

**THE REPRESENTATION OF WOMEN'S REPRODUCTIVE RIGHTS  
IN THE AMERICAN FEMINIST BLOGOSPHERE:  
AN ANALYSIS OF THE DEBATE AROUND WOMEN'S REPRODUCTIVE RIGHTS  
AND ABORTION LEGISLATION IN RESPONSE TO THE REFORMATION  
OF THE UNITED STATES HEALTH CARE SYSTEM IN 2009/10.**

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## ABSTRACT

**The representation of women's reproductive rights in the American feminist blogosphere: an analysis of the debate around women's reproductive rights and abortion legislation in response to the reformation of the United States health care system in 2009/10.**

This study investigates the representation of women's reproductive rights in the feminist blogosphere during 2009/10 United States health care reform. Focusing on two purposively selected feminist blogsites – *Feministing* and *Jezebel* – it critically examines the discursive and rhetorical strategies employed by feminist bloggers to contest the erosion of women's reproductive rights as proposed in health care reform legislation. While the reformation of the U.S. health care system was a lengthy process, my analysis is confined to feminist blog posts published in November 2009, December 2009 and March 2010. These three months have been designated as they are roughly representative of three pivotal stages in health care reform: the drafting of the House of Representatives health care reform bill and Stupak Amendment in November 2009, the creation of the Senate health care bill inclusive of the Nelson compromise in December 2009, and the passage of the finalised health care reform bill, the Patient Protection and Affordable Care Act and supplementary executive order, in March 2010.

This study is informed by feminist poststructuralist theory and Foucault's conceptions of discourse and power – an appropriate framework for identifying and analysing the unequal power relations that exist between men and women in patriarchal societies. Foucault conceives of discourse as both socially constituted and constitutive and contends that through the constitution of knowledge, discourses designate acceptable ways of talking, writing, and behaving, while simultaneously restricting and prohibiting alternatives, thereby granting power and authority to specific discourses. However, Foucault also stresses the multi-directionality of power and asserts that though hegemonic discourses are privileged over others, power lays in discursive practice at all social sites; hence the socially and politically transformative power of contesting discourses. Critical discourse analysis is informed by this critical theory of language and regards the use of language as a form of social practice located within its specific historical context. Therefore, it is through engaging in the struggle over meaning and producing different 'truths' through the reappropriation of language that the

possibility of social change exists. Employing narrative, linguistic and rhetorical analysis, this study identifies the discursive strategies and tactics utilised by feminist bloggers to combat and contest anti-choice health care legislation. The study further seeks to determine how arguments supportive of women's reproductive rights are framed and how feminist discourses are privileged while patriarchal discourse is contested. Drawing on public sphere theory, I argue that the feminist blogosphere constitutes a counter-public which facilitates the articulation and circulation of marginalised and counter-discourses. I conclude this study by examining the feminist blogosphere's role in promoting political change and transformation through alternative representations of women and their reproductive rights.

December 2010

## DECLARATION

I, Brittany Yelverton, hereby declare that this research thesis is my own original work, that all reference sources have been accurately reported and acknowledged, and that this document has not previously, in its entirety or in part, been submitted to any University in order to obtain an academic qualification.

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## CHAPTER ONE: INTRODUCTION

### 1.1 The significance of the study

United States health care reform has long been a controversial issue in American politics. The U.S. health care system is indisputably flawed, and as of October 2009, there were 46 million Americans without health care coverage (Dreir 2009). Over the past decade insurance premiums have risen over 138 percent while insurance deductibles and co-pays<sup>1</sup> have been increasing to thousands of dollars a year for families (Dreir 2009). In addition, many insurance companies are refusing to pay for insurance claims, are delaying payments, or are refusing coverage entirely due to a patient's 'pre-existing condition' (Dreir 2009). Unfortunately, women are disproportionately suffering under the ailing health care system. History of pregnancy, caesarean section, rape and domestic violence are often cited as 'pre-existing' conditions and are considered grounds for the denial of health care coverage or justification for increased premiums (Zeleny 2009). A mere ten states prohibit insurance companies from gender-rating, while states that allow such rating practices offer health care coverage with disparities between men and women's premiums reaching as high as 48 percent (Gerhart 2009). In 2008, health care reform took center stage in U.S. presidential campaigns and debates, and Democratic nominee Barack Obama identified health care reform as one of his key platforms. With the promise of change and the support of numerous Americans, Barack Obama was elected president and immediately turned his attention to the reformation of the U.S. health care system. The health care debate ensued.

Throughout the health care debate, the most fiercely contentious issue has been abortion. While political discord has seemingly always existed between pro-choice and anti-choice factions, since the legalisation of abortion in the 1973 U.S. Supreme Court case *Roe v. Wade*, dissonance between the two camps has grown palpable. While pro-choice advocates have lobbied for women's sexual and reproductive freedom, anti-choice advocates have embarked on a conservative crusade to preserve the 'traditional family', confine sexuality to marriage (in the name of sexual morality), and defend the life of the 'unborn child' – hence their self appointed moniker: 'pro-life' (Connell 1987: 261; Connell 2002: 130). Though the last forty years have been a political tug-of-war between pro-choice and anti-choice groups, the introduction of health care reform reinvigorated the abortion debate. Anti-choice advocates

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<sup>1</sup> A copay, short for copayment, is mandated by the majority of insurance companies and requires enrollees to pay a portion of their total bill each time a medical service is accessed.

vehemently expressed support for legislation that bans federal funds from subsidising health care plans in the insurance exchange that offer abortion services (Salmon 2009). In contrast, proponents of women's reproductive rights demanded that health care reform legislation not only uphold women's constitutional right to abortion, but also lobbied for the exclusion of legislative measures which inhibit women's access to abortion due to financial status and receipt of federal funds (Levey 2009). Feminist bloggers have been among the most vocal in the fight for women's reproductive rights, offering continuous commentary on the progress of health care reform bills and their status in the legislative process. The primary focus of the study is to investigate the representation of women's reproductive rights in the feminist blogosphere, and further, to identify and critically analyse the discursive strategies and tactics used by feminist bloggers to contest health care legislation which will deny many American women access to abortion. Before addressing the role of feminist bloggers in contesting and combating anti-choice legislative measures in 2009/10 health care reform, it is necessary to establish the political and historical context that has shaped the trajectory of abortion legislation.

## **1.2 Abortion in the United States: the political and legislative context**

Legal prohibitions against abortion began to surface in America in the 1800s. Initially, eight states adopted legislation that banned abortion at various stages of pregnancy (Boyle 1997: 19). However, as the morality of abortion and the safety of the procedure were increasingly scrutinised, anti-abortion sentiments rose and prohibitive abortion legislation expanded. By the early twentieth century the majority of states had banned all abortion with exceptions permitted in cases where women's lives were endangered (Boyle 1997: 19). This status quo remained in abortion legislation over the next several decades. However, the emergence of the Women's Liberation Movement in the United States in the 1960s and 1970s resuscitated the abortion debate.

### *1.2.1 Roe v. Wade*

Those involved in the Women's Liberation Movement demanded equal rights and access to opportunities that had previously been denied to women on the basis of gender. The movement was a political feminist force which asserted that it was unacceptable for women's rights to continuously be denied and that the subordination of women and their interests should no longer be tolerated (Weedon 1997: 2; Letherby 2003: 4). One of the biggest

struggles of the Women's Liberation Movement took place on the reproductive rights front. Feminists took to the streets wielding signs and chanting, 'our bodies, our choice,' asserting that reproductive autonomy was a fundamental human right. Cases of women who had died from unsafe illegal abortions were cited as unnecessary consequences of laws that disempowered women and deprived them of the liberty to make choices regarding their individual sexuality and reproduction. As the rumblings of women's reproductive rights grew into an audible roar, the 1973 landmark case, *Roe v. Wade* was brought before the Supreme Court. *Roe v. Wade* was the case of a twenty-one year old woman from Texas, anonymously referred to as Jane Roe, who had been refused an abortion in her home state and decided to seek legal recourse in order to obtain the right to abortion. In January 1973, the Supreme Court ruled that the constitutionally established right to privacy encompassed a woman's decision to terminate her pregnancy (Boyle 1997: 20; Hadley 1996: 3). With a seven to two majority, the Court asserted that it was legal for a woman to have an abortion, resulting in the nullification of all previous state laws which barred women's access to this medical procedure (Hadley 1996: 3). The *Roe* ruling prevented state governments from interfering with abortion within the first trimester of pregnancy, stating that "the attending physician, in consultation with his [*sic*] patient, is free to determine without regulation by the state, that in his medical judgment, the patient's pregnancy should be terminated (*Roe v. Wade* 1973)" (Boyle 1997: 20). The Court prohibited state interference with a woman's pregnancy in the first trimester, stating that, "the foetus [*is*] not a legal person 'in the whole sense', and [*is*] not entitled to the law's protection, at least not for the first twelve weeks of pregnancy" (Hadley 1996: 3). However, the Supreme Court established that as the pregnancy progressed, states could enact restrictive or prohibitive legislation during the second and third trimesters as long as the statutes made exceptions for "preservation of the life or health of the mother (*Roe v. Wade* 410 US 113 [1973] at 165)" (Meier & McFarlane 1993: 249).

*Roe v. Wade* resulted in federal legalisation of abortion and was considered a revolutionary moment in American women's history. While *Roe* was a victory for the pro-choice movement, those in the anti-abortion lobby, who deemed themselves pro-life due to their belief that abortion was equivalent to foetal murder, were irate about the Supreme Court ruling and began mobilising support for legislation that would restrict abortion. One of the primary concerns of the anti-abortion lobby was the use of public funds to pay for abortion services (Boyle 1997: 20-1).

### 1.2.2 *The Hyde Amendment*

Those aligned with the anti-abortion movement hold the position that life begins at conception, and therefore, equate abortion with murder (Hadley 1996: 75-6). Due to their objection to abortion, members of the anti-abortion movement argued that it was unjust for their taxpayer money to fund abortion services. In 1977, the Hyde Amendment, named after anti-choice Congressman Henry Hyde, was brought before Congress. The amendment, which prohibited federal funds from paying for abortion services, was passed after lengthy Congressional debate. Previous to the passage of the Hyde Amendment, Medicaid, a federally funded health care service available to indigent and low-income populations, funded around one third of all legal abortions performed after the establishment of *Roe v. Wade* (Hadley 1996: 6-7). However, the Hyde Amendment banned the federally funded Medicaid program from providing abortion services to indigent and low-income women, leaving them with the sole legal option of paying for the \$400 to \$600 procedure out of pocket (the approximate cost for a first trimester abortion) (Richards 2006: 24). Per the precedent set by *Roe*, the finalised Hyde Amendment did allow federal funds to pay for abortion services if the pregnancy threatened the life of the mother (Arons 2009). Additional requirements were added to the Hyde Amendment requiring federal funds to pay for abortion services if the pregnancy was a result of rape or incest. However, the Hyde Amendment includes no provisions for federal funding of abortion if the pregnancy threatens a woman's health or involves foetal anomalies (Arons 2009; Hadley 1996: 6-7). Those opposed to the Hyde amendment argued that "refusing poor women abortions would drive them deeper into poverty and welfare eligibility and it was wrong to make constitutional rights subject to ability to pay" (Hadley 1996: 6-7). Despite *Roe's* ruling that it was legal for women to have an abortion in their first trimester, such a standard was obviously contingent on one's financial position. The Hyde Amendment was a hard blow to those supportive of a woman's right to choose, but it was merely the first of many to come.

### 1.2.3 *Webster v. Reproductive Health Services*

After the passage of *Roe v. Wade*, the anti-abortion lobby began to flex their legislative muscle not only at the national level, but at the state level as well. *Roe* clearly allowed state intervention with regards to abortion in the later stages of pregnancy, however, as Halva-Neubauer (1993) pointed out, "*Roe's* jurisprudence offered little guidance as to the precise ways in which states might regulate abortion while adhering to the Supreme Court's ruling"

(Boyle 1997: 20). After the passage of *Roe v. Wade*, an onslaught of restrictive abortion legislation aimed at regulating and reducing access to abortion was brought before state legislatures. In July 1989, the Supreme Court heard *Webster v. Reproductive Health Services*, a case addressing a Missouri state law which prohibited public employees from performing abortions in all public facilities and institutions. In addition, the Missouri statute also asserted that human life began at conception and required physicians to perform a test prior to abortion to determine if the foetus could survive outside of the womb (Hadley 1996: 11; Goggin 1993: xi-xii). In a narrow ruling, the Supreme Court upheld the Missouri statute, claiming that the restrictions were not in conflict with a woman's right to abortion as established by *Roe*. The *Webster* ruling, which declared the constitutionality of Missouri's anti-choice statute, signified a shift from federal power to state power with regards to abortion legislation and provided a legal precedence which granted states more freedom to restrict and regulate abortion (Boyle 1997: 21). According to Goggin (1993), "*Webster* effectively transferred authority over access to abortion services to state politicians" (Goggin 1993: 3-4). In fact, after the *Webster* ruling, abortion measures were introduced to state legislatures across the country (Goggin 1993: 3-4). Abortion legislation passed at the state level was varied, but often included one or more of the following regulatory and restrictive measures: prohibition or restriction of state funding for abortion procedures; informed consent, which required that physicians tell women about foetal development and the possible risks linked to abortion; parental notification and consent; spousal consent; conscience clauses protecting physicians and health care employees opposed to performing abortion; and insurance restrictions that permitted companies to offer maternal health care but not abortion services (Boyle 1997: 20-1).

#### *1.2.4 Planned Parenthood of Southeastern Pennsylvania v. Casey*

In 1992, *Planned Parenthood of Southeastern Pennsylvania v. Casey* made it to the Supreme Court. As previously mentioned, state legislation was diverse with regards to abortion access. Pennsylvania had passed legislative statutes which required a 24-hour waiting period before receiving an abortion, a provision that abortion providers give patients non-medical information, mandated parental notification and consent prior to an abortion, and spousal notification (Meier & McFarlane 1993: 264). Planned Parenthood of Southeastern Pennsylvania filed a lawsuit on the grounds that the state's legislative statutes were in conflict with a woman's right to access abortion as established in *Roe*. However, the Court ruled that

Pennsylvania's legislative restrictions were constitutional with the exception of required spousal notification preceding abortion. The Court ruled that spousal notification was as an 'undue burden' on women's "free choice to seek and acquire abortion services" (Goggin 1993: xi-xii). "The Court defined the 'undue burden' standard as a policy that 'has the purpose or effect of placing a substantial obstacle in the path of a woman seeking an abortion of a nonviable foetus'" (Meier & McFarlane 1993: 264). However, state restrictions such as a required waiting periods, informed consent, and parental notification and consent were all deemed constitutional and not indicative of an 'undue burden'. However, Halva-Neubauer (1993) argues that though *Casey* sets a precedent that abortion regulation statues such as required waiting periods might be legally recognised as imposing no 'undue burden,' in reality, such a statue can greatly thwart a woman's access to abortion (1993: 182-3). The Supreme Court decision in both *Webster v. Reproductive Health Services* and *Planned Parenthood of Southeastern Pennsylvania v. Casey* upheld *Roe v. Wade* and maintained that women have a constitutional right to obtain an abortion, yet granted the states significant freedom to adopt and enforce restrictive and regulatory abortion legislation (Goggin 1993: xi-xii).

#### *1.2.5 The presidential election of Bill Clinton*

After the establishment of *Roe v. Wade*, national and state legislative bodies continued to pass numerous pieces of restrictive abortion legislation. In addition, from 1988 until 1992 devoted 'pro-life' Republic leaders Ronald Reagan and George Bush served as United States Presidents. However, Democrat Bill Clinton's election as president in 1992 caused abortion rights advocates to celebrate the appointment of the nation's first pro-choice leader in over a decade. Many of the pro-choice constituents who advocated for Clinton's election were hopeful about his promise to make health care reform, as well as access to safe and legal abortion, a cornerstone of his presidency. In January 1993, days after taking office, Clinton lifted the gag rule, a law that prevented health care workers in federally funded facilities from offering patients information about abortion or providing abortion referrals; repealed the ban on abortion in U.S. military hospitals; ordered a Food and Drug Administration review of RU-486, also known as mifepristone, the 'abortion pill'; and eliminated the 'Mexico City policy,' a bill which prevented the allocation of federal funds to overseas organisations which offered family planning services and abortion procedures (Hadley 1996: 14). In addition, Clinton had proposed the Freedom of Choice Act, a bill that would codify *Roe* and ensure

women's access to abortion. However, there was not enough support for either the Freedom of Choice Act or sweeping health care reform to come to fruition and both projects were sacrificed (Halva-Neubauer 1993: 183). With more legislative activity favoring abortion rights than had existed in the past several years, zealous anti-abortion activists decided to take action. Within a few months of Clinton's appointment, the first death among abortion-clinic doctors occurred. Over the next two years abortion clinic violence intensified and by 1994 five abortion-clinic employees had been killed (Hadley 1996: 14). These occurrences lead Clinton to craft the Freedom of Access to Clinic Entrances Act, which made it illegal to impede entrance to an abortion clinic or "threaten the use of force against women entering clinics" (Hadley 1996: 14). Though Clinton had arguably done more to support the pro-choice movement than any American President, the anti-abortion lobby was still a force to be reckoned with.

#### *1.2.6 President George W. Bush – anti-abortion ally*

Though Clinton made many concessions on behalf of the pro-choice agenda, there is no doubt that he did more for abortion rights than his previous two Republican predecessors. After Clinton completed his elected terms, the United States was positioned to inaugurate another intensely anti-choice president. During his two terms as president, George W. Bush reinstated both the gag rule and the 'Mexico City Policy', as well as signed into law the Partial-Birth Abortion Ban Act of 2003. The Partial-Birth Abortion Ban Act of 2003 bans the use of the D&X (dilation and extraction) abortion technique often used in second and third trimester abortions. However, this piece of legislation fails to allow the procedure even if the life or health of the pregnant woman is in jeopardy (Tepe 2006: 132). The fact that no exceptions were made for the life and health of the pregnant woman caused concern that this ban was unconstitutional and undermined the precedent set in *Roe*, yet when the Supreme Court heard the case against the Partial-Birth Abortion Ban in *Gonzales v. Carhart*, the Court ruled to uphold the ban on abortion (Curry 2007). In addition to the Partial-Birth Abortion Ban, George W. Bush's presidency saw the proposal of many other pieces of anti-abortion legislation, including legislative proposals aimed at eliminating foetal pain and establishing the notion of foetal personhood. Though neither the foetal pain nor personhood legislative measures were passed, both pieces of legislation attempted to increase the barriers to abortion access and strove to "reinforce the image of barbarism in the abortion procedure" (Perrucci 2006: 137).

### *1.2.7 The Obama era*

When Barack Obama announced in 2008 that he would be running for the President of the United States, many people dismissed the idea that someone with such limited experience in Washington D.C. would ever be considered a viable candidate for the presidency. However, Obama's campaign, which emphasised his message of hope and positive progressive change, began to gain considerable steam, causing many people to view Barack Obama as a contender in the presidential race. After defeating Hillary Rodham Clinton in the Democratic presidential primaries, Obama became the official Democratic nominee and the primary opponent of Republican candidate, John McCain. During his time as an Illinois Senator, Obama co-authored the Senate version of the Freedom of Choice Act, denounced the Supreme Court decision to uphold the Partial-Birth Abortion Act of 2003, and received a 100% pro-choice rating from Planned Parenthood and NARAL Pro-Choice America based on his voting record and pro-choice stance (Curry 2008; Obama 2008). During his campaign Obama emphasised his consistent commitment to women's reproductive rights, setting himself apart from conservative pro-life candidate John McCain, and identified American health care reform as one of his top domestic priorities. After eight years of an anti-choice administration leading the nation, pro-choice constituents were optimistic about the promise that an Obama presidency held for women, their reproductive health and their reproductive rights.

After a campaign marked by extensive citizen involvement inclusive of canvassing, rallying, and grassroots organising, on November 4, 2008, Barack Obama was declared winner of the United States presidential election. Shortly after his inauguration in January 2009, Obama, following in the footsteps of previous democratic president Bill Clinton, immediately repealed the 'Mexico City policy' and permitted U.S. federal funding for international organisations that offered family planning and abortion services (Koppleman 2009). In addition, many of Obama's administrative appointments reflected his support of the abortion rights movement, and soon after taking office, Obama appointed Ellen Moran, former executive director of pro-choice organisation EMILY'S LIST, to the position of White House communications director. In addition, Melody Barnes, who served as a board member of EMILY'S List, was appointed as a domestic policy advisor and Dawn Johnson, former abortion rights lawyer for NARAL Pro-Choice America was appointed as assistant attorney

general for the office of legal counsel (Associated Press 2009). Such appointments clearly indicated a significant departure from George W. Bush's political allegiances and priorities.

As promised during his campaign, the Obama administration immediately began working on reformation of the U.S. health care system. In order for health care reform to benefit the American public, President Obama was determined to pass legislation which would offer a substantial tax cut, or federal subsidy, to low and middle-income citizens, accompanied by a reduction in insurance premium costs. The effect of such a subsidy, which would be the largest middle class tax cut for health care in American history, would result in health care being accessible and affordable to over 31 million Americans currently uninsured (<http://www.whitehouse.gov/issues/health-care>). In addition, President Obama also envisioned a health care bill that would create a competitive health insurance market through the establishment of a health care insurance exchange. The Obama Administration made provisions for the potential creation of a public option, or federally run insurance program, which could also be included as one of the many insurance choices in the health insurance exchange. With regards to discrimination against Americans with pre-existing medical conditions, Obama's proposed health care reform legislation prohibited insurance companies from denying or significantly increasing the costs of health insurance for patients with pre-existing conditions (<http://www.whitehouse.gov/issues/health-care>).

While the proposed health care reform resulted in vigorous discussion, nothing ignited debate like prospective abortion legislation (Tumulty 2009; Kirkpatrick 2009). While Obama's political past was marked by his consistent allegiance to women's reproductive rights, the pressure from anti-choice legislators and constituents began to take its toll. Many anti-choice legislators were concerned that health care reform might pose a threat to the current prohibition of federal funding for abortion services. In an open letter to House of Representatives Speaker Nancy Pelosi, 19 'pro-life' Democrats warned that they "cannot support any health-care-reform proposal unless it explicitly excludes abortion from the scope of any government-defined or subsidised health-insurance plan" (Tumulty 2009). Anti-abortion Congress members and constituents were adamant that the public option should not include or cover abortion services and insisted that there be a ban on the use of federal subsidies to purchase insurance plans located in the health care exchange that offered abortion services. In addition, anti-choice Congress members vowed to block any legislative

measure that defied these demands (Harris 2009). The Capps Amendment, the initial legislative statute addressing abortion in the context of health care reform, required private money to be segregated from federal subsidies used to pay for insurance policies located in the health care insurance exchange. The segregation of private and public funds was established to ensure that only private premiums were used to fund abortion services beyond those allowed in the Hyde Amendment (Arons 2009). In addition, the Capps Amendment required that in each health insurance exchange there exists at least one plan that offers abortion services and one plan that does not (Jacobson 2009). Though the Capps Amendment upholds the funding regulations established by the Hyde Amendment, many anti-abortion Congress members argued that it was necessary to have more stringent regulations in place to prevent federal subsidies from funding abortion services. Bart Stupak, Democratic Representative from Michigan, was the first to draft an amendment heavily restricting access to abortion in light of proposed health care reform legislation.

#### *1.2.8 The Stupak Amendment*

In response to the proposed Capps Amendment, Representative Bart Stupak brought forth a bill that he co-authored with Representative Pitt which mandated that any citizen who receives a government subsidy is prohibited from choosing a health care plan that includes abortion services (Arons 2009). Even if federal funds are segregated from private funds, the Stupak Amendment states that regardless of the subsidy amount that a person receives, buyers receiving a subsidy would be barred from purchasing insurance which offers abortion coverage (Toobin 2009). Consequently, private companies involved in the health care exchange could not offer plans covering abortion services if those plans received federal subsidy money (Alonso-Zaldivar & Werner 2009). Most insurance plans in the exchange would be affected because many consumers would receive some degree of federal subsidy money in order to purchase health insurance. Toobin (2009) asserts that each year it is expected that more Americans will access the myriad of health care insurance plans offered in the insurance exchange, even those consumers without subsidies. However, insurance companies would have no incentive to include abortion in their health care plans since such services would prevent them from gaining the business of subsidised customers. Insurers who chose to include abortion coverage in their health services would only be allowed to provide insurance for people able to pay 100 percent of the premium, effectually banning low and middle-income women who receive federal money from acquiring health care services

which include abortion (Arons 2009). According to the Stupak Amendment, the only way a subsidised customer can obtain abortion coverage is if she purchases an additional supplemental policy that provides abortions services at an additional cost (Alonso-Zaldivar & Werner 2009). However, low and middle-income women cannot afford to spend additional funds on a single-service health plan, resulting in a severe obstruction of women's constitutional right to abortion (NARAL Pro-Choice America - <http://prochoiceamerica.com>). In addition, the Stupak Amendment entirely prohibits the public option from offering abortion services. Despite the undeniable obstacles that the Stupak amendment creates with regards to abortion access, on November 7, 2009, the amendment was passed in the House of Representatives and was included in the finalised version of the proposed House health care bill.

### *1.2.9 The Nelson Amendment and Nelson compromise*

Shortly after the proposal and passage of the Stupak Amendment in the House of Representatives, the Senate was preparing to put forth its proposed health care bill. It was Democratic Senator Ben Nelson of Nebraska who brought forth an amendment aimed at regulating abortion funding in the proposed health care system. The Nelson Amendment mirrored the abortion-funding prohibitions put forth by the Stupak Amendment and banned women who receive federal subsidies from purchasing a health care plan that offers abortion services (Strickland 2009). However, when the Nelson Amendment was brought to a vote before the Senate on December 8, 2009, the amendment was defeated 54 to 45 (Herszenhorn & Pear 2009; Herszenhorn 2009). Angered by the rejection of the his amendment, Representative Nelson threatened to filibuster the Senate health care bill unless additional language barring the use of public funding for abortion services was included. The result was the Nelson Compromise. After meeting with Senate Majority Leader Harry Reid, Nelson agreed to support the Senate health care reform bill under the condition that it included two specific provisions (referred to as the Nelson Compromise). First, no federal funds could be used to pay for abortion services. Though this provision seems to merely reiterate language found in the Hyde Amendment, the Nelson Compromise mandates that insurance companies segregate federal subsidy money from private premiums by requiring those customers who choose exchange health care plans inclusive of abortion to write two separate checks (Alonso-Zaldivar & Werner 2009; Rosenbaum 2009). One payment would go towards paying the bulk of their premium while the other payment would be allocated for abortion

care (Jacobson 2009). Requiring health care enrollees, regardless of age, sex or family status, to write separate checks for plans inclusive of abortion coverage not only stigmatises abortion, it creates a burden for consumers and results in complex auditing standards for insurance companies (Rosenbaum 2009). Ultimately, the onerous funding segregation stipulations included in the Nelson Compromise could cause insurance companies to drop abortion coverage entirely (Jacobson 2009).

