

How Roe v Wade will affect society's future bodily integrity

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2022

Abstract

The purpose of this paper is to determine whether or not the overturn of *Roe v. Wade* will have a significant footprint on society's future bodily integrity according to the views of the Barton College community. For further context, what will be explained are the details of *Roe v. Wade*, women's rights from the past to the present regarding the body, and potential, if any, backlash of the overturn towards society's future bodily integrity. In the future, this information can aid in further research and will open a bigger discussion of *what's next* in regards to society's bodily integrity. It may open eyes and raise questions others may not have asked or seen before such as, *what will happen to the LGBTQIA+ and Black community?*

Keywords: *body-integrity, roe, wade, societal-views, barton-college*

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To most Americans today, *Roe v. Wade* 410 U.S. 113 (1973), is problematic for just one thing: a woman's right to continue or terminate a pregnancy. However, the Supreme Court's decision once meant much more. On Jan 22, 1973, now revealed to the world as Norma Leah Nelson McCorvey, (during that time, she used the pseudonym 'Jane Roe' for safety reasons), was the plaintiff of one of the most progressive court cases of the United States, *Roe v. Wade*. Roe was an unwed pregnant woman who brought a class-action lawsuit to court to challenge Texas' criminal abortion laws that state abortions are illegal unless medical professionals deem in necessary in order to to save a woman's life. Roe claimed that her rights to privacy were violated by Texas laws protected by the First, Fourth, Fifth, Ninth, and Fourteenth Amendments (Blackmun & Supreme Court Of The United States, 1972). While it took a year for the trial to finalize due to the case being argued on Dec 13, 1971, and reargued on Oct. 11, 1972, the final decision of *Roe v. Wade* declared that, "a person may choose to have an abortion until a fetus becomes viable, (the ability to live outside the womb – usually between 24 to 28 weeks after conception), based on the right to privacy contained in the Due Process Clause of the Fourteenth Amendment," (Justia Law, n.d., para. 1) However, on June 24, 2022, the case had been overturned by the Supreme Court, destroying nearly 50 years of legalized abortion protection and giving separate states once more the ability to limit abortions or illegalize abortions rights altogether. As North Carolina has yet to follow suit of 11 states already outlawing abortions entirely, such as, Alabama, Arkansas, Idaho, Kentucky, Louisiana, Mississippi, Missouri, Oklahoma, South

Dakota, Tennessee, Texas, as of Nov 23, North Carolina is at a gestational limit whereas the state has banned abortions after 20 weeks of pregnancy (*The New York Times*, 2022). The Barton College community in Wilson, North Carolina have clashing opinions on the topic.

Process

The process of arriving at this research topic surfaced from the strong interest of women and their rights whether it be from external factors such as clothing choices in the workplace, and how their attire may affect their chances of getting a job, promotion, etc; or internal ones, such as the anatomy of the woman's body, before and after *Roe v. Wade*. Despite the feminist movement creating equality for women, women are still subjected to discrimination based on face value and reproductive anatomy.

In an experiment based in the UK, Howlett, et. al (2015) asked 54 female college students and 90 already employed women to rate the dress on several different images of faceless women with different levels of occupations on scales of intelligence, confidence, trustworthiness, responsibility, authority, and organization for five seconds each. For the experiment, the researchers used subtle clothing changes such as unbuttoning a button in a blouse, or changing the length in a skirt to obtain different results. The end results showed that “the minor manipulations we made to clothing significantly affected competence ratings, with target females in provocative clothing being rated more negatively” (Howlett, et. al, 2015).

In 1972, taken from *The Washington Post*, columnist George Gallup issued a poll regarding the opinion of Justice Henry Blackmun in *Roe v. Wade* case file (Greenhouse, 2010, p. 1336–1337). The results from the Gallup poll result 63% of men, 64% of women, 65% of

Protestants, 56% of Catholics, 59% of Democrats, and 68% of Republicans all agreed with Justice Blackmun's statement that "the decision of an abortion should solely be made between a woman and her physician" (Greenhouse, 2010, p. 1336–1337).

