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The Problem with “Justifying” Abortion: Why Real Reproductive Justice Cannot be  
Achieved by Theorizing the Legitimacy of Abortion

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## **Abstract**

This is a commentary on Adair and Lozano's (2021) article "Adaptive choice: Psychological Perspectives on Abortion and Reproductive Freedom." We offer a critique of its underlying premise that abortion must be justified, identifying three substantive concerns. Then, we outline a better way to study abortion, one that draws on feminist and reproductive justice scholarship by: centering the lived experience of real people and their needs; holding that it is a fundamental human right of people to reproduce if and when they desire; and conducting research that benefits people, with a focus on those who are socially marginalized.

*Keywords:* abortion; equity; reproduction; reproductive justice

Adair & Lozano's article joins a long list of scholarship that aims to offer a seemingly objective—sometimes even positivist—justification for the presence of abortion in a society, in this case arguing for the utility of three streams of psychological theory to make the case for the acceptability of abortion. This overall approach, however, has the unintended effect of reifying the idea that third parties can opine about what people should and should not do with their bodies. Another consequence of this approach is that it legitimizes narratives that pregnant people are incapable of determining what they need, missing the mark of what actually matters: pregnant people's autonomy to make a pregnancy decision. We have three central concerns, which we lay out below and then follow with a proposal for an alternate orientation to studying abortion that is values-based and starts with centering real people, seeking to understand and address their needs.

Our first concern with arguments that aim to appeal to a larger logic or justification for abortion is that this effort accepts the premise that such a justification is necessary, that abortion needs to be explained. By developing a broad-brush, societal- or population-level justification for the presence of abortion, scholars legitimate the idea that justification of abortion is both appropriate and able to be rendered. The parallel dearth of research on why people choose to continue their pregnancies suggests that that process, in contrast, does not require explanation. We suggest that this pattern in the literature is not simply happenstance but related: the volume of explanations for abortion and the concomitant absence of examination of reasons for other pregnancy outcomes is consistent with the broader exceptionalization of abortion and normalization of other outcomes. Efforts to justify abortion, perhaps counter to some scholars' intent, reinforce the premise that abortion is deviant and in need of explanation.

Moreover, theories that seek to justify abortion as reasonable construct this justification as something third parties (e.g. scholars, lawyers, politicians, payers) can determine. We conceptualize third parties as people without a social relationship to the pregnancy or the pregnant person. Although scholarly efforts to explain the presence of abortion may intend such third parties to be limited to scholarly and/or medical experts, this formulation of abortion as something others without a social relationship to the pregnancy can weigh in on opens the door to advocates and politicians opining on the legitimacy of abortion. Current debates about abortion often focus on who has the expertise to make determinations about the legitimacy of abortion. Rather than engage in territorial debates on expertise, we argue for refusing the premise that third parties can ever render a determination on abortion or any other pregnancy decision. Pregnancy is not without risk, regardless of how pregnancies end, and therefore we caution scholars to step back and wrestle with who should be the final arbiter to determine what risk is acceptable.

This leads to the second problem we identify with grand-scale approaches: where are the pregnant people? Scholars and advocates have bent over backwards to appeal to the “general public’s” concurrence that it is okay for other people to have abortions, for example deploying claims about the environmental importance of population control or about how control over childbearing can reduce poverty. These logics adopt a paternalistic set of beliefs about the rights of others to make determinations about what pregnant people can and cannot do with their bodies. They misstate and misunderstand who the relevant actors in any discussion of abortion are, moving focus away from pregnant people themselves. And in their perpetuation, these grand-scale logics shift attention away from questions about

what pregnant people want and need. Connecting to our first concern, when scholarship implicitly constructs abortion as deviant and of relevance to third parties, a reasonable response to understanding why people seek abortions would be to try to head-off those needs. For example, given that many women identify financial concerns as driving their decision to seek an abortion, antiabortion crisis pregnancy centers have offered material support to women so as to persuade them to continue their pregnancies. In addition to there being no evidence that this tactic is successful, this set of actions, and the logic that enables it, suggests that pregnant people's decision-making can and should be manipulated. In so doing, it foments doubt about their decision-making capacity. Additionally, it ignores the fact that pregnant people weigh a variety of factors (besides economics) in the existential decisions of whether or not to birth and of whether or not to become a parent. The calculus that each pregnant person uses is distinct and unique, and it manifests spaces of autonomy to govern one's life.