The second provision included in the Nelson Compromise permits individual states to prohibit health care programs from offering abortion services if they participate in the state insurance exchange (MacGillis 2009; Jacobson 2009). While the Capps Amendment ensured that at least one health plan in the exchange offered abortion coverage, the language of the Nelson Compromise does not require that any plans cover abortion, and instead allows states to entirely opt-out of offering exchange health care plans that include abortion. Rosenbaum (2009) argues that such a provision could likely result in the abolition of abortion coverage in all markets, as insurance companies will attempt to “design their products to a common denominator.” Therefore, if some states opt to prohibit abortion coverage, it is probable that insurance companies will not offer plans inclusive of abortion services in order to ensure that their product can be sold in all markets (Rosenbaum 2009). Consequently, women using their own funds to purchase insurance through the exchange would have no access to plans inclusive of abortion. The Nelson Compromise extends beyond the Hyde Amendment prohibitions because it could potentially affect insurance coverage where federal funds are not involved (Dayen 2009). The restrictions included in the Nelson Compromise elicited immediate and intensely oppositional reactions from reproductive justice activists. Jodi Jacobson (2009), editor of *Reproductive Health Reality Check*, argued that due to the included provisions, the Nelson Compromise is “a double barrier in the way of women’s access to health care.” However, in spite of contestation from the pro-choice community, on December 24, 2009, the Senate passed their version of the U.S. health care reform bill, which included the language of the Nelson Compromise.

#### *1.2.10 The Patient Protection and Affordable Care Act and executive order*

After the House of Representatives and the Senate passed their respective health care reform bills, it was then time for Congress to merge the bills and create a single piece of health care legislation. On March 21, 2010, after months of vigorous debate, a reconciled version of the

health care reform bill, referred to as The Patient Protection and Affordable Care Act, was brought to a vote in the House of Representatives. This bill had dropped the Stupak Amendment and instead included the abortion provisions put forward in the Nelson Compromise. However, many anti-choice legislators argued that the Nelson Compromise did not sufficiently prohibit the use of federal funds for abortion (Phillips 2010). Anti-choice Democrats threatened to vote against the health care reform bill if more explicit language was not incorporated to ensure that federal subsidies did not finance abortion. Therefore, in order to assuage concerns and shore up the support of anti-choice Democrats, President Barack Obama issued an executive order stating that the Patient Protection and Affordable Care Act would uphold the abortion-funding restrictions established by the Hyde Amendment (Phillips 2010). According to Dan Pfeiffer, communications director for the White House, though the health care reform bill “maintains current law, the executive order provides additional safeguards to ensure that the status quo is upheld and enforced, and that the health care legislation’s restrictions against the public funding of abortions cannot be circumvented” (Pfeiffer 2010). President Obama stated he would sign this supplemental legislative measure after passage of the health care reform bill, and soon after the release of the executive order, several anti-choice Democrats, including Bart Stupak, vowed to vote in favour of the Patient Protection and Affordable Care Act.

Health care reform legislation soon passed both houses of Congress, and the Patient Protection and Affordable Care Act was signed into law on March 23, 2010. The Patient Protection and Affordable Care Act provides financial credits to individuals and families with an income between 133-400% of the federal poverty level and creates state-based insurance exchanges where citizens can use credits to purchase health care (Kaiser Family Foundation 26 March 2010). It is expected that these provisions will enable 32 million uninsured American citizens to obtain health care coverage (O’Neill 2010). However, as Terry O’Neill, president of the National Organisation for Women points out, several health care concerns were not addressed with the passage of this legislative measure. The Patient Protection and Affordable Care Act offers no public option, prohibits undocumented workers from purchasing health care in the exchange with their own funds, and allows gender-rating in employer group plans which offer coverage to more than 100 employees (O’Neill 2010). Perhaps most concerning for reproductive rights activists, this health care reform bill contains “a sweeping anti-abortion provision” (O’Neill 2010). Due to the inclusion of language from

the Nelson Compromise, the Patient Protection and Affordable Care Act requires Americans to write two separate checks if the health care plan they purchase through the insurance exchange includes coverage of abortion services (Keenan 2010). One portion of the payment will cover abortion services, while the other payment will cover all other health care services, and insurance companies will be forced to comply with onerous accounting and auditing regulations (Kaiser Family Foundation January 2010). In addition, as stated in the Nelson Compromise, The Patient Protection and Affordable Care Act permits states to prohibit health care plans in their insurance exchange from providing abortion coverage (except in the case of rape, incest or endangerment of the mother's life) (Kaiser Family Foundation January 2010). As discussed in the previous section, these provisions not only greatly impinge on women's access to abortion, but they could potentially result in the eradication of abortion coverage.

### **1.3 The response to health care reform in the feminist blogosphere**

Throughout the process of health care reform, feminist bloggers have been vociferous in their contestation of anti-choice legislation, and it is understandable that feminists have utilised the blogosphere to publish their political commentary. Numerous media theorists contend that the blogosphere serves as an uncensored media platform facilitating the production, dissemination and consumption of discourses often marginalised and dismissed in the mainstream media (Bruns & Jacobs 2007; Coleman 2005; Sweetser & Kaid 2008). Thus, the feminist blogosphere constitutes a counter-public where contesting discourses which critique and challenge the hegemonic discourse of patriarchy can be articulated and circulated, potentially contributing to political change and transformation (Fraser 1990; Dahlgreen 2005). This study seeks to investigate how women's reproductive rights are represented in the feminist blogosphere by examining the discourses and strategies employed by feminist bloggers to contest abortion access restrictions in U.S. health care legislation. My research critically examines the constructions and discursive strategies employed by feminist bloggers on two purposively selected blogsites, *Feministing* and *Jezebel*. These blogs have been chosen as the focus of this study due to their popularity within the feminist blogosphere, their vast readership<sup>2</sup> and their consistent coverage of women's reproductive rights, abortion legislation, and the United States health care system. The study is confined to posts related to

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<sup>2</sup> *Feministing* receives approximately 100,000 unique visits per month (Mowles 2008) and *Jezebel* receives over 840,000 site visits per day (Alexa Web Information Service: alexa.com).

health care reform and abortion legislation that were published in November 2009, December 2009 and March 2010. These three months have been designated as they roughly represent three key stages in health care reform: the drafting of the House of Representatives health care reform bill and Stupak Amendment in November 2009, the creation of the Senate health care reform bill inclusive of the Nelson Compromise in December 2009, and the reconciliation of the two bills and subsequent passage of the Patient Protection and Affordable Care Act in March 2010.

#### **1.4 Structure of the study**

This chapter has outlined the historical and social context of abortion legislation in the United States and included a detailed account of the legislative progression of 2009/2010 U.S. health care reform. In the following chapter, I provide an explanation of the broad theoretical framework which informs the study. Chapter Three addresses the methodology in which this study is rooted and discusses critical discourse analysis as a method. Chapter Four provides a detailed analysis of the sampled feminist blog posts, and Chapter Five summarises and discusses the relevance of the findings.

## CHAPTER TWO: THEORETICAL FRAMEWORK

### 2.1 Introduction

This study seeks to conduct an analysis of the discourses and discursive strategies used by feminist bloggers to contest anti-choice health care reform legislation in the context of the United States abortion legislation described in Chapter One. Accordingly, this chapter established the theoretical frameworks that inform my research. It begins with a discussion of feminist theories and briefly outlines the development of feminist politics in the United States. The next section addresses poststructuralist theory and outlines key concepts integral to this study, specifically, Foucault's conceptions of discourse, power and subjectivity. To conclude, this chapter discusses public sphere theory and argues the relevance of the blogosphere as a counter-public sphere.

### 2.2 Feminist theories

Feminism is by no means a unified theory or politics, but is marked by a diversity of approaches and perspectives. However, it has been argued that there are shared tenets that exist in all schools of feminist thought and are considered central characteristics of feminism (Delmar 1986: 9). Foundationally, feminist theories recognise that women experience discrimination and suffer inequalities on the basis of their biological sex (Beasley 1999: 27-8). Additionally, all feminist theories challenge traditional theories predicated on the centrality and superiority of men; offer a critique of sexual hierarchy and misogyny; place women as the primary subject of analysis, often with attention granted to the differences within/between women and the status of the grouping; stress some element of collectivism or focus on group orientation; and are committed to challenging the subordination<sup>3</sup> of women through resistance and contestation to male power and privilege (Beasley 1999: 36; 117).

As stated above, feminists maintain that women are treated unequally based on their biological sex. However, in addition to sexual classification, the biological division between

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<sup>3</sup> While the concept of subordination is often considered problematic in its presentation of power as repressive as opposed to productive, Deveaux (1994) writes, "nor does it seem accurate to claim that Foucault's reworking of the subject somehow compromises the political claim that women are indeed subordinated – for domination is a state that Foucault is quick to acknowledge" (1994: 234).

male and female<sup>4</sup> is also the basis for the socially constructed categorisation of gender (Connell 2002: 8). Gender, in its most common usage, refers to the socially and culturally constructed differences between women and men,<sup>5</sup> and from these gender arrangements, a gender order is established (Connell 2002: 8). The gender order prevalent in most modern societies forwards a 'common-sense' understanding that men are more powerful, aggressive, intelligent and rational than women, and are therefore more fit for participation in the public sphere (Prinsloo 2003: 28; Connell 2002: 40). In contrast, women are constructed as weak, vulnerable, emotional and passive, and are therefore primarily relegated to the private and domestic domain (Prinsloo 2003: 28; Weedon 1997:171-2). Biology is conflated with social characteristics, and it is on the basis of sexual difference that men and their bodies are constructed as superior, while women and their bodies are constructed as inferior (McNay 1992: 17-8). Yet men are also understood as having the rational capacities needed to transcend their biological capacities, while women are defined by and valued for their physical capabilities, such as reproduction, and their perceived intrinsic characteristics, such as the desire to mother and their nurturing nature (Jaggar 1988). While hegemonic masculinity stresses the virile and assertive 'nature' of men, emphasised femininity is defined by its subordination to masculinity and its "orientation to the interests and desires of men" (Prinsloo 2003: 28). However, while the gender order may appear natural and unchanging, it is important to recall that gender arrangements are socially constructed and can therefore change (Connell 2002: 9-10). This transformation of gender arrangements is the primary project of feminist politics, and though the approaches adopted to identify and combat discrimination against women are diverse, feminism is committed to eradicating existing inequitable power relations between men and women (Weedon 1997: 1; Bryson 1999: 5; Jaggar 1988: 5).

As both Beasley (1999) and Delmar note, one commonality of feminist theories is their placement of women as a unified collective at the centre of analysis (Delmar 1986: 22). This focus on women as the subject of analysis is often accompanied by a proposed notion of 'womanhood,' a concept that conceives of women as an identifiable group who share similar

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<sup>4</sup> Feminist poststructuralists have pointed to the fact that this binary sexual categorisation is itself a social construct that discounts the range of sexual identities possible and dismisses differences in sexed bodies and marginalises intersex people (McLaren 2002: 33; 127).

<sup>5</sup> As gender is a social construct, there is no definitive limit to gender categorisation. Depending on social and cultural constructions, gender classifications and practices can be organised in a variety of categories (see Connell 1987: 140).

experiences. However, there is little consensus among the various feminisms as to the validity of the notion of womanhood. Many feminists argue that forwarding a notion of women as a unified and universal group disregards the differences that exist among women and proposes a homogenised conception of women and their experiences (Delmar 1986 in Beasley 1999: 19). Race, ethnicity, class and sexual orientation are but a few of the differences that many feminists fear are ignored when advancing the notion of a collective womanhood. Conversely, there exists the concern that entirely abandoning the notion of “women as a distinguishable group” might threaten the foundation of feminist theories and politics which posit that women are positioned as socially and politically distinct from men and suffer discrimination on the basis of their sex (Beasley 1999: 34-5). Numerous feminists posit that the concept of a unified identity is necessary to make political demands and challenge inequalities on behalf of women and are hesitant to abandon women as a collective category (McLaren 2002: 117). Although there exists contestation around the concept of womanhood, feminist theories and politics rely on at least a minimal conception of a collective identity among women. However, it is not necessary to universalise women in such a way as to discount the differences that exist among them (Martin 1988: 16). McNay asserts,

... whilst feminism has to guard against the dangers of generalization, it nevertheless rests on the fundamental assumption that the inequality between the sexes is indefensible and unjust. Such an assumption informs feminist analyses of the position of women in society, it underlies their call for a global abolition of gender-related inequalities and establishes a basic standard against which actual and potential social reform can be measured (McNay 1992: 196-7).

Feminism is therefore comprised of a range of theories and emancipatory political projects which seek to describe, analyse and eliminate the inequalities which result in women’s marginalisation (Tong 1989). Due to the various diverse and often conflicting approaches used to theorise and contest women’s subordination, it is more appropriate to speak not of a singular feminism, but of the existence of ‘feminisms’ (McClure 1992: 343). In addition to acknowledging the diversity of feminist theories and politics, it is also necessary to recognize that as opposed to being a site of “benign diversity,” feminist theories and politics is a site of difference and contestation (McClure 1992: 343). Though the fragmentation of feminism has resulted in a range of theoretical and political approaches with regards to analysing and eradicating inequitable relations between women and men, according to Van Zoonen, feminist theories share a “focus on analysing *gender* as a mechanism that structures material and symbolic worlds and our experiences of them” (1994: 3).

### *2.2.1 The first wave of feminism in the United States*

To better understand the different forms of feminism, it is useful to consider the different waves of the feminist movement in the United States and how they have shaped the development of feminist theories. The first wave of the feminist movement in the U.S. took place in the 1830s and was centred on women's struggle for the vote (Diamond & Quinby 1988: 193-4). Drawing on the liberal principle of inalienable individual rights, first wave feminists contested the inequitable treatment of women and asserted that women were due the same rights as men and were equally entitled to the vote. However, women were fighting for much more than suffrage; they were demanding to be recognized as having mental, intellectual and emotional capacities equivalent to those of men. While the dominant discourse of patriarchy represented men as rational, civilised and intelligent beings capable of prudent decision-making, women were conversely represented as irrational and weak, and therefore unfit for involvement in the public sphere and unworthy of education (Beasley 1999: 7). In fact, it was argued that women were "biologically incapable of the full development of reason" and that the denial of women's voting rights was justifiable (Bryson 1999: 10). However, those involved in feminism's first wave contested the patriarchal discourse that constructed women as inferior and instead asserted that women and men possess equal intellectual capacities. Feminists argued that women are therefore capable of engaging in informed, rational decision-making and are entitled to the right to make political choices that best represent their interests (Diamond & Quinby 1988: 193-4).

### *2.2.2 The second wave of feminism in the United States*

The second wave of feminism in the United States, viewed as a continuation of the feminist movement that began more than a century prior, also employed the discourse of rights and individual autonomy in its struggle to combat the subordination of women (Diamond & Quinby 1988: 193-4). The second wave of feminism, referred to as the Women's Liberation Movement, began in the 1960s and emerged out of leftist social movements such as the civil rights movement, the antiwar movement, and Marxist political groups (McLaren 2002: 169). According to Weedon, feminists involved in the second wave identified the following as issues central to the subordination of women:

the sexual division of labour, definition and control of sexuality and the relations of reproduction, and access to education, jobs and power over our lives (Weedon 1997: 14).

Women's reproductive rights were hailed as a key issue for feminism, and, as Ruzek (1986) contends, "women rebelled at the control men had over women's bodies and reproductive functions" (Ruzek 1986: 186). A woman's right to choose if, and when, she has children, accompanied by the demand for access to affordable contraception and safe and legal abortion, was a vital rallying cry for feminist politics during the Women's Liberation Movement.

Therefore, second wave feminists argued that structural and institutional changes in both the public and private realm were necessary in order to eradicate inequitable power relations between men and women. While some feminists believed that reform of the existing structures and institutions was enough to facilitate social change, other feminists argued that existing social structures served to oppress women and therefore, social transformation must be more than reformist, it must be radical and revolutionary. These two differing perspectives and political approaches led to the splintering of feminism into various 'types' of feminist theories, all of which were predicated on the principle that women faced discrimination and were marginalised due to their sex, yet each offering a distinct approach to the analysis and eradication of women's subordination (Jaggar 1988: 4). When the various types of feminism are discussed, most academics point to three initial strands of feminist theory: liberal feminism, radical feminism, and Marxist feminism/socialist feminism, though Marxist and socialist feminism are sometimes separated (Beasley 1999; Bryson 1999; Jaggar 1988). Beasley (1999) points out that though the categorisation of feminisms can be helpful in identifying constituent viewpoints, applying labels to feminist theories is not unproblematic (Beasley 1999: 43). Writers and theorists often do not neatly fit into one feminist category, or their views may change over time. In addition, creating such strict categorisation might serve to discount thoughts and perspectives that 'cross-over' through various strands of feminism. Finally, Beasley (1999) worries that presenting feminism as a list of schools advances an overly fragmented view of feminism "which obscures an underlying shared core" (Beasley 1999: 43). While this concern is relevant, for the purpose of this study it is nonetheless important to distinguish the various theories and diverse perspectives located within feminism. Moreover, since this study is specifically concerned with women's reproductive rights and abortion access, the discussion that follows addresses the various theories approach to women's reproductive rights.

### *2.2.3 Liberal feminism*

Liberal feminists view women's marginalised position in society as a result of unequal rights and institutional barriers that prevent women from full participation in the public world (Beasley 1999: 51). Thus, liberal feminism focuses on the rights, autonomy and freedom of the individual in legal, political, and institutional arenas, and supports unobstructed participation in the public sphere and marketplace. According to Beasley (1999), "public citizenship and the attainment of equality with men in the public arena is central to liberal feminism" (Beasley 1999: 52). There is a presupposition of sameness between women and men in liberal feminism predicated on the notion of a "fundamentally sexually undifferentiated human nature" (Beasley 1999: 52). Therefore, liberal feminists argue that since women and men have the same intellectual, emotional and rational capacities, they are entitled to equal rights and opportunities (Beasley 1999: 52). Liberal feminism promotes social reform as opposed to revolutionary change and operates within the existing confines of society, arguably making it the most accessible, acceptable and popular approach of the feminist theories (Beasley 1999: 53). Liberal conceptions of individual rights, freedom and self-determination have been called upon in defence of women and their interests and have been utilised in overturning restrictions on women (Diamond & Quinby 1988: 193-4). Autonomy and privacy, both of which are foundational liberal principles, have been crucial in the fight for women's sexual freedom and reproductive choice. According to liberal feminists, if women are to act as citizens and participate in the public sphere and labour market, then they must be afforded the right to control their own bodies without fear of unwarranted state intervention (Bryson 1999: 155). Additionally, issues of sexual activity are considered private matters and it is therefore untenable for legislation to infringe on individual's sexual lives or reproductive activities (Jaggar 1988: 180). From the liberal perspective, "to refuse to allow a woman to make her own reproductive choices is, therefore, a violation of her right to privacy and freedom" (Bryson 1999: 155). Liberal feminists advocate for a woman's right to choose if and when to have a child based on the principle that all people possess the inalienable right to control their own body and that impinging on one's personal freedom and autonomy is unjust (Cherry 1997: 433-4; Sawicki 1991: 100-101). However, though the classical liberal notions of freedom and autonomy are championed by feminists, liberal feminist theory been criticized for disregarding the varied social and economic conditions which impact on a woman's right to choose (Cherry 1997: 434).

#### 2.2.4 *Radical feminism*

Radical feminism is founded on the tenet that women are oppressed by men, and that women's oppression is a result of their sex, not the result of their membership in other social groups (Beasley 1999: 54). Put bluntly, radical feminism views the root of women's oppression as lying in sexual oppression (Beasley 1999: 54). Radical feminists posit that sexual oppression is the oldest and most profound form of inequality and assert that society is systemically organized in a manner that substantiates the supremacy of men (Beasley 1999: 54-5). Radical feminists are often suspicious of government and view it as a patriarchal institution and favour revolutionary social change as opposed to the liberal feminist method of working within the existing system (Beasley 1999: 57). While liberal feminists often concentrate their analysis on issues relevant to the public sphere, the state and the legal system, radical feminists tend to focus on the politics of the private sphere, specifically sexuality, motherhood and women's bodies. Radical feminists stress the significance of women's bodies as a site of oppression, and while radical feminists may have pioneered the focus on the body as a critical site of analysis, numerous feminist theories now acknowledge the political significance of the body (Beasley 1999: 57). With regards to reproduction, Bryson (1999) asserts that radical feminists "reject an individualistic conception of reproductive rights in favour of an analysis of the context within which rights are exercised" (Bryson 1999: 158). Radical feminists argue that men's control over women's bodies is a deep-rooted aspect of patriarchal society and that when feminists advocate for individual's reproductive rights, they often overlook the fact that existing social structures limit the choices available to women (Bryson 1999: 158). Therefore, radical feminists believe that for women to attain genuine reproductive choice, women's reproduction freedom must be viewed as a revolutionary social demand made on behalf of all women, not an individualistic choice predicated on the notion of rights (Bryson 1999: 158).

#### 2.2.5 *Marxist feminism and socialist feminism*

Marxist feminism draws on the insights of Karl Marx, a philosopher who asserted that class relations are the primary source of oppression and account for all social inequalities (Beasley 1999: 60). Marxist feminists therefore view sexual oppression as a dimension of class power (Beasley 1999: 60). Much of Marxist feminist analysis focuses on the sexual division and organisation of labour and advocates a revolutionary approach, deeming the abolition of

capitalism a necessary prerequisite to the elimination of male privilege (Beasley 1999: 61). Socialist feminism draws on Marxism in its assertion that class divisions contribute to social inequalities; however, socialist feminism, like radical feminism, argues that women's subordination is not a consequence of class, but is rather rooted in the sexual division between men and women (Beasley 1999: 62). Socialist feminism asserts that equal rights and opportunities for all individuals is an essential goal of socialist feminist politics, however, socialist feminism also stresses freedom from economic exploitation and prioritises the interests of working class people (Bryson 1999: 16). Therefore, socialist feminism emphasises the importance of analysing social inequalities within their socio-economic context (Bryson 1999: 24). Socialist feminists believe that the attainment of reproductive rights through legislative measures is meaningless if social and economic circumstances prevent women from exercising those rights (Bryson 1999: 156). In order for women to attain genuinely free reproductive choice, socialist feminists believe that the social, economic and political context within which those choices are made must change (Cherry 1997: 440). Therefore, socialist feminists assert that genuine reproductive choice relies on the existence of a society where economic considerations do not preclude women from attaining the reproductive health services they need and desire. Socialist feminists insist that abortion must be affordable, legal and accessible to those who choose it, however, they also maintain that adequate social and economic support must be available for those who choose to bear and raise children (Bryson 1999: 158).

### **2.3 Feminist poststructuralist theory**

While liberal, radical, Marxist and socialist feminism were heralded as the main branches of feminist thought in the 1960s and 70s, by the 1980s, numerous other feminist theories had emerged (Bryson 1999: 8; Beasley 1999: 65). There now exist a diversity and range of feminisms, including: psychoanalytic feminism, lesbian feminism, poststructuralist feminism and various feminisms concerned with race and/or ethnicity<sup>6</sup> (Bryson 1999; Beasley 1999). Feminist poststructuralist theory is informed by Foucault's conceptions of discourse, power and subjectivity and is concerned with identifying and analysing the unequal power relations that exist between men and women in patriarchal societies (Weedon 1997: 12). Foucault's work has been of great interest to many feminists due to his emphasis on the constitutive

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<sup>6</sup> This list is by no means inclusive of all of the existing types of feminism, nor is it the aim of this study to expound on each theoretical strand.

nature of discourse, his conception of the inseparability of power and knowledge, his notion of power as productive, and his attention to embodied subjectivity (McLaren 2002: 143; Sawicki 1991: 95). These concepts derived from Foucault's work provide useful tools for social criticism and the analysis of gender relations, resulting in the influential theoretical convergence of certain feminisms and poststructuralism. In the belief that the counter-discourses of feminism contain significant power to challenge and transform iniquitous power relations between men and women, I have chosen to ground this study in feminist poststructuralist theory.

### *2.3.1 Discourse and knowledge*

Discourse<sup>7</sup> is a key theoretical concept in Foucault's work and refers to "a group of statements which provide a language for talking about – a way of representing the knowledge about – a particular topic at a particular historical moment" (Hall 1997: 44). Language is pivotal in the construction of meaning, and poststructuralism is founded on the insight that language does not reflect a given social reality, but instead serves to constitute both reality and society (Weedon 1997: 22; Van Zoonen 1994: 39). The production of meaning through language is referred to as representation (Hall 1997: 16). He explains it as follows.

The relation between 'things', concepts and signs lies at the heart of the production of meaning in language. The process which links these three elements together is what we call 'representation' (Hall 1997: 19).

Language is structured in patterns, referred to as discourses, which constitute ways that people talk about and understand the world (or an aspect of the world). According to Foucault, discourse serves to constitute subjects, objects, power relations, knowledge and 'truth' in specific ways, and through these constructions, discourse constitutes the social (Phillips & Jorgensen 2002: 145). Through their constitution of knowledge, discourses designate acceptable ways of talking, writing, and behaving, while simultaneously restricting and prohibiting alternate ways of talking, writing and behaving (Hall 1997: 44). Foucault's concern with discourse centres on the rules, regulations, systems and procedures that constitute 'regimes of truth' in particular socio-historical contexts, and how the discursive production of that truth is established, maintained or modified (Hall 1997: 49; Prinsloo 2009a: 82-3). Power is exercised through discursive practices and rules which serve to

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<sup>7</sup> Foucault's conceptualisation of discourse, inclusive of language and practice, differs from the linguistic conceptualisation of discourse, which refers solely to writing and speech (Stent 2007: 9).

“delimit the field of objects, define a legitimate perspective and fix norms for how concepts and theories were elaborated” (Stent 2007: 9).

### 2.3.2 *Power*

According to Foucault (1977), “power and knowledge directly imply one another... there is no power relation without the correlative constitution of a field of knowledge, nor any knowledge that does not presuppose and constitute at the same time power relations” (1977: 27). Contrary to the Enlightenment idea that truth and knowledge are objective and outside of power, Foucault asserts that truth is produced within certain social and political relations, and that “every society produces its own truths which have a normalizing and regulatory function” (McNay 1992: 25). Therefore, the knowledge constituted by discourses in turn constitutes what is considered ‘truth,’ and discourses compete for the power and authority to shape and define that which is considered true/false and acceptable/unacceptable (Prinsloo 2003: 27). According to Foucault (1978), “it is in discourse that power and knowledge are joined together,” and it is therefore understandable that the truths produced by hegemonic discourses serve to validate and extend the effects of that discursive power (Foucault 1978: 100).

However, Foucault contends that power is not unilateral, but instead depicts power as relational and insists that power is located at every social site (McLaren 2002: 4). This is not to say that Foucault insists that power is equally distributed at all social sites, but rather that power exists everywhere and can be “exercised from innumerable points” (McLaren 2002: 37). No one person, group or institution solely possesses power; instead, power is conceived of as “mobile, local, heterogeneous and unstable” (McLaren 2002: 37). Though individuals neither possess nor control power, individuals do participate in power. According to Sawicki (1991), people occupy “shifting positions of power in this network of relations – positions of power and resistance” (1991: 80). Additionally, Foucault contends that power is intentional and that the exertion of power involves specific aims, goals and objectives (McLaren 2002: 38). Although individuals and groups do not hold power, persistent relations of inequalities account for the asymmetries of power among individuals and groups (McLaren 2002: 39).