However, along with the research of Howlett et. al (2015) and Greenhouse (2010), it is appropriate to say that many Americans are quick to have opinions on women and women's rights regardless of their educational backgrounds. Because of this assumption, a seven-question online survey was conducted to explore the minds of college-educated citizens, (the Barton College community), regarding their viewpoint on women's rights both regarding *Roe v. Wade* and women's bodies.

Before those questions were asked, background information of the people surveyed was gathered consisting of age, race, and sex to determine whether backgrounds of the participants would make a difference in responses. The first question, *on a scale of 1 (least) to 5 (most), how confident are you of your knowledge towards Roe v. Wade?*, followed the likert scale and asked participants to rate their personal confidence levels regarding their knowledge towards *Roe v. Wade*. The next couple of questions were two multiple choice questions, *are you for or against the overturning of Roe v. Wade?*, and, *do you think this case will affect other court cases regarding the human body?*, and one open-ended question, *what are your thoughts of society after the overturn?* Following each multiple choice question, were spaces for all participants to further explain their answers however they sought fit.

Survey Data

There were a total of 53 participants from the responses of the survey. Out of all 53

participants, 77.4% were women and 22.6% were men. The majority of participants, 45.3%, were between the ages of 18 and 24. The rest of the ages ranged from 25 to 65+ with 15.1% being between 25 and 34, 9.6% being between 35 and 44, 9.4% being between 45 and 54, 7.5% being between 55 and 64, and finally 9.4% being 65 or older. Speaking of race and ethnicity, 79.2% of participants considered themselves as White while the next leading race was 9.4% of participants being Black; 5.7% were Hispanic, 3.8% were Asian, and 1.9% were mixed.

All multiple choice questions were answered by all of the participants. However, answers for the open-ended questions varied from between 43 to 53 responses. On a scale from one to five, (five being the highest and one being the lowest), 35.8% of participants chose number four, indicating they were *fairly confident* in their own knowledge towards Roe v. Wade. Twenty-eight percent chose choice three, being somewhat confident and 22.6% chose five, being completely confident. Just over 11% of the participants selected two as they were only slightly confident in their knowledge. Only 1.9% of the participants decided that they were not confident at all.

From asking the participants to rate their confidence levels, the leading answers of all 43 responses ranged from getting their basic knowledge from the news and college courses such as Government, or knowing that the case involves abortion rights. Their answers were to be expected as most Americans who are asked to name a Supreme Court case, answer with *Roe v. Wade* rather than a case such as *Brown v. Board of Education* since, determined by research, Americans are “eight times more likely” (Greenhouse, 2011, p. 2028–2087). When the participants selected higher numbers in knowledge, the participants answered so due to being in

professions where women's rights are a high priority such as being health care providers and obstetricians.

The next question, *are you for or against the overturning of Roe v. Wade?*, was believed to be the most controversial question, in which participants were asked whether or not they were for or against the overturning of *Roe v. Wade*. Almost 70% claimed that they were against the overturn, 20.8% were for the overturn, while the rest, 9.4%, were still undecided. In the written responses portion that followed, out of the 48 responses, the majority that answered being against the overturn, claimed that the overturn was the United States' government officials' way of repeating history, and that the overturn was unethical because women should have the choice on what to do with their own bodies. Many participants were worried about the well-being and the health of the women themselves who do wish to get abortions. One participant claimed that “overturning *Roe v. Wade* is not going to stop abortions all together; that it will just stop *safe* ones. Meaning that women who have nowhere to turn will end up choosing unsafe practices or worse, suicide.” The participants also cited the United States Constitution and Christianity. One participant stated “the United States Federal Government and State Government should not be able to suppress a basic freedom given to them by the United States Constitution.” However, respondents revealed a worst case scenario. One respondent claimed that “abortions never should have been determined by federal court, and that each state governor should have always been the determinant for restrictions on abortion.” On the question of religion, one participant stated that the overturn feels like a “push for Christianity nationalism.”

