

Prohibition 2.0

“Clearly, antiabortion laws are not about protecting the health or safety of women and girls or people who can become pregnant... Even saving or preserving the life of the pregnant woman does not matter. Women’s health and safety are only incidental to what really matters: preserving power.”

Michele Goodwin: Policing the Womb: Invisible Women and the Criminalization of Motherhood

The notion that at the moment of conception God reaches down from heaven and bestows upon the newly created zygote, still too small to be seen by the naked eye, a fully human soul is not scientific fact or medical reality. It is religious dogma... a belief held by only one-third of Americans.

It is a belief that now determines the maternal futures of women in nearly half the country where abortion has been outlawed, abortion providers are threatened with prison terms, and women are stigmatized and in some cases criminalized for their decisions to terminate a pregnancy.

This singularly religious dogma is also a singularly political philosophy championed by white men on the ruby red right side of the Republican Party.

All six justices of the U.S. Supreme Court that overturned Roe v. Wade with the Dobbs decision were nominated by Republican Presidents. Five of the six are white and five of the six are men.

All 19 state governors who have signed abortion ban legislation since the Dobbs decision are Republicans; 15 of the 19 are men and 18 of them are white.

The Texas legislature has enacted one of the nation’s most draconian abortion bans. Of the 102 legislators voting in favor of the ban, 101 are Republicans, 91 are men, and 97 are white. The Texas attorney general who threatens doctors with prison even for terminating life-threatening nonviable pregnancies is an adulterous white Republican man of great political ambition. For the 50% of Texas women who are not white, their decisions on whether and with whom to become a mother are now dictated by this exclusive coterie of white Republican men.

In Alabama, every single one of the 99 state legislators who voted for that state’s total abortion ban are Republicans, almost all white men. All 8 state supreme court justices who voted to uphold that ban are white Republicans, six of whom are men. The reproductive futures of the 34% of Alabama women who are not white are now dictated by these white male Republican descendants of Jim Crow.

In Iowa, all 88 state legislators who voted for a total abortion ban are Republicans, 87 are white, and 69 are men. When the state’s white Republican governor signed the bill into law she called it “the will of the people” knowing full well that polling by her own state’s major newspaper showed that 64% of Iowans favor legal access to abortion in all or most cases.

In the 9 states where state supreme courts have upheld abortion bans and the party affiliation of supreme court justices is identified, 59 of 63 were appointed by or elected as Republicans and almost all of them are white men.

And all of this was made possible by the U.S. Supreme Court nominations of a white male Republican President who said, “I was proud to be the person responsible for the ending of Roe v. Wade” and who also said, “There has to be some form of punishment” for a woman who has a pregnancy terminated.

In 1932 antipathy toward alcohol prohibition was a close second to the depressed economy in creating the landslide defeat of anti-alcohol Republican Herbert Hoover by pro-repeal Democrat Franklin D. Roosevelt, an election that pushed the Republican Party into a political wilderness for the next two decades.

Ernest Cherrington, head of education for the Anti-Saloon League, the driving force behind Prohibition of the last century, encouraged his fellow temperance crusaders to focus on education rather than enforcement, on the next generation and not just the next election. They didn’t listen and Prohibition was repudiated and repealed.

But only after it wrecked the lives and livelihoods of many thousands of their fellow Americans.

By adopting the politicized, punitive, draconian, and cruel playbook that temperance crusaders used to impose alcohol prohibition upon their fellow Americans, the white male Republican lawmakers who are dictating the maternal futures of American women of all races have guaranteed that when the political tide turns, as inevitably it will, their forced pregnancy laws will face the same outcome: repudiation and repeal.

But only after they have wrecked the lives and livelihoods of many thousands of their fellow Americans.

Adapted from my monograph Prohibition 2.0: The Ghosts of Prohibition Haunting the Anti-Abortion Crusade