

INVITED REVIEW ESSAY

The Politics of Legal Abortion: From Direct Action to Dialogue

Women against Abortion: Inside the Largest Moral Reform Movement of the Twentieth Century By Karissa Haugeberg, Urbana, Chicago, and Springfield: University of Illinois Press, 2017 ISBN 978-0-252-08246-7

Scarlet A: The Ethics, Law, and Politics of Ordinary Abortion By Katie Watson, New York: Oxford University Press, 2019 ISBN 978-0-190-62487-3

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In her highly influential 1984 study *Abortion and the Politics of Motherhood*, Kristin Luker speculates that opposition to legal abortion among women was likely to be strongest among those who were full-time homemakers without a college education (Luker 1984, 163). But despite a marked decline in that demographic group and a well-documented rise in public support for gender equality since then, the rate of support for legal abortion has remained stubbornly fixed at between fifty and fifty-five percent (Shields 2012). This tepid support has coincided with a steep decline in abortion services in rural states, and ever more sweeping restrictions on abortion being tested in the courts (Rose 2006, 89). Karissa Haugeberg's *Women against Abortion* and Katie Watson's *Scarlet A* both seek to address this state of affairs, albeit in markedly different ways. Haugeberg provides a historical chronicle of the motives and strategies of certain key women activists in the fight against legal abortion, with an eye toward how their concerns "came to serve as blueprints to legislators and judges who continue to craft policies and laws that erode women's right to abortion" (Haugeberg, 8). Katie Watson draws upon her experience as an attorney and bioethicist to write a guide "intended to encourage and equip you to engage in respectful, productive, private conversation about your experience with, and opinion of, abortion" (Watson, 37). Though both authors reveal their support for legal abortion, both are concerned to understand the motives and goals of those who fight against it.

Haugeberg's history centers on particular women who exemplified various phases of the movement to end legal abortion. She focuses in particular on the trajectories of Marjory Mecklenburg, Joan Andrews, Julianne "Juli" Loesche, and especially Rachelle "Shelley" Shannon in chronicling various aspects of the movement. Haugeberg

dedicates chapters to four distinct, if overlapping, centers of activism: the establishment of crisis pregnancy centers (CPCs), the construction of “postabortion syndrome,” Catholic grassroots organizing; and the rescue movement and the planning and execution of attacks on clinics and physicians. Despite their sometimes-key roles in organizing and populating these movements, women have generally received less attention than male leaders such as Randall Terry or Joseph Scheidler. Haugeberg observes, moreover, that “Very few women led the early campaign against abortion, and those who did typically entered the movement in partnership with their husbands” (Haugeberg, 2). Still Haugeberg insists that these women were more than mere appendages to their male counterparts.

Although Haugeberg decries the deception perpetrated by CPCs and the oft-discredited postabortion syndrome, she also calls attention to the manner in which each represented a pointed challenge to male authority. Placing the welfare of women at the center of the movement undercut the fetus-focused “right to life” mantra of the mainstream anti-abortion movement, and served also to mobilize the mostly religious women in the movement against the authority of “deceitful doctors, indifferent husbands, and a ruthless economy” (44). Haugeberg writes, “Instead of presenting abortion as a battle between innocent fetuses and capricious women, CPC activists maintained that abortion was the result of society’s failure to support vulnerable people, including pregnant women” (25). Marjory Mecklenberg extended the argument in a feminist direction, emphasizing that affluent white males seeking to escape parental responsibilities were some of the most avid supporters of abortion rights. Although these early activists’ commitment to women’s autonomy was ambivalent, ultimately “eclipsed by their support for fetal rights,” Haugeberg argues that it cannot be ignored (11).

