



Empowering women by regulating abortion? Conservative women lawmaker's cooptation of feminist language in US abortion politics

Amanda Roberti

To cite this article: Amanda Roberti (2022) Empowering women by regulating abortion? Conservative women lawmaker's cooptation of feminist language in US abortion politics, *Politics, Groups, and Identities*, 10:1, 139-145, DOI: [10.1080/21565503.2021.2003828](https://doi.org/10.1080/21565503.2021.2003828)

To link to this article: <https://doi.org/10.1080/21565503.2021.2003828>



Published online: 02 Dec 2021.



Submit your article to this journal [↗](#)



Article views: 664



View related articles [↗](#)



View Crossmark data [↗](#)



Empowering women by regulating abortion? Conservative women lawmaker's cooptation of feminist language in US abortion politics

Amanda Roberti

Department of Political Science, San Francisco State University, San Francisco, CA, USA

ABSTRACT

Conservative women in US state legislatures outpace their male colleagues in introducing anti-abortion policies. In doing so, they often frame anti-abortion policy standpoints in feminist terms. They assert abortion physically and emotionally damages women, and abortion providers fail to inform women. By centering women's welfare, conservative women seek to enhance their representation, and wrest the mantle of being "pro-woman" from feminists. In this article, I analyse the use of feminist framing of anti-abortion bills by conservative women representatives. Their words signify a rise in the cooption of feminist language by conservative women and challenge the notion of representation.

ARTICLE HISTORY

Received 3 June 2021
Accepted 4 November 2021

KEYWORDS

US politics; gender and politics; abortion; Republican Party; issue framing

The women of Alabama deserve the highest possible standard of healthcare, particularly at such a difficult time ... For far too long, Alabama has had more health regulations in place to protect your cat or dog at a vet clinic than it does for a woman receiving an abortion; this law will correct that shameful disparity.¹ – Alabama State Representative Mary Sue McClurkin on the "Women's Health Safety Act" (HB 57 2013)

A burgeoning scholarship has focused on conservative women lawmakers in the paradigm of Pitkin's (1967) substantive representation, and challenged the idea that substantive representation is a feminist left project (Celis and Childs 2012). Conservative women who co-opt feminist rhetoric – rhetoric about women's empowerment and choice – contend that they act *for* women. In the past decade, feminist rhetoric among conservative women elected officials has risen in the United States due to a rebranding of feminism, and rethinking of gender-consciousness led by Tea Party women (Deckman 2016). Conservative women raise important issues regarding substantive representation: arguing that progressive feminism is but one way to advocate for women, and that they are acting on behalf of women constituents who hold similar conservative values (Celis and Childs 2012). This has strategic political value, as "[w]hen they speak as and for women, they project an image of conservatism that is friendly to women," (Schreiber 2017, 316).

Conservative women have effectively employed feminist issue frames to promote various anti-feminist endeavors in the past as well, including opposition to women's

suffrage and the Equal Rights Amendment (Schreiber 2018; Delegard 2012; Nickerson 2012; Mansbridge 1986). Schreiber (2008, 9) notes that conservative women create “... comprehensive narratives that mediate conservative values through feminist language.” The power behind conservative women’s co-option of feminist language is in their appeal to non-essentialism; women are not a monolithic block that believe identical things, adhere to identical values, or care about identical issues. Conservative women, therefore, challenge the conflation of progressive feminism with being representative of women.

Scholarship has revealed an interesting dynamic in gendered representation in abortion politics. Though Republican men previously dominated sponsorship of anti-abortion legislation in the states (Kreitzer 2015; Osborn 2012), Republican women have surpassed their male colleagues (Reingold et al. 2020; Roberti 2017). In Congress, Republican women, who in the past were more likely to be pro-choice than their male counterparts, have grown increasingly anti-abortion – even taking leadership roles in introducing anti-abortion policy – due in large part to party polarization, and diminishing moderate Republican women following the Tea Party wave of 2010 (Rolfes-Haase and Swers 2021; Swers, Shames, and Och 2018). These shifts signal the importance that conservative women place on anti-abortion legislation as part of their representational agenda.

Progressive lawmakers contend that a pro-choice standpoint is a feminist litmus test; groups such as EMILY’s List exist solely to advance pro-choice Democratic women into elected office. However, conservative women have asserted that they too can advocate for women. To conservative women, being an advocate does not equate with being pro-choice, or holding any of the same standpoints that liberal women have, but is self-identified and informed by a gendered conservative perspective (Deckman 2016). Conservative women have often claimed that they are “true” feminists by being anti-abortion, and liken it to the standpoint espoused by early twentieth-century feminists (Schreiber 2018; Smith 2014).

