Unum* - the desire for a strong sense of American identity, but with a vastly adapting immigrant nation, this has become threatened. In America, 76% of evangelical Christians are white and research has shown that more than half of them report feeling concerned about America's declining white population (Burton, 2018). Moreover, studies have highlighted working class fears of cultural displacement, whereby the working classes state they feel like strangers in their home country and worry that global American dominance is in increasing danger (Cox et al, 2017; Chokshi, 2018). This thought process leads the working classes to believe that the United States needs protecting against foreign influence (Cox et al, 2017),

This idea of a 'threat' has been analysed by studies in reference to the impact of the 9/11 terrorist attacks on evangelical Americans and their views on Islam as well as the increase in immigration into America. Cimino (2005) compares evangelical literature containing impressions of Islamic culture pre and post 9/11, to analyse the strengthening of the core ideals of evangelical Christianity.

"Most of the post 9/11 literature draws sharper boundaries between Islam and Christianity and asserts that Islam is an essentially violent religion [...] greater and more visible pluralism in American society is challenging evangelical identity [...] Such new boundaries can strain interfaith relations, yet they also function to strengthen evangelical protestant identity in the us" (p162).

These attacks hugely impacted expressions of national identity and unity throughout the United States, endorsing prejudice against cross cultural immigration and Islamophobia (Li and Brewer, 2004). Thus, implying that the strengthening of evangelical identity in America is a response a perceived 'Islamic threat'.

4.3 Abortion Legislation as a Response to the Threat to America's National Identity

It is argued that President Trump has and continues to capitalize on this fear and uses identity politics to triumph Republican support. This is visible in his winning campaign slogan which referred to the very American ideal prevalent in identity theories; 'Make America Great Again'. This slogan targeted the patriotic national identity of the 'True American', as well as mobilising a similar message to defend motherhood and traditional family values to target white female voters, who lack political information and are therefore influenced by conservative white men who they live with when they cast their vote (Lindgren, 2019).

Many have implied Trump's own ideology is purely based on white supremacy (Coates, 2017). Racist undertones in his Republican Party were highlighted by the world's media in 2019 following tweets from Trump's own newsfeed publicly attacking four women of colour in the opposing Democratic Party. He wrote:

"So interesting to see 'Progressive' Democrat Congresswomen, who originally came from countries whose governments are a complete and total catastrophe, the worst, most corrupt and inept anywhere in the world, now loudly and viciously telling the people of the United States, the greatest and most powerful Nation on earth, how our government is to be run." (Rogers and Fandos, 2019).

Three of these women had been born in the USA. Government propaganda also contributed to the spread the notion that the 'foreign enemy'⁸ is approaching America to

⁸ The 'foreign enemy' that also threatens America's declining white population and its global dominance as previously mentioned.

overtake the white evangelical Christian's political party and way of life, and politicians have utilised this to capitalise support and votes. This is visible through the significant rise in white supremacy propaganda in recent years and this is undoubtedly fuelled by political agenda, seeing rates of 120% inflation in 2019 (BBC, 2020)

Trump endorsed his feelings with strict immigration laws. These laws included:

“Banning nationals of eight countries, (most of which have a Muslim majority), from entering the United States; reducing refugee admissions to the lowest level since the resettlement program was created in 1980 and reversing the decline in arrests of unauthorized immigrants in the U.S. interior that had occurred during the last two years of the Obama administration” (Pierce and Selee, 2017).

Amongst Trump's anti-immigration campaigns was his proposal to build a wall between the US and Mexico. This was reported to be the most important, single factor for voters who supported Trump - including women (Mehta, 2019). Trump cast himself as the defender of white maidenhood against Mexican “rapists,” – protecting the safety and the identity of American citizens against what he has publicly perceived as a ‘dangerous threat’ to American society (Coates, 2017).

