

A close-up photograph of a rusty metal padlock attached to a chain. The padlock is white with some faint markings and a small black letter 'M'. The chain is made of thick, rusty metal links. A red banner is overlaid on the left side of the image, containing the title text.

The Wave of Anti-abortion Laws across the US

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Abstract

Abortion, a medical procedure to terminate the pregnancy which has been prevalent throughout recorded history is a complex, hotly debated and highly divisive issue in the United States. This is because the issue of abortion taps not only specific areas of human rights such as women rights, reproductive rights, right to life, right to equality etc. but also has its roots into orthodox religious mind-sets, emotional, cultural and moral values. Moreover, what fuels various parts of the society at large on views related to abortion is the politicization of the topic for personal gains. In all this process women are most affected as their reproductive rights are always at stake and generally in the hands of republic parties who are trying their level best to bring in laws, which restrict abortion access. As Republicans are now holding a majority of state legislative chambers, their history, and present conduct show strong anti-abortion sentiment. This paper while focusing on the history of abortion in the US, aims to address on issues which have arisen due to recently passed anti-abortion laws mostly by Republican states, their legal standing, effects and obstacles created by them before abortion seekers, activists, clinics and the society at large. The paper also addresses problems which affect women worldwide due to restrictive foreign policies and decisions.

Keywords: Heartbeat bills, Moral character, Women rights, TRAP laws, Potential Life

Introduction

Back in 1973 when the Supreme Court in its landmark judgement of Roe vs. Wade legalized abortion and affirmed that it was a constitutional right of a woman to have access to safe and legal abortions, it received massive criticism from its opponents. The judgement resulted in invalidating all state laws which limited women's access to abortion procedures during the first trimester of pregnancy. With regard to individual foetal rights, the court concluded a foetus to not be a "person" within the meaning of the Fourteenth Amendment." and instead termed it as "potential life" because of which foetus could not be regarded as one to have constitutional rights of its own. (Roden, 2010)

Today, with Donald Trump as president who himself being a republican opposes the current legal status of abortions and appointment of two conservative justices to the Supreme Court, Neil Gorsuch and Brett Kavanaugh, the abortions' situation has only intensified as democrats and opponents fear that this may create an unfavourable environment where restrictions may be put to make the procedure extremely inaccessible. This has turned out to be true, as Republican legislatures in eight states — Alabama, Mississippi, Missouri, Ohio, Georgia, Arkansas, Kentucky and Utah — have already enacted stringent anti-abortion legislation, gambling that the five-member conservative bloc on the court will weaken or overturn Roe — or, if that strategy fails, that anti-abortion supporters will be galvanized for the 2020 election.

Targeted Regulation of Abortion Providers (TRAP) laws which are also called supply side abortion policies have been increasing at a high rate due to which existence of abortion clinics in various states is getting lower year by year, to worsen the situation governors of many states have signed “heartbeat bills” which ban abortion if a heartbeat is detected by the physician. What makes it more restrictive is the fixed time period, which in some bills is as early as six weeks, a period at which it is very difficult for a woman to know about her pregnancy if she intends to abort the baby. The effect of both of these practices is leading to immense pressure on the abortion service providing industry and women seeking abortions as well. Some states have passed restrictive bills targeting healthcare providers as well. What worsens the whole scenario is the confusion and fear created in the minds of potential patients due to increased protests around abortion clinics and media coverage of these bills. This paper focuses on addressing issues relating to anti-abortion laws, history of abortion in US, explaining more about the legal position on the recently passed bills in various states and global consequences of foreign policies adopted by the US.

Reasons why abortion opponents seek to ban the practice outright, supported with a historical perspective as to how activism began and increased rapidly

It is not necessary that those who support women rights must specifically support abortion as well, this is because “abortion” is a juncture where foetal and women rights coincide and politics and religion sensationalize them which gives rise to polarizing views due to which common ground is very hard to find. Opponents who seek to ban abortion take the “pro-life” stance while supporters of abortion take the “pro-choice”. Where the concept of pro-life claims that the foetus has its own rights and should be treated like any other human being, the pro-choice concept supports the right of a woman to choose whether to abort or keep the baby.