In this essay, I demonstrate how framing abortion regulations as “pro-woman” co-opts feminist rhetoric, allowing conservative women to claim that they are advocates for women’s rights by stating that abortion harms women and regulating it is in women’s best interests. The “pro-woman” frame is a rhetorical device that, when used in abortion politics, situates the state as empowering women through regulatory abortion policy: educational informed consent policies, ultrasound mandates, and anything that might inform reproductive decision-making. This frame has surfaced in abortion legislation (Kelly 2014; Reingold et al. 2020; Roberti 2021), social movements (Kelly 2014; Rose 2011; Siegel 2008; Cannold 2002), think tanks (Kelly 2014), and judicial opinions (Denbow 2015; Siegel 2008), and is driven by women in the anti-abortion movement (Siegel 2008; Rose 2011).

I build on previous literature and confirm existing findings by analyzing how conservative women in US state legislatures use the pro-woman frame, and balance that with their representational claims; they signal that by supporting abortion regulations, they *are* representing women and women’s rights. My findings are unique in that they focus on statements given to the media directly from these conservative pro-life women lawmakers. Hearing these voices is an important part of understanding and adding substantively to what previous scholarship on conservative women’s relationship

with feminism has found: the pro-woman frame challenges the authenticity of what it actually means to be pro-woman, wresting the label from conservative women's progressive counterparts. By using feminist language in statements on anti-abortion policy but avoiding the designation of "feminist," they also challenge understandings of feminism as a purely progressive endeavor (Schreiber 2018). I show how the women of the Republican Party in the US are attempting to distance themselves from partisan attacks that the party is waging a "war on women." The Republican Party in the US has been in a decades-long shift towards right-wing extremism due to their increasingly conservative viewpoints held by the party leaders, its focus on "religious freedom" as a way to exempt participation in civil rights policy, and its use of populism to create a culturally adversarial standpoint against diversity. Its inflammatory statements made by party members against rape victims,² standpoints against reproductive rights such as legal abortion and opposition to insurance coverage for birth control – support for which remain popular public policy³ – highlight the extremism in the party. Republican women seek to step away from that, ostensibly, while still holding those same positions.

Methods

I assembled an original database of regulatory abortion bills from state archives of all 50 US states during a ten-year period (2008–2017). I then organized information regarding the names of the bill sponsors, the gender of the sponsors, party of the sponsors, and the type regulation, into a spreadsheet, and isolated the bills introduced by Republican women. The database includes a total of 1,639 bills with gender information.

I conducted a search into local media markets to uncover statements Republican women sponsors provided regarding their bills.⁴ I performed a qualitative content analysis on the statements, which examined them for language that comport with the pro-woman, and a fetal rights frame. The pro-woman frame included language such as: "protect women," "empower," "educate women," "provide opportunity," "give choice," "informed," "consequences," or "standard of care" among others. The fetal rights frame included "unborn," "baby/child," or "right to life." What follows is an observation of the pro-woman frame in action.

Data and analysis

Of the 1,639 anti-abortion bills introduced, women sponsored 857 (52%) bills. Republican women sponsored 731 bills (45% total, 85% of women-sponsored bills). From 2008 to 2017, Republican women represented at most 9.5%⁵ of state legislative seats, as such, their activity on anti-abortion bills is overrepresented, which supports previous scholarship. The most common regulation introduced by Republican women is ultrasound mandates, which require an ultrasound before abortion. They contain pro-woman language such as Virginia's SB 1435 (2011),

... offer to view the ultrasound image at the appointment for the abortion procedure. If the woman *chooses* to view the ultrasound image, it shall be provided to her in a *respectful and understandable manner, without prejudice* and intended to give the woman the *opportunity* to make an informed *choice*. (Emphasis mine)

The “choice” and “opportunity” language is distinctly pro-woman and rooted in a pro-choice feminist discourse, though the bill itself requires an unnecessary medical procedure. More specifically, this language of “choice” is mainstream feminist, and has historically been used by white women in the feminist movement; women of color having pushed back that “choice” does not relate to their reality in reproductive healthcare. Language that suggests “empowerment” of women can also be seen in the bill above – the “respectful and understandable manner, without prejudice” is more progressive than “choice” language and suggests an element of justice. Bill language can be technical and difficult to analyze, however, which is why it is essential to turn to the words of the lawmakers themselves.

