

# What Can I Do Post-Roe?

A UCSB student Intro to Abortion  
Justice in the U.S.

By Kate Ripley

**Bans Off Bodies**

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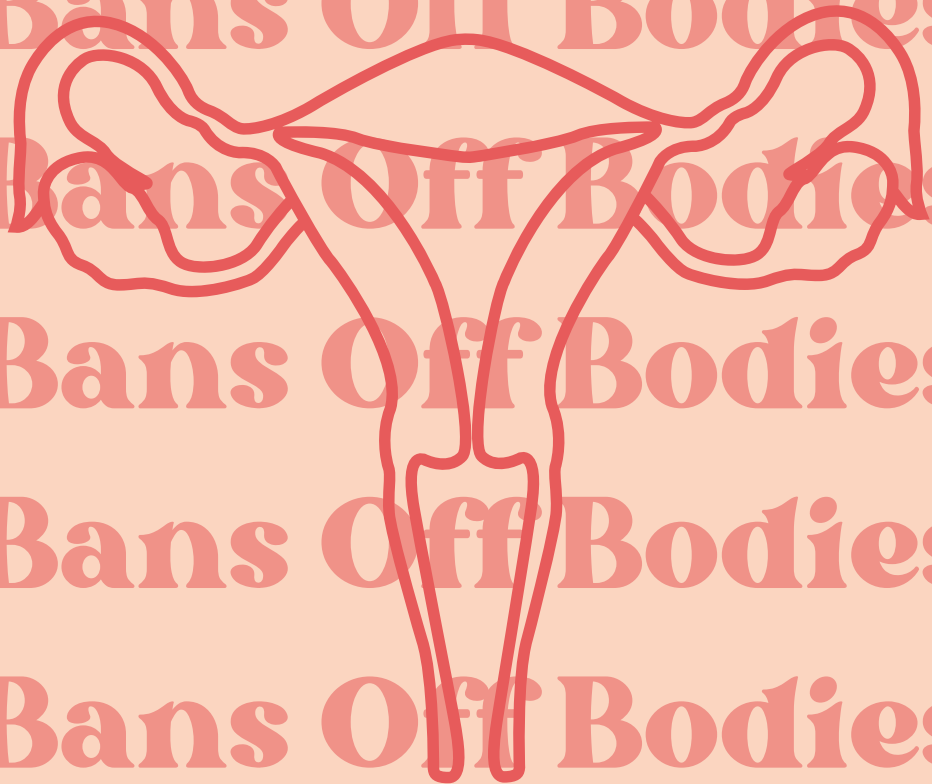
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# Intro and Purpose

Reproductive justice is about much more than abortion. To live in a **reproductively just** society requires secure and safe housing, food security, universal childcare, single-payer healthcare, comprehensive sex education, access to contraceptives, and much more. **Abortion is just the start of what we need to fight for.**

However, it is also one of the most important frontiers. As we are already seeing, it is never just about abortion. As states have "chipped away" at Roe over the years, they've taken similar actions against other reproductive rights. At stake are access to contraceptives, **self-determination in reproductive care**, and even questions of consent and the state's right to bodies.

It is also important to hold in mind the complex interaction of gender and reproductive potential here. Abortion bans affect more than cis woman, therefore **gender-inclusive and specific language** is required.

At the same time, the war against abortion is at its core, **a war against women and bodily autonomy**. Abortion restrictions will have widespread repercussions that will affect all women and gender minorities, regardless of reproductive potential.

At a time where misinformation is rampant and many of us are left feeling burned out or helpless, information is a powerful tool. This zine was created for **UCSB students** with the intent to provide information on **reproductive resources** available at our campus, an **introduction to the history and legal context of abortion in America**, and a number of talking points to discuss with those in our lives who are still uncomfortable with or even outright against abortion care.