The final chapters of Haugeberg’s history focus on the increasingly confrontational tactics of some women in the movement, culminating in Shelley Shannon’s clinic arsons and her attempt on the life of Dr. George Tiller. Juli Loesch, a feminist progressive activist in the farmworker and antinuclear movements, gradually moved toward an anti-abortion position through her work with progressive Catholic nuns in the 1970s. Although the influence of Catholic feminists such as Loesch was short-lived, Haugeberg contends that the link they forged between the direct action of social-justice movements and opposition to legal abortion “laid the foundation for escalation of violence within the movement” (58). That escalation was most in evidence in the rescue movement and its direct-action campaigns of blockading, vandalizing, and bombing the clinics themselves. In her final and most riveting chapter, Haugeberg recounts Shelly Shannon’s radicalization in the rescue movement, and the events that led to her attempt on Tiller’s life. For Shannon, the shooting was no crime but an act of justice directed at doing in the Hitlers of the world: “It may take something like their death to stop what they’re doing” (128).

Haugeberg’s history corrects the view that prolife women were necessarily conservative or mere followers of the male leaders of the movement. Some, at least, held complex commitments grounded in progressive activism. The book is at its best in delving into the particular choices of women such as Loesch, Andrews, and Shannon. Of course, how much can be inferred about the motives of prolife women generally from the study of these dedicated activists remains questionable. As Haugeberg points out, the subjects of her study maintained a tension-filled relationship with the mainstream pro-life movement, one predominantly composed of (if rarely led by) women. Haugeberg is surely right, however, that these early activists’ focus on abortion’s effects on women is

one that has become, disingenuously or not, the primary focus of those seeking to end legal abortion, and one of the subjects of Watson's book.

Whereas Haugeberg looks back at the women who played influential roles in the fight against legal abortion, Watson looks ahead to repair the fractured social discourse that has emerged from that struggle. Watson laments that while "Americans' behavior has quietly established abortion as routine medical care," opponents of legal abortion have successfully directed public attention away from this mundane fact and toward a small fraction of late-term procedures, effectively stigmatizing both the practice in general and the women who choose to avail themselves of it (Watson, 21). This stigmatization of abortion in public discourse effectively suppresses the everyday, private conversations about "ordinary abortion" that, in Watson's view, might finally galvanize public support for legal abortion in the U.S.: "Stigma means we hear more about the idea of abortion than the actual practice of abortion" (19). Although Watson's study takes up the major ethical and legal arguments surrounding abortion, she does not develop a scholarly case for any particular position on the ethics of abortion. Writing mostly in an informal tone that eschews formal footnotes and often addresses the reader in the second person, Watson attempts to engage her readers in the civil conversation about ordinary abortion that she hopes to spark.

In an opening chapter that deftly interweaves abortion statistics with personal stories, Watson explores the meaning of what she calls ordinary abortion. She argues that it is ordinary from a medical perspective in that it is a safe procedure in which the aim is to return the patient's body to its "baseline state" (20). It is likewise ordinary for the "74% of women ending pregnancies who say having a baby would dramatically change their life . . . the 48% who say they don't want to be a single parent or they are having problems with their husband or partner; the 73% who say they cannot afford a child" (20). Attributing the reluctance of women to talk about their abortions to the stigma that surrounds the practice, Watson observes that the suppression of these stories permits certain misleading "masterplots" to command the abortion narrative in the U.S. Watson asserts that a masterplot "takes a story that's true for some and makes it the only story we can tell, the only story we're able to hear, the only story that counts" (40). The three masterplots that Watson perceives to dominate current abortion narratives are that (1) abortion is always a difficult decision, (2) abortion is a woman's issue, and (3) abortion is about sex. As regards the alleged difficulty of the decision, Watson uses both statistical evidence and personal stories from both named and anonymized women to challenge the idea that abortion need always be a difficult choice, and to question whether this really should have any bearing on whether abortion should be legal. She likewise questions the masterplot that takes abortion to be peculiarly a woman's story, using personal narratives to demonstrate the ways in which the millions of men who might have been fathers have a stake in the narrative. Finally, she dismantles the misogynist plotline that casts the woman seeking an abortion as desiring sex without taking responsibility for the consequences. Among other things, this obscures the fact that nearly 60% of women seeking abortions are already mothers concerned for the well-being of their families. Watson questions, "Why don't we hear more stories of abortion as a straightforward decision, as a couples issue, as a family issue?" (72).