In their words, in the media

In order to use feminist rhetoric, anti-abortion women lawmakers need to discount claims that their bills are *anti-feminist*, and point to their own feminist bona fides. This is especially true since Democrats had made partisan attacks against Republicans since 2010 that Republicans were waging a “war on women” by opposing the contraceptive mandate in the Affordable Care Act, and making contentious statements against rape victims who sought abortions. Virginia State Representative Jill Vogel discusses her mandatory ultrasound bill (2012), “[t]here was nothing in that bill that forced [women] to do anything against their will ... It was simply an informed consent bill.” When pressed years later during the 2017 Lieutenant Governor’s debate, Vogel stated, “[t]here was nothing in that bill that took any rights away from women or forced them to do anything against their will ... I have been a hardcore advocate for women and women’s health.”⁶

The pro-woman frame contains an educational aspect – giving women more access to information would aid them in making an informed decision. Kentucky State Representative Addia Wuchner’s 2017 ultrasound bill was described as educational: “... [h]aving all that information that a woman could have before making a very difficult and challenging decision.”⁷ Wyoming State Representative Leslie Nutting notes of her 2013 informed consent bill,

[t]his bill does not try to pit pro-choice against pro-life. What it is doing is recognizing the right that these women, who need to have the most information available as they can ... can be informed in making what may be one of the most important decisions in their lives.⁸

On the idea that abortion could be “reversed,” Indiana State Representative Peggy Mayfield felt that this information – even if medically disputed – is educational for women, “[w]ithout it (information on abortion reversal) these women will leave not knowing they had an alternative.”⁹ Others focused on allowing women to educate themselves with time. Missouri State Representative Kathie Conway defended a 72-hour waiting period before abortion stating, “... you get a couple of more days to think about this pregnancy, think about where it’s going, you may change your mind”.¹⁰ Rhode Island State Representative Karen MacBeth defended her 2014 ultrasound requirement as “... neither a pro-life/pro-choice bill ... it is pro-information for (a) woman (who) has the right to say, ‘No.’ She is not forced to view or hear.”¹¹

As issue frames seek to redefine the understanding of issues, so do those who use them. Idaho State Representative Sheryl Nuxoll redefined the narrative around her 2016 ultrasound bill: “[An ultrasound] does not limit choice. It just enhances choice.

Ultrasounds are truly a window to the womb.”¹² Florida State Representative Kelli Stargel asserts “I’ve been deemed a person who hates women, that is not supportive of women’s safety. To me, it’s just the opposite.”¹³ Arkansas State Representative Ann Clemmer redefines choice altogether “[w]e are not eliminating choice at all ... [just] after 12 weeks, the choice is over. You have a choice for the first 12 weeks. That’s almost 3 months.”¹⁴

Two lawmakers sought to merge the pro-woman frame with fetal rights, in a “love them both” approach (Roberti 2021; Halva-Neubauer and Zeigler 2010). This approach attempts to traverse a fine line of being pro-fetus and pro-woman. Texas State Senator Jane Nelson, states of her 2013 20-week ban, “This is not a war on women. This bill is, you know, trying to correct a war on babies that’s taking place ... That’s not anti-woman. Half of those babies are going to be women.”¹⁵ Wisconsin State Representative Mary Lazich asserts “... a vast majority of women regret (having abortions) ... They killed their child and they made a horrific decision and they regret it and wish they never would have done it.”¹⁶

Conclusion

The statements analyzed above signify that in abortion politics conservative women are using multiple frames; most notably a frame that centers on women. The anti-abortion standpoints of these women may be driven by ideology, religion, or other variables, however, the language they use is identifiably mainstream feminist. Specifically, “choice” language is a distinctively liberal feminist abortion frame used mostly by white women in the pro-choice movement. As the Republican women in my dataset are majority white, their feminist-sounding language can easily be attributed to mainstream feminist standpoints. Furthermore, “empowerment” language could potentially have intersectional appeal to women of different identities, races, ethnicities, class, and ideology, as it goes beyond “choice” and veers into more contemporary expressions of autonomy-based feminism employed by more diverse voices in the reproductive justice movement. Groups such as SisterSong Women of Color Reproductive Justice Collective, who have spearheaded the reproductive justice movement, often center the narrative around autonomy, health, and wellness of pregnant persons. When conservative women use the language of empowerment or focus on the emotional and physical consequences of abortion, it may appeal to those inclined towards maternal health.¹⁷ In this way, Republican women are potentially broadening their coalition – an important prospect considering the widening partisan gender gap – while still remaining vehemently anti-abortion to rally their base. Indeed, the pro-woman frame is exceedingly strategic for Republican women: it allows them to distance themselves from their anti-feminist colleagues; redefines feminism on conservative terms while using recognizably feminist rhetoric of choice, education, and empowerment; and problematizes the essentialization of women’s substantive representation.