Though Foucault accounts for relations of domination and iniquitous power relations in society, he posits that power is not merely negative, repressive and limiting, but is instead

productive (McLaren 2002: 4; 37). Foucault rejects the traditional juridico-discursive model of power which presents power merely as a means of imposing rules, restricting behaviour and limiting one's access to ideas through the imposition of law (McLaren 2002: 37). While power can be prohibitive and restrictive, power is also capable of being utilised to resist and combat normalising and limiting forces and is "equally implicated in both resistance and domination" (McLaren 2002: 36). Resistance itself is an exercise of power and in order to transform existing asymmetrical relations of power it is necessary to recognise that power resides in counter-discourses and can be utilised to harness positive social change. Foucault writes in *The History of Sexuality: Volume One*,

Discourse can be both an instrument and an effect of power, but also a hindrance, a stumbling-block, a point of resistance and a starting point for an opposing strategy. Discourse transmits and produces power; it reinforces it, but also undermines and exposes it, renders it fragile and makes it possible to thwart it (1976: 101).

Foucault's conception of power stresses the multi-directionality of power and asserts that power lies in discursive practices at all social sites (Hall 1997: 49-50). Dominant discourses which assume authority and power and are privileged in society are referred to as hegemonic discourses. Those discourses which contest and challenge hegemonic discourses, referred to as counter-discourses, may have less social authority and a marginalised status, but they are certainly not outside of power. According to feminist poststructuralists, women's generally marginalised social position is perpetuated by numerous forces inclusive of economic, legal and political systems; educational, religious and family institutions; and interpersonal relationships, to name only a few. In addition, the asymmetrical relations of power that exist between men and women are validated and naturalised through representations in the media, scientific discourses and medical discourses, that regularly depict women as inferior, irrational and unintelligent (McLaren 2002: 163). The sources of women's marginalisation are numerous, and the power relations that result in women's oppression are also implicated in oppressions based on class, race and sexuality (McLaren 2002: 163). It is therefore understandable that feminists need a theory that conceives of power as a complex, shifting and unstable web of relations that operates through social norms, cultural practices and institutions such as the economy and the state. Poststructuralist theory offers such a conception of power, yet posits that power exists at all social sites, allowing for the possibility of social transformation and the eradication of existing relations of domination. In order to critically analyse the representation of women's reproductive rights in the feminist blogosphere, such a conception of power is vital in understanding the relations of power

between men and women in patriarchal society, as well as in identifying how these iniquitous power relations are challenged, contested and transformed.

Patriarchy, which is organised on the basis of biological sex and seeks to establish and maintain asymmetrical power relations that systematically privilege the interests of men and subordinate the interests of women, is a hegemonic discourse in societies throughout the world (Weedon 1997: 12). Patriarchy achieves and maintains this imbalance of power by constituting knowledge and 'regimes of truth' which attribute more value to the constructed, yet seemingly 'natural', characteristics and roles of men (McNay 1992: 17-8). Patriarchal discourse thus naturalises and legitimises men's power and dominance, serving to favour the interests of men (McNay 1992: 21). Though the pervasiveness of patriarchy may make it seem impenetrable, feminist poststructuralism stresses that "dominant discourse is not monolithic and impervious, but produces its own opposition and is open to negotiation" (Van Zoonen 1994: 39). While dominant discourses may possess authority in institutions and social structures including, but not limited to, law, medicine, education, the labour force and the organisation of the family, dominant discourses are still sites of contestation (Weedon 1997: 105). Prinsloo (2009) asserts that no discourse, regardless of its authority, exists in isolation, nor is it static or unchanging; instead, discourses "are in constant negotiation and contestation with other discourses" (2009: 84). Feminist discourses are counter-discourses which contest the hegemonic discourse of patriarchy by challenging patriarchal conceptions of appropriate and acceptable gender roles and behaviours, while also challenging and redefining patriarchal definitions of femininity and masculinity (Weedon 1997: 107). According to McNay (1992), "it is necessary to explore how meanings, particularly gendered representations, are mobilized within the operations of power to produce asymmetrical relations amongst subjects" (1992: 35). While many representations reinforce patriarchal definitions of gender and serve to marginalise women and their interests, contesting discourses can challenge the status quo with regards to the construction of what it means to be a 'real' man or a 'real' woman (Weedon 1997: 97). As a counter-discourse, feminism has engaged in the struggle over meaning through reappropriating language and striving to redefine femininity and 'femaleness' (Weedon 1997: 9). It is through engaging in the struggle over meaning and re-defining regimes of truth that the possibility of political and social change exists in the interests of women's rights (Weedon 1997: 168; Hall 1997:49). Feminist poststructuralists emphasise the cultural and historical contingencies of power relations in

society and asserts that though patriarchal systems of power may be dominant, the socially constructed nature of power relations allows for resistance, contestation and transformation (Weedon 1997: 40).

### 2.3.3 Subjectivity

Subjectivity is another key concept in understanding how discourses establish and maintain their social authority and power. While power is exercised through the constitution of knowledge and 'truth', power is also exercised within discourse through the constitution and governance of subjects (Weedon 1997: 110). The production of subject positions takes place within discourse and the maintenance of discursive power is achieved through a continuous struggle to constitute and reify subject positions (Weedon 1997: 21). The discursive production of subject positions aims to reinforce discourses' designated knowledge, 'regimes of truth' and social practices, and subjectivity is in effect reconstituted each time one thinks, speaks or acts (Weedon 1997: 105; Hall 1997: 55). Central to Foucault's conception of subjectivity is the notion that while the disciplined and 'docile' subject is produced within the existing systems of discourse, a sense of freedom and willingness in the adoption of subject positions must also exist for the subject (Foucault 1980: 39).

Foucault advances three ideas regarding the construction of subject positions. First, he rejects the humanist conceptualisation of a unified, rational and pre-discursive subject, instead asserting that subjectivity is constituted by discourse and that individuals do not exist outside of or prior to discourse (McLaren 2002: 5; Weedon 1997: 40). Second, Foucault explores the way that power "operates on individuals through social norms, practices and institutions" (McLaren 2002: 5). It is in his analysis of the relationship between power and subjectivity, accompanied by his critique of social norms, that Foucault develops the concept of disciplinary techniques (which I will expand on shortly). Finally, Foucault asserts that though subjectivity is established through discourses, the individual is an active agent capable of engaging in self-constitution through acceptance, rejection or negotiation of available subject positions (McLaren 2002: 5). Due to the plurality of discourses that exist, subjects are constituted by varying discourses and occupy numerous subject positions, resulting in multifaceted, complex and sometimes contradictory subjectivities.

While the Enlightenment conception of the subject was predicated on the existence of a

rational, universal and ahistorical consciousness, Foucault rejects this notion of the subject and argues that subjectivity is historically and socially contingent (McLaren 2002: 63). Poststructuralist theory therefore asserts that an individual's subjectivity is not innate and natural, but is socially produced in specific historical and cultural contexts (Weedon 1997: 21; McNay 1992: 2). Feminist poststructuralists reject the humanist conception of a universal subject because it presumes neutrality, obscures difference and dismisses embodied materiality, implicitly favoring the white, male citizen (McLaren 2002: 75). Instead of a static and unified subjectivity, poststructuralism conceives of subjectivity as constituted through an amalgam of discourses, resulting in a subjectivity which is dynamic and open-ended (McNay 1992: 2). Feminist poststructuralism views the individual as the site where conflicting subjectivities are in continuous contestation, yet it is this access to various discourses and subject positions that allows for a variety of possibilities in the constitution of one's subjectivity (Weedon 1997: 146). The individual's recognition that multiple discourses exist in society grants agency in choosing from the subject positions made available while also allowing individuals to resist subject positions altogether (Weedon 1997: 102; 121).

While Foucault allows for individual agency, he conceptualises subjectivity as produced through discourse and recognises that hegemonic discourses are afforded more power and influence in constituting subjectivities. Foucault acknowledges the influence and power, though not totalising, that dominant discourses have in producing and regulating subjects through the use of social norms, social practices, and disciplinary techniques (McLaren 2002: 74). Social norms are imposed through social practices and institutions and serve to constitute and regulate subjects through rewarding and penalising individuals based on their compliance with norms (McLaren 2002: 165). Patriarchal discourse inscribes a set of constructed norms that when adhered to, serve to regulate and reinforce appropriate gender behaviour (McLaren 2002: 97). Gender norms, produced through disciplinary techniques, designate appropriate ways for women and men to think, speak, look and act. However, since gender is socially constructed, subjects are continually learning which gender behaviours and roles are considered appropriate, or are alternatively regarded as unacceptable. Assuming a gendered subjectivity is an ongoing process of learning how to become a 'proper' woman or man and expressing yourself in the manner deemed appropriate by social norms, or alternatively, resisting those norms (Van Zoonen 1994: 123).

### *2.3.4 Disciplinary techniques*

Discourses construct categories for subjects, and it is through disciplinary techniques and practices that subjects are policed and regulated (Foucault 1977 in Connell 1987: 37; Sawicki 1991: 22). As power operates discursively by delimiting acceptable ways of talking, writing and conceptualizing, disciplinary practices secure that power through the creation of desires, identities, and norms against which individuals, their behaviour, and their bodies are judged (Connell 2002: 59; Sawicki 1991: 67-8). Disciplinary techniques are diverse and include surveillance, examination, the institution of regimens and timetables, and the act of naming or labelling, which is the power to define and categorise through language (Sawicki 1991: 64; McLaren 2002: 142). Disciplinary techniques are also inclusive of those that utilise physical force, including incarceration, restraint and mutilation (McLaren 2002: 142). Disciplinary techniques reinforce the division between constructed binaries such as legal/illegal, sane/made, normal/abnormal and essentially, acceptable/unacceptable (Sawicki 1991: 22). Such disciplinary techniques are granted authoritative status in discourse and are utilised as a means of normalisation and social control (Sawicki 1991: 22). Feminists have largely focused their analyses on the disciplinary aspect of power “because it illuminates the way that gender norms operate to constrain women’s behaviour” (McLaren 2002: 99). Weedon argues that patriarchal power relations produce a small range of normal and acceptable subject positions for women, all of which are less socially valued and invested with less social power than the subjectivities of men (Weedon 1997: 18-9). Gender norms and disciplinary practices serve to reify patriarchy by establishing and reinforcing gender roles, behaviours and expectations that subjugate and devalue women (McLaren 2002: 97). Sawicki (1991) argues that disciplinary techniques are less frequently reliant on physical repression and punishment, but instead operate by producing subjects of knowledge, channelling desires and establishing norms that dictate appropriate ways of thinking, speaking and behaving, as well as designating movements, processes, and appearances acceptable for the body (1991: 83).

It is important to reiterate that when Foucault speaks of power producing subjects, he places great emphasis on the effects of power on the material body. Discursive and disciplinary power produces embodied subjects, and it is important to recognise the role that women’s bodies play in their subjugation (Sawicki 1991: 64). For Foucault and feminists alike, subjectivity is always embodied and both view the body as a site of political struggle in the fight over definition, control and agency (McLaren 2002: 81-2). Foucault conceives of the

body as historically and culturally produced, and it is through discourse that the body is assigned meaning (McNay 1992: 16). McNay (1992) asserts, “it is the body that is the principal target of the power/knowledge relations transmitted through discourse,” and therefore, analysis of the ways in which the body is invested with certain properties and constructed through operations of power and knowledge is crucial (1992: 28).

### *2.3.5 Governmentality and biopower*

Governmentality refers to a mode of power that aims to regulate populations through the appropriation of disciplinary techniques (McNay 1992: 68). The discursively constituted and disciplined subject is viewed as a site where social control can be exercised and behaviour can be directed and regulated; it is through governmentality that the actions and behaviours of subjects are shaped and structured (Foucault 1982: 221; Prinsloo 2009a: 84; Macleod and Durrheim 2002: 44). Governmentality targets the individual as a means for the maintenance of social control and directs the conduct of the subject at multiple levels: through private and interpersonal relations of guidance or control, and through regulations of large-scale social structures and institutions, such as the state and legal system (McNay 1992: 68; Macleod and Durrheim 2002: 44). Thus, governmentality operates through social relations and social institutions in order to govern populations, shape interests and manage behaviour (McLaren 2002: 167). Governmentality is therefore both individualising and totalising (Macleod and Durrheim 2002: 44).

Biopower refers to the state regulation of the population exercised through the policing and control of the body (Deveaux 1994: 223). Biopower is a form of social control that operates in two inter-related forms, one of which is disciplinary power. The other form of biopower, referred to as biopolitics of the population, describes the regulatory power exerted by the state and “inscribed in policies and interventions governing the population” (Sawicki 1991: 67-8). State interventions based on this mode of biopower are often focused on governing biological processes including birth, death, and the quality of health (Deveaux 1994: 224; Sawicki 1991: 67-8). Women’s bodies are greatly affected by biopolitics of the population, especially with regards to reproductive issues, and the control of women’s bodies through practices of biopower has long been a central concern to feminists (Deveaux 1994: 228-9). Feminists have highlighted how strategies of oppression, from representations of femininity to interventions designed to restrict and control the female body, impact women and serve to

maintain hierarchal social relations (McNay 1992: 31). One of the primary means of controlling women's bodies has been through reproductive legislation and prohibitive abortion law. Sawicki (1991) asserts, "the history of modern feminist struggles for reproductive freedom is a key dimension of the history of biopower" (1991: 68). The arguments made on behalf of state intervention in reproductive and abortion legislation include religious, medical, and moral reasons, among many others, yet prohibitive abortion legislation results in women being deprived of control over their own bodies. As a result women's bodies have become a battlefield, a site of contestation and struggle, where issues of reproductive freedom are fought. However, Foucault's concept of power as shifting, dynamic, and omnipresent, allows for power over women's bodies to potentially shift from the grips of patriarchal institutions to women themselves (Sawicki 1991: 88). Sawicki (1991) asserts that shifts in power can be attained by challenging hegemonic reproductive relations and representing reproduction as a political issue and not merely a biological one (1991: 88).

#### *2.3.6 The body and techniques of the self*

For Foucault, bodies are both passive and active, and it is this understanding that allows for bodies to be shaped and influenced by disciplinary practices and gendered discourses, while also enabling bodies to be resistant and engaged in self-governance (McLaren 2002: 56). While poststructuralism is often accused of overemphasising the docility of bodies, it is Foucault's conception of power that makes resistance to hegemonic disciplinary power possible and renders bodies as active and capable of agency (Connell 1987: 39-40; Martin 1988: 9). Indeed, Foucault considers the body the locus of resistance, and it is therefore understandable that subjectivity is inseparable from the body (McLaren 2002: 116). Resistance can occur not only through the individual body, but through the social, collective body as well, granting transformative capabilities to feminist counter-discourses (McLaren 2002: 110). According to McLaren, "resistance comes from the struggle and contestation of competing claims of power" (McLaren 2002: 116). While the body is highly influenced by gendered discourses and disciplinary powers that oppress women, feminism engages in collective resistance by producing counter-discourses, subversive practices and alternative subject positions that serve to combat women's oppression (McLaren 115).

As mentioned, many of Foucault's critics accuse him of overemphasising the effects of power upon the body, thus rendering the body passive to techniques of domination and disciplinary power. However, Foucault argues that the subject is in fact capable of agency

and resistance, and it is therefore necessary to analyse both the techniques of domination and the techniques of the self (McNay 1992: 48-9). Techniques of the self, also referred to as technologies of the self, are the ways in which subjects actively fashion their own identities and engage in self-constitution (McNay 1992: 3). Foucault's conception of techniques of the self provides an explanation for how subjects can resist the 'homogenising tendencies' of power through the assertion of individual autonomy (McNay 1992: 3; 61). Foucault's technologies of the self are also implicated in his notion of a 'modern ethics' of the self, which emphasises the individual's capacity for self-determination and the emancipatory potential which individual and collective autonomy entails (McNay 1992: 83-4). Foucault asserts that when one examines how we came to think, do and be what we are, and then considers the possibility of no longer doing, thinking and existing in those ways, we reveal the contingencies of normalising discourses and social practices, and engage in a practice of freedom (McLaren 2002: 166). Foucault's techniques of the self enable individuals to assert autonomy and freedom, yet Foucault also acknowledges the influence that technologies of domination have on the constitution of subjectivity and social relations. However, it is fundamental to feminist projects that techniques of the self allow for autonomy, agency, and active self-fashioning, all of which are concepts that parallel development in feminist analysis of women's oppression that refuse to posit women as powerless victims of patriarchal domination (McNay 1992: 66).

McNay (1992) argues that Foucault's conceptions of technologies of the self, autonomy, and active intervention provide a means for feminists to intervene in the production and dissemination of meaning and knowledge, thereby enabling feminists to challenge and transform the existing relations of power and domination (1992: 115). According to Sawicki,

Freedom lies in our capacity to discover the historical links between certain modes of self-understanding and modes of domination, and to resist the ways in which we have already been classified and identified by dominant discourses. This means discovering new ways of understanding ourselves and each other, refusing to accept the dominant culture's characterizations of our practices and desires, and redefining them from within resistant cultures (1988: 186).

Foucault links self-transformation with social transformation by stressing the connection between individual resistance and collective resistance. However, McLaren (2002) argues that transformation must not only be an individual goal, but a political and social goal as well (2002: 16). Thus, the poststructuralist concept of an embodied, social subject capable of

moral and political agency is essential to a feminist theory aimed at ending unequal power relations between men and women (McLaren 2002: 14).

### *2.3.7 Feminists' criticisms of Foucault*

Though the convergence between poststructuralism and feminism has resulted in a rich theoretical framework, the union of these theories has encountered criticism. Many feminist critics have accused Foucault of androcentrism and gender-blindness, arguing that his discussion of the body and the self continually makes reference to the male subject while failing to mention sexual difference (McNay 1992: 195). However, McLaren (2002) suggests that those who charge Foucault with androcentrism and gender-blindness consider the contribution his theoretical insights have made to feminist analyses of patriarchal discourse, asymmetrical power relations between men and women, disciplinary practices which serve to regulate and restrict women, and gender norms (McLaren 2002: 97). In addition, though Foucault is committed to emancipatory social change, criticisms have been levied against him due to his refusal to provide a normative framework upon which to base social change (McLaren 2002: 8). Foucault's rejection of norms is rooted in his belief that norms limit the individual's freedom to act (McNay 1992: 8). However, many feminists are concerned that Foucault's rejection of norms serves to undermine the emancipatory potential of feminism (Diamond & Quinby 1988: xiii). If feminism, which aims to overcome the subordination of women, relies on normative notions such as rights, value judgments and truth claims, how can a theory that rejects these tenets be of service to feminism (McNay 1992: 2)? In response, McLaren (2002) argues that in spite of Foucault's rejection of normative frameworks, Foucault does advocate for political engagement that strives to decrease domination and increase freedom and therefore recognises the need for political strategies to appeal to notions of human rights (2002: 7).

## **2.4 The feminist blogosphere**

As the focus of my study concerns the representation of women's reproductive rights in the feminist blogosphere, this section offers a brief history of the development of blogging. I then outline the theoretical foundations that underpin the consideration of the blogosphere as a public sphere and argue that the blogosphere does indeed constitute a public sphere which facilitates democratic discussion and deliberation. Finally, a discussion is presented

regarding the role of the feminist blogosphere as a counter-public which promotes the production and dissemination of counter-discourses.

#### *2.4.1 Blogging: a brief history*

Blogging is a phenomenon that has garnered the public's attention and has led to heated debate among researchers regarding the uses, contributions and effects of blogging. While the role of the blog is often contested, blogs are undoubtedly making their mark in new media; as of 2006, there were over 12 bloggers on the Internet (Pew Internet and American Life Project Report in Sweetser & Kaid, 2008: 73). The term blog is derived from the phrase 'web log' and in its simplest definition is described as a publicly accessible online journal (Coleman, 2005: 274). Blogs consist of sections of hypertext, known as posts, which are date-stamped and displayed in reverse chronological order (Gil De Zuniga et al 2009: 555; van Doorn et al 2007: 146). These posts are created and updated by the blog's contributors. However, blogs typically contain interactive features that allow Internet users to comment on posts and share their perspective (van Doorn et al 2007: 146). An additional distinctive feature of blogs is the use of hyperlinking, that is the provision of Internet address links to supplementary blogs, websites, forums and so forth (van Doorn et al 2007: 146). It is incredibly common for blogs to incorporate links to other blogs, and blogs will frequently provide a blogroll, which is a consolidated list of links to external blog sites (van Doorn et al 2007: 146-7). The linking between blogs, and the inclusion of blogrolls as a widespread blog feature, has created a dense, interconnected network of blogs referred to as the blogosphere (Gil De Zuniga et al 2009; van Doorn et al 2007: 146-7). While the term blogosphere is often used to refer to the comprehensive collection of blogs which exist in cyberspace, this study confines its focus to feminist blogs which are recognised via hyperlinking and blogrolls as part of the feminist blogosphere (Gil De Zuniga et al 2009: 555).

While blogs initially gained popularity as online personal journals, they are increasingly heralded as information sources (Sweetser & Kaid, 2008: 72). The variety of usages for blogs makes it an incredibly attractive media platform, and according to Mlynek (2006), the "instantaneously delivered exclusives and no-holds-barred copy" significantly contributes to the appeal of blog readership (2006: 99). An equally attractive characteristic of the blogosphere is that there seems to be no subject overlooked, and it is entirely feasible to conduct a search on a particular area of interest and locate a multitude of blogs dedicated to

the topic. However, specific topics are exceedingly popular within the blogosphere. Politics is one of the topics most frequently addressed, debated and discussed, and though the number of blogs dedicated to political subject matter fluctuates, political blogs are prevalent. Though blogs have assumed an active role in online politics since 2001 (Sweetser & Kaid 2008: 72), it was the 2004 United States presidential elections that marked a dramatic increase in the popularity of political blogs in the U.S. (Sifry 2009: 44). Presidential candidate Howard Dean created a blog to rally support for his campaign, while citizens took to the blogosphere to offer their opinions and insights on the upcoming presidential elections. The political blog quickly gained popularity, and since 2004, political blogs and their readership continue to flourish. However, the rising trend of blog readership is not limited solely to political blogs, but extends to blogs of all genres. In 2004, it was established that 32 million people in the U.S. read blogs, and an additional study conducted in 2006 reported that blog readership had increased 58 percent from 2004 to 2006 (Pew Internet and American Life Project Report in Gil De Zuniga et al 2009: 554; Sweetser & Kaid, 2008: 72). As of 2008, 75.9% of the U.S. population had access to the Internet, and as the cost of broadband service continues to decrease in the United States, it seems likely that the popularity of blogs will continue to increase (The World Bank, World Development Indicators 2008).

#### *2.4.2 The blogosphere: a public sphere?*

While it is indisputable that the popularity of blogs is rising and readership figures are steadily increasing, there exists relentless contestation regarding whether the blogosphere facilitates democratic discussion and participation, and can therefore be considered a public sphere. The very nature of the Internet, with its relatively low-cost, semi-decentralised, two-way communication, enables all those with access to produce and publish information and opinions, while also facilitating online interactions inclusive of discussion, debate and deliberation (Dahlberg 2007: 50). According to Gimmler (2001: 30), it is fundamental that the public sphere foster equal and active participation, and while traditional media outlets, such as television and radio, offer one-way communication that divides speakers and consumers, the blogosphere facilitates horizontal communication and promotes active participation. Gripsrud (2002) argues that "the task for the media in the public sphere [is] to mediate argumentation, information and general food for thought... i.e. function as forums for public discourse" (2002: 231). This study argues that the blogosphere constitutes a public sphere and provides a space where marginalised, counter-hegemonic and contesting

discourses can be produced and disseminated (Gil De Zuniga et al 2009: 555). Before expounding on the role of the blogosphere as a public sphere which facilitates the production and dissemination of counter-discourses, it is appropriate that a brief explanation of Habermas's classical conception of the public sphere be presented.

The public sphere, as initially theorised by Jurgen Habermas, "is a space in which anyone, in principle, has an equal right to speak, where arguments rather than social positions and material resources are decisive, and where untenable arguments and positions are given up through rational debate" (Gripsrud, 2002: 233). Habermas' conceptualisation of the public sphere is an essential element of deliberative democracy and is predicated on rational-critical deliberation aimed at achieving understanding and consensus (Dahlgreen 2005: 156; Dahlberg 2007: 49). Dahlberg (2007) asserts that rational-critical deliberation is a foundational norm of public sphere theory and is ideally characterised by its inclusive, non-coercive, respectful and reasoned nature (Dahlberg 2007: 49). Habermas forwarded that access to such rational deliberation in the public sphere must be unrestricted and should address issues of public matter (Fraser 1990: 59).

The discussion [in the public sphere] was open and accessible to all; merely private interests were to be inadmissible; inequalities of status were to be bracketed; and discussants were to deliberate as peers. The result of such discussion would be 'public opinion' in the strong sense of consensus about the common good (Fraser 1990: 59).

Therefore, an efficient and effective democratic public sphere would rely on the open participation of autonomous citizens in rational-critical deliberation aimed at achieving a reasoned consensus regarding issues pertinent to the public interest (Gripsrud, 2002: 231).

Habermas has stated that the late seventeenth century and early nineteenth century societies possessed a more fully realised public sphere, while post WWII western democracies were reminiscent of earlier feudal societies, marking a return to representative political participation and a retreat from the democratic participation of all members of society (Gripsrud, 2002). However, many scholars argue that though Habermas asserted that the public sphere was alive and well during the late seventeenth century and early nineteenth century, its participation in the public sphere was restricted solely on the basis of gender, race, and propriety (Gripsrud 2002; Fraser 1990). Women of all classes and ethnicities were excluded from participation in the public sphere and politics, while men were often denied

access to the public sphere based on their property qualifications, class and race (Fraser 1990: 63; Ryan 1992: 259-260). Therefore, the open, accessible and equitable public sphere that Habermas nostalgically referred to is argued to have never existed in its ideal state.

An additional critique levelled against Habermas's classical conception of the public sphere is that only the issues deemed by "bourgeois masculinist ideology" as relevant to the public interest were thought to be acceptable for discussion and deliberation in the public sphere (Fraser 1990: 77). This resulted in the exclusion of matters regarded as private, such as issues related to intimate domestic life and sexual life (Fraser 1990: 73). As the domestic realm, familial matters and sexuality were deemed private, the concerns of women, such as the sexual division of labour, women's sexuality and reproductive autonomy, were excluded from public debate (Hohendahl 1992: 104-5). Deliberation in the public sphere was therefore not only severely restricted, but the distinction between public and private served to systematically deny women the opportunity to broach issues pertinent to their 'private' experiences (Benhabib 1992: 93; Ryan 1992: 260). Benhabib argues,

traditional modes of drawing this distinction [between public and private] have been part of a discourse of domination that legitimizes women's oppression and exploitation in the private realm (1992: 93).

However, during the second wave of the feminist movement, women began to politicise and make public those issues related to family, sexuality and self that were previously deemed private (Eley 1992: 318). Feminists fought to place private matters onto the public agenda, arguing that the inequalities and subordination that women experienced in the private and domestic realm were public issues of justice (Benhabib 1992: 92). Feminists continue to renegotiate the line that has been drawn between the private and the public, and in doing so have placed issues of reproductive freedom and access to abortion on the public agenda (Benhabib 1992: 92).