Opponents of abortion are of the view that the right to life is more important than the right of individuals to control their own body. Abortion opponents can be further bifurcated into two parties, on one side we have the Christian conservatives and the other we have those who support the ideology of consistent life ethics. Christians follow a teaching called “the sanctity of life” and they apply this guiding principle in various ways to the issue of abortion, many Christian sets including Roman Catholics and Orthodox Christians believe abortion to be morally wrong as they view human life to begin at conception (BBC, 2019), though progressive Christians hold different views and interpretation to the teaching. Consistent life ethics seek to ban abortion as they view both, the woman and her foetus as valuable, and seek to provide all the support needed to live and live well. Hence, instead of treating them as adversaries to each other battling over exclusive rights, they seek to protect both. (Kelly, 1986)

Talking about how the abortion scenario in the United States affected the political parties and changed their ideologies one should focus on the angle of republicans and why they support anti-abortion to such a high extent. Not all republicans initially criticized abortion

access, in fact, most of the party's leadership including dignitaries like the Mary Louise Smith, former First Lady Betty and former vice president Nelson Rockefeller, etc. typically favoured abortion rights. The Republican National Convention of 1976 was a turning point in American politics on abortion as it was this convention where the party brought in an anti-abortion amendment which was basically enacted due to do strategic reasons. The party's leadership wanted to appeal to Catholics and social conservatives, as Catholics traditionally voted for the Democratic Party. (North A., 2019) Anti-abortion supporters slowly started gaining spotlight and having an increased role in the Republican Party, which was a primary reason for driving out many "pro-choice" Republicans from the party. (Karrer, 2011) Hence it is safe to say that the issue of abortion in the United States is heavily politicized and parties try to find opportunities to influence the public at their level best.

On taking a further historical outlook, during the eighteenth and early nineteenth centuries, abortions of early pregnancies were legal under the common law. (Reagan, 1997) They were considered illegal in case of "quickening" (when foetal movements can be felt). It is pertinent to note that in mid-nineteenth century, the first "right-to-life" movement (focussing on foetal rights) was started by physicians, rather than activists. Physicians back then were a growing community and were mostly concerned about their professional status as they were largely unregulated and lacked institutional authority; moreover, they had to compete with a variety of other healers who were engaged in the similar business of providing services for reproductive healthcare. Though many physicians believed that providing medicines would benefit patients, there were some who, in order to reduce competition from healers sought governmental licensing and regulation. Physicians encouraged to bring in anti-abortion laws and tried to push them into state legislatures, to increase their role and stature (Mohr, 1978). There were physicians who advocated that their campaign for banning abortions had more to do with their superior medical knowledge, they argued that women and healers lacked embryonic knowledge which is vital in knowing when life began in the womb. Due to their constant efforts, abortions by 1900s became illegal throughout the US (Reagan, 1997).

As activism grew towards ending abortion practices in the '70s, activists started focussing more on individual foetal rights than woman rights and started linking their campaigns to human rights and civil rights work. They sought different ways to spread their message to the masses. Out of the many practices done by activists to influence people to not support abortion practices, one of the highest impacts back then was created by circulation of Graphic pictures of aborted fetuses, the most important of all was drawn from a "Handbook on Abortion" by John and Barbara Willke, which some later started calling the "Bible of pro-life movement". (Holland) These pictures were reproduced and extensively used for campaigns to create shock and seek sympathy from the public. This method of affecting the public mindset was so successful that even today one can see pictures of aborted fetuses across websites, campaigns and protests.

Why do opponents believe that abortions undermined the American moral character?

