

8-2017

From Feminist Activist to Abortion Barbie: A Rhetorical History of Abortion Discourse from 2013-2016

Skye de Saint Felix
University of Arkansas, Fayetteville

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From Feminist Activist to Abortion Barbie:
A Rhetorical History of Abortion Discourse from 2013-2016

A thesis submitted in partial fulfillment
of the requirements for the degree of
Master of Arts in Communication

by

Skye de Saint Felix
University of Arkansas
Bachelor of Arts in Communication, 2015

August 2017
University of Arkansas

This thesis is approved for recommendation to the Graduate Council.

Dr. Lisa Corrigan
Thesis Director

Dr. Ryan Neville-Shepard
Committee Member

Dr. Lauren DeCarvalho
Committee Member

Abstract

This thesis provides a rhetorical history of abortion discourse with an emphasis on the rhetorical moment from 2013-2016. To uncover the rhetorical strategies used to shape consensus on abortion, I highlight three major events—Senator Wendy Davis’s (D-Fort Worth) notorious 13-hour filibuster against Texas’s HB2, the conservative capture of Davis as Abortion Barbie, and the Supreme Court case, *Whole Woman’s Health v. Hellerstedt* (2016). Because of these key rhetorical moments, pro-choice and anti-choice publics cultivated a period of heightened tension that reinvigorated abortion debates. While pro-choice groups employed narrative to centralize women as rhetorical agents and open spaces to discuss abortion, anti-choice publics used visual rhetoric to vilify women and accentuate the fetus. But with both ideologies adopting scientific rhetoric, the Supreme Court intervened to determine evidenced-based truth and settle disputed abortion law. This helped make abortion a major political issue in the 2016 presidential election and accentuated how legal, political, and public discourses perpetuate reproductive oppression.

Acknowledgments

First and foremost, I would like to thank Dr. Lisa Corrigan for changing my life and my career. It has been an irrefutable privilege to study under her leadership. Her guidance, passion, and unwavering support allowed me to succeed academically and find my own path to success. I am lucky to call her my mentor and friend, and this project would not have happened without her direction. Thank you for continually believing me and pushing me through times of doubt.

I would also like to thank my committee members, Dr. Ryan Neville-Shepard and Dr. Lauren DeCarvalho, for their time, input, and patience with this project. I have been fortunate to find incredible mentors at the University of Arkansas who invest in their students to help them succeed. Thank you for your attentiveness and your confidence in me. Likewise, I would like to thank the Communication Department for helping me find my passion and providing me with the resources to achieve.

Finally, I must thank my mom, Kathy, and my brother, Chase. Thank you two for—
everything.

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Access Denied: Rolling Back Abortion Rights One Step at a Time

Forty-four years after the landmark abortion case, *Roe v. Wade* (1973), the United States has seen a revitalized, conservative campaign to rollback reproductive rights, making abortion one of the most heavily regulated procedures in the United States (Hill, 2010). Anti-choice state lawmakers have implemented extreme laws to make abortion theoretically legal, but an inaccessible right for many women (Marty & Pieklo, 2013). The most recent surge of restrictions includes Targeted Regulation of Abortion Provider (TRAP) laws which target providers through clinic building standards, requiring them to have unnecessary admitting privileges at nearby hospitals, and treating doctors like sex offenders (Fasone, 2016). TRAP laws and anti-choice laws requiring informed consent, parental consent, first-trimester bans, and mandatory ultrasounds severely deplete equal access to abortion (NARAL, 2015). Contemporary state restrictions on abortion seek to either shut down clinics or make abortion too difficult to obtain, thereby forcing women to carry a fetus to term. Not only has the number of abortion providers declined, but the Guttmacher Institute reported that more abortion restrictions were passed between 2011-2015 than any other time since legalization (Guttmacher, 2016). These trends illustrate how America is currently faced with the greatest social and legislative challenges to abortion rights since *Roe* (Andaya & Mishtal, 2016).

Abortion debates are not a new phenomenon, but America has seen a revitalized surge in restrictions since states were granted the power to regulate abortion in *Planned Parenthood of the Southern Pennsylvania v. Casey* (1992). This prompted significant debate about state power to enact abortion restrictions and constitutional law. As anti-choice legislation has skyrocketed since 2010 when conservative politicians swept local elections, most abortion debates are

happening at the state level with little say from the people who are affected most by these decisions.

The current legislative climate has been shaped considerably by the array of restrictions passed since *Roe*, most notably state restrictions and the Hyde Amendment. The 1976 Hyde Amendment created a further divide in abortion access by removing abortion from comprehensive health care services provided to low-income people through Medicaid (ACLU, 2016). It is therefore significantly more difficult for low-income women, who are disproportionately women of color, to afford abortion care which can range from \$500 to \$30,000 depending on gestation (Wilson & Shane, 2013). For many women, abortion is already legal in name only, but anti-choice groups continue to rollback abortion rights and push for criminalization. As the political divide between conservatives and liberals deepens on the issue of abortion, debates over reproductive rights have made abortion a major political issue. While abortion controversies have been brewing within the last decade, the polarization between political groups on reproductive rights capitalized in Texas.

Texas became the battleground for a much larger fight for reproductive rights with the extreme anti-choice law, House Bill 2, that was replicated across other state legislatures. In 2013, Senator Wendy Davis (D-FW) led a 13-hour filibuster against Senate Bill 5 (SB5), a bill that, if passed, would close numerous abortion clinics across the state. While the bill was not passed that night, the victory did not last long as Governor Rick Perry called a special legislative session and passed a nearly identical bill, House Bill 2 (HB2), two weeks later. As HB2 closed over half the clinics in Texas and caused a surge of do-it-yourself abortions (Grossman, 2017), it justified Supreme Court interference into the constitutionality of the law. This widely disputed legislation became the basis for the Supreme Court case *Whole Woman's Health v. Hellerstedt* (2016)

which struck down two of the most dangerous parts of this omnibus law. *Whole Woman's Health* was the climax of the contemporary reproductive rights movement for its affirmation of the constitutional right to abortion. Despite this pro-choice victory, President Trump and state legislatures dominated by conservative lawmakers have ignored many aspects of this decision while fashioning new strategies to rollback abortion rights. Although feminists have won most legal abortion cases, anti-choice politicians continue to take over state legislatures and chip away abortion access.

Wendy Davis's filibuster, the conservative response to this event, and *Whole Woman's Health v. Hellerstedt* (2016) were key rhetorical moments in the current struggle for abortion rights. Not only did these events accentuate dominant rhetorical strategies used in abortion discourse to shape consensus, but they centralized women and their identities. Furthermore, these three moments highlighted rhetorical strategies as tools for resistance to anti-women agendas. Davis's public opposition to HB2 amplified a larger grassroots movement for reproductive justice and widened the possibilities for debate. These new spaces attracted young women to political activism, but her opponents used this as an opportunity to demonize Davis in the public sphere by calling her "Abortion Barbie" (Erickson, 2014, para. 1) and a negligent mother. As Davis was greeted by life-size posters of her as Abortion Barbie during a campaign fundraiser, visual rhetoric shaped public perception of her. These posters coupled with fetal imagery demonstrated how visual rhetoric dominates conservative discourses on abortion. Furthermore, conservative politicians capitalized on the Planned Parenthood sting videos and the sentencing of Dr. Kermit Gosnell to promote an anti-choice agenda. Although the Planned Parenthood videos were falsified, conservative discourses used the videos to "prove" the organization's negligence and justify defunding Planned Parenthood. Similarly, many anti-choice politicians pointed to the

sentencing of Dr. Kermit Gosnell as evidence that abortion clinics and providers are dangerous to women's health, despite the fact that his clinic had not been inspected in over 17 years (Culp-Ressler, 2015).

These events shaped public debate over abortion laws, making reproductive rights a significant issue in the 2016 presidential election with a spotlight on the SCOTUS decision in the summer. Because of the political climate of 2016, presidential candidates took more radical positions on abortion than previous platforms had before. For instance, Senators Hillary Clinton (D-NY) and Bernie Sanders (D-VT) both called for a repeal of the Hyde Amendment to increase abortion access for low-income women (Crescente, 2017), while Senators Ted Cruz (R-TX) and Marco Rubio (R-FL) denied rape exceptions for abortion (Rhodan, 2016).

With many contemporary discourses calling to repeal *Roe* in favor of recriminalization, it is necessary to understand these rhetorical events within the larger historical trajectory of abortion rights. These events made past conversations present by reminding audiences what happens to abortion access, care, and women's health when abortion is illegal. The current rhetorical moment joined a continuing struggle for women's rights, using past memories to shape future realities. To situate the current political moment within a rhetorical history of abortion rights, this project posits the following questions: *What were the prominent rhetorical strategies in Wendy Davis's filibuster? How do these strategies shape resistance to curbing reproductive rights? How have anti-choice groups responded to such resistance? What major rhetorical shifts occurred from the filibuster in 2013 to Whole Woman's Health in 2016?*

In answering these questions, I conduct a rhetorical history of abortion rights that highlights three moments in particular—Davis's filibuster, the conservative response to her activism, and *Whole Woman's Health v. Hellerstedt* (2016). This critical, historical analysis

examines the political tensions leading up to the election and invites reflection into the continuing influence of historical connections on current policy. Rhetorical history investigates how speakers stretch history to connect past memories to present moments in order to open the narrative and draw in more audiences (Murphy, 2015). This method positions history as an ongoing conversation that molds the rhetorical climate of an age and makes certain rhetorical choices possible or necessary. It therefore assesses the situations that call for public persuasion, which is often the case in abortion rhetoric as it is so polarizing in public discourse, to help overcome an impasse or speak to new audiences (Turner, 1998).

Furthermore, I adopt a feminist lens to studying rhetorical history as gender politics heavily impact abortion discourse and determine the roles of women in private and public spheres. The current rhetorical moment is only possible because of feminist activists whose efforts helped legalize abortion in 1973, but abortion rhetoric remains a discourse of inequality that feminists still fight to change. Additionally, Carly S. Woods (2012) advocates for a feminist, intersectional approach to rhetorical history that focuses on the “shifting webs of relationships rather than singular articulations of identity in historical contexts” (p. 79). This prevents seeing rhetorical moments in isolation and instead stresses the shared experiences of marginalized people as an innovative space worth exploring. A feminist lens also accentuates rhetorical practices of remembering women and explores the role of women’s pasts in public imagination (Enoch & Jack, 2011). A feminist historiographic vision values women’s memorialization, stories, and ensures that their stories are not erased from history. Therefore, a feminist approach unpacks the power relations involved in regulating women’s bodies and agency and the manner in which legal, political, and public discourses perpetuate reproductive oppression.

My analysis acknowledges the importance of legal and visual rhetoric in shaping legislation and public opinion of abortion. As abortion has become an increasingly political issue, rather than a medical decision, it is crucial to assess legal rhetoric's ability to determine women's access to healthcare and agency over their own lives. With *Roe* and *Whole Woman's Health* affirming a constitutional right to abortion, anti-choice groups often employ visual rhetoric to construct persuasive fetal images that demonize abortion and deplete public support for women's choices. Visual rhetoric of abortion discourses typically pits fetal rights and women's rights against one another, making it a key element of conservative political strategy (Condit, 1990). Michael D. Murray (2016) argues that visual and legal rhetoric are commonly understood together as legal rhetoric will employ visual arguments to enhance perception and comprehension of a message. Therefore, investigating the roles of legal and visual rhetoric constructs a more complete picture of the current rhetorical moment by accentuating conservative strategies and how rhetoric influences policy.

Through an investigation of the rhetorical history of abortion discourse, I examine the rhetorical strategies and shifts from 2013-2016 as a period of heightened tension between pro-choice and anti-choice groups. As both groups attempted to control the narrative on abortion to influence the 2016 presidential election, 2013-2016 created new rhetorical spaces and opportunities for politicians to incite support for their position. I argue that during this period of creative tension, abortion dominated political discourse to cultivate a more rigid divide between pro-choice and anti-choice publics. Through a rhetorical analysis of Wendy Davis's filibuster, I argue that narrative strategies amplified motion of pro-choice supporters by encouraging conversation rather than an end-game solution. Additionally, I postulate that the conservative response to Davis heavily relied on visual rhetoric to capture Davis's motion and use her as a

commodity in public discourse. Just as the fetus is commodified in anti-choice visual rhetoric, Davis became a symbol of the commodification of women, depletion of their mobility, and domestication of their bodies. The tension between these groups capitalized with *Whole Woman's Health* as the Supreme Court examined the validity and accuracy of rhetorical arguments on abortion. Supreme Court rhetoric affirmed a constitutional right to abortion by validating arguments based on rationality rather than entertaining arguments based on visual rhetoric or under the guise of women's health. Therefore, these new opportunities to discuss abortion created a political tension that reinvigorated abortion debates.

Wendy Davis's filibuster, the anti-choice responses to her activism, and the political climate of 2016 created new spaces to discuss abortion and gender politics. These events reopened historical narratives to cultivate new spaces of remembering and demonstrate resistance against dominant structures of power. To shape legislation and public opinion of abortion, these events used discourse to capitalize on the rhetorical moment and frame it as part of a broader historical consciousness. By investigating history's role in shaping key rhetorical moments from 2013-2016, speakers established generational continuity among audiences and accentuated the rhetorical richness of the situation. Even when their efforts failed, like with the passage of the bill Davis opposed, a speaker's ability to situate a moment within historical, symbolic, and material contexts refused to let audiences see the moment in isolation. By connecting events through rhetorical history, losses became symbolic victories as they mobilized audiences and generated support for continuing conversations. Furthermore, I investigate how these events made reproductive rights a major issue in contemporary politics by using historical memory to advance the movement for abortion rights.

Investigating Rhetorical History

David Zarefsky (1998) discusses four senses of rhetorical history—the history of rhetoric, the rhetoric of history, historical studies of a rhetorical practice, and rhetorical studies of a historical practice (p. 26). This paper is primarily concerned with the latter two senses as historical studies of a rhetorical practice can alter ongoing social conversations and rhetorical studies of a historical practice understand history as a series of rhetorical problems. The fourth sense examines situations that require public persuasion in order to overcome an impasse or advance a cause. This is particularly prevalent in the abortion rights struggle as abortion is a controversial political issue that has been subjected to increased legislation and stigma. Additionally, rhetorical history understands history as an “ongoing conversation, an argument without end” (Turner, 1998, p. 10), that contributes to historical and rhetorical knowledge. It is important to recognize how our understandings of history are shaped by rhetoric, particularly in the context of abortion which is often discussed through stigmatized rhetoric. Because our knowledge of abortion heavily depends on the discourses of a given time and place, abortion rhetoric must be assessed according to historical memory.

Placing abortion discourse in a historical context allows for a more accurate assessment of the prominent rhetorical strategies that shape public perception of abortion. Because rhetorical history is concerned with contextual construction (Turner, 1998), it assesses how a context manipulates legislation, public opinion, and availability of abortion access. While rhetorical criticism focuses on the message, rhetorical history studies how rhetoric is enabled or constrained by human action, reaction, and major historical concerns. This method reinforces the idea that rhetoric is a perpetual and dynamic process of social construction that shapes social knowledge and people’s lived reality (Turner, 1998).

It is important to investigate how rhetorical history shapes women's lived reality by connecting them to other women across time and space. By creating a common struggle among women, rhetorical history encompasses "not only what is remembered, but how it is remembered" (Clark & McKerrow, 1998, p. 34). This method therefore unifies women across history while also giving meaning to a rhetorical moment. Appeals to collective memory are salient in abortion discourse as pro-choice groups often use narrative to create a common struggle as a tool for unification. Abortion narratives exemplify Bradford Vivian's (2010) argument that memory is a public imperative. As narratives accentuate the unique struggles that women face because of their gender, memory must be preserved to safeguard the lifeblood of oppressed people. Social memory is therefore crucial in abortion discourse because it reflects the decades long struggle for women's autonomy and the many women who made the current struggle possible. Through rhetorical history, past struggles become present struggles to expand the historical narrative and increase visibility for the present moment. The cultivation of a collective memory prevents the loss of lived connections, self, and history that accompanies forgetting (Vivian, 2010).

As pro-choice groups work to build social memory as a collectivized discourse among all women, they use a common sense of identity and ethos to give meaning to how ideas and events are discussed. Speakers can use rhetorical history to demonstrate that they and their ideas belong and to promote a shared historical consciousness with their audiences. To build a collective, speakers employ rhetorical history to describe themselves as in conversation with those who came before them. Speakers often try to make present what is absent, using historical memory to connect groups across time and place (Murphy, 2015). This strategy invades abortion discourse to connect women through generational continuity. Furthermore, a speaker's ability to stretch

history can ground a moment within a broader movement and capitalize on the richness of the situation. In order to make an event a spectacle, speakers often activate certain rhetorical and historical features to signify a moment's importance (Prasch, 2016). Recognizing this, Wendy Davis's rhetoric appealed to women's historical struggles to attract support from a variety of audiences. Situating an event within broader networks and ideologies can give meaning to events and highlight how specific elements of a rhetorical act symbolize deeper meaning for certain audiences. The strategic choices of orators who employ rhetorical history often discuss past memories and present realities to create a shared vision for the future.

Additionally, feminist rhetorical history explores the shared experience of marginalized people and the innovative spaces that their stories create (Mountford, 2009). Woods (2012) argues that this intersectional approach understands that people who have been captured in history are complex, multifaceted beings in motion. They are not static creatures rooted in one historical moment, but these actors move between spaces, homes, and affiliations to negotiate a particular identity (Woods, 2012). As abortion advocates work to connect women across history, speakers use rhetorical history to promote the politics of relation. This means that rhetorical scholars should examine the multidimensional movement of people and discourses rather than viewing actors in isolation or as a specific point frozen on a map. The politics of relation invade Davis's filibuster as her lived experiences with abortion determined her role in this event, her communicative choices, and her ability to constitute a common identity among listeners.

A feminist approach to rhetorical history unpacks the multiple and complex forces interacting with oppressed peoples, in this case women, who are shaped by history and in turn use their rhetoric to make history. It also gives significance to the role of women's pasts in public imagination and the rhetorical practice of remembering women (Enoch & Jack, 2011). This

paper understands rhetorical actors as complex beings that stretch history for a discursive purpose, rather than operating in an isolated historical moment.

Law and Order: A Lens of Legal and Visual Rhetoric

Additionally, this project conducts a rhetorical history with an emphasis on legal and visual rhetoric. As abortion is subjected to increased legislation, much abortion rhetoric occurs in the legislative and judicial systems. While some scholars such as Chemerinsky (1982) argue that the abortion debate is an impasse, where pro-choice and anti-choice groups repeat the same arguments to the same audiences, I argue that the rhetorical period from 2013-2016 generated new rhetorical strategies to prevent the passage of extreme anti-choice restrictions and attract new publics to abortion activism. Because abortion rhetoric often takes the form of legal rhetoric, it is important to examine how legal rhetoric shapes public consensus and opportunities for social change. Legal rhetoric in *Whole Woman's Health* created a revitalized emphasis on the power of legal discourse and its unique challenges.

When interpreting abortion laws, language functions as a social process with the distinct ability to ignite social change and determine the formation of publics. This claim is fortified in Celeste Condit's (1990) argument that interpretations of abortion rhetoric are central to "the reproduction of the human species, to our understandings of gender, and to our life ethics" (p. 1). As abortion is understood as a deeply ideological and political issue, I examine how rhetorical choices of lawmakers operate to shape palatability of abortion and women's autonomy. During the period of this analysis, HB2 and *Whole Woman's Health v. Hellerstedt* shaped perceptions of abortion through legal rhetoric. Therefore, a rhetorical history of abortion rights is often enacted in legal rhetoric, making it a key component of this study.

In addition to legal rhetoric, visual rhetoric also shapes perceptions of abortion as it operates as a key rhetorical strategy for anti-choice groups. Anti-choice publics commonly enact visual rhetoric, primarily of the fetus, to generate support for their ideology and anti-choice legislation. After examining the strategies of Davis's opponents and the conservative backlash against her filibuster, it is clear that visual rhetoric was commonly employed to demonize abortion and Davis's personal and professional image. Because images have the power to function in history and as a history (Finnegan, 2004), they can carry significant political weight and become an important part of cultural memory on abortion.