To combat the justices of the Supreme Court's decision, two respondents that were for

the overturn were also consistent in citing the Constitution following the Tenth Amendment. One participant stated that the overturn was “a local issue, not a national one.” While the other participant claimed that the overturn was “inconsequential... what is consequential is the Tenth Amendment of the Constitution stating that any powers not delegated to the federal government in the Constitution will be awarded to the states.” Two more respondents that did not cite the Constitution both stated that “abortion is murder.” Specifically, one participant said that even though they would not consider themselves an “expert” on the *Roe v. Wade case*, nor have they “read every word of the Constitution,” they “do know enough to where [they] believe that people who do not support the overturning of *Roe v. Wade* take the human rights portion of the Constitution out of context to support their argument.” The other participant believed that abortion is murder because they “do not believe one should have the opportunity to abort something that was done during adult decisions.” However in the extreme cases such as rape or incest, this participant stated that they would want to find other options to aid in the extreme cases, so that abortion would not be the final decision.

The following question, *what are your thoughts of society after the overturn?*, was a long response section as it required participants to consider their thoughts on the state of society after the overturn. Out of all 53 participants, only 48 responded to the question. Key elements that continued to stay relevant in their responses were division and fear. The survey showed that respondents believed that with the overturn of *Roe v. Wade*, society and the country are further divided from themselves than they once were. One respondent believed the reason why the country is divided is “an example of a small, but vocal minority having

too much political power.” Another respondent believed that the division has caused “a setback for the progression of society. [As] we are supposed to evolve and develop as we move into the future, instead we are pausing and reverting back to dark times.”

In regards to fear, three respondents were afraid that that “setback” to society would lead once more to the prevention of contraception. While one respondent stated that “social media is covered in stories about further restrictions on IVF and birth control,” two of the three respondents equally shared the same responses of women potentially finding harmful ways to have abortions. Specifically, one respondent claimed that the overturn “would also lead to deaths from illegal abortions, because banning drugs didn’t stop it, and banning abortions won’t either.” In regards to the respondent that mentioned social media, based on the responses given, this respondent’s belief is appropriate to generalize that “it is terrifying to a woman in 2022.” However, a separate respondent insisted that society should “change the mentality that abortion is needed for women to achieve liberty, freedom, and equality.” The same respondent cited Justice Anthony Kennedy from the court case of *Planned Parenthood of Southeastern Pennsylvania v. Casey* 505 US 833 (1992) stating, “the ability of women to participate equally in the economic and social life of the Nation has been facilitated by their ability to control their reproductive lives.’ ...Basically, saying that women rely on the ability to have an abortion to participate equally in our society.”

On the final question, *do you think this case will affect other court cases regarding the human body?*, when asked whether or not they think *Roe v. Wade* will affect other court cases regarding the human body, 75.5% of participants believed that this case will have a lasting

impact, while 11.3% said no, and 13.2% of participants were uncertain. The participants were given the opportunity to explain their choices and only 46 did so. Respondents believed that this case will stand as a safety net and reference to other court cases in the future.

Specifically, a respondent claimed that “once precedents are set in one facet of the law, the door is opened for those precedents to be used to support a myriad of potential cases.”

Another respondent referred to *Roe v. Wade* as “one case that should have never been questioned. [However], now that it is, people are going to see how far they can push different issues.” In regards to issues, a respondent claimed that “if politicians go after IVF and birth control. [The] government will be involved in women’s privacy and bodily autonomy.” A separate respondent that selected yes referred to the court case *Loving v. Virginia 388 US 1 (1967)*, and stated that “if the Supreme Court will overturn this [permanently], they have no problem overturning other cases that have been put in place. Such as the case that allows for individuals to marry outside of their race.”

However, for the 11.3% of respondents that did not believe that *Roe v. Wade* would affect other court cases, one respondent claimed that “one court case does not define the results of another court case.” Another stated that “certain cases and motions for other laws regarding the human body will be blocked by house majority republicans.” One respondent referred to Justice Alito in the court case *Dobbs v. Jackson Women's Health Organization 388 U.S. 1 (1967)*, and stated, “[Alito] clearly states that the Dobbs opinion is solely about abortions that are induced with the intention of ending the life of the embryo/fetus. The opinion delineates from other bodily autonomy issues such as contraception and marriage.