#### *2.4.3 The feminist blogosphere as a counter-public*

This study contends that the blogosphere constitutes a public sphere which facilitates discussion and deliberation, and that the feminist blogosphere, which is comprised of the online network of feminist blogs, serves a counter-public where contesting discourses are produced and disseminated. The blogosphere is an uncensored media platform where citizens can circulate information and opinions without reliance on mainstream media, thus

providing an informative, inclusive and interactive media outlet that fosters democratic public participation and debate (Bruns & Jacobs, 2007: 5; Gil De Zuniga et al 2009: 555). While socio-economic factors often result in unequal Internet access, the proliferation of the Internet, accompanied by continuous technological advances, is making Internet access more affordable and accessible in the United States (Dahlgreen 2005: 151; Gimmler 2001: 31-2). Therefore, though imperfect, the blogosphere does facilitate less restricted and more inclusive deliberation for all those with Internet access, enabling the open discussion and debate required in the democratic public sphere.

An additional argument in favour of recognising the blogosphere as a public sphere asserts that due to the unrestricted nature of Internet communication, a multitude of diverse perspectives can be expressed in the blogosphere (Gerhards & Shafer 2010: 145). While access to the production and presentation of information via traditional media outlets is highly restricted, the blogosphere enables an unlimited number of citizens to create and circulate information. The inclusion of multiple actors and perspectives in the blogosphere arguably results in the presentation of “alternative evaluations and interpretations”, as well as the availability of differentiated information and the dissemination of underrepresented and marginalised discourses (Gerhards & Shafer 2010: 145-6). According to Gil De Zuniga et al (2009), “blogs may constitute themselves as an alternative source of information and political action organization, resulting in increased political engagement” (Gil De Zuniga et al 2009: 555). Given that the cornerstone of the democratic public sphere is inclusive participation in the rational-critical deliberation of issues relevant to the public interest, the blogosphere clearly provides an interactive space that can be utilised for civic discussion and debate, and therefore constitutes a public sphere.

Though Habermas forwarded the notion of an inclusive and equally accessible public sphere, I have noted how many researchers criticise this conception due to the reality that several groupings of people were denied access to the public sphere based on gender, race and propriety (Fraser 1990: 63; Ryan 1992: 259-260). However, though these groups were refused access to the traditional bourgeois public sphere, Fraser (1990) argues that they did establish and participate in alternative publics, such as nationalist publics, popular peasant publics, elite women’s publics and working class publics (1990: 61). Therefore, while Habermas’s classical conception claims the existence of a singular public sphere, many

critics point to the existence of multiple public spheres (Fraser 1990; Benhabib 1992; Ryan 1992; Dahlgreen 2005; Dahlberg 2007). Benhabib (1992) asserts that the public sphere comes into existence whenever citizens engage in discussion and deliberation over the validity of social and political norms, and therefore, multiple public spheres can exist as each serves as a space for deliberation and debate (Benhabib 1992: 87). Throughout history, members of subordinated social groups, such as women, people of color, and gays and lesbians, have found it advantageous to constitute alternative public spheres (Fraser 1990: 67). Fraser (1990) refers to these alternative publics as counter-publics

in order to signal that they are parallel discursive arenas where members of subordinated social groups invent and circulate counter-discourses, which in turn permit them to formulate oppositional interpretations of their identities, interests, and needs (1990: 67).

Counter-public spheres serve as a space of expression for political opinions oppositional to those of the dominant mainstream, as well as space which facilitates discussion and deliberation of matters and perspectives disregarded in the traditional public sphere (Dahlgreen 2005: 152). Therefore, the existence of counter-publics makes obvious the fact that the public sphere is not a “singular deliberative space but a complex field of multiple contesting publics, including both dominant and counter-publics of various forms” (Dahlberg 2007: 60).

Dahlberg (2007) proposes three arguments which substantiate the claim that the blogosphere constitutes a space that assists marginalised groups in forming, fostering and circulating contesting discourses (Dahlberg 2007: 56). First, the blogosphere facilitates the formation of counter-publics by providing a space where participants can engage in “debate and criticism that strengthens and develops oppositional discourses to those dominating the mainstream public sphere” (Dahlberg 2007: 56). Secondly, the interactive nature of the Internet, accompanied by its relatively global reach, enables politically and geographically dispersed counter-publics to connect with one another, recognise shared points of identity, communicate similar experiences of exclusion and domination, develop counter-public networks, and ultimately form more powerful counter-discourses (Dahlberg 2007: 56). Finally, the blogosphere supports both online and offline contestation of hegemonic discourses, and therefore advances the extension of contesting discourses into the mainstream public sphere (Dahlberg 2007: 56).

In addition, counter-publics serve as a space for withdrawal, regroupment, and the cultivation of collective identity, as well as a space where agitational activities towards the wider public can be coordinated (Fraser 1990: 68; Dahlgreen 2005: 152). Therefore, political discussion within the counter-publics often promotes political mobilisation and participation, and advocates the contestation and transformation of unjust social structures, political policies and power relations (Downey and Fenton 2003: 189; Dahlgreen 2005: 157). Dahlgreen (2005) asserts that the aim of alternative counter-publics, such as the feminist counter-public, is to challenge and transform the asymmetrical relations of power (Dahlgreen 2005: 157). The emancipatory potential of alternative publics lies in their ability to provide a space which fosters the production and dissemination of contesting discourses that challenge the privileges held by members of dominant social groups (Fraser 1990: 68). In light of these arguments, this study views the feminist blogosphere as a counter-public where feminists can connect, engage in discussion and debate, and work to strengthen the feminist counter-discourse in order to challenge and transform the existing inequitable power relations that exist between men and women. The purpose of my study is to investigate the representation of women's reproductive freedom in the feminist blogosphere through an evaluation of the discursive strategies utilised to contest and combat the repeal of women's reproductive rights. Therefore, my study is predicated on the argument that the feminist blogosphere serves as a counter-public within the blogosphere that supports the articulation and circulation of the contesting discourses of feminism.

However, the notion of the blogosphere as a public sphere that facilitates the development of counter-publics is not without criticism. While I have argued that the blogosphere provides a platform for the production and dissemination of counter-discourses that contest dominant powers, Dahlgreen (1997) contends that the blogosphere can also be utilised to reproduce and reify discourses that support dominant powers (Dahlgreen 1997: 55). In addition, while the blogosphere facilitates communicative diversity, there is concern that fragmentation takes place as those utilising the blogosphere often divide into ideological camps and enclaves, engaging solely with blogs that reflect their own opinions (Downey and Fenton 2003: 190; Dahlgreen 2005: 152; Dahlberg 2007: 51; Kerbel & Bloom 2005: 22; Ekdale et al 2010: 219). Finally, though the blogosphere does enable citizens to participate in rational-critical deliberation and debate, I certainly do not mean to imply that all deliberation that takes place in the blogosphere is reasoned, inclusive and respectful. Though the blogosphere does not

wholly fulfil the requirements of Habermas's idealised public sphere (which was never fully realised), the blogosphere certainly provides an accessible and productive public space where marginalised groups can engage in discussion and deliberation and articulate and disseminate counterhegemonic discourses. The blogosphere operates as "a site of discursive struggle and conflict," and is therefore constitutive of a public sphere that facilitates the formation and advancement of counter-publics, such as the feminist blogosphere (Dahlberg 2007: 60).

## CHAPTER THREE: RESEARCH METHODOLOGY

### 3. Introduction

Rooted in feminist poststructuralist theory and underpinned by a concern with issues of gender equity, this study seeks to examine the representation of women's reproductive rights in the feminist blogosphere in light of 2009/10 US health care reform. The focus of this study is to explore and identify the discourses and discursive strategies employed by feminist bloggers to combat health care legislation that impinges on women's reproductive freedom. This chapter begins with the presentation of the study's research question. The subsequent sections of the chapter discuss qualitative research methodology and the sampling procedure utilised to constitute the study's data. A discussion of critical discourse analysis as a research method is then presented, and the chapter concludes by outlining the analytic strategies utilised in this textual study.

#### 3.1 The research question

The research question motivating this study is: how do feminist bloggers challenge and contest health care reform legislation that erodes women's reproductive rights and undermines women's reproductive freedom? To investigate this question, this study will critically analyse the discourses and discursive strategies used by feminist bloggers to repudiate health care legislation that denies many American women access to abortion. As discussed in Chapter Two, this study is informed by the argument that the feminist blogosphere is constitutive of a counter-public which facilitates the production and dissemination of contesting discourses (Fraser 1990; Dahlgreen 2005). Therefore, this analysis seeks to consider the ways in which the feminist blogosphere enables the articulation and circulation of marginalised discourses and facilitates political transformation through alternative representations of women's reproductive freedom. Due to the scale of the blogosphere and the incalculable number of feminist blogs available online, I have purposively selected to focus my analysis on two sites – *Feministing* and *Jezebel*. These sites were chosen because both are well-established feminist blogs that have a high readership and consistently produce coverage relevant to women's reproductive rights, abortion legislation, and the United States health care system. Purposive sampling was utilised to determine the corpus of blog posts to be analysed in the study. Sampling techniques will be addressed in detail after a brief discussion of qualitative methodology.

### 3.2 Qualitative methodology

Qualitative methodology is an interpretive approach to social research that is concerned with understanding people's perspectives, lived experiences and engagement with meaning-making (Babbie & Mouton 2001: 28). Shaped by the philosophy of phenomenology, qualitative methodology is grounded in the understanding that people continually construct, develop, and reconstruct their interpretations of the social world (Deacon et al 1999: 6). Therefore, it is the task of the qualitative researcher to examine and explain the ways that people make sense of their world (Babbie & Mouton 2001: 28). Contextual understanding of social phenomena is an essential component of qualitative research and analysis, and researchers must consider the social, cultural and historical contexts that shape people's lived experiences (Bryman 1984: 78; Babbie & Mouton 2001: 272). Analysis rooted in a contextual understanding enables the qualitative researcher to produce "thick descriptions" which detail "how people invest their world with meaning and negotiate and contest other systems of meaning" (Geertz 1973 quoted in Deacon et al 1999: 7). By taking into account a study's context, qualitative researchers are better able to understand and interpret the meaning systems and behaviours of particular social groups (Bryman 1984: 78).

In contrast, quantitative methodology is rooted in a positivist philosophy which applies systematic evaluations informed by the natural sciences to the social world (Deacon et al 1999: 4). Quantitative methodology is based on the principle that there exists a world where 'facts' can be objectively deduced and numerically measured. In addition, quantitative research seeks to verify cause and effect relationships with overall aims to establish the generalisability and replicability of research results (Deacon et al 1999: 4). While quantitative research provides data which can be generalised to larger populations, qualitative data provides rich descriptions of the way humans make meaning and conceive of their lived experiences (Bryman 1984). Therefore, qualitative research is not concerned with generalising research findings to wider populations, but instead focuses on understanding particulars and aims to achieve what Maxwell (1992) refers to as 'internal generalisability' (in Mabweazara 2007: 119). Generalisability and validity in qualitative research focuses on how theoretical claims generated by a study "may be useful in making sense of similar persons or situations" (Strelitz 2005: 6). Unlike quantitative research, which achieves validity through universal application of a study's findings, qualitative research attains validity through the systematic collection and analysis of data (Mabweazara 2007: 10). As

my study is concerned with investigating how feminist bloggers understand and articulate their contestation to the repeal of women's reproductive rights, it is appropriate for my study to be informed by qualitative methodology.

While methodology describes the epistemological positioning of a study, method refers to a study's means of gathering data (Bryman 1984: 76). This text-based study utilises critical discourse analysis as a method to investigate feminist bloggers' construction of women's reproductive rights in light of health care reform legislation. According to Deacon et al (1999: 152), all texts are social in nature, and textual analysis is rooted in qualitative methodology's focus on interpretation, contextualisation and thick description. Cultural texts, such as blog posts, "are seen as frozen moments in a continuous stream of social interactions, which embody the values and meanings in play within public culture in a clear and compact way" (Deacon et al 1999: 7). Text-based methods of analysis, such as critical discourse analysis, are concerned with investigating the ways in which speaking and writing reinforce or challenge relations of power, authority and status (Deacon et al 1999: 154). As the focus of this study is to investigate the discourses and discursive strategies used by feminist bloggers to challenge and contest anti-choice health care reform legislation, critical discourse analysis is an appropriate and useful method of analysis.

### **3.3 Sampling and data**

The feminist blogosphere is comprised of an extensive collection of blogs that identify as feminist and strive to produce information, news, and commentary shaped by feminist perspectives. As in all qualitative research, the appropriate sampling procedure is determined by the research agenda and sample units are selected based on criteria shaped by the study (Deacon et al 1999: 54). Since this study does not aim to generalise its findings to a larger population, but instead strives to offer an in-depth analysis of a sample of particular feminist blog posts, it is not necessary that the sample of blogs analysed be representative of the feminist blogosphere as a whole. Due the scale of the feminist blogosphere, it would be nearly impossible to locate every feminist blog and conduct a critical discourse analysis of all posts relevant to women's reproductive rights and U.S. health care reform. Given the constraints of time and the scope of the study, my analyses focus on blog posts from two purposively sampled U.S. feminist blogs: *Feministing* and *Jezebel*. *Feministing* receives approximately 100,000 unique visits per month and was the recipient of the 2007 Bloggers

Choice Award for Best Political Blog (Mowles 2008: 28, 33). *Jezebel* has over 840,000 site visits per day on average and is linked to by 3,855 other sites<sup>8</sup>. Both blogsites have contributing authors that live throughout the United States and both sites have been exceedingly vocal in their support of women's reproductive freedom. For these reasons, I chose to conduct a critical analysis of the discourses present in blog posts located on the blogsites *Feministing* and *Jezebel*.

Faced with the plethora of postings on *Feministing* and *Jezebel*, it was necessary that I utilise purposive sampling to determine the corpus of blogs posts analysed in this study. A pertinent concern when sampling purposively is the designation of clear selection criteria, as well as rules for inclusion or exclusion of a study's sample (Hansen et al 1998: 105). Since the purpose of my research is to identify and analyse the discourses and discursive strategies used by feminist bloggers to contest anti-choice health care legislation, it was necessary that I first narrow my sample size to blog posts pertinent to women's reproductive rights and the reformation of the U.S. health care system. To determine blog posts relevant to my study, it was essential that I read each blog post produced by *Feministing* and *Jezebel* during the 2009/10 reformation of the U.S. health care system<sup>9</sup>. Having been an avid reader of *Feministing* and *Jezebel* for quite some time, I am aware that both blogs produce over 150 blog posts per month, yet only a small portion of the posts address issues of women's reproductive rights and abortion legislation relevant to health care reform. Though time consuming, it was necessary that I read each blog post in order to determine which posts contained relevant content. However, all blog posts are archived electronically, categorised, and stored in reverse chronological order, making it convenient to access past blog entries at any time. Thus, when initially engaging with purposively sampling, I chose to restrict my sample to blog posts related to women's reproductive rights and health care reform legislation.

After identifying and reading the *Feministing* and *Jezebel* blog posts associated with women's reproduction rights and health care reform, it was noticeable that there were substantially more relevant blog entries during the months of November 2009, December 2009 and March 2010. These three months roughly represent three legislative stages in the

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<sup>8</sup> Statistics available on jezebel.com and Alexa Web Information Service (alexa.com)

<sup>9</sup> Roughly September 2009 until March 2010.

U.S. health care reform process. In November 2009, the House of Representatives drafted and passed their proposed health care reform bill, inclusive of the anti-choice Stupak Amendment. December 2009 marked the creation and passage of the Senate health care reform bill. As described in Chapter One, the Senate voted against the anti-choice Nelson Amendment, but did pass legislation that included the Nelson compromise. Finally, in March 2010, the House and Senate bills were merged, final legislative alterations were made, and the Patient Protection and Affordable Care Act passed both houses of Congress and was signed into law by President Obama. As these months were largely representative of the three major stages in health care reform, I purposively selected to narrow my sample size to relevant *Feministing* and *Jezebel* blog entries published in November 2009, December 2009 and March 2010.

As this study is concerned specifically with *Feministing* and *Jezebel* bloggers' representations and discursive constructions of women's reproductive rights, I felt it necessary to further limit my sample size to blog entries that principally consisted of self-produced content and commentary. Therefore, blog posts that simply provide hyperlinks or re-publish sections of text from offsite sources have not been included in the study's sample. These provisions have been made in order to keep the sample size manageable, yet this specification is pertinent due to the study's focus on the discursive strategies and tactics employed by the bloggers responsible for the original content produced and published on *Feministing* and *Jezebel*. After engagement with the blog posts and the employment of purposive sampling, my sample size is as follows:

	November 2009	December 2009	March 2010
<i>Feministing</i>	10	6	8
<i>Jezebel</i>	10	8	6

However, as critical discourse analysis is an in-depth and time consuming method of textual analysis, it is impractical to engage in an analysis of the numerous posts listed above. Thus, one blog post was selected for analysis from both *Feministing* and *Jezebel* for the months of November 2009, December 2009 and March 2010, resulting in a final sample size of six.

	November 2009	December 2009	March 2010
<i>Feministing</i>	<i>Notes from a bitch... pondering what it all means...</i>	<i>Nelson anti-choice amendment likely to be debated today</i>	<i>Health Care Reform, At Whose Expense?</i>
<i>Jezebel</i>	<i>Reproductive Rights Left Behind After Health Care Bill Passes House</i>	<i>With Abortion Coverage Restrictions In Place, Senator Ben Nelson Agrees to Vote for Health Care Reform</i>	<i>After Healthcare Vote, All Eyes Turn To Abortion</i>

These six blogs, which provide self-produced content and commentary related to women's reproductive rights and health care reform legislation, were deemed by myself after frequent and careful reading to be reasonably representative of the content and sentiments articulated in these periods. They have been designated through purposive sampling and comprise the corpus of texts for analysis in this study.

### 3.4 Critical discourse analysis as a method

In order to conduct an analysis of the strategies employed by feminist bloggers to contest anti-choice health care legislation, it was necessary that I undertake a critical analysis of the discourses present in the pertinent blog entries (Deacon et al 2007: 119). Critical discourse analysis (CDA) is an approach to textual analysis which links linguistic and social analysis in order to examine the discourses inscribed within a text and to consider them in relation to production, reproduction or contestation of social inequalities (Richardson 2007: 26). Rooted in the poststructuralist theoretical conception that our understanding of reality is established through language, critical discourse analysis maintains that "reality can never be reached outside of discourses and so it is discourse itself that has become the object of analysis" (Phillips & Jorgensen 2002: 21). Therefore, the purpose of critical discourse analysis is to investigate how discourses privileged within a text serve to legitimate and strengthen specific meanings (Richardson 2007: 26). The research focus of CDA is the way in which discursive practices construct representations of the world, social subjects, and social relations, and the role that those discursive practices play in strengthening or subverting power relations

(Phillips & Jorgensen 2002: 63).

As discussed in Chapter Two, numerous discourses exist in our social world, and these various discourses are engaged in a constant struggle to secure meaning. While meaning is established through a process of negotiation that results in a social consensus, hegemonic discourses have greater social authority and power and are therefore capable of fixing meaning in a way which benefits the interests of dominant groups. However, meaning can never be permanently fixed due to the continual efforts by contesting discourses to challenge the meanings, subjectivities and asymmetrical social relations constructed by hegemonic discourses (Fairclough 1992: 93). While discourse analysis often serves to identify discourses that produce, legitimate and strengthen asymmetrical power relations, the goal of critical discourse analysis is to expose those discourses that perpetuate inequitable relations in order to affect social change (Richardson 2007: 42). CDA can also be used to identify contesting discourses and the strategies they utilise to expose and challenge asymmetrical power relations (Richardson 2007: 42). Therefore, the role of the critical discourse analyst is to conduct an examination of texts by exploring the patterns located within and across statements and “identifying social consequences of different discursive representations of reality” (Phillips & Jorgensen 2002: 21).

By examining the various functions of language in texts, one is able to investigate and analyse the strategies, tactics and representations that discourses and texts employ in constituting systems of knowledge, social subjects and social relations (Fairclough 1995: 6). The constitutive and constituted character of discourse leads critical discourse analysts to investigate the manner in which discourses shape society, while also examining the ways that society and social practices constitute and construct discourses. When employing critical discourse analysis it is essential to have an understanding of the socio-historical context of a text’s production and consumption. According to Janks (1997),

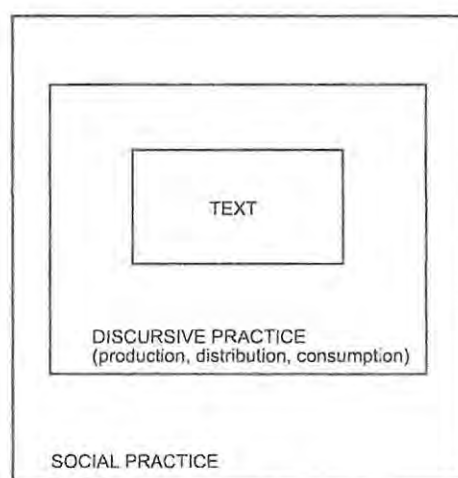
critical discourse analysis stems from a critical theory of language which sees the use of language as a form of social practice. All social practices are tied to specific historical contexts and are the means by which existing social relations are reproduced or contested and different interests are served (1997: 329).

The ultimate goal of critical discourse analysis is to depict how particular discourses reinforce asymmetrical power relations and naturalise and legitimise inequality, while examining the ways that contesting discourses serve to challenge inequitable power relations

and contribute to social transformation. This study employs critical discourse analysis in order to investigate the discursive strategies and tactics utilised by feminist bloggers to contest patriarchal discourse and challenge health care legislation threatening women's reproductive freedom.

### 3.5 Fairclough's three-dimensional approach to critical discourse analysis

Fairclough's three-dimensional approach to critical discourse analysis ascribes to the above-mentioned tenets of critical discourse analysis, yet goes a step further to propose a concrete model to direct a critical discourse analysis of communicative events. Fairclough's three-dimensional model of critical discourse analysis offers a holistic approach to analysis by proposing that each communicative event consists of the three dimensions: text, discursive practice and social practice (Phillips & Jorgensen 2002: 68).



Source: Fairclough (1992, p. 73)

Textual analysis involves the analysis of the text itself and can include multiple structures. Fairclough identifies linguistic aspects such as grammar, vocabulary, syntax and sentence coherence (Phillips & Jorgensen 2002: 69). Discursive practice refers to the production and consumption dimension of a text, including how producers of the text draw on "already existing discourses and genres to create a text, and on how receivers of texts also apply available discourses and genres in the consumption and interpretation of texts" (Phillips & Jorgensen 2002: 69). Analysis of the third dimension of CDA, social practice, seeks to determine whether a text's discursive practice reproduces or challenges the existing order of discourse (Phillips & Jorgensen 2002: 69). This study utilised Fairclough's three-dimensional model of critical discourse analysis, but the analysis of the textual dimension is

not limited to lexical analysis. Additionally, I employ rhetorical and narrative analysis in order to contribute to the critical analysis of the discursive strategies utilised in the feminist blogosphere to contest restrictive abortion legislation.

### 3.6 Textual analysis

Text is comprised of the combination of speech, writing and visual images, and textual analysis focuses on the formal linguistic features which constitute discourses (Phillips & Jorgensen: 68-69; Richardson 2007: 42). According to Phillips & Jorgensen (2002)

by detailed analysis of the linguistic characteristics of a text using particular tools, it is possible to cast light on how discourses are activated textually and arrived at, and provide backing for, a particular interpretation (2002: 83)

In order to conduct a critical discourse analysis, I begin by engaging with textual analysis, specifically focusing on narrative, rhetorical and linguistic analysis, thus drawing on analytic strategies associated with Media Studies, Cultural Studies and Linguistics. With regards to narrative analysis, I utilise the analytical models of Propp, Todorov and Levi-Strauss, all of which are productive when identifying the discourses within and the discursive work of a text. Rhetorical analysis is utilised to determine how arguments (supportive of women's reproductive rights) are framed and the way in which (feminist) discourses are privileged and legitimised while other (patriarchal) discourse is challenged and contested (Richardson 2007). Additionally, I employ linguistic analysis in my consideration of lexicalisation, naming and referential strategies, and the use of transitivity and modality in sentence construction (Janks 1997; Richardson 2007; Branston and Stafford 1996). I will begin by expanding on the models of narrative analysis utilised in this study, followed by an account of the rhetorical and linguistic analytical strategies employed.

#### 3.6.1 Models of narrative analysis

##### *Todorov's narrative model*

Todorov's model of narrative proposes 'five steps in the linear progression of the narrative': a state of equilibrium; a disruption of the equilibrium by some action; recognition of the disruption; attempts to restore the equilibrium; and a reinstatement of the equilibrium (Wigston 2001: 154). While Todorov's model is useful in identifying the structure of a narrative, it also "lends itself to asking about the choices made and the position that is privileged" (Prinsloo 2009b: 218-9). The way the narrative portrays the achieved harmonious equilibrium indicates which discursive positioning the narrative favours,

depicting the achieved equilibrium as preferential and appropriate. Conversely, the event or occurrence depicted as the disruption is represented as problematic and undesirable (Prinsloo 2009b: 209).

#### *Propp's character functions*

Propp's narrative model proposes that all functions are "determined by what the characters do to advance the narrative," and focuses analysis on characters not as individuals, but as participants in the discourse (Wigston 2001: 159). Propp established seven character functions<sup>10</sup>, and in order to identify a character's function it is necessary to establish the role the character plays in the narrative structure (Prinsloo 2009b: 226). Though Propp also established narrative functions, I have chosen to confine my analysis to character functions and their role in reifying or subverting subjectivities and discourses. Narratives serve to promote the discourses advocated by the hero, constructing those discourses as acceptable and admirable, while the discourses aligned with the villain are portrayed as reprehensible and worthy of condemnation.

#### *Levi-Strauss' theory of binary oppositions*

The model of narrative analysis I employ in this study is Levi-Strauss' theory of binary oppositions. According to Levi-Strauss, all aspects of society can be reduced to oppositional pairs, resulting in the production of meaning through placing concepts and ideas in contrast to their opposites (Wigston 2001: 152). The construction of binary oppositions in narratives creates a tension between the two representations, and serves to construct a dichotomy that values one construction of the binary over the other, resulting in the privileging of particular "social orientations, attitudes and interests" (Prinsloo 2009a: 26). Legitimacy and power is granted to one set of the opposition and the narrative serves to sustain and reinforce the discourse embodied in those favoured constructions. As I will expound on briefly, lexical choices and referential strategies are key components in the construction of binary oppositions.

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<sup>10</sup> The villain, donor, helper (to the hero or the villain), princess and father, dispatcher, hero or victim and false her (Prinsloo 2009b: 225). Though Propp identifies these character functions, not all narratives are inclusive of each character/function.

### 3.6.2 Rhetorical analysis

Rhetorical<sup>11</sup> analysis looks at the role and function of the arguer, audience and argument in contributing to the “success, or otherwise, of the argumentative discourse” (Richardson 2007: 151). Argumentation is the verbal and social process of reasoning which seeks to increase or decrease the acceptability of a contentious standpoint through the presentation of strategies aimed at justifying or discrediting an argument (Richardson 2007: 155). The strategies that the arguer adopts when persuading an audience can be categorized into three modes of persuasion, *logos*, *pathos* and *ethos* (Richardson 2007: 159). The *logotic* mode of persuasion is dependent on logic and proof and relies on either inductive or deductive argumentation. While deductive arguments are made through the assertion of a series of statements, inductive argumentation draws on specific cases to make an argument and often utilises analogies or argues a casual relationship (Prinsloo 2009b: 247). *Pathotic* argument employs emotional appeals to move to audience into a particular frame of mind in order to make the audience more receptive to a line of argument (Prinsloo 2009b: 247). An appeal to the emotions of an audience can elicit feelings of rage, pity, sympathy, fear or guilt, among others, however, the aim of *pathotic* argument is to persuade the audience to assume a specific mindset. The *ethotic* mode of persuasion invokes the character of the arguer and plays an important role in gaining the trust of the audience with the intention of influencing their perceptions (Prinsloo 2009b: 246). *Ethos* is an especially effective mode of persuasion when the arguer is presented as having first-hand experience or is presumed to be trustworthy. In the analysis of the blog posts undertaken, reference is made to the modes of persuasion.

