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Hailey Reel

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The Downfall of Women's Reproductive Health

Hailey B. Reel

Department of Psychology and Family Science, Mississippi University for Women

FSC 351: Women's Experience of Family Life

Dr. Cecilia Brooks

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Abstract

Women, they are known as mothers, caretakers, lovers, sisters, and wives. They are applauded for raising obedient children and making sure their family is well taken care of, but who takes care of women? Women over the centuries have had little to no rights. From the denial of voting rights, land ownership, and even educational opportunities, women have sought for their voices to be heard and their choices to be recognized. Today, women in the United States have been silenced and their choice stripped away by the overturning of *Roe V. Wade*, one of the biggest victories for women's rights and a historical milestone for women's reproductive health. The ramifications of inadequate reproductive health can be difference between life and death among women of color as they have one of the highest pregnancy mortality rates within the United States. This paper discusses how the overturning of *Roe V. Wade* disproportionately affects marginalized and victimized women through gender roles within families and society.

Gender is commonly mistaken as to identify someone's sex, but gender is a social construct used to establish a person's role within society (Fixmer-Oraiz & Wood, 2019). The right to contraception and medical procedures has been removed in several states and pose a problem for women due to gender roles in society. By looking at the now overturned *Roe V. Wade*, in this paper, I will be an activist for women. This paper will highlight how women's reproductive rights in the United States by providing evidence that encourages men and women to gain an understanding of how gender roles within the United States affect women, but especially those who are already marginalized.

Roe V. Wade is a court case from 1973 that recognized the right to personal privacy, including the right to choose an abortion or not. This court case became one of the first to allow women the right to terminate their pregnancy without the approval of their husband as well (English, 157). Not only did *Roe V. Wade* make history in the medical field, but it also made history among families for years to come as men and women were able to discuss reproductive health and contraceptives prior to marriage. For decades, women's reproductive health has been protected under the court case ruling of *Roe V. Wade*. It allowed women to terminate a pregnancy as a form of healthcare based on their trimester alone (Mechmann, 2022). *Roe V. Wade* gave women the right to choose and the right to privacy.

The right to privacy and the ability to terminate a pregnancy can have a significant impact on a person who has been a victim of a sexual assault that results in a positive pregnancy test. Prior to the overturning of *Roe V. Wade*, women would not be forced to bring to term a pregnancy from a rape or sexual assault. Women did not have to be victimized twice by their assailant. However, a case in Mississippi brought major attention to reproductive right laws by implementing a 15-week limit on a decision to terminate a pregnancy due to rape or incest. This

case, *Dobbs V. Jackson Women's Health Organization* along with the overturned *Roe. V Wade* removed the protection of women's right to choose and privacy under the U.S. constitutional law. *Dobbs V. Jackson* opened the door for other states to restrict women and medical professionals from terminating a pregnancy beyond 15-weeks, when previously, it was 24 weeks (Mechmann, 2022). The change in the timeline negatively impacts victims of rape or incest as a pregnancy may not be immediately detected and a procedure may not be available further complicates the ability of a person to make a timely sound medical decision.

Not only does pregnancy affect women, but it also affects the medical profession who is entrusted with the health and well-being of individuals in our communities. Medical professionals who practice within planned parenthood clinics have lost their jobs within states that no longer recognize the physical and emotional health of a pregnant woman. Medical personnel who once offered women a choice to decide whether to terminate a pregnancy due to medical reasons are harassed. Under Senate Bill 4 in Texas, doctors could be jailed and fined up to \$10,000 for terminating a pregnancy even within probable cause of a medical emergency. Doctors are now hesitant to see pregnant patients who are experiencing early pre-labor symptoms that could possibly terminate a pregnancy, while other doctors are referring patients out of state for treatment due to fear of losing their medical license (Tanne, 2022). For example, Tanne's (2022) study of two hospitals investigating the rise in mortality rates among pregnant women found that 57% of patients in these Texas hospitals had a serious risk of maternal morbidity due to preterm premature rupture of membranes, pre-eclampsia with severe features, or vaginal bleeding compared with 33% of patients who elected immediate pregnancy interruption under similar clinical circumstances in states without the pregnancy termination legislation.

