

# Sample research paper on causes of republicans' push for new laws that restricts ...

[Law](#), [Criminal Justice](#)



## Introduction

The rate of abortion in the United States keeps growing, even as government, religious bodies, human rights continue to shun out ways of keeping the figure at the lowest rate and campaigning against the continuous practice. Over 56.8 million abortions have been carried out till date, since the famous case between Roe vs Wade in January 22, 1973 when the US Supreme Court legalized its unrestricted practice (National Right to Life). Also, there is a raise in the number of abortions committed globally. It is estimated that from 1980 till present day there are about 1.315 billion abortions committed. According to the data from US Abortion Clock pregnancies that were terminated this year alone is about 35.8 million. In the United States alone, abortion executed through Planned Parenthood since 1970 is estimated at 6.6 million, while the same category figure for 2013 alone stands at over 299,350. It is pertinent to also state that abortions are spurred by rape or incest incidences. The figure for the latter is set at 10,300 for 2013 alone in the United States.

Since, the 1850 to 1890s American states were known to have passed laws that made abortion an illegal practice. Though, according to National Abortion Federation (NAF), the practice was legalized when the earliest settlers thousands of years ago arrived, at a period before the introduction of US constitutions.

Thesis statement for this report is that Republicans push for new abortion laws will have negative effect in US economy, political and social spheres.

## **The Struggle between Republicans and Democrats**

The tussles between the prominent US political parties, The Republic and The Democrats have further heightened the incidences of abortion practice.

Implementations of policies over the year in such a way that will attract the support and sympathy of those proponents of abortion practice are carried out for selfish political considerations.

The famous Roe vs Wade abortion case started the feud between this great parties; where in contemporary times new laws on economic, political and social policies were formulated and have continued to have negative effects on the society. The story of a pregnant 21-year-old Jane Roe in Texas then who wanted legal abortion and could not access it represented women who are in support of the practice. During this period laws in Texas and other states in US prohibit legal abortions, with exceptions to those that can be allowed to save a woman's life. Henry Wade was the Attorney General of Texas which fought to defend the law against abortion practices. The Supreme Court in its rulings after listening to the case upheld that rights to privacy in the United States include the right for women to decide if they are willing to give birth to children. Hence, a woman in consultation with her doctor has the right to make this decision without interference from the state.

Hence, the ruling from the apex court laid precedence and gave provisions for women to get legal abortions from qualified medical practitioners. This state permission to abort unborn babies put a stop the unwholesome practices where crude means were engaged in committing abortions in United States. Prior to the court rulings many women had died and others

incurred severe medical complications after embarking on unsafe self-induced abortions or consulting quack medical practitioners.

The Republicans have continued the moves from the 1990s to present era in introducing laws to restrict abortion practices. Many of these laws are seen to have some negative economic, political and social effects. The

Republicans anti-abortion laws are based on the premise that abortion rates are getting out of hands and that it has outgrown recommended measures.

For instance, Texas republican lawmaker, Michael Burgess argument for enactments of anti-abortion law is that “ fetuses can feel pain even at week 15, as they can masturbate by this period of time” (Caplan-Bricker).

Furthermore, another Republican lawmaker and support of Burgess, Jodie Laubenberg argued that placing exceptions laws for rape induced abortion are needless because rape kits clean people out. These lawmakers’ propositions are said to be false, as fetuses cannot masturbate at 15 weeks and rape kits do not bring cleanliness to victims. Such erroneous arguments have further downgraded the validity of Republicans in pushing for anti-abortion laws. Furthermore, Los Angeles Times in an article sheds light on two major controversial bills that impose restrictions on abortion in congress, three years ago. It explains how bills are vague and cannot be easily understood. It also talks about how these two bills are offensive to women, and how abortion rights supports are struggling with them. The article ends with the author’s own opinion about how the relationship should be between abortion and health care in the States.

Unperturbed, a group consisting of Democrats lawmakers have introduced a new abortion bill “ Woman’s Health Protection Act” which is expected to

prohibit any regulation and make illegal any law that impedes abortion rights, especially those laws introduced by anti-abortion lawmakers since 2011. As expected the Republicans have started kicking against this new bill that was introduced November 13, 2013. Supporter of the new Senator Richard Blumenthal's bill, Representative Judy Chu said "enough is enough; that the Democrats have been playing defense far too long. It is time to put a stop to Republican moves for extending their anti-abortion laws.

