

Suffolk University

Digital Collections @ Suffolk

Undergraduate Theses and Capstone Projects

Student Works

5-2022

The Texas Heartbeat Act and Patriarchal Power: The Role of Reproduction in the Social, Cultural, and Political Subordination of Women

Grace Murphy

Suffolk University, gmurphy2@su.suffolk.edu

Follow this and additional works at: <https://dc.suffolk.edu/undergrad>

Recommended Citation

Murphy, Grace, "The Texas Heartbeat Act and Patriarchal Power: The Role of Reproduction in the Social, Cultural, and Political Subordination of Women" (2022). *Undergraduate Theses and Capstone Projects*. 24.

<https://dc.suffolk.edu/undergrad/24>

This Honors Thesis is brought to you for free and open access by the Student Works at Digital Collections @ Suffolk. It has been accepted for inclusion in Undergraduate Theses and Capstone Projects by an authorized administrator of Digital Collections @ Suffolk. For more information, please contact dct@suffolk.edu.

**THE TEXAS HEARTBEAT ACT AND PATRIARCHAL POWER: THE ROLE OF
REPRODUCTION IN THE SOCIAL, CULTURAL, AND POLITICAL
SUBORDINATION OF WOMEN**

Grace Murphy

Department of History, Language, & Global Culture, Suffolk University

GCS 555: Global Cultural Studies Senior Honors Thesis

Associate Professor Barbara Abrams, PhD, Dept. of History, Language, & Global Culture

Assistant Professor Bobbi Van Gilder, PhD, Dept. of Communication, Journalism, & Media

May 2022

Abstract

The Texas Heartbeat Act, enacted on September 1, 2021 imposes a near-total ban on abortions after a six week gestation period, with the exception of instances where the termination of a pregnancy is needed to save the pregnant individual. This bill, which does not impact the mostly cis-men who legislated it, has many negative implications for women and people with uteruses in Texas and across the nation. Due to the social context of women's subordination within patriarchal culture, and the historical context of limiting reproductive rights as a means of maintaining the political power imbalance, it is important to critically examine the bill and its effects. I outline the patriarchal subordination of women, provide a brief history of abortion rights in America and in Texas, and analyze whose rights the bill actually infringes upon. SB 8 exists in a larger fight to limit legal abortions and ultimately overturn *Roe v. Wade*. Though SB 8 and anti-abortion ideology more broadly claim to uphold the rights of all people, born and unborn, it becomes clear upon consideration that it serves to maintain hierarchical social order as imposed by the patriarchy.

**THE TEXAS HEARTBEAT ACT AND PATRIARCHAL POWER: THE ROLE OF
REPRODUCTION IN THE SOCIAL, CULTURAL, AND POLITICAL
SUBORDINATION OF WOMEN**

Life, liberty, and the pursuit of happiness are upheld as inalienable rights in the United States. While this may sound like an abstract sentiment, these rights are seen as integral to the American ideal of freedom. These rights are echoed and engrained in the country's constitution, legislation, and cultural values. Essentially, people have the right to live free from oppression to a degree that goes beyond simply surviving. The pursuit of happiness entails a state of living that is fulfilling and satisfactory to the individual, and allows them to thrive in a way that is meaningful to them. There are many barriers, however, socially, culturally, and politically, that limit this pursuit of happiness for many Americans. For example, if you have a uterus in Texas you are now banned from accessing an abortion after six weeks of pregnancy; this will certainly infringe upon your pursuit of happiness if you do not want a child or to carry a pregnancy to term. The Texas Heartbeat Act, or SB 8, is not the first piece of legislation to attempt banning abortions at six weeks, but it is the first to go into effect (de Vogue, 2021). Abortion has been a highly contested issue in political and public discourse since the beginning of the twentieth century. This recent bill exists along a long timeline of struggle for reproductive rights, and it is important to understand the context of how we got to where we are to better understand this bill.

To understand the Texas Heartbeat Act, its context, and its implications, I ask three questions. First, I ask how are women subordinated in America? This allows me to address the patriarchal systems that inform many of the social, cultural, and political institutions in this country. This provides the necessary context to move onto my second question; what is the

history of reproductive rights in America, and specifically in Texas? This allows me to address the pro-choice and pro-life movements as well as mainstream views of abortion. Responding to this question, there are clear connections made to the first research question. It becomes evident that reproductive rights are tied to the subordination of women, and apparent that this will remain true when reflecting on Texas' SB 8. My third and final question asks what SB 8 means for women in Texas. Analyzing the legislation in context points to the many disparities perpetuated in its implementation. Applying a critical approach to this analysis interrogates the power dynamics at play in the political sphere (Fixmer-Oraiz & Wood, 2019). This reveals how power plays a larger role in the pro-life agenda than sanctity for life actually does.

Using the Texas abortion bill as a focal point, I am able to explore and reflect on pro-life politics in America and more broadly. Anti-abortion legislation like that in Texas challenges rights to an abortion granted by *Roe v. Wade*; the 1973 Supreme Court case itself, interestingly enough, took place in Texas (Britannica, 2021). Challenging the reproductive freedom of nearly half the population takes away autonomy over their own bodies and life's course. Limiting the reproductive choice of people because they have the ability to reproduce certainly limits their rights and individual pursuits of happiness, but that is just my opinion as someone with a uterus. Restrictive legislation disproportionately affects groups that are already marginalized socially, politically, and economically. White men are the most privileged group in America, and have always held power throughout the country's history. The majority of US legislators in every state are white men (Rayasam, et al., 2021). The majority of Congress members are also Christian (Pew Research Center, 2021). Christian representation in politics is disproportionately higher than the American population. This means that the majority of people limiting reproductive

rights are unaffected by the legislation they write. They are also imposing their religious beliefs onto others through legislation, despite the separation of church and state that is supposed to exist in the country. Jewish, Buddhist, Unitarian, and non-religious groups widely support abortion rights (McCammon, 2022). The majority of Muslims are also in support of abortion access, as their religion promotes the preservation of the mother's life, since she is already living (McCammon, 2022). Even within Christianity there is a variety of support in favor or against¹ abortion, but still the majority of Americans believe people should have access to safe, legal abortions in many cases. While legislation like SB 8 claims to uphold pro-life values, it does more harm to living people than it does good for potential lives. Restrictive abortion legislation serves instead a political function to maintain the status quo of systems of power and domination that socially, politically, and economically subordinate women and other marginalized groups.

I: THE SUBORDINATION OF WOMEN IN AMERICA

The subordination of women in America is maintained through the patriarchal values ingrained in its social structures. Patriarchy means “rule by the fathers,” and thus patriarchal systems reflect the values and ideologies of men (Fixmer-Oraiz & Wood, 2019). Men are obviously more powerful in a system created by and for them that favors their experiences and opinions over others. America is a patriarchal country, meaning its policies and legislation, as well as educational systems, media outlets, principles, and more reflect and uphold the values of only half of the population. Patriarchy is evident in America through its history of founding “fathers”, all male presidents, and mostly male legal system. Men outnumber women in politics, including law-making, and positions of power. Their disproportionate presence in numbers

¹ The largest push back on abortion rights from Christian groups comes from white evangelicals, a group with conservative traditional views and many ties to white supremacist ideology (McCammon, 2022).

compared to the overall population in these spheres gives their voices more power, ultimately maintaining and perpetuating patriarchal ideals that privilege men over women. It is evident that the overrepresentation of men in almost every social and political institution divides gender into a binary and places women as the lesser.

Understanding the gender binary makes it clear to see who exactly is being framed as the lesser. The gender binary we see in patriarchal society corresponds sex, which is based on biological characteristics such as hormones, chromosomes, and reproductive organs, to gender, which is an expression of internal identity; males are equated to men and females to women under this assumption (Fixmer-Oraiz & Wood, 2019). Sex is something that is assigned at birth, whereas gender can only be defined by the individual². Though sex and gender are different, and not actually binary³, many patriarchal institutions assert that they are not. Under the gender binary, anyone with a uterus would be considered a woman. Having a uterus does not, however, reflect one's gender identity; this is something that only an individual can decide for themselves. The ability to become pregnant does not make you a woman, as there are trans and nonbinary people who also have uteruses. What makes you a woman is the avowed assertion and internal awareness that you are a woman. The ascription of a gender identity and maternal roles onto

² The social, cultural, and political significance of gender is relatively new in American society and discourse. National Geographic's January 2017 issue speaks of gender issues and a "gender revolution" taking place culturally, something that was not as widely discussed even a decade earlier. The special issue gives readers insight into the spectrum of gender identity, and differentiates gender identity, biological sex, and gender expression, as well as sharing the experiences of many individuals and their gender identities.