Post *Roe v. Wade* and *Doe v. Bolton* decisions, abortions were considered legal for virtually any reason, in every state. In order to find the ideology behind why opponents believe abortions to be an act which undermines the American moral character, this paper heavily relies on the 1996 famous declaration “The America We Seek: A Statement of Pro-Life Principle and Concern”. The ‘pro-life’ activists in their article believe that right of life is one of the great moral truths on which the American democracy rests. They are of the view that licenses which grant abortion erode the American civil communities’ moral character and foundation. Opponents to abortion practices promote their pro-life stance by urging Americans to support and work with those who seek to re-establish the moral linkage between sexual expression and marriage, and between marriage and procreation. They are of the view that in order for America to be a virtuous society there is a need to honour and promote ethics of self-command and mutual responsibility, and to resist false ethics of unbridled self-expression. (Various, 1996)

Abortion opponents argue that all supporters of abortion rights lay focus is on the right of a woman to choose to terminate her pregnancy without even discussing the morality of that choice (DeParle.J, 1989). The pro-life leaders also claim that the increasing amount of black women getting abortions done to be a form of planned racism, they claim that blacks have been targeted aggressively by the abortion industry, and the pro-choice community is to be blamed as it carries institutionalized racism in order to control the population of blacks (Goldber, 2019).

How strong the stance of morality kept by activists stands before international human rights law is also a factor to be taken into consideration. International human rights law recognizes and accepts the protection of morals to be a legitimate reason for bringing in abortion legislation as some limits on access to the procedure are justified, but it requires them to be transparent and rational. Hence, human rights do not find moral ends to justify all sorts of restriction. (Erdman, 2017)

Discrimination caused by these abortion laws on specific sets of the society

Legal experts today accept that the right to abortion access is a matter of equality. On one hand, where we have financially sound women, who in case want a baby will be able to access proper reproductive care and guidance, on the other we have those women who are economically weak or are teenagers who may not want to get pregnant owing to the circumstances they live in. Limiting abortion access and anti-abortion enactments materially affect women who have less money and less job security, as being denied access to abortions has long term financial consequences. (Merelli.A, 2019). To support this claim in a research conducted by Diana Greene Foster (director of research in gynaecology at the Bixby Center for Global Reproductive Health) at the University of California between 2008 and 2010 which looked for links between abortion and economic outcomes, it was found that women who weren’t able to have an abortion and

ended up giving birth were less likely to have full-time employment, and more likely to be completely out of a job. In the above-mentioned research, majority of women were already in living in poverty, researchers in the study found that these women carrying an unwanted baby to term were associated with a fourfold increase of the likelihood to be living below the federal poverty line. (Merelli.A, 2018)

People of colour, majorly black women compared to women of other races are more likely to live in poverty. As per the Guttmacher Institute, black women are more than 5 times as likely as white women to have an abortion, and the reasons for this vary greatly. At one place there are pro-life activists who falsely assert that increased abortion by black women to be a result of racism in the pro-choice community, and of Planned Parenthood federation in order to reduce the black population (Cohen.S, 2009).

It is to be noted that 67% of African-Americans' pregnancies are unintended when compared to 40% for non-Hispanic and white people, moreover, African-American women have three times the risk of death from ectopic pregnancies over white people and have higher rates of uterine fibroids and hysterectomies. There are pervasive health disparities black women face in comparison to white women which materially affects their right to existing abortion access. In many aspects of reproductive health, black women face poorer health outcomes compared to white women. Maternal mortality rates in the case of African-American women are three times higher compared to non-Hispanic white people and other races. African women also have lack of access to sex education, healthcare, and reliable contraceptives. (Cohen.S, 2008) In addition to the above reasons is the lack of availability of affordable health insurances, and restrictions on access to government safety-net programs, turn out to be key barriers to reproductive healthcare for poor and low-income women. (Center for reproductive rights)

Why has the abortion issue had such staying power, compared to the steady liberalization of views on homosexuality and interracial marriage?