In addition to the modes of persuasion, there are three varieties of rhetorical discourse that are examined when engaging with rhetorical analysis: *forensic*, *epideictic* and *deliberative* (Richardson 2007: 157). The *forensic* division of rhetoric focuses on an arguer’s condemnation or defence of someone’s past actions, and topics often addressed are the justice or injustice of those past actions (Richardson 2007: 157). The *epideictic* division of rhetoric is concerned with the present and seeks to prove “someone or something worthy of admiration or disapproval” through the use of praise and criticism (Richardson 2007: 157). Finally, the *deliberative* division of rhetoric is often utilised to advocate and induce action presented as advantageous, or conversely, to dissuade future action constructed as

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<sup>11</sup> While narrative analysis has long been a staple in Media Studies, focus on rhetoric and argumentation has recently been advocated by Richardson 2007 and Prinsloo 2009b for its relevance in the analysis of text.

disadvantageous (Richardson 2007: 157).

### *3.6.3 Linguistic analytical tools*

#### *Lexical analysis*

Lexical analysis focuses on word choice and the associated meanings of those words (Janks 1997). Lexical choices include naming and referential strategies, and according to Prinsloo (2009), through analysis of lexical choice, “opposing discourses become evident” (Prinsloo 2009a: 86). Naming and referential strategies are often indicative of value judgments, and lexicalization is often utilised in texts to construct an us versus them dichotomy, which is, according to Richardson (2007), “characterized by positive self-presentation and a simultaneous negative other-presentation; it is a way of perceiving and representing the world – and specifically ‘our’ and ‘their’ actions, position and role within the world” (2007: 51).

#### *Transitivity*

Transitivity is concerned with the representation of actions and describes “the relationships between participants and the roles they play in the processes described” (Richardson 2007: 54). Transitivity focuses on the participants, process and circumstances of an event and the choices made when representing these components (Richardson 2007: 54). Verb choice is an integral aspect of process representation, and processes can be material, verbal, relational or mental. Material processes refer to acts of doing, verbal processes refer to speech acts, relational processes refer to acts of being, and mental processes refer to acts of thinking (Richardson 2007). Transitivity is a useful tool in linguistic analysis because it enables the analyst to systematically interrogate how subjects and their actions are represented and what those representations signify.

#### *Modality*

Modality expresses judgments and attitudes in text and connotes the degree to which a writer is committed to the claim s/he is making (Richardson 2007: 59). Various modalities exist, including the truth modality, in which a writer commits herself entirely to a statement (Phillips & Jorgensen 2002: 83-4). Modality can also be expressed through the hedging of a claim, indicating uncertainty or a low affinity for the proffered statement (Phillips & Jorgensen 2002: 83-4). Obligation modality specifically refers to future events and the degree to which the writer “believes that a certain course of action or certain decisions ought or should be taken” (Richardson 2007: 60). Analysing modality enables ones to determine

the extent to which “modality practices are imposed upon those who draw upon particular discourses” (Fairclough 1992: 162).

### *Metaphor*

Metaphor serves to transpose the qualities of one object onto another object (Deacon et al 1999: 147). Due the militarization of discourse, metaphors of war have become increasingly common in quotidian speech and are often used in a diversity of contexts (Fairclough 1992). When analysing the use of metaphors it is essential that the one considers the choice of metaphor, the function it serves and the way it potentially shapes the perceptions of the audience.

### **3.7 Discursive practice**

Analysis of the second dimension of Fairclough’s three-dimensional model, namely discursive practice, focuses on how producers of a text draw on previously existing discourses and genres to create a text, while also focusing on how recipients of a text apply available discourses and genres in consumption and interpretation of a text (Phillips & Jorgensen: 69). As this study’s focus is the analysis the discursive strategies and tactics used by feminist bloggers to contest the erosion of women’s reproductive rights, I focus solely on the production aspect of discursive practice. Research regarding consumption and interpretation of the blog posts would be a valuable area of analysis. According to Phillips & Jorgensen (2002)

the relationship between texts and social practice is mediated by discursive practice. Hence it is only through discursive practice – whereby people use language to produce and consume texts – that texts shape and are shaped by social practice (2002: 69).

Key concepts in Fairclough’s analysis of discursive practice are intertextuality and interdiscursivity (Phillips & Jorgensen 2002: 139). Intertextuality refers to the concept that all texts draw on earlier communicative events, as well as earlier meaning formations (Phillips & Jorgensen 2002: 73; 139). Interdiscursivity refers to the combination of different discourses, which Fairclough asserts, can result in new and creative articulations of discourses. “Creative discursive practices in which discourses types are combined in new and complex ways – in new ‘interdiscursive mixes’ – are both a sign of, and a driving force in, discursive and thereby socio-cultural change” (Phillips & Jorgensen 2002: 73). However, Fairclough (1995) notes that hegemonic relations limit the combination and recombination of

discourses, and therefore, while interdiscursivity is effective in constituting new contesting or counter-discourses, discursive innovation is constrained due to existing asymmetrical power relations (Fairclough 1995: 134).

### **3.8 Sociocultural practice**

The third dimension of CDA, analysis of sociocultural practice, seeks to determine whether a text's discursive practice reproduces or challenges the existing order of discourse and considers the possible implications of the text's production and consumption on broader social practice (Phillips & Jorgensen 2002: 69). The order of discourse refers to the relations between discourses, and as noted, hegemonic discourses are those that are dominant, and therefore possess more social authority and power in the order of discourse. However, through the constitution of subjectivities, social relations and systems of knowledge, contesting discourses, such as feminist discourses, are capable of contributing to social change and transformation. In addition, the analysis of sociocultural practice also provides social and historical contextualisation for the study, which is essential if the researcher is to understand the social implications of the text she is analyzing<sup>12</sup>. Though the three dimensions of Fairclough's approach to critical discourse analysis are presented as separate levels of analysis, each level is largely interwoven, and when analysis of the text is conducted, it is inevitable that analysis of the discursive and social practices will also be addressed (Phillips & Jorgensen 2002: 68-69; Fairclough 1995).

My research aims to investigate the representation of women's reproductive rights in the feminist blogosphere in relation to U.S. health care legislation. This is a qualitative study which undertakes critical discourse analysis in its investigation of discourses and discursive strategies utilised by feminist bloggers to contest and combat the erosion of women's reproductive rights in the Patient Protection and Affordable Care Act. Having provided a detailed explanation of my research process and narrative, rhetorical and linguistic analyses employed, the following chapter will provide a detailed analysis of the study's data.

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<sup>12</sup> The social, cultural and political context of this study was discussed in Chapter 1.

## CHAPTER FOUR: ANALYSIS

### 4.1 Introduction

The primary goal of this study is to identify and critically analyse the discourses and discursive strategies utilised by feminist bloggers at *Feministing* and *Jezebel* to contest health care legislation which impinges on women's reproductive rights. Further, this study seeks to examine how the alternative representations of women's reproductive rights in the feminist blogosphere promote political change. As established in Chapter Three, a blog post from both sites has been analysed during the months of November 2009, December 2009 and March 2010, as these months are broadly representative of three legislative stages in U.S. health care reform. November 2009 blog posts offer coverage on the passage of the Stupak Amendment in the United States House of Representatives. Blog entries analysed during December 2009 comment on the Nelson Amendment and the legislative language of the Nelson compromise. Finally, March 2010 blog posts address the passage of the Patient Protection and Affordable Care Act and supplementary executive order. This chapter proceeds by presenting a meta-narrative analysis of the blog posts, followed by an in-depth analysis of each post, focusing on argumentation, rhetorical analysis and linguistic analysis.

### 4.2 Meta-narrative analysis

Narrative analysis was productive in this study as it made evident that a shared meta-narrative was employed by all texts in the sample, indicating a common discursive positioning. Each *Feministing* and *Jezebel* blog post utilised a similar narrative structure and many of the same narrative techniques. I have therefore identified a meta-narrative that has been woven throughout the six feminist blog posts. The purpose of narrative analysis is to determine the methods and techniques used to generate and promote particular meanings through the structure of the story's narrative (Wigston 2001: 176). Employing analysis of narrative structures is valuable in identifying how particular meanings are made and how certain positions and discourses are privileged and reinforced within the narrative (Prinsloo 2009b: 205).

#### 4.2.1 Todorov's narrative model

As discussed in Chapter Three, Todorov's model of narrative analysis presents five steps in a narrative's progression: the initial state of equilibrium; a disruption of the equilibrium; recognition of the disruption; attempts to restore the equilibrium; and finally, a reinstatement

of the equilibrium (Wigston 2001: 154). However, an initially established state of equilibrium does not exist in the narrative present in *Feministing* and *Jezebel* blog posts. There has not existed a previous social state in which women have been afforded unrestricted reproductive rights and equitable access to abortion. The state most representative of an achieved harmonious equilibrium is regarded by reproductive rights activists as the period subsequent to the 1973 Supreme Court ruling, *Roe v. Wade*, which established women's legal right to access abortion services during the first trimester. In spite of this legislative precedent, even this relative "equilibrium" has been undermined and women's reproductive rights have been continuously eroded since the introduction of the Hyde Amendment in 1977. However, with regards to health care reformation, the disruption of equilibrium is indicated by anti-choice legislators support and passage of anti-choice measures in United States health care reform. Stage three – the recognition of disruption - is manifest in the reproductive rights community and feminist bloggers' vociferous contestation of unjust anti-choice legislation. Attempts to restore the equilibrium, or resolve the disruption, is the fourth stage of Todorov's narrative model, and in the case of this study's meta-narrative, this stage is exemplified in *Feministing* and *Jezebel* bloggers inducement to protect women's reproductive rights and expand access to abortion services. Unfortunately, after the passage of the Patient Protection and Affordable Care Act, and the drafting of President Obama's executive order, a reinstatement of equilibrium was not achieved because both legislative measures serve to further restrict women's access to abortion and curtail women's reproductive rights.

#### 4.2.2 Proppian character functions

Throughout the blog posts analysed, feminist bloggers frame the narrative in a manner that presents reproductive rights activists and pro-choice advocates as the collective hero. The ultimate quest of the hero is to oppose and defeat legislative measures which diminish, restrict and erode women's reproductive autonomy and prohibit access to abortion services. The narrative's hero is therefore called to fight for legislative measures which protect and preserve women's reproductive rights. The villain is a character, or in this case a collective, that causes harm to a member of the 'family' (Prinsloo 2009b: 219). Legislators who have authored, supported and voted in favour of anti-choice legislation, and additionally, anti-choice advocates, are portrayed as the collective villain who harm women and divest them of their reproductive rights. The princess is a sought after character who assigns the hero with a difficult task and is threatened by the villain (Prinsloo 2009b: 219). Once again, a collective

also enacts the character function of the princess in the meta-narrative, and women are represented as the princesses in need of rescue. Additionally, women also fulfil the character function of the family member who is harmed. As members of the social family, women are mistreated and exploited by anti-choice legislators who strive to diminish women's constitutional right to abortion access and reproductive autonomy. The task assigned by women is the defence and protection of their reproductive rights.

Through analysis of *Feministing* and *Jezebel* blog posts, the use of character function and narrative structure can be seen to favour reproductive rights and pro-choice discourses. Consequently, the narrative simultaneously serves to denounce patriarchal and anti-choice discourses and their promotion of the control of women's reproductive capacities. Narrative structure and the construction of character functions also promote the subject position of the hero and grant authority to the feminist bloggers and the privileged feminist discourses. The reader is positioned as a subject within the reproductive freedom/rights discourse and feminist discourses and is frequently called to action. By adopting the subject position of the 'us' that *Feministing* and *Jezebel* bloggers construct, the reader is positioned as both the subject of the text as well as a subject of the discourse (Prinsloo 2009a: 83). When adopting the subject position privileged within the text, the reader is presented with the task of protecting women's reproductive rights and takes up the hero's quest.

#### *4.2.3 Levi-Strauss' model of binary oppositions*

Narrative character functions also serve to establish a binary opposition between reproductive rights activists and anti-choice proponents. According to Levi-Strauss, all aspects of society can be reduced to oppositional pairs, resulting in the production of meaning through placing concepts and ideas in contrast to their opposites (Wigston 2001: 152). The construction of binary oppositions in narratives creates a tension between the two representations, and serves to construct a dichotomy that values one construction of the binary over the other, resulting in the privileging of particular "social orientations, attitudes and interests" (Prinsloo 2009b: 237). While reproductive rights activists and allies are represented as reputable and reasonable, those supportive of anti-choice legislation are constructed as reprehensible, denied legitimacy and are expurgated (Prinsloo 2009b: 237). While the anti-choice contingent legislates to deny women access to abortion and contributes to the erosion of women's reproductive rights, reproductive rights advocates legislate (and advocate for

legislation) which enables women to access abortion services and defends, fortifies and advances women's reproductive rights. This strategy also serves to position the reader and persuade her/him to align with the honourable "us" grouping, strengthening the narrative and arguments forwarded by the author.

As I have established the meta-narrative identified in the blog posts comprising this study, I will now present a critical analysis of each blog entry.

### **4.3 November 2009 – Stupak amendment**

As outlined in Chapter One, November 2009 marked the creation and passage and the House of Representatives version of health care reform legislation, inclusive of the highly restrictive anti-choice measure authored by Rep. Bart Stupak. The Stupak Amendment prohibited those who receive federal subsidies from purchasing health coverage inclusive of abortion, and insurance companies participating in the exchange were barred from providing plans which offered abortion services if those received federal subsidy money from any buyer. Both *Feministing* and *Jezebel* published blog posts criticizing and contesting the Stupak Amendment.

#### *4.3.1 Feministing - Notes from a bitch... pondering what it all means... (Appendix 1)*

*Notes from a bitch... pondering what it all means...* is a *Feministing* blog post published on November 16, 2009 and authored by frequent *Feministing* contributor, sharkfu. The post is a first person narrative written in an informal and personalised manner which reflects on the passage of the United States House of Representative health care bill and the included Stupak Amendment. Sharkfu presents three arguments within her blog post. First, access to abortion is argued to be essential reproductive right, and therefore the Stupak Amendment, which serves as an "abortion ban"<sup>13</sup>, constitutes unjust legislation. Second, though the passage of the Stupak Amendment is a "legislative fail" which has diminished women's reproductive rights, the adoption of this "abortion ban" in health care reform has served as a "wake up call" to remind reproductive justice activists that voting for Democratic representatives is not equivalent to electing pro-choice representatives committed to advocating for women's reproductive rights. Finally, sharkfu argues that reproductive justice activists have been

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<sup>13</sup> In discussing each blog post, quotations marks indicate direct reference to the particular text being analysed.

vociferous in their opposition to the Stupak Amendment, and if activists continue to “fight like hell” for women’s reproductive rights, this “legislative fail” could serve to strengthen and unify the reproductive justice community and become a “movement win”.

Before attending to these three strands of argument, I focus briefly on how arguments in this post are consistent with the meta-narrative outlined above that constructs reproductive rights activists as heroes fighting for women’s reproductive freedom and legislation that enables access to the “full range of reproductive health care needs.” In contrast, legislators who support the Stupak Amendment are constructed as the villains responsible for the erosion of women’s reproductive rights. Levi-Strauss’ model of binary oppositions depicts how the representation of parties within sharkfu’s blog post constructs a dichotomy that values the actions and perspectives of reproductive justice activists while condemning the actions and perspectives of legislators who prohibit women’s access to abortion. This construction of binary oppositions utilises lexical choices and referential strategies to articulate value judgments and construct a division between us and them (Richardson 2007: 47). Sharkfu refuses to mention the Stupak Amendment by name, but instead continuously refers to it as “the abortion ban,” emphasising both the restrictive nature and unconstitutionality of the amendment. In addition, the passage of the House health care bill is referred to as a “legislative fail” and the state of health care reform is deemed to be “a mess.” These strategies of relexicalisation strongly infer the disappointment that health care reform has been met with by the reproductive justice community.

Sharkfu frequently mentions the legislators who support the “abortion ban”, and through constructing a dichotomy of us versus them, the legislators are othered, spoken about as a deplorable group distinct from those who advocate for women’s reproductive freedom. She uses a metaphor of a bus ignoring its waiting passengers and proceeding without them to describe the United States House of Representatives who voted in favour of health care reform and so marks them as other. The vote is described as “*their* way of trying to leave women’s access to the full range of reproductive services on the curb while the reform bus pulled away...” Using a further metaphor, these legislators’ regard for women’s rights and freedoms is reduced to “bargaining chips in the halls of Congress.” They are responsible for the “attack” against women’s reproductive choice, and they have willingly “sacrificed” women’s health in the process of health care reform. In response to these detestable actions,

sharkfu warns that government representatives should be aware that the reproductive justice community is “watching *them* and are prepared to hold *them* accountable.” By employing fragmentation (Thompson 1990) to construct a division between them and us, it is clear that government legislators who support the Stupak Amendment are the villainous others whom the reader is positioned to denounce and defeat.

Sharkfu constructs the “we” and “us” of the blog post in two different ways. Unification (Thompson 1990) is utilised through the creation of an “us” when referring to a grouping inclusive of all women. Sharkfu states, “*our* rights and *our* freedoms are seen as bargaining chips in the halls of Congress,” and “I hate to see any legislation that holds within it the power to deny women access to *our* full range of reproductive health needs.” “Our” refers to women’s rights, freedoms and access, and sharkfu urges activists to “protect” and “defend” the rights and freedoms of all women. This represents women as the hero, princess and the member of the family subjected to harm and constructs sharkfu’s call to action as a vital task for the reader as women’s rights are in peril.

The reproductive justice community is also represented as a “we”. Sharkfu states, “*we* need to make sure *our* reaction is a wake up call to Congress,” strategically positioning the reader as a supporter of women’s reproductive rights and therefore, a hero. Sharkfu speaks to the reader and on behalf of the reproductive justice community when she writes, “*we’re* going to have to fight like hell,” “*we’re* nothing if not organized,” and “it’s a good thing *our* elected officials need to know that the masses have expectations... that *we* are watching them and are prepared to hold them accountable.” These statements position the reproductive justice community as the unified and laudable hero of the post while also positioning the reader as a member of the reproductive justice community, making sharkfu’s call to action even more compelling. Turning then to the arguments she presents, it becomes evident that sharkfu’s arguments in her blog post draw on all three modes of argument: logos, pathos and ethos.

Argument 1: Access to abortion is an essential reproductive right which the Stupak Amendment unjustly bans.

Using a logetic mode of persuasion rooted in deductive argumentation (as discussed in Chapter Three; also in Richardson 2007; Prinsloo 2009b), sharkfu contends that access to

health care services is a basic human right, and since “abortion services are health care services,” it is logical to expect that women be able to access abortion services. By extension then, if legislation impinges on a woman’s access to abortion, it is a violation of her rights. The statement, “abortion services are health care services,” is a categorical assertion where use of the relational process “are” enables the statement to stand as a truth claim. This serves to bolster sharkfu’s argument that abortion access restrictions unjustly infringe on women’s reproductive rights.

Sharkfu also utilises pathos to “put the audience in a frame of mind that makes them more receptive to what the arguer wants them to believe” (as introduced in Chapter Three; Richardson 2007: 160). The author writes, “now that my blood pressure has returned to safe levels, I’m ready to pause and reflect”. This hyperbolic statement implies that the passage of the Stupak Amendment has created such stress and frustration in the author’s life that it has resulted in a harmful physical reaction. Sharkfu also writes, “I’ve been so upset over this that I haven’t been able to sleep.” Both of these statements aim to elicit sympathy for the author, yet simultaneously evoke a sense of anguish in the reader. Positioned as one of the narrative’s heroic reproductive justice advocates, the reader is invited to share activist sharkfu’s dissatisfaction with the unjust Stupak Amendment through this emotive appeal. Additionally, the simple statement, “sigh”, set off as it’s own paragraph, implies feelings of exhaustion and frustration that further induce the reader to a state of sympathy and shared distress.

Argument 2: The passage of the Stupak Amendment served as a “wake up call” to recognise that the election of Democratic representatives does not equate to the election of pro-choice representatives.

This “wake up call” to the women’s reproductive justice community was a direct result of the passage of “the abortion ban”. Sharkfu writes that individuals “may have mistakenly thought that electing Democratic majorities was the same thing as electing pro-choice majorities and that reproductive choice was safe from attack on the federal level.” However, the passage of the Stupak Amendment proved that this was not the case. Causal inductive argument is used here in a rather unique manner: where causal argumentation would usually state that b caused a, sharkfu states that voting for Democratic government leadership does *not* result in the

assurance that women's reproductive rights will be defended. This argument thus serves as an epideictic form of argumentation, for by stating what they did not do, Sharkfu censures Democratic leaders, including President Obama. They failed to advocate on behalf of women's reproductive rights. Sharkfu thus constructs "them," the legislators who supported the Stupak Amendment, as dishonourable.

Sharkfu sustains her censure of Obama to strengthen her argument that the political party presumed to support women's access to abortion is actually contributing to the erosion of women's reproductive rights. However, her reference to Obama is indirect. Sharkfu notes that "change did happen right around this time last year," to indicate that the election of self-identified pro-choice Obama in place of conservative President George W. Bush was considered positive for the pro-choice movement. However, the passage of the House health care bill is proof of "how much did not change with the last election." The omission of the agent in this sentence presumes a shared recognition that President Obama's election has not resulted in positive change for women's reproductive rights. She sustains the innuendo and states "promises were made," alluding to Obama's statements "at the beginning of this reform campaign that no one would lose the coverage they already have." The statement "promises were made" implies that they were not true to their word as evidenced by the passage of legislation that impedes women's access to abortion. Though the verb has been presented in the passive voice and the agent has been deleted, the reference to Obama is obvious. Sharkfu censures him for abandoning his promises to defend women's reproductive rights. This clear example of epideictic argumentation serves to denounce the current administration and the democratic majority leadership.

Numerous metaphors are used in the construction of the effects of the passage of the Stupak Amendment, for example, the passage of the "abortion ban" is constructed as an "attack on the federal level." Metaphors of war, battle and attack are frequently employed in the feminist blogosphere's coverage of health care legislation, as these comparisons symbolise the ruthlessness with which women's reproductive rights are targeted in attempts to eradicate access to abortion. Sharkfu is picking up on the feminist discourse through which women's bodies and reproductive rights are often viewed as a battleground where combat ensues to defend or restrict women's reproductive freedom. Sharkfu writes, "I ain't buying the b.s. that women's health had to be sacrificed for the greater good." With the notion of sacrifice, the

violent metaphor is sustained, equating the loss of women's reproductive rights to a sacrifice, and alluding to the fact that anti-choice legislators and constituents typically view women's reproductive health as insignificant, and so almost an irrelevant sacrifice in the negotiation of health care legislation. The recognition of the lack of worth assigned to women's reproductive freedom by the anti-choice faction is further emphasised by reducing "our rights and freedoms" to "bargaining chips."

The sustained metaphor throughout this piece is the following: "the abortion ban in the House bill was a wake up call." A wake up call creates a sense of awareness, acts as a reminder and alerts one to act. Here, the Stupak amendment is constituted as a reminder that reproductive rights are still under attack (as they have been since the *Roe v. Wade* verdict) and are in need of defence. In addition, this sentence also functions as a categorical assertion contending that this "abortion ban" has created an awareness in reproductive justice circles which has the potential and promise to precipitate a "movement win".

Argument 3: In reaction to the passage of the "abortion ban", the reproductive justice community has determinedly defended women's access to abortion and must continue to do so if they are to turn the passage of the Stupak Amendment into a "movement win".

This argument is rooted in the logetic mode of persuasion and focuses on the cause and effect relationship between the passage of the Stupak Amendment and the reaction of the reproductive justice community. After the Stupak Amendment garnered majority support in the House of Representatives, reproductive justice activists responded with a "fierce outcry of anger and disgust." Sharkfu also expresses the anguish and resistance of the reproductive justice community by articulating their response as a "resounding 'Oh, hell no!'" This is a powerful and aggressive idiomatic expression that connotes the reproductive justice movement's unyielding resolve to resist and defeat anti-choice legislative measures. Epideictic argumentation (as discussed in Chapter Three; Richardson 2007; Prinsloo 2009b) is employed to praise the reproductive justice activists and their vociferous contestation of the highly restrictive Stupak Amendment. Sharkfu constructs the defence of women's reproductive rights as a commendable counteraction and depicts the reproductive justice community as honourable for voicing objection to the "abortion ban".

Deliberative argumentation (addressed in Chapter Three; Richardson 2007; Prinsloo 2009b), aims to induce or dissuade a reader to engage in future action, is employed in this post to induce the reader to defend women's reproductive rights by sending a "wake up call to Congress" and expressing opposition to legislation that prohibits abortion access. Since the majority of House representatives voted to permit the restriction of women's abortion access, "we" (reproductive rights advocates) must remedy this injustice. We must "wake up" members of Congress and demand that they defend women's rights to abortion access. Sharkfu proposes that if the reproductive justice community takes a stand and demands women's access "to the full range of reproductive health care needs," this "legislative fail" could result in a reproductive justice "movement win". In order to persuade readers that it is both necessary and advantageous to contact members of Congress and voice "our" opposition to abortion access restrictions, sharkfu employs categorical obligation modalities (Richardson 2007: 60). She writes, "our elected officials *need* to know that the masses have expectations," "women's health *needs* to be protected and access *needs* to be expanded for the greater good," "we *need* to make sure our reaction is a wake up call to Congress" and "government *needs* to hear, see and experience that kind of reaction." Categorical obligation modalities reflect an author's commitment to a course of action that she believes must be taken (Richardson 2007: 60), and sharkfu effectively utilises these modalities to convince readers of the imperative action that needs to be taken to protect women's access to abortion.

Sharkfu's attempt at persuasion are underpinned by her as a reliable authority. In other words, her argument relies on the ethotic mode of persuasion (Richardson 2007: 159). Her position of authority is rooted in her first hand experiences as a woman and a reproductive justice activist. In addition, the author refers to herself as a "bitch", which, while the connotations within wider society are largely negative, the term is reappropriated in this context to portray the author as an empowered, strong and assertive woman. The representation of the author is such a way suggests her willingness to demand women's access to abortion, making the reader more willing to trust the author's call to action and engage in the fight for women's reproductive rights.

