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Criminalizing Abortion in the United States

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The criminalization of abortion in the United States has brought a drastic change in women's health and reductions in maternal and infant mortality. It has increasingly restricted access to abortion for young women, low-income women, and women of color. This article talks about the overturning of Roe v Wade which happened recently and the effects of criminalizing abortion in some states in the United States. It states the hardships faced by women if the state they stay in restricts their access to abortion. Mainly, it talks about the several ways the lawmakers can actually take care of parents by medical funding to every pregnant person immediately upon confirmation of pregnancy, universal healthcare to all citizens, the state should provide access to free contraception, funding for every pregnant person to access to mental health care services, the state must allow pregnant people to stay out of work in order to safely carry a foetus to term.

Keywords: *abortion, healthcare, pregnancy, right to life, criminalizing abortion.*

INTRODUCTION

In the Roe v Wade 1973 case, the Texas law criminalizes abortion except in situations when it endangers the mother's life. A class action lawsuit was filed to overturn this law, decriminalize abortion, and prevent the district attorney (Wade) from enforcing it. It was a 7-2 decision, with Justice Blackmun writing the majority opinion. Justice Rehnquist wrote a dissenting opinion, while Justice Stewart concurred. The Court looked at the development of abortion regulations

and found two key factors that led to its criminalization. The first was the State's desire to uphold health and safety standards while safeguarding pregnant women from risky medical treatments. It came to the conclusion that the State had a clear interest in safeguarding pregnant women. The State's desire to save fetal life was the second justification. The State might claim interests beyond the protection of pregnant women alone as long as a potential life was at stake.

ROE v WADE COURT CASE

The Supreme Court overturned Roe v Wade in June 2022, this was the case that was prevailing for 50 years where a woman could do an abortion in the first two trimesters. The expected ruling gives individual states the power to set their own laws on abortion. Many states have immediately banned abortion, including Arkansas, Kentucky, Louisiana, Missouri, South Dakota, and Oklahoma. The Supreme Court has invalidated the federal right to an abortion, as anticipated. Contrary claims have been made by the court's majority. Anti-abortion campaigners contend that everyone who professes faith must adhere to their conception of the beginning of life. They claim that the only way to maintain the sanctity of life is to forbid abortion. The reversal of Roe v Wade did not benefit women. The fact that pro-choice women embrace their own dehumanization is astonishing actively supporting other women, trans men, and non-binary people with uteruses' pain, discrimination, and deaths.¹ After decades of combating patriarchy and empowering women to stand up for themselves, again the clock is turned back by once more regulating women's bodies. When Americans refuse to accept personal accountability for their own actions, democracy dies.

EFFECTS OF ABORTION

While abortion is prohibited, society as a whole need to become more responsible with its members' bodies and behavior. Both men and women should read this. America is influenced by entertainment, which includes movies, music, and advertisements that promote filth, sex, and promiscuity. It's possible that the issue is not with the laws themselves, but rather with

¹ 'Why abortion rights are under threat in America' (The Economist , 3 May 2022)
<https://www.economist.com/the-economist-explains/2022/05/03/why-abortion-rights-are-under-threat-in-america?gclid=CjwKCAjw_ISWBhBkEiwAdqxb9k8YJxA9_HFy8PWJtXBhhydaGl5RJs1BXvctaUNzQVn8pSld4bc7hoClewQAvD_BwE&gclidsrc=aw.ds> accessed 25 June 2022

individuals who persuade people to adopt a lifestyle that they consider to be a woman's right. Although freedom is at the heart of America, many of you have mistaken it for sloppiness, carelessness, and irresponsibility. Without first repairing the system, it is wrong to take away our right to safe, legal abortions. Give parents compensated parental leave that is required by law and low-cost childcare. Make universal healthcare available. Additionally, women who are unable to care for their children prevent them from receiving the love and care that a family should provide for their better upbringing. A difficult childhood can encourage criminal behavior since the person will hang around with undesirable people. Whatever the reason, it is important to respect the mother's decision to stop trying to raise her child. It's difficult to bring a child into the world.