³ Even though sex and gender are often wrongfully equated, neither are actually binary. Gender exists on a spectrum that includes cis, trans, nonbinary, fluid, and many other identities that individuals avow themselves. Sex is often thought to refer to only male and female, but this biological binary is not all-inclusive. The inclusion of intersex people leaves us with at least 5 categories of biological sex (Fausto-Sterling, 2000).

female bodies exemplifies how autonomy is stripped from women under a male-dominated patriarchal society.

Since gender is equated with sex in many social institutions, it is critical to acknowledge the many rights that the female sex is denied. These rights include, but are not limited to, rights to reproductive freedom, bodily autonomy, and basic equality. Under the US Constitution, there is no guarantee of equality or prohibition of discrimination on the basis of sex (Kirkland, 2020). Even though women have existed in this country for as long as men have, their basic rights to equality have never been upheld by law. It is important to again acknowledge that most politicians and legislators in this country's history have been men. The country's "Founders who guaranteed to all men...constitutional rights simultaneously incorporated religious notions⁴ of women's subordination into the American civil law and thereby insured the continued subordination of women in the new Union" (Stopler, 2008, p. 388). Just as anti-abortion legislation restricts rights that the majority of the people creating them cannot exercise, the lack of rights on the basis of sex does not impact the majority of people leaving them out of the Constitution. This is not for a lack of proposed legislation or support for such rights, however. Drafted in 1923, the Equal Rights Amendment (ERA) proposed writing equality on the basis of sex into the constitution, but almost 100 years later we still have no such guarantees (Kirkland, 2020). The amendment passed Congress in 1972, but fell 3 states short of the 38 needed to be ratified in 1982 (Lee & Shaw, 2020). Though the majority of people and states support the ERA,

⁴ These "religious notions" are not representative of all religious beliefs; it is important to note that the founding fathers came from mostly Christian backgrounds (Holmes, 2006). Christian ideology has informed America's Constitution, laws, and institutions, despite an alleged separation of church and state. Historical and contemporary connections between Christianity and white supremacy are important to note, as colonialism played a large role in the global spread and pervasiveness of Christianity we see today (ScholarBlogs).

this country still does not guarantee equal rights for women. Kirkland makes a point that explicit constitutional rights to equality, similar to the ERA, have proven beneficial to women and girls around the world, protecting them from many forms of sex and gender based discrimination. The reality is that sex and gender based discrimination maintains existing power structures, and those in power do not want to give up the disproportionate power they hold.

Similar to the ERA's guarantee of equal rights, the Committee on the Elimination of Discrimination Against Women (CEDAW) was adopted by the United Nations in 1979 (Lee & Shaw, 2020). CEDAW advocates for women's equal rights globally. The treaty focuses on eliminating discrimination against women through concretely ensuring their civil rights, reproductive rights, and equal gender relations. The treaty has been ratified in 189 out of 193 countries around the world, excluding Iran, Somalia, Sudan, and the US (Lowen, 2020). Even though Jimmy Carter signed the CEDAW treaty in 1980, it failed to be ratified by the senate, and more than 40 years later it has still failed to be ratified (Lowen, 2020). The treaty has long been debated and opposed by conservative politicians and other people in power. The country's failure to explicitly recognize the equal rights of women demonstrates the power imbalance under the patriarchy and further suggests the men in power have no interest in sharing their decision making power. With the current status of women's rights in the country, especially reproductive rights, it is unlikely we will see the treaty's ratification anytime soon. To reiterate again, patriarchy maintains its power by denying equal rights and representation to women.

Women's position in society is subordinate to men's. To subordinate is to keep one in a lower position than another group, demonstrated by women's lower social status and lack of political power. Important to distinguish is my use of the term subordinate compared with the use

of inferiority as used by other feminist scholars. bell hooks, for example, wrote extensively on the connections between racism, sexism, and classism. Her notion of inferiority recognizes how Black people are viewed as lesser and less valuable under white supremacist ideology (Cheng, 2007). Notions of inferiority are connected heavily to racist ideology, and have been spread globally through colonial expansion. White European colonizers saw native populations as less civilized, and took it upon themselves to forcibly inflict their beliefs and ways of living onto them, using Christianity as a means to justify their exploitation (Hart, 2014; ScholarBlogs). Historically, religion and race have been used to create and maintain unequal power systems, and Christianity in particular has been used to spread systems of inequality and subordination. Race, class, and gender, among other categories, are polarized into privileged dominant and disadvantaged subordinate groups. Women are subordinate to men, but Black and other women are also treated as inferior. White, cisgender, heterosexual, upper class, able-bodied, and Christian women experience privilege that other women do not due to their membership in these dominant social categories. hook's theoretical work provided the basis for many other feminist scholars, including Kimberlé Crenshaw. Crenshaw coined the term intersectionality in 1989, which refers to the ways that multiple forms of privilege, discrimination, and oppression can overlap (Schuessler, 2021). Crenshaw has cited hooks as an influence for her own work, and I draw from the intersectional approach these women have created in my analysis and critique of the inequality and subordination women face under the country's patriarchal binary systems.

Judith Lorber discussed the social construction of the gender binary in her 1994 work *Night to His Day*. Lorber asserts that gender is only symbolically produced and maintained through culture, communication, and social interactions. People are ascribed gender based on sex

and taught how to “do” gender in alignment with the socially constructed norms. Gender is “legitimated by religion, law, science, and the society’s entire set of values” (Lorber, 1994, p. 56). Since men are the ones running these institutions, they are the ones setting the precedent and expectations for each gender category. Men place themselves above women in this gender “stratification system” (Lorber, 1994, p. 60). Simone de Beauvoir’s 1949 work *The Second Sex* provided the foundation for Lorber and many other feminist scholars. Her interdisciplinary analysis of women’s roles and social standing found women to be othered and given an inferior status (Tarjan, 2021). Of course, the differences between the genders are constructed and ascribed, so the perceived differences in upbringing and roles are actually arbitrary considering the diversity of character, identity, and values of individuals. This does not negate the real implications of the stratification system, however. Lorber touches on the separation of the genders into separate spheres of work and life. While men occupy political and economic spheres, women are tied to the domestic sphere, tying their roles to the home as well. Nurturance, childrearing, domestic, and emotional labor are constructed as feminine. Tying women's identity to the home is an effective means by which the patriarchy devalues and subordinates women. Gender inequality, according to Lorber, is constructed and built into social systems deliberately to serve the social function of subordinating women.

Since the devaluation of women and women’s labor keeps them tied to the domestic sphere, patriarchy must systemically aim to keep women in the home. Sophie Bjork-James defines this tie as the family. Specifically, gender inequality “with unequal access to power requires heterosexuality, and the heterosexual family in particular” (Bjork-James, 2020, p. 59). The gender specific roles embedded in the heteropatriarchal family structure keep the power

imbalance in the favor of men. Men are the breadwinners, entering the political and economic world to provide for women—something she cannot do on her own. This ties the family and its gender roles to capitalism (Bjork-James, 2020). Women's role as mothers and domestic and emotional laborers is undervalued as it produces no capital. She is simply meant to maintain social order by reinforcing gender roles to her offspring. Stopler adds to this discourse the notion that the naturalization of gender roles in the family subverts women's political subordination outside the home. Stopler builds upon Foucault's notion of paternalistic dominance, in which the familial roles of men and women are seen as symbiotic.