The primary difference between induced abortion and other bodily autonomy issues is that the choice to have an abortion ends the life of another human being.” Another respondent shared similar frustrations on the matter being “completely absurd.” They continued, stating that “anyone who actually read the majority opinion would know that they specifically stated that this case would not be used to overturn former precedents on other related cases regarding the access to contraceptives and other private matters.” A different respondent claimed “there are no other current cases on the horizon that have attempted to use the constitution in the same way *Roe v Wade* did. We have to-date not attempted to take similar issues down this same road”

A majority of undecided respondents either left space empty, responded with “I don’t know,” or felt as if they were not educated enough to answer properly. However, one that did answer, stated that “it really seems to depend on who is in political power rather than any real ethical approach to women and their control over their own body. Unethical people trying to tell me what is or is not ethical - hard to predict how far wrong this, [*the Roe v. Wade case*], will go.” Another respondent seemed to think that the question asked was “very political” and that attention should be turned to “Life [since it] seems to be the issue, [and] not really the human body.”

In conclusion, out of the 53 participants, 41 identified themselves to be women. From the 41 women, 60.4% stated to be between the ages of 18 and 34, which according to experts, is the age range considered to be the best childbearing age range in order to achieve the best outcome for both the woman and the child. That means the majority of participants answering this survey

are the one who will likely be affected the most. Despite the fact that the mass majority of participants universally agreed that overturning *Roe v. Wade* is a setback for society, many had misconceptions about the viability of a fetus, and for most, the discussion of *Roe v. Wade* appeared to be more than the bodily autonomy of women.

Future Directions and Applications

In the future, this information can aid in further research that could open a bigger discussion in regards to society's bodily integrity and autonomy. It might raise awareness of the issue and incite questions others may not have asked or seen before such as, *what will happen to the LGBTQIA+ and Black community?* (Murray, 2021). With regard to the survey, one thing for a future researcher to consider is using software that has the ability to divide the sections of questions more thoroughly to calculate percentages effectively. For example, having the ability to view individual responses and having their responses already calculated into percentages in a more aesthetically pleasing manner for time purposes.

Also in regard to the survey, one participant believed that the most controversial question, *are you for or against the overturn of Roe v. Wade*, was leading because the terms *for* and *against* have a positive and negative connotation. In the case that someone else adapts research from this project or conducts research similar to it, asking questions that do not implicate bias in any way, shape, or form is necessary. Perhaps asking the question as such prevented participants from answering more critically.

To develop a fuller capacity of abortion laws and history of abortion laws, future researchers should also review the court case, *United States v. Vuitch 402 US 62 (1971)*, as it

occurred in the District of Columbia nearly a year earlier, and is referred to during *Roe v. Wade*.

As research prior to *Roe v. Wade* continues to stay relevant, it is necessary to study society before *Roe v. Wade* and after, in terms of the aftermath of *Roe v. Wade*.

Reflection

A problem that I did find while working on this project was time management. Despite the short amount of time I took on this project, I received a total of 53 participants to fill out the survey. However, the desired number of participants I had originally planned for were significantly larger than expected in reality. I believed this way solely because of prior years at Barton where surveys from other students failed to reach a minimal goal of 10 participants. While I was not able to grasp an in-depth understanding of the Barton College community's viewpoint regarding *Roe v. Wade* (since 53 participants were less than one percent of the campus), I was able to find some kind of understanding since the people who filled out the survey come from a wide variety of ages and confidence levels in the case. One way to improve or change this outcome would have to be to start months in advance and have a semester-long survey. Due to the number of responses in such a short amount of time, I have no doubt that the number of responses could have tripled. At first, I thought asking the same participants to volunteer for a post survey interview would be necessary. However after conducting the survey, I realized that having interviews with the participants afterwards would not only risk the reveal of their identity, but I also thought that the interview would not have been beneficial in any way. I came to this conclusion simply because of the space I left after each multiple choice question for the

participants to explain themselves however they wanted to; whether they used the space or not. Regardless, after finishing this assignment, I believe that the knowledge I've obtained while researching this topic has grown tremendously. Although I used the research of others that were more inclined towards the bettering of women's rights, I tried to not let research sway me in one way more than the other (and it did not). I believe that I achieve my goal of learning more without preconceived notions and biases; and from the research I did conduct, I feel like the responses given from the participants will in fact incite a bigger discussion on this topic.

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