While anti-choice groups often employ visual rhetoric to manipulate support for their position, they deny the fact that every image has an author and every author has a purpose for communicating an image. Images are symbolic, involve human intervention, and require persuasion of an audience to convey a specific message (Foss, 2005). Visual rhetoric stresses how images in abortion discourse should not be taken as fact, but audiences often uncritically digest these images according to the author's intention. Because of this, visual rhetoric is common to social justice issues like abortion as they can be easily employed and widely accepted (Kjelsen, 2013). Political groups use images as a key rhetorical strategy as they allow for greater reception and retention of information. Visual imagery is "faster and better" (Murray, 2016, p. 122) than words which allows for images to be quick sources of manipulation. As images are constructed in a consciously rhetorical manner, they work to exemplify an argument and increase support for a position (Murray, 2016).

Perception of abortion and women's ability to access this care is therefore greatly determined by legal, visual, and historical rhetoric. The contexts through which abortion is discussed shapes the politics of gender and determines opportunities for social change. As the

political climate from 2013-2016 opened new rhetorical spaces, politicians seized this opportunity to either incite resistance against anti-choice laws or to further an anti-choice agenda. While Davis used rhetorical history and appeals to public memory to build a collective movement, her opponents used her activism as a way to demonize and discredit her, punishing her for sharing her abortion stories. The tension between these groups capitalized with *Whole Woman's Health* as this case would greatly structure the future of abortion access in America.

Précis of Chapters

Through my analysis, I highlight three rhetorical moments that shaped the political climate of abortion discourse from 2013-2016. In Chapter One, “A Play to Delay: A Rhetorical Analysis of Senator Wendy Davis’s 2013 Filibuster to Secure Abortion Rights in Texas,” I discuss Wendy Davis’s 13-hour filibuster against HB2 as an image event. Image events, “staged acts of protest designed for media dissemination” (Deluca & Delicath, 2003, p. 244), widen the possibility for debate by operating as a type of oppositional argument that creates social controversy. As her filibuster attracted many audiences to feminist debates, especially young women, I argue that her performance operated more as an image event than as a practical, easily replicable way of changing legislation. Furthermore, I argue that her filibuster succeeded as an image event for its appeal to rhetorical history. During her performance, Davis read the testimony of sixty-five Texas women, many of whom describe the dangerous and hostile climate of abortion access before *Roe*. Because of this, her filibuster has been called the “People’s Filibuster” or a “Citizen’s Filibuster” (Grimes & Davis, 2016, 18:38) as the majority of its content focused on the personal testimonies and their collective remembering of pre-*Roe* conditions. Davis therefore shared these narratives to build this collective memory, establish generational continuity, and cultivate a public trust for women and their decisions. Rhetorical

appeals to historical memory function to connect the current rhetorical moment with the broader struggle for women's rights and remind audiences of the bleak and dehumanizing consequences of criminalizing abortion or making it more difficult to access. Moreover, her rhetoric brought new audiences into the conversation and helped build resistance against anti-choice hostility.

Chapter Two, "A New Doll in Texas: A Rhetorical Examination of Senator Wendy Davis as 'Abortion Barbie,'" investigates the conservative response to Davis's filibuster. While her performance was a tipping point for reproductive justice, Davis was punished for inserting herself into the abortion narrative. She was rhetorically demonized as "Abortion Barbie" which used her blonde hair, small figure, and speculation that her breasts were fake to reduce the conversation to speculation about her body. In this chapter, I unpack the rhetorical construction of Abortion Barbie and how it made abortion the unwanted trademark of Davis's political career. Additionally, I investigate the rhetorical history of anti-choice arguments and their reliance on visual rhetoric to mobilize publics against abortion and feminist politicians. This chapter uncovers how Abortion Barbie captured Davis's political mobility and served as a warning for resistant, feminist women. Capture, a theoretical framework describing how noncompliant figures are immobilized, operated through visual rhetoric as Davis was met with a life-size poster of her as Abortion Barbie. In the poster, her face was taped on a Barbie doll with scissors in hand and fetus in belly at a fundraiser for her gubernatorial campaign (Bassett, 2014b). The fetus operated as an accessory in commodifying Davis and silencing her speech. As visual rhetoric is often a staple of anti-choice strategies, I explore how this smear operation was a humiliating and personal attack of Davis that was primarily successful for its powerful visual appeals.

Conservatives continually reduce their arguments to the visual in order to silence women by closing the rhetorical space of narratives and reducing the complexity of women's

experiences. Furthermore, I discuss the anti-choice strategy of employing fetal rhetoric to elevate the fetus to stardom. The fetus becomes a self-fulfilling prophecy through conservative discourse to justify legislation in the name of fetal protection such as “dismemberment” bans, fetal pain acts, heartbeat bans, and gestational bans. This strategy also pits fetal rights and women’s rights against one another to demonize women and describe abortion as a selfish choice. It capitalizes on conservative fears about negligent women acting as abortion shoppers and profiting off fetal death. In assessing the visual rhetoric of women’s bodies and fetal depictions, this chapter investigates the rhetorical strategies that shape anti-choice discourses and fundamentally ignore or rewrite women’s narratives.

The tension between political groups on abortion capitalized with *Whole Woman’s Health v. Hellerstedt* (2016). Chapter Three, “Safety, SCOTUS, and Science: Scientific Rhetoric and Feminist Bioethics in *Whole Woman’s Health v. Hellerstedt* (2016),” assesses the rhetoric of this extremely influential Supreme Court case. As the SCOTUS majority opinion affirmed a constitutional right to abortion and valued evidence-based arguments in forming abortion restrictions, it set a key precedent in placing rationality over morality in abortion discourse. Through an analysis of judicial rhetoric, I investigate how the Supreme Court denounced anti-choice rhetoric that is based on radical, non-scientific, and emotional opposition to abortion. Furthermore, the scientific rhetoric served as a rhetorical resource for the Court and validated the principles of feminist bioethics. I argue that while judicial rhetoric of this case affirmed pro-science discourses, the news coverage of the ruling and the statements of presidential candidates returned to visual and narrative strategies to shape public consensus on abortion. As this was the first abortion case the Supreme Court had agreed to hear in nearly eight years, all eyes were on

this decision. The monumental case is a key event in the history of abortion as it greatly shaped the 2016 presidential election discourse and the future of abortion access.

In the Conclusion, “Women’s Bodies and Body Politics: Positioning Women as Second-Class Citizens,” I summarize my arguments and the key findings of this study with an emphasis on women’s role in the national body. With the rise of anti-choice legislation and the elevation of fetal interests, women are relegated as rhetorical terrains and geographic spaces. They are dehumanized as nothing more than hosts for potential life, a body unworthy of protection or equal rights. This section unpacks the connection between the national body and women’s bodies to make abortion a symbol of a nation’s social problems. I discuss how the polis denies women full citizenship and uses their bodies as a backdrop for more restrictive legislative decisions. I then highlight what is at stake in abortion politics in the aftermath of *Whole Woman’s Health* and how current legislative decisions further restrict women’s bodily autonomy and deny their humanity.

As many of the events discussed in this paper occurred very recently, I offer an assessment of relatively unexplored political language. Little analysis is available on these recent, but important, events which makes my investigation timely, innovative, and necessary. Through an assessment of political rhetoric from 2013-2016, I argue that this period can be characterized as a time for new strategies. These strategies targeted new audiences, rather than speaking only to those who already support reproductive rights. In conservative, anti-choice rhetoric, there is a return to visual imagery to paint abortion as murder. While this is not a new strategy, America has seen a heightened emphasis on visual rhetoric to demonize women and deplete public support for their choices. As both sides use rhetoric to mobilize voters, an assessment of these groups helps us understand these discourses in conversation, rather than in

conflict. Furthermore, an investigation of historical memory provides a better understanding of the past, how it shapes the current rhetorical moment, and helps envision a collective future.

As I discuss past memories of social justice movements and current political struggles, this analysis shapes the future of abortion rights in America. It connects the past and present together to create a shared vision for the future. While reproductive rights were under significant threat from 2013-2016, the 2017 Trump administration has ushered in an entirely more hostile climate towards women's rights. The future of reproductive justice and abortion access is being eroded at state and federal levels, making this an issue that will become a matter of life and death for some women. Therefore, it is important now more than before to assess rhetorical strategies that have been effective in building coalitions of resistance. While many grassroots organizations have been formed on the basis of resisting Trump's agenda, I unpack how discourses of identification operate and form a collective oppositional consciousness.

A Play to Delay: A Rhetorical Analysis of Senator Wendy Davis's 2013 Filibuster to Secure
Abortion Rights in Texas

One in three women will have an abortion by the age of 45 (Advocates for Youth, 2017). Abortion is an extremely common experience for many women, but it often operates within a closed rhetorical space surrounded by silence, stigma, and shame. In order to open that space, pro-choice advocates have worked to produce a narrative environment that encourages women to share their abortion stories. Advocates for Youth, a non-profit organization and advocacy group that focuses on informed decisions about sexual health, created the 1 in 3 campaign as a platform for building a “culture of compassion, empathy, and support for access to basic health care” (Advocates for Youth, 2017, para. 1). They are a grassroots organization working to start new conversations about abortion by highlighting the commonality of this experience and giving women an opportunity to share their stories on their own terms. As storytelling embodies a major rhetorical and historical space in abortion discourse, Advocates for Youth capitalizes on the success of feminist movements that encouraged speak-outs on abortion to create a common experience. Because of the personal and political power that storytelling embodies, narrative is a key rhetorical strategy in abortion discourse that not only gives women a voice, but helps build a collective movement.

Recognizing the value and importance of storytelling as a rhetorical strategy, Senator Wendy Davis used narrative to create a common experience among abortion supporters in opposition to Senate Bill 5 (SB5), which is more commonly remembered in its final form, House Bill 2 (HB2). In her 13-hour filibuster against the extreme anti-choice law, she iterated the stories of women who have had a personal experience with abortion to humanize the people who would be most affected by this law. In this chapter, I argue that Davis's filibuster operated as an

image event, “staged acts of protests designed for media dissemination” (DeLuca & Delicath, 2003, p. 244), to widen the possibility for debate. By operating as a type of oppositional argument meant to create social controversy, Davis’s filibuster amplified feminist debates and brought attention to the abortion rights movement. While it was unlikely that the bill would disappear entirely, Davis used the event to attract attention to Texas’s extreme anti-choice laws and yield a new model of protest. To cultivate a culture of opposition, Davis brought the stories of Texas women to the forefront of her filibuster. In this chapter, I unpack how these narratives centralized women’s stories and valued their experiences as rhetorical agents. Because Davis spent the majority of her extended protest orating these narratives, and the Capitol was overflowing with her supporters as she read these testimonies, her filibuster was deemed the “People’s Filibuster” and a “Citizen’s Filibuster” (Grimes & Davis, 2016, 18:38).

Furthermore, I argue that her filibuster succeeded as an image event for her ability to use narrative to connect contemporary struggles for abortion access with the larger, historical battles for abortion rights. These narratives united women across time and space through shared experiences, common ground, and a similar fight. The rhetorical practice of remembering women created an opportunity to attract audiences to the resistance. Davis stated that she was chosen to perform the filibuster because as a woman, “it made the most sense” (Grimes & Davis, 2016, 33:03), but she later revealed that she had two medically-necessary abortions which shaped her decision to protest. As the personal and the political fuse with abortion, women here used their personal experiences to oppose anti-choice and anti-woman extremism.

In examining these narratives, I argue that three rhetorical themes—appeals to historical memory before abortion was legalized, generational continuity, and trusting women—emerged to demystify women’s stories and centralize their experiences in abortion debates. These

strategies privileged women's viewpoints and actively opposed political discourses that position women as second to lawmakers and fetuses. Narratives operated as a rhetorical intervention into public discourse that shattered the rhetorical silence surrounding women's abortion stories. By bringing attention to women's stories, these narratives encouraged public support for women and cultivated trust in their decisions. Furthermore, these strategies opened the rhetorical spaces of abortion discourse and investigated the continuing influence of historical connections on current policy.

Everything's Bigger in Texas

While TRAP laws skyrocketed after conservatives swept midterm elections in 2010, Governor Rick Perry implemented an array of anti-choice measures in Texas to make abortion “a thing of the past” (Porter, 2016, 11:43). In 2011, Governor Perry voted to cut public funding for contraceptive services by 67% (Grossman, 2017, p. 155), and excluded Planned Parenthood from the legislature's state-funded plan to replace Texas Medicaid. Depleting funding for contraception, education, and family planning services that prevent pregnancies actually increase unplanned or unwanted pregnancies. Because of this, Marty and Pieklo (2013) labeled Perry the “biggest factor in creating ‘unwanted children’ by blocking access to affordable contraception” (p. 145). In 2013, Senator Glenn Heger (R-Katy) created SB5 as an omnibus bill that would enact four restrictions on abortion. The law would ban abortion after 20 weeks based on junk science that a fetus can feel pain at this point, require abortion clinics to meet the same standards as ambulatory surgical centers (ASCs), force doctors to secure admitting privileges at hospitals within 30 miles of their clinic, and require physicians to include the probable gestation age of the fetus during a pregnant woman's exam (*Rewire*, 2013). These requirements are unnecessary provisions in improving the health and safety of women because they ignore the fact that

abortion is already an extremely safe procedure. Governor Perry's anti-choice discourse, HB2, and *Whole Woman's Health v. Hellerstedt* (2016) brought Texas to the forefront of abortion debates. Therefore, as Texas became increasingly hostile to women's rights, it served as a political battleground for a much larger fight for abortion access.

Davis's filibuster became a pivotal moment in the contemporary movement for reproductive justice, receiving national attention from President Obama, major political and grassroots organizations, and heightened media coverage. With over 180,000 viewers livestreaming the events at home (Kelly, 2013), Davis's filibuster quickly became a trending topic on social media, allowing the abortion stories of Texas women to reach much wider audiences than they otherwise would have. Although Davis may have lost in the short-term since SB5 was eventually adopted as HB2, the filibuster operated as an image event that attracted widespread public attention, amplified political activism at the statehouse, and gave voice to thousands of Texas women who had been ignored. Because of this success, Davis's political loss was a feminist victory that humanized this extreme anti-woman law. Davis explained that her filibuster showed women what they could achieve when they came together and decided to fight (Davis, 2014). It therefore became a tipping point for reproductive justice in red states and catalyzed national conversations on abortion access. Because the filibuster succeeded as an image event and mobilized audiences through historical memory, it is remembered as "one of the more improbable and impressive moves, not simply within the recent Texas political history, but within 21st century American politics" (Michel, 2013, para. 6).

Putting Women First: The Importance of Women's Abortion Narratives

Narrative played a key role in these political discourses by shattering the silence surrounding women's abortions. Not only was Davis's filibuster full of women's narratives

about abortion access, but these women's stories encouraged Davis to share her abortion story one year after the event. These narratives recentralized women in abortion debates and connected each woman's story to the broader feminist movements and pro-choice ideologies (Thomsen, 2015). Marshall Ganz (2010) argued that movements have narratives because they express the warrant, or the "why" behind organizing (p.8). Narratives therefore are the rhetorical bridge that help build movements for social change (Condit, 1990). When presented as a collective, women's stories are inextricably linked and fit together as components of larger cultural narratives. These multiple and overlapping abortion narratives in Davis's filibuster therefore promoted new meanings about abortion.

Women's abortion narratives here exemplified agency and self-empowerment by allowing women's stories to be told and by centralizing them in discourse. This rhetorical strategy emphasizes women as experts and values their experiential knowledge (Gillette, 2012). Therefore, these testimonies importantly placed a human face on this highly politicized issue and accentuated real women's lived experiences (Huber, 2016). Drawing together a community of women through common experiences destigmatizes abortion and prevents women's stories from being seen in isolation. Aggregating and centralizing women in abortion discourse recognizes women as rhetorical agents and values their collective power.

Additionally, narratives are important in political discourse because they are more personalized and accessible than abstract policy discussions (Lawrence, et al., 2016). They demystify generalized language and put a human face on a struggle. This makes them particularly prevalent in abortion discourse because narratives cross borders and build a group identity. As a collection of commonalities, group narratives illuminate social problems and advance social change. The ability to unify therefore makes narrative a key rhetorical strategy of

oppressed peoples (Reviere, 2007). Narratives are therefore “invaluable to the safety of marginalized people who are deliberately kept isolated by those in power” (Hoole, 2007, p. 30). They empower both audience and speaker and transform personal accounts into public statements. Furthermore, narratives can uncover truth, excavate knowledge, and build collective resistance. As narratives mobilize audiences and cultivate a collective opposition, they help generate political momentum for social change (Reviere, 2007).

The narratives Davis orated in the filibuster promoted issue salience, self-disclosure, and empathic understandings. As stories of resistance, these narratives pushed the boundaries of what conservative discourse considers an “acceptable abortion.” Settles and Furgerson (2015) argued that typically, the public only likes abortion stories that are tragic, a medical necessity, or something that women did not “choose.” Therefore, in orating a multitude of different reasons why women might seek an abortion, the filibuster opened rhetorical spaces that had been foreclosed by anti-abortion stigma and encouraged audiences to consider the circumstances that mold a woman’s decision. The narratives also functioned as oppositional storytelling and made the abortion rights struggle immediate and undeniable. Abortion narratives in and of themselves are controversial confessions, so mobilizing them in public discourse and as a part of a viral performance refuses to let abortion be seen as a taboo or an isolated occurrence, but part of a larger experience that is uniquely female.

Power in the Protest: Analyzing the Filibuster as an Image Event

While the abortion debate has primarily been an impasse, where pro-choice and anti-choice groups repeat the same arguments to the same audiences (Chemerinsky, 1982), the filibuster upset this dynamic. Because Davis’s performance operated as a new model of protest that circulated to audiences which would have otherwise been out of reach, it functioned as an

image event. Image events are staged acts of protest meant to attract media attention and incite opposition in new audiences. As image events are characterized by action, they create unique opportunities for debate and deliver an argument as an act of resistance (Delicath & DeLuca, 2003). Therefore, the filibuster was supposed to ignite an awakening that encouraged long-term change within audiences, rather than temporary acceptance of a message. Davis used opposition to anti-choice laws as a medium to cultivate outrage at the current political system and draw her listeners to feminist activism.

As many have described that day as the day they knew they were feminists (Davis & Grimes, 2016), the filibuster aroused a political passion within many viewers that triggered other symbolic acts. It created a ripple effect which called all who viewed the event to bear witness to the power of feminist activism and what women can achieve when they come together. Furthermore, the filibuster works as an image event because it encouraged conversation rather than an end-game solution (DeLuca and Wilferth, 2009). Although Davis tried to prevent the passage of HB2, I argue that the filibuster succeeded by creating an image event that politicians and audiences could not ignore. This directly opposed anti-choice tactics that stifle women's experiences and silence their voices. While her stance ultimately failed with the bill's passage two weeks later, it succeeded in cultivating engagement, personal connection, and effort. Not only did thousands of women support Davis by sharing their stories, cheering, and providing her with content to continue, but they also organized after the event. Many joined a coalition called Fight Back Texas that opposes "any efforts that restrict access to safe and legal abortions" (Culp-Ressler, 2014, para. 3) and ensures that women's voices are heard. Similarly, a group of Democratic senators filed the Women's Health Protection Act to prevent future erosion of women's bodily autonomy. Because of efforts such as these, Representative Donna Howard (D-

Austin) stated that the filibuster raised the “level of activism in Texas by tenfold” (Culp-Ressler, 2014, para. 3).

Davis’s filibuster succeeded as an image event because of several factors that attracted media attention, most notably the conditions surrounding the filibuster, the hundreds of protestors in attendance, and the strength of opposition. The conditions of the event were characterized by a display of action, its length, and how it operated as a tipping point in the hostile climate of abortion rights. Davis’s filibuster was activist performance in action. It was a visual, rhetorical, and physical display of protest that pushed the boundaries of communication. This embodies Kelly McGuire’s (2009) understanding of an image event as a “staged and documented action that achieves political force through a persuasive image” (para. 2). Action is directly tied to the length of the filibuster as audiences took note of the incredible strength and dedication it took to stand for 13-hours, without food or drink or anything to lean on, and continually speak against the bill.