Bjork-James also connects sexual politics to racial politics, echoing hooks, de Beauvoir, and Lorber's assertion that in addition to gender, "the further dichotomization by race and class constructs the gradations of a heterogeneous society's stratification scheme" (Lorber, 1994, p. 60). Sexual and racial politics are closely interrelated in this country, and their connection is evident through the loss of autonomy and inferior status afforded to non-dominant gender and racial groups. The family as an institution upholds "patriarchal social order" (Bjork-James, 2020, p. 70). The family also upholds capitalism, which is linked inextricably to racial inequalities in America. Based on social positionality, some groups have more power in the patriarchal social order. Hierarchical social ordering always requires one group to be lesser than another, meaning the subordinated group's status is necessary to maintain the dominant. Systems of oppression like xenophobia, "racism, ableism, misogyny, homophobia, and transphobia" illustrate which groups are subordinated and which are privileged (Mohapatra & Wiley, 2019, p. 108). The "denial of agency" that women, non-white, and other minority groups experience within patriarchal systems like religion and capitalism exemplifies their role as subordinate (Penny, 2019). Women

are given limited control over their own bodies and reproduction, poor people are given very limited access to important resources like “education and jobs”, and non-cisgender or heterosexual individuals have their rights debated and restricted as well, all while being treated as subordinate to their white male peers (Sprague & Greer, 1998, p. 60). For women under patriarchy, “she is the repressed that ensures the system’s functioning” (Lorber, 1994, p. 62).

Patriarchy is embedded in many American values and dominant cultural institutions. This is because men have a “monopoly over defining, determining, and interpreting truth and knowledge,” granting them power in creating social categories, hierarchies, and norms; this “perpetuates the hegemony of patriarchy” and maintains inequality and subordination of women and other non-dominant groups (Stopler, 2008, p. 377-378). Stopler notes the significant connections between patriarchal societies and religious groups. The two pillars of control of each system are men’s control of knowledge and over women’s bodies (Stopler, 2008, p. 378). By designating women’s bodies for reproduction and domestic life, men retain control over all other cultural institutions and productions of knowledge. This means that institutions like religion, education, politics, economics, healthcare, science, history, and media are all dominated by men, reflect the values of men, and privilege the experiences and contributions of men.

A final key distinction Lorber makes about gender is that for one to notice how it is constructed, it must be disrupted. Since womanhood is so tied to the “natural” role of motherhood, an individual’s decision to terminate a pregnancy disrupts social expectations held of her. Having a uterus makes you a woman, and being a woman means you should become a mother. Deciding not to become a mother challenges the social constructions of womanhood, as well as the traditional family structure. This is such an issue under the patriarchy because if

women are not dependent upon men in the social order, or reject their “natural” roles as mothers, then men’s power is threatened. Feminist ideals of equality and autonomy—something not granted to women under the patriarchy—threaten patriarchal order because they do not tie women to the domestic sphere, and thus allow the potential for women to have a say in the production of knowledge and culture.

II: THE HISTORY OF ABORTION IN THE US AND TEXAS

Until the mid nineteenth century, abortions were “widespread” and “largely stigma-free” in America, without even the church in opposition (Holland; Lee & Shaw, 2020). Abortions took place before “quickening,” or the subjective point in the pregnancy when a woman could feel fetal movement. A fetus was not considered a life until this quickening stage; after quickening, abortions were criminalized but only considered minor offenses (Holland). The origins of the pro-life movement stem from the interests of physicians as well as racial politics. After abolition in America, white fears were on the rise about being “outbred by nonwhite people” (Penny, 2019). These fears only increased as abortion became more popular among white, married, middle and upper class women. Since women had greater access to education and increased rights, they exercised them by deciding if and when to become parents.

Many physicians were concerned with the potential lower birth rates among white women, and they had personal interests in limiting abortion access to maintain the upper hand over new business opponents like midwives and other healers (Lee & Shaw, 2020). From their earliest years, anti-abortion legislation sought to restrict women’s access to abortions in the interest of maintaining the status quo. Promoting white birth rates maintains white supremacy and power in America. Keeping medical power in the hands of the physicians maintained the

power they had to create knowledge about abortions, fetuses, and to a degree about women's bodies. Since the field is predominately male, this illustrates the earlier point that men are the ones creating and interpreting knowledge, even when they do not have the necessary experience or positionality to fully understand the issue.

At the start of the twentieth century, there were abortion bans across the United States, creating a black market for women who could not access abortions (Holland). Bans on accessing legal abortions disproportionately impacted people from one or multiple intersecting subordinated social groups, such as Black, Indigenous, and people of color, queer women, trans and nonbinary people, sex workers, undocumented immigrants, and minors. More economically privileged women were able to more easily and safely access abortion services. In the mid 20th century, people started advocating for wider abortion access to provide services to women who were victims of rape, had their mental or physical health at risk if they carried a pregnancy to term, or if their fetus would have complications (Holland). Later in 1973 *Roe v. Wade* legalized abortion across the country, ruling “that unduly restrictive state regulation of abortion is unconstitutional” on the basis of constitutional rights to privacy (Britannica, 2021). Prior to this ruling, Texas allowed abortions only if they were necessary to protect the woman's life, or if she was a victim of rape or incest⁵. The ruling broke up pregnancies into trimesters, giving states the opportunity to set restrictions after the first trimester (Britannica, 2021).

The pro-life movement claims to support the rights of unborn fetuses. It has gained a lot of popularity from religious, nationalist, and conservative groups—groups who have interest in

⁵ Such provisions have been rolled back on since the pre-Roe era. SB 8 only allows exceptions for abortion after six weeks when it is necessary to save the individual's life, excluding exceptions for rape or incest after this window.

maintaining the subordination of women and other groups to uphold their own power. In order to bolster support for the anti-abortion cause, pro-life organizations worked hard “to change the image from a fetus to one of an unborn child” (Frank, 2014, p. 351). Using imagery of living babies and aborted fetuses, the campaign drew on the emotions of prospective supporters (Holland). Racial politics were also used to gain support. Though it is out of the scope of this paper, Frank draws some very interesting parallels between the anti-abortion and anti-busing campaigns sweeping America in the later half of the twentieth century, both of which utilized the symbol of the child to rally conservative sentiments. Protection for the child, and most specifically the “imagined future white child,” used “the language of white genocide” to mobilize support, painting abortion as a huge threat to children and unborn “people” (Bjork-James, 2020, p. 64; Sprague & Greer, 1998). The pro-life movement relies on the unfounded assumption that an embryo or fetus is a person that has rights; this conveniently ignores the rights and undoubted personhood of the individual carrying the fetus. Pro-life rhetoric has successfully framed anti-abortion ideology as a human rights issue, even while it neglects the human rights of the mother.

Pro-life and anti-abortion movements are still fairly new in the country’s history. The majority of abortion bans have been enacted in the last two decades since 2001 (Santamariña & Phillips, 2022). The rise of pro-life movements in the US has also had global implications. Pro-life politics have been rooted in racist and sexist ideology, as well as Christian. They promote a conservative political and cultural climate, which has also been popularized in other countries with help from increasing interconnectedness through globalization. It is important to again acknowledge that colonization has been a huge contributing factor in globalization. Pro-life

movements coincide with the rise of far-right extremism seen in America and around the world. Globalization also plays a role in connecting individuals with groups that promote the maintenance of the dominant social and political order (Musharbash, 2021). Currently there are 24 countries where abortion is completely banned (Barry, 2022). All of these countries have been colonized by European nations. In El Salvador, for example, anti-abortion legislation was introduced only in 1998 by conservative Catholic campaigns (Barry, 2022). The influence of dominant groups and ideology such as Christianity and patriarchy are evident here. Many women have been jailed for having abortions, and violence against women is prevalent. In many other countries, abortion access is very limited except in cases where the pregnant individual is at risk, was a victim of rape or incest, or if the fetus has health complications.