# History & Criminalization

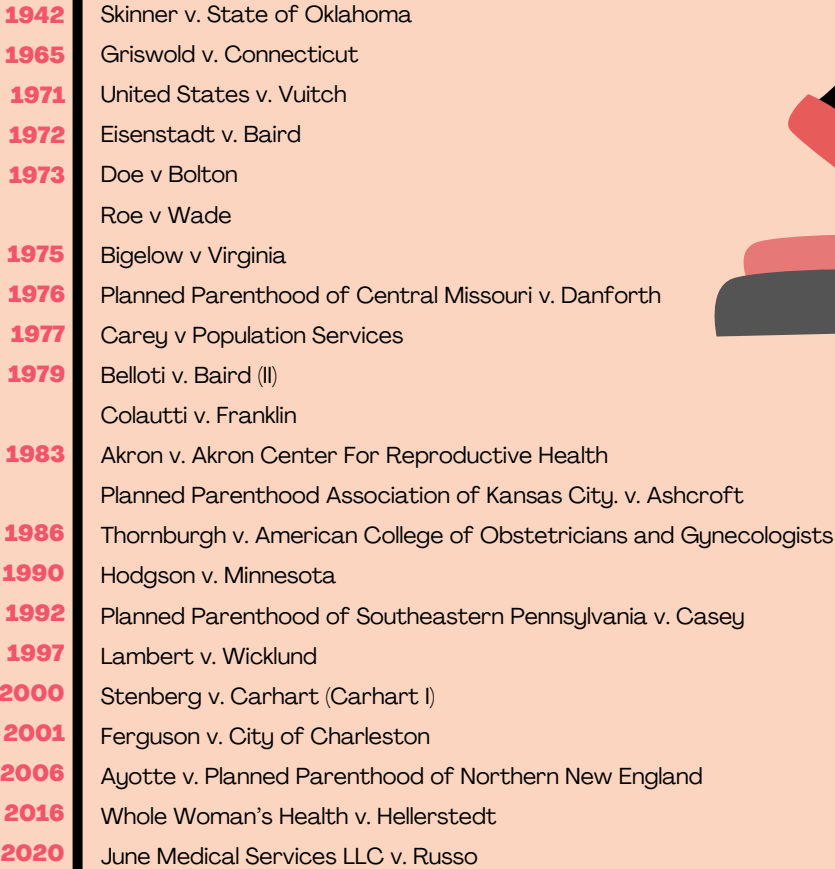
In the leaked Supreme Court draft, Alito claims that abortion rights are not protected under the 14th amendment because they are not “deeply rooted in this nation’s history and tradition.” Simply put, that's not true.

## Quick Facts

- Medicinal abortions were so common in America in the 18th and 19th century that there were newspaper advertisements for specific herbs and other abortifacients.
- The Catholic church did not condemn abortion until 1869. Even then, abortion was seen as a sexual sin. It was not situated as the taking of a life until the 1960's.
- Up until the late 19th century, abortion was legally allowed up until "quickening," when the pregnant person could feel the fetus kick or move.
- The primary motivator of the criminalization of abortion was not social or legal. The crusade against abortions was led by male physicians of the American Medical Association who aimed to gain control of reproductive care as a medical industry by ostracizing midwives (who performed almost all abortions and reproductive care at the time).

# Legal Cases

The Supreme Court and anti-choice advocates claim that the only legal backing for abortion rights are *Roe v Wade* (1973) and *Planned Parenthood of Southeastern Pennsylvania v. Casey* (1990). In terms of legal precedent, the courts have ruled in favor of bodily autonomy for decades across many cases.

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- 1942** Skinner v. State of Oklahoma
  - 1965** Griswold v. Connecticut
  - 1971** United States v. Vuitch
  - 1972** Eisenstadt v. Baird
  - 1973** Doe v Bolton  
Roe v Wade
  - 1975** Bigelow v Virginia
  - 1976** Planned Parenthood of Central Missouri v. Danforth
  - 1977** Carey v Population Services
  - 1979** Bellotti v. Baird (II)  
Colautti v. Franklin
  - 1983** Akron v. Akron Center For Reproductive Health  
Planned Parenthood Association of Kansas City. v. Ashcroft
  - 1986** Thornburgh v. American College of Obstetricians and Gynecologists
  - 1990** Hodgson v. Minnesota
  - 1992** Planned Parenthood of Southeastern Pennsylvania v. Casey
  - 1997** Lambert v. Wicklund
  - 2000** Stenberg v. Carhart (Carhart I)
  - 2001** Ferguson v. City of Charleston
  - 2006** Ayotte v. Planned Parenthood of Northern New England
  - 2016** Whole Woman's Health v. Hellerstedt
  - 2020** June Medical Services LLC v. Russo