Recognizing this, President Obama tweeted, “Something special is happening in Austin tonight #StandWithWendy,” and #StandWithWendy generated more than 125,000 tweets per hour (Mitchell, 2013, para. 2). Not only did the event receive national attention, but it called on the protestors at the Capitol, as well as the 180,000 people livestreaming the event at home, to participate. Delicath and DeLuca (2003) argue that image events work to increase visibility and expand the narrative by being confrontational and creative, which Davis’s filibuster undeniably was. As a creative form of protest and a sensational event, the filibuster encouraged new forms of communication to widen the possibilities of debate and broaden the scope of participation. Furthermore, many audiences paid attention to the filibuster because it was an expression of opposition to the hostile climate of abortion rights in Texas. With the defunding of Planned

Parenthood and family planning services, numerous anti-choice laws, and Governor Rick Perry's plan to make abortion unthinkable, Texas became a symbol for a larger, national fight for women's rights. This ensured that the event did not stand in isolation and instead encouraged broader conversations about abortion access.

Additionally, the filibuster worked as an image event because of the volume of protestors opposing the bill at the Capitol and online through social media. Following Delicath and DeLuca's (2003) argument that image events involve bodies (p. 10), this event not only addressed the regulation of women's bodies through abortion access but it was characterized by the profound display of bodies protesting HB2. The marathon event gained support with each hour as crowds filled the rotunda, the lobby, and hallways of the Capitol. Police tried to detain the crowd, even arresting protestors. People were standing shoulder-to-shoulder, filling the Capitol with their voices and their bodies. It was likened to a rowdy, screaming crowd at a football game (Solomon, 2013). Women had come from across the nation to show support, highlighting how Texas abortion clinics serve more than just Texas women. Journalist Jessica Luther described the experience in this way:

I, like everyone else in all of these parts of the Capitol, was screaming my face off. For just over ten minutes, we stood as a collective one. American society tells women that they're supposed to be calm. When women raise their voices or shout about the ways they are hurt by the system, they are painted as dramatic, hysterical, or irrational. Yet, here we were, thousands of us, literally yelling together in an effort to destroy a bill we saw as deeply sexist. (Luther, 2013, para. 8-9)

This empowering experience directly opposed gender norms about how women are supposed to be, act, and take up space. Their presence literally shook the Capitol and was a direct embodiment of women's anger at laws that dehumanize them and the sexist politician who support them. Additionally, Luther's description revealed how women formed a collective

narrative of resistance and oppositional storytelling. This collective narrative, that many women contributed to, therefore empowered both the speaker, Davis, and her audiences (Reviere, 2007).

Crowds held up gestures to demonstrate “No” in opposition to the bill, shouted “Let her speak!” (Lee, 2013, para. 13) and “Shame!” (Lee, 2013, para.16) at anti-choice legislators, while encouraging Davis to continue. Because of their passionate activism, Lt. Gov. David Dewhurst discredited the crowd as an “unruly mob” (Ura, 2016, para.1) and Representative Bill Zedler of Arlington tweeted “we had terrorist [sic] in the Texas State Senate” (Solomon, 2013, para. 21) opposing HB2. Zedler further blamed Democrats for supposedly encouraging disruptive behavior from pro-abortion crowds.

The visibility of the protestors and their demands to be heard accentuated the violence and oppression women face by using their bodies as a sign of opposition. This exemplifies Rebecca Jones’s (2009) argument that the presence of bodies signifies remembrance and memorial. Bodies connect the public to those who have fought before them and the places where struggle occurs. The politics of the body not only humanized the struggle, but served as a reminder for the people who had come before them to protest similar restrictions. Bodies are a key element in cultivating opposition and creating new spaces to disrupt the status quo. Therefore, the physical presence of bodies during the filibuster was impossible to ignore. Not only did they demand to be heard, but physical bodies exemplified the “chorus of protest” (Davis, 2016, para. 5) against this extreme anti-choice law. It demonstrated democracy in action and encouraged others to join the fight.

Furthermore, Davis described the sheer volume and dedication of protestors as an exemplification of what can happen when women fight back. When Davis started running out of material, her supporters published over 16,000 stories on social media to help her continue

(Davis, 2014). This exemplified the role of narratives in building a collective and a community for social movement change (Huber, 2016). Women coming together over a shared narrative helped break stigma on abortion and ensured that women did not feel isolated or alone in their experiences. Narratives become the voice of the people and subverted attempts to silence them (Reviere, 2007). The narratives and protests therefore made this the “People’s Filibuster,” encouraging people to witness the historic event, participate on social media, and to #StandWithWendy. This reinforced a populist narrative of people’s role in democracy and their duty to oppose dehumanizing legislation. As this law would detrimentally affect the people, their opposition demonstrated what was at stake—women’s lives and wellbeing. Therefore, her event became the people’s event and worked as an image event to define publics and counter-publics (Wolfe, 2009). This encouraged identification with a particular ideology by asking audiences to join Davis in her stand. It stressed an “us vs. them” dichotomy and characterized this legislation as against the will of the people.

The filibuster also promoted participatory culture and expanded the ways that groups could join a culture of opposition. This was not a traditional protest as it was particularly fashioned for mass media distribution and circulated in sensational ways to attract various audiences (Jones, 2009). It created an image of shock and sensation meant to persuade the public to action. The sheer number of bodies in opposition to the law as well as their fervor and volume attracted attention to the event. Social media platforms were overflowing with people sharing their stories with prominent figures like President Obama encouraging people to bear witness to the event. By challenging the norms of public participation, the image event offered a “critique through spectacle” (Delicath & DeLuca, 2003, p. 324), which demanded that people rise against these dehumanizing, extreme laws. As the filibuster quickly became a political spectacle, it

forced audiences to pay attention to the fact that this bill was advancing despite widespread opposition from the people.

Davis's filibuster furthermore cultivated a culture of opposition as her supporters were outraged at conservative attempts to silence her. In accordance with filibuster rules, Davis had to continually speak on the topic of the bill and could not lean on anything or sit, have food or water, or take bathroom breaks. Davis stated that she knew that her opponents would try to find three strikes against her to shut down the filibuster. The first point of order came when Davis was discussing Planned Parenthood's budget and Lt. Gov. Dewhurst said that it was not germane to HB2. The second point of order occurred when Senator Rodney Ellis (D-Houston) helped Davis adjust her back brace and both were given warning that they would vote after a third point of contention. With every strike, there were loud boos and jeers from the rotunda (Solomon, 2013). As she continued, various senators tried to dismiss her for reading off an iPad and for discussing a 2011 sonogram bill that Senator Donna Campbell (R-New Braunfels) argued was not germane to this legislation. Finally, a group of conservatives argued that they began voting on HB2 before midnight, despite official computer records stating otherwise (Davidson, 2013).

Davis highlighted these efforts as a "classic trick against women" (Broadly Staff & Davis, 2016, 5:28) meant to discredit, discount, and silence them. The blatant attempts to stop the filibuster enraged many supporters including Senator Leticia Van De Putte (D-San Antonio), who arrived directly from her father's funeral, and who asked Lt. Gov. Dewhurst, "[a]t what point must a female senator raise her hand or her voice to be recognized over her male colleagues?" (Lee, 2013, para. 13). This quote was the climax of the filibuster as the crowd erupted in cheers of support for calling out sexism in the Texas legislature. They cheered for over fifteen minutes, getting louder with each passing moment, until the clock struck midnight

(Solomon, 2013). Republicans called for a vote, but the crowd very loudly contested this decision as it was past the deadline. After much discussion, it was ruled almost two hours later that the vote could not count. At this point, many had left the Capitol, but the news coverage remembered the fervor of Davis's supporters. As they got angrier and louder with conservative attempts to silence her, the image event attracted more attention. This made the audience a key part of the debate and encouraged viewers to become creators in activist discourses (Jones, 2009). By encouraging opposition, radical questioning, and a change in consciousness, the event forced audiences to confront their role as citizens.

As an image event, the filibuster amplified public attention for its conditions, the number of protestors present and online who supported Davis, and the outrage against conservative attempts to silence her. Although her efforts technically failed with the passage of HB2, the event helped ignite a passion among viewers to take political action and stand up for social injustices. It was a tipping point for reproductive justice activism and worked as an effective tool in mobilizing distracted or disinterested audiences. Davis's performance encouraged conservation and consciousness-raising in listeners by pushing the boundaries for acceptable political communication.

Exploring Rhetorical History in Women's Narratives

Days before the filibuster, crowds gathered before the House to testify against HB2, but many men and women were sent home around 1:00 a.m. after the Chair of the State Affairs Committee deemed their stories "repetitive" (Davis, 2013, p. 28). Because this silenced many women, Davis orated sixty-five personal testimonies from those who were denied the opportunity to voice their opinions, stories, and concerns. She shattered this rhetorical silence by centralizing women as storytellers and using narrative appeals that targeted a variety of

audiences. Narratives demystified these women's experiences and distributed power away from the fetus and politicians, and into the hands of women (Lawrence et al., 2015). This allowed women to control the narratives and privileged their voices in political debates. By reading these narratives, Davis used rhetorical history to create common struggle. These narratives capitalized on shared humanity by invoking a historical consciousness about abortion care before *Roe*, cultivating generational continuity, and promoting the "Trust Women" theme.

In the filibuster, Davis employed rhetorical history to highlight the continuing influence of historical connections on current policy. Women's narratives here contributed to public knowledge through women's roles as memory-keepers. In narrating historical events, women act as keepers and sources of historical memory, using the past as a weapon against present legislation. Therefore, many of the narratives considered the bleak outcomes of making abortion illegal or difficult to access by discussing the climate of women's health before *Roe*. Patricia from Bellaire argued that women cannot go back to a time when abortion is inaccessible, stating,

In 1972, about 130,000 American women obtained illegal abortions or self-induced abortions. When I was in college, one of my friends almost died of an illegal abortion. We aren't going back there. We cannot allow the extremist minority, propelled by ignorance, misogyny, hypocrisy, political showboating, and the unconstitutional desire to impose their personal religious views on others to control what women do with their own bodies. (Davis, 2013, p. 65)

"We aren't going back there" fostered women's communal identity through a shared objection to pre-*Roe* hostility, which is a tacit argument about women's progress. These narratives therefore exemplified women's progress in America and asserted women's knowledge about historical consequences in a debate where there is no real focus on outcome beyond fetal birth. This strategy connected each woman's individual narrative with larger cultural narratives of women's progress (Huber, 2015). Furthermore, Patricia discussed the unsafe conditions and desperate circumstances that women were forced into when they could not control their reproductive

choices. Her testimony used historical memory to build a community of women fighting for the right to define their own reality. Women were unwilling to return to a time when they were forced into unsafe care, financially exploited from illegal abortionists, and often sexually abused when seeking care. Abortion rights are fundamentally concerned with women's control and this theme stressed how women must have agency over their bodies.

Like Patricia, Linnea from Austin used her story as a rhetorical intervention into public discourse by describing how she would seek unsafe alternatives if the state did not provide her with adequate healthcare. Linnea explained the intense emotional pain she felt about being pregnant and how she often wished for a miscarriage. Although she had the means to access a safe abortion, Linnea stated that a lack of access would not have been a significant deterrent for her. She said, "I can promise you that I likely would have tried to create a cocktail of drugs to make it happen on my own" (Davis, 2013, p. 62). Her story highlighted some of the desperate situations that propel women to consider abortion. Narratives like these emphasized the detrimental effects that stem from a lack of abortion care including illegal or unsafe abortions, self-induced abortions, and later-term abortions. Not only are women forced into desperate situations, but their health is significantly endangered under HB2. Pamela from Round Rock stated that,

[s]ince the legalization of abortion in 1973, abortion services have become more widely accessible. As a result, the overwhelming majority of abortions are performed in the first trimester of pregnancy. For a number of reasons, however, abortion after the first trimester remains a necessary option for women... This is not even to mention the fact that many will likely be prevented from excelling because they will be dead from the many-- from the badly done illegal abortions they will begin to seek when their access to legal abortion is restricted. The Texas Legislature is proving that it has the power to push women into subordinate positions and even to kill them. (Davis, 2013, p. 54)

Pamela stressed the harsh reality that anti-choice laws could cause many women's deaths, just like the hazardous environment before abortion was legalized. This argument exposed the bill as

fundamentally anti-woman and anti-mother and actively countered the “pro-life” frame. Anti-choice legislation is not about life, but about birth. The powerful arguments of Patricia, Linnea, and Pamela appealed to many audiences because they were grounded in historical memory and accentuated by personal experience. Many women argued that HB2 would recreate the hostile climate of abortion access pre-*Roe* which would force many women to choose unsafe alternatives, subordinate them, and “even [*sic*] kill them” (Davis, 2013, p. 54). These appeals to historical memory powerfully connected past memories with present struggles to link women across time and space. It also exemplified narrative’s ability to cross personal differences and barriers to build a collective based on women’s mutual experiences. Through this strategy, narratives transform from personal accounts into public statements that have the power to challenge the official representation of policy (Reviere, 2007).

Many narratives in the filibuster also used historical memory to highlight the history of abortion access as a matter of privilege in America. By examining the influences of race and class on abortion access, many narratives advocated for building intersectional connections. This strategy not only encouraged collectivization, but also prevented whitewashing the history of women’s movements. These testimonies discussed the detrimental effects HB2 will disproportionately have for women of color and low-income women. Journalist Andrea Grimes of Austin accentuated this fact in her testimony by stating,

There is a reason you’re hearing from me and women who look and sound like me today. I am an affluent, white, English-speaking woman with a flexible job who lives in an urban area. I will always be able to get an abortion if I need one, but the Texans who will be disproportionately negatively affected by this legislation are not able to take time off work, arrange child care, and drive hundreds of miles to sit in a cold, sterile room, either in hopes of getting an abortion or in hopes of testifying at a Capitol Committee Hearing. (Davis, 2013, p. 36)

Women of color have always been at the forefront of the fight for abortion access, but are often left out of the conversation. Grimes asked the audiences, both at home and politicians at the Capitol, to consider why many of these narratives embodied a privileged stance. Many of the women were still able to afford care because they had the financial means. It also required a certain amount privilege to find the time to write out one's experience and send it to Davis. Here, Grimes expressed how privilege influences who participates in policy-making and how this shaped conversations about abortion. Grimes therefore reflected on the many women's stories who were not able to be told that day, but were just as important. Likewise, Aura Houston of Austin remembered how "[h]istorically, women with limited resources, unlike women of privilege, have one choice: unregulated, unsterile, back room operations" (Davis, 2013, p. 37). While abortion access is already racist, Andrea and Aura reminded listeners that racial and class divides would become even more severe under HB2, further oppressing low-income women and women of color to strip them of bodily autonomy. Not only would these women be denied access, but this excludes them from participatory political culture. They would have no role in the national body and no voice to advocate for change. Their testimonies thus called for an intersectional approach to remembering history that refused to see women's experiences in isolation and forced both politicians and feminist to see the privilege embedded in the history of abortion (Woods, 2012). This strategy required a close look at the shifting webs of relationships that have made and continue to make up participatory culture, specifically through an abortion lens.

Furthermore, rhetorical history operated in these narratives to both reflect and create generational continuity. A litany of narratives discussed the trials of their parents and grandparents and expressed fear for their daughter's future. Samantha of Austin described her

recent move to Texas through a shock that abortion access was under significant threat in her new state. She thought, “[o]h, times are not like they were in my parents’ and grandparents’ days. Women truly do have equality now, so why should I be worried about it?” (Davis, 2014, p. 30). Samantha sarcastically denounced the conservative argument that women are not oppressed that prevents women from seeking equal rights. By refuting a narrative of progress, she encouraged listeners to consider their role in perpetuating systems of inequality. Similarly, Julie Gillis of Austin described her mother who was born in 1928 and lived through the Great Depression. Julie discussed how her mother experienced the social justice movements of the sixties, the invention of oral birth control, and movements for abortion rights. Julie explained her mother’s story:

[s]he had Alzheimer’s the last ten years, and so she’s been shielded from the backlash on women. She’d have been horrified to see the chipping away at Planned Parenthood, sex education in the schools, and the influence of the religious right on reproductive rights... She’d have been ashamed of our elected officials for allowing this to happen (Davis, 2013, p. 34).

Julie connected her mother’s story with the present reality to argue that she would be ashamed of the recent political climate in Texas. These narratives valued real experience as evidence and exemplified how one woman’s story had the power to become every woman’s story (Huber, 2015). This theme highlighted generational care, demonstrating that abortion is not just an issue for women of child-bearing age—it is about the whole lifecycle of women. Women as storytelling agents can build movements through shared experiences and unity around the unique struggles women face. Similarly, many other women such as Shelley from Austin (p. 37) and Melissa (p. 55) expressed fear for their daughters’ futures in the wake of this legislation. This generational continuity reinforced abortion as a fundamental right for women that must be available now and in the future. Generational continuity cultivated multiple, overlapping

abortion narratives in order to emphasize what abortion access means for women and for healthcare (Gillette, 2012). These connections across time and space called present audiences to fight to preserve these rights for themselves and their loved ones.

Additionally, many of these narratives nurtured a public trust for women by exemplifying the need to trust them to make their own healthcare decisions. Women are the experts of their own lives, but their voices have been silenced in many abortion discourses that privilege the viewpoints of politicians or the fetus over theirs (Gillette, 2012). “Trust Women” is a prominent rhetorical strategy that pro-choice groups mobilize to expose legislation that distrusts women. Dr. George Tiller, a late-term abortion provider who was assassinated in 2009, coined “Trust Women” to describe how abortion rights are about respect for women’s decisions. As his motto, “Trust Women” reflected his stance on abortion as an issue of women’s trust, stating, “Abortion is not a cerebral or a reproductive issue. Abortion is a matter of the heart. For until one understands the heart of a woman, nothing else about abortion makes any sense at all” (Carhart, 2010, para. 3). Julie A. Burkhardt, CEO and founder of Trust Women, created an organization dedicated to protecting women’s bodily autonomy after Dr. Tiller’s was murdered. She memorialized him by working to ensure that all women are able to exercise their constitutional freedoms (Trust Women, 2017). Despite this, anti-choice lawmakers continually enact legislation such as mandatory waiting periods, parental consent, and informed consent laws, to “‘save’ women from decisions perceived to be made with insufficient information and resulting in remorse and depression” (National Partnership for Women and Families, 2017, p. 3). This exemplified how abortion narratives are rights-gaining strategies with political utility in building women’s movements (Thomsen, 2015). In nurturing a public trust for women, women control their stories, their bodies, and define their own reality.

With an increase in state laws that describe women as incompetent and incapable rational choices about their health and safety, “Trust Women” rewrote this argument by highlighting women as strong, rational, capable human beings. Trust Women is against paternalistic discourses which distrust women’s decisions, and instead emphasize that no one can know a woman’s body better than herself (Pollitt, 2014). Furthermore, Trust Women is a way in which women circumvented the exclusion of their narratives by introducing their stories into the public record. It therefore emphasizes narrative by encouraging audiences to listen to women’s stories. As a political maneuver, Trust Women counters and discredits anti-choice discourses that demonize women and portray abortion as immoral. It is a rhetorical strategy that exposes the lack of respect for women embedded in anti-choice discourse, and affirms HB2 as an anti-woman bill (McBride, 2008).

The narratives that Davis read stressed “Trust Women” as an active opposition to HB2 which not only has an informed consent provision, but paternalistically described an increase in abortion restrictions as necessary to promote women’s health and safety. Many anti-choice laws discuss saving women from themselves, like Arkansas’ HB 1578, which has a stated purpose of reducing “the risk that a woman may elect an abortion, only to discover later, with devastating psychological consequences, that her decision was not fully informed” (Arkansas Right to Know Act, 2016, p.3). Other paternalistic rhetoric dehumanizes women by reducing them to their bodies. For instance, Virginia state Sen. Steve Martin (R) described pregnant women as “hosts,” (Boboltz, 2014, para. 1) conservative radio host Rush Limbaugh said women were “nothing but abortion machines” (para. 4) and “receptacle[s] for male semen,” (para. 12) and New Hampshire state Rep. Peter Hansen (R) referred to women as “vaginas” (para. 9). This deeply sexist rhetoric

stifles women's political participation by fragmenting their bodies and framing them in relation to fetuses or men. They are not people by themselves.

Many narratives exposed HB2 as an insult to women's intelligence because it denied women rights to their own bodies. April from Austin stated that she is "disappointed that [her] state government thinks so poorly of its own citizens that they don't trust them to make the right decisions for themselves, with the advice of their own physicians, their own families, and their own spiritual leaders" (Davis, 2013, p. 45). Her argument highlighted abortion as a personal, medical decision and centralized women as storytellers in abortion discourse. As many of these testimonies unapologetically urged politicians to trust women, they combat legislation and anti-woman discourses that silence women through dehumanizing descriptions of their capabilities.