Funnelled through patriotism and political identity, the idea of a threat to the largest social group of white, patriotic ‘True Americans’ rallies a public fear. Therefore, the introduction of abortion legislation and the strict repercussions of failing to abide by these laws could be seen as an attempt to restore society to pre-liberalisation, reduce immigration in order to grow America's white evangelical population and to then further strengthen white Republican domination in a society. Failure to abide by abortion law is also used as a threat

in itself, and if found guilty of performing abortions, doctors and pregnant women, can face up to life in prison. As Crewe (2010) states, “Larger, denser, more practiced assemblages have the tendency to possess the capacity to increase their power to territorialize: large assemblages *tend* to get larger” (pg 12), meaning that the growth of the white evangelical American identity poses a large threat to the objective liberalarians.

In order to strictly endorse the religious ideology linked to ‘national identity’, acts of violence against abortion providers have continued to be carried out to implement evangelical, Republican and pro-life beliefs. The National Abortion Federation reported in 2018: “Since 1977, there have been 11 murders, 26 attempted murders, 42 bombings, 188 arsons, and thousands of incidents of criminal activities directed at abortion providers”, especially seeing a significant rise from 2017 (The National Abortion Federation, 2018). According to the US Department of State’s definitions⁹; these acts are acts of terrorism, as violence is used to influence a ‘greater cause’ (the pro-life movement) intended to influence an audience (Hudson et al, 1999.), the audience being America for not adhering to their political and religious principles of the pro-life movement. This also creates a cyclical structure of fear, using force and aggression to subliminally implement their core beliefs and movements in society.

Even though there is an abundance of pro-life violence, the FBI’s ‘Abortion Extremism Reference Guide’ listed ‘pro-choice extremists’ as a group of domestic terrorists. However, there has only been one act of pro-choice *threat* of violence which was labelled as ‘terrorist’

⁹ “a premeditated, politically motivated violence perpetrated against non-combatant targets by subnational groups [...] usually intended to influence an audience” (United States Department of State (1999) cited in Hudson et al, 1999. p8)

even though the state definition of terrorism requires a physical act of violence to consider an act terrorist in nature (Rankin, 2020). This is a clear display of higher administration targeting abortion rights supporters, inferring that abortion rights supporters are threats in themselves rather than victims. Again, the capacity to elicit such inferences with no supporting evidence lies with those in power¹⁰, at the head of organisations tied with political agenda. This is how anti-abortion support has been sustained and developed throughout American identity today.

Female oppression is therefore an epiphenomenon of political warfare and a growing extremist movement. Due to the nature of female subordination within religion, combined with political tactics in strengthening their base¹¹, the subordination of women has become a side effect of a constructed political war pursued by the Republican party. This was utilised through identity politics, in particular the desire to be a 'True American' – and the threat (immigration) that challenged the strength of this ideal. Pre 1970s liberalisation, the repression of women *was* and *is* now therefore a by-product of this motive. Reasons for such a strong following and support of these polarized opinions are tied to the importance of belonging to the American identity and the religious fundamentalisms that have been historically incorporated into this.

These factors help explain why 'Western' cultures can be divided on abortion views. At the very top of hierarchy, Trump's office has disseminated anti-abortion views down a pyramid

¹⁰ This is in referral to Foucault's (1970[1966]) Power-Knowledge thesis and Crewe's (2010) Assemblage theory.

¹¹ I am referring to evangelical Christianity combining with the 'Christian right' and then being intertwined within the republican party.

of power, in order to remain dominant. In countries such as Ireland and the United Kingdom, legislators obtain different 'truths'¹² in terms of societal values and views of identity. In the UK, the religious demographic is vastly different from the United States, – with 52% of the English public stating they do not belong to any religion and also seeing falling support for Christianity, dropping from 66% to 38% (Sherwood, 2018) although there is still a fairly substantial Christian presence, the percentage of British evangelicals is small, which distinguishes the rigorousness and practice of faith from that of America. Enforcing pro-life, evangelical views as a political campaign would not have the same effect in terms of encouraging large groups of voters.