The question remains then, why are pregnant women not given the choice over their reproductive health? To answer this question, we first have to examine why there is governance over the reproductive health of women and not men. From the time we are born, families encourage their children to follow stereotypical gender narratives and societal norms. Little girls help mom more with housework while little boys help dad with the yard or work on vehicles. Children grow up imitating what they see in person and in the media. Therefore, boys see their masculine dad working outside and not helping with house chores, and they grow up to mimic this behavior of not wanting to help mom with housework (Fixmer-Oraiz & Wood, 2019). Little girls are conditioned to be housewives by being “mommy” while playing dolls and are told to care for their “baby.” Women are brought up to be mothers, but not all women can be or want to be mothers during peak reproductive years. Women may value their educational goals and a desire to pursue careers before transitioning to married life or having children. Women can access contraceptive to prevent pregnancy, but contraceptive is not always full proof or available to all women. Planned parenthood clinics being closed restricts low-income women, colored women, and immigrant women’s access to contraceptive and forces women to look for unsafe ways to have an abortion (Stevenson, 2021). A Pew study from 2021 also noted that the number of childless couples in the US will continue to increase as more adults are more likely to choose not to have children (Brown, 2021)

Sometimes, pregnancy is not by choice. In the United States, women who are more prone to a higher pregnancy mortality rate are abused women and women of color. Intimate partner violence (IPV) is described as actions that are done to cause physical harm to another within the relationship (Miller, 2022). Women that are in IPV relationships can be molested by their partner and left with an unwanted pregnancy. “Men are also much more likely than women to rape or

murder their partners” (Miller, 2022, p. 485). These women are now subjected to carrying and raising their attacker’s child. The risks to the child are also higher as a child may grow up to be neglected due to the mother reliving her attack when she tries to care for her child. The choice to terminate a pregnancy due to rape may not be possible if the women finds out she is carrying a child beyond the 15-week time period or if she is unable to demonstrate that the pregnancy is due to a rape (Tanne, 2022). This can be a complicated situation for women of color as their rapist could be their partner and therefore the act of the “rape” may be harder to prove when IPV has been part of the relationship. Additionally, our gender roles can also impact how institutions view the act of rape when IPV is present. For example, Miller (2022) notes that some relationships may experience gender power inequality when women feel they are unable to vocalize their needs because they fear their partner will harm them.

The narrative of gender inequality is not isolated or rare, many of the states adopting bans on reproductive freedom of choice are located in the South and Midwest, where low-income women, women of color, and immigrants are left with no way to access a safe and legal choices for pregnancy termination without traveling out of state to reach an “abortion safe haven” (Eugene et al., 2022). Women of color are more likely to live below the poverty line and in states such as Mississippi and Louisiana, there is already limited access to health care among low-income communities. These communities also experience shortages of contraceptives which also prevent women and men from obtaining proper healthcare options. While planned parenthood clinics used to be places where people of low-income and minorities could get reproductive health care, the same policies that impacted freedom of choice are also impacting access to basic reproductive health care. Eugene et al. (2022) alludes to the difference in pregnancy mortality rates between different ethnicities in the following: “Black women are over three times more

likely than white women to experience a pregnancy-related death or severely morbid event during their pregnancy and postpartum period” (p. 1). The lack of access to adequate health care is not just a problem for men and women, it is a social problem when individuals lack choice.

In conclusion, women deserve the right to make their own decisions regarding reproductive health and well-being. While the ability to terminate a pregnancy is no longer a protected right under Constitution, the Constitution does state that U.S. citizens have the right to liberty and the pursuit of happiness. Then why are women not given the right to pursue happiness by choosing when to begin planning for a family? Why are women not given have the liberty to choose how to manage their reproductive health? All women deserve the right to live without fear of being raped by their partner or a stranger. All women deserve the right to terminate a non-viable pregnancy that can kill them or carry a baby to term only to die upon birth. Men and women in the United States are not equal within society, women will not be silenced, our voices will be heard. Life, liberty, and the pursuit of happiness is a fundamental right for all people.

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