INSTANCES WHERE THE NEED WAS FELT FOR ABORTION LAW TO BE IMPLEMENTED

A woman 22 weeks pregnant presents to ER due to vaginal bleeding and premature rupture of membrane. The patient did not have a complete evacuation of the fetus. Outcome: the patient was denied D&C and died of sepsis due to abortion laws. Another patient was a fetus diagnosed with anencephaly at 16 weeks gestation and the outcome was that the woman was forced to carry the fetus to term and delivered a stillborn. Women died of postpartum hemorrhage. Also, a woman at 24 weeks gestation is diagnosed with eclampsia, and the patient was denied medically induced abortion and died due to complications of a seizure. The fetus did not survive. The 24-year-old woman was raped on her walk home from an evening shift at the hospital. The patient was denied an abortion. A woman committed suicide at the age of 26 due to PTSD and depression. The infant was entered into foster care where they were bounced from home to home until they aged out of the system and ended up homeless. A 16-year-old female with a lack of education on safe sex practices became pregnant and the patient was denied the right to an abortion. The patient attempted a self-induced abortion and died at home due to blood loss.

WAYS THAT LEGISLATORS MAY PROTECT PARENTS

To start, radical conservative legislators and activists have battled for the overturning of *Roe v Wade* for decades. They must deal with the repercussions of their acts now that it is a reality. In order to ensure that the child and the parents may enjoy a healthy, comfortable life, these people should offer as much support as they can to those who are being forced to have children against their will. They must actually take care of expectant mothers and the unborn. Every pregnant individual should be eligible for medical funding as soon as their pregnancy is confirmed. If there are no issues with the pregnancy, expectant people should visit a doctor for prenatal care about 15 times, according to the Cleveland Clinic. Whether or not a person has insurance affects the price of prenatal care. Approximately 3 out of 4 pregnant people in the US who are estimated to make up the uninsured population do not have health insurance because they cannot afford the premiums. Due to coverage, copays, etc., the out-of-pocket expense for people who are insured also varies. An uncomplicated vaginal delivery typically costs between \$5,000 and \$11,000.²

Without problems, a C-Section can cost anywhere between \$7,500 and \$14,500 on average. Hospitals around the nation charge patients without health insurance coverage almost twice as much as the aforementioned fee. (For instance, in Alabama, vaginal delivery with insurance runs approximately \$4,884, and one without costs \$9,013.) Even just being pregnant is expensive. Not even any tests, lab work, ultrasounds, supplements, or other things are taken into account. The state must pay for all associated medical expenses if it is going to force someone to bear a pregnancy against their will. Or, let's go a step further and argue that the state ought to offer free healthcare to all residents since Americans spend more on healthcare than anybody else on earth. In the United States, anyone can lose their health insurance. Changing employment, turning 26, relocating to a different state, having a prior ailment (which affects 1 in 2 Americans), establishing a business, being laid off, retiring early, or getting divorced are all examples of situations where this rule applies. This is not how it ought to be. The aforementioned variables shouldn't affect someone's ability to access healthcare.

² 'An Overview of Abortion Laws' (Guttmacher _Institute , 16 July 2022) <<https://www.guttmacher.org/state-policy/explore/overview-abortion-laws>> accessed 25 July 2022

In 2020, 31 million Americans lacked health insurance, according to federal data from the Centers for Disease Control and Prevention and the Congressional Budget Office. Both the CDC and the CBO found that one-third of insured Americans could not afford the cost of health insurance because they would have to pay more than 10% of their income for it. The United States spends more on healthcare than any other nation in the world, but the results are noticeably inferior.

According to the WHO, "*universal health coverage*" simply implies that everyone has access to the medical care they require when and where they require it without facing financial hardship. Aim for: not experiencing financial difficulty. In order to properly carry a pregnancy to term, a pregnant person should be allowed to take the day off from work and get full compensation from the state. Every parent should additionally receive an extended parental leave of at least 3 months. To safely carry a fetus to term, the state must let expectant women take time off of work. Did you know that pregnancy difficulties can be brought on by stress? Did you know that eighty percent of US workers say they experience stress at work? When you take into account factors like the sector in which a person works, the earnings they earn, the number of jobs they need to hold down in order to make ends meet in the nation, and how well they are treated by their employers, the proportion only rises.

It is impossible to emphasize the toll that pregnancy has on a person's mental and physical health. Stress only gets worse if someone is being compelled to carry out the pregnancy. Currently, almost every developed nation in the world has adopted a paid family leave program, with the exception of the US, where new parents are required to take a minimum of three months of leave in order to recover from childbirth, get used to parenting, and form bonds with the child that, in many cases, they were forced to have.