Furthermore, a litany of narratives reflected the need to trust women by reinforcing the positive and innately human qualities of women. They describe women as an embodiment of fortitude, strength, and aspiration. Melissa from Austin stated, "We are women. We are mothers, daughters, and most importantly we are human beings. Trust us to make decisions about our bodies" (Davis, 2013, p.53). Her rhetoric emphasized women's rights as human rights and generational continuity with other women. Similarly, Victoria from Buda, used her testimony to affirm women's humanity. She stated,

The women who have sought and continue to seek abortions are just like me. Women who are successful, compassionate, smart, and capable human beings... If women who seek abortions are characterized as reckless and immoral, it is easy to strip them of their rights, dignity, and humanity. It seems ironic then that in order to save the humanity of a fetus, grown adults must dehumanize and restrict the rights of women. (Davis, 2013, p.59)

Her narrative highlighted how trusting women means recognizing them as human beings, a discourse that anti-choice groups undermine (McBride, 2008). This theme understands that each woman has a unique story and that her complex circumstances must be respected and trusted.

Trusting women values the unique struggles women face as women and uses their stories as evidence of their humanity, compassion, and rationality (Gillette, 2012). In nurturing public trust for women, this strategy prevents women from being second-class citizens to a fetus, their parents, or their lawmakers. Demonizing abortion demonizes women, and constructs them as immoral actors in need of regulation (McBride, 2008). To oppose anti-choice rhetoric that cultivates a distrust for women, these narratives centralized women as rhetorical agents and used their stories to mobilize support for their choices.

Establishing Ethos: Examining Davis's Rhetorical History

While the public was unaware at the time of the filibuster, Davis revealed one year after the event that she chose to lead the resistance because of her own experiences with abortion. In her 2014 memoir, *Forgetting to be Afraid*, Davis detailed her two abortions, later arguing that her confession allowed her to join the growing number of women choosing to speak publicly about abortion (Davis, 2016). Her first pregnancy was an unsustainable and nonviable ectopic pregnancy while the second pregnancy ended with her watching the doctor quiet the fetus's heartbeat. Davis described a severe fetal anomaly, which meant that if the fetus was able to be born, it would be blind, deaf, and live a short life full of suffering. She does not further discuss the details of the pregnancy other than that she wanted to have the child, had already named her Tate Elise, and chose termination as the most loving option (Davis, 2014). As many of her conservative counterparts called her stories "convenient," "unverifiable," (Bassett, 2014c, para. 2) "sickening," and "subhuman," (Bassett, 2014c, para. 3) Davis understood firsthand the stigma attached to sharing one's abortion. She claimed that she shared her story to encourage other women to share theirs, but her confession allowed her to capitalize on abortion issue before her brief gubernatorial run.

Davis became a controversial political figure in Texas for her upbringing, growing up with a single mom and being one herself for a number of years. Former Governor Rick Perry stated that Davis “didn’t come from particularly good circumstances,” (Jeffers, 2013, para. 3) and made crude insinuations about what situation Texas would be in if Davis’s mother had chosen to abort her. He stated, “What if her mom had said, ‘You know, I just can’t do this, I don’t want to do this.’ At that particular point and time, it becomes very personal for us” (Jeffers, 2013, para. 3). After hearing Perry’s remarks about her mother, Davis argued that his statement was “without dignity and tarnishes the high office he holds” (Jeffers, 2013, para. 4). From these statements, it is clear that abortion was used against Davis on a very personal level. Although she frequently states that she is proud of her past, Davis’s upbringing is undoubtedly mobilized by her opponents to discredit her or deem her unfit for office.

Conclusion

Throughout this chapter, I have argued that Davis’s filibuster was a key moment in abortion history for its ability to amplify feminist activism and affirm abortion as an important political issue. Although opposition to HB2 ultimately failed, the event succeeded in creating new narrative spaces for women to discuss their abortions. It undermined political discourses that privilege the fetus or paternalistic legislation that silence women by centralizing their unique experiences. Through the narratives of women seeking abortion care in Texas, the filibuster encouraged others to not only speak out about their abortion, but to shout their stories.

The filibuster succeeded as an image event for its display of action, the immense number of protestors supporting Davis, and outrage at conservative attempts to stifle her. Framing the filibuster as an image event underscored the success of Davis’s performance and how it became a viral sensation. By encouraging conversation and community, the event encouraged a change

in consciousness among viewers and radical questioning of the political process. Furthermore, the event opened rhetorical spaces to create an extraordinary form of communication that appealed to broader audiences.

With her personal abortion narratives and her filibuster's public sensation, the senator's position on abortion became the trademark of her political career. Because of this, Davis has been significantly demonized, and many of her conservative counterparts have publicly called her abortions stories "subhuman," (Bassett, 2014c, para. 3). When announcing her run for governor, Davis does not mention abortion to distance herself from this stigma and arguments that she was a single-issue candidate. However, many news outlets such as *The Washington Post* and *The Texas Tribune* described her omission of abortion in her speech as noticeable, inauthentic, and a political act (Root, 2014). Public scrutiny of her position, filibuster, and personal stories therefore punished her personally and professionally, and led her counterparts to label her as a "truly horrible person" (Erickson, 2014, para. 3). By inserting herself into political discourse on abortion, Davis worked to change perceptions and encourage other women to also speak out, but the conservative backlash against her led to severe demonization, including public discourse that stigmatized her as "Abortion Barbie" (Erickson, 2014, para. 1).

Chapter Two: A New Doll in Texas: A Rhetorical Examination of Senator Wendy Davis as “Abortion Barbie”

Wendy Davis’s notorious 13-hour filibuster became the unwanted trademark of her political career. In a 2016 interview, she stated that she wanted to be known for her stance on education and how she worked to better Texas schools, but abortion became the staple of her identity (Davis & Grimes, 2016). Pro-choice and anti-choice groups continually associated her with abortion, making it impossible to discuss Davis without mentioning abortion or her filibuster. Although Davis did champion abortion rights in Texas, she tried to distance herself from this because she was punished personally and professionally for her activist performance. In the news coverage following the filibuster, her opponents demonized her as everything from “Abortion Barbie” to “subhuman” (Erickson, 2014, para. 1). One such attack was a poster that depicted Davis as a Nazi soldier standing on hundreds of skulls. The caption read “Hands Off Our Holocaust,” where Davis was a mass executioner and abortion was equated with the Holocaust. Additionally, the hashtag from the filibuster, #StandWithWendy, was appropriated in this poster to demonize Davis’s supporters as standing with and supporting Holocaust-like events (Conservative Tree House, 2013). While this visual image vilified Davis and abortion activists, it encouraged the use of visual rhetoric to slander Davis in the public sphere.

The most powerful vilification of Davis occurred when she was transformed into Abortion Barbie, an invective image that became synonymous with her identity. Conservative blogger Erick Erickson called Davis “Abortion Barbie” (Erickson, 2014, para. 1) after her filibuster to criticize her performance. Not only was the characterization a criticism of her filibuster, but it discredited Davis by sexualizing her as Barbie. Abortion Barbie was a powerful play on the gender politics of Barbie which commented on Davis’s blonde hair, small figure, and

speculation over whether her breasts are authentic. Not only was her name constantly associated with the phrase, but Abortion Barbie became an inextricable part of Davis's identity after a gubernatorial fundraiser in Los Angeles. At the event, Davis was greeted by life-size posters of her face on a Barbie doll's body (see Appendix A). The doll's stomach was open, with a full developed fetus inside, and was accessorized with a black fetus and a giant pair of scissors. The posters read, "Hollywood Welcomes Abortion Barbie Wendy Davis" (Bassett, 2014b, para. 2), and dominated the news coverage of the fundraiser. The posters were designed by conservative street artist Leonard Sabo who was paid by Kathryn Stuard, a strong supporter of Davis's opponent, Greg Abbott. They were part of a conservative smear campaign meant to discredit and vilify Davis, weakening her image before the election. These widely disseminated and powerfully persuasive posters made Davis synonymous with Abortion Barbie and ensured that this label was inextricable from her image.

In this chapter, I unpack the common conservative strategy of exemplifying visual rhetoric to further an anti-abortion and anti-woman agenda through an examination of Abortion Barbie. As visual rhetoric often opposes narrative in abortion discourse, conservative use of visual arguments contrasts the pro-choice rhetorical strategy of articulating women's stories. Therefore, the visual rhetoric of Abortion Barbie punished Davis for opening a closed rhetorical space about abortion by sharing the stories of sixty-five women in opposing HB2 and later her own abortion narratives. She inserted herself into the narrative on abortion, creating a rhetorical opportunity for conservatives to embody her as Abortion Barbie. Because her filibuster performance promoted a narrative-driven strategy, she helped produce a narrative environment that encouraged other women to share their stories. However, since narratives are more complicated than visual images, it was easier for her opposition to employ visual rhetoric to

reduce these complex images into easy visual memes. Abortion Barbie thus discredited Davis by playing on her sex and conservative fears about abortion to paint Davis as a baby-killer.

This ideographic image functioned as an enthymeme by asking audiences to participate in a group citation that depicted Davis as a negligent woman, bad mother, and baby-killer. As Judith Butler (2011) has argued, people form a dominant idea about an individual based on reiterative and citational practices that occur repeatedly across time; the fact that Abortion Barbie dominated the news coverage of Davis's fundraiser made it difficult to see her as anything else. The image haunted Davis and interpellated her as one and the same with Abortion Barbie. Abortion Barbie became the dominant citation that captured Davis's identity. According to Gilles Deleuze and Felix Guattari's (1987) theoretical framework of capture, figures of resistance such as Davis are reduced to a single, unitary subjectivity to strip them of their power. Because her resistance was threatening to the dominant order, this made her a key target for anti-choice attacks that captured Davis as synonymous with Abortion Barbie.

As Davis inserted herself into the narrative and used narrative to amplify feminist support, Abortion Barbie silenced her by capturing her motion. Not only was Davis portrayed as a single-issue candidate, but abortion became the trademark of her political ethos. Through Deleuze's and Guattari's (1987) theoretical framework of capture and Judith Butler's (2011) citationality, I argue that the visual rhetoric of Abortion Barbie captured Davis and punished her for her abortion advocacy and feminine appearance. The gender politics of Barbie discredited Davis for her sex by infantilizing her and commodifying her as a product. Her femininity and embodiment of the "Southern Belle" stereotype made for an easy transformation into Barbie. Visual rhetoric captured Davis's body as a symbol in making female bodies inert and accentuated women's bodies as property. Furthermore, it punished Davis for not being the right

type of public mother and depicted her as a craven opportunist. The widely disseminated image made it impossible for her to detach herself from abortion and the “dumb blonde, bimbo” stereotype.

Here, I unpack the politics of Abortion Barbie for how it capitalized on cultural expectations of women’s bodies, perpetuated misinformation and fear-mongering in abortion discourse, and shaped the role of women in the public sphere. Then, I argue that Abortion Barbie made female bodies inert and punished women for exerting spatial authority. In depleting women’s ability to take up space, they are regulated out of the public sphere and their narrative environment closes. As an inherently anti-woman image, Abortion Barbie cultivated distrust for women’s choices and prevented their political or social advancement.

Capturing Davis As Abortion Barbie

The Abortion Barbie posters that destroyed Davis’s gubernatorial fundraiser captured her political identity as Abortion Barbie, making it an inescapable component of her image. To unpack the rhetoric of Abortion Barbie, I apply Deleuze and Guattari’s (1987) theory of capture according to citational and visual capture. Their theory of capture refers to power relations that involve apparatuses of the state. This means that when something becomes resistant or uncontrollable, they are captured, minimizing their desires and beliefs often to serve a political purpose (Hóstaker, 2014). Deleuze and Guattari (1987) describe this process like a hunt—captors pursue a wait, then pursue a defiant subject, capturing them as act of transferring power. In this case, Davis was the defiant subject captured by conservatives to strip her of power and place it in the hands of her opponents. Capture operates as a form of “social revenge” (Schueth, 2012, p. 137), meant to punish the disobedient. Because Davis inserted herself into the narrative and

opened rhetorical spaces for abortion stories, it became “convenient and politically useful” (Nigianni & Storr, 2009, p.170) to capture Davis according to a negative image.

Conservatives effectively demonized Davis through citational capture, making it impossible to see her apart from Abortion Barbie. Here, I connect Deleuze and Guattari (1987) with Judith Butler’s (2011) citationality to investigate how Davis was publicly transformed. To disempower noncompliant subjects, their identity is captured into a unitary subjectivity that they did not have the power to define. Capture creates a static reality of what a person is according to a superior signifier (Nigianni & Storr, 2009), in this case, Abortion Barbie. The superior signifier creates a “common sense” shared rationality among viewers which denotes how something is accepted. Butler (2011) argues that people tap into this shared idea of what something represents in order to form a dominant group citation. Abortion Barbie was an iterative, citational practice that took place repeatedly over time with numerous conservative media outlets such as RedState and The Resurgent referring to Davis as Abortion Barbie rather than by name. Therefore, when Davis was captured as Abortion Barbie, this created a group citation of her as an unethical baby-killer.

The citational capture of Davis as a baby-killer was so powerful because of the visual rhetoric of Abortion Barbie. The prevalence of the posters, news coverage consistently equating her with Barbie, and the creation of Abortion Barbie dolls and earrings solidified this visual capture. Upon mention of her name, audiences were encouraged to mentally cite these visual images of Davis and associate her with reckless abortion. The visual image of Abortion Barbie was so repetitive and so powerfully persuasive that it was almost impossible to see Davis as a serious, multifaceted candidate. Moreover, the visual capture of Davis was effective because it

played on the gender politics of Barbie, the stigmatization of women's bodies, and Davis's feminine appearance.

Because citational accumulations have material effects (Butler, 2011), Abortion Barbie had detrimental effects on Davis's personal and political ethos. And since it is extremely difficult to change an existing citation point (Butler, 2011), once Abortion Barbie gained traction in the media, it became inextricable from Davis's identity. As Davis was captured in these posters, she transformed into Abortion Barbie and it became the staple of her political identity in Texas.

The Gender Politics of Barbie and Women's Commodification

The transformation from Davis to Barbie was incredibly easy for conservatives because it played off gender politics and deeply rooted sexism in America. Because bodies are understood in relation to power, it is common and even normal for women's bodies to be seen as lesser, disposable, and objects (Rumsey & Harcourt, 2012). Since women's bodies are not the standard and are therefore less acceptable, they become patriarchal sites of control (Gurrieri, et al., 2013). Women are taught that their bodies are not their own, justifying discourses that treat women's bodies as objects of state regulation and police power. This reinforces objectification and commodification of the female body in order to prevent women from exerting agency over their bodies. Because Davis advocated for bodily autonomy, her opponents reduced her to her body to better control her.

Reducing women to their bodies ensures their oppression as their bodies are frequently objectified, commodified, controlled, and signify shame. The psychological oppression that comes from objectification is internalized in women, manipulating them into being ashamed of their bodies and seeing this as an indication of their worth (Bartky, 1990). Because sexist discourses exemplify a need to control women's bodies, their private parts are made public to

justify state regulation. Women are seen as geographical spaces, a “dangerous terrain” (Hill, 2010, p. 2), that must be policed and regulated. This is especially salient in abortion discourse as shown through the GOP discourse of Chapter One that described women’s bodies as “hosts” (Boboltz, 2014, para. 1) and “receptacle[s] for male semen” (Boboltz, 2014, para. 12).

Describing women as spaces dehumanizes them and ensures that their bodies remain permeable and violable. Therefore, because Davis defied her gender role by acting as an agent and for occupying discursive space, her opponents captured her motion through visual politics to neutralize her as a threat.

Gender politics further dehumanize women by propagating their bodies as objects for visual fetishism. This happens when a woman’s image is erotically charged, but managed by the male gaze and male power (Kowaleski-Wallace, 2009). As mentioned above, women’s bodies are controlled and regulated according to heterosexual male desire. They are objectified and commodified as objects to be bought and sold for the pleasure of men. Based on the dominant ideas of beauty in America, the desirable female body is petite, with large breasts, and beautiful. Since Wendy Davis embodies all of these characteristics, it was almost effortless for conservatives to reduce Davis to her body and sell this image to the public. Sexualizing her discredited her as a serious candidate and used her body to immobilize her. Therefore, gender and body politics made Abortion Barbie a sensational image that was not only marketable, but believable.

Because women’s bodies are not their own in a patriarchy, women’s agency over their bodies is demonized, stigmatized, and rejected. Women’s oppression and neoliberal discourses of choice therefore describe women who exert choice and receive abortions as unethical dilettantes. This capitalizes on conservative fears of “abortion on demand” and rhetoric that

women who have abortions are selfish. For instance, Alaskan Representative David Eastman (R-Wasilla) argued that women get abortions for a “free trip to the city” (Westcott, 2017, para. 1) while Senator Dan Foreman (R-ID) called for abortion to be considered first-degree murder (Spence, 2017). President Trump also stated that there should be some type of punishment for abortions (Trump, 2016) and laws like sex-selective bans are meant to prevent women from “acting unethically.” These instances demonstrate how conservative logic paints women as consumers of babies’ deaths and abortion shoppers. Not only did Abortion Barbie characterize Davis as a craven opportunist, but it described all women as hyper-consumers who gain from fetal death. While the politics of Barbie discredited and sexualized Davis, discourses of consumption and neoliberal choice further vilified women as content abortionists.

Seeing is Believing: Unpacking Visual Rhetoric in Abortion Discourse

Depicting Davis as an unethical baby-killer was easily accomplished through visual rhetoric because this strategy is quick, powerful, and often less critical. Because visual politics are less complicated than narrative, anti-choice groups use images to appeal to ambivalent or low-information voters (Rohlinger & Klein, 2012). Visual rhetoric enhances perception and reception of a message and conservative groups use visuals as evidentiary support for their ideological truth. The symbolic power of the fetus or anti-abortion images make this rhetoric a faster and better tool for communicating cultural consensus (Murray, 2016). Recognizing the power of visual rhetoric to mobilize audiences, even when the image is exaggerated or manipulated, conservative groups frequently use this strategy to further an anti-abortion agenda.

Although visual rhetoric is a common strategy in anti-choice discourses, Abortion Barbie deviated from the typical pattern of accentuating the fetus while negating the woman. Visual images have a deep rhetorical history as a anti-choice strategy, beginning with the distribution of

ultrasound images. Most anti-choice images use the ultrasound image as visual proof of a life that is constituted in the public sphere through widespread reception of fetal images (Chisholm, 2011). The fetus has become the “linchpin” (Hayden, 2009, p. 114) of anti-choice rhetoric to make the fetus a self-fulfilling prophecy and justify legislation that “protects” the unborn. This contrasts the strategies of the pro-choice movement which most often rely on women’s stories and narrative strategies to centralize women as rhetorical agents. Sara Hayden (2009) argues that pro-choice groups usually dismiss visual rhetoric as a strategy because there is no photographic equivalent to fetal imagery. As pro-choice ideology accentuates the humanity of women, visual images do not work as well as narratives or carry the same type of cultural weight in proving that women are people who deserve human rights (Hayden, 2009). While the image of the coat hanger evokes historical memory by reminding the public of the inhumane and dangerous conditions of illegal abortion, the constructed humanness of the fetus transforms the coat hanger into an image of fetal harm, rather than harm to women (Shrage, 2002). Furthermore, this image is not as powerful as emotionally-charged and exaggerated fetal imagery in mobilizing audiences.

Abortion Barbie was therefore an innovative piece of visual rhetoric for the anti-choice movement because it highlighted the female body and positioned the fetus as secondary. Rather than fostering a positive emotional connection between the viewer and the fetus, Abortion Barbie cultivated a negative emotional response between the viewer and Davis. The connection here was one of animosity, malice, and distrust for women’s choices. It furthered the idea that women’s bodies should be sites of regulation and control to justify increased surveillance (Hill, 2010). The visual depiction of Davis as Abortion Barbie commodified Davis’s body to discredit her as a political agent in the public sphere, using her sex and her abortion platform to foster

animosity towards all women. This image was fundamentally anti-woman. Not only did it demonize Davis, but it also encouraged dehumanization of all women and depreciated public trust for women's choices. Abortion Barbie thus directly opposed the humanity of women and resisted women's narrative strategies. In anti-choice discourse, visuals replace narratives, and images become the storytellers of abortion. These visuals depleted rhetorical spaces for women's stories and voices and punished women who attempted to open them.

