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Final Project

April 28, 2021

The Pro-Life Movement and the Use of Emotional Rhetoric

The pro-life movement is an anti-abortion movement which advocates for anti-abortion laws and policy, most commonly by pushing the idea that abortion is morally wrong. In order to push this idea, the movement has adopted rhetoric which defines fetuses as unborn babies and therefore as people deserving of human rights. This rhetoric can be defined as “fetal personhood” (Halva-Neubauer and Zeigler, Cohen and Adashi) and looked at through a “right to life” lens (Evans and Narasimhan). This rhetoric emphasizes emotional responses, both in the political sphere and in their messaging to general citizens. While the movement is not actually pro-life, but is instead anti-abortion and advocating for the “life” and “humanness” of fetuses, this paper will refer to the movement using their own terms (ie pro-life, unborn baby) in order to see the full extent to which this rhetoric permeates the movement in both social and political spheres.

This paper will ask the question: why has the pro-life movement used rhetoric of fetal personhood to push anti-abortion laws and policies? Looking specifically at the anti-abortion goals of the pro-life movement to change abortion laws in the US, this paper will argue that the emotional rhetoric and idea that fetuses are people deserving of human rights allows for the continued fight for and passage of anti-abortion laws and restrictions in an attempt to eventually overturn *Roe v Wade* (1973). Following a two-pronged approach for this argument, I will first discuss the implications and history of fetal personhood and right to life ideas. Secondly, I will

look at the ways this rhetoric creates policy within the restrictions of *Roe* and explore the ways in which these policies attempt to dismantle the precedent of legal abortion.

The political implications of the pro-life rhetoric in the political sphere are increasingly pertinent with the recent conservative majority on the Supreme Court. This change has caused for many to believe that the Court would be more likely to look at an abortion related case in order to overturn or change the precedent set by *Roe* (Totenberg), thus giving the pro-life movement a new opportunity to push for political change in abortion laws and to end legal abortion all together. Therefore, the uncertainty of abortion laws in the current moment makes research into the anti-abortion movement as a political force important. It is for this reason that this paper will look specifically at the use of emotional and humanistic rhetoric as a political strategy.

BACKGROUND

The ability to define terms and ideas in social movements is a necessary part of garnering public support and creating a sense of identity and community within a movement. These terms and definitions used in a political context can help to push a movement's cause to legal protections, making a movement's rhetoric important in their fight for political and legal support of their goals. The pro-life movement exemplifies this with their framing of fetal-personhood which defines abortion as ending a life- as murder. These definitions push a rhetoric and connect the mother to an unborn child in order to create an emotional response to further goals in both political and non-political spheres (Cohen and Adashi). The rhetoric allows for the movement to create their own narrative on what abortion is, and frame the social and political debate around ideas of life instead of ideas on abortion. This strategy has a strong history in politics for the pro-life movement, as exemplified with ballot initiatives such as the one in Mississippi which

defined a person as, “every human being from the moment of fertilization, cloning, or the functional equivalent thereof,” and laws passed in Georgia to prevent abortions at 6 weeks, or with the detection of a “heartbeat,” (Cohen and Adashi 2453). The use of pro-life rhetoric in these situations is indicative of the influence of their language on political issues and demonstrates their goal to create legal change to the abortion precedent set by *Roe*.

However, the implications of the rhetoric as a whole can be looked at through multiple lenses. Instead of as a political force, the morality rhetoric can be seen as a social one. In this case, the rhetoric is often pushed strongly through Christian groups and uses armies of volunteers to protest, run anti-abortion clinics and speak out against abortion (Hussey). The most prominent instance of this can be seen with the influx of Crisis Pregnancy Centers which attempt to talk women out of abortion through counseling, sonograms, and other tactics. In this example, the goal of the movement is less focused on legal action and more on preventing abortion at an individual level. The Pro-Life Action League advertises this type of individualized thinking on their website, telling supporters that they can, “take action at your local facility to save babies from abortion in your own community,” (prolifeaction.org, “Actions Archive”). This demonstrates the reliance on volunteers and citizens to push forward the social goals to end and stigmatize abortion at a local level.

While the emotional and moral rhetoric is important socially, I argue that it is also important in the political sphere, especially in understanding the ways in which allowing the pro-life movement to define the abortion debate has impacted the legality of and access to abortion. Through their focus on governmental headway, “the personhood movement is following the playbook of other social movements on both the left (.eg., gay rights) and the right (e.g., gun rights),” especially as “many other social movements required constitutional

precedents to be overturned — antisegregationists attacked *Plessy v. Ferguson* to achieve integration and gay-rights advocates attacked *Bowers v. Hardwick* to end the criminalization of gay sex,” (Cohen and Adashi 2455). The use of the movement’s own terms in these political fights, therefore, is a historically useful political strategy which can be used to further goals of the legal change. The pro-life movement specifically uses increasingly restrictive policies on abortion and reproductive health to push the limits of the framework set by both *Roe v. Wade* and *Planned Parenthood v. Casey*. With their political work, the movement furthers two major goals: to limit the accessibility of abortions for individual women and to change the legal precedent with the overturn of *Roe*.

