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Regressive Isolationism: American Reproductive Politics in the Twenty First Century

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The legal quagmire in the US on access to abortion is generated by political design, crafted to ensure that the restitution of reproductive rights is a long-drawn-out process.

Texas, Ohio, Missouri are three American states that make no exceptions for abortion, even cases of rape and incest are not exempt. Utah, Mississippi, and Oklahoma make exceptions for rape, even as Mississippi does not make an exception for incest. These are just six of 50 states. The legal scenario is deliberately a maze. This makes it impossible to neatly sum up what the "true" abortion landscape for the US looks like a year after the US Supreme Court's infamous *Dobbs versus Jackson* decision in June 2022.

Even as we write this a year out from that ill-fated decision, there is little coherence or clarity.

This confusion is not by accident but generated by political design. It is meant to not only chip away at abortion care and reproductive health access, but also to ensure that the restitution of reproductive rights is a long-drawn-out process. A process that is mired in state-wide exceptions and shifting legal parameters. In seeming to uphold "democratic" ideals, the Supreme Court majority claims to have returned the abortion issue to people's elected representatives.

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This is a reversal of the historical trajectory for US women's voting rights - it was moved through states and enshrined into the constitution via the Nineteenth Amendment. In this contemporary moment though, a constitutionally granted right of over five decades has been rescinded and is now forced to find legitimacy through ratification across states.

As the legal parameters around abortion access in the US continue to remain stratified across state lines, amongst feminists, our reactions to the ill-fated decision last June vacillated across a range of emotions that included disbelief, anger, sadness, and fear to name a few. (See this map on abortion access and care across US states.) It is, however, to our collective resilience and credit that many of us moved quickly from reactive fear and paralytic incredulity to a more pro-active task of reimagining reproductive rights and empowerment for all. As would be expected, this moment has ignited immense feminist political organising and dialogue - it is not easy to fully capture the multiple directions and nuances shaping this conversation. This short piece seeks to highlight America's regressive isolationism that marks the conservative right's reproductive imaginaries in the 21st century.

The conservative right's regressive political discourse on gender, pregnant bodies, sex, and reproduction forces us to reckon with home grown patriarchy and deep-seated misogyny within contemporary US. A couple of heart wrenching experiences of American children over this past year, helps to capture the real-life consequences of no exceptions for abortion as they unfolded in Ohio and Missouri.

A ten-year-old Ohian girl was forced to travel to the neighbouring state of Indiana to have an abortion. This was not a teen pregnancy; it was a child-pregnancy. A child-pregnancy that was a result of repeated rape. The rapist was apprehended, he admitted to his crime and is currently in prison. The reaction of some amongst the right-wing abortion opponents was to feign disbelief at the very scenario that their politics made conceivable. Some Republican white-men and women were on record to suggest that the girl-child should have gone through with the pregnancy, given birth and mothered the child conceived from rape. Indiana State Attorney General Todd Rokita went so far as to press criminal charges against the doctor for providing essential and lifesaving medical care to the ten-year-old girl.

In Missouri a 13-year-old girl was forced to carry her pregnancy to term, even as it resulted from rape. The girl was unable to fully comprehend the biological changes occurring in her body as a result of a violent sexual assault. Fear, shame, and incomprehension kept her from sharing her experiences with her mother on time. By the time her mother recognised the signs of pregnancy on her child's body it was too late to seek legal and safe abortion in-state. A child of a single working mother, her family did not have the resources to seek abortion care outside the state. Journalistic reporting recounts the teenage daughter and her family's harrowing plight from rape

through to forced pregnancy and now the daily challenges of supporting a teen-mother and her infant child. The teenager has discontinued attending school, staying at home in order to nurse her infant while studying to complete seventh grade.