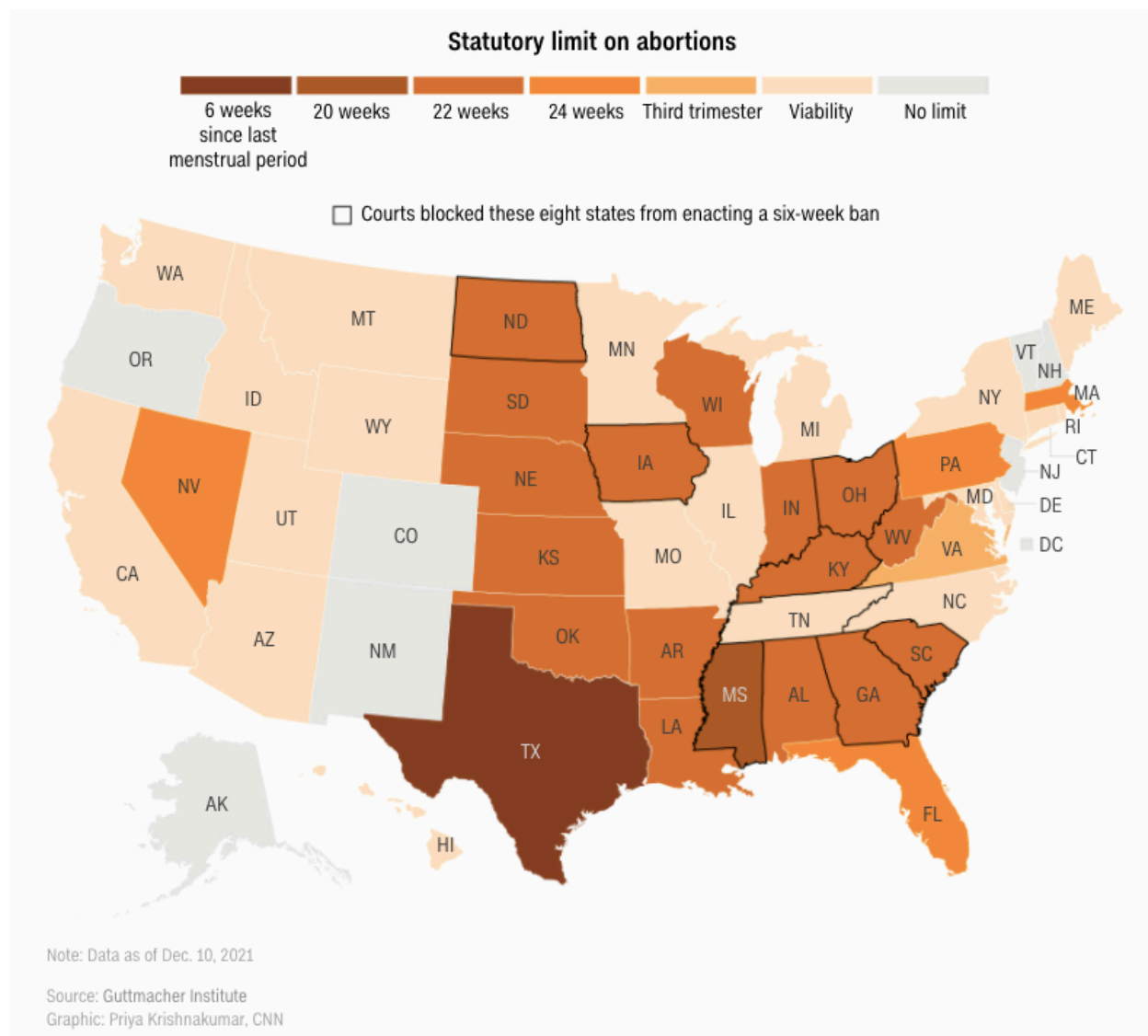
The pro-choice movement, on the other hand, believes in upholding the rights of people who are already born. The movement supports individual, civil, family, and women's rights (Holland). Pro-choice means that every individual has access to safe reproductive services. Rights of an individual to bodily autonomy are upheld, giving them choice in whether or not they want to have children. Sprague & Greer expand upon the context of these choices, noting that there are a number of social and economic factors in an individual's life that limit their choices. Some other countries that have been influenced by conservative Christian ideology, brought in by colonization, have been making more progressive strides toward reproductive rights, such as Colombia, Argentina, and Mexico (Barry, 2022). Ireland is another example of a historically Catholic and conservative country that has taken a more progressive pro-choice stance on abortion. The movement also acknowledges the history of unequal access to reproductive care. Before slavery was abolished in America and white women enjoyed free, unstigmatized access to

abortion, Black women were punished for attempting to regulate their reproduction (Penny, 2019). Black women were targeted for attempting or performing abortions because their wombs were tied to the racist and capitalist system of slavery. While abortion advocates are still fighting to secure constitutional rights to reproductive healthcare, the long term goals of the movement must be committed to securing equitable access to all basic needs so that every individual, no matter their race, class, or other status, can make decisions about their own bodies for themselves.

Mainstream views on abortion generally focus on these two sides, dichotomizing and abstracting the issue. Though the pro-life movement did not originate among the general population, over time it has turned an attack on reproductive freedom into a popular political opinion. Pro-life vs. pro-choice seems to have simplified the conflict into a question of whether or not abortions should be legal. It also simplifies the issue of fetal personhood (Sprague & Greer, 1998). Since it is impossible to pinpoint a singular point in time along pregnancy that exists on the cusp of potential life and life, it is not worthwhile to only consider the fetus. Focusing only on the fetus ignores a number of other factors in a pregnancy. Since men are not tied to the domestic sphere, they have “removed themselves from the work of reproduction after conception,” leaving only the pregnant individual and the fetus in the picture when we think about abortion rights (Sprague & Greer, 1998, p. 55). Since so much attention is given to the fetus, the life and specific conditions of the pregnant individual are largely ignored. This separation of the fetus from the body places it in opposition to its mother, turning abortion rights into a debate of the rights of one individual against another (Sprague & Greer, 1998).

In Texas, there is a history of legislative attempts to block or ban abortions. A 1985 law restricted nurse practitioners from performing abortions, making them more expensive and disproportionately impacting lower income individuals from accessing them (Bohra, 2021). In the last decade alone, the state has passed 26 restrictions on abortion (Nash, Bearak, & Li, 2021). House Bill 2 in 2013 required clinics that performed abortions to “meet hospital-like standards, including minimum sizes for doorways and rooms” (ACLU, 2021; Bohra, 2021). The rigid restrictions carried on for three years before being overruled by the Supreme Court. In that time, however, the number of abortion providers had dropped by more than 50% (Bohra, 2021). Abortion bans in Texas aim to make the procedure more expensive and more difficult to access. Restricting access to abortion does not make it impossible to get an abortion. It does make it very difficult and expensive for individuals who are already economically disadvantaged to access safe legal abortions.

In 2021 Texas passed one of the most restrictive abortion laws, SB 8 (ACLU, 2021). The CNN map from the Guttmacher Institute on the following page illustrates statutory limits on abortions across the country as of the end of 2021, just a few months after SB 8 was enacted. Texas is the only state with a six week ban; the second most restrictive ban were after 20 weeks, giving people more than three times longer to access the abortion services they require. Following Texas’s lead, other abortion bans have been passed in Florida, Oklahoma, Arizona, and Louisiana, and have been proposed but temporarily blocked in Kentucky, Mississippi, and Idaho (Gonzales, 2022). The new legislation bumps the second most restrictive legal abortion window down to 15 weeks. Prior to SB 8, Mississippi had the most restrictive abortion ban after 20 weeks (Santamariña & Phillips, 2022). The Texas bill has been enacted for months, and has



yet to be overturned. Pro-life advocates in Texas are hoping, in fact, that the current conservative majority in the Supreme Court will overrule *Roe v. Wade* eventually (Bohra, 2021). This is the ultimate goal of most restrictive abortion legislation. Texas even has passed legislation⁶ banning abortion that could go into effect if *Roe v. Wade* is ever overruled (Nash, Bearak, & Li, 2021).

III: WHAT THE HEARTBEAT ACT MEANS FOR WOMEN IN TEXAS

⁶ Legislation that will ban abortions if *Roe* is overturned are called “trigger” bans. In addition to Texas, trigger bans have already been passed in 12 states (AK, ID, KY, LA, MS, MO, ND, OK, SD, TN, UT, & WY), with 9 others (AL, AZ, GA, IA, MI, OH, SC, WV, & WI) expected to place a total or near-total ban on abortions if *Roe* is overruled, and four more (FL, IN, MT, & NE) likely to do so (Nash & Cross, 2022).