ARGUMENT

The pro-life movement is an American anti-abortion movement which has roots starting in the 1950s that rose to prominence after the passage of *Roe vs. Wade* in 1973. With this case, the Supreme Court created a federal precedent for the legality of abortion with the notion that abortion was a private medical decision which should be between a woman and her physician (Zeigler). In the decades after, the pro-life movement fought strongly for the idea of ‘fetal personhood’ directly, advocating for a constitutional amendment which would protect fetuses as people under the 14th Amendment- effectively countering and ending the precedent set by *Roe*. This rhetoric has since become less direct, as there is no longer a fight for this kind of amendment. However, it is necessary to recognize this history as it has set a framework for the ways in which abortion (and specifically the fetus) is talked about in political and social situations. The track of this rhetoric can be seen through the case *Planned Parenthood of Southeastern Pennsylvania v. Casey* (1992). The case upheld *Roe* and the legal right to abortion, but narrowed the scope of legal abortion by discarding the previous trimester framework; instead

switching to one which only outlaws restrictions which place an “undue burden” on the woman. This allows for states to set new restrictions on a abortion that were not previously acceptable, therefore limiting overall access to legal abortion. Thus, “although Casey has been cast as *Roe*’s salvation, it also represented a victory for pro-life forces by providing them with a more ambiguous constitutional standard, effectively encouraging groups to define the limits of “undue burden” through legislation and litigation,” (Halva- Neubauer and Zeigler 115). Through *Casey*, the pro-life movement has been able to continue increasing legal restrictions on abortion and use their own definitions in legal and social situations.

These two court cases, and the difference in their language and decisions, are imperative in understanding the impact of a movement’s rhetoric on political decisions. While *Roe* insists that fetuses are not people, Casey uses language which, “allowed pro-life advocates to assert the state’s interest in protecting fetal life,” therefore encouraging, “a public perception of the fetus as a baby, rather than as something that will become a baby,” (Halva-Neubauer and Zeigler 103). The impact of the fight for an amendment for fetuses as people can be clearly seen in the language of this case, and the difference between this and the language in *Roe* exemplifies the impact this rhetoric has over time. In this sense, although the direct fight for the right of fetal personhood died with the passage of *Casey* in 1992, the rhetoric set a precedent for the use of pro-life language in legal and political instances. The historical context, therefore demonstrates the ability of the pro-life movement to define the terms of the abortion debate through their own lens and creates a legal foundation for the movement to continue limiting abortion today. Additionally, the language in legal precedents encourages the same use in social and individual spheres, thus normalizing the rhetoric and increasing its effectiveness in all areas.

Using the framework of “undue burden” as set by *Casey*, restrictions on abortion have been implemented in many states. Most commonly, restrictions include a mandated pre-abortion ultrasound and/or counseling, a wait time after counseling and before the abortion, and bans after a certain trimester or amount of weeks pregnant (Diamont and Sandstrom). While these regulations most obviously aide in the goal of limiting individual access to abortion and thus ‘saving fetus lives,’ they also reflect the emotional rhetoric of the movement. The push for women to make the ‘right choice’ and continue the pregnancy directly relates to the ideas that abortion is morally worng. Pushing this idea is not simply an individual emotional tactic, however, as organizations within the movement recognize this as a goal and political tactic. American’s United for Life’s website demonstrates this by saying, “No matter how well-intentioned a law is, it won’t have the intended effect if it isn’t worded correctly; in fact, sometimes it can actually make matters worse. AUL attorneys are highly-regarded experts on pro-life legal language and the Constitution,” (“State Legislation,” [aul.org/ what-we-do/state-legislation/](http://aul.org/what-we-do/state-legislation/)). The direct recognition of ‘pro-life legal language’ demonstrates the ability of lawyers and politicians to define the abortion debate through pro-life frames and terms. This both pushes stronger anti-abortion laws by influencing politicians and citizens and also allows for emotional ideas and connections to be included in policy and legislation.