Becoming Barbie: The Visual Rhetoric of Abortion Barbie

Capturing Davis as Abortion Barbie capitalized on the compulsory character of gender norms and Davis's physical appearance. Gender norms are well-known and sexist discourses encourage the objectification and commodification of women's bodies. Because Davis looked similar to a Barbie doll, it was an easy maneuver to equate Davis with Barbie. Conservatives employed gender politics to discredit Davis as a political figure, using her feminine appearance and physical body to form a group citation of her as an untrustworthy woman and a sexy bimbo. This depiction of Davis operated as a common sense, objective reality that denied Davis a chance at governor. Furthermore, Abortion Barbie cultivated a rhetorical reality that prevented her from advancing politically in Texas by characterizing her as a single-issue candidate and a negligent, reckless child.

As shown through the visual rhetoric of Abortion Barbie, the gender politics of Barbie infantilize women, commodify their bodies, and portray them as playthings. A popular, nonrealistic icon of femininity, Barbie cultivated an image of the ideal female body characterized by a low body mass index (BMI), narrow hips, a prominent bust, and hairless genitalia that mirrors a prepubescent female (Schick et al., 2011). This impractical juxtaposition of Barbie as childlike but also a fully developed woman set unrealistic and contradictory expectations for the

female body that are further problematized by Barbie's extreme popularity. Such expectations can lead to physical problems such as eating disorders and elective surgeries as well as significant effects on mental health, self-esteem, and happiness (Schick et al., 2011). Termed "Barbie Syndrome," this drive for adolescent girls to achieve impossible standards of beauty is propagated by media and consumer products, and results in failure and frustration for most who try to meet these expectations (Barto, 2001). While recent dolls have tried to depict Barbie more realistically and with a wider range of professional capabilities, the standard idea of Barbie as a pretty face with "no mind, no heart, [and] no soul" (Wanless, 2001, p. 126) remains prevalent in the minds of many Americans.

Abortion Barbie infantilized Davis by portraying her as an incompetent, passive doll. Not only does she resemble a Barbie doll, but her sexualization in this image paints her like a blow-up doll or sex toy. Presenting Davis as a doll equated her with weakness, vulnerability, submissiveness, and dependence on men (Lind, 2013). This discredited the senator's accomplishments and education by trivializing her skills and denying her maturity in age and experience. It is a common anti-choice strategy to infantilize women as shown through informed consent laws, parental consent, and mandatory ultrasounds as women are seen as incapable of making their own decisions. Not only are women not trusted to make their own decisions, but these discourses also describe men as more competent and capable of making women's decisions for them. This accentuates the double bind that women face as they are criticized through motherhood and for being childlike. Caught between contradictory forces, Davis was captured to ensure her subservience. Like a Barbie doll, she cannot move unless someone controls her movement, but her false smile makes it appear like she enjoys this control. Abortion Barbie

therefore dismissed Davis by severely limiting her agency and trapping her mobility in a highly gendered, bright pink box.

Furthermore, the presentation of Davis as a doll in frilly, purple panties trapped inside a pink box depicted her as childlike and immobile, but also sexual. Capturing Davis as hypersexual contributed to abortion stigma by depicting women who get abortions as sex-crazed. Abortion Barbie therefore affirmed the conservative argument that negligent women use “abortion as birth control” (Bohrer, 2017, para. 17). While this image signified a reckless, promiscuous woman who takes advantage of her right to an abortion, it distorted the realities of abortion. It thrived on cultural fears of negligent, promiscuous women while continuing to overlook the fact the most women who have abortions are mothers (Guttmacher, 2016). This rhetorical phrase painted abortion as fun, carefree, and a right that women abuse and therefore should not be trusted with. Likewise, this reinforced the conservative idea that women who access abortion are unethical dilettantes who are at best, indifferent to abortion. Infantilization and sexualization not only portrayed women as craven opportunists, but justified regulation over their bodies. As Erickson and Sabo tapped into a cultural lack of trust for women in creating the Abortion Barbie trope, they inflamed and justified conservative fears about women’s judgement and exertion of their rights. Therefore, this capture destroyed Davis’s political mobility while promoting anti-woman rhetoric.

As the visual rhetoric of these posters infantilized Davis, it used her sex to capture and restrain her political mobility. This explains the idea that capture is convenient and politically useful as it undermines resistance (Nigianni & Storr, 2009). Audiences were encouraged to see Davis as a bad mother, an infantilized girl, and an untrustworthy politician. The image cultivated a lack of trust for women based on the stereotypes that write the female gender as incompetent.

Therefore, conservatives were able to use the politics of gender to justify interference into women's bodies and capture Davis in that image. The actualized reality created in these posters affirmed cultural fears of negligent women and used this image as a testimony to what Davis was. She was what she had been accepted as— “a genuine head case” (Limbaugh in Philpott, 2014, para. 3). Similarly, Davis's opponent Greg Abbott thanked a supporter who called her “Retard Barbie” while his top advisor, Dave Carney, tweeted an article about how Davis was “too stupid to be governor” (Israel, 2013, para. 1). These insults were not rare and frequently iterated the citation that Davis was incompetent and unfit for political office. This ultimately undermined her credibility because of her appearance and personal history as someone who had accessed abortion care.

In addition to infantilization, the commodification of Davis's body in the posters reduced the senator to her sex and used her body as an exemplification of the “blonde bimbo” stereotype. By painting Davis's face on a Barbie doll's body, who was naked other than a pair of purple panties, Davis was sexualized and commodified as a product to be purchased, consumed, and manipulated (Toffoletti, 2007). Commodification gives one total control over a woman's mind and body (Shields & Grant, 2010) which made Davis the perfect target. This strategy positioned Davis's body as less acceptable and capitalized on the shame and insecurity women are conditioned to find in their bodies (Bartky, 1990). These posters also eroticized Davis, drawing attention to her blonde hair, petite figure, breasts, and hips. Because of her hyperfemininity and “Southern Belle” beauty, Davis was effortlessly transformed into Barbie. This sold the image of her as Abortion Barbie and as a blonde bimbo. Capturing Davis as this image frustrated political efficacy for women by sexualizing them in the public sphere and affirmed the notion that women should be seen and not heard (Belenky, 1997).

With Davis's filibuster, conservatives had lost control over her, justifying a need to negatively characterize her in a manner that the public would not forget. Davis was without the capacity to comply or obey, making it politically necessary for conservatives to capture Davis and limit her political movement. Deleuze and Guattari (1987) describe captors as having the ability to define and appropriate. Therefore, in capturing Davis, conservatives defined her identity, career, and lived reality. Abortion Barbie captured Davis by capitalizing on the shame and oppression of her gender and encouraging territorialization of her body as a noncompliant space. In constructing her as a space and belittling her to her body, capture neutralized the threat of her resistance (Ringrose, 2011). This rendered Davis immobile to ensure that she could not escape Abortion Barbie. The iteration and powerful visual rhetoric of the image haunted Davis and solidified it as the citation point of her identity.

Reducing Davis to her appearance had been a common strategy used to disparage her and diminish her political accomplishments, making it a prime attribute for conservatives to exploit. For instance, much of the news coverage of her epic filibuster concerned her bright pink tennis shoes. Her shoes were positively described as "guaranteed to outrun patriarchy" (Malik, 2013, para. 6) and became the number one best-selling shoe on Amazon following the filibuster, but they were also negatively characterized by Amazon customers as "homewreckers" (Malik, 2013, para. 11) in shoe form and "unAmerican" (Malik, 2013, para. 8). The December 2014 cover of *Texas Monthly* even depicted her as a caricature in pink tennis shoes stepping in manure with the headline that Davis was the "Bum Steer of the Year" (Texas Monthly Staff, 2014, para. 4). The Bum Steer award denotes a person or event that has lead the state astray and was therefore distributed to the "train wreck that is Wendy Davis" (Texas Monthly Staff, 2014, para. 2). These instances highlight her opposition's strategy of reducing her to a visual as a quick and

memorable way to see her as a sex object rather than a serious politician. Objectification limited her political possibility while stifling her as a creator of knowledge. It discouraged Davis from seeking political opportunities and encouraged others to see her through her body. The highly iterative and popular image of Davis as Abortion Barbie strengthened the group citation of her as a sexualized object with limited potential. The gender politics of Barbie and Davis's resemblance to the doll commodified Davis's body, literally packaged it, and sold her as Abortion Barbie to the public.

Additionally, this visual image commodified Davis by promoting her as a sex object. Her prominent role in Texas gave rise to photoshops of her in sexual positions and performing sexual acts. "Internet trolls" (Bowles, 2016, para. 4) had circulated images of Davis's face pasted on popular memes on social media. These included images of her face pasted on singer Miley Cyrus's body to falsely show Davis grinding on President Obama and a smear campaign of "Wendy Davis condoms" (Russell, 2013, para. 45). She stated that these pictures were "inviting people to view me purely as a sexual being and not someone who had a lot to offer. It sought to diminish me and have voters view me through just that lens" (Bowles, 2016, para. 5). Davis also argued that sexualizing her diminished her capabilities, and minimized her existence as a human being. Visual rhetoric therefore was an attempt to use sexist stereotypes to paint her as incapable of leading. It played on sexist discourses that describe women as emotional, irrational, and incompetent (Bartky, 1990). Since she was captured as a naked Barbie, this propelled sexist media campaigns that dehumanized Davis by seeing her as a sexual vessel and nothing more. Even though she was supposed to be pregnant with a fully developed fetus, the Abortion Barbie posters still sexualized Davis by making her extremely thin. No aspect of her physical body was

enlarged other than her breasts, to exemplify how her body was positioned solely to encourage sexism and commodification.

The constant iterations of Davis as a sex object solidified this citation point to erode her credibility. The insults hurled at her were extremely sexist and not something her male counterparts experienced. The negative political coverage she received was primarily due to her sex which explains how Abortion Barbie served as a warning for all women wanting to enter politics. Because this image formed a group citation of female politicians as incompetent and sexual, it was not just Davis who was captured in this image, but all feminist women. Her supporters called out this blatant sexism and appropriated the slur, stating “We Barbies are no dummies” (Warner, 2013, p.10). This demonstrates how the attack on Davis was an assault against women’s autonomy and political agency. It also prevented women from being knowledge creators or active participants in social and political life.

Not only is Barbie a commodification of women’s bodies, but she also promotes fixed gender roles and consumerist values that see women as toys and things to be played with. Sexualization and objectification of women reinforces a patriarchal idea of women as “playthings to be abused” (Berberick, 2010, p. 2), props, and “inhuman” (Berberick, 2010, p.7). This association therefore dehumanizes women by portraying them as objects and toys for another’s pleasure. Not only did this objectify Davis but it shrunk her accomplishments by implying that she was an unserious candidate, something to be viewed not a person to be listened to. It also made ridiculing Davis an enjoyable activity for conservatives to participate in and share. Presenting her as a toy contributes to her infantilization, commodification, and asked for someone to be her owner. The conservative media therefore owned Davis by structuring her relationship to the people of Texas and iterating Abortion Barbie to Davis’s constituents.

Visual rhetoric here exemplified the dehumanization of women, making visual discourses more sensational than narrative. In response to pro-choice rhetoric that used narrative to humanize women and foster trust for their decisions, anti-choice visual rhetoric closed these rhetorical spaces and pushed women out of the public sphere. As Davis was rising to power with her filibuster and gubernatorial campaign, she had amplified rhetorical space for women in politics. To quickly shut down her advances, visual rhetoric eroded narrative space by immobilizing women through the politics of gender. In cultivating anti-woman discourses, visual rhetoric stripped women of their humanity and used gender norms to deny them agency.

Fetus Second? Abortion Fears and the Fetus

Not only did Abortion Barbie reinforce oppressive stereotypes about women, but it also played off cultural anxieties and fears of abortion. The anxiety embedded in visual rhetoric of Abortion Barbie attracted conservative audiences by capitalizing on public affect and emotional discourses that call for the protection of the fetus. The posters spread misinformation about abortion to further an anti-choice agenda by framing fetuses as victims of women. Many conservative discourses paint abortion as a form of birth control that negligent or selfish women abuse. In sexist and neoliberal rhetoric, women are seen as abortion shoppers who consume and benefit from fetal death. This fear is reinforced through Davis's smiling face, a visual argument that abortion is a carefree and happy experience for women like her. These images justified anti-choice laws that "protect fetuses from women" (Dubow, 2011, p. 121), through government interference, increased regulation of women's bodies, and an elevation of fetal rights over women's rights. Additionally, Davis's smiling face pitted women and fetuses as enemies, a common conservative tactic in anti-abortion discourse. This justified conservative discourses that women who have abortions are unethical and vapid. Such strategies destroyed Davis's public

image by depicting her as a negligent mother and vindictive woman. Viewers were encouraged to see Davis with scissors in hand, selectively aborting fully developed babies with a smile on her face.

Furthermore, the image of scissors in the poster capitalized on conservative rhetoric that vilified abortion based on the murder conviction of Dr. Kermit Gosnell. Although he ran a dangerous abortion clinic that had not been inspected in over 17 years, his case was mobilized by anti-abortion groups to “prove” that abortion was violent, gruesome, and inhumane (Burleigh, 2013). Tapping into fear was a powerful strategy used to demonize all abortions, but ignored the reality that the Kermit Gosnell incident was an isolated occurrence caused by regulatory negligence. Scissors are not necessary or used in safe abortions. Despite this fact, the Abortion Barbie poster painted an inaccurate image of negligent doctors that cut and brutalize women and fetuses to play directly into cultural fears of the power of abortion doctors.

Furthermore, the depictions of the fetuses were based on inaccurate images that further disparaged Davis and abortion. The white fetus inside the Barbie doll’s midsection was fully developed and resembled a human child. This visual rhetoric aggravated anti-choice fears, anxieties, and moral outrage against abortion by portraying the death of a baby rather than the termination of cells, tissue, or a nonviable fetus. Sabo’s poster illustrated a third-trimester abortion but failed to consider facts including that these types of abortions account for 1% of all abortions and usually occur because of severe fetal abnormality or jeopardy to the mother’s life (Wilson & Shane, 2013). It was a false, fear-based portrayal of the vast majority of abortions, but it succeeded in justifying regulation of abortion to prevent women from “killing babies.” The image therefore portrayed Davis as a “baby killer” and used medical inaccuracies to further a conservative social and political agenda.

The posters also positioned a black fetus as the direct target of the scissors to support anti-abortion narratives that equated abortion with racial genocide. Conservative rhetoric has compared abortion to the Holocaust, mass executions, racial genocide, and “killing babies” for convenience (Condit, 1990). Just this year, many conservative politicians introduced legislation that compares abortion to slavery or racial genocide. Missouri Representative Mike Moon (R-Ash Grove) filed House Bill 1014 which would require the Missouri State Museum to present the history of abortion in a display placed next to the slavery exhibit. Calling the bill the “Never Again Act,” Moon described his intention to compare abortion and slavery (Wilson, 2017). Similarly, Representative Steve King (R-IA) testified in front of the House Judiciary Committee in September of 2016, framing abortion as akin to slavery, black genocide, and killing select puppies out of a litter (Crockett, 2016). Shirley Chisholm described genocide rhetoric as “male rhetoric for male ears” (qtd.in Roberts, 1997, p. 101), that ignores that fact that children who are wanted and cared for do more for black justice than neglected ones. The “abortion as black genocide” argument makes racial inequality seem like a product of nature, rather than of power (Roberts, 1997). Mobilizing these historical events against abortion writes abortion stigma into American history and creates a cultural amnesia about public acceptance for abortion.

This image of the black fetus also placed undeserved legitimacy on selective abortions where people choose to abort based on race, gender, or traits they may deem undesirable. Dorothy Roberts (1997) describes that because whites control genetic linkages and their meanings, they construct people of color as genetically inferior and therefore socially undesirable. This keeps “undesirable” people from procreating based on racist ideologies about black procreation. For instance, Arkansas’s ban on sex-selective abortion was deemed unconstitutional, unnecessary, and racist as Representative Charlie Collins (R-Fayetteville)

stated that this legislation was spurred by increased immigration by couples from cultures where this practice is “prevalent” (Yam, 2017, para. 3). Not only does this stigmatize patients, but it does not allow women of color the same access to abortion as white women. These discourses shape the dominant understanding of reproductive rights and frame controlling black women’s reproduction as the key to solving America’s social problems (Roberts, 1997). The visual rhetoric falsely justified conservative laws that chip away at abortion access based on stereotypes, fear, and ignorance.

While fetuses are normally the focal point of anti-choice images, Abortion Barbie characterized the fetus as an accessory. The fetuses functioned as Davis’s accessories to accentuate her as a doll and describe fetuses as something that give value to Davis. As accessories make something more useful, versatile, or attractive, the fetuses should strengthen the senator’s image. This affirmed traditional gender roles that see women’s value through compulsory motherhood. However, because the posters played off rhetorical history of Davis’s own abortions, Abortion Barbie shamed Davis for her past choices and reinforced narratives that she was a negligent mother. Davis’s career aspirations and role in the public sphere have caused her opponents to punish her for not being the right type of mother. The fetus as an accessory implied that Davis is at best ambivalent towards fetuses, and disregards their presence. The powerful connotations associated with this visual rhetoric penalized and condemned her for supporting abortion rights by attacking her personally. Similarly, the fetuses as accessories promoted Davis as a doll. As Barbie was accessorized with purses, jewelry, and heels, Abortion Barbie was accessorized with fetuses and scissors. These images used the fetuses to encourage the commodification of the female body in a hyper-consumerist culture.

Space and Visual Rhetoric: Immobilizing the Female Body

Furthermore, to punish Davis, the visual rhetoric of Abortion Barbie captured her motion to make her, and other female bodies, inert. Abortion Barbie cannot move or speak, a direct contrast to the uncontrollable movement of women at Capitol the day of Davis's filibuster. This strategy was a response to narrative's amplification of feminist action that mobilized bodies to action. Deleuze and Guattari (1987) discuss the power of spatial politics through smooth space and striated space. Smooth space denotes movement and is discursive, thereby representing narrative, while striated space is limited, disempowered, and defined. Smooth space resembles the space of the rotunda during the filibuster, full of constant movement, narrative, and volume. This is powerful and threatening to state apparatuses of power which calls for smooth space to become captured as striated space. Therefore, to regain power and limit the resistance of Davis's feminist army, Davis symbolized the reduction of female bodies and voices into striated space (Deluze & Guattari, 1987). As Davis became a symbol of feminist activism through her filibuster, she also became a symbol for the vilification of women for inserting themselves into politics and advocating for their rights. Therefore, in order to gain control over the dominant narrative, visual rhetoric was used to limit the mobility that narratives created.

As a direct response to women's power over physical and rhetorical spaces, conservatives used visual rhetoric to restrict women's movement in the public sphere. Spatial control and mobility is a highly gendered struggle that affects participatory culture by excluding women from power (Code, 1995). While the narratives that Davis shared in her filibuster opened a closed rhetorical space on abortion, anti-choice groups worked to reduce, immobilize, and disempower these women. Visual rhetoric commodified women's bodies and described them as spaces in need of regulation, rather as active citizens, structuring a discursive reality that

prevented women from physical, social, and political knowledge. As rhetorical spaces are textured, closed, and barely permeable depending on who, where, or why is attempting to enter the narrative (Code, 1995), women are excluded from the political process and rendered second-class citizens. This explains why smooth space was threatening and made Davis a key target to be neutralized. Making women's bodies inert and silencing their speech captured all women in a confined space. Women are objects here, rather than subjects, and their reality is defined by the state, conservatives, and patriarchal dominance.

The visual rhetoric of Abortion Barbie furthermore inscribed women's bodies as a "dangerous terrain" (Hill, 2010, p. 2), that requires regulation. Women were punished for seeking power and access and for inserting themselves into the dominant narrative. Unpacking the backlash against Davis demystifies how that anti-choice politicians advanced an anti-woman agenda. Not only did Abortion Barbie silence Davis, but the visual rhetoric of the posters confined her inside a toy box. As a doll, Davis was metaphorically immobile, but as Abortion Barbie she was unable to move politically. By containing and controlling women, this justified government interference into women's agency, choices, and bodies. Additionally, capturing Davis as Abortion Barbie made it too politically expensive for many to support her. Audiences therefore referred to the group citation of Davis as the "dumb, blonde, bimbo stereotype" that was an unserious candidate. Transforming Davis into Abortion Barbie severely limited her political mobility and damaged her character. Similarly, it served as a warning for what happens when women enter the political sphere or try to attain power. Discrediting a major leader in the contemporary feminist movement weakens the resistance against anti-woman legislation and discourages others from standing up in opposition.