The Texas Heartbeat Act took effect on September 1, 2021. The bill imposes a ban on all abortions in Texas, with the exception of cases where it is necessary to save the woman's life. The ban begins just six weeks following gestation, defined as "the amount of time that has elapsed from the first day of a woman's last menstrual period" (SB 8, 2021, p. 1). The gestation age marks the first day of pregnancy; this "human female reproductive condition" "begins with fertilization" (SB 8, 2021, p. 2). From the beginning of pregnancy, the fetus is referred to as an "unborn child" by the Texas Heartbeat Act. The act "prohibit[s] and criminalize[s] abortion," and "does not create or recognize a right to abortion" (SB 8, 2021, p. 1, 5). Texas claims in the act "compelling interests...in protecting the health of the woman and the life of the unborn child" (SB 8, 2021, p. 2). By designating the fetus an "unborn child," Texas can subvert their denial of women's bodily autonomy as respect for both lives. As Sprague & Greer note, assigning personhood from the moment of conception is another way to abstract reproduction. This both overemphasizes the importance of "insemination" and diminishes the work of "carrying,... delivering,...and...nurturing" a child (Sprague & Greer, 1998, p. 63). This abstraction of the embryo and its emphasis over reproductive labor and autonomy exemplifies how women's work is subordinated. Men's work in pregnancy is overvalued even though it contributes little. Women's work is undervalued since her natural role is tied to domesticity and childrearing, even though it is difficult, taxing, and ongoing labor to be pregnant.

Devaluing women's work is a key element in maintaining their subordination. The Texas Heartbeat Act only mentions pregnant women in its text (Bohra, 2021). The legislation, of course, affects all women, nonbinary, and trans individuals with a uterus. Since these groups are often "left out of the conversation... the impact for them is even more significant" (Bohra, 2021).

Just as women being left out of the conversation and legislative process creates policies that limit their individual rights and freedoms, leaving out LGBTQ+ voices perpetuates the marginalization these groups already disproportionately face. Bohra emphasizes how stigma surrounding reproductivity is often worse for LGBTQ+ individuals, who are already stigmatized for their identities. Lumping everyone with a uterus under one label and keeping them out of the decision making process reflects the gender binary that recognizes only men and women as different and unequal genders. Ascribing all pregnant people the identity of womanhood invalidates the spectrum of gender identities and tells individuals that if they have a uterus, that defines them as a person.

When recognizing the limitations SB 8 poses on gender and the autonomy of the female sex, it is important to look at who is imposing these limitations. Remember how most legislators across the country are male. As of 2020 in Texas, only 24% of legislators were women (Rayasam et al., 2021). With less than a quarter of people capable of reproduction making legal decisions in the state, it is no wonder women's rights are not taken seriously. The positionality of three quarters of people drawing limitations on reproductive rights in Texas puts them in a high place of privilege. These men are mostly older or middle aged, upper class, cisgender, heterosexual, white Texans; these men hold a great deal of social and political power and experience privilege based on their social positions. The fact that mostly men create laws within a patriarchal culture means that many laws "conserve to perpetuate domination and subordination" (Stopler, 2008. p. 390). Positionality does limit one's ability to consider other perspectives. This means that the majority of decision makers throughout the country's history have had an inability, or very limited ability at best, to imagine life in another's shoes. With respect to abortion access, the majority of legislators will never experience or imagine the impact of their bill. This means that

they cannot fully consider how legislation will impact groups who lack privilege or have inequitable access to resources; or it means they are fully aware of how to disempower marginalized groups to maintain their own control. It is important to critically examine who is making our laws, what their motives are, and who benefits and is negatively impacted from legislation.

What makes SB 8 unique is the fact that it is a law that is enforced by civilians. Putting the power of enforcement in the hands of citizens instead of the government “is designed to be insulated from federal court intervention” (Nash, Bearak, & Li, 2021). The bill calls on any individual citizen to file a lawsuit against any healthcare provider or other person who aided in securing an abortion for a woman. The citizens filing these lawsuits do not even have to know the person who got an abortion, or those who assisted in some way. Lawsuits may not be filed against the individual receiving the abortion, however, and the bill does not apply for individuals who aided in securing out-of-state abortions (ACLU, 2021). Those who file lawsuits may win \$10,000 plus attorney’s fees in statutory damages. The financial incentive encourages private citizens to file lawsuits against any person aiding in abortion services and rewards them for whistleblowing on fellow Texans. The goal of this legislation is to make it more difficult to acquire an abortion. The inclusion of private lawsuits against providers is a threat—scaring people out of seeking abortions, scaring others out of helping, and scaring providers with excessive legal fees is meant to drive down the number of providers and clinics, making it effectively more challenging and expensive to access abortions. It also rewards individuals for upholding the “pro-life” agenda, though this agenda does not advocate so much for the lives of women and living children with legitimate and concrete rights and needs.

Past legislation has already significantly reduced the number of clinics in the state, and if those remaining are bombarded with lawsuits, fees, and backlash from anti-abortion advocates, it is unlikely they will be able to remain open for very long. The bill is not the first in Texas to call on private citizens for enforcement. During the Jim-Crow Era post-abolition, the state attempted to limit Black people's rights to vote. When the Supreme Court⁷ declared such legislation unconstitutional, the state turned to citizens to enforce restrictive laws rather than state and public officials (Wasserman & Rhodes, 2022). This demonstrates the state calling on some of its citizens to restrict the rights of others. It illustrates a dichotomization of Black and white citizens, with whites in power and Black people as the "inferior" or subordinated "other" that Lorber contended was necessary to ensure the functioning of the system. Attempts to undermine rights on the basis of sex, gender, race, or class are all inextricably tied. Limiting voting rights of Black people serves a similar function in the same patriarchal system that limiting the reproductive rights of women does. Bringing private citizens into the realm of legal enforcement normalizes restrictive views on rights. This makes mainstream the upholding of inequality in American society. SB 8 follows this pattern, leaving Texans to target other Texans for upholding a rights to woman's bodily autonomy and self-determination. Rallying anti-abortion support from citizens is an effective way to undermine civil rights gains and constitutional rights, and ultimately gain support for conservative and pro-life movements to overturn *Roe v. Wade*.

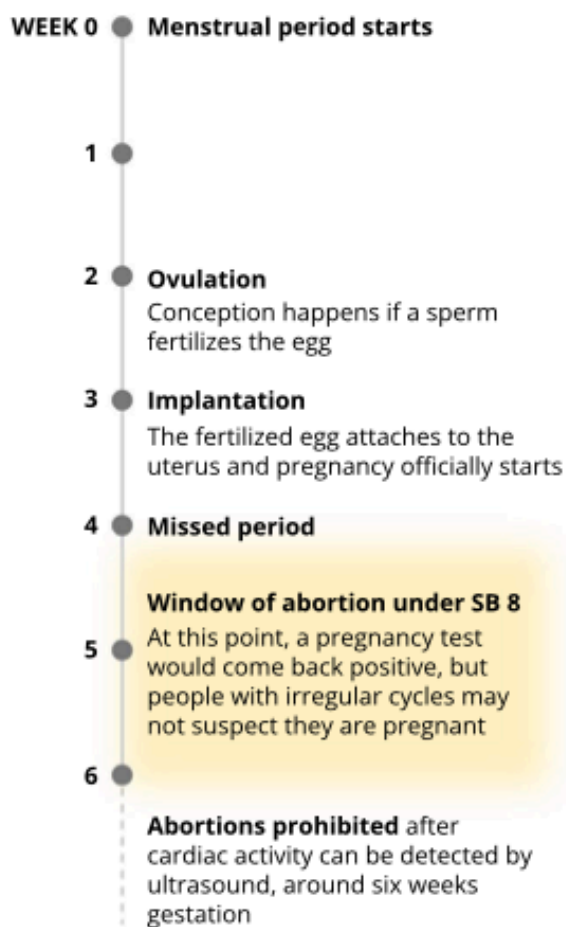
Perhaps most interesting about the Texas Heartbeat Act is its medical inaccuracies. The bill and its proponents refer to a "fetal heartbeat," but neither of these terms are correct. Since SB 8 imposes abortion bans after six weeks gestation, what is referred to as a "fetus" is still just an

⁷ *Terry v. Adams* (1953) (Wasserman & Rhodes, 2022).