Although Watson's avowed aim is to promote conversation rather than to make a philosophical argument, she likewise realizes that conversations will inevitably engage questions concerning the rightness or wrongness of abortion. She devotes two chapters to this question. The first ("Whether") surveys a broad range of philosophical arguments on abortion generally, and the second ("When") focuses specifically on the

question of the point in a pregnancy when abortion should or should not be legally regulated. Watson openly acknowledges that her rather cursory overview of the ethical debates on abortion is likely to strike philosophers as “too thin.” Her purpose here is not to arrive at a definitive conclusion, however, but to show that no argument is in fact decisive: “I interpret the never-ending debate on abortion as a different kind of consensus: confirmation that the moral status of embryos and fetuses cannot be proven to the degree necessary to justify government imposition of a single view” (101). Although she does not develop the concept until later in the book, her claim rests upon Watson’s pivotal political value, “pluralism” or “living in disagreement” (101). On her account, it is impermissible to impose a legal restriction on liberty in the absence of a conclusive moral argument in its favor (213). By showing that no argument is decisive, Watson aims to encourage readers with opposing views to better appreciate the other side, and thereby to foster conversation and debate between parties who “have reciprocal respect for each other’s conclusions” (173).

Her second ethics chapter offers reflections on the difficult question of where the law should “draw the line” in embryonic or fetal development beyond which the choice to terminate can be legally restricted. In addition to the familiar philosophical discussions, Watson shares information on how differences in development affect the feelings of medical staff. Citing a teacher of medical residents, she notes that “the difference between looking at unidentifiable tissue and seeing recognizable fetal body parts ‘gives most residents pause’” (156). Although Watson does not reach firm conclusions, she is generally sympathetic to Roe’s trimester regime based on viability—a striking contrast with Laurie Shrage, who sees the scheme itself as a source of the divisiveness that Watson seeks overcome (Shrage 2003, 134–35).

Watson concludes her book with a chapter on “politics” followed by a poignant epilogue in which she shares the details of her own abortion—and her becoming a mother—and how these experiences bear on her discussion. It is here that Watson offers her starkest criticisms of the current anti-abortion movement, citing what she dubs the “Trojan Horse” and “Russian Doll” strategies. Trojan Horses refer to the panoply of laws passed purportedly to “protect” patients (either from themselves or their doctors), in which the aim is in fact to protect embryos and fetuses. Russian Dolls are arguments ostensibly about the value of embryos or fetuses that “contain hidden agendas on other important social issues”—not infrequently concerning women’s sexuality (Watson, 175). Watson argues that these strategies impede the honest, respectful conversations about abortion that she hopes to engender: “I’m asking for a new public abortion conversation, one characterized by sincerity of content and civility of tone. I’m asking for respect and compassion for neighbors who disagree” (214).

Watson offers incisive criticisms of the deceptive strategies employed by the anti-abortion movement and an original defense of Roe’s trimester regime as a reasonable compromise among competing interests. On the other hand, claiming that in a pluralistic society the “lack of consensus” on the value of embryonic and fetal life amounts to an alternative consensus that the anti-abortion movement cannot “impose its vision on others by force of law” is at least debatable (101). If we really can reach *no* consensus as to the value of embryonic and fetal life, then there is also no consensus about who the “others” are that we should be concerned about. To defend abortion rights on pluralist grounds, it is not enough to appeal to a “never-ending debate” on the ethics of abortion. Rather, the appeal must be to the absence of a truly convincing case for the absolute value of embryonic or fetal life (101). The problem with Watson’s admittedly rather quick and indecisive summaries of the various ethical arguments for and against the

absolute value of that life is not so much that they are too thin, but rather that they fail to establish the case she needs for her appeal to pluralism to succeed.

Even if it does not meet all its ambitious aims, however, Watson's book is invaluable for its highly engaging, first-person accounts of how various women's and men's lives have been shaped for the better by having access to legal abortion. Her unique first-hand experience with both the law and medical practitioners lends an original perspective to this much discussed topic. Moreover, she makes a convincing case that the absence of everyday conversations about "ordinary abortion" and its positive impact on millions of people's lives has permitted a set of highly misleading narratives to guide the current debate.

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