Conclusion

In assessing the visual rhetoric of Abortion Barbie, I argued that Davis was captured as Abortion Barbie which proved fatal to her personal image and professional career. This image used gender politics to infantilize her, commodify her body, and describe her as a plaything. It exemplified her gender as a way to shame her and cultivate distrust for her ability to lead. Therefore, Davis was seen as an incompetent sex object and was used as a symbol to punish women for exerting agency over their bodies and the political sphere. These sexist depictions of Davis were iterative and powerful, crafting a group citation of her as Abortion Barbie. When people thought of Davis, they mentally cited the poster as a reference point. The visual politics of these posters made Abortion Barbie synonymous with Davis's identity and inextricable from her image. Capturing Davis in this manner prevented her mobility and worked to make all female bodies inert. Anti-choice visual rhetoric therefore immobilized and silenced women, operating as a fundamentally anti-women strategy. Because narrative strategies are much more complicated than quick visual images, conservatives will continue to use visual rhetoric to demonize female candidates for choice. Abortion Barbie furthermore vilified all women who support abortion as craven opportunists, unethical dilettantes, and abortion shoppers who see abortion as a light, carefree experience. This marginalizes feminist women by dehumanizing them, silencing their voices, and negating their experiences.

Abortion became the staple of Davis's career but she was caught in a double bind when it came to addressing this issue. When she did not mention abortion during campaign rallies, she was criticized for avoiding the issue, seemingly giving up on women, and trying to distance herself from her filibuster (Moor, 2013). At the same time, when she did mention abortion, it reinforced rhetoric that described her as a single-issue candidate who was famous for an event

best described as a “one-hit wonder” (Hu, 2013, para.13). She was punished for talking about abortion and for not talking about abortion. This accentuates the double binds that many female politicians face as neither move they make is correct.

Therefore, Davis was ridiculed for abortion, her body, her competency, being a single mother, and rumors that she was lying about her past struggles. She is a very controversial politician in Texas politics, but her gendered struggles symbolize conservative backlash against women with authority and power. After the Abortion Barbie posters spread around Los Angeles, they became a viral sensation. People can still purchase the posters for \$70 online, Abortion Barbie dolls are sold with black and white fetuses as accessories, and Sabo even created “Wendy Davis” earrings of a fetus hanging by a pair of scissors (Sabo, 2017). It is clear that Abortion Barbie has not lost its power and is still utilized to remind audiences to visually cite Davis as a negligent, weak, girl.

The conservative strategy of depicting abortion as a for-profit industry full of selfish women and greedy abortionists capitalized with the Planned Parenthood sting videos. The Center for Medical Progress (CMP), a sham biomedical research company, created videos that “showed” Planned Parenthood employees negotiating the sale of fetal tissue. While these videos were falsified and the CMP faced federal indictment, they promoted a dangerous narrative that abortion clinics are only concerned with profit and see fetal death as a consumer product. *The Washington Examiner* (2015) called these videos a “commodification of death” (para. 1) and video co-creator David Daleiden said they showed the “commodification of a human being” (Palmer, 2016, para. 14). Furthermore, this incident demonstrated the anti-choice strategy of using consumption and neoliberal discourses to portray abortion as unethical. This not only demonized abortion providers and women’s health clinics, but portrayed women who seek

abortions as craven opportunists. Although conservative logic renders it commonplace and strategic to commodify women's bodies, they denounced the commodification of the fetus as immoral and abhorrent. These videos highlight how conservative abortion discourse is anti-woman because commodification is only permitted with women's bodies. Despite the fact that these videos were falsified, many anti-choice politicians viewed this as an opportunity to attack the seemingly inhumane and unethical abortion industry. Davis as Abortion Barbie therefore played into many conservative fears about abortion, including negligent women and a greedy industry. Not only did these videos highlight the hypocrisy of anti-choice discourse, but they also spurred a larger debate about abortion and bioethics.

Chapter Three: Safety, SCOTUS, and Science: Scientific Rhetoric and Feminist Bioethics in

Whole Woman's Health v. Hellerstedt (2016)

“Everyone should see the video. They want to sell the body parts of these little children after they’ve murdered them.” – Rep. Trent Franks (R-AZ), (qtd. in Bassett, 2017a, para. 8).

“Watch a fully-formed fetus on the table, its heart beating, its legs kicking, while someone says, ‘We have to keep it alive to harvest its brain.’” – 2016 Republican Presidential Candidate Carly Fiorina (qtd. in Griffin & Fitzpatrick, 2015, 0:23).

The Planned Parenthood sting videos that were said to capture a hidden reality about abortion spurred a much larger debate about bioethics. Although the videos were discredited and their creators faced 15 felony counts, many Republican politicians continue to cite them as “proof” of negligence in the abortion industry and its dangerous, unethical practices. The release of the videos and the sentencing of Kermit Gosnell for first-degree murder in 2015 reinvigorated the anti-abortion movement as anti-choice groups had “evidence” to justify increased regulation, clinic closures, and perhaps criminalization. The official Republican Party platform states opposition to Planned Parenthood and similar organizations because they “sell fetal body parts rather than provide healthcare” (GOP, 2017, para. 27) while promoting infanticide. These incidents warranted extreme abortion legislation such as Texas’s HB2 which Wendy Davis opposed with her notorious filibuster. After HB2 had been contested twice in lower courts, the Supreme Court agreed to hear its first abortion case in nearly eight years. The long-term political and ideological conflict between pro-choice and anti-choice groups capitalized with this case, *Whole Woman's Health v. Hellerstedt* (2016), which elucidated the dialectical tension between state’s rights and personal freedoms granted in the Constitution. Texas therefore served as a political background for a much broader struggle for women’s bodily autonomy and bioethical debates.

Whole Woman's Health v. Hellerstedt (2016) was a monumental Supreme Court case because it affirmed a constitutional right to abortion, clarified the undue burden precedent created in *Planned Parenthood v. Casey* (1992), and most important to this chapter, emphasized bioethical arguments in abortion discourse. Therefore, the SCOTUS opinion played a key role in the rhetorical history of abortion discourse for its influence on how judges and legislators discuss reproductive autonomy. The 5-3 decision used scientific rhetoric to denounce the increasingly popular practice of anti-choice legislators who pass abortion restrictions without evidence of benefit. This case was highly publicized as the death of Justice Antonin Scalia left eight remaining justices on the Supreme Court, making the ruling vulnerable to the possibility of a 4-4 tie. If the Court had not ruled in favor of pro-choice advocates, the case could have been a major stepping stone towards shutting down hundreds of abortion clinics across the nation or repealing *Roe* (1973). In light of the Planned Parenthood videos, Kermit Gosnell, and HB2, abortion was at the forefront of political and ethical debates, which became increasingly important leading up to the 2016 presidential election.

Using a feminist bioethical frame, I investigate the rhetoric of the majority opinion in *Whole Woman's Health* with an analysis of political discourse surrounding the final ruling. Despite recent scandals seemingly demonstrating that the abortion industry intentionally undermines bioethics, the Court's majority opinion used scientific rhetoric to denounce anti-choice restrictions. Through a litany of peer-reviewed research, abortion exceptionalism, and arguments that HB2 could cause women's deaths, the Court reinforced feminist bioethical concerns about women's health and wellbeing under this extreme law. Scientific rhetoric also served as a protection for the Court and allowed concurring justices to distance themselves from the "baby-killer trope" that conservatives continually cultivate. While the anti-choice discourse

of HB2 distorted the reality of abortion care, it undermined the ethos of the bioethical frame by appropriating its rhetoric to argue that women need protection from abortion providers. To expose this fraud, SCOTUS employed the scientific rhetoric to justify their feminist ruling. However, since justices are not elected and have a different sense of the polis than legislators, they can use scientific rhetoric as legal justification. Their perception of career stasis shields them from the need to make sensational claims to attract voters. This is not the case for legislators who often ignore scientific reasoning on issues pertaining to women. As shown through the news coverage and personal statements of politicians after the ruling, legislators distance themselves from the scientific rhetoric and bioethical arguments to better appeal to voters. Instead, they collapse into the dominant strategies of narrative and visual rhetoric to either praise or condemn the decision. Because of the red/blue polarization of American politics, there is a predictive value in abortion rhetoric based on the branch from which it emanates. I argue that justices emphasize systematic language to appear ideologically neutral while legislators speak in dichotomous terms of wins and losses or good and bad to please constituents.

Feminist Bioethics and Abortion Discourse

Reproductive rights inherently concern issues of feminist bioethics as women's roles have historically been defined through reproduction and women's bodies are characterized as lesser, substandard, and defective. While bioethics generally denotes ethical concerns relating to biology, life, and medical research, Susan M. Wolf (1996)'s landmark text advocated for feminist bioethics because women face a fundamentally different reality than men in relation to life and medicine. Because the generic human subject is considered masculine, this "invisible gendering of the universal" (Rawlinson, 2001, p.405) constitutes women's bodies as abject. Not only does women's reproductive capacity affect this difference, but Wolf (1996) argues that

researchers cannot ignore gender oppression and the moral significance that accompanies inequality. Feminist bioethics requires a moral and political stance, opposing certain types of harm. This framework therefore opposes policies that promote the interests of the dominant group while perpetuating women's subordination. With pro-choice and anti-choice groups adopting scientific rhetoric to gain support for legislation, there has been a reinvigorated interest in bioethical arguments about women, doctors, and fetuses (Jensen & Weasel, 2006).

Because women have a significantly different stake in reproductive politics, Wolf (1996) argues that it is "unimaginable" (p.12) that political discourses and abortion laws continue to ignore women. Kuhse, Schuklenk, & Singer (2016) use feminist bioethics to rectify women's absence from bioethical discussions as medicine has been applied as an agent of social control to deny them power. Furthermore, feminist bioethical framework views abortion as an issue of self-determination and care between a doctor and patient. This framework promotes patient autonomy in a political climate that uses the ethics of refusal to protect those against abortion through conscience clause laws while making it increasingly more difficult for women to access care. Conservatives mobilize ethics rhetoric to protect anti-choice professionals and the fetus, but they used the Planned Parenthood scandal and Kermit Gosnell to shift their rhetoric to protecting women. Extreme anti-abortion laws were justified based on the argument that they protect women's health and safety, using bioethics to appear pro-woman.

This protectionist stance was evident in the rhetoric of HB2 which was said to "promote women's health and safety" (Grimes & Garcia-Ditta, 2016, para. 5) by defending them from abortion providers and facilities. Furthermore, The Fifth Circuit Court of Appeals upheld the law, stating that it provides "the highest quality of care to women seeking abortions and to protect the health and welfare of women seeking abortions" (Braga, 2016, p. 36). Despite this

argument, the actual law mentioned women twice, and only in relation to undue burden, while continually discussing the need to protect “the lives of unborn children” (HB2, 2013, Sec.1). Thus, the language had the effect of displacing the protectionism from woman to fetus. Regardless of the bill’s rhetoric, this legislation was marketed as a “woman’s health bill,” appropriating feminist bioethical discourse to appear pro-woman to the public. In investigating this claim, the Supreme Court evaluated bioethical arguments about abortion and defended their ruling with the scientific rhetoric, directly challenging the protectionist argument of HB2 but not dislodging it completely. Still, even while the majority decision confronted the problems with the protectionism of HB2 with scientific arguments, it was unable to dislodge them completely.

Pro-Choice, Pro-Life, Pro-Science

Because scientific arguments occur within historical and rhetorical contexts, often to serve a political interest, scientific communication is best understood as a competitive argument comprised of a series of rhetorical choices (Depew & Lyne, 2013). However, it is mobilized in legal rhetoric as an expression of unbiased, systematic, and ideologically neutral truth. This makes scientific discourses particularly attractive for bioethical issues involving life and death. In abortion discourse, pro-life groups typically use science to argue that life begins at conception and abortion is therefore murder. However, pro-choice groups often employ science to demonstrate how women’s lives would be in jeopardy without safe, legal abortion care (Lawrence & Eisenhart, 2002). While Whole Woman’s Health tried to prove the detrimental effects anti-choice laws inflict on women, they also used scientific rhetoric to argue that abortion is safe and expose HB2 as a sham meant to curtail abortion access.

It is clear that science and ideology are deeply intertwined as politicians cherry-pick data and expert testimonies while simultaneously presenting their position as having science on their

side (Weitz, 2012). The assembly of scientific rhetoric, therefore, involves using selective examples as good evidence and inventing terms under the guise of credibility (Depew & Lyne, 2013). Although science operates under the illusion that it is not political, sensationalist claims about science draw the most attention. Anti-choice groups especially ignore the difference between political rhetoric and medical fact with terms like partial-birth abortion, fetal pain, and images of scissors, because they invoke a more visceral reaction from audiences. The current GOP Platform calls on Congress to support the Born-Alive Abortion Survivors Protection Act while attacking Democrats' "extreme" (GOP, 2017, para. 32) and "almost limitless support" (GOP, 2017, para. 32) of abortion. This sensational and dichotomous rhetoric gives undeserved legitimacy to anti-choice legislation through the appropriation of medical discourse.

Thus, scientific data is ignored or distorted in many abortion discourses like in Justice Kennedy's arguments in *Gonzales v. Carhart* (2007). Despite the fact that there was no evidence that abortion negatively affected women's mental health, he concluded that anti-choice laws protected women from a "mental health aftermath" (Corbin, 2014, p. 1180). For anti-choice laws, abortion is distorted through lack of scientific fact and uneven application of freedoms. Caroline Mala Corbin (2014) argues that, although opponents of abortion distort medical fact, courts take their rhetoric as truth. Abortion procedures are further distorted when cases like *Hobby Lobby v. Burwell* (2014) protect religious freedoms of corporations, but fail to protect the bodily autonomy and personal dignity of women (Corbin, 2014). This makes abortion more difficult to access under the guise of promoting women's health. Furthermore, with the decline of medical authority in political discourse, politicians are positioned as scientific experts which empowers them to continue passing legislation that supports an ideological, anti-science, anti-woman agenda.

Scientific Jurisprudence: Its Lauds and Limits

In light of bioethical scandals like Planned Parenthood and Kermit Gosnell, anti-choice politicians have created a fury of abortion restrictions based on junk science. Ranging from fetal pain acts to personhood amendments, these laws expose the misapplication of science in legal policy. J. Alexander Tanford (1990) explains that there is a crisis in modern legal culture that pushes courts to value scientific discourses. Rigid ideological polarization in American politics has caused politicians and the courts to use science to legitimate their decisions. The supposed neutrality of science hides ideological biases and has therefore been elevated to a prominent, often commanding position in legal debates (Tanford, 1990). However, this “science” does not have to be accurate. Until HB2 was contested, it was enough for anti-choice lawmakers to simply say that their bill was well-intentioned and supported by “substantial medical evidence” (HB2, 2013, Sec. 1). As both sides of the argument typically try to have science on their side, the scientific rhetoric can be inconclusive, making it crucial for courts to uncover data-driven truth.

Courts typically do not do this, especially in abortion cases, which explains the importance of scientific discourse in *Whole Woman’s Health*. While there is some mention of data-driven proof in *Planned Parenthood v. Casey’s* (1992) abortion restrictions, scientific rhetoric plays a major role in the majority opinion in *Whole Woman’s Health* (2016). I argue that this rhetorical shift occurred in the highest Court because the justices are appointed for life, shielding them from both electoral pressure and state interests. Even though more innovative scientific discourses happened with SCOTUS’s majority opinion in *Whole Woman’s Health*, the Court remains a conservative institution. Scientific rhetoric was a cover for political fallout and allowed the Court to appear neutral, seemingly nonideological. In fact, Tanford (1990) cites evidence that lower court judges tend to be hostile to social science, misunderstand or ignore it,

or undervalue it. Differentiation between science and non-science is rare and science can be dismissed as a liberal institution, evil, or a threat to power, especially in the decisions issued by lower courts.

The Problem with HB2

In assessing the constitutionality of HB2, SCOTUS investigated two aspects of the omnibus bill—1.) the mandate that abortion providers have hospital admitting privileges within 30 miles of their clinic and 2.) the requirement that all abortion clinics meet the same standards as ambulatory surgical centers (ASCs). Abortion provider Whole Woman’s Health sued the Texas Health Commissioner for violating the undue burden standard created in *Planned Parenthood of Southern Pennsylvania v. Casey* (1992). In *Casey*, the majority opinion written by Justices O’Connor, Kennedy, and Souter stated,

To protect the central right recognized by *Roe* while at the same time accommodating the State’s profound interest in potential life... the undue burden standard should be employed. An undue burden exists, and therefore a provision of law is invalid, if its purpose or effect is to place substantial obstacles in the path of a woman seeking an abortion before the fetus attains viability. (p. 837)

The ambiguity of the above statement, this has allowed many anti-choice groups to pass numerous abortion restrictions at state levels based on claims that a bill either helps improve health or serves a legitimate state interest. This becomes ideologically biased and detrimental for women’s rights as state interests typically denote fetal interests (Jarrard, 2014) and states use the health of the mother as the protectionist rationale for abortion restrictions. Furthermore, since undue burden has been described as “murky at best” (Pieklo in Garcia-Ditta, 2016, para. 29), there have been four different abortion cases taken to SCOTUS before *Whole Woman’s Health* to

contest this system that has stripped many women of access to care based on geography, race, and income¹.

With the state of Texas and Whole Woman’s Health both arguing that they have science on their side with HB2, I utilize a feminist bioethical lens to investigate the rhetoric of the SCOTUS majority opinion in *Whole Woman’s Health v. Hellerstedt*. Supporters of HB2 argued that the bill furthered the state’s legitimate interest in protecting women’s health by subjecting abortion facilities and providers to higher levels of scrutiny. This created an added benefit which forced “unsafe facilities to shut down” (*WWH*, 2016, p. 27) and hopefully prevent another Gosnell. As a response to the Planned Parenthood sting videos and Gosnell, HB2 was supposed to rectify how bioethics had been undermined by the abortion industry. These arguments framed abortion based on conservative fears of unethical women and doctors who use abortion to profit. Furthermore, the conservative reality used pro-science discourses to mask political interests. Upon investigation, it became clear that David Daleiden and the Center for Medical Progress coordinated with Republicans to create the sting videos (Grimaldi, 2017), but appropriated bioethical arguments to legitimize this political ploy. This “ideological interference with biomedical science” (Grimaldi, 2017, para. 12) gave undeserved credence to the argument that abortion is unethical and devalues life for profit.

Despite this pro-woman and pro-health rhetoric, the SCOTUS majority opinion exposed HB2 for its true intention—shutting down abortion clinics across the state. Justices Breyer and Ginsburg emphasized abortion as “one of the safest medical procedures performed in the United States” (*WWH*, 2016, p. 1) In employing scientific rhetoric, the opinion promoted feminist

¹ *Mazurek v. Armstrong* (1997), *Stenberg v. Carhart* (2000), *Ayotte v. Planned Parenthood of Northern New England* (2006), and *Gonzales v. Carhart* (2007)

bioethics by correcting misinformation about abortion and affirming the issue as one of medical interest for patient and provider. While this rhetorical shift towards science established a significant precedent in abortion discourse, it served as a protection for the Court and allowed supporting justices to distance themselves from the “baby-killer” trope. Justices Breyer and Ginsburg continually emphasize abortion as a medical procedure rather than an issue involving morality, “unborn children” (HB2, 2013, Sec. 1), or infanticide.

Although HB2 was framed as pro-woman legislation, it fundamentally ignored women and followed the dominant anti-choice frame of protecting the fetus. HB2 was a response to the Planned Parenthood controversy and Gosnell’s sentencing which were both incidents about profiting off fetal death, fetal dismemberment, and murder. After HB2 passed, Texas Lt. Gov. David Dewhurst tweeted, “I am unapologetically pro-life AND a strong supporter of protecting women’s health. #SB5 does both.” (Hoppe, 2013, para. 1). He followed this statement with a map of the clinics that would be forced to close, captioned “We fought to pass SB5 thru the Senate last night, & this is why! #StandWithTXChildren” (Hoppe, 2013, para. 7). These tweets evidenced protectionist rhetoric of the fetus and the intended purpose of this law. In fact, Justices Alito and Thomas in the dissenting opinion stated that HB2 was clearly intended to “force unsafe clinics to shut down” (2016, p. 26), but they argued that in the wake of Gosnell’s murders, closing clinics is justified. Therefore, the catalysts for anti-choice regulations concerned fetal injustice, not women’s health. This explains why most conservative discourses ignored scientific rhetoric in SCOTUS’s decision which proved that women were treated safely at abortion clinics—HB2 was never about women. It was a guise to shut down clinics and repudiate abortion practices.