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We are recounting these two specific instances and using words here as a way to fully comprehend an inconceivable dystopian scenario. We believe these need to be named and recognised as inescapable marks of collective shame and dishonour. It is NOT the girl-child or the teenager who needs to feel any shame, the shame singularly rests with the collective civic society. It is the collective "we," the imagined community of Americans who need to hang our heads in shame and introspect on the troubling narrative we are building for ourselves around rape, incest, pregnancy, childhood, abortion care, and motherhood. We need to ask ourselves how do we see these shaping our sense of communal belonging, accountability, and well-being.

Even as the pain of these girls was endured by their mothers and their families, we are collectively implicated in these children's sordid ordeal. What does reading the abortion debate through these cases tell us about the emerging right-wing American narrative on childhood, rape, pregnancy, and abortion care. We know that "childhood" is always-already culturally determined and as such is a shifting category across time and space. Chronologically it is both unstable and arbitrarily defined. Those whom our culture and society selectively places under the category of "child" has been determined by age, race, class, caste, gender, nation, physical and mental abilities.

Even though we may not agree on cultural definitions of childhood, is it not too much to expect that we have a collective agreement on keeping our children safe from harm? In the instance of school shootings and enforcing minimal gun-control, as a nation, we has failed our children, teachers, and parents. We in America are numb to the regularity of school shootings and the murder of our children, teachers, and school staff. Schools as places of learning are today turning into a war zone. What these two cases unfortunately, highlight is that in instances of rape and resultant pregnancies of our children too, we lack national consensus on the ethics and morality of standing with and for our children. The nation lacks a conscience.

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In this moment we are witnessing the anti-abortion movement in the US pushing for an uncompromised stand on pregnancy. The far-right platform is putting into law conditions whereby under no circumstances are girls, women, and pregnant people allowed access to abortion care to terminate unwanted pregnancies. Forced birth is imposed on raped and sexually molested girls, women, trans, and gender non-binary individuals. The uncompromising commitment to sanctity of life in this instance, is nothing but a blatant lie, grounded in deep seated patriarchal misogyny, transphobia, racism, and anti-immigrant sentiments.

The no-exemption clause that many red-states in the US are eager to uphold in restricting access to safe and legal abortion care for those raped and subjected to domestic violence and incest, demands careful feminist unpacking. Let us recount the arguments that republican far-right men and women have furnished in lending support to the no-exemption clause underwriting abortion restrictions. In 2012, Todd Akin informed the nation that "legitimate rape" does not cause pregnancy. Following "pseudo" misogynistic science he argued that a girl, woman, or a person who claims that they were impregnated as a result of rape, is simply lying about being "raped" or about being a victim of repeated domestic abuse. Akin argued that pregnancies are not borne of rape or incest. Though he did not say this in so many words, he implied that impregnated individuals could never have experienced sexual assault. Therefore, sex that results in pregnancy according to Akin was by definition understood as always already consensual, pleasurable, legitimate, utilitarian, and "good."

If we apply this logic to the young girls from Ohio and Missouri, they were not raped; instead, they had pleasurable and consensual sex with older men that led to their pregnancies. Within this narrative logic, marital rape and resultant pregnancies too are discounted as and fabrications. By extension then, all pregnancies that occur within heteropatriarchal matrimony or partnerships are true expressions of loving and consensual sex. Interrogation of the far-right political position on abortion care in contemporary US, allows us to see how it stands in sharp contrast to rational, humane, and compassionate, feminist thinking.

> We are living through a political and cultural backlash against feminist and queer victories.

In the two cases narrated here 'girl-child' itself is a misnomer. The 10 and 13-year-old pregnant female bodies automatically places them under the category of "woman." Jim Bopp, an Indiana lawyer, commented about the Ohian girl saying, "she would have had the baby, and as many women who have had babies as a result of rape, we would hope that she would understand the reason and ultimately the benefit of having the child." However, even as we have illuminated two brutal and heart wrenching instances of restrictive access to abortion, we are not furnishing an argument to uphold access under exceptional circumstances, we are by no means suggesting that certain individuals are "more" deserving of access to reproductive health care than others. What these cases allow us to capture for the readers is the utter moral depravity of the political discourse that speaks from the moral majority platform.