embryo. An embryo does not become a fetus until after at least 8 weeks (Ries, 2021). At just six weeks post gestation, the “heartbeat” does not exist. Wasserman & Rhodes begin their review of the SB 8’s limitations with a reminder that the Supreme Court rules that banning abortions when a “fetal heartbeat” is detected is constitutionally invalid. The heartbeat itself acts as a symbol similar to the child to give personhood to the embryo and gain emotional support from voters. Sen. Bryan Hughes⁸, who authored the bill, uses this symbol rhetorically as the “universal sign of life” (Irvine, 2021). Hughes declares intention to protect the life of a Texan once their heartbeat is detectable. Many believe this language to be intentionally misleading to undermine the fact that an embryo does not have rights like the person it is inside does. More than this, what the bill refers to as a heartbeat is actually not that at all. The heartbeat is defined in the bill as “cardiac activity or the steady and repetitive rhythmic contraction of the fetal heart” (SB 8, 2021, p. 1). The “heartbeat” detected is actually just noise made by electrical impulses in the embryo that are “translated” into a rhythmic heartbeat sound (Irvine, 2021; Sherman, 2021). The symbol of the heartbeat communicates that the embryo has a heart, but this is not even medically accurate at six weeks gestation (Sherman, 2021). The heart will not be fully developed until around 16 or 18 weeks, and even at this point it is not fully functional (Ries, 2021). At six weeks the embryo only has a cluster of cells that will eventually form parts of the heart. Referring to the embryo as a fetus at six weeks post gestation is incorrect, and so is the assertion that it has a heart that is beating at this point. This is a rhetorical attempt to assign the embryo rights to life, at the same time denying the woman control over hers.

⁸ Bryan Hughes is a conservative Republican member of the Texas State Senate, serving since 2017.

A timeline from Irvine of the six weeks following gestation up until abortion is banned, seen below, helps to illustrate just how restrictive the bill is. Gestation, or the beginning of the last period, marks the beginning of pregnancy. This means that during the first two weeks of pregnancy, you are not actually pregnant. At two weeks post gestation, ovulation occurs and the egg may be fertilized. This magical “moment of conception” is frequently referred to as the beginning of life by religious extremists who equate abortion to murder. With a window of time just four weeks left to access a legal abortion in state, SB 8 is not far from this ideology. At least 85 to as much as 90% of abortions take place after six weeks gestation (de Vogue, 2021;



Wasserman & Rhodes, 2022). This restriction bans the majority of abortions and disproportionately affects marginalized pregnant people. Low-income women of color will be the most impacted by Texas' legislation and similar legislation in other states (Eugene, Kheyfets, & Bennett, 2021). The timeline of the bill also assumes that every person who might need an abortion would know that they are pregnant before the legal window closes in Texas. It would be impossible to know immediately after conception that an individual is pregnant. Many people do not know that they might be pregnant until missing one or two periods, and this does not account for people with irregular menstrual cycles (Sherman, 2021). If you have a regular cycle, the actual window for you to be able to access a legal abortion after finding out you are pregnant in Texas is more like two weeks. As a reminder, the bill only allows exceptions for abortion after six weeks if it is necessary to save the pregnant individual's life. All other cases of abortion, including for victims of rape or incest, have only two weeks after a regular missed period to learn that they are pregnant, decide if they want an abortion, and find a clinic. This timeline is not very realistic considering that not every person's cycle is the same, and with respect to external factors that may limit access to abortion.

Legislation that impacts the abilities of individuals and groups to access their rights to abortion healthcare services has negative consequences for their health. Research studies note how "laws and policies express and reinforce patriarchal and misogynistic ideologies and social structures that oppress women, girls, and people with minority sexual orientations and identities" (Mohapatra & Wiley, 2019, p. 110). Some medical institutions strongly oppose the bill and believe the Texas legislation imposes "excessive restrictions on abortion care [that] jeopardize the patients' health" (ACLU, 2021). Discriminating against and infringing upon reproductive

rights is a form of reproductive violence (Fixmer-Oraiz & Wood, 2019). It takes away someone's autonomy to choose if and when they want to become a parent, and their autonomy to choose what happens inside their own body. Since approximately one in four Americans have gotten an abortion before age 45, this legislation has widespread impact on Texans, and potentially devastating implications for millions of Americans as more states draw inspiration from Texas⁹ (ACLU, 2021).

Nash, Bearak, and Li discuss some of the material consequences the bill presents for Texans trying to access abortion services. Assuming they find out they are pregnant at their first missed period four weeks after gestation and are able to afford taking time off work to get an abortion, of course. Because of the many restrictions opposed on abortion that have decreased the number of providers, the one-way driving distance to an abortion clinic is on average 14 times further (Nash, Bearak, & Li, 2021). The increased distance means individuals will need to spend more money on gas or fare for transportation, or even have to fund overnight stay closer to their clinic. Additional costs may include child care if the person seeking an abortion is already a parent, the loss of income from taking time off work for the procedure and potential travel time, and of course the cost of the abortion itself. SB 8 includes in its text the requirement that individuals seeking abortion care come in for multiple appointments with the same provider to give "informed consent" about the procedure (Planned Parenthood). These appointments require the physician to perform an ultrasound of the embryo, verbally explaining the images and sounds. The description of the sonogram¹⁰ images detail the development of the embryo thus far,

⁹ Legislation modeled after SB 8 has already been proposed, but not yet passed in GA, ID, IA, KY, LA, MS, ND, OH, OK, SC, & TN (Nash & Cross, 2022).

¹⁰ The sonogram refers to the image produced by an ultrasound, whereas the ultrasound refers to the procedure as a whole (Frothingham, 2018).

including body parts and organs. When describing the sounds from the ultrasound, the physician explains them as a “heartbeat”; even though this is not medically accurate, this description is required by law. Patients must wait at least 24 hours after such appointments to be able to get an abortion. This waiting period is unnecessary, and poses additional barriers to Texans seeking abortion care. Costs for transportation, childcare, and taking time off work increase with these required consultation appointments. For lower income individuals, accessing a safe and legal abortion is even more difficult and costly.

There is an exception to these requirements for patients who live further away or provide a written certification waiving the requirements. Patients 100 or more miles from the nearest abortion clinic, the waiting time before receiving abortion care drops to just two hours. The Guttmacher Institute estimated that the average driving distance for Texans is about 247 miles to the nearest clinic (Nash, Bearak, & Li, 2021). If a patient is to provide a written waiver for another reason, they must disclose this in writing. This means patients who are victims of rape or incest, minors, or whose “unborn child [fetus]” has a permanent medical condition (SB 8, 2021). Disclosing such information is very personal, and can be very mentally and emotionally distressing for the individual seeking an abortion. Being legally required to disclose a traumatic event only a few weeks after it has occurred can be traumatizing in itself on top of the trauma of the event.

Proponents of the bill do not see issues with its logistics, seeing a six week window of time as more than enough for someone to get an abortion if they need one. Many opponents are concerned that the bill does not even include exceptions after six weeks for victims of rape or

incest. Gov. Greg Abbott¹¹, who signed the bill into law, disputes these concerns. When asked why the bill would require a victim to carry their pregnancy to term, Abbott responded “it doesn't require that at all, because obviously it provides at least six weeks for a person to be able to get an abortion” (Sherman, 2021). This dismissive comment “obviously” ignores the many factors that limit an individual's ability to both know they are pregnant within this short window of time and to organize the time and funds needed to acquire an abortion. His phrasing is misleading as well, because the bill actually provides six weeks at most. Abbott then shifts the conversation toward rape, asserting that it is a crime. He makes the bold claim that Texas aims to “eliminate all rapists¹²,” with this as the state's #1 goal (Sherman, 2021). This distracts from the issue of reproductive rights at hand, and also ignores that attacks on women's bodily autonomy also work to perpetuate rape culture. Legislation written by mostly men about women's bodies is very unlikely to put an end to the violence against women enacted by mostly men. Eliminating rape will also not eliminate the need for abortions or women's rights over their own bodies—rape is used to exert power and control over victims, but so is legislation that limits access to healthcare services.

Anti-abortion legislation like SB 8 in Texas does not uphold the sanctity of life as it claims. Legislation that limits the reproductive freedoms of half the population, both historical and contemporary, ultimately serves to maintain patriarchal social order. Systems of domination in this country like patriarchy, capitalism, and white supremacy work to uphold and maintain the disproportionate power held by men, particularly rich white men in America. Through

¹¹ Greg Abbott is a conservative Republican politician who began serving as Texas Governor in 2015.