This struggle by The Republicans to gain political grounds by pursuing anti-abortion policies can be extended to the tussle that happened during the Great Depression in the late 1920s and 1930s. The Democrats did not contribute directly to the economic collapse of the 1920s. However, the party was a prominent opposition to the Republicans; that had total dominance of the political terrain during that epoch. As the main opposition party, Democrats may have indirectly contributed to the Great Depression as it failed on its roles of exposing the weak points in the economy and told electorate what Republicans were doing wrong. Due to the Democrats remaining during the 1920s they share the blame for the economic collapse in 1929.

Though, it is germane to state that the Democratic Party intension to keep mum is a political strategy to make the Republicans continue to sink deep in the abyss of mismanagement of the economy during that era.

Democrats benefited from the economic collapse between 1932 and 1933 because it utilized the negative economic situation as an advantage in taking over power from the Republicans; was the ruling party prior and during the Great Depression. The democrats used the economic malaise to take

effective control of the Congress in the 1930 general polls. In reaction to this situation, according to Aboukhadijeh, Republican President Hebert Hoover said “ the Congress played politics with human misery”. This political feat gave Democrats more advantage to prepare for the 1932 presidential election, which led to the fall of Hoover’s administration.

### **Economic effects of the policies**

Republicans anti-abortion laws are set to have some economic implications. Republicans are opposed to any public revenue for performing or even promoting the act of abortion. When these views are unrestricted the moves tend to create rise in the rate of unemployment as many hospitals and health facilities that aid legal abortions will be shut down, thousands of the staff would be laid off and the economic implication would incur more tight measures from government in salvaging and creating more jobs.

Blumenthal’s argument for proposing his abortion bill, aforementioned, is to safeguard against “ clinics shutting down over Republicans anti-abortion laws.”

Also, scholars, such Blank, George, Medoff and London have linked the rate of abortion decline to economic boom or depression. It is argued that in the 1990s rates for abortion declined because of the strong economic growth during this period (qtd. in New 29). It means that as higher numbers of pregnancy were expected less risk for complication and the need to go for abortion due to worries from personal needs to take care of the baby. Hence, with meaningful employment and more money in the economy fewer abortions should be expected (Haas-Wilson).

## **Women's rights**

The right to privacy was the major basis for which the law for abortion was upheld in Roe vs wade. Then the new republican laws would further reverse the progress attained over the years.

The right to privacy is how each individual have the right to decide whether or not to bear the responsibility of a baby. According to National Women's Law Center (NWLC) explain Roe's efforts also have influenced the right to marry and the right to intimacy. " The right to maintain family relationship" comes next, where it is argued that the state must not interfere in such right. NWLC also emphasized how individuals should take personal life decisions away from government control, which harms the right to privacy. In contemporary times, Republicans' anti-abortion law in Texas has continued to gain ground, but the criticisms trailing it are strong enough to abort the seemingly early progress. According to Cecile Richards, Planned Parenthood President " the fight against such anti-abortion laws is far from over." She said the restriction violates Texan women's constitutional rights as their access to safe and legal abortion in the US will be restricted (Sinclair).

The Back-Alley abortions was period prior to Reo vs Wade where many women died and more sustained medical complications trying to carry out self-administered abortion. The Republican new laws against abortion would be retrogressive moves taking the hand of the clock back to this era. Illegal abortions will soar as quake medical practitioners will continue to thrive in their illegal businesses.

## **Gender Equality problem**

Gender equality has long been an issue where discriminations against the womenfolk continued to resurface even in contemporary civilized world. The United States recognized and created in the constitution women's rights to nondiscrimination in the 1970s. According to Benshoof, Reed v. Reed case in 1971 sets a precedence where US court invalidate a state law that allows the preference of males to females for administrative position in an estate. By this, the court's rules violate the Equal Protection Clause of the 14th Amendment (1). In relations to abortion laws, male Republican lawmakers who are pushing for anti-abortion laws are not directly affected and do not know the pains of some unwanted pregnancies. Legally, it is reasoned that since only women get pregnant, when they refused abortions is gender neutral since if men could pass through similar natural occurrences (of getting pregnant) then same restrictions would apply (2). But, it would have been a different situation, assuming, both men and women do get pregnant. The male's assumed supremacy would have made them fight to maintain the status quo of liberalizing abortion laws. Though, the equality rights for women may have developed, but vast majority of women are still excluded from protection with existing sex discriminatory laws, including abortion laws. The republican new anti-abortion laws would put setback in the laudable achievement of gender equality in the country as the era of suspicions and chauvinistic war would be reinvented." Chief Justice John Roberts in the case of Bray vs Alexandria argued against the idea that anti-abortion laws could ever be sex discriminatory and consent the idea was wrong based on law and logic" (qtd. in Benshoof 2).