On full display is an unapologetic patriarchal and misogynistic rewriting of rape-culture, pregnancy, girlhood, reproductive care, and reproductive rights. We are living through a political and cultural backlash against feminist and queer victories around safe sex, consensual sex, abortion care/reproductive care, educational access, employment opportunities, political empowerment, and economic gains. How else does one begin to understand the internally fractured discursive landscape, one that tenuously holds together through the desire to return to the good old days when binary gender identities were whole and uncontested; women's identities were singularly tied to motherhood; and #me too did not name sexually predatory rape culture and call for a radical redefinition of consent.

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In this treacherous moment, American right-wing platform is marked by regressive isolationism and anti-feminist sentiments rooted in racist, classist, transphobic, anti-immigrant, and patriarchal misogyny. The hate directed towards multiple marginalised communities has generated a political platform that has trouble reconciling its policies and directives within a coherent framework. For instance, conservatives argue that our children need to be protected from corrupting works of fiction, books such as Margret Atwood's Handmaid's Tale are banned from some school libraries. This dystopian novel fictionalises a society and state's desire to police reproductive bodies, ironically though, the novel's plot does not come close to matching the real-life experiences of the two girls in Ohio and Missouri noted above.

Our children are too young to be exposed to fiction, but not young enough to give birth, nurse, and raise infants. American reproductive truths are indeed stranger than fiction. On another contemporaneous issue, ostensibly driven by concerns for the well-being of our children, multiple states have sought to limit gender affirming care to trans youth. As with abortion access, in this instance too instead of allowing parents, physicians, and young people to determine the best mode of care, the state is insistent upon restricting and making unavailable certain evidence based medical options. (See this map for states that have passed restrictive laws on gender affirming care.

Schools and our children's bodies are turned into ideological and life-threatening battle ground, where competing conservative ideals of fetal citizenship, a commitment to uphold gender binaries, and the insistence on sacredness of the second amendment seriously compromises with their well-being and in many deeply tragic instances, shortens' their life and denies them the ability to realise their full potential. We do not have the luxury to disengage, on the contrary, it is politically prudent to use all available platforms to point out how state laws have real-life consequences for our children, for our families, and for the nation that is being imagined for us.

> Some of us in the US have taken to wearing green in our marches as a way to express our solidarity and seek directives from reproductive rights movements in places within the global South.

It is useful to point out here, that the conservative reproductive imaginary is not only out of step with the majority sentiments within the US but also against the more recently enacted pro-abortion laws in Ireland, Argentina, Chile, Colombia, India, Israel, and parts of Mexico. Israel and India recently revised their laws, and in sharp contrast to the US Supreme court's Dobbs decision, these countries further liberalised and extended access to abortion. (See this world map for comparisons on contemporary abortion access across nations.) In the Indian instance, unmarried women have been granted access to abortion, whereas in Israel women no longer bear the burden of appearing before a committee and answering invasive questions before accessing abortion care.

Ireland and Argentina despite being predominantly Catholic countries liberalised their abortion laws in 2018 and 2020 respectively. A few American women who have the resources, have taken to crossing the border into Mexico to seek abortion care, following the recent decriminalised of abortion within the Mexican federal penal code. The "green wave" passing through Latin America, has been both inspirational and encouraging. Some of us in the US have taken to wearing green in our marches as a way to express our

solidarity and seek directives from reproductive rights movements in places within the global South, such as Argentina and Colombia within the global South.

An antidote to regressive isolationist political imaginaries here in the US, is to both extend our feminist gaze elsewhere and dialogue among ourselves to craft alternative trajectories for expansive democratic and autonomous reproductive possibilities guided by ideals of justice, inclusion, empowerment, and equity for all.

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