Restrictions such as counseling and ultrasounds specifically work to elicit emotional responses for individual women seeking an abortion, cultivating emotions rooted in fear and maternal love. These two emotions are often interconnected in pro-life rhetoric and are seen with restrictions that emphasize, “the woman as the victim of a callous abortion industry - an industry indifferent to the unique nature of the parent-child relationship and to the potentially devastating effects of abortion on the mother,” (Halva-Neubauer and Zeigler 103). Fear, therefore, is used

with a discussion of the dangers of abortion, both physically and psychologically on the mother and new baby. The emotion is further pushed by messaging which focuses on the ‘death’ or ‘murder’ of unborn babies when defining abortion. These terms use the reverse of ‘life’ which happens with continued pregnancy to create the idea that abortion is unethical and immoral as it ends a human life. This directly follows the rhetoric of ‘fetal personhood’ and emphasizes the importance of history and rhetoric on the tactics used to promote a movement’s goals.

The second emotion, although less concrete, is often the most visible in the movement. Through an attempt to define the fetuses as alive, and specifically as unborn babies, the pro-life movement creates a narrative of familial and maternal love with this child. This emotional response relies heavily on personal testimony, as seen with a woman who reports to the South Dakota legislature, telling mothers, “that her child already exists and that she has an existing relationship with her child and that she has a great fundamental and constitutional right to that relationship, all of which she is giving up, all of which is lost as a result of the abortion,” (South Dakota Task Force to Study Abortion 2005 4-5). This statement insinuates that with legal restrictions to abortion, the child and mother are losing fundamental rights to life and a relationship, again following the historical trajectory of pro-life rhetoric. Additionally, the personal use of the movement’s rhetoric in a political context emphasizes the relationship between the personal and political and highlights the movement has to alter legislation and thus further their own goals. In this sense, the emotional responses of individual women are imperative to the movement’s political goals, as it is these responses that allows them to argue for the illegality of abortion on moral grounds.

While legislation decreasing the availability of abortions has increased in the past few years, these small restrictions are not the movement’s long-term goal. The restrictions often push

the limits of what is considered an undue burden and thus are, “likely to be challenged are likely to be challenged in US courts – and are ultimately intended to overturn *Roe v. Wade* in the US Supreme Court,” (Evans and Narasimhan 216). A prime example of this legislation can be seen with ‘heartbeat’ abortion bans which outlaw abortion after 6 weeks. At least 16 states have introduced these kinds of bills, and the most recent example is in Georgia in 2016. Despite this, the use of pro-life rhetoric in these bills is important to recognize. Georgia’s bill in particular, “bans abortion upon the detection of a “heartbeat”; it also gives full legal rights and protections to “natural persons” in utero, (Evans and Narasimhan 216). The language of ‘heartbeat’, meaning possible embryonic cardiac activity, and ‘natural persons’ to mean a fetus continues both the political agenda of fetal personhood and right, and creates an emotional response, as it denotes life and therefore human connection. The bill, therefore, emphasizes the ways in which the pro-life movement has been able to define the terms in which abortion is discussed and debated in the political sphere. This allows for their emotional rhetoric to influence more than simply individual decisions on abortion, and more generally to impact what decisions women will be able to have. Each of these heartbeat bans have been overturned in higher courts for being unconstitutional in its interpretation of *Roe*. However, a newly conservative Court may change this interpretation of the constitution, overturning *Roe* all together. Therefore, the movement has a strong political opportunity at this moment, giving them great headway to push forward their ultimate goal.

CONCLUSION

The pro-life movement has created a continuous rhetoric which stems from the idea of ‘fetal personhood’ coined in the mid twentieth century. This rhetoric allows the movement to use their own definitions within the abortion debate to promote anti-abortion laws and policies. The

language is often emotional in nature, using fear and maternal attachment to garner support, both politically and socially, and to promote the idea that abortion is immoral, unjustified killing. By using emotional rhetoric, the movement has gained popularity and is able to create a connection between mother and unborn child. In the social sphere, the movement works to limit abortion at an individual level, both by decreasing access to abortion and by creating emotional responses which increase individual ideas that abortion is ethically unacceptable.

Beyond the social sphere, the movement's definition of terms within the political abortion debate allows for them to further their goals through law and policy. Despite the legal precedent set by *Roe v Wade* in 1973, a change to the framework of what is legal for abortions with *Planned Parenthood of Southeastern Pennsylvania v Casey* in 1992 has allowed for the movement to push increasingly restrictive laws in many states. The support of politicians is reflective of the impact of the movement's individual messaging and further pushes the emotional rhetoric into political and legal spaces. Seen in legislation such as 'heartbeat' bills which attempt to dismantle the precedent through the use of pro-life definitions and ideas. These laws reflect both a continued and consistent messaging based around fetal personhood and push forward the movement's goals to limit, and eventually outlaw, abortion.

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