One of the main reasons why the abortion issue has such a staying power is that the issue taps into competing, deep-rooted views on the role and contribution of men and women in society. The anti-abortion movement has majorly transformed ideas on women's bodies, reproduction, feminist politics, and, foetal life. As per the views of famous sociologist Kristin Luker, the debate of abortion does not only restrict itself to the moral status of a foetus but also the status of motherhood in the American society and validity of traditional gender roles. (Himmelstein, 1986)

Abortion is more cultural and politically centred in the US than in other countries. The issue of abortion has been transformed from being a technical and medical issue to a more moral one, due to which a compromise from either of the sides ("pro-life" and "pro-choice") has become more difficult as over time the issue has slowly entered into the American tradition of moral politics.

Abortion before 1840 was widespread and not seen as illegal or controversial. This means that earlier people carried a very different understanding of the procedure. Issues

relating to childbirth and reproduction were more restricted to the confines of private homes and women, rather than of men and public policy which they are now. Today, the issue of abortion does not have to deal with only a particular class of people but the society at large as it has matured over time. Abortion has at times been a medical, legal, technical and moral issue. Hence no common ground can be found and negotiation with either of them would be very difficult as these have more to do with ideology and outlook of different people. The population is divided into two sides, but there is a general consensus that abortions should be permissible in some but not all circumstances. The abortion issue has intersected with the American political development scenario and has resulted in greatly influencing the political behaviour of the parties. (Munson, 2018)

Today, both the parties are ideologically driven and further apart than at any point in the history of America since the civil war. Due to which people strongly associate their identities to the ideologies of these parties. Hence it is safe to say that the issue of abortion in the United States is heavily politicized. Views on abortions are considered more than just opinions in America; they define a person's character. (Munson, 2018)

Recent rulings and their significance

Medical facilities and abortion service providers are already subject to comply with a number of safety standards at federal and local levels. What makes the existence of abortion clinics tougher are added excessive, unnecessary and costly regulations which are basically referred to as TRAP (targeted regulation of abortion providers) laws, these are laws which have nothing to do with patient health and safety (Naral Pro-choice Missouri). Opponents of abortion practices have always favoured the enactment of TRAP laws in many states as it helps them fulfil their goal of reducing abortion access. When Republicans gained majorities (since 2010's) in various state legislatures there has been a significant rise in such laws. The most recent example of effected states due to TRAP laws are of Missouri and Kentucky.

Missouri is one of the most controversial and affected states in regard to abortion practices, at one place it has the highest ratio of women of reproductive age, and at the other, it has only one clinic which provides abortion services. Since the past 10 years, abortion opponents have backed incremental restriction and targeted regulation on abortion clinics and providers at the state level. (North A., 2019). As a result of such laws, rules and restrictions, Missouri have gone from having as few as five abortion clinics in 2008 to just one in 2019.

With only one clinic left to provide abortion services in the state, which is the Planned Parenthood clinic in St.Louis, anti-abortion activists are trying their level best to shut it down. Planned Parenthood recently sued the Missouri Department of Health and Senior Services over non-renewal of license. The last standing licensed clinic for abortions was slated to close due to the expiry of license and refusal of Missouri Health Officials to renew it on grounds that it failed to meet their standards and citing concerns including three failed abortions. (North A., 2019).

On 31st May 2019, when Planned Parenthood won a court order to keep the clinic running, though, for a temporary period, it acted as a relief to many activists and women seeking abortion access. The clinic was permitted to continue its services, by virtue of which, abortion is still permitted for a temporary period. Missouri Circuit Judge Michael Stelzer's decision prevented Missouri from becoming the first and only state in the country without access to abortion services. In case the license from the state's Department of Health and Senior Services had expired, Missouri would have been the first state since 1974 to have no abortion clinic, leaving some women to cross state lines and travel hundreds of miles to gain access to the procedure (North A., 2019).

It is to be noted that though the ruling provided temporary relief, it was set to be heard on August 1 2019, the Administrative Hearing Commissioner further delayed, rescheduling the hearing to the last week of October 2019. (Thomas, 2019).