# Abortion Safety

When done in a safe and stage-appropriate manner by a trained person, abortions are a very safe medical intervention.

## Quick Facts

- A surgical abortion is as safe as a colonoscopy
- Abortions are 3.5x safer than wisdom tooth extraction
- There is no association between abortions and breast cancer and no indication that abortion is a risk factor for other types of cancer
- Only about 0.2% of abortions result in major complications
- Safe abortions have a mortality rate of 0.6 per 100,000. The maternal mortality rate in the U.S. is 23.8 per 100,000
- Abortion legality does not significantly impact the number of abortions that occur, but it does impact the safety of those abortions. Countries with more restrictive abortion laws have a higher proportion of unsafe abortions



# Pregnancy

In the U.S. it is

14x

more dangerous to carry a pregnancy to term than to get an abortion

The U.S. ranks

55th

in MMR globally

Black Americans are

3x

more likely than their white counterparts to die during pregnancy, birth or postpartum

The foster system/adoption is not a solution or alternative for abortion. The suggestion that an unwanted pregnancy should be handled by keeping the pregnancy and turning to adoption not only ignores the real consequences of foster care and adoption, it also undermines the impact pregnancy has. Pregnancy is life-changing and should be up to each individual if, when, and how to experience it. Moreover, pregnancy is a serious medical condition with many possible complications and dangers, especially in this country. Despite the global Maternal mortality rate (MMR) declining over the last two decades, the U.S. MMR has increased.

# Personhood

A fetus is certainly a human life, or at least a potential human life, but is it a person? Who has the power or privilege to decide when or if something becomes a person? There are lots of difficult ethical questions around abortion but most of them come down to the concept of personhood. There's no clear line of when someone becomes a person, and it seems to be gradual rather than one event, but we should be able to agree that the pregnant person is more of a person than a fetus. In addition, when we discuss ethical rights of people we have to divide what is a person versus a potential person. A fetus has the potential to become a person but it is not one yet.

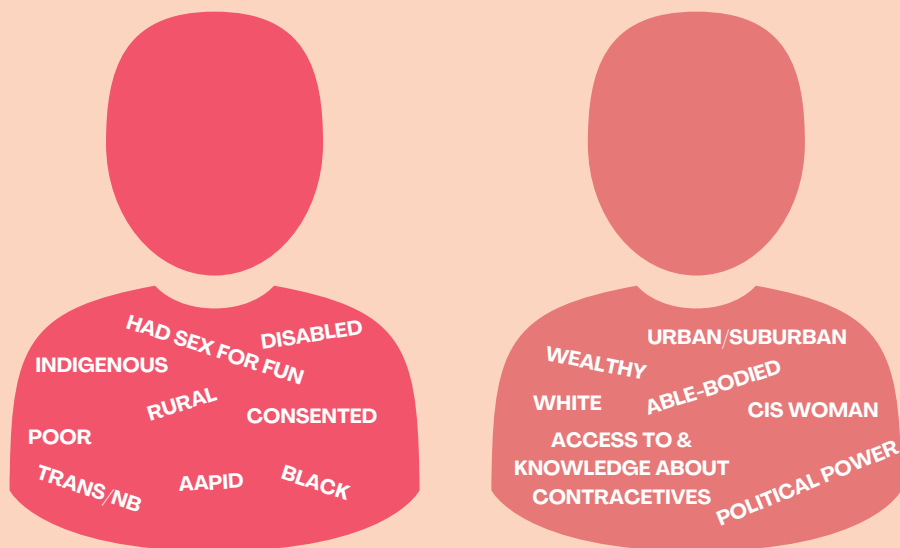
88% of abortions happen in the first trimester and less than 1% occur in the third trimester.