An innovative 2012 study demonstrated that access to free birth control significantly lowers the rate of abortion, hence the state should make contraception available. Birth control pills, IUDs, and condoms should all be available and free to everyone who need them. Healthline states that the cost of contraception "may range up to \$2,000 per year, whether you choose the pill, the ring, the patch, or another technique. Depending on the type and store you buy them from, a package of three condoms might cost anywhere between \$2 and \$6. It is also crucial to

recognize that many people take birth control for purposes other than simply abstaining from getting pregnant. More than half of women who use birth control pills do so for reasons other than preventing conception. Among them include controlling irregular periods, easing cramps, PMS and PMDD, easing endometriosis and PCOS symptoms, and so many more. Preventive care is provided via contraceptives. There should be no problem with offering free preventative care to anybody who wants or needs it if the government is really as interested in ending abortions as they claim to be. Everyone should have access to preventative healthcare.

Every pregnant person should have access to financial support for mental health therapies throughout their pregnancy and postpartum. It is difficult for people to get access to mental health services in the United States. Not only does the sector in some regions of the nation lack coverage, but mental health care is also exceedingly expensive, especially for those without insurance. Arizona, Missouri, Arkansas, Tennessee, North Carolina, South Carolina, Nevada, Alabama, Florida, Mississippi, Texas, and Georgia are the 12 states with the worst access to mental health care. Only Nevada offers access to abortion care among the 12 states. This means only 11 out of 12 lowest ranking states for mental health care access are also states in which abortion access is either severely restricted or banned.

One in seven pregnant women and one in five to eight postpartum women, or more than 500,000 people annually, suffer a depressive condition, according to the Cleveland Clinic Journal of Medicine. Pregnant women must have access to mental health services. Every pregnant person must have access to financial and mental health care if the states are going to force people to have unintended pregnancies, which will worsen the effects on mental health. Additionally, since daycare is not universally available in the United States, the state should supply it. In actuality, the United States is among the few "high-income" nations that do not offer daycare to working parents. In the United States, 72% of parents spend 10% or more of their household income on childcare, with 51% paying 20% or more or more, according to the 2022 Cost of Care Survey.³

³ *Ibid*

Child care is deemed cheap by the US department of health and human services when it costs families no more than 7% of their household income. Simply, daycare in the US is prohibitively expensive. In the US, almost 51% of the population lives in a daycare desert. This indicates that they live in a place where "either there are no childcare providers or there are so limited options that there are more children than licensed daycare slots. The case for universal daycare is strong when you take into account the high cost of childcare, the lack of children in more than half of the nation, and the approximately 11 million children who are already living in poverty. Cannot constantly keep making parents pick between slipping deeper into poverty to get access to good kids or choosing a less desirable daycare option. The government must assist.

The state should also offer all students comprehensive sex education that is supported by research and is medically correct. State-by-state differences exist in the current sex education landscape in the US. Only 20 states and the District of Columbia currently require the distribution of information on contraception, whereas 39 states and the DC require the distribution of information on abstinence. The unpleasant truth of the matter is that those who are seeking to deny health care and reproductive rights are generally the same who are also pushing against comprehensive sex education in schools. More than half of the country will lack access to abortion services in a post-Roe America. This indicates that young people must obtain sex education that is based on scientific research and is medically accurate. It is crucial to have a thorough grasp of reproductive health. Access to thorough sex education and the avoidance of unintended pregnancies are directly related, according to studies.

Now that proponents of forced birth have placed us in a situation where the United States has limited access to care and when people need it, the help provided is restrictive. It is needed to hold the elected representatives to higher standards. No matter where people reside in this nation, care should not be withheld or restricted. The politicians should not be battling tooth and nail to ensure that the children they are pushing to be born into the country where they have a chance, particularly those who campaigned for an increase in unintended pregnancies and no access to abortion care. That simply is not what is happening at this time. Must make sure to work for a better future for everyone while defending an individual's own right to

reproductive freedom. Do not let the elected authorities convince the populace that any of the concepts discussed in this post are impractical. Any of these ideas can become a reality if the leaders take risky actions. Let's insist that they comply.

CONCLUSION

In conclusion, abortion has been prohibited in some countries in the United States which calls for the legislature in coming up with ways for women who want to abort but cannot due to the law. There should be certain changes and improvements made for their betterment.