Kentucky is also one of the states to be affected materially by the wave of abortion bills passed and enacted in recent years, evidence of this is the EMW Women's Surgical Centre, the one and only clinic left to provide such services. Kentucky Governor Matt Bevin signed two bills in 2019, one bill which bans abortion once a foetal heartbeat is detected, usually about six weeks into a pregnancy and another which bans abortion because of gender, race or disability of a foetus (Yetter, 2019). Both bills were signed and passed with an aim to restrict abortion access. These were passed with emergency declarations (with intent to be enacted immediately upon passage). American Civil Liberties Union filed an immediate challenge to both the bills as a result of which Judge David J. Hale ruled the laws to be potentially unconstitutional and barred them from taking effect until he could hold a hearing, a process likely to take months (Aggeler, 2019).

A 2018 Kentucky law which banned a second-trimester procedure for aborting babies was also struck down in May 2019 (Yetter, 2019). U.S. District Judge Joseph McKinley ruled that the 2018 law would create a "substantial obstacle" for a woman's right to an abortion, violating constitutionally protected Fourteenth Amendment rights to privacy. In the ruling, with reference to the term "substantial obstacle" the judge observed that if the Act had gone into effect, women would have lost the right to obtain a pre-viability abortion anywhere in Kentucky after a period of 15 weeks. (Associated Press, 2019)

Hence it is safe to construe that on judicial interpretation of recently passed abortion related laws by the state legislatures, it can be found that such laws are mostly fuelled by political agendas to close down abortion clinics and restrict access to them rather than make abortion as a process safer for women. Experts in the medical domain such as the American Medical Association and American Congress of Obstetricians and Gynaecologists oppose laws which target restrictions on abortions providers because they don't aim at improving safety, but only at creating more hurdles towards safe medical care (Planned Parenthood). Currently, with regard to targeted regulation of abortion providers, 24 states have laws or policies which regulate abortion providers and go beyond what is necessary to ensure safety of patients and all of these apply to clinics that practice surgical abortions, and 13 states have unnecessary requirements imposed on clinicians engaged in performing abortions. (Guttmacher Institute, 2019)

Can women still get abortions in states where these laws have passed?

As of now, abortion is still legal in all the 50 states, but the dispersion of this fact among masses tends to get hampered due to increased media coverage and protesters near abortion clinics. As various states have put restrictions and bans on abortions, increased news coverage tends to only create further confusion. The most common question abortion providers are usually asked by potential clients and patients is if the procedure is still legal in the states where such laws have been passed. Healthcare providers are updating their websites, social media platforms and relying on advocacy groups and funds to provide accurate information to the confused public. The confusion has increased to such an extent that Planned Parenthood Southeast had to set up an automated message on their call lines just to say that abortion is still legal and their doors are open. (Svokos, 2019)

Though governors in states such as Mississippi, Ohio, Georgia, Kentucky have approved heartbeat bans, moreover Alabama's governor has given a nod to making the procedure a felony in mostly all cases and many states are considering bringing in such restrictive bans (Brumback, 2019). None of these bills has taken effect as of now, it is to be noted that several of them have even landed up in courts and been struck down as unconstitutional or have been temporarily suspended, one can look at the above-mentioned cases of Missouri and Kentucky in the above paras and the below-mentioned cases.

It is true that lawmakers in some states have passed many TRAP laws as a result of which access to abortion clinics has become more difficult as clinics end up being at the verge of shutting down due to a long list of unnecessary requirements which they are forced to comply with. The fact that as many as 6 states have only a single abortion clinic situated in them, while other states too do not usually have more than 2 or 3 is an indicator of how stringent these laws are (Brumback, 2019).

Can health-care providers who perform abortion procedures be punished?

As abortions are legal in the US, so is the status of its practitioners and providers. The bills which have been introduced haven't taken effect yet, due to which abortion practitioners cannot be punished as long as they are complying with other laws. What is important to note is that abortion healthcare providers who perform abortions are targeted more than women who undergo abortions. One can refer to an article in the time magazine where anti-abortion supporters claim that outlawing abortion should punish abortion providers, not women (Filipovic, 2016). These views show that pro-life supporters aim abortion service providers more than women who seek an abortion.