If all fetuses are people, then wouldn't miscarriages be the largest catastrophe of human life? Why is there not more attention paid to miscarriage prevention?

Does a fetus actually hold the same ethical value as the pregnant person, or any other living person for that matter?



# Access Differences



Based on a pregnant person's identities or the events that lead them to abortion, many people judge some as more or less acceptable. The danger of doing this is that it assigns levels of validity to people's rights. For instance, only allowing abortion for cases of rape and incest suggests that a pregnant person has only earned autonomy over their body after someone else has abused it. It's important to remember as well that legality is only a constraint for certain people. For instance, if abortion is outlawed in one state only some have the resources and abilities to travel to another state or country to receive treatment.

# The Bottom Line

**Making abortion illegal does not make abortion happen less**, it only makes abortions more dangerous. Legal abortions save lives. As a whole, we may never be able to agree on the morality of abortion, but **we all have a responsibility to keep people safe** and prevent unsafe circumstances. Even if you yourself might not get an abortion, it is important that the choice is left up to each person so they can make the right decision for themselves and their body.

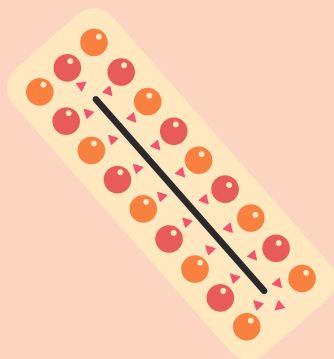
**The overturning of Roe v Wade is not the death of abortion rights.** Rather, it is a calling for our nation, at a federal and states levels, to enact legal protections for abortion care. This of course offers varying levels of challenge depending on the state and area we are in.

Now is the time to **mobilize**: campaign and vote for pro-choice candidates, volunteer as an escort or driver at the few abortion clinics that are left in many states, educate others about abortion care and the importance of its accessibility.

Living in California, we are in much safer circumstances than many folks across the country when it comes to reproductive care. The right to abortion is not totally guaranteed in the state though. That's why it is important that we push for abortion rights to be added into the **California Constitution**. Additionally, while we fight for legal protections in other areas, we must simultaneously work to **close access and care quality gaps** within our own state.

# UCSB Reproductive Resources

- **Medication abortions** are now available at Student Health
- The Students for Reproductive Justice have launched a **Reproductive Health Fund** to aid students in covering their reproductive care
- Health & Wellness provides **contraceptives and menstrual products** at various spots around campus
- **Plan B** can be found in the Wellness Vending machine as well as at the Student Health pharmacy for only \$10!
- Students covered under UC SHIP can get **free emergency contraceptives** at Student Health
- Students are also able to receive birth control prescriptions or refills, IUD and implant insertions, pregnancy testing and other reproductive health services through Student Health



# (Re)Sources

Abortion and Catholic thought. The little-known history.

U.S. Supreme Court Decisions Concerning Reproductive Rights 1927-2018

Read Justice Alito's initial draft abortion opinion which would overturn Roe v. Wade

Induced Abortions in the United States

World Health Organization

University of Missouri, School of Medicine

Abolishing Abortion: The History of the Pro-Life Movement in America

The surprising history of abortion in the United States

Key Facts on Abortion

The comparative safety of legal induced abortion and childbirth in the United States

Safety of Abortion in the United States

Landmark Report Concludes Abortion In U.S. Is Safe

The Quality of Abortion Care Depends on Where a Woman Lives

Black Women over Three Times More Likely to Die in Pregnancy, Postpartum

Worldwide Maternal Mortality Rates

U.S. Has The Worst Rate Of Maternal Deaths In The Developed World

Post Roe Frontiers? A Conversation about Legal, Medical, and Political Mobilizations with Michele Goodwin and Laury Oaks

The Ethics of Abortion

Opposing Abortion to Protect Women: Transnational Strategy since the 1990s