¹² As of 2018, less than 1% of rape arrests lead to felony convictions (Durkee, 2021). Not all rape incidents are reported, so this means an even smaller proportion of rapists are arrested and convicted. Abbott's claims to eliminate rapists in Texas are unfounded.

institutions like the family, religion, education, and politics, the subordination and othering of women as a social category is perpetuated. With men as the dominant group in control of both knowledge and legislation, their values and rights are reflected in the social and political fabric of America. The connections between racism, sexism, and misogyny make evident who is privileged and who is powerless. The pro-life movement, under the guise of respect for all life, lacks respect for bodily autonomy and the difficult, and expensive, acts of pregnancy and childrearing. The state should not have the authority to designate a developing embryo as a life, rather the individual “whose body is sustaining it” must decide for themselves if they want to become a parent and carry the fetus to term (Sprague & Greer, 1998, p. 63). Disempowering individuals by deciding for them that they must fulfill their “natural” role of motherhood/parenthood goes against American values of freedom, unless, of course, this right was only ever intended for men.

Across the country and around the world, reproductive rights are under attack. Other states are following Texas’ lead, and the recent Supreme Court draft leak proves that pro-life legislation has the goal of overturning Roe. Many states are prepared for this overturn, with trigger laws in place. In the draft, Justice Samuel Alito writes that Roe was a wrong decision from the start and “its reasoning was exceptionally weak” (Gerstein & Ward, 2022). Maybe if women were guaranteed equal rights under the constitution, the ruling would have had a stronger foundation. While the draft is not final, it is frightening news for people across the country whose rights are not protected or guaranteed by the law. The map on the following page illustrates where abortions are restricted or protected across the states (Santamariña & Phillips, 2022). Some states have luckily used the draft as an opportunity to explicitly protect abortion

Macron's win was a win for women's rights, but they could always be threatened again next election. In Poland just last year, some of Europe's most restrictive anti-abortion legislation was passed (Kacupura, 2020). Women everywhere are fighting for the basic right to control their own bodies. This is a global struggle that highlights global power imbalances.

If we want to actually protect women and children, we must change the conditions that maintain their subordination. Banning abortions does not mean they will stop happening, but guarantees that many unsafe abortions will take place unnecessarily. Social justice is often left out of the pro-life conversation, even though it is necessary to ensure the rights and protection of all people. Reproductive justice is a form of social justice that recognizes a right to bodily autonomy and freedom from reproductive violence that takes place within systems of domination; it also works to eliminate the systems of domination that maintain the subordination of women, people of color, and other marginalized groups (Lee & Shaw, 2020, p. 354). Making reproductive resources accessible and affordable is a necessary step in social justice and in breaking down the social systems that render women and people with uteruses inferior and subordinate. If the pro-life and anti-abortion movements actually wanted to reduce the number of abortions taking place, they would advocate for "worldwide accessibility to both comprehensive sex education and multiple contraceptive methods and family planning counseling" (Lee & Shaw, 2020, p. 363-364). They would also advocate for the equal rights of women, "no matter their gender identity, race, class, or any other status," since the lack of constitutional recognition of equality leaves them "to rely on an incomplete patchwork of state and federal laws to protect their most basic human rights" (Kirkland, 2020). Pro-life and pro-choice movements should instead work together to make abortions increasingly unnecessary by guaranteeing equal rights,

educating Americans on safe sex and family planning, and offering social programs to support disadvantaged women and children.

Taking a more feminist approach to education and politics among other fields will subvert the patriarchal control we see in power throughout American history. With respect to education, comprehensive, accurate, and inclusive sex ed. can provide people with the necessary knowledge to practice safe sex, decreasing the need for abortions. Combatting misinformation in our education system will also work to de-stigmatize women's bodies and reproduction. This leaves less room for religious ideology to be weaponized against reproductive rights, instead valuing all people and upholding their rights over the interests of institutions that historically contribute to their marginalization and oppression. We can also use education as a tool to more broadly promote equality by accurately representing women and other groups in all subjects, rather than highlighting mostly the experiences, accomplishments, and contributions of white men. Taking a feminist approach to politics, specifically in relation to healthcare and reproductive legislation, will value and uphold the rights and bodily autonomy of all people (Mohapatra, Wiley, & Blum, 2019). Laws should benefit the citizens they apply to, not limit their rights based on arbitrary categories like sex. Applying a feminist approach in all aspects of society upholds equality of all people, and over time the production and reproduction of these ideals can shift America away from the systems that value men and masculinity over women and femininity. In order to promote this equality and equity, we need representation.

Representation allows people from different standpoints to come together to make decisions. Since white men are not the only people the law applies to, it is a clear sign of their domination to see them outnumber women in positions of power. White men as a category

continuing to be the primary decision makers, as I have evidenced, perpetuates subordination of other groups. Allowing people from appropriate social standings to have a say in the decisions that affect them most will decrease the disproportionate negative impact on already marginalized groups, and will ultimately combat marginalization. Bringing more people with relevant positionalities and experiences will ensure that their needs and rights are not left out. All of our decision-making in the country, especially that relating to reproduction, “should be tempered by an awareness of the dynamics of class and race, as analyses constructed from the standpoint of Black feminists make clear” (Sprague & Greer, 1998, p. 56). Intersectional representation is absolutely critical and necessary to creating a society and legal system that recognizes, respects, and upholds the rights, freedoms, and pursuits of happiness of every individual.

Future research on the connections between reproductive rights and the subordination of women must recognize that women and other marginalized groups must have a greater social and political voice. These groups know best how policies and legislation will affect them, an area of expertise that the privileged men in power severely lack. Recognition to the work of Black feminist scholars, and specific application of feminist theory that centers Black women could expand upon the solutions to the problems created by the patriarchy. Intersectionality is critical for equal and equitable representation. As a white woman, I lack the positionality to fully understand how reproductive and other issues impact women of color, poor women, women with disabilities, and transgender and nonbinary people with uteruses. Focusing on the impacts of legislation like S.B 8 has on these groups will shed further light on how they are subordinated and kept out of power. The role of de-colonization as a means of ensuring equity and social justice in our globalized world is an additional important area of focus for future study.

References

- ACLU (2021, December 10). *Abortion in Texas*. ACLU Texas. <https://www.aclutx.org/en/your-rights/abortion-texas>
- Barry, E. (2022, May 6). *The State of Abortion Rights Around the World*. Time. <https://time.com/6173229/countries-abortion-illegal-restrictions/>
- Bjork-James S. (2020). White Sexual Politics: The Patriarchal Family in White Nationalism and the Religious Right. *Transforming Anthropology*, 28(1), 58–73. <https://doi-org.ezproxysuf.flo.org/10.1111/traa.12167>
- Bohra, N. (2021, September 21). *Texas' near-total abortion ban caps a decadeslong war by conservative legislators to block access to the procedure*. The Texas Tribune. <https://www.texastribune.org/2021/09/21/texas-abortion-law-history/>
- Bohra, N. (2021, December 21). *“Left out of the conversation”: Transgender Texans feel the impact of the state’s restrictive abortion law*. The Texas Tribune. <https://www.texastribune.org/2021/12/21/texas-abortion-law-transgender-pregnancy/>
- Britannica, T. Editors of Encyclopedia (2021, December 10). *Roe v. Wade*. *Encyclopedia Britannica*. <https://www.britannica.com/event/Roe-v-Wade>
- Durkee, A. (2021, September 7). *Gov. Abbott Claims Texas Will ‘Eliminate’ Rapists In Defending Abortion Ban*. Forbes. <https://www.forbes.com/sites/alisondurkee/2021/09/07/gov-abbott-claims-texas-will-eliminate-rapists-in-defending-abortion-ban/?sh=322499ce593e>
- Eugene, N., Kheyfets, A., & Bennett, M. (2021, October 1). *How the Texas Heartbeat Bill Will Affect Low-Income Women of Color Across the U.S.: A Commentary*. Harvard Medical Student Review. <https://www.hmsreview.org/issue-7/texas-heartbeat-bill>