However, though these bills aren't into effect, they do target health care providers who perform abortion procedures. Alabama's bill namely The Human Life Protection Act, also known as House Bill 314 exempts women undergoing abortion from criminal and civil liability (Iati, 2019). The bill instead targets doctors who perform abortion procedures

could be charged with a class-A felony and face imprisonment of up to 99 years. (Blinder, 2019)

In Mississippi's Senate Bill No. 2116, a physician who performs an abortion after a foetal heartbeat is detected could face disciplinary action and revocation of his or her Mississippi medical license, the exception being him performing abortion procedure in cases where mother's life is in danger. Louisiana's Senate Bill No.184, a doctor who violates the prohibition under the bill could face up to two years in jail along with the revocation of their medical license unless the abortion was done to prevent the pregnant woman's death. In Missouri, the bill bans abortion after eight weeks of pregnancy and applies to rape and incest victims as well. Women undergoing abortion procedures won't be prosecuted, whereas doctors performing later abortions would face imprisonment of 5-15 years. (Law, 2019)

In North Dakota, Gov. Doug Burgum House Bill No.1546 that makes it a crime for a doctor to use instruments such as clamps, scissors grasping forceps, tongs or similar instruments while performing a second-trimester abortion to remove the foetus from the womb, except in the cases of a medical emergency. Doctors performing the procedure would be charged with a class-C felony, punishable by up to five years in prison and a fine of \$10,000. The measure clearly says the woman undergoing the abortion would not be prosecuted. (Al Jazeera, 2019)

Reasons why these bills are called "heartbeat bills" and why activists are objecting to the six-week cut-off written into these "heartbeat bills"

The reason why most of the recent abortion bans are called "heartbeat bills" is simply because these prohibit abortion once a foetal heartbeat can be detected. The bill was first drafted and introduced in around 2011 in Ohio by a pro-life group called faith2action; it didn't get signed into law. The Ohio bill inspired legislators in various states to come up with their own "heartbeat bills" as a result of which dozens of bills were signed in the following years (Ravitz, 2019) (Yee, 2019).

Various medical experts are of the view that the "heartbeat bills" get the science of foetal heartbeats all wrong. Doctors argue that calling such bills as "foetal heartbeat" bills is medically inaccurate and misleading. Ted Anderson, who is the president of the American College of Obstetricians and Gynaecologists (ACOG), found the bills to be "arbitrary" bans which were not reflective of any foetal development or science. He also said that what the proposed bills interpret as a heartbeat is actually an electrically induced flickering of a portion of the foetal tissue that will become the heart as the embryo develops. (The Guardian, 2019). Dr.Gen Gunter an obstetrician and gynaecologist who runs an influential blog on healthcare issues termed beating to be a "foetal pole cardiac activity", and regarded them as just a cluster of pulsing cells (Gunter, 2016). Jennifer Kerns, an obstetrician and gynaecologist at UC San Francisco and director of research in obstetrics and gynaecology at Zuckerberg San Francisco General Hospital said that the beat which is recognised by doctors at that stage is a group of cells with electrical activity and that's what the heartbeat is at that stage of gestation. (Rogeres, 2019). Dr. Colleen McNicholas,

an obstetrician and gynaecologist noted that the term foetal heartbeat doesn't even apply until about 10 weeks into a pregnancy. (O'Connor.L, 2019)

The reason these bills are facing such strong criticism is that they prohibit the practice of abortion before women even know that they are pregnant, hence the intention behind these bills is to bring in a near-total ban on the procedure (North A., 2019). The six-week cut-off is included in most of the heartbeat bills because it is around this period when a foetus' heartbeat or, more specifically, the cardiac activity can be detected. Medical practitioners allege lawmakers to ignore facts about embryology and criticize these bills as they claim that many women aren't aware of their pregnancy in the first six to eight weeks. (O'Connor.L, 2019)

Global implications of policies adopted by the United States

The United States is a major contributor to funding and implementation of global healthcare programs (Hessini, 2019). Therefore, foreign policies of the US can play a substantive role in the reproductive healthcare scenario worldwide and influence abortion access to a great extent. Major foreign policy and the decision of the US government discussed below shows clear intent towards restricting abortion services and access at a global level.

