

"Alleged Manslaughter: The Role of Rhetoric and Publicity in the Professionalization of the Medical Field through the Illegalization of Abortion"

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Roe v. Wade legalized abortion in 1973. However, to be legalized it must be first illegalized and in the case of the United States this occurred in the second half of the 19th century. This work combines two different understandings historians have of the 19th century illegalization of abortion in United States: reshaping rhetoric to change society's perceptions of abortion, and doctors using illegalization to legitimize and to professionalize medicine. This research, pulling on primary and secondary sources, clearly illustrates how the two were intertwined forces that brought about the illegalization, but more importantly how the illegalization of abortion was about power and had a lasting impact on gender roles in the United States.

In the nineteenth century, women were increasingly moving to cities for employment and marriage, separating them from strong female communities and as a result were separated from the oral culture of female knowledge and information pertaining to marriage, sex, contraception, childbirth, and abortion. A continued demand for this information resulted in a new print culture providing information and advertisements for services. While oral culture had allowed women to keep information about their bodies private, print culture was equally visible to both men and women. Nineteenth century America was a patriarchal culture, and men were alarmed by the fact that they did not have as much control of the women, particularly of the middle and upper class, as they anticipated. This served to intensify mistrust between men and women between the 1860s and 1880s: the height of the anti-abortion campaign.

The nineteenth century also saw change with the professionalization of medicine. Medicine was divided into two distinct categories: 'regulars' and 'irregulars'. 'Regular' doctors had expensive, formal medical training in a university and hospital setting. 'Irregulars' consisted of midwives, doctors trained through informal apprenticeship, and self taught individuals. Tension between them arose from the new agency that women were expressing through family planning; while 'regulars' were opposed to inducing abortion and providing information about contraception, 'irregulars' had no such qualms thus thrusting the two types of medical practitioners into competition for patients, authority, and legitimacy.

This was about business, so 'regular' doctors created the governing body of the American Medical Association (AMA) to instill medicine with a newfound level of integrity. Doctors, often middle and upper class men themselves, were increasingly alarmed by the improper behavior of their female counterparts and the perceived disobedience that was occurring, as women were subverting the authority of the husbands and their doctors when they went to abortionists for treatment. Doctors, frustrated that women were making 'uninformed medical decisions' that neglected their duties as a woman and the family. They realized that in opposing abortion they could legitimize themselves; if they could change public perception and opinion surrounding abortion, from complacency to outrage they would be able to discredit 'irregulars', control their 'hysterical' female patients, and preserve the family.

Up until this point Abortion had been widely tolerated. But by playing on men's fears and anxieties about women's bodily agency that usurped their male authority, the 'regular' doctors were able to lead a successful anti-abortion campaign by: demonizing abortionists as murderers, stressing the biological destiny of women to motherhood, using the excuse of female anatomy to

brand women as unstable, and warning of the end of civilization and regression of society if this practice was allowed to continue.

As a result, by 1890 almost all of the states had passed legislation that illegalized and regulated abortion. Women had effectively lost agency over their bodies, doctors having effectively reduced them to hysterical and volatile creatures dependent on male guardians. Questions of reproduction had become part of public domain and have remained so, as we see in today's abortion debate. The initial illegalization campaign did not have any concern for the actual wellbeing of women and their unborn children: it was about power and control. In understanding the initial context surrounding the abortion debate, it becomes clear that babies have never really been at the heart of the issue. It has always been about who has the power to exert authority and successfully advocate the validity of their own moral, political, and personal agenda.

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