Scientific Rhetoric and Feminist Bioethics in the Majority Opinion

Scientific rhetoric was mobilized in the SCOTUS decision in *Whole Women's Health* as a resource to protect the Court from political fallout and to affirm a feminist bioethical approach to abortion. To investigate whether the two contested provisions of HB2 constituted an undue burden on abortion access, the Court analyzed arguments that described the bill as medically unnecessary and with a false purpose and assessed the quality of women's care in abortion facilities based on numerous pieces of evidence: five peer-reviewed studies that showed first trimester abortions have a complication rate of less than one-fourth of 1%, figures in three peer-reviewed studies that explained that the even rarer second trimester abortion has a complication rate of less than one-half of 1%, and numerous expert testimonies which stated that if complications arise, it was after the procedure, and therefore hospital admitting privileges were arbitrary (*WWH*, 2016, p. 22-23).

As feminist bioethics concern who is harmed in a medical decision, the Court supported this approach by using scientific rhetoric to discuss the safe and fair treatment of women. The evidence cited above highlighted the safety of abortion, disproving the conservative argument that abortion clinics exploit women for profit. Because mass clinic closures "meant fewer doctors, longer waiting times, and increased crowding" (*WWH*, 2016, p.26), HB2 undermined the doctor-patient relationship that is key to feminist bioethics. To be ethical, this relationship must be between two social actors (Wolf, 1996), which cannot happen if women cannot see a physician, have little to no say in what happens to their bodies, or are denied health information based on an ideological agenda. In citing facts bound by peer-reviewed scientific research, Justice Breyer denounced HB2 for interfering with the doctor-patient relationship and denying women the "individualized attention, serious conversation, and emotional support that doctors at

less taxed facilities may have offered” (p. 36). The politicization of abortion has undermined the doctor-patient relationship, regulating it according to fetal interests, politicians, or a woman’s spouse or parent (Jasanoff, 2005). Furthermore, scientific research here proved that women were better protected and afforded more bodily agency before HB2, defending feminist bioethics. This emphasis on the doctor-patient relationship was important because of anti-choice laws that permit and even encourage lying to women to discourage abortion (Beusman, 2016), and the history of sterilizing women without their consent (Roberts, 1997). It is therefore crucial to cultivate a positive, caring relationship based on truth and respect.

The argument that Texas women were better cared for before HB2 was solidified by the fact that the Texas health commissioner was unable to produce a single shred of evidence that even one woman had benefitted from this law. Justices Alito and Thomas argued that imbalance of evidence was not relevant to the decision, because the Supreme Court should never have agreed to hear the case in the first place. Alito stated that the “Petitioners could have asked us to review” the Fifth Circuit court’s decision, “but they chose not to do so” (p. 16). While their argument ignored the petitioner’s data, Breyer’s discourse weighed heavily on this evidence. His juxtaposition of evidence showed that abortion was being singled-out for heightened regulation (Greenhouse & Siegel, 2016), and unveiled how HB2 was not about improving women’s health. Following a system of evidenced-based balancing, Justice Breyer argued that it was not only medically debatable, but wholly implausible that this law improved women’s health. Not only did this accentuate pro-science discourses in abortion legislation, but it also had science “take the heat” (Wander & Jaehne, 2000, p. 22) for a potentially unpopular decision. Citing a litany of evidence to support his argument, and failing to find any to prove otherwise, Breyer used scientific discourses to guarantee that his decision was sound. Therefore, this rationale provided

a political protection for Breyer and exposed HB2 as a purely anti-abortion bill that neglected, rather than advanced, women's health.

In addition to evidence showing that HB2 undermined the doctor-patient relationship, the Court ruled that it constituted an undue burden on women seeking abortion. It subjected them to longer wait times, forced them to travel extreme distances, made abortion more expensive, and made it increasingly more difficult to see a provider. Justice Ginsburg further argued that this bill put women in desperate circumstances, which could lead some women to “unlicensed rogue practitioners, *faute de mieux*, at great risk to their health and safety” (p. 2). In the defense's argument about the “substantial obstacle” component of the undue burden standard, it was clear that this bill was never about women. They stated that clinic shutdowns cannot be a substantial obstacle because “the women affected by those laws are not a ‘large fraction’ of Texan women ‘of reproductive age,’” (WWH, 2016, p. 39). Despite evidence to the contrary, their argument that not enough women were harmed by this bill opposes feminist bioethical standards that reject harm to any woman. Individual harm to one woman, or even a handful of women, causes harm to all women (Marway & Widdows, 2015). Because “the degree of harm imposed by a regulation [*sic*] may adversely impact reproductive decisions” (Abrams, 2015, p. 180), the Court's decision affirmed that HB2 cannot be considered ethical.

Moreover, the negative impacts on woman's health were demonstrated through “abortion exceptionalism.” Caitlyn Borgmann (2014) defines “abortion exceptionalism” as the hyper-regulation and singling-out of abortion through “unique, and uniquely burdensome rules” (p. 1048), a strategy used to crumble the clinic infrastructure in Texas. Justice Breyer described the illogic of requiring abortions in ambulatory surgical centers, but failing to hold colonoscopies to the same standard. He stated that a colonoscopy “typically takes place outside a hospital (or

surgical center) setting, [and] has a mortality rate 10 times higher than an abortion” (p. 30). Although first trimester abortions are much safer than, say, colonoscopies and incomplete miscarriages, they are subjected to much stringent and more frequent regulation. Breyer cited evidence indicating that “abortions taking place in an abortion facility are safe—indeed, safer than numerous procedures that take place outside hospitals and to which Texas does not apply its surgical-center requirements” (p. 30). This discrepancy accentuated how the “normal doctrine” (Corbin, 2014, p. 1176), standard regulations for a procedure, does not apply for abortion jurisprudence. Breyer also referenced the American College of Obstetricians and Gynecologists’ amicus brief to explain that many hospitals will refuse admitting privileges for abortion providers, citing reasons “not based on clinic competence considerations” (p. 25). Because this would allow hospitals to discriminate against abortion providers, Breyer argued that this provision is not based on women’s health or medical necessity, but is a restriction applying only to abortion. Therefore, Breyer used abortion exceptionalism to prove that the contested provisions did not advance women’s health and exposed an anti-abortion strategy.

Moreover, uncovering HB2 as an example of abortion exceptionalism ignited feminist bioethical arguments about life and death. However, instead of making abortion an ethical debate about fetal death, a dominant conservative strategy, SCOTUS rhetoric discussed women’s deaths. Anti-choice discourses invoke universal ethics based on their ideology and use manipulated science as support. Universal ethics views abortion as a moral and ethical wrong in either all cases or in cases that are elective, rather than therapeutic. Feminist bioethics, which is opposed to moral absolutes and judgements (Jensen & Weasel, 2006), therefore contrasts an idea of universal ethics with a contextual approach. A contextual approach values women’s relationships, individual circumstances, and complex lives. Linemann et al. (2008) argue that

universality is a guise used to ensure conformity and import prejudices about women and abortion into law. Gender stereotypes about negligent women as “abortion shoppers” and unethical dilettantes influence legislative purpose through universal standards (Abrams, 2015). These discourses deny women’s diversity and complex realities by forcing all women to obey to one dominant ethical code.

In affirming a constitutional right to abortion and discussing how women are more likely to die with anti-choice laws, the Court upheld the core principles of feminist bioethics. Women’s autonomy, care, and choice must be at the forefront of medical decisions and cannot exist in a vacuum. This approach understands that women make choices in context, based on their complicated lives and situations, and often based on others (Mahowald, 2006). Breyer and Ginsburg used scientific rhetoric to evaluate the care/harm paradox in HB2 to argue that what is unethical about abortion is when restrictions become so burdensome that women die. Jennifer Wright (2017) explains, “If anti-abortionists are going to keep calling pro-choice people baby killers, then it’s time to start referring to them for what they are: people who kill women.” From unlicensed providers to decreased quality of care, the effects of HB2 “would be harmful to, not supportive of, women’s health” (WWH, 2016, p. 36). Therefore, a feminist bioethical lens is necessary in assessing women’s ability to make personal healthcare choices, which was significantly hindered under HB2.

Similarly, judicial discourses exposed HB2 as an anti-abortion bill because it set a precedent for enacting future restrictions. It is no longer enough for legislation to claim that it is well-intentioned or furthers a state legitimate interest without proof. This is foundational for abortion discourse as it prohibits passing anti-choice laws based on the rhetoric of good intentions. Furthermore, in the concurring opinion, Justice Ginsburg denounced HB2 as a TRAP

law whose sole purpose was to impede abortion. She warned that these efforts “cannot survive judicial inspection” (2016, p. 2), as TRAP laws are not intended to protect women and often use deceptive means to enact restrictions. Ginsburg actively opposed the anti-choice strategy that “legislatively imposed and judicially approved” (Jarrard, 2014, p. 470) gender norms by denying women full autonomy of their bodies. This case exposed the strategy of misapplying scientific discourses to fit an ideological agenda and set a precedent that courts and legislators can no longer entertain junk science as truth.

The majority and concurring opinions in *Whole Woman’s Health v. Hellerstedt* (2016) accentuated pro-science discourses, making them a significant part of the rhetorical history of abortion discourse leading up to the 2016 election. By mobilizing scientific rhetoric in their decision, the Court exposed HB2 as a sham bill designed to curtail abortion access under the guise of women’s health. While the rhetoric of science has been employed by pro-choice and anti-choice groups to create contradictory discourses about abortion, science as a rhetorical strategy is not new. What is new is that the Court preserved scientific integrity by denouncing junk science and presumed truth without proof. The decision “breathe[d] meaning back into science and crack[ed] the foundation of the right-wing strategy of using manipulative junk science” (DiBranco, 2016, para. 12). Therefore, this case was a win for scientific data and exposed HB2 as a clear effort to rollback abortion rights.

Furthermore, SCOTUS pro-science rhetoric promoted a feminist bioethical lens in abortion discourse. In centralizing women, protecting their self-determination, and weighing the balance of patient harm/care under HB2, the Court upheld women’s bodily autonomy. By describing abortion as a medical procedure first and foremost, Breyer and Ginsburg concluded that “neither of these provisions offer[ed] medical benefits sufficient to justify the burdens upon

access that each imposes” (WVH, 2016, p. 2). Denying women healthcare and curtailing their constitutional rights is therefore against feminist bioethics. It ensures women’s marginalization and impedes their full participation in their own lives and as citizens (Donchin, 2003).

This approach also debunks conservative bioethical concerns about the abortion industry. Breyer and Ginsburg validated the safety of abortion clinics while disproving the argument that the restrictive provisions of HB2 shut down “unsafe” (p. 27) facilities. As Gosnell’s murder conviction helped justify legislation like HB2, Breyer explained that while Gosnell’s crimes were “terribly wrong” (p. 27), admitting privileges and ASC requirements would not have affected his behavior. Pre-existing Texas law already addressed conservative bioethical concerns about abortion because they “contained numerous detailed regulations covering abortion facilities, including a requirement that facilities be inspected at least annually” (p. 27). The Gosnell incident therefore cannot deny the reality that abortion is safe, regulated, and that current law already protects women’s health and safety. However, the dissenting opinion disagreed, arguing that Gosnell’s crimes may have been prevented if rules like HB2 had “put them out of business” (p. 26). The dissent therefore gave credence to the conservative argument that extreme anti-choice laws silence rogue abortion providers.

While this pro-science rhetoric supported women’s rights and promoted feminist bioethical concerns, SCOTUS cannot be completely heroized. In an interview about the case, Jessica Mason Pieklo described Justice Breyer’s opinion as matter-of-fact and “almost clinical” (Stanley & Pieklo, 2016, 16:28) in its approach, which I argue protected the Court from political fallout. The Court is still a conservative institution and scientific rhetoric allowed them to distance themselves from the “baby-killer” trope in conservative abortion rhetoric. Science absorbs backlash from a potentially unpopular position, allowing the Court to appear unbiased,

systematic, and non-ideological. This is particularly necessary as courts remain conservative institutions. For instance, Congressional refusal to confirm Obama's circuit court nominees and Merrick Garland for the Supreme Court demonstrate how justices cannot afford to be politically risky, and must appear neutral to get nominated (Martin, 2016). Even when they are confirmed, courts use scientific rhetoric to seem non-ideological and distance themselves from "murderer" tropes cultivated by anti-choice publics.

Although science served as a protection, this methodological rhetoric best originates from the high Court. Justices have a stronger sense of career stasis and can afford to appear neutral on polarizing political issues because they are not under the threat of re-election. Political pressure from donors, organizations, and constituents can greatly affect legislative discourse and behavior (Gutmann & Thompson, 2010). With the SCOTUS decision in *Citizens United v. FEC* (2010), wealthy and powerful individuals such as the Koch brothers fund conservative legislatures to further anti-choice and anti-women agendas. The role of campaign finance is a key political feature in shaping the discourse of legislators who serve hegemonic interests (Hamburger, 2016). These groups want to hold legislators accountable for campaign promises while legislators typically want to remain in power. Because of the increased polarization in American politics, especially on social justice issues, and the powerful role of campaign finances, bipartisan compromise is more difficult to achieve (Gutmann & Thompson, 2010). The Pew Research Center (2014) concluded that the "most politically polarized are more actively involved in politics," (para. 9) making the polis appear more divided. As a result, legislative responses to *Whole Woman's Health* largely ignored the scientific rhetoric of SCOTUS and collapsed into the simpler narrative and visual rhetorics. Based on their sense of career stasis, there is a predictive value in abortion rhetoric that is dependent on the branch from which it emanates. This argument

explains why most news coverage of the decision continued to neglect science and framed the decision either as a feminist victory or an extreme disappointment. Legislators ignore scientific reasoning for issues pertaining to women and speak sensationally about women's bodies and rights to attract voters.

Legislative Response to *Whole Woman's Health*: Simplifying the Discourse

Public statements from politicians and presidential candidates largely ignored the scientific frames of the SCOTUS decision, and either demonized or affirmed the ruling to arouse voters. Few discussed how scientific rhetoric shaped the ruling or the future of the clinics that had been closed for months, and instead returned to the visual and narrative frames that dominate their ideological discourses. As abortion continues to cut along party lines (Dohan, 2011), the post-decision political rhetoric framed the case in terms of women's rights or fetal protection. Shelia Jasanoff (2005) argues that public discourse on abortion makes legislative compromise seem "unimaginable," therefore promoting a "winner-take-all" (p. 164) mentality, where there is little to no middle ground between pro-choice and anti-choice publics. This underscores a predictive value in abortion discourse as politicians appeal to voters by stressing ideological divides.

Many discourses that celebrated *Whole Woman's Health* as "the biggest Supreme Court victory for abortion access in decades" (Planned Parenthood, 2016, para. 1) emphasized narrative's role in shaping the decision. Wendy Davis tweeted, "Today made that day 3 yrs ago all worth it! So grateful 2 all the women who shared their stories" (qtd.in Terkel, 2016, para. 5). She thanked all the women who shared their stories, accrediting them with the historic victory, and described the decision as an exemplification of what women can accomplish when they come together. Similarly, presidential candidate Hillary Clinton commended those who flooded

the Capitol to support Davis's filibuster while positioning herself within the narrative. She stated, "We need a President who will defend women's health and rights and appoint Supreme Court justices who recognize *Roe v. Wade* as settled law" (Clinton, 2016, para. 5). These statements not only stressed the need for women to share their abortion stories, but they also used the victory as evidence that women like Davis and Clinton should be in power to ensure future success. The ruling that "will empower women to fight back against deceptive anti-choice laws in Texas and beyond" (Center for Reproductive Rights, 2016, para. 2) was remembered through narrative frames and pro-woman rhetoric.

On the other hand, conservative rhetoric highlighted the decision as a disappointment and a setback for unborn "children." Rhetorical emphasis on the fetus substantiated how HB2 was never about protecting women and was fundamentally an anti-abortion bill. With conservative candidates arguing over who was the most "pro-life" candidate, their responses accentuated the fetus and the hazards of abortion. Senator Marco Rubio (R-FL) vowed to "continue to fight for life and protect the unborn" (qtd. in Hamblin, 2016, para. 11), and condemned all abortions, even in the case of rape, incest, or jeopardy to the mother's life. Senator Ted Cruz (R-TX) took a similar stance, but criticized SCOTUS for siding with "abortion extremists" and supporting "abortion-on-demand" (Cruz, 2016, para. 3). Other conservative leaders like Speaker Paul Ryan (R-WI) and Texas governor Greg Abbott condemned the decisions as a loss of innocent life, returning to the primary anti-choice strategy of accentuating the fetus and promoting visual rhetorics of unsafe conditions and butchered fetuses. These responses further affirmed HB2 as an anti-abortion bill and iterated conservative fears about the dangers of abortion.

While most candidates rushed to comment on the ruling, Donald Trump remained silent for three days, then released a statement that glorified his power but failed to discuss what the

case symbolized. Instead of discussing fetal interests like his conservative counterparts, Trump argued that the decision would have been the opposite if he had been president, “Now if we had Scalia...or if Scalia was replaced by me, you wouldn't have had that. Okay? It would've been the opposite” (qtd. in DelReal, 2016, para. 4). Although this statement was more about him than about being anti-choice or protecting the fetus, the Republican National Committee supported Trump’s statements about appointing pro-life justices. In fact, many who did not originally support Trump backed him for this commitment (Fieler, 2017).

The polarizing responses to *Whole Woman’s Health* reinforced how politicians simplify discourses to appeal to voters, framing decisions as losses or victories for their political affiliation. This is particularly prevalent in the wake of the SCOTUS decision as many politicians radicalized their stances on abortion. Democratic Senators Clinton and Sanders advocated for the repeal of the Hyde Amendment to ensure abortion access for all women regardless of income. At the same time, Republican Senators Cruz and Rubio denounced abortions even in therapeutic cases. Mary Ziegler (2014) explains this phenomenon as “beyond backlash” (p. 969), meaning that the public perceives political polarization to be greater after a judicial decision. A divided public helped make abortion a major political issue for the 2016 election as candidates used the Supreme Court vacancy to lure voters to their platform. Because of this, Wendy Davis, Hillary Clinton, and Donald Trump all argued that the open Supreme Court seat weighed heavily in the minds of voters (McCaskill & Gass, 2016).

These discourses reinforce the predictive value in abortion rhetoric based on the branch from which it emanates. Because of perceived political polarization, especially in the wake of a Court case, politicians contribute to “the intractable, depressing national divide over abortion” (Ziegler, 2014, p. 972). To satisfy donors, organization, and the electorate, politicians need to

appear firm in their positions to get elected (Gutmann & Thompson, 2010). Therefore, it is predictable that legislators return to the dominant rhetoric of their ideology while ignoring new rhetorical arguments that displease their constituents. Based on this argument, visual and narrative rhetoric will continue to dominate political discourses on abortion. This appeals to low-information voters because it is more accessible than scientific rhetoric. Furthermore, the emotional responses that visual and narrative rhetoric incite are easier for constituents to digest than critical scientific discourses.

Conclusion

While *Whole Woman's Health v. Hellerstedt* (2016) promoted scientific rhetoric in abortion discourse, most political commentary in the wake of the decision emphasized traditional tropes of visual and narrative rhetoric to describe abortion politics. The red/blue polarization in American politics make it imperative for politicians to take a firm stance on issues of life and death. As politicians face electoral pressure, it is predictable that their discourse will return to the dominant rhetorical frames to appeal to voters. This strategy provides a less critical and more easily accessible frame for legislators to invoke during a campaign.

Despite the political rhetoric following *Whole Woman's Health*, SCOTUS rhetoric in the case affirmed feminist bioethics through scientific rhetoric. It stresses abortion as a constitutional right for all women and safe medical procedure. Furthermore, the decision debunked conservative fears that abortion is dangerous and exposed HB2 as an anti-abortion bill operating under the guise of women's health. While the ruling implemented pro-science discourses in the rhetorical trajectory of abortion discourse, it was primarily used as a cushion for the Supreme Court. It allowed the Court to appear methodological and unbiased. However, it is clear from the news coverage after the decision that scientific facts do not end policy disputes (Turner, 2008).