Notes

1. <http://governor.alabama.gov/newsroom/2013/04/governor-bentley-signs-womens-health-and-safety-act/>.

2. See then Missouri Senate candidate and Representative for the Missouri 2nd District Todd Akin on the need for abortion after rape: “If it’s a legitimate rape, the female body has ways to try to shut that whole thing down” <https://fox2now.com/news/jaco-report/the-jaco-report-august-19-2012/>.
3. According to the PEW Research Center, 59% of the public believes abortion should remain legal in all or most cases. <https://www.pewresearch.org/fact-tank/2021/05/06/about-six-in-ten-americans-say-abortion-should-be-legal-in-all-or-most-cases/>. According the Kaiser Family Foundation, 58% of the public supported the birth control mandate in the Affordable Care Act.
4. In order to collect news media statements, I turned to Access World News database, as well as Google News. I used search terms of the state the bill was introduced, the sponsor’s name, the bill number, the year, and the word “abortion,” or a detail of the bill – for example, “informed consent” or “ultrasound.” There were limited stories on these bills, as some of them are routine occurrences that motivate little to no coverage. I found 40 original (not reprinted) news stories on the various regulatory abortion. There were a total of 43 separate statements within those news stories. Of those 43 statements, 18 mention fetal life or fetal rights. 25 statements used a pro-woman frame. There was also overlap between a pro-fetus and pro-woman frame, which I discuss below, found in 9 statements. Several other statements were neutral, focusing on healthcare providers or taxation.
5. cawp.rutgers.edu
6. https://richmond.com/news/local/government-politics/justin-fairfax-and-jill-vogel-spar-in-first-debate-for-lg/article_0d651b56-f8d9-51d2-a14e-d1bb04ac6abb.html
7. https://www.wdrb.com/news/bill-requiring-women-to-get-an-ultrasound-prior-to-abortion/article_800fb7ac-0600-54a5-8e80-f8eddf7148cc.html
8. https://billingsgazette.com/news/state-and-regional/wyoming-abortion-bills-focus-on-fetal-heartbeats/article_2caa3de3-a48b-5a7f-a641-36ae50044ce9.html
9. <https://www.journalgazette.net/news/local/indiana/Abortion-bills-OK-d-18014547>. Mayfield’s Republican women colleagues disputed the idea of abortion “reversals.”
10. <http://america.aljazeera.com/articles/2014/9/11/missouri-lawmakersenact72hourabortionwait.html>.
11. <https://www.bostonherald.com/2014/03/11/eagan-abortion-bill-would-punish-ri-women/>
12. <http://https://www.boiseweekly.com/boise/idaho-senate-passes-abortion-targeting-ultrasound-bill/Content?oid=3741838>
13. <http://floridapolitics.com/archives/209657-keli-stargel-proudly-stands-behind-controversial-abortion-bill-rpof-meeting-tampa>
14. https://www.huffingtonpost.com/2013/03/07/ann-clemmer-arkansas_n_2829727.html
15. https://www.huffpost.com/entry/jane-nelson-texas-abortion-bill_n_3586769
16. https://madison.com/ct/news/local/govt-and-politics/sen-mary-lazich-on-abortion-in-the-s-you-needed/article_9c84aa32-d45d-11e2-893d-001a4bcf887a.html.
17. Although the language might echo a feminist discourse, it is doubtful that anyone involved in the reproductive justice movement would ultimately support the regulatory abortion policies put forth by these conservative women, or any lawmaker for that matter, as they are directly at odds with the policy goals and outcomes of the reproductive justice movement.

Disclosure statement

No potential conflict of interest was reported by the author(s).

References

- Cannold, Leslie. 2002. “Understanding and Responding to Anti-Choice Women-Centered Strategies.” *Reproductive Health Matters* 10: 171–179. doi:10.1016/S0968-8080(02)00011-3.