The Global GAG rule (formally known as Mexico City Policy) – The GAG rule restricts US foreign aid to flow to any NGO engaged in abortion related activities. The reinstatement and expansion of the GAG rule in 2017 by president Donald Trump mandating foreign non-government organizations to certify non engagement in abortion related activities (even if it's with NGO's own funds) such as counselling, referring, and providing abortion services, etc. in order to receive foreign aid has forced many healthcare providers to restrain from engaging in abortion services as they substantially rely on US funding (International Women's Health Coalition , 2017). As per a new study conducted by a peer reviewed medical journal, named The Lancet, it was found that such policy which restricts funding actually results in increased and potentially riskier abortions in poor countries, which places women's lives at greater risk (Brooks, 2019).

One must note that limiting or restricting activities relating to speech and counselling which can be legally provided by doctors and experts is a violation of the US's fundamental human rights obligations to protect free speech and association. (Global Justice Center, 2018)

Withdrawal from funding United Nations Population Fund – UNFPA being a United Nations agency that focuses on sexual and reproductive health in more than 150 countries viewed United States as a valued and trusted partner (UNFPA, 2017). When the United States alleged UNFPA to have encouraged forced abortion and coercive sterilization practices in China back in 2017, many advocated against its decision calling it a baseless and fabricated excuse to stop funding the organization (Yakupitiyage, 2017). Post withdrawal of funding to UNFPA in 2017, UNFPA faced a gap of 350\$ million through which it's still struggling (Choudhury, 2018). As UNFPA provides contraceptives, ensures

safe pregnancies and reproductive health in developing countries and emergency situations, America's continued decision to not fund anymore will have a negative impact on those who benefit from the UNFPA fund especially in emergency situations as the agency may have to face an increased financial crunch.

Conclusion and recommendations

Legal abortion is considered to be one of the safest surgical procedures in America and is favoured because of its inexpensive and subsidized treatment costs due to which women regardless of their economic condition can access them. Banning abortion outright is not the correct approach, in fact making abortions illegal will not prevent women especially those belonging to the minority and economically weak sections of the society from seeking other ways to access abortion procedures (basically illegal and unsafe), which will result in an increased risk of death and complications. The United States already has the highest mortality rate compared to other developed nations, with the rise of such restrictive bans and bills it will only increase. The American moral character will live up to its true sense if women rights are properly implemented by recognising abortion as a vital reproductive right and the issue of abortion is kept away from politics. The right to control a woman's body should be in the hands of the woman bearing the foetus as it is she whose body and life will be affected economically, mentally, physically, etc.

The abortion industry is already facing many obstacles such as lack of federal funding; existing restrictive laws and continuous pressure from the states with the passage of restrictive bills in the form of "TRAP bills" will only worsen the situation. Many court judgements in different states have either temporarily suspended or struck off "heartbeat bills" as unconstitutional which again shows that these are based less on logic or legal sense and driven more by politics. Policies which aim at increasing awareness about the current legal status of the bans are necessary. Law and policy makers should aim at providing access to safe abortion care by removing unnecessary restrictions on abortion providers and encouraging institutions to set up more abortion clinics rather than destructing the few ones left. With regard to foreign policy, bringing in legislation to permanently repeal the Global GAG rule will help women worldwide in having access to safer abortions and related medical access from NGO's. Funding UNFPA will not only alleviate lives of millions of women around the globe but also promote sustainable development, for now, the US Congress should aim at maintaining funds and supporting UNFPA as these efforts will help in making a strong statement before the Trump administration.