Adherence to a 'national identity' that is tied to Christianity in other parts of the western world is far less prominent, with subsequent reduced fear regarding immigration and terrorism. In fact, parties such as the BNP (British National Party) and EDL (English Defence League) in which white supremacy is prevalent, have seen rapid decline leading up to 2020 and the general election. The BNP is now no longer a registered political party in the UK (Deardon, 2016). Because of this, there is less of a 'norm' of this culture, due to those in power obtaining knowledge and implementing truths (Foucault, 1970 [1966]). White supremacist culture is therefore not outwardly promoted in political agendas. Resultingly, there is less acceptance for such ideals in British culture.

¹² 'truths' that equate to Foucauldian power knowledge thesis

5.0 Conclusion

There are many contributing factors that have driven the success in criminalising abortion. Feminist theory as an explanation for the introduction of restrictive abortion legislation is to some extent narrow. As the hegemonic masculinity (Connell, 1995; Messerschmidt, 2013) explains the different levels of domineering control through men inherently subordinating women, it implies that the introduction of abortion legislation is purely an attempt to dominate women. It also suggests that restrictive abortion legislation is a method to reinforce patriarchal dominance and more traditional gender roles; reinforcing that 'male knowledge' is all knowledge. Although some Marxist-Feminist theorists attempt to incorporate aspects of social dynamic, other components that influence 'norms' and behaviours have failed to be recognised. It expels that 'norms' are derivative of hierarchal dominant males, which doesn't account for new developmental discourse, through religious influence in politics. Neither is the demographic of America and the cultural impact of its religious majority recognised, as this is what distinguishes America from other Western cultures.

Due to America having a large evangelical presence, this aspect must have an impact on the introduction of abortion legislation. Looking into the nature of female subordination within religion, it is evident that oppression, although improved, is still heavily present in the evangelical Christian culture (Gallagher, 2004). This is evident through the large support for

the pro-life movement from female supporters where evangelical teachings are part of American identity.

Examining identity on an individual and national level has highlighted that there is a general desire to partake in social mobility together with Foucauldian Power-Knowledge theory that results in a general consensus of a 'True American' (Huddy, 2001; Huddy and Khatib, 2007). This very concept of a 'True American' is inherently linked to a heavily religious following, and within this theory lies the dynamic of anti-immigration fundamentalism, which is also arguably a threat to this national identity and the abortion rights for women (Citrin et al, 2000). This also suggests why two parts of similar western cultures have produced opposing legislation concerning abortion rights in the same year.

Exploring religion, its affiliation with national identity and the close link between religion and politics proved that there were gaps in the argument presented by feminist theories. Looking into the context of religion with political agenda, and politics within religious agenda in America, highlighted that evangelical Christianity has preceded many of the arguments for the pro-life movement against abortion rights.

Today, this religious identity, patriotism, and national identity has been used to manipulate voters, spread fear and polarize political parties to the edge of extremism. This is seen through Trump's outwardly spoken anti-immigration laws and underlying tones of racism in propaganda (BBC, 2020), patriotic nationalist ideas of white supremacy in association with dominant American identity and manipulation of the public's beliefs by casting pro-choice groups as domestic terrorists (whilst disguising the present threat of prolife terrorism). It is

arguable that the introduction of abortion legislation more than the rights of a foetus or the subordination of a woman for purely gender reasons: it is an outspoken political statement to reinforce strong ideas of heavily religious American identity as a response to threat from recent discourse and mass immigration. By enforcing evangelical ideals into political discourse, it also solidifies the Republican party in combining their majority to overall strengthen their cause, and resultingly, explicate more power.

It is clear that in 2019, the rapid repeal of abortion rights in Alabama and neighbouring States speaks much more of abortion as a religious or health issue. The topic of abortion within society reverting to a 'True American' citizen who enforces prehistorical evangelical practices and traditional gender roles has been exaggerated by political parties as an ideal to gain a larger vote from religious followers in elections. Therefore, the war on women's rights is a sub-culture of control – an epiphenomenon. The introduction of extreme abortion legislations is not to solely control women but speaks a larger scale of political and cultural warfare that the United States currently faces. This is due to politics favouring religion, which expels a culture of female subordination from within through the 'norms' it resonates from concept of Foucauldian Power-Knowledge (Foucault, 1970 [1966]). As the movement grows, the more power it obtains, the more capacity it has to elicit change. This change is the reintroduction of female subordination instituted in a white evangelical America.