#### 4.3.2 *Jezebel – Reproductive Rights Left Behind After Health Care Bill Passes House* (Appendix 2)

*Reproductive Rights Left Behind After Health Care Bill Passes House*, is a *Jezebel* blog post written by Latoya Peterson and published on November 9, 2009. The post informs readers of the passage of the House's health care reform bill and offers Peterson's response to the implications of the overall bill and the attached Stupak-Pitts Amendment (typically referred to simply as the Stupak Amendment). Peterson's post runs three pages and is structured to include a picture of Nancy Pelosi, Speaker of the House, surrounded by fellow House members in a Congressional chamber room. Though the majority of the post consists of original commentary, Peterson does incorporate passages and sections of text from outside sources<sup>14</sup>, which she then comments on. While the majority of the post dedicates it commentary to the Stupak Amendment and the adverse effect it will have on women's access to abortion services, Peterson also elaborates on the unfavourable impact the House health care bill will have on immigrant and low-income populations. Three primary arguments are advanced by the author; first, the inclusion of the Stupak-Pitts Amendment in the House health care reform bill demonstrates representatives' willingness to trade women's "right to choose for a majority vote". Second, the House health care bill not only discards women's reproductive rights, but also neglects the health and rights of immigrants and poor people. Finally, though the U.S. health care system was "fucked up" prior to health care reform, the passage of the House health care bill and Stupak Amendment indicate that health care reform could result in a more restrictive and substandard health care system.

Consistent with the meta-narrative identified earlier, Peterson constructs those who support and defend women's reproductive rights as heroes, while those who promote and vote in favour of anti-choice legislation are constructed as villains. Specific actors and organisations are referenced throughout Peterson's blog post and represent either reproductive rights allies or enemies. Kathleen Kennedy Townsend, NARAL Pro-Choice America, and *Jezebel* bloggers are represented as heroic and honourable members of the reproductive rights community. In contrast, those that voted in favour of and supported the House bill and attached Stupak Amendment are constructed as iniquitous others. In Peterson's post, this villainous contingent of anti-choice supporters includes "Catholic leaders", as well as House legislators who agreed to pass the health care reform bill, many of whom are "allegedly pro-choice Dems".

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<sup>14</sup> A discussion is offered below on intertextuality.

As in the previous texts, the villains and heroes are established explicitly. Construction of the other is evident from the outset. While Peterson describes Congress as “jubilant” after the passage of the House health care reform bill. The bill that was passed “would be the one that traded the right to choose for a majority vote.” Though the actors are deleted in this sentence, it is implied that members of the House who voted in favour of the health care bill and Stupak Amendment are guilty of passing legislation that unjustly restricts abortion access and denies women reproductive autonomy. Moreover, Peterson is tempted to rename to the Stupak-Pitts Amendment the “Stupid-Shits Amendment”. This referential strategy is indicative of a negative value judgment and indicates that the author regards this amendment as injudicious, asinine and ridiculous. The House legislators who crafted and supported the Stupak Amendment are constructed as highly manipulative as “they managed to work this so that even women who were paying for their own care got conned out of abortion coverage.” They are described as the “allegedly pro-choice Dems” who voted for the House reform bill, indicating deep scepticism regarding the character of representatives who purport to be pro-choice, yet discard women’s reproductive rights in order to pass health care reform.

In contrast, the author constructs the “us” of this narrative in various ways. The first construction is exemplified in Peterson’s following statements: “we have an exchange that assumes a relative definition of ‘affordable,’” “we got hosed,” and finally, with all of the discriminatory restrictions advanced by the House health bill, the author wonders if “we” should have left the health care system as it was prior to reform. The “we” that the author refers to is society as a collective, however, the populations being made vulnerable by the restrictions of the House bill and those most notably “hosed” are women, immigrants and “poor people”. It is these groups who will suffer from reform’s inadequate definition of “affordable” and who will be denied health care coverage and access to abortion services as stipulated by health care legislation. The reader is designated as part of this “we” because firstly, s/he is a member of society, and secondly, s/he is positioned as a reproductive rights activist, and whether or not a member of one of the vulnerable groups, reproductive rights activists concern themselves with the well being of marginalised and disadvantaged populations.

Reproductive rights activists are constructed as the hero of the narrative, as well as the privileged “us” presented in a positive light. *Jezebel* bloggers, Peterson included, are also

represented as reproductive rights activists and are therefore included in the “us” grouping. Peterson asserts that “we’ve written about” the negative impacts and ineffectiveness of curtailing access to abortion, thereby constructing *Jezebel* bloggers as praiseworthy reproductive rights advocates with a history of challenging abortion access restrictions. Additionally, Peterson writes that there are aspects “we should love about the bill, once we finish seething over this amendment”. The “we” referenced in this sentence is reproductive rights activists who are understandably incensed by the extensive abortion access restrictions advanced by the Stupak Amendment. The reader is positioned as a reproductive rights advocate and is therefore expected to share in the outrage and indignation over the House bill’s discriminatory restrictions

### Intertextuality

In contrast to *Feministing*, *Jezebel* blog posts frequently incorporate and offer commentary on large sections of hypertext produced by outside sources. Fairclough (1992) refers to this inclusion of external texts as manifest intertextuality, “whereby texts explicitly draw on other texts, for instance, by citing them” (in Phillips & Jorgensen 2002: 73). Peterson’s post consists of numerous blocks of text extracted from outside sources, such as: traditional news sources including the *Washington Post*, the *Wall Street Journal*, and *Newsweek*; political blogs *Politico* and *The Daily Beast*; fellow feminist blog *Feministing*; and the NARAL Pro-Choice America website. While traditional news outlets often emphasise the incorporation of external sources in order to suggest balanced and objective reporting, Peterson utilises manifest intertextuality to espouse and commend certain perspectives, texts and authorial sources, while challenging and deriding others.

Peterson’s post includes an excerpt of Kennedy Townsend’s *Newsweek* piece which defends women’s reproductive freedom and implores Catholic leaders to cease using health care reform as a means of eliminating abortion access. Commenting on Kennedy Townsend’s appeal to protect women’s reproductive rights, Peterson states that she’ll “heartily cosign Kennedy-Townsend’s pragmatic, woman-focused take on health care.” Peterson also includes a block of text from *Politico* reporting on Senator Claire McCaskill assertions that the majority of Americans will not be adversely impacted by the abortion access restrictions established in the Stupak Amendment. Prefacing the inclusion of this text, Peterson writes that McCaskill’s comments are an attempt to “hedge on behalf of the allegedly pro-choice

Dems” that voted in favour of the House health care bill. Additionally, after the presentation of the *Politico* excerpt, Peterson scathingly remarks, “poor people, you get what you get and you will be grateful.” Though stated in a sarcastic tone, the purpose of this comment is to admonish those who supported the Stupak Amendment. This amendment unjustly restricts women’s access to abortion and disproportionately impacts low-income and indigent women by prohibiting the use of government subsidies to obtain health care inclusive of abortion coverage. The author is deriding legislators, insinuating that the passage of the House health care bill is equivalent to lawmakers stating, you’re lucky to get anything, you worthless poor people. The employment of manifest intertextuality and the author’s accompanying value judgments and expressions of support or condemnation serve to further construct the binary opposition between the venerable reproductive rights activists and the detestable anti-choice legislators and supporters.

Argument 1: Members of the House of Representatives “traded” women’s reproductive rights for the votes necessary to ensure the passage of the House health care reform bill.

As previously mentioned, Peterson considers how the House legislators have acted and accuses them of forfeiting women’s reproductive rights in order to obtain the majority vote needed to pass health care reform. This forensic form of argumentation (as discussed in Chapter Three) serves to blame legislators for the passage of a health care bill which unjustly restricts women’s access to abortion. Due to the stipulations of this bill, women, including those that pay for their own health care, “got conned out of abortion coverage.” The lexical choice “conned” implies that the Stupak restrictions cheat women out of their constitutional right to privacy and reproductive autonomy, bolstering Peterson’s argument that this amendment is unjust.

In addition, the character and actions of the legislators are censured and in this way, an epideictic argument is mounted that admonishes legislators who backed a bill that “traded the right to choose for a majority vote.” Legislators have “conned women out of abortion coverage”, sacrificed women’s reproductive rights in the legislative process and contributed to health care reform’s “war on Roe.” These representations depict House legislators as dishonourable, and Peterson’s use of metaphor greatly contributes to the portrayal of legislators and their actions as reprehensible. Asserting that legislators supported a bill that

“traded” women’s reproductive rights for a majority vote presents the House lawmakers’ treatment of women’s rights as expendable. This trade metaphor, one also used in the *Feministing* blog post *Health Care Reform, At Whose Expense?* analysed later, alludes to how women and their reproductive rights have been objectified and exploited by political officials.

As in the previous post analysed, Peterson makes use of the war metaphor in her categorical assertion that “health care reform was actually war on Roe.” However, what is interesting about this statement is how its structure serves to remove agency from legislators. As opposed to stating that House Representatives waged war on *Roe* by drafting and supporting anti-choice legislation, health care reform, as a process, is presented as a violent attack on *Roe*. Given the post’s content, legislators are certainly not absolved from their role in eroding women’s access to abortion; however, this sentence seems to make less noticeable House legislators responsibility in waging war against women’s reproductive rights.

While anti-choice legislation supporters are condemned for their actions, reproductive rights activists and allies are commended for defending women’s equitable access to abortion. Kennedy Townsend is described as “pragmatic” and Peterson openly expresses her support for Kennedy Townsend’s position on the protections of women’s reproductive autonomy. Additionally, NARAL Pro-Choice America is represented as intelligent and perceptive enough to recognise that the Stupak Amendment does not “pass the sniff test,” indicating that the measure is undesirable and objectionable. Implicitly, the Stupak Amendment stinks: it is shit. This impudent tone is woven throughout Peterson’s post, and the sarcasm she employs is powerful and striking. After reporting that the health care reform bill and Stupak Amendment passed the House, Peterson states, “Wow. I suppose advocating for smaller, less intrusive government ends at women’s wombs.” Brazen, yet effective, Peterson blatantly asserts that these legislators are hypocrites.

Argument 2: The House health care bill not only curtails women’s reproductive rights, but also subordinates the health and rights of other marginalised populations.

Articulating what is arguably a socialist feminist discourse, Peterson addresses the inequities of the House health care reform bill with specific regard for the detrimental outcomes it will

have on indigent, immigrant and disadvantaged populations. Though American society as a whole will be affected by health legislation, it is women, immigrants and indigent people that Peterson is addressing when she writes, “we got hosed.” This colloquialism implies that we were taken advantage of, and more or less, got screwed. Peterson seeks to strengthen her argument by employing a logetic mode of persuasion to prove that the House health care bill is harmful to women, immigrants and low-income people by listing the negative stipulations contained in the bill. The House bill offers no public option, unsatisfactorily defines the parameters of “affordable” health care costs, further restricts women’s access to abortion, and prohibits undocumented workers from purchasing health care coverage from the government exchange. Peterson puts forward these provisions as verification that the House bill is inadequate and disadvantageous.

To further reprove the passage of the House bill and emphasise the negative effects it will have on women, immigrants and low-income populations, Peterson again uses a sardonic, mocking tone to criticise the actions of House legislators. In response to McCaskill’s statement that the Stupak amendment will not impact the majority of American’s abortion access, Peterson writes, “poor people, you get what you get and you will be grateful.” This sentence demonstrates Peterson’s representation of legislators as unaffected, attested to by their willingness to pass legislation that disproportionately denies the rights and needs of marginalised populations. This statement seeks to shock the reader and induce her/him to share in the author’s outrage at the inrightss perpetrated by House legislators. Peterson constructs the House health care bill as a “disappointment,” supported with evidence of the bills shortcomings listed in the post, the reader is positioned to assume the author’s perspective.

Argument 3: The House bill and Stupak Amendment drastically restrict women’s access to abortion, and therefore, reformation of the U.S. health care system might not be worthwhile if the price to pay is the forfeiture of women’s reproductive rights.

While health care reform has long been a priority on the progressive agenda, Peterson questions whether reform is worth it if in exchange, women are forced to sacrifice their reproductive rights. Peterson writes, “Ann at Feministing points out things we should love about the bill.” ‘Should’ is indicative of a cautious obligation modality, and Peterson

suggests, yet doesn't insist, that there are positive aspects to be noted in this health care bill. However, the author immediately suggests that the reproductive rights community will only be able to acknowledge the bill's favourable aspects "once we finish seething over this amendment." This pathetic appeal implies that we – the reproductive rights community, *Jezebel* bloggers and the reader – are utterly incensed by the inequities of the Stupak Amendment. However, the author implies that it is difficult to appreciate a bill that unjustly prohibits women from accessing abortion. Peterson advances the following logetic argument: "Reducing or removing access to abortion is not an effective strategy because it doesn't work – as we've written about before, it just makes the stakes higher." Not only does this statement act as a categorical assertion bolstering Peterson's claims and undermining the foundational logic of the bill, it also serves as an ethotic argument on behalf of Peterson and her fellow *Jezebel* bloggers. This statement constructs *Jezebel* bloggers as active and informed sources who have a well-founded background in women's reproductive rights issues, and thereby grants legitimacy to the arguments forwarded by Peterson and her colleagues.

The author concludes her post by stating, "so there are some silver linings to this storm cloud but I'm beginning to wonder – even with the good additions – if we should have left fucked up enough alone." Though not explicitly stated, this comment cautiously contends that while reform may bring about some positive changes in the health care system, it is not worth the loss of women's reproductive autonomy. Health care reform is gloomily referred to as a "storm cloud," connoting the danger and menace of the House bill and Stupak Amendment. Peterson wonders if "we should have left fucked up enough alone." The author expresses her concern that while the United States' previous health care system was incredibly flawed and "fucked up", health care reform could result in an even more inadequate and inequitable health care system.

#### **4.4 December 2009 – Nelson amendment/Nelson compromise**

Authored by Senator Ben Nelson, The Nelson Amendment was a legislative measure which, similar to the Stupak Amendment, banned women who receive federal subsidies from purchasing insurance which offers abortion. When the Nelson Amendment was brought to a vote on December 8, 2009, the Senate defeated the amendment 54 to 45 (Herszenhorn & Pear 2009). Incensed, Senator Nelson refused to support health care reform unless abortion-

funding restrictions were included in the Senate health care reform bill. The outcome was the language of the Nelson compromise – a provision which requires patrons of insurance plans that offer abortion to write two separate checks, one payment to cover the bulk of the premium, and one payment allotted for abortion. The blog posts analysed are two occurrences of contestation to the Nelson mandates offered at *Feministing* and *Jezebel*.

#### *4.4.1 Feministing - Nelson anti-choice amendment likely to be debated today* (Appendix 3)

The *Feministing* blog post, *Nelson anti-choice amendment likely to be debated today*, was published by Rose Afriyie on December 7, 2009. Afriyie provides her reaction to U.S. Senate's Nelson Amendment, a legislative measure that prohibits access to abortion services for women who receive federal subsidies or who purchase health care coverage through the proposed insurance exchange. After offering criticism of the Nelson Amendment, Afriyie urges readers to contact their state senator and insist that they vote against the amendment. Afriyie makes three primary arguments in her post; first, the Nelson Amendment impinges on women's reproductive rights and is legislative verification of "Republicans and conservative 'Democrats' deep seated sexism". Second, it is unjust for the ideology of one faction to dictate legislation that governs a diverse population, and therefore, passage of the Nelson Amendment would unfairly result in the widespread imposition of a conservative agenda aimed at restricting and diminishing women's access to abortion. Lastly, Afriyie argues that current United States health care reform is rooted in the principle that economic status should not preclude people from obtaining health care services, and that regardless of "financial constraints" all women are entitled to health care inclusive of abortion.

Afriyie's blog post constructs reproductive rights activists as heroes while "Republicans and conservative 'Democrats'" are depicted as the villainous others in line with the established meta-narrative. This blog sustains the dichotomy between the reproductive rights community, who are constructed as reasonable and honourable, and the conservative legislators who have chartered an amendment that deprives women of their constitutionally sanctioned reproductive rights. Afriyie refers to the Nelson Amendment as "an anti-choice amendment," "an outright abortion ban," and "an outlandish measure," all of which signify negative value judgments of the amendment and clearly denote Afriyie's disapproval of the amendment. In addition, Afriyie makes clear her derision by distinctively naming the legislative measure "Nelson's God Awful Amendment". The dichotomy constructed to

divide us, those who support women's reproductive rights, and them, the conservative legislators striving to repeal women's reproductive rights, is effectively woven through each of Afriyie's arguments.

Argument 1: The Nelson Amendment, which prohibits women from accessing abortion services and denies women reproductive autonomy, reveals "Republicans and conservative 'Democrats' deep seated sexism".

Rooted in the logetic mode of persuasion, Afriyie utilises deductive argumentation to contend the following: legislation which restricts women's access to abortion is unjust and places an undue burden exclusively on women; the Nelson amendment, which bans women's access to abortion services and denies women reproductive autonomy, is an example of such legislation; the "Republicans and conservative 'Democrats'" that have authored the Nelson Amendment have constructed discriminatory legislation which places an undue burden on women; therefore, these conservative legislators are sexist. Afriyie states that after the creation of the Nelson Amendment, "there isn't much more Republicans and conservative 'Democrats' can do to reveal their deep seated sexism," asserting that the creation of this amendment is verification of the conservatives' sexism.

Afriyie simultaneously employs epideictic argumentation to condemn and censure "Republicans and conservative 'Democrats'" for their dishonourable and unjust behaviour in proposing legislation which impinges on women's reproductive freedom. The conservative legislators are collectively referred to as "these mofos," which is a colloquialism for motherfuckers, and is another example of a referential strategy used by Afriyie to censure the actions of the conservative contingent and create a distinction between the Nelson Amendment supporters and the reproductive rights community. In addition, it is important to note that when referring to the "conservative 'Democrats'," Afriyie places the word democrats in scare quotes to indicate her scepticism in applying such a term to a group of legislators who support the restriction of women's reproductive rights. It is traditionally accepted that one of the primary platforms of the Democratic Party is the preservation of women's access to abortion as established in *Roe v. Wade*, however, Afriyie's utilisation of quotation marks around the term democrats indicates her conviction that these conservative

democratic representatives are actually contributing to the erosion of women's reproductive rights and are therefore party frauds.

Again, metaphors of a rather violent nature are used to illustrate the injustice of the Nelson Amendment and the contemptible actions of its authors. Afriyie writes that conservatives "insist on bringing the abortion fight to healthcare's door" and that the Nelson Amendment "goes right for the jugular by proposing an outright abortion ban for women who receive federal subsidies." Abortion rights are represented as a bloodied battleground where attacks against women's reproductive autonomy are continually waged. This gruesome and emotive description (a pathetic strategy) renders the issue important and so positions its preferred and likely readers of the blog so as to share the author's anguish at the legislative discrimination that women are enduring.

Argument 2: It is inequitable for the ideological position of one group to dictate legislation that governs a "population of differing viewpoints and perspectives". Passage of the Nelson Amendment would result in the imposition of a conservative agenda that unjustly restricts women's access to abortion.

Afriyie presents this argument in a single straightforward sentence and draws heavily on the discourse of democracy: "laws that govern a population of differing viewpoints and perspectives cannot be dictated by one group's ideological whim." Stating that laws "*cannot* be dictated by one groups ideological whim," is an example of a categorical truth claim which Afriyie utilises to attribute accuracy and certainty to her statement. According to this categorical truth claim, passage of the Nelson Amendment would be injudicious, as it has been dictated by the "ideological whims" of "Republicans and conservative 'Democrats'". Afriyie's word choice in this sentence is also significant, as the term whim connotes self-indulgence, impulsivity and ill-considered decisions or actions. "Republicans and conservative 'Democrats'" are therefore constructed as a faction who author legislation based on illogical "ideological whims," while we, feminists and reproductive rights activists, in contrast, create and support reasonable legislation which defends and upholds women's reproductive rights by implication.

In fact, Afriyie directly states, “something that shouldn’t be missed as the debate progresses is that the feminist position on abortion has always been a compromise that accounts for those across the ideological spectrum.” While conservative “mofos” are striving to undermine women’s reproductive rights, feminists, and by extension, the reproductive rights community, have always been willing to compromise and support legislation that accounts for diverse perspectives. This construction contributes to the creation of a dichotomy between reproductive rights activists and conservative legislators, yet also employs forensic and epideictic argumentation (Richardson 2007: 157) to defend and praise the honourable and just legislative actions of the reproductive rights community, while condemning and censuring the villainous and unjust actions of conservative legislators striving to restrict women’s access to abortion. By constructing the feminist and reproductive rights contingent as commendable, Afriyie, who identifies as feminist reproductive rights advocate, is also utilising the ethotic mode of persuasion (Prinsloo 2009b: 246) to emphasise her reliability and respectability as an authorial source.

Argument 3: Current U.S. health care reform is based on the principle that access to health care is a human right and a woman’s “financial condition” should not prevent her from accessing health care services, including abortion.

Afriyie argues that access to health care is a human right, and as abortion is a legitimate health care service, it is unjust for the Nelson Amendment to prohibit women who receive government subsidies or utilise the proposed state insurance exchanges from accessing abortion services. This deductive argument is rooted in a socialist feminist discourse and contends that it is unjust for women to be denied abortion services due to their disadvantaged economic status. Afriyie utilises categorical assertion to assert that, “fundamentally, this healthcare debate is about the fact that our financial constraints should not dictate our health outcomes.” Though *Roe v. Wade* established the legality of abortion in 1973, the Hyde Amendment followed in 1977, and since then, women have been barred from using federal funds to obtain an abortion. Forensic argumentation is employed in this way to identify and contest the unjust rulings of the past that have placed an undue burden on low-income women, and epideictic argumentation is drawn upon to maintain that economically disadvantaged women continue to face the same legislative discrimination.

Class status is identified as unjustly continuing to be a factor used to deprive women of their reproductive rights, and Afriyie utilises the pathetic mode of persuasion to elicit sympathy and concern for the “low-income women and women of color [who] are the most vulnerable” to the discriminatory stipulations of the Nelson Amendment. Afriyie effectively employs fragmentation (Thompson 1990) to divide the collective grouping of women into two distinct factions: “women who can afford to exercise their legal rights to abortion and the women who cannot.” Though this fragmentation creates a division between women of disparate “financial conditions”, Afriyie simultaneously establishes a notion of collectivity and solidarity around women’s reproductive rights, utilising pathos to create a feeling of unity and a desire to protect and defend the rights of those with whom you share an identity.

A strong obligation modality (Richardson 2007: 60) is evident throughout this blog post and demonstrates Afriyie’s conviction that abortion access is a fundamental reproductive right and health care service, and further, that action is necessary in the defence of women’s reproductive rights. Afriyie asserts that abortion access is about the “right every woman *should* have to make decisions about her person when she’s pregnant,” that “financial constraints *should* not dictate our health outcomes,” and “abortion *should* not be an exception” to the principle that all people, regardless of their financial situations, are entitled to adequate and accessible health care. These obligation modalities are applied to demonstrate Afriyie’s resolve in defeating the Nelson Amendment and serve to bolster her call to action.

Consistent with this, Afriyie seeks to induce readers to defeat the Nelson Amendment by voicing their opposition to an amendment that facilitates the erosion of women’s reproductive rights. Concerned with promoting future action, Afriyie utilises a deliberative form of argument in her call to action, directly addressing and commanding readers to call and contact senators and “push them to make the right decision today.” Push connotes a strong demand, as opposed to a request or suggestion, and illustrates Afriyie’s fervent appeal to fight for women’s equitable access to abortion. The reader should “push” their senator to make “the right decision,” which is implicitly a vote against the Nelson Amendment. Therefore, we, the reproductive rights community, are constructed as the contingent that makes the “right decision,” while conservatives’ make the wrong decision by supporting restrictive legislation. Finally, this call to action assigns an active role to the reader, as

material verbs such as “call” and “push” are designated as the reader’s future actions, granting you, the reader, agency in challenging the Nelson Amendment and protecting women’s reproductive rights.

#### *4.4.2 Jezebel - With Abortion Coverage Restrictions In Place, Senator Ben Nelson Agrees to Vote for Health Care Reform (Appendix 4)*

On December 19, 2009, Hortense Smith published the *Jezebel* blog post titled, *With Abortion Coverage Restrictions In Place, Senator Ben Nelson Agrees to Vote for Health Care Reform*. This post is comparable to a news update, informing readers of Senator Nelson’s consent to vote in favour of the Senate health care reform bill. After the defeat of the Nelson Amendment, Senator Nelson agreed to support the Senate bill on the condition that it include “abortion language” permitting states to prohibit abortion coverage in health care plans offered through the insurance exchange (Alonso-Zaldivar and Werner 2009). Though this blog post is primarily informational and offers substantially less commentary than the other posts analysed, Smith does advance two arguments intended to contest the inclusion of abortion restrictions in the Senate health care bill. First, Smith asserts that Senator Nelson and the “abortion language” included in the Nelson compromise unjustly divest women of their legal right to access abortion services. Secondly, the author argues that while politicians tout that health care reform represents social “progress”, the abortion restrictions included in the Senate bill erode women’s reproductive rights and constitutes regression in the U.S. health care system. As in most *Jezebel* posts, manifest intertextuality is prevalent, and Smith cites the *Associated Press*, *Talking Points Memo* and the *New York Times*. Smith also includes an excerpt of the Nelson compromise language, making evident the exact wording and legislative implications of the Senate bill’s abortion restrictions.

In line with the established meta-narrative, Smith constructs Nelson and his fellow anti-choice legislation supporters as the villainous other who are responsible for “throwing women’s rights and access to legal medical procedures under the bus.” The author writes that Senator Nelson conceded to vote in favour of the Senate health care bill after being “swayed” by the inclusion of the abortion restrictions. Word choice is indicative of Smith’s value judgments, as the term “swayed” implies that Nelson is fickle, inconstant and untrustworthy. Smith labels Nelson and his associate anti-choice Senators as “Nelson & Co,” a referential strategy that evokes the image of a large corporation wielding power in order to get its way.

In this case, what “Nelson & Co” are striving to achieve is the repeal of women’s access to abortion. Though Nelson is positioned as the principle villain of this narrative, all “anti-choice advocates” are constructed as the oppositional grouping: the deplorable ‘them’. Specific individuals designated as other include “Nebraska Right to Life director Julie Schmit-Albin,” an anti-choice activist who is cited as commending the actions of Senator Nelson. As Schmit-Albin praises Senator Nelson in her remarks, her endorsement serves to confirm Nelson’s disreputability, for she is represented as the iniquitous other. While ‘they’ fight to deny women’s access to abortion and celebrate the passage of anti-choice legislation, the narrative implies that we, pro-choice advocates, fight to ensure women’s access to abortion and contest the passage of abortion access restrictions. Though we are never explicitly addressed, Smith constructs those who support women’s reproductive rights as laudable and just. It is clear that Smith considers herself part of the pro-choice ‘us’ through her reference to abortion as a “legal medical procedure.” By referring to abortion in this manner, Smith is declaring abortion as a legitimate and justifiable procedure.

Argument 1: Senator Nelson and fellow anti-choice legislators are responsible for “throwing women’s rights and access to legal medical procedures under the bus.”

Though Senate health care reform was poised to pass after Nelson expressed his support for the bill, Smith asserts that Nelson’s vote “comes with a price.” Smith employs the logetic mode of persuasion to contend that the price of Nelson’s vote is the diminution of women’s reproductive rights. Smith cites an *Associated Press* article where Nelson asserts that if this compromise language had not been included, he would not have voted in favour of the health care bill – essentially preventing the passage of health care reform in the Senate. However, it is interesting to note that Smith describes the Nelson compromise language as giving “states the right to prohibit the use of federal funds towards abortion.” Though this is true, the statement falls short of conveying the gravity of the Nelson compromise language. Not only does the “abortion language” grant states the right to prohibit public funds from subsidising abortion, it also permits states to fully ban health care programs from offering abortion services if they participate in the insurance exchange (Dayen 2009). While Smith powerfully argues that women’s reproductive rights have been discarded, her argument could have been strengthened if she more effectively mentioned the negative repercussions of the Nelson compromise.

