

## Bans Off All Bodies

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## **Bans Off *All* Bodies**

### **Introduction and Rationale**

In March 2019, as a rebuke to HB 481 (popularly known as the “heartbeat bill”), Georgia state Representative Dar’shun Kendrick proposed a bill that would require men to obtain permission from their sexual partner(s) before procuring a prescription for Viagra, ban vasectomies, classify sex without a condom as “aggravated assault,” and create a 24-hour waiting period for any man wishing to purchase pornography or sex toys in the state. Kendrick argued the bill’s function is to “bring awareness to the fact that if you’re going to legislate our [women’s] bodies, then we have every right to propose legislation to regulate yours” (Stuart, 2019). In August 2022, Indiana state Representative John Bartlett introduced an amendment to the state’s anti-abortion bill, which would outlaw erectile dysfunction drugs. Bartlett stated, “We’re forcing young girls to be mothers, but not forcing the men to be fathers ... If an unwanted pregnancy is an act of God, then impotency must be an act of God” (Heartland Signal, 2022).

While the overturning of *Roe v. Wade*, which will likely ultimately lead to over half of the states in the U.S. denying women the right to abortion, may currently command the most public concern regarding bodily autonomy, instances of policing the bodies of transgender individuals and women in U.S. culture are plentiful (Sohngen, 2017). For example, several states allow child marriage with parental consent, and, in North Carolina, a woman is unable to withdraw consent for sex once it begins. In 2016, 21 explicitly anti-transgender bills were under consideration during the legislative session. Most bills had to do with forbidding transgender people’s access to bathrooms and dressing rooms, while others sought to limit transgender individual’s access to medically necessary healthcare (i.e., hormone therapy) (Human Rights Campaign Foundation, 2016, p. 3).

This Original Teaching Activity requires students to think about public policy that restricts bodily autonomy, to write a bill targeting cis-men and or masculinities, and to argue persuasively for bodily autonomy for *all* bodies utilizing written and oral communication skills. This assignment can be used in classes across several disciplines, including (but not limited to) Gender Studies, Communication Studies, Sociology, Public Policy, Political Science, and Queer Studies

### **Learning Objectives**

By the completion of this assignment, students will be able to:

1. demonstrate knowledge about public policy that restricts bodily autonomy.
2. write a bill policing cis-men’s bodies or masculinities
3. formulate effective persuasive writing and presentation skills.
4. develop an awareness of and sensitivity toward the ways discourses about gender have “real world” implications.
5. persuasively challenge political examples of sexism, misogyny, and transphobia.

### **Explanation**

I introduce this assignment about midway through the quarter, provide time in class for group work, and student presentations occur in the final week of instruction.

On the day I introduce the assignment, I begin by showing YouTube video coverage of Kendrick (11 Alive, 2019) and Bartlett's (Heartland Signal, 2022) bills. Following the videos, as a class, we discuss the intended goal of the bills and whether such measures actually "solve" the problems they aim to address. While many students have a basic understanding of the state of abortion rights and anti-transgender legislation in this country, among my students, I have found a general sense of "that will never happen here" in the liberal state of California. So, I spend time providing examples that are specific to the state in which the students attend school (for example, by explaining there are four Crisis Pregnancy Centers within 30 miles of the university).

From there, I open the discussion to other ways bodily autonomy is regulated. Students are often able to provide examples (i.e., school dress codes), yet may be less aware of the sheer number of laws and policies that formally legislate bodily autonomy. I try to not provide many examples, since I want the students to do the research on their own. Typically, I provide one local example: In Carmel, California, women need a permit to wear heels higher than 2 inches. As well, I include an example from South Carolina – the "Save Women's Sports Act," which aims to make boys' sports open to girls, but limit girls' sports to only girls. I work to demonstrate how many of these laws can be unjust, unenforceable, controlling, misogynistic and transphobic; however, I also push students to consider the problems that may arise when those who oppose such legislation decide to target another gender with discriminatory laws, such as those proposed by Kendrick and Bartlett.

Next, I explain to students that, for this assignment, they will work in groups to develop a public policy that polices cis-men's bodies or masculinities. Students must identify current legislation that exerts formal control over transgender individuals, women, and/or femininities broadly and to turn that legislation on its head by proposing alternative legislation that similarly works to regulate cis-men's bodies and/or masculinity. Students may use a law that has been on the books for decades (even if it is rarely used) or a bill that has been proposed but not yet put into law. They may also consider weaving together laws across states that have similar outcomes (i.e., several states have laws disallowing surrogacy).