- Celis, Karen, and Sarah Childs. 2012. "The Substantive Representation of Women: What to do with Conservative Claims?" *Political Studies* 60 (1): 213–225. doi:10.1111/j.1467-9248.2011.00904.x.
- Deckman, Melissa. 2016. *Tea Party Women: Mama Grizzlies, Grassroots Leaders, and the Changing Face of the American Right*. New York: NYU Press.
- Delegard, Kristen. 2012. "It Takes Women to Fight Women': Woman Suffrage and the Genesis of Female Conservatism in the United States." In *Women of the Right: Comparisons and Interplay Across Borders*, edited by Kathleen M. Blee and Sandra McGee Duetsch. University Park, PA: Penn State University Press.
- Denbow, Jennifer M. 2015. *Governed Through Choice: Autonomy, Technology, and the Politics of Reproduction*. New York: NYU Press.
- Halva-Neubauer, Glen A., and Sara L Zeigler. 2010. "Promoting fetal personhood: The Rhetorical and Legislative Strategies of the Pro-life Movement After Planned Parenthood v. Casey." *Feminist Formations* 22 (2): 101–123.
- Kelly, K. 2014. "The Spread of 'Post Abortion Syndrome' as Social Diagnosis." *Social Science & Medicine* 102: 18–25.
- Kreitzer, Rebecca J. 2015. "Politics and Morality in State Abortion Policy." *State Politics & Policy Quarterly* 15 (1): 41–66. doi:10.1177/1532440014561868.
- Mansbridge, Jane J. 1986. *Why We Lost the ERA*. Chicago: University of Chicago Press.
- Nickerson, Michelle M. 2012. *Mothers of Conservatism: Women and the Postwar Right*. Princeton, NJ: Princeton University Press.
- Osborn, Tracy L. 2012. *How Women Represent Women: Political Parties, Gender and Representation in the State Legislatures*. Oxford: Oxford University Press.
- Pitkin, Hanna Fenichel. 1967. *The Concept of Representation*. Berkeley: University of California Press.
- Reingold, Beth, Rebecca J. Kreitzer, Tracy Osborn, and Michele L. Swers. 2020. "Anti-abortion Policymaking and Women's Representation." *Political Research Quarterly*.
- Roberti, Amanda. 2017. "Women Deserve Better': Pro-woman Issue Framing of Regulatory Abortion Policy in the States." PhD diss., Rutgers University.
- Roberti, A. 2021. "Women Deserve Better': The Use of the Pro-Woman Frame in Anti-Abortion Policies in US States." *Journal of Women, Politics & Policy* 42 (3): 207–224.
- Rolfes-Haase, Kelly L., and Michele L. Swers. 2021. "Understanding the Gender and Partisan Dynamics of Abortion Voting in the House of Representatives." *Politics and Gender* 1–35. doi:10.1017/S1743923X20000719.
- Rose, Melody. 2011. "Pro-Life, Pro-Woman? Frame Extension in the American Antiabortion Movement." *Journal of Women, Politics, & Policy* 32(1): 1–27. doi:10.1080/1554477X.2011.537565
- Schreiber, Ronnee. 2008. *Righting Feminism: Conservative Women and American Politics*. Oxford: Oxford University Press.
- Schreiber, R. 2017. "Anti-Feminist, Pro-Life, and Anti-ERA Women." In *The Oxford Handbook of US Women's Social Movement Activism*, edited by Holly J. McCammon, Verta Taylor, Jo Reger, and Rachel L. Einwohner. New York, NY: Oxford University Press.
- Schreiber, R. 2018. "Is There a Conservative Feminism?" *An Empirical Account. Politics & Gender* 14 (1): 56–79.
- Siegel, Reva B. 2008. "The Right's Reasons: Constitutional Conflict and the Spread of Woman-Protective Antiabortion Argument." *Duke Law Journal* 57: 1641–1692.
- Smith, Leslie Dorrough. 2014. *Righteous Rhetoric: Sex, Speech, and the Politics of Concerned Women for America*. Oxford: Oxford University Press.
- Swers, M. L., S. Shames, and M. Och. 2018. "From the Republican Revolution to the Tea Party Wave: Republican Women and the Politics of Women's Issues." *The Right Women: Republican Party Activists, Candidates, and Legislators*, 199–228.