The accusation levelled at “Nelson & Co” for “throwing women’s rights and access to legal medical procedures under the bus” is a form of forensic argumentation. This metaphor implies that women’s reproductive rights have been violently sacrificed and betrayed. This pathetic appeal intends to elicit sympathy from the reader, causing them to be both angered and saddened at the past treatment of women, and bolsters Smith’s contention that these restrictions are unjust. Epideictic argumentation is simultaneously employed as Smith censures and criticises Nelson and anti-choice legislators. Nelson is depicted as a selfish politician; he declared himself as unwilling to support health care reform unless able to get his own way. Other anti-choice legislation supporters such as Schmit-Albin are similarly represented as disreputable for “celebrating” the erosion of women’s rights.

Argument 2: The Nelson Amendment is not indicative of social “progress,” but instead exacerbates women’s legislative impediments to abortion access and signifies the degeneration of the U.S. health care system.

In 1973, the Supreme Court ruled that it was a woman’s constitutional right to access abortion services in the first trimester of pregnancy. However, the language of the Nelson compromise undermines this legal precedent by placing restrictions on health care plans within the insurance exchange, barring women, regardless of whether they receive government subsidies, from obtaining abortion coverage through a plan in the exchange. The Nelson compromise therefore places an undue burden on women and impedes their legal right to access abortion services. Smith therefore deductively argues that is not possible for the Nelson compromise to represent social “progress” when the legislative measure discriminates against a faction of society.

In addition, Smith’s subversive use of sarcasm is used to bolster this argument. The author writes, “it’s just so wonderful to see all of this health care ‘progress’ being made by throwing women’s rights and access to legal medical procedures under the bus.” Smith places the term progress in quotation marks to indicate her cynicism and suspicion about the motivations of anti-choice legislators and her disbelief that these restrictions will result in improvements in the U.S. health care system. Instead, Smith’s sarcasm, coupled with the term “progress” in

scare quotes, implies that the restrictions advanced by the Nelson compromise are indicative not of progress, but of regression, decline and degeneration.

Sarcasm, in fact, is evident throughout this post and is used to flagrantly express Smith's opposition to the anti-choice measures in the Senate health care bill. In response to Schmitz-Albin thanking Senator Nelson for courageously taking a stand against abortion and dispossessing women of their reproductive autonomy and rights, Smith writes, "Yes! Thank you so, so much Senator Nelson & Co." The author's proffered thanks is clearly insincere and her sarcastic tone indicates her disapproval and disgust with Senator Nelson, his colleagues, and their anti-choice agenda. Smith concludes the post with the snide remark: "How courageous of you! USA! USA!" This comment is steeped in sarcasm and serves to ridicule the nationalist and patriotic discourses anti-choice legislators and supporters so often employ when crusading for the abolition of abortion in the name of the unborn. However, as Smith argues, these anti-choice legislators and advocates seem to have little regard for the life and the rights of women.

#### **4.5 March 2010 – Patient Protection and Affordable Care Act**

In March 2010, after months of contentious debate, the House and Senate health care bills were reconciled, and the final bill, titled the Patient Protection and Affordable Care Act, received the votes necessary for passage. Accompanied by an executive order reaffirming that no federal funds would be used for abortion services, health care reform was attained in the U.S. However, the abortion provisions included in the Patient Protection and Affordable Care Act and supplementary executive order greatly impinge on the reproductive rights of women. I now turn to analysis of two posts published in response to finalised health care reform.

##### *4.5.1 Feministing – Health Care Reform, At Whose Expense? (Appendix 5)*

*Health Care Reform, At Whose Expense?*, was published on March 29, 2010 and was written by Aimée Thorne-Thomsen, a guest blogger on *Feministing*. Comparable to an editorial or opinion piece, this blog post offers Thorne-Thomsen's commentary on the legislative process of health care reform and the passage of the Patient Protection and Affordable Health Care Act. In the title of the post, the author poses the question of – "health care reform, at whose expense?" Thorne-Thomsen then utilises the post to advance her claim that health care

reform was passed at the expense of women and their reproductive health. This post is written in first person and often directly addresses the reader, giving a personal and familiar feel to the piece. Additionally, a common feature throughout this blog entry is the inclusion of numerous short, assertive sentences used to emphasize the author's arguments. These statements are often written in bold font to stress their significance. Three primary arguments are presented by Thorne-Thomsen in this blog post; first, as previously mentioned, the author advances the argument that health care reform was passed at the expense of women's health and reproductive autonomy. Second, Thorne-Thomsen contends that "our political leaders" and legislators, including many who ran on a pro-choice platform, "sold out women" in the process and passage of health care reform. Lastly, the author argues that the health care bill and supplementary executive order not only reinforce the "immoral status quo" established in the Hyde Amendment, but also expand restrictions to abortion access, resulting in increased discrimination against marginalised and low-income women.

Thorne-Thomsen broadly complies with the same meta-narrative as her fellow *Feministing* bloggers and constructs government legislators as villains willing to sacrifice women's health and reproductive rights in order to secure the votes necessary to pass health care reform. According to Thorne-Thomsen, "political leaders" have reprehensively "traded away" women's health and "sold out" women, resulting in the passage of health care reform at the expense of women, as well as at the expense of "poor people" and immigrants. While the author undoubtedly constructs legislators and government leaders as the dishonourable other, Thorne-Thomsen constructs the "us" of the narrative in two ways. The first unified construction of "us" is representative of members of society's "progressive movements," including reproductive rights activists. The construction of progressive movement activists as a distinct grouping is evident in the author's assertions: "many of *us* who believed in the ideals of hope and change thought that *we* could achieve universal health care, if not in policy, then certainly in practice" and "after months, and let's be honest, years of struggle to reform America's decayed health care system, *we* got... what, exactly?" It is members of various "progressive movements", and specifically those within the "reproductive health" movement, who Thorne-Thomsen constructs as heroes that have relentlessly fought for equitable and accessible health care and abortion access, though the passage of anti-choice health care legislation suggests defeat.

Thorne-Thomsen also frequently makes reference to an “us” which is comprised of an assumed audience of women. The author’s presupposition that the readership is composed of women is apparent when she writes, “this law makes the most vulnerable among *us* – young women, women of color, immigrant women, low-income women, and transgender women – more vulnerable,” and “until women’s lives and women’s health are not used as trade goods for votes, *we* will remain vulnerable and invisible.” It is reasonable that Thorne-Thomsen refers to “us” and implies a collective of women, as *Feministing* is part of the feminist blogosphere counter-public where women, and others committed to women’s rights and reproductive rights, engage in discussion and debate. Thorne-Thomsen frequently draws upon the constructed dichotomy between government legislators and women as an exploited group as she advances her arguments regarding the inadequacy of health care reform and its detrimental implications for women.

Argument 1: Health care reform was passed at the expense of women’s health and reproductive autonomy.

Thorne-Thomsen employs the forensic form of argumentation in considering how things had come to pass and she contends that health care reform legislation was unjustly passed at the expense of women and their reproductive health. In both the process and passage of health care reform, the author writes, “as often is the case, women’s bodies and health, was the ultimate battleground.” This statement operates as a categorical assertion and truth claim contending that women and their reproductive health was the pivotal issue of contention in health care reform, where ultimately, the battle to protect women’s reproductive autonomy was lost and access to abortion services was further restricted. Thorne-Thomsen utilises metaphor to depict “women’s bodies and health” as a “battleground” where war is waged against women and their reproductive freedom in the name of health care reform. As in any battle, there are casualties, and with the passage of anti-choice legislation, the casualties are women and their reproductive health.

Thorne-Thomsen employs extensive use of metaphor to convey her distress, anguish and dissatisfaction with the health care reform process and bill. The author states, “poor people, immigrants, and women, among others, were all used as bargaining tools from the very beginning.” Stating that government legislators treated women, immigrants and indigent

people as if they were “bargaining tools” implies that politicians deprived these groupings of their humanity and regarded them as mere objects lacking value, worth and human rights. The lexical choice “used (...as tools)” additionally connotes that these populations were exploited, mistreated and manipulated. That they are relegated to “bargaining tools” further bolsters Thorne-Thomsen’s argument that health care reform was passed at the expense of women, as well as immigrant and indigent populations. The bargaining metaphor is sustained when Thorne-Thomsen later refers to women’s health as “traded away for a handful of votes.” By representing women’s health as an object of mere barter which is “traded away,” the author further implies that women and their health are seen as insignificant and subordinate to the health care reform ambitions of government legislators. While government legislators, specifically anti-choice politicians, are constructed as viewing women’s reproductive rights as expendable chips used in political negotiations, the reproductive rights movement views women’s reproductive autonomy and access to abortion as a fundamental human right. These representations further contribute to the dichotomy Thorne-Thomsen constructs between dishonourable “political leaders” who supported anti-choice health care legislation and the reputable reproductive rights activists and “progressive movement” activists who defended women’s equal access to abortion.

These metaphors significantly serve Thorne-Thomsen’s pathotic argument. By asserting that women and their health was “traded away” and treated as “bargaining chips” by government legislators, the author is making an emotional appeal to the audience (Richardson 2007: 160), urging them share in her frustration and distress at the discrimination women will endure due to this health care reform bill. Consistent with socialist feminist discourse, Thorne-Thomsen writes, “this law makes the most vulnerable among us – young women, women of color, immigrant women, low-income women, and transgender women – more vulnerable.” Such an emotive statement seeks to induce in the reader a sympathetic response, persuading them concur with Thorne-Thomsen’s position and be responsive to her call to action.

Argument 2: Government legislators and political officials unjustly sacrificed women’s reproductive rights in order to obtain the votes needed to pass health care reform.

Thorne-Thomsen contends that government legislators are responsible for discarding women’s reproductive rights by passing a health care reform bill inclusive of undue abortion

access restrictions. This argument is rooted in epideictic argumentation (Richardson 2007: 157) as the author seeks to reprimand government officials for their willingness to support anti-abortion provisions in exchange for the “handful of votes” needed to pass health care reform. Thorne-Thomsen states, “our political leaders in the White House, Senate and House of Representatives sold out women not just in the legislation, but in the process itself.” Not only does this sentence lay blame with legislators and censure their reprehensible actions, but it also maintains that legislators betrayed women in the process and passage of health care reform. The author’s assertion that politicians “sold out women” reinforces the recurring metaphor that women have been treated as objects throughout the process of health care reform and their reproductive rights were treated as a commodity or “trade good” to be “sold”. Additionally, Thorne-Thomsen refers to legislators such as Stupak, Nelson and their supporters, as “anti-choice cronies,” a referential strategy used to construct these representatives as shifty, manipulative, self-serving figures.

However, Thorne-Thomsen indicates that it is not just anti-choice legislators who are responsible for “trading away” women’s reproductive rights. Many pro-choice representatives were willing to relinquish women’s reproductive rights in order to secure the anti-choice votes necessary to pass health care reform. Thorne-Thomsen writes, “many of us who believed in the ideals of hope and change thought that we could achieve universal health care, if not in policy, then certainly in practice.” This statement presupposes that reproductive rights activists and members of “progressive movements” voted for Barack Obama with the expectation that he would not only reform the United States’ “decayed health care system,” but that he would uphold his pro-choice position and increase people’s access to all health care services, regardless of their economic status. However, Thorne-Thomsen asserts, “that didn’t happen.” This short, simple statement, serves as a powerful categorical assertion that President Obama and pro-choice democratic legislators let progressives, women, immigrants and indigent people down. The author goes on to state, “my vote for who I believed was a pro-choice president certainly doesn’t amount to much,” asserting that Obama’s pro-choice promises were deceiving and that his willingness to authorise the executive order was a betrayal of women. This statement serves as an authoritative categorical truth claim contending that a vote for a pro-choice president “certainly” does not guarantee pro-choice legislative outcomes. While reproductive rights activists expect anti-choice and conservative legislators to support abortion access restrictions, it is disconcerting

that pro-choice representatives have forfeited women's rights. This condemnation of President Obama relies on epideictic argumentation to censure the actions of the president, as well as all politicians who supported the inclusion of anti-choice stipulations in health care reform.

Argument 3: The health care bill and supplementary executive order unjustly reinforce and expand the "immoral status quo" which bans the use of public funds for abortion services. The expansion of abortion access restrictions will disproportionately affect marginalised and low-income women and will result in their increased vulnerability.

This is a logetic argument founded on the following premises: since 1977, the Hyde Amendment has unfairly prohibited the use of federal funds for abortion services; the Patient Protection and Affordable Health Care Act and supplementary executive order upholds and expands this "immoral" legislative precedent; therefore, this health care bill is "harmful to women", their health and their reproductive autonomy. Ultimately, Thorne-Thomsen argues that because this law increases the vulnerability of marginalised and disadvantaged women, this health care bill and executive order represent a loss for the reproductive rights movement. To make these contentions, the author heavily relies on the use of categorical assertions. "The status quo *is* immoral and it *is* wrong," the defence of abortion access restrictions in health care reform legislation "*is* not only craven, it *is* also unjust," and "these restrictions *are* harmful to women and their families," are all examples of truth claims used by Thorne-Thomsen to attribute certainty and authority to her assertions.

A transitivity analysis (discussed in Chapter Three; Richardson 2007) of the post is productive as it makes evident how Thorne-Thomsen represents herself as an intelligent, thoughtful and analytical source, and therefore implicitly argues on behalf of her rightful participation in the public sphere. The majority of the author's processes are represented as mental processes (Richardson 2007: 54), as Thorne-Thomsen states that, she does not "consider" the passage of the Patient Protection and Affordable Health Care Act a victory, she "absolutely rejects" that this reform bill was the best progressive movements get, and she "believed" that voting for a pro-choice president meant that women's reproductive rights would be defended, though unfortunately, that was not the case. By representing herself as a rational, thinking being and "long-time" reproductive rights activist who serves as the

Executive Director of a pro-choice organisation, Thorne-Thomsen establishes her ethotic credentials. This status and first-hand experience verifies her expertise and confirms her reliability as a source.

Her argument that the Patient Protection and Affordable Health Care Act and supplementary executive order will be disadvantageous to women is a deliberative one. She argues that the future of women's reproductive health is in danger due to the iniquitous abortion access restrictions stipulated by health care reform legislation. According to the author, these restrictions "will limit access to abortion for low-income women," "will further codify discrimination against poor women," and "will continue to stigmatise abortion and isolate it from women's overall health care." These statements utilise the truth modality "will" to indisputably claim that the future effects of health care reform legislation will be detrimental to women and their reproductive health. Thorne-Thomsen concludes her post by asserting, "until women's lives and women's health are not used as trade goods for votes, we will remain vulnerable and invisible." This sentence employs the extended metaphor comparing women and their reproductive health to bargaining objects, yet also serves as a categorical assertion inducing readers to defend women's reproductive rights. The argument being made is that if Thorne-Thomsen's call to action is ignored and women are continually regarded as subordinate, then women's rights and health will continue to be treated as expendable. This argument is a powerful example of unification (Thompson 1990) and construction of the "we" in the text, as well as a strong pathetic appeal where the reader is positioned as the one that will "remain vulnerable and invisible" if action is not taken, yet is also simultaneously positioned as the one with the power to combat the subjection of women and their health.

#### 4.5.2 *Jezebel* – *After Healthcare Vote, All Eyes Turn To Abortion* (Appendix 6)

*After Healthcare Vote, All Eyes Turn to Abortion* was published on March 23, 2010, by managing editor and frequent *Jezebel* contributor, Anna North. This blog post offers coverage on the reactions elicited by the passage of the Patient Protection and Affordable Care Act and subsequent executive order, focusing primarily on the mixed responses from abortion rights groups. As with the other *Jezebel* blog posts analysed in this study, manifest intertextuality is prevalent throughout this entry. North incorporates text and quotations from various sources, including the *Wall Street Journal*, insurance corporations, anti-choice organisations and external political blogsites. North also provides a hyperlink within the blog

that directs readers to an external site containing a transcript of Obama's executive order. However, abortion rights organisations are cited most frequently in North's post, granting the pro-choice discourse dominance within the text. Three primary arguments are advanced within this blog post; first, North contends that health care reform has hoisted the abortion debate back into the political "spotlight." However, North points out that abortion rights groups are offering differing perspectives on the passage of health care reform and its potential effects on women's reproductive rights. Second, North supports the argument that Obama's executive order will cause insurance companies to entirely eliminate abortion coverage due to the complicated bureaucratic stipulations calling for abortion-related funds to be separated from all other money. Finally, due to the controversy and debate surrounding abortion access and funding, North argues that it is unlikely that abortion rights groups will be able to induce President Obama to modify health care reform and revise regulations on funding segregation.

North's blog entry, like the previous five posts analysed, draws on the study's established meta-narrative. North constructs "abortion rights groups" as the laudable collective hero who has fought for women's access to abortion and continues to defend women's reproductive rights. In response to the passage of the health care reform bill and the included abortion-funding restrictions, North writes, "abortion rights groups, understandably, are angry." This statement expresses the author's sympathy and support for "abortion rights groups" and serves to justify and legitimate the responses and emotions of pro-choice advocates. Further, North's admission that she understands the reactions of "abortion rights groups" and this introduction of pathos indicates her acceptance of, and alignment with, these groups. However, it is important to note that the author does not represent the narrative's hero as a unified grouping. In contrast, the hero is fragmented into two disparate factions: those "abortion rights groups" who view the health care reform bill and executive order as irredeemable and condemnable, and those "abortion rights groups" who believe that the bill can be modified and abortion-funding restrictions can be eased to facilitate equitable access to abortion coverage. Regardless of the constructed division, "abortion rights groups" are still heralded as the narrative's hero, and it is evident that North positions herself as a pro-choice ally.

Challenging the “abortion rights groups” is the collective villain of the narrative: anti-abortion legislators. North clearly constructs a binary opposition between pro-choice and anti-choice factions through her reference to these warring groups as “the two opposing forces.” The author constructs anti-choice legislators and advocates as irrational and obstinate, writing that though the health care bill contains abortion-funding restrictions, “the current language of the bill has some anti-choicers crying ‘betrayal’” and “baby-killer.” The verbal act of “crying” unwarranted and absurd expressions such as “baby-killer” connotes that anti-choicers are acting in an unreasonable and ludicrous manner. This assertion constitutes an epideictic argument that serves to censure anti-choice legislators for their inappropriate and unacceptable actions. Additionally, North refers to the stringent anti-choice Stupak Amendment as an “(admittedly unpalatable) compromise,” indicating through this subtle parenthesised aside that the author considers the Stupak Amendment, and comparable anti-choice legislation, intolerable and untenable. Like these statements, the arguments North advances verify her identification with “abortion rights groups” and demonstrate her privileging of the pro-choice discourse.

Argument 1: The passage of U.S. health care reform bill has elicited both critical and optimistic responses from “abortion rights groups.” However, what is apparent is that health care reform has catapulted the abortion issue back into the “spotlight.”

Employing the logetic mode of persuasion, North argues that while abortion has always been a wedge issue, the abortion debate had been less politically pervasive prior to health care reform. However, with the launch of health care reform, abortion access and funding quickly became the primary bargaining tools used to strike legislative compromises between pro-choice and anti-choice representatives. The abortion issue is continuing to be disputed post passage, and according to North, abortion has re-entered the “spotlight.” Consequently, the abortion issue has the potential to greatly impact upcoming political campaigns and elections, conceivably leading to a “re-polarization of the abortion debate.” According to North, “midterm elections may see Stupak challenged by both a pro-choice Democrat and a conservative Republican,” and though she uses a highly hedged modality, it is clear that the author perceives the contentious abortion issue as poised to exacerbate the division between political parties. However, North writes, “one thing’s for sure: abortion is back in the

spotlight.” This categorical assertion connotes an indisputable truth and highlights the social and political significance of abortion access and women’s reproductive autonomy.

North asserts that “abortion rights groups” are angered over the inclusion of highly restrictive abortion-funding mandates in health care reform legislation and have therefore been vehement in their contestation to the passage of the Patient Protection and Affordable Care Act and attached executive order. However, these reactions have been mixed, with some groups condemning the health care bill, and others “optimistically looking forward to changes.” Though responses have differed, North largely represents the actions of “abortion rights groups” through fervent and powerful verbal processes. “Abortion rights groups” contest the health care bill by “decrying” the unjust abortion-funding restrictions, and NARAL Pro-Choice America has “criticized” the stipulated segregation of funds. North quotes numerous pro-choice and feminist organisations, crediting them with speaking out against the health care reform bill and openly expressing their contestation to the erosion of women’s reproductive rights. By representing “abortion rights groups” as vocal organisations unafraid to voice their opposition to legislation that reifies and legitimates patriarchal discourse and practice, thus privileging feminist discourses.

Argument 2: The restrictions requiring abortion-related funds to be segregated from other money as designated in Obama’s executive order will result in insurers dropping “abortion coverage entirely” and will adversely affect women’s reproductive rights.

Though this argument is offered in a single sentence and constitutes very little of the blog entry, it is an incredibly powerful deliberative argument. Citing reporter Laura Meckler at the *Wall Street Journal*, North argues that evidence has been gathered which confirms that “the need to keep abortion-related funds separate from all other money as per Obama’s executive order will cause insurers to drop abortion coverage entirely.” The inclusion of “will” is indicative of a categorical truth modality which expresses absolutely certainty about future outcomes. North argues that it is indisputable that insurance companies will cease to offer abortion coverage due to complicated funding segregation regulations, forcing women to pay for abortion services out of pocket, which is clearly not an option for indigent women. Citing non-profit insurance company Affinity Health Plus, North reports that the proposed segregation of funds “would dwarf any revenue companies made from covering abortion,”

prompting companies to abolish abortion coverage due to the financial losses it will cause. A spokesperson from WellPoint Insurance is also referenced, calling “the process of segregating funds ‘nightmarish,’” and stating, “there would be no market for policies with abortion coverage.” Though these statements are not categorical truth claims, they do operate as truth modalities which provide considerable confirmation that the executive order will induce insurance companies to discontinue the coverage of abortion services. North concurrently attempts to convince the reader of her argument’s validity and provides evidence from reputable sources in the insurance industry to confirm her assertion that the executive order will unjustly impinge on women’s access to abortion (a deliberative argument, in other words). Rooted in deliberative argumentation, North contends that the health care reform bill and supplementary executive order are disadvantageous legislative measures which will be detrimental to women’s reproductive rights.

Argument 3: Though some abortion rights groups remain optimistic about challenging and changing abortion restrictions in the health care bill, abortion was a highly contentious issue during health care reform and North is sceptical that changes can be made post passage.

While the author argues that the executive order is disadvantageous and will result in the repeal of abortion coverage, North makes no attempt to persuade the reader to take action and support modification of the health care bill. In contrast, North expresses doubt that revisions will be made to the abortion funding restrictions in the health care bill due to the controversy surrounding abortion and the strength of the “opposing” anti-choice contingent. While Laurie Rubiner, Vice President of Public Policy at Planned Parenthood, insists that there are avenues through the regulatory process that could ease abortion funding restrictions, North responds in a disheartened manner: “it’s a little hard to see how this would work, especially given how contentious the abortion issue was in the healthcare debate.” To further indicate her scepticism that changes will be made to lessen abortion-funding restrictions in health care reform, North questions whether President Obama will be “willing to budge on a compromise he painstakingly forged” over numerous personal discussions with “anti-choice Democrats.” North further inquires if President Obama will be inclined to ease abortion restrictions if the current compromise already has anti-choicers accusatorily shouting “betrayal” and “baby-killer.” These rhetorical questions indicate North’s disbelief that President Obama is willing to amend health care reform legislation, particularly after the arduous and trying task of

attempting to reach a compromise between pro-choice and anti-choice factions. Ultimately, North's expression of doubt that abortion-funding restrictions will be reduced could serve to dissuade readers from advocating for changes in health care reform on behalf of women's reproductive rights.

In her closing statement, North asserts,

if healthcare reform does lead to a re-polarization of the abortion debate, it'll be a sobering reminder that despite talk of bipartisanship, abortion reduction, and the like, women's reproductive rights are an area where compromise has been nearly impossible.

This logetic argument employs pathos to evoke a solemn and sympathetic emotional reaction from the reader as North asserts that the "re-polarization of the abortion debate" will effectively signify that though negotiations are "nearly impossible" to make with regards to women's reproductive rights, the concessions made have more to do with political preferences and less to do with ensuring women's right to reproductive autonomy.

#### **4.6 Conclusion**

This chapter has provided an analysis of the study's meta-narrative, as well as detailed analyses of two blog posts (one from *Feministing*, one from *Jezebel*) published during three significant periods in U.S. health care reformation. Having presented a critical analysis of the blog entries, my concluding chapter will discuss the prevalent discourses and common discursive and rhetorical strategies utilised by feminist bloggers to combat the erosion of women's reproductive rights.

## CHAPTER FIVE: CONCLUSION

### 5.1 Introduction

In the introduction of this study, I stated that the purpose of this project was to examine the representation of women's reproductive rights in the feminist blogosphere in light of 2009/10 United States health care reform. This study adopted a two-pronged approach and first sought to identify and analyse the discourses and discursive strategies utilised by feminist bloggers to contest anti-choice health care reform legislation. The second aim of this study was underpinned by the argument that the feminist blogosphere is constitutive of a counter-public which facilitates the production and dissemination of marginalised discourses. Therefore, I also sought to examine the feminist blogosphere's role in promoting political change and transformation through alternative representations of women and their reproductive rights.

Chapter One offered a brief overview of the political and historical context of abortion legislation in the United States, followed by a discussion of the legislative processes and stages in 2009/10 health care reform. In Chapter Two I discussed the various theoretical frameworks and concepts which informed my research, beginning with feminist theories and politics. I then offered an outline of feminist poststructuralist theory, accompanied by a discussion of Foucault's conceptions of discourse, knowledge, power, subjectivity and disciplinary techniques (including governmentality and biopower). Finally, I discussed the theoretical relevance of considering the blogosphere as a public sphere and further argued that the feminist blogosphere is constitutive of a counter-public.

The third chapter of this thesis provides an outline of the methods used to conduct the analysis. To conduct this research I employed critical discourse analysis, focusing on the discourses, strategies and tactics utilised by feminist bloggers to challenge and contest abortion legislation which impinges on women's reproductive freedom. To effect the analysis I employed narrative, rhetorical and linguistic analysis in order to identify and critically examine the discursive strategies used by feminist bloggers to contest the hegemonic discourse of patriarchy and privilege the pro-choice and feminist discourses.

In Chapter Four I conducted a critical analysis of the discourses and discursive strategies employed in three *Feministing* and three *Jezebel* blog posts published during November

2009, December 2009 and March 2010 – months which were roughly representative of major legislative stages in U.S. health care reform. Feminist poststructuralist theory and Foucault's conceptualisations of discourse, power and subjectivity informed this analysis, enabling me to identify and examine feminist bloggers' discursive constructions. Analysis of the posts revealed that a meta-narrative was woven throughout all six blog posts, constructing reproductive rights activists as the collective hero of the narrative, while anti-choice legislators were constructed as the villainous other. Engaging with critical discourse analysis also aided in the identification of the common discourses and rhetorical and discursive strategies employed by the six feminist bloggers.