As opposed to letting students form their own groups, I assign group members using the information I gather from an online survey. In the survey, I ask: What role do you usually take in groups? Do you prefer to work in the morning, afternoon, or evening? Do you prefer to work during the week or the weekend? Do you prefer to spread work out over many weeks or complete the assignment in the week before it is due? Are there folks in the class you would like to request to work with?

Because students are not required to participate in every aspect of this assignment, I also ask them to rate their strengths (1-3) in public speaking, writing, and research. Using this last prompt, I attempt to make sure that each group has at least one member who rated themselves first in public speaking, writing, and research, respectively.

In the class period following the assignment introduction, I put students into their groups and give them time in class to exchange information, determine who wants to take on what role, brainstorm, and begin the research process. Once each group has identified a current law (state or federal) or a proposed bill, they must receive my approval to move forward. I generally approve anything they find and give them a good deal of leeway. The approval process functions more to make sure no groups have chosen the same law. Once approved, the next task is to write a bill that mimics the original bill but instead polices masculinity. I have students follow the format provided by the Princeton Model Congress (2018) and provide a word limit of 500 words. I also offer a few examples of excellent student bills from previous classes.

In the final week of class, each group is given 10-12 minutes to present its bill. The group may decide whether this is an individual speech or a group presentation. In the presentation, students explain in detail the law they are responding to and how it impedes bodily autonomy; articulate how the law points to structural sexism, misogyny and/or transphobia; and, in describing their proposed bill, identify how the bill they have created similarly impedes on bodily autonomy and the problems that could arise from discriminatory legislation.

I first created this assignment in 2019 following Kendrick's proposal. Because it is a group project that involves an oral presentation, I have only used it in the face-to-face classroom. However, I do think it could be modified for the online environment. For example, as opposed to working in groups, students could research and write their bill individually. Or, students could still work in virtual groups, but the presentation portion could be removed. If the presentation portion is removed, a 4-5 page paper could be substituted.

### **Debriefing:**

Debriefing takes place during a class discussion that follows the groups' presentations. While I provide time after each presentation for students to ask questions, I then guide the class in a broader discussion about the implications of the assignment once all groups have presented. I begin by emphasizing that bodily autonomy is a right that should never be questioned or limited regardless of sex or gender. I emphasize that the goal of this assignment is not to actually legislate cis-men's autonomy but for us to focus on the ways in which bodily autonomy is a right that should be granted to all bodies. While it can be helpful to learn about oppression and power by hypothetically flipping hierarchies, I emphasize to students that, when it comes to reproductive justice, no bodies should be regulated by the government. Bodily autonomy is a fundamental human right.

Next, I encourage students to explain what they learned from another group's presentation by asking, "When you leave class, what's something you learned today that you are likely to go home and tell a friend or family member?" This provides a low stake way for students to deliver positive feedback to their colleagues. My goal during this part of the debrief is for the students to talk to each other, especially since this is often our final class together. This process allows me to be more of an observer who provides occasional prompts or questions (Stachowiak, 2017).

I conclude the discussion by asking the students, "What now?" Often the bills students have discovered are so ridiculous that there is a tendency for us to laugh during our discussion, so I

want to drive home the importance of the issue of bodily autonomy in our social and political lives.

**Assessment:**

Students' bills have been insightful and creative. For instance, one group wrote a bill called "Secure the Nipple" in which they called for the criminalization of the indecent exposure of *all* U.S. citizens. In another example, students proposed a bill to require all men who are determined to be medically fertile to take a birth control pill in order to address the role that the male body plays in the act of conception, which, in several U.S. states, is when life is determined to be viable.

During our debrief, the first thing students inevitably comment on is their dismay at the sheer number of laws that restrict bodily autonomy in existence. Despite how antiquated these ideas may seem (i.e., women cutting their hair), they are additionally surprised by the ongoing introduction of similar bills. To this end, we discuss how laws sometimes remain in place even after they lose true meaning or enforceability, and how laws reflect the culture of different time periods, which allows us to consider how, in 2022, we exist in a cultural and social context in which *Roe v. Wade* has been overturned. Students articulate a newly developed awareness of the real world implications of sexism, misogyny, and transphobia. Most importantly, they articulate feeling empowered to persuasively challenge political examples of discriminatory legislation related to bodily autonomy.

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