As abortion rights rapidly deteriorate, 2020 could see an end to safe, legal abortion everywhere in America (Filipovic, 2019). Roe V. Wade is on the way to being overturned. This could potentially lead to a rise in dangerous illegal abortion again, affecting particularly lower-class vulnerable women. As the pro-life movement grows in popularity, other

religious and political organisation have started to follow suit, such as Gibraltar (which is under British rule) despite Northern Ireland decriminalising abortion in a heavily religious society (Badcock 2020.) The idea of a 'Western' world is as a result, divided and poses serious threat to the future of women's rights and the norms and cultures that are resonated throughout Westernisation.

Future research to consider would be to compare the growth in anti-immigration fears globally, especially in countries with a heavy religious presence, to the USA and how this has possibly been used to influence political agenda. In addition, to inquire into abortion rights in cultures that are not 'Westernised' and the influence of their religion in implementing the subordination of women as a cultural 'norm'. One area to look at would be the health and welfare of women who are unable to have an abortion and therefore go on to produce unwanted children, or who perform illegal abortions that lead to health complications. Further research would be the extent of legal cases in which women receive judicial punishments for performing illegal abortions, and also whether medical professionals performing illegal abortions on women in those States are then incarcerated, fined or struck off from medical practice.

Limitations

See Appendix ii

6. References

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7. Appendix

Appendix i

Due to this research using primarily secondary research it does not require human participants. It is therefore identified as a risk category one in accordance with Leeds Beckett University Research Ethics Policy. I have also adhered to the Academic Integrity Code of Practice (Leeds Beckett University, 2017). See attached documentation in appendix iii.

Appendix ii

Possible limitations of this research are the presence of bias, from myself and from newspaper articles that I have referenced. The scope of research also presents a possible limitation as it is unfeasible to cover all aspects of American society that could have influenced possible discourse on legislation. However, I believe I have supported my claim with sufficient evidence. I will also note that my conclusion and suggestion for the institutionalisation of abortion legislation is conceptual, and I do not contend that it is absolute.

Appendix iii

Research Ethics Online

LEEDS BECKETT UNIVERSITY

Expand All

Collapse All

Close Window

GEORGIA MEYER

ID: 53523713

Course: Criminology with Psychology (Bachelor of Arts with Honours)

Email: G.Meyer7958@student.leedsbeckett.ac.uk

Supervisor: Crews, Don

LREC: Tufail, Waqas

The role of religion and politics in the criminalisation of abortion: Is the criminalization of abortion a means to control women and their bodies?

WILL YOUR RESEARCH STUDY.....?

Please answer the following:

1

Involve direct and/or indirect contact with human participants?

No

2

Involve analysis of pre-existing data which contains personal or sensitive information not in the public domain?

No

3

Require permission or consent to conduct?

No

4

Require permission or consent to publish?

No

5

Have a risk of compromising confidentiality?

No

6

Have a risk of compromising anonymity?

No

7

Collect / contain sensitive personal data?

No

8

Contain elements which you OR your supervisor are NOT trained to conduct?

No

9

Use any information OTHER than that which is freely available in the public domain?

No

10

Involve respondents to the internet or other visual/vocal methods where participants may be identified?

No

11

Include a financial incentive to participate in the research?

No

12

Involve your own students, colleagues or employees?

No

13

Take place outside of the country where you are enrolled as a student, or for staff, outside of the UK?

No

14

Involve participants who are particularly vulnerable or at risk?

No

15

Involve participants who are unable to give informed consent?

No

16

Involve data collection taking place BEFORE informed consent is given?

No

17

Involve any deliberate deception or covert data collection?