- “Faith on the Hill.” Pew Research Center, Washington D.C. (2021, January 4) https://www.pewresearch.org/religion/2021/01/04/faith-on-the-hill-2021/?utm_source=adaptivemailer&utm_medium=email&utm_campaign=rel%20%2021-01-04%20faith%20on%20the%20hill&org=982&lvl=100&ite=7652&lea=1693021&ctr=0&par=1&trk=
- Fausto-Sterling, A. (2000). THE FIVE SEXES, REVISITED. (Cover story). *Sciences*, 40(4), 18.
- Fixmer-Oraiz, N. & Wood, J. T. (2019). *Gendered lives: Communication, gender, and culture* (13th edition). Cengage.
- Frank, G. (2014). The Colour of the Unborn: Anti-Abortion and Anti-Bussing Politics in Michigan, United States, 1967-1973. *Gender & History*, 26(2), 351–378. <https://doi.org/10.1111/1468-0424.12073>
- Frothingham, S. (2018, October 24). *Sonogram vs. Ultrasound*. Healthline. <https://www.healthline.com/health/sonogram-vs-ultrasound>
- Gerstein, J. & Ward, A. (2022, May 2). *Supreme Court has voted to overturn abortion rights, draft opinion shows*. Politico. <https://www.politico.com/news/2022/05/02/supreme-court-abortion-draft-opinion-00029473>
- Gonzalez, O. (2022, May 5). *Red states race to enact new abortion restrictions*. Axios. <https://www.axios.com/2022/04/16/abortion-ban-red-states-tracking-roe-supreme-court>
- Hart, W. D. (2014). INTRODUCTION: Race as Euphemism and Shorthand. *The Journal of Religious Ethics*, 42(4), 585–590.

- Holland, J. L. Abolishing Abortion: The History of the Pro-Life Movement in America. *The Organization of American Historians*. <https://www.oah.org/tah/issues/2016/november/abolishing-abortion-the-history-of-the-pro-life-movement-in-america/>
- Holmes, D. L. (2006, December 21). The Founding Fathers, Deism, and Christianity. Encyclopedia Britannica. <https://www.britannica.com/topic/The-Founding-Fathers-Deism-and-Christianity-1272214>
- Irvine, B. (2021, September 21). *Why “heartbeat bill” is a misleading name for Texas’ near-total abortion ban*. The Texas Tribune. <https://www.texastribune.org/2021/09/02/texas-abortion-heartbeat-bill/>
- Kacpura, K. (2020, October 30). *Poland’s Constitutional Court Has Effectively Banned Abortion, But We Will Not Stop Fighting For Our Fundamental Rights*. Time. <https://time.com/5905885/poland-abortion-ban-protest/>
- Lee, J., Shaw, S. M. (2020). *Gendered Voices: Feminist Visions*. (Oxford). Oxford University Press.
- Lorber, J. (1994). “Night to His Day”: The Social Construction of Gender. In *Paradoxes of Gender* (pp. 54-62).
- Lowen, L. (2020, January 3). *Why Won’t the U.S. Ratify the CEDAW Human Rights Treaty?* ThoughtCo. <https://www.thoughtco.com/why-wont-u-s-ratify-cedaw-3533824>
- Makooi, B. (2022, April 18). *‘Voting for Marine Le Pen is not an option for women’*. France 24. <https://www.france24.com/en/france/20220418-voting-for-marine-le-pen-is-not-an-option-for-women>

- Martin, J. N., & Nakayama, T. K. (2018). *Intercultural communication in contexts* (7th ed.). New York, NY: McGraw-Hill.
- Mohapatra, S., Wiley, L. F., & Blum, J. D. (2019). Feminist Perspectives in Health Law. *Journal of Law, Medicine & Ethics*, 47, 103–115. <https://doi-org.ezproxysuf.flo.org/10.1177/1073110519898047>
- Musharbash, Y. (2021). The Globalization of Far-Right Extremism: An Investigative Report. *Combating Terrorism Center*, 14(6), 39-47. <https://ctc.usma.edu/wp-content/uploads/2021/07/CTC-SENTINEL-062021.pdf>
- Nash, E., Bearak, J., & Li, N. (2021). Impact of Texas' Abortion Ban: A 14-Fold Increase in Driving Distance to Get an Abortion. *Guttmacher Institute*. https://www.guttmacher.org/article/2021/08/impact-texas-abortion-ban-14-fold-increase-driving-distance-get-abortion?gclid=CjwKCAjwur-SBhB6EiwA5sKtjrjsiIpz-xZ9Mr6wJVOpdam2lgJvlB7H-A1G4YeczRH4ytgJx9c4TRoCx8IQAvD_BwE
- Nash, E. & Cross, L. (2022, April 19). 26 States Are Certain or Likely to Ban Abortion Without Roe: Here's Which Ones and Why. *Guttmacher Institute*. <https://www.guttmacher.org/article/2021/10/26-states-are-certain-or-likely-ban-abortion-without-roe-heres-which-ones-and-why>
- National Geographic. (January 2017). *The Gender Issue*. Official Journal of the National Geographic Society. 231(1).
- Noack, R., Birnbaum, M., & Petit, E. (2022, April 24). *France's Macron wins presidency, holding off Le Pen's far-right threat to upend Europe and relations with Russia*. The

- Washington Post. <https://www.washingtonpost.com/world/2022/04/24/french-election-2022-results/>
- Penny, L. (2019, May 17). The Criminalization of Women's Bodies Is All About Conservative Male Power. *The New Republic*. <https://newrepublic.com/article/153942/criminalization-womens-bodies-conservative-male-power>
- Planned Parenthood Gulf Coast. *Everything You Need to Know About SB 8, Texas' Latest Extreme Abortion Restriction*. Planned Parenthood Inc. <https://www.plannedparenthood.org/planned-parenthood-gulf-coast/sb8>
- Rayasam, R., et al. (2021, February 23). *Why state legislatures are still very white - and very male*. Politico. <https://www.politico.com/interactives/2021/state-legislature-demographics/>
- Reis, J. (2021, September 8). *Texas Abortion Law: What Is a Fetal Heartbeat If an Embryo Doesn't Have a Heart?* Healthline. <https://www.healthline.com/health-news/texas-abortion-law-what-is-a-fetal-heartbeat-if-an-embryo-doesnt-have-a-heart>
- Santamariña, D. & Phillips, A. (2022, May 3). *What would happen if Roe v. Wade were overturned*. The Washington Post. <https://www.washingtonpost.com/politics/2021/06/11/abortion-rights-roe-v-wade/>
- ScholarBlogs. *The Philosophy of Colonialism: Civilization, Christianity, and Commerce*. *ScholarBlogs*. <https://scholarblogs.emory.edu/violenceinafrica/sample-page/the-philosophy-of-colonialism-civilization-christianity-and-commerce/>
- Schuessler, J. (2021, December 16). *The Wide-Angle Vision, and Legacy, of bell hooks*. The New York Times. <https://www.nytimes.com/2021/12/16/books/bell-hooks-black-women->

feminism.html#:~:text=Kimberl%C3%A9%20Crenshaw%2C%20the%20legal%20scholar,wash%20happening%20on%20the%20ground.

Sherman, A. (2021, September 10). Fact-check: Does the new Texas abortion law provide ‘at least six weeks for a person to be able to get an abortion’?. *Austin American-Statesman*.
<https://www.statesman.com/story/news/politics/2021/09/10/texas-abortion-law-six-weeks-pregnant-heartbeat-bill/8274954002/>

Sprague, J., & Greer, M. (1998). Standpoints and the discourse on abortion: the reproductive debate. *Women & Politics*, *v19*(n3), 49.

Stopler, G. (2008). Rank Usurpation of Power The Role of Patriarchal Religion and Culture in the Subordination of Women. *Duke Journal of Gender Law & Policy*, *15*(2), 365-398.

Tarjan, S. (2021). The Second Sex. *Salem Press Encyclopedia*.

Texas Heartbeat Act, S.B. 8. (2021). <https://capitol.texas.gov/tlodocs/87R/billtext/pdf/SB00008H.pdf>

de Vogue, A. (2021, September 1). Texas 6-week abortion ban takes effect after Supreme Court inaction. *CNN*. <https://www.cnn.com/2021/09/01/politics/texas-abortion-supreme-court-sb8-roe-wade/index.html>

Wasserman, H. M., & Rhodes, C. W. (2022). Solving the Procedural Puzzles of the Texas Heartbeat Act and Its Imitators: The Limits and Opportunities of Offensive Litigation. *American University Law Review*, *71*(3), 1029–1103.