## **Women's Freedom of choice**

Another negative effect of new anti-abortion laws proposed by Republicans is the infringement on the right of freedom of choice to women. Every human being has the right to choice, as far as that choice does not infringe on the rights of other people.

The move for a law against abortion was in place during this era because of the fear that the number of births of new immigrants' children would outgrow that of the natives (Anglo-Saxon).

It is also pertinent to state that after the Roe vs Wade case, in contemporary times, there were cases where courts have approval of restrictions against abortion. Popular among these is the Planned Parenthood vs Casey case in 1992. It was upheld that states can restrict abortions were fetuses are on their first trimester as long as the restriction does not cause unnecessary burden on women seeking such abortion services.

Hence, the law to restrict or stop abortion is limiting the freedom of women to make their own choice whether to engage in such practice or not. It is widely accepted in country like Canada that abortion should be seen as a private affairs. It is estimated that 78 percent of Canadians are of the belief that this is a private issue between a woman and her doctor.

## **Political implications**

Current Republicans move in pushing for anti-abortion laws are to a large extent based on political interest and the intension to gain public sympathy from anti-abortion movements and bodies. The increase in anti-abortion laws from this political group is linked to previous gains attained from similar

antics. In the 1990s, the Republican made political gains at the state level with credit attributed to their anti-abortion legislations. “ While it is well known that Republicans obtained control of both the United States House and the U. S. Senate in the 1994 election, the gains they made in the state legislation have received considerably less attention” (New, 30).

Politicizing abortion practice negates the norms of era before Roe vs Wade, where laws against the practice were in place. As at this period the Comstock’s laws on anti -obscenity which banned the disclosure of information concerning birth control and services were upheld. Hence, it was a criminal offence to abort; but this legal restriction did not limit the number of women that engaged in the practice. According to Tietze, it is estimated that there were a yearly abortion rate of 1. 2 million prior to the Roevs Wade case.

As the Republicans continue to be more sympathetic in anti-abortion laws than the Democrats, their gains at the state level in the 1990s have further motivated them to continue the drive for enacting more laws to restrict abortions even in contemporary times (31).

While the Democrats continue to manage the reign of power at the central level, the Republicans would continue to seek public sympathy in their quest to regain this elusive power. Hence, relying on policies, like the anti-abortion legislations, that will appeal to members of certain groups with large population is seen as a good strategy to attain this goal.

However, we should not rule out the fact that the Republicans would continue to push this move for introducing more anti-abortions legislations, as the wont want to deviate from what the public have long come to know as

their stance. Hence, deviation from carrying on with the cross of what they believe in would be seen as lack of focus and cowardice. For them not to attract such negative attributes from their supporters and party followers these set of legislators and party members in government will continue to support anti-abortion laws, even when personally some of them do not believe in this campaign.

### **Misplaced priority**

The anti-abortion movements are more prone to campaign against abortion than seeing the practice drastically reduced. For instance, anti-abortion laws are publicized with huge funds while things to reduce abortions are not supported or widely publicized. It is known that many anti-abortion supporters do not approve of the use of contraceptives. The use of contraceptives will reduce drastically incidences of abortion. If these huge fund channeled in the campaign against abortion is utilized in orientating the public on ways to prevent unwanted pregnancies and the support for contraceptives, hence the reduction in abortion would require no need to continue the pursuit of laws to restrict the practice.

### **Conclusion**

The precedence set by the Supreme Court in 1973 during the famous ruling in Rue vs Wade case, where it ruled to remove restrictions on abortion has greatly helped in reducing illegal abortions. In this scenario it is seen that hitherto large number of death from self-administered abortion led to the death of many women and the lucky ones had medical problems. However, this lofty record of reduced deaths via the liberalization of abortion is being

threatened by the recent moves of Republicans introducing new anti-abortion legislations. This move has been seen to have some selfish political undertones; also it will have economic implications where there would be loss of jobs when clinics are closed down because of these abortions restrictions. Furthermore, it is seen from the passage that women's right of freedom of choice is not been respected with this latest move to introduce anti-abortion laws. In addition, the problem of gender inequality will continue to be worsened if this new move of the Republicans is allowed to stay. In my view, the vigor behind campaigns of the Republicans in pushing for anti-abortions laws should be channeled to publicizing measures to reduce abortions rather than restricting it. As aforementioned, when contraceptives and other measures to prevent unwanted pregnancies are well publicized there will be drastic reduction in abortion practices and there won't be the need for devoting huge fund in pursuing anti-abortion laws. This will save the country avoidable deaths, economic depressions from jobs loss and the infringements of rights of women.

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