No

18

Involve a risk to the researcher or participants beyond that experienced in everyday life?

No

19

Cause (or could cause) physical or psychological harm or negative consequences?

No

20

Use intrusive or invasive procedures?

No

21

Involve a clinical trial?

No

22

Involve the possibility of incidental findings related to health status?

No

23

Fit into any of the following security-sensitive categories: concerns terrorist or extreme groups; commissioned by the military; commissioned under an EU security call; involves the acquisition of security clearances?

No

If you believe you may need to answer yes to this question, please check [here](#) for further guidance before finalising your decision.

RISK CATEGORY 1

Student Applicants

Your study has been provisionally classified as Risk Category 1. This means that your Research Supervisor (or Director of Studies for research students) can normally approve this project.

You must complete the remainder of this application, which will automatically be sent to your Research Supervisor upon submission, who will review your application and decide whether to grant ethical approval, request revisions or reject the application. For security-sensitive research, see the Research Ethics Procedures for details of the approval process.

You will be notified of the outcome by email. You can also view the outcome on the 'My Applications' page of this system.

PROJECT SUMMARY

Start date of project

25th November 2019

Expected completion date of project

1st April 2020

Externally Funding

Is this project externally funded?

No

Project Summary

Please give a brief summary of your study (maximum 100 words).

For my third-year dissertation I will be conducting a theoretical literature review to establish an understanding of the causes and purposes of the criminalisation and decriminalisation of abortion in western ideals. The literature will be split into themes, analysed and then re-analysed as a whole these themes being: religion, feminism, politics and culture. I will be using online and library based sources using secondary data.

Project Group Members

Is this a group project?

No

RISK CATEGORY 1: DECLARATION

Comply with Policy and Procedures

Yes : I confirm that I have read the Research Ethics Policy and relevant sections of the Research Ethics Procedures and will adhere to these in the conduct of this project.

Benefits

Yes : The results of the research should benefit society directly or by generally improving knowledge and understanding. Please tick this box to confirm that your study has a potential benefit.

Note: If you cannot identify a benefit you must discuss your project with your Research Supervisor to help identify one or adapt your proposal so the study will have an identifiable benefit.

Confirmation

Yes : I confirm that I will undertake this project as detailed in the application. I understand that I must abide by the terms of this approval and that I may not make any substantial amendments to the project without further approval.

Learned Societies

I have read an appropriate professional or learned society code of ethical practice:

Yes

Where applicable, give the name of the professional or learned society:

I have learned and complied with the Leeds Beckett University Research Ethics Policy (2017).

I have also ensured that I have complied with the Statement of Ethics for Researchers in the Field of Criminology issued by the British Society of Criminology (2015).

SUBMISSION CHECKLIST

Please indicate the supporting documents submitted by ticking the appropriate boxes below:

For projects involving human participants, you must submit, where appropriate, the Participant Information Sheet/consent form. You must also submit every communication a participant will see or receive. Failure to do so will cause delays to the application.

N/A : Participant Information Sheet(s)

N/A : Consent Form(s)

N/A : Assent Form (usually for children participants)

N/A : Recruitment documents eg. posters, flyers, advertisements, email invitations, letters, web pages if online research

N/A : Measures to be used eg. questionnaires, surveys, interview schedules, psychological tests

N/A : Screening questionnaire

N/A : Letters/communications to and from gatekeepers/third parties

N/A : Evidence of any other approvals or permissions eg. NHS research ethics approval, in-country approval

N/A : Research proposal/protocol (no more than 2-3 A4 pages): It is not a requirement that this is included, however, if this would help the understanding of a complex project by the reviewer(s), please include

N/A : Risk assessment form: Some projects may require a risk assessment form: see the Procedures document for details (eg. projects involving a physical intervention, collecting data off-campus)

N/A : Approval documentation for projects involving ionising radiation

N/A : Confirmation of insurance and indemnity cover: Some projects need to be referred to the Insurance & Risk Officer: see the Procedures document for details

N/A : Other document/s

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