There is an additional conceptual benefit that centering pregnant people affords: it highlights that abortion is just one outcome of pregnancy. Since all pregnancies end, a focus on just one pregnancy outcome is an incomplete way of understanding any individual's pregnancy and pregnancy decision-making. Instead, it jumps to the end of an experiential process and stipulates abortion as consequential, both as something to be explained and as a causal factor going forward. Centering pregnant people, rather than abortion as an outcome, brings this stipulation into question.

Finally, attention to justifying abortion and abortion decisions is problematic from an equity standpoint in that it overlooks the way not all people's reproduction is encouraged and rewarded. The motherhood mandate Adair and Lozano refer to is

raced and classed. Some people—including, in the United States, teens, low-income and poor women, undocumented women, and Black and Indigenous women—have to justify their decision to become pregnant and continue their pregnancies; reproduction by women in socially marginalized groups is suspect. This is relevant to efforts to explain or justify the “why” of abortion because the corollary of arguing for abortion as reasonable, or adaptive, (by third party evaluations) is that then some decisions to continue a pregnancy become unreasonable (again, by third party evaluations). For example, if abortion is socially accepted as a legitimate response to financial strain, what of the pregnant people who are financially struggling who continue their pregnancies? An emphasis on understanding—and justifying—abortion through recourse to anything other than a pregnant person’s human right to make decisions about their body risks presenting abortion as a logical outcome for certain circumstances, constructing abortion as not only legitimate but appropriate for people in those circumstances. And the circumstances for which continuing a pregnancy becomes unreasonable are ones low-income and poor women, women of color, and people from other marginalized groups are more likely to experience.

A social justice approach holds that there are no circumstances in which a pregnant person must—or should—have an abortion, just as there are no circumstances in which a pregnant person must—or should—continue a pregnancy. Indeed, as reproductive justice advocates have cogently argued, abortion is only one part of the reproductive continuum. Just as pregnant people deserve the ability to choose when they want to be pregnant, they also have the right to raise the children they want in safe communities. They are not responsible for rectifying societal inadequacies through their individual reproductive decision making. A

pregnant person, in other words, is never obligated to end their pregnancy because of society's failure to enable safe circumstances for parenting

As alluded to in our delineation of concerns, we believe that there is a better way to study abortion as one outcome of pregnancy. Our approach—which is not unique to us and builds on and draws from feminist and reproductive justice scholarship—is not constructed solely in response to the concerns we identify above. Rather, we call for starting from specific values in investigations and theorizations of abortion. For one, we believe that research must center real people and assesses their needs. For two, we hold that it is a fundamental human right of people to reproduce if and when they desire. Fundamentally, our recommended approach is to conduct research that benefits people, preferably socially marginalized people, consistent with both feminist research methods and reproductive justice and health equity more broadly. We recognize and acknowledge the power of research and researchers to (re)produce inequality and call on scholars to actively seek to deconstruct systemic inequality through their work.

Operationalizing this approach means holding that pregnancy and its outcomes do not require explanation or justification and that the people who become pregnant have the right to support and reproductive autonomy. This framing encourages research questions that begin from the premise that people have the capacity to make determinations about their bodies. Rather than asking “why” people choose abortion, this approach encourages questions about what people need to enact their choice and how they make sense of their decision making and experience over time. It allows for the reframing and reimagining of pregnancy-related inquiry using a life-course approach. Our approach means



inductively identifying needs, rather than starting from normative beliefs about pregnancy and abortion. In practice, this entails mapping the parameters of joy and resilience, metrics crucial for understanding baseline parameters that would enable pregnant capable people to live the lives they envision, rather than framing abortion as an a priori difficult or negative decision and/or outcome both individually and at the population level.

This approach has particular implications for clinically-focused research. It underscores the value of partnering with people who have lived experience of pregnancy and abortion, among other things, to develop a comprehensive, community-generated research agenda with the potential to not only identify but also meet real people's needs related to abortion and abortion care provision. Including people with lived experience in the development and conduct of abortion-related research has the potential to provide new insights into the questions, strategies, interventions, and implementation challenges that are unique to abortion, yet related to other issues in health services provision.

In conclusion, we believe that efforts to formulate a theoretical argument for the importance, presence, or validity of abortion in any and all societies misses the mark. In making its case, it reifies a question that, at its heart, is premised in constructing abortion as a decision that must be justified. We question the question: why do we need to know why people choose abortion? Certainly, there are health services and clinical reasons to know about the circumstances of individual pregnant people who choose abortion. But these are specific questions, focusing on specific, real people and their experiences. As such, pursuing these questions can support individual people and validate their decision-making capacity, which is valuable. Questions centered on "grand theories" explaining and justifying abortion,

however, only function to distract, disempower, and strip the autonomy from pregnant people everywhere.

### **Readings for further consideration**

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