Although the Court supported feminist bioethics and the Planned Parenthood sting videos were debunked, Attorney General Jeff Sessions is still facing pressure to defund the women's health organization because of the videos (Grimaldi, 2017). Scientific and judicial findings are ignored in order to fulfill a political agenda. Therefore, ideological interests continue to politicize science and manipulate findings to lend legitimacy to policy recommendations.

Women's Bodies and Body Politics: Positioning Women as Second-Class Citizens

The politics of abortion demonstrate how women's bodies are used to oppress women and symbolize their limited roles in the national body. As women's bodies are constructed as substandard, nonnormative, and spaces to be regulated, women are seen as undeserving of protection or equal rights. Such descriptions justify state regulation and increased surveillance of women's bodies, depleting women's bodily autonomy and cultivating distrust for their choices. Furthermore, this dehumanizing rhetoric denies women full participation in the national body, positioning women as second-class citizens and stifling their political participation. Anti-choice discourses are fundamentally anti-woman as they sexualize women, infantilize women, and define their primary purpose through motherhood. Therefore, body politics detrimentally shape women's roles in the national body by regulating them out of public life and into the private sphere.

Regulation of women's bodies vindicates control of women's participation in public life. As the body and its meanings are centralized in discourses of the nation, politics, and culture (Sturken, 2012), body politics are crucial to understandings of the national body. Michel Foucault (1991)'s discussion of biopower sees bodies as a source of social control, shaped by dominant ideas of what is normal, acceptable or deviant. Because dominant discourses describe the male body as standard, women's bodies are defined through Otherness. This allows anti-choice discourses to reduce women to their bodies, and then frame that body as lesser and inadequate, which guarantees that women have no role in the national body.

Anti-choice discourses are often based on traditional gender norms, reinforcing women's primary purpose through motherhood and regulating them back into the private sphere. Historically, women's role in the national body was one of reproduction. Their duty was to raise

their sons as future soldiers and their daughters as model wives and sisters (Caetano, 2012), making it a political obligation to produce citizens that reflected the national body. These traditional discourses encourage child-bearing and consider parenthood normative and desirable, thus vilifying all other choices (Mollen, 2014). Not only does motherhood promote national obedience, but it also keeps women in their proper place—the home. Compulsory motherhood labels women traitors to their sex and to the nation for exercising bodily autonomy.

Many anti-choice politicians capitalize on compulsory motherhood to justify curtailing access to abortion, birth control, and reproductive healthcare. For instance, Virginia State Sen. Steve Martin (R) referred to women as “the child’s host (some call them mothers)” that does not have the right to “just kill it” (Bassett, 2014a, para. 3). Meanwhile, Mike Huckabee (R-AR) blames women for abortion, stating that “Since 1973, 60 million unborn children have died in their mother’s womb” (Holter, 2015, para. 1). Not only are women demonized for abortion, but it is common for anti-choice lawmakers to dehumanize them for their choice. Two Missouri lawmakers suggested that women who need abortions be sent to the zoo, comparing women to giraffes and zoo animals. He said that he was appalled that “babies” (Bassett, 2017b, para. 6) are aborted after a three-day waiting period, but it takes five days for a zoo to adopt an animal. Arguing that zoos are more heavily regulated than abortion clinics, State Sen. Bob Onder (R) said they should change the motto of St. Louis to “Where we protect our zoo animals, but it’s open season on Alternative to Abortion centers and pro-life organizations” (Bassett, 2017b, para. 9). Referring to women as a “child’s host,” a “womb,” and equating them with animals at the zoo demonstrates the anti-woman rhetoric at the heart of anti-choice discourses. This also exposes how women are characterized as nothing but vessels, incubators, and receptacles for reproduction.

Motherhood furthermore transforms women's bodies from a private, intimate space to a public interest. If a woman is pregnant, she is "judicially and morally compelled" (Berlant, 1997, p.99) to relinquish her right to privacy in order to protect State interest in future citizens. This justifies increased surveillance and policing of pregnant bodies while telling women that their bodies are not their own. Rep. Justin Humphrey (R-OK) exemplified this argument in stating that "Once a woman decides to be 'irresponsible' by having sex...her body is no longer entirely her own—because she will always be a potential 'host' to a pregnancy" (Crockett, 2017b, para. 3). The presence of fetal development therefore transforms women into a public space in need of regulation and protection, cultivating a distrust for women based on irresponsibility. Berlant (1997) argues that the "pregnant woman is the main legitimate space in which the category female becomes a national category and changes the meaning of citizenship" (p. 98), using pregnancy to alter a woman's relationship to the State. Pregnancy therefore displaces women's interests in the name of preserving the unborn, relegating women to the sidelines of their bodies.

Anti-woman rhetoric simultaneously positions women as mothers and as children incapable of rational choice to ensure women's oppression. Paternalistic discourses that advocate for women's protection from themselves and their decisions are a common strategy in anti-choice legislation to justify extreme laws like mandatory waiting periods, forced ultrasounds, and parental and spousal consent. Furthermore, positioning women as children feeds into pro-birth and anti-life politics. Pro-birth rhetoric masquerades as "pro-life" discourse to incite policy support, but this "pro-life" stance contradicts the conservative record of defunding and opposing measures that support life such as Medicaid, welfare, immigration, etc. Anti-choice rhetoric encourages birth, but fails to care for life after birth, thereby undermining the value of women and children's lives by positioning them second to the unborn. As anti-choice legislation severely

endangers women's lives, it is fundamentally against life and is solely focused on pro-birth outcomes.

Furthermore, valuing fetal birth over women's lives exemplifies how anti-choice discourses are anti-woman. In conservative abortion rhetoric, women's rights are pitted against fetal interests to describe women as selfish, negligent, or murderers if they obtain an abortion. Berlant's (1997) seminal text on infantile citizenship explains how fetal rights are elevated above women's rights to make the unborn more than living people. Because women can never achieve equality if their rights are second to another's (Nossiff, 2007), abortion rights are the key to women's liberation. Infantile citizenship suppresses women's autonomy by describing fetuses as ideal citizens, and supporting the State interest in fetal development. Even though they cannot act as citizens, the supposed innocence of the fetus purifies the nation and makes it a key component of national identity. Because the "fetal citizen" embodies innocence, it becomes the solution for the nation's social problems. The fetal citizen thus curtails women's autonomy by positioning them as less than human and second-class citizens. Furthermore, infantile citizenship also blames women for social or population problems, rendering them traitors to their sex and nation.

Additionally, anti-choice discourses sexualize women to discredit them and deplete their political mobility. Eroticization of women's bodies frustrates political efficacy (Berlant, 1997), damages women's credibility, and negates their accomplishments. As shown through Wendy Davis as Abortion Barbie, sexualization capitalizes on gender stereotypes and warrants anti-choice legislation. Conservative fears of promiscuous women who abuse their right to abortion or use it as a form of birth control use women's sexuality to punish them for their decisions. It cultivates a public distrust for women by promoting harmful narratives that women are selfish and unethical. Therefore, the common anti-choice strategy of sexualizing women regulates them

out of public life by characterizing them as unserious, selfish, and nothing more than a sex object.

Although abortion is a medical procedure, the politicization of this right has created a rhetorical problem for women's bodily autonomy and roles in the public sphere. Anti-choice publics construct abortion as "human sacrifice" (Chumley, 2014, para. 4), "racial genocide" (Wilson, 2017, para. 13), and a "sign of pathology" (Stormer, 2015, p. 4), to signify a civilization of risk of moral degeneracy. The moral panic surrounding abortion reinforces this right as a mark of social ills, blaming women for their role in degrading the nation. For instance, in 2012, the National Right to Life Committee (NRLC) described medication abortions as the "measure of an encroaching, barbaric evil that blights the nation" (Stormer, 2015, p. 18). Not only does this rhetoric demonize abortion, but it vilifies women for their participation in nation's downfall. Therefore, this logic justifies stifling women's rights and advances an anti-woman reality.

In investigating what the female body means to the polis through abortion discourse, it is clear that women's bodies function as a rhetorical terrain. Women's bodies are points of contention in American politics, subjected to regulation and police power (Hill, 2010). Anti-choice politicians who describe women's bodies as "hosts," (Boboltz, 2014, para. 1) "abortion machines," (para. 4) a "receptacle for male semen," (para. 12) and "vaginas," (para. 9) advance a rhetorical reality about women's bodies as permeable and violable. Therefore, the State has an active interest in controlling women's bodies to ensure their oppression. Reducing women to their bodies, and then framing that body as a geographical space, guarantees that women have no role in the national body. This erases them from the body politic and denies them full citizenship.

While abortion is inherently a woman's issue, this right includes more than just sex. Stormer (2015) explains, "Certainly the health and well-being of women is at stake in abortion

regulation and the fate of unborn embryos as well, but more broadly so are relations between genders, classes, races, immigrants, citizens, and religions” (p. 2). Lack of abortion access in America is also an issue of class, religion, and citizenship status, making it a fundamental aspect of humanity. Therefore, because body politics shape women’s roles in the national body, the body serves as the entry point for women’s political engagement (Harcourt, 2009). As feminists advocate for bodily autonomy, anti-choice discourses use women’s bodies to punish and oppress them, stifling their humanity and political participation.

This project therefore investigated the relationship between women’s bodies and the national body, using Wendy Davis as a case study. Her filibuster was a watershed moment in abortion politics that ignited activism leading into the current political moment. From feminist legend to Abortion Barbie, Davis has been a major political figure in the rhetorical history of abortion discourse leading up to the 2016 presidential election. As both pro-choice and anti-choice groups attempted to control the narrative on abortion before the election, 2013-2016 cultivated new rhetorical spaces and opportunities that used abortion to attract voters. Davis’s filibuster was the catalyst for this period, but her performance functioned as image event rather than an end-game solution. Davis said that her filibuster “started something” and gave “new life to the idea that [women] are powerful in the face of injustice” (Davis, 2016, para. 8), which encouraged women towards feminist activism. Public opposition to HB2 amplified feminist debates and brought attention to the abortion rights movement, fostering a culture of opposition.

The narratives in Davis’s filibuster situated contemporary struggles within larger, historical battles for abortion rights, to unite women across time and space. The rhetorical practice of remembering women demystified their stories and emphasized their roles as rhetorical agents. Three prominent rhetorical themes—appeals to historical memory,

generational continuity, and trusting women—centralized women’s personal experiences and helped make this the “People’s Filibuster.” The articulation of women’s stories and the physical presence of their bodies protesting at the Capitol humanized the people who would be most affected by this law. Therefore, Davis’s filibuster widened the possibilities for debate and yielded a new model of protest. While Davis’s performance may have ignited conversation about abortion access in Texas, narrative expanded the plot beyond her state. The litany of women who shared their stories and supported her at the Capitol humanized the struggle and gave face to the movement. It also opened rhetorical spaces for other women to share their stories. Not only did this happen on Twitter during the filibuster, but a series of new documentaries were created to give voice to women’s abortion stories. *After Tiller* (2013), *Trapped* (2016), and *Abortion: Stories Women Tell* (2016) capitalized on this rhetorical opportunity to encourage further conversation. Making women’s bodies seen and ensuring that their voices are heard used narrative to promote a change in political consciousness.

In response to her performance, visual rhetoric captured Davis as Abortion Barbie to deplete her credibility and make this image inextricable from her political identity. It punished Davis for inserting herself into the narrative, opening closed rhetorical spaces on abortion. Furthermore, Davis became the symbol of the commodification of women and domestication of their bodies. Not only did Abortion Barbie deplete her mobility, but it used her sex to further conservative fears about abortion and paint Davis as a “baby-killer”. Davis was sexualized, silenced, and captured in order to promote the narrative that she was a negligent mother, abortion dilettante, and unserious politician. This ideographic image was detrimental to Davis’s image, but it also served as a warning to all feminist women who threaten the dominant order.

Furthermore, conservative fears of unethical women and abortion negligence capitalized on recent bioethical scandals as a justification for passing extreme anti-choice and anti-woman legislation. The SCOTUS majority opinion in *Whole Woman's Health v. Hellerstedt* (2016) used pro-science rhetoric to uphold a feminist bioethical frame concerned with women's health and wellbeing under HB2. Through a litany of peer-reviewed research, abortion exceptionalism, and an emphasis on women's potential deaths, the Court exposed HB2 as a fundamentally anti-woman law whose only intention was to close clinics. Although the scientific rhetoric comprised a key component of the rhetorical history of abortion discourse during this current moment, it was neglected by politicians. Therefore, the news coverage of the decision collapsed into simpler frames of narrative and visual rhetoric to attract voters before the election. Because of the red/blue polarization of American politics, there is a predictive value in abortion rhetoric based on the branch from which it emanates. This project argued that justices emphasize systematic language to appear ideologically neutral while legislators speak to the polis to continue to be elected.

Whole Woman's Health synthesized narrative and scientific abortion rhetoric with Davis's filibuster, the multitude of amici narratives written to the Court, and the pro-science rhetoric justifying the decision. However, the case was monumental for affirming abortion rights and for mandating that politicians can no longer say that scientific fact supports legislation without proof. The ruling also structured how abortion legislation is written, articulated, and justified based on pro-science rhetoric and attention to narrative. The Court privileged testimonies from women and physicians over the claims of state legislators (Hollis-Brusky & VanSickle-Ward, 2016), therefore shifting the rhetoric of abortion legislation.

Wendy Davis's filibuster, the anti-choice response to her activism, and *Whole Woman's Health v. Hellerstedt* created new spaces to discuss abortion and gender politics. These events shaped legislation and public opinion of abortion leading into the presidential election, using the history of abortion rhetoric to connect the current moment with a broader historical consciousness. Furthermore, the dominant rhetorical strategies of these events—narrative, visual, and scientific—influence public perception of abortion, women's bodies, and the policy decisions that regulate them. This is crucial in the era of President Trump where women's rights are under significant threat and anti-woman legislation is depleting women's humanity.

Abortion after *Whole Woman's Health v. Hellerstedt*

With major candidates issuing public statements on abortion in the wake of *Whole Woman's Health*, reproductive rights became a key political issue for the 2016 election. Fulfilling his promise to elect pro-life justices, Trump appointed Neil Gorsuch, an extremely controversial nomination because of his stance on abortion and women's health. This caused causing public opposition against his confirmation. Abortion activists gathered outside his Senate hearing to protest the nomination and Democrats worked to oppose the appointment, especially after Republicans refused to hold confirmation hearings for Obama administration nominee Merrick Garland. Many anti-choice groups were pleased with Gorsuch's appointment because of his previous comments on human life. In his 2006 book, *The Future of Assisted Suicide and Euthanasia*, Gorsuch stated that "human life is fundamentally and inherently valuable, and that the intentional taking of a human life by private persons is always wrong" (p.157). Gorsuch also sided with Hobby Lobby to protect the religious freedom of businesses in *Hobby Lobby v. Burwell* (2014) (Crockett, 2017a). Because of this, Jeanne Mancini, the President of March for Life, argued that Gorsuch "will strengthen the fight against abortion rights" (Mancini, 2017,

para. 1). Gorsuch's appointment therefore was part of a larger anti-choice and anti-woman agenda that Trump and conservative lawmakers are cultivating.

Women's rights are under further attack with Paul Ryan (R-WI) and Mitch McConnell's (R-KY) new healthcare plan, the American Health Care Act (AHCA). If passed, many people would lose basic rights to healthcare, but women would be especially targeted. The plan could treat sexual assault, domestic violence, postpartum depression, pregnancy, and Caesarean sections as pre-existing conditions that insurers could use to discriminate (Farber, 2017). As these conditions typically affect women, this would effectively deny them coverage and healthcare. Insurance companies would also be allowed to opt-out of Obamacare's Ten Essential Benefits which include maternity and newborn care and preventative care such as mammograms, cervical cancer screenings, birth control, and breast pumps (Farber, 2017). Compared to Obamacare, the AHCA could cause the price of pregnancy to increase 425%, and this is even with no or minor complications (Forster, 2017). Similarly, pregnant women, low-income people, and children are more vulnerable with cuts to Medicaid. This plan therefore targets victims of domestic violence, rape and sexual assault survivors, and pregnant women. The AHCA is anything but pro-life or pro-family.

Many of these discourses describe women's bodies as an Other, something that is not the standard or worth protecting. From this, it is clear that women's bodies are sacred when it comes to saving women from abortion, themselves, or abortion providers, but they are not worth other types of healthcare. When Rep. Mike Doyle (D-PA) asked conservatives what problems they have with Obamacare, Rep. John Shimkus (R-IL) replied, "What about men having to purchase prenatal care?... Should they?" (Viebeck, 2017, 0:41). This demonstrates the lack of respect for women's health and, in this case, children's health (Newkirk, 2017). While *Whole Woman's*

Health was a monumental win for women's health, Trump and a conservative Congress work to prevent women's bodily autonomy at all costs. The appointment of Gorsuch, Trump's reinstatement of the Global Gag Rule which prohibits international family planning assistance to groups or programs that provide of mention abortion (Bassett, 2017a), and the AHCA debate have cultivated a punitive, anti-woman climate. This has however created a rhetorical opportunity for Democrats to capitalize on discourses of life. The healthcare debate has demonstrated the hypocrisy of the pro-life movement as this has nothing to do with actually preserving, protecting, and promoting life.

In seeking to rebuild and rebrand the Democratic Party after the 2016 presidential defeat, Democratic leaders have been dissecting their message on abortion. With Hillary Clinton calling for the repeal of the Hyde Amendment (Cauterucci, 2016), the platform was pushed further left on abortion rights. However, after her historic loss, the party has been split on what constitutes the ideal Democratic candidate. After Bernie Sanders and other Democrats publicly supported the Omaha Mayoral Candidate Health Mello, a reported anti-choice candidate, the Democratic National Committee (DNC) promoted an abortion test for candidates. Although Mello later clarified that he is pro-life but supports women's choices, this spurred a major political debate. DNC Chairman Tom Perez argued that every Democrat must be pro-abortion and that abortion is "not negotiable" (Hagen, 2017, para. 8). Ilyse Hogue, President of NARAL Pro-Choice America, supported this statement, calling it disappointing and "politically stupid" (Hagen, 2017, para. 3) for Democrats not to be pro-choice. Some Democrats have argued that this standard sets the bar too high while others point to women's rights as an essential part of the party's platform with women as a key demographic.

Litmus test rhetoric was not well-supported by many Democrats in red states who understand the political necessity of having pro-life Democrats in these areas. It created an ideological purity test that would alienate some candidates in red states. In Arkansas, the state Democratic Party stated that they will not use the abortion litmus test. Rep. Michael John Gray, the chairman of the state party, explained his opposition, “The only litmus test we care to take is whether what we do is in the best interest of the people we serve” (Fanney, 2017, para. 3). Turning away from these arguments, Minority Leader of U.S. House of Representatives Nancy Pelosi (D-CA) downplayed abortion rights and instead claimed that the foundation of the party is “economic policy and commitment to the working class” (Richardson, 2017, para. 1).

Even within the seemingly pro-choice political party, abortion is still seen as a divisive issue in the current political climate. While abortion litmus tests might appeal to pro-choice supports, it dismantles party politics and makes it more difficult to elect Democrats, especially in red states. Subjecting the party to a divisive ideological purity test denies political reality and is unreasonable without activists providing political cover for politicians who are unapologetic about abortion rights. Furthermore, in order for abortion to be an accessible right, the dominant two-party system cannot continue to discuss reproductive rights through moral dichotomies of good and bad. Abortion rights are vilified when politicians describe abortion through personal caveats, namely, claiming to publicly support abortion while also declaring a personal opposition to the procedure.

The current political climate exemplifies the rollback of women’s bodily autonomy, basic rights, and humanity. Anti-woman sentiment is at the heart of these policy debates and political rhetoric, cultivating distrust for women’s decisions and justifying a need to regulate their bodies. Anti-choice cannot continue to mask itself as “pro-life” as women are dehumanized and even

killed without proper healthcare. Feminists must continue to build the resistance with women's voices, and bodies, at the forefront.

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Appendix A

The image below is conservative street artist Leonard Sabo's depiction of Wendy Davis as "Abortion Barbie." These life-size posters greeted Davis at her gubernatorial fundraiser in Los Angeles in 2014 (Sabo, 2017).