In this chapter I discuss the recurring discourses and argumentative strategies employed by feminist bloggers to contest anti-choice health care legislation and challenge patriarchal representations of women and their reproductive rights. Two primary commonalities have been identified in the analysed feminist blog posts; first, liberal and socialist feminist discourse, as well as the discourse of reproductive rights, were frequently drawn upon to assert women's right to equitable abortion access, regardless of financial constraints and socio-economic factors. Second, the use of forensic, epideictic and deliberative argumentation was continuously utilised to persuade readers that legislative support for restrictive anti-choice measures is unjust, that the Congress members voting in favour of such restrictions are deserving of condemnation, and that action must be taken in defence of women's reproductive rights. To conclude, this chapter offers a discussion of the role of *Feministing* and *Jezebel* (as part of the feminist blogosphere counter-public) in producing and disseminating marginalised discourses which promote political and social transformation through alternative representations of women and their reproductive rights.

## **5.2 Recurring discourses and argumentative strategies**

### *5.2.1 The discourses of reproductive rights, liberal feminism and socialist feminism*

There are numerous discourses privileged within the blogs posts comprising this study, however, the most prevalent are the reproductive rights/pro-choice discourse, liberal feminist discourse and socialist feminist discourse. It is understandable that the reproductive rights, pro-choice and liberal feminist discourses were privileged within the same space, as each discourse grants legitimacy to women's individual right to choose when, and if, to have children. Within these discourses, women are constructed as rational and intelligent subjects

capable of making decisions, including reproductive decisions. However, as mentioned in Chapter Two, the liberal (and pro-choice) discourse is often criticised for focusing too heavily on the rights of the individual and disregarding the social, economic and political contexts in which women make reproductive ‘choices’ (Cherry 1997: 440). However, alongside the liberal and pro-choice discourses privileged within this study’s feminist blog posts, socialist feminist discourse is also articulated and validated. Peterson, Afriyie and Thorne-Thomsen explicitly express concern for the disproportionate effect that the proposed abortion funding bans will have on marginalised, disadvantaged and low-income women. Thorne-Thomsen asserts that these laws make “the most vulnerable among us – young women, women of color, immigrant women, low-income women, and transgender women – more vulnerable.” The critical attention to larger issues of social need and justice (Cherry 1997: 437) helps these feminist posts extend their attention beyond individual reproductive rights to address socio-economic and political factors that contribute to a systemic discrepancy between the reproductive rights accessible to diverse populations of women.

### *5.2.2 Argumentative strategies*

Rhetorical practice was fundamental in *Feministing* and *Jezebel* bloggers efforts to persuade readers that anti-choice legislation is unjust, that politicians supporting abortion bans acted inequitably and deplorably, and further, that the defence of women’s reproductive rights and the attainment of reproductive freedom is both necessary and advantageous for society. All three forms of argument – forensic, epideictic and deliberative – are utilised to persuade readers of the legitimacy and reputability of the discourses and arguments privileged in the feminist blog posts. Forensic argument, with its focus on the past, is utilised to accuse legislators of unjustly proposing and supporting legislation that impinges on women’s reproductive rights. *Feministing* and *Jezebel* bloggers contend that abortion is a basic and fundamental right which all women are entitled to, regardless of socio-economic status. However, the passage of anti-choice legislation disproportionately affects low-income and disadvantaged populations, creates an undue burden for women and is therefore unjust. Additionally, epideictic argumentation is employed to censure anti-choice legislators currently for deliberately infringing on women’s reproductive rights and freedom. Legislators voting in favour of restrictive abortion amendments are constructed as dishonourable and are chastised for supportive measures which deny women equitable access to abortion. The meta-narrative, discussed in Chapter Four, heavily draws upon forensic and

epideictic argumentation in order to construct anti-choice legislators as the villainous others. Lastly, deliberative argumentation (which focuses on the future) is frequently employed in order to induce readers to protect, defend and demand the reproductive rights of women. Sharkfu induces her audience to send a “wake up call to Congress” by expressing opposition to anti-choice health care legislation and vehemently expresses the “need” to ensure that the future actions of the pro-choice community alerts legislators to the necessity of women’s reproductive freedom. Bloggers Afriyie, North and Thomson all utilise deliberative argumentation to persuade readers to take action, call Congress members, attend marches and make their voices heard in order to prevent the further destruction of women’s reproductive rights. Access to abortion and pro-choice legislation is depicted as both essential and advantageous, as it grants women the basic legal right of control over their own bodies and reproductive capacity. While these three forms of argument are employed to grant legitimacy and authority to feminist discourses, deliberative argumentation is specially utilised as a call to action in the defence of women’s reproductive rights. This leads me to discuss the feminist blogosphere as a counter-public capable of contributing to the political transformation of society.

### *5.2.3 The feminist blogosphere as socially and politically transformative*

As I have stated previously, this study is grounded in the argument that feminist blogosphere constitutes a counter-public sphere where marginalised discourses can be produced, disseminated and consumed. While the feminist bloggers analysed in this study employed many of the same discourses and argumentative strategies in their defence of women’s reproductive rights, their response to the proposal and passage of anti-choice legislation was varied, and it is important to note that the feminist blogosphere is a rich and heterogeneous space that offers a diversity of perspectives. *Feministing* bloggers Afriyie and sharkfu maintained that women’s reproductive rights were unjustly being attacked, however, both bloggers asserted that positive changes could be made if reproductive rights activists fought anti-choice legislation. Sharkfu praised the pro-choice community for their fervent contestation to proposed anti-choice legislation and reflected on the potential and promise of the reproductive rights movement in combating and defeating anti-choice measures. Both authors employed deliberative argumentation to induce and directly demand that readers call their senators and “push them to make the right decision” (Afriyie 2009) and deliver a “wake up call to Congress” (sharkfu 2009). This call to action connotes the author’s optimistic

conviction that if the reproductive rights community actively combats anti-choice legislation, positive changes can be made for women's reproductive rights.

In contrast, feminist bloggers Peterson, Thorne-Thomsen and North advanced more cynical views with regards to the possibility of positive change for women's reproductive rights and the potential defeat of anti-choice health care legislation. All three bloggers, to various degrees, offer despondent responses to the inclusion of anti-choice measures in U.S. health care reform. In November 2009, shortly after the inclusion of the Stupak Amendment in the House of Representatives health care bill, *Jezebel* blogger LaToya Peterson offered an overview of the House bill and the abortion restrictions included. While Peterson asserted that she is attempting to "look on the bright side" and focus on the "silver linings" located in the House health care bill, she gloomily comments that she "is sucking on the bitter pomegranate seeds of disappointment" and is beginning to wonder if reformation of the U.S. health care system is worthwhile. After the passage of the Patient Protection and Affordable Care Act in March 2010, *Feministing* blogger Aimee Thorne-Thomsen and *Jezebel* blogger Anna North both authored posts lamenting the erosion of women's reproductive rights in the new health care bill. However, in contrast to Afriyie and sharkfu's asserted confidence that women's reproductive freedom can be obtained if the reproductive rights community continues to fight on behalf of equitable abortion access, Thorne-Thomsen and North offer little hope that the legislative injustices can be remedied. Thorne-Thomsen asserts that while numerous questions remain regarding the implementation and real-life effects of the U.S. health care bill, what is evident is that "until women's lives and women's health are not used as trade goods for votes, we will remain vulnerable and invisible." Not only has this bill rendered women invisible, it seems women must resign to remaining invisible until legislators cease to treat women and their health as mere objects of trade. Though Thorne-Thomsen provides little indication that women's access to abortion will improve and fails to offer any suggestions on how to combat the unjust legislative "status quo", her concluding statement does not deny the potentiality of positive change. It is implied that there exists the promise that women's reproductive health and rights will improve when women and their health are no longer used as legislative bargaining chips. Additionally, *Jezebel* blogger Anna North also adopts a largely defeatist position when discussing the passage of health care reform in the U.S. Though the pro-choice organisation Planned Parenthood is confident that modifications can be made to the abortion access restrictions in the health care bill, North

comments, “it’s a little hard to see how this would work, especially given how contentious the abortion issue was in the healthcare debate.” North’s expression of doubt regarding the possibility of repealing inequitable abortion measures in the U.S. health care bill conveys disappointment, dismay and frustration, leaving readers with little hope that this political situation can be transformed.

The varied and diverse responses to anti-choice health care legislation within the feminist blogosphere indicates that this counter-public does indeed serve as a space that facilitates open discussion, deliberation and debate. While some feminist bloggers forwarded arguments that optimistically focused on the defeat of restrictive abortion measures and others offered despondent arguments decrying the seemingly immovable legislative impediments to women’s abortion access, each blogger addressed the complexities of power in the legislative politics of women’s reproductive rights. Though Afriyie and sharku recognise that in the political struggle to define and legislate women’s reproductive rights the hegemonic discourse of patriarchy exercises more power and authority, both authors attest to the transformative power of the counter-hegemonic discourses of feminism. Other bloggers, such as Peterson, Thorne-Thomsen and North, acknowledge the power of feminist discourses and the contestation of anti-choice measures, yet indicate that the power granted to the patriarchal discourse and the conservative right are afforded more social and political legitimacy and clout. However, I maintain that the feminist blogosphere does serve as a counter-public capable of facilitating social and political change. Though restrictive abortion measures were included in the Patient Protection and Affordable Care Act, the feminist community and reproductive rights community rallied both online and offline in order to contest anti-choice legislation. Both *Feministing* and *Jezebel* helped organise and promote rallies, marches, and email and telephone campaigns that demanded the defeat of the Stupak Amendment and Nelson Amendment. In fact, it could be argued that the Stupak Amendment, which was the most restrictive of the anti-choice measures, was omitted from the final health care bill due to the outcry from the feminist, pro-choice and reproductive rights community. Within the feminist blogosphere, *Feministing* and *Jezebel* were at the helm of this outcry, demanding that women’s reproductive freedom be respected and offering alternative representation of women, their sexuality and their reproductive rights. These representations challenged and resisted the conservative patriarchal representations of women’s reproductive rights, and while providing and promoting this contesting

representations and subjectivities, *Feministing* and *Jezebel* served as an informative, accessible and unrestricted space where people could assemble, deliberate and mobilise.

While the hegemonic discourse of patriarchy is prevalent throughout mainstream media, the feminist blogosphere constitutes a counter-public where contesting discourses are articulated and circulated. The feminist blogosphere not only facilitates open and accessible deliberation and debate among producers and consumers, it also serves as a space where feminists can congregate, communicate and organise. Yet the transformative power and potential of the feminist blogosphere resides in its capacity to serve as a space where alternative representations of women can be created, circulated and even challenged. *Feministing* and *Jezebel* provide such a space, and regardless of the context, whether it is the contestation of anti-choice health care reform legislation in the U.S. or the defence of gay marriage and civil unions abroad, the feminist blogosphere, I argue then, is a counter-public which holds the potential to contribute to social and political transformation.

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What Katie Roiphe gets wrong about "Fifty Shades of Grey" and fantasies of sexual submission

## Notes from a bitch...pondering what it all means...

By SHARKFU | Published: NOVEMBER 16, 2009

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When the United States House of Representatives voted in favor of health care reform that includes an abortion ban...which was their way of trying to leave women's access to the full range of reproductive health care services on the curb while the reform bus pulled away...well, it took some folks by surprise.

Many pro-choice voters were shocked that so many self identified Democrats didn't seem to understand a key plank of the democratic platform...or the pledge made by President Obama at the beginning of this reform campaign that no one would lose the coverage they already have...or the fact that women vote, that the separation of church and state actually means churches and the state need to be separate, or that abortion services are health care services...and I could go on and on.

Sigh.

On the flip side, more than a few of the Democratic legislators who voted in favor of the abortion ban in the House health care reform bill appeared to be shocked by the fierce outcry of anger and disgust that came from reproductive justice circles.

Now that my blood pressure has returned to safe levels, I'm ready to pause and reflect. This legislative fail may actually turn out to be a movement win.

Since passage of that abortion ban wrapped up in the House health care bill, I've witnessed a lot of grassroots activism. That's to be expected...we're nothing if not organized. But I've *also* witnessed a lot of folks recommit to the cause of reproductive justice...individuals who may have mistakenly thought that electing Democratic majorities was the same thing as electing pro-choice majorities and that reproductive choice was safe from attack on the federal level.

The abortion ban in the House bill was a wake up call...big time.

And I think that's a good thing...even though I'm not celebrating the reality that we're going to have to fight like hell to clean this mess up in the Senate.

A good thing...because more than a few pro-choice voters need to see exactly how women's access to reproductive health care is treated by so-called moderates...how our rights and our freedoms are seen as bargaining chips in the corridors of Congress...and how religious lobbyists can get a meeting to discuss and derail choice in health care legislation at the last minute that you and I couldn't get with two weeks advance notice.

Mmmhmm, it's a good thing because our elected officials need to know that the masses have expectations...that we are watching them and are prepared to hold them accountable.

Change did happen right around this time last year.

Promises were made.

And even though I'm more than familiar with the ugly sausage making mess that is the creation



Tavi Gevinson: "Feminism is not a rulebook but a discussion"

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of legislation, I ain't buying the b.s. that women's health had to be sacrificed for the "greater good."

On the contrary, women's health needs to be *protected* and access needs to be *expanded* for the greater good.

As much as I hate to see any legislation that holds within it the power to deny women access to our full range of reproductive health care needs...as much as I've been so upset over this I haven't been able to sleep...I'm also beyond inspired and proud of the resounding "Oh, hell no!" I've heard from the reproductive justice community.

Website by [COMM AND C design, LLC](#)

Government needs to hear, see and experience that kind of reaction.

It's good for them...kind of like an electorate-based pro-choice vitamin supplement.

So yes, the abortion ban in the House bill was a wake up call to just how much things have changed with the last election.

We need to make sure our reaction is a wake up call to Congress.

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 **KBZ**  
Posted November 16, 2009 at 10:48 am | [Permalink](#)


Ironically, this particular incident has made me rethink somewhat how wise it is to have the government involved in healthcare funding. It has made me consider that some of the paranoid rants of the kooky rightwing may have at least some basis in truth.

As a feminist, I have believed for a long time that the government has no place in private healthcare decision-making (particularly regarding abortion). With our government — items rarely receive funding without some strings attached, i.e. if the taxpayer is paying for it, the taxpayer is going to demand some control over what they're paying for.

Nobody knows better than feminist the disasters that can ensue when healthcare decisionmaking is taken by the government ... back-alley abortions, etc. The ramifications of this on abortion rights could be cataclysmic, and I wonder how it will affect other difficult medical decisions. Will medical procedures be completely reduced to a cost-benefit analysis? Will limited funds be rationed based on how "morally acceptable" the service is? Will healthcare funding be reduced to a triage scenario — i.e. treat the treatable, and let the untreatable waste away because the cost to the taxpayer exceeds the benefit to the patient?

Its scary stuff, and, honestly, before this amendment to the bill, I had never seriously considered the strings that may be attached to government funded healthcare. If this amendment it a harbinger of things to come, this could be very ugly.

kbz

 **MzBitea**  
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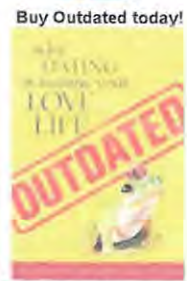
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# Reproductive Rights Left Behind After Health Care Bill Passes House

By Latoya Peterson

Nov 9, 2009 10:00 AM

Saturday night, Congress threw a party, jubilant that its members had passed a version of a health care bill. Which version? That would be the one that traded the right to choose for a majority vote.

The reports from Washington are unambiguous. Health care reform was [actually war on Roe](#):

The House passed its version of health-care legislation Saturday night by a vote of 220 to 215 after the approval of an amendment that would sharply restrict the availability of coverage for abortions, which many insurance plans now offer. The amendment goes beyond long-standing prohibitions against public funding for abortions, limiting abortion coverage even for women paying for it without government subsidies.

Wow. I suppose advocating for smaller, less intrusive government ends at womens' wombs.

Obama left the abortion issue unmentioned Sunday when he appeared in the White House Rose Garden to give brief remarks congratulating the House on its "courageous" passage of the bill. "Now it falls on the United States Senate to take the baton and bring this effort to the finish line on behalf of the American people," he said. "And I'm absolutely confident that they will."

Other issues remain unresolved. The House bill's primary new revenue source to pay for the bill is an income tax surcharge on families earning more than \$1 million; the Senate bill will probably rely on a proposed new excise tax on costly insurance plans. The House and Senate also differ on a government-run insurance plan to be offered on the new marketplace where small businesses and people without employer-provided coverage — about 30 million in all — would buy coverage. [...]

The bills also differ in their requirements for employers to provide coverage — the House's language is tougher — and in the subsidies for those who cannot afford coverage, which are larger in the House version. Both bills deny subsidies to illegal immigrants, but the Senate version goes further by also barring them from buying coverage on the new marketplace with their own money.

So, let's recap:

1. No public option
2. We have an exchange that assumes a relative definition of "affordable"
3. Somehow, they managed to work this so that even women who were paying for their own care got conned out of abortion coverage

4. Undocumented workers can't access this plan, even without subsidies, though they - like other human beings - get sick and need treatment like everyone else.

Ladies and gentlemen, we got hosed.

The Stupak-Pitts amendment (which I am highly tempted to rename Stupid-Shits) was considered to be the way to compromise and move the bill forward. Senator Claire McCaskill is trying to hedge on behalf of the allegedly pro-choice Dems who voted for the bill, saying:

the amendment in the House health care reform bill is narrow, barring any insurance plan that is purchased with governments subsidies from covering abortion. The vast majority of Americans would not fall into that category, she said.

Nope. Poor people, you get what you get and you will be grateful.

The right-leaning *Wall Street Journal*, on the other hand, doesn't mince words:

The House's 11th-hour change to its health bill removes abortion coverage from millions of insurance policies that consumers would get under the legislation, including from private insurers.

Anyone who receives a new government tax credit to buy health insurance couldn't enroll in an insurance plan that covers abortion. A proposed government insurance plan also wouldn't cover the procedure. That's a sharp reversal from the original bill, which included abortion coverage in the public plan and allowed those with a tax credit to enroll in a plan that covers the procedure.

Abortion-rights supporters say the change would likely prevent any insurer who sells policies on the new government insurance exchanges from covering abortions, regardless of whether the purchaser is using a tax credit. [...]

Private plans inside the exchange would still be able to sell policies that cover abortion to anyone who isn't getting a tax credit. But they would have to create a special policy for that group. Insurers may be reluctant to do so because it could complicate how they pool risk and force them to label policies in a way that could draw attention from abortion opponents.

Those who receive an insurance subsidy and want coverage for abortion would need to buy a separate rider policy. "What woman would buy a plan for an unplanned pregnancy?" said Ms. Rubiner of Planned Parenthood. She said only a handful of states currently allow for such a policy.

In addition, NARAL Pro-Choice America is convinced that this amendment doesn't pass the sniff test:

- The Stupak-Pitts amendment forbids any plan offering abortion coverage in the new system from accepting even one subsidized customer. Since more than 80 percent of the participants in the exchange will be subsidized, it seems certain that all health plans will seek and accept these individuals. In other words, the Stupak-Pitts amendment forces plans in the exchange to make a difficult choice: either offer their product to 80 percent of

consumers in the marketplace or offer abortion services in their benefits package. It seems clear which choice they will make.

- Stupak-Pitts supporters claim that women who require subsidies to help pay for their insurance plan will have abortion access through the option of purchasing a "rider," but this is a false promise. According to the respected National Women's Law Center, the five states that require a separate rider for abortion coverage, there is no evidence that plans offer these riders. In fact, in North Dakota, which has this policy, the private plan that holds the state's overwhelming share of the health-insurance market (91 percent) does not offer such a rider. Furthermore, the state insurance department has no record of abortion riders from any of the five leading individual insurance plans from at least the past decade. Nothing in this amendment would ensure that rider policies are available or affordable to the more than 80 percent of individuals who will receive federal subsidies in order to help purchase coverage in the new exchange.

On November 6th, before the announcement of Stupak-Pitts, Kathleen Kennedy Townsend published an op-ed in *Newsweek*, urging Catholic leaders [to re-examine their push](#) to end access to abortion through health care reform:

The current House health-care bill expressly prohibits federal funding of abortion and excludes the procedure from the minimum benefits package. It includes provisions that existing state laws and conscience laws will be respected. The House bill makes buying private health coverage affordable by offering tax credits to families with modest incomes. Moreover, the bill proposes a common-sense solution to ensuring that federal funds are not used for paying for abortion. The bill creates a mechanism for segregating private dollars from public funds to ensure that only private dollars go toward abortion coverage. This is a common practice in negotiating the role of religion in the public square. Similarly, Catholic schools receive federal funding for nonreligious services as long as those funds are separated from the school's religious work. If this solution is good enough for Catholic schools, then it is certainly good enough for health-care reform, and it reflects well on the tolerant and pluralistic society we have created. Most importantly, the bill does what the president promised health-care reform would do-it ensures that no one loses benefits they currently have.

Unfortunately, this reasonable approach is under attack from some Roman Catholic bishops who object even to the use of private dollars for women to exercise their conscience. They are determined to make abortion illegal, even if it derails health-care reform entirely-no matter the cost to women and children-and regardless of whether it would actually have any impact on the number of abortions in this country. (In fact, comprehensive health care could well reduce the number of unintended pregnancies and subsequent abortions.) In politics, this is called using abortion as a "wedge" issue. And it's simply not right. It is not right to jeopardize health care for the millions of women and children who need it most by inserting abortion politics into the debate. As a Catholic, I admire the bishops for their dedication to social justice, but cannot understand why they would put the health of so many women and children at risk when there is not a single federal dollar being spent on abortion services. It's a view I believe many of my fellow Catholics share. I urge the bishops to recognize that the House bill contains a familiar and genuinely American solution to the challenge of weighing differing religious beliefs in the realm of public policy.

As I've said before, I consider myself "pro-conscience." Women do not make the decision to have an abortion lightly, but it is absolutely critical that they have the means to make this decision and access to the care they need, no matter what their choice. Anything less would be turning the clock back on the progress we have made on advancing women's health.

It isn't just the Catholics on this one, but I'll heartily cosign Kennedy Townsend's pragmatic, women-focused take on health care. Reducing or removing access to abortion is not an effective strategy because it doesn't work - as we've written about before, [it just makes the stakes higher](#).

While I'm sucking on the bitter pomegranate seeds of disappointment, I *will* try to look on the health care bright side. For one thing, the Republicans from Louisiana are [an interesting bunch to watch](#):

So on Saturday, [Republican Anh "Joseph"] Cao, the first Vietnamese American elected to Congress, surprised Democrats and Republicans by becoming the only one of the 177 House Republicans to support the health-care bill.

"I felt last night's decision was the right decision for my district, even though it was not the popular decision for my party," Cao told CNN on Sunday.

The decision, he said, was a lifeline to the poor and uninsured in his district, rejecting the idea that it had anything to do with reelection hopes. Members of both parties privately said, however, that Cao's prospects are doomed unless a large number of Democrats in his district embrace him. [...]

"I know that voting against the health-care bill will probably be the death of my political career," Cao told the Times-Picayune this year. But he added: "I have to live with myself, and I always reflect on the phrase of the New Testament, 'How does it profit a man's life to gain the world but to lose his soul?'"

(The bitter seeds also compel me to mention that Cao waited until the Dems had a majority and then decided to cast his vote. He also made abortion restrictions a provision of his aisle crossing.)

Bipartisanship doesn't seem like so much fun anymore. As Paul Begala [points out](#) at the *Daily Beast*:

Obviously, passing major laws with bipartisan support is preferable. But not always. Twenty-eight House Democrats and 12 Senate Democrats voted for the Bush tax cut in 2001. Coupled with the 2003 Bush tax cuts, which also had some Democratic support, that vote ran up \$2.5 trillion in debt. And for what? They didn't create jobs or reduce poverty or raise incomes for the middle class. In fact, median income fell by about \$2,000 per family. Sure, the Bush tax cuts were bipartisan. But they were disastrous policy.

So, a good thing is that bipartisanship will hopefully be used in service of the greater good for all, instead of just a nice term to trot out at press conferences.

And Ann at Feministing points out things we should love about the bill, once we finish seething over the amendment:

\*Expands Medicaid "to reach a wider range of poor households up to 150% of the federal poverty level.

36M additional Americans will now be eligible for Medicaid."

\*Bars discrimination in health care on the basis of gender identity or sexual orientation.

\*Acknowledges LGBTQ Americans are a population likely to "experience significant gaps in disease, health outcomes, or access to health care." This will hopefully ensure that LGBTQ people are included in future data collection, and that grant programs will focus on their specific health needs.

\*Ends the "unfair practice of taxing employer-provided domestic partner health benefits, allowing thousands upon thousands of LGBT people to obtain domestic partner health benefits for their partners and families without having to pay a tax penalty through the nose."

\*Allows states to cover early HIV treatment under their Medicaid programs. (Currently, states are only allowed to use Medicaid money for patients with full-blown AIDS.)

\*Funds comprehensive sex-ed programs.

So there are some silver linings to this storm cloud but I'm beginning to wonder - even with the good additions - if we should have left fucked up enough alone.

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## Nelson anti-choice amendment likely to be debated today

By ROSE | Published: DECEMBER 7, 2009

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An anti-choice amendment to the health care bill was filed today by Democratic Sen. Ben Nelson and Republican Sen. Orrin Hatch - it's likely to be debated today as well.

Other than pull a George Sodini, there isn't much more Republicans and conservative "Democrats" can do to reveal their deep seated sexism. Nelson's God Awful Amendment takes the Stupak language to an entirely different level and goes right for the jugular by proposing an outright abortion ban for women who receive federal subsidies. This could mean that a woman's status as a welfare recipient or a patron of the proposed insurance exchange program could effectively bar them from receiving any abortion services. This man has the nerve to not only propose such an outlandish measure, but to cry filibuster if he doesn't get his way. The refrain heard around Capitol hill is that the amendment has no legs and women are in the clear. But when are we going to have a serious conversation about the motivations behind this Amendment. Many a conservative will contend that this is strictly about dollars and cents and that they do not want their taxpayer money going towards abortions. But this recent Amendment reveals the long-held intentions of conservatives who insist on bringing the abortion fight to healthcare's door. These mofos want to ban abortion outright simply because they have a differing perspective about the right every woman should have to make decisions about her person when she's pregnant.

Laws that govern a population of differing viewpoints and perspectives cannot be dictated by one group's ideological whim. Something that shouldn't be missed as the debate progresses is that the feminist position on abortion has always been a compromise that accounts for those across the ideological spectrum. Pro-choice, pro-reproductive justice, anti-choice or anti-abortion women were legally allowed to exercise their abortion rights after Roe's passing. But what existed in the 1970s and what exists still today is the economic divide between the women who can afford to exercise their legal rights to abortion and the women who cannot. At this juncture, low-income women and women of color are the most vulnerable. Fundamentally, this healthcare debate is about the fact that **our financial constraints should not dictate our health outcomes.** Abortion should not be an exception to this principle that motivates healthcare reform. Call 888-423-5983 or or go here to find your senators and push them to make the right decision today.

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Tavi Gevinson: "Feminism is not a rulebook but a discussion"

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# With Abortion Coverage Restrictions In Place, Senator Ben Nelson Agrees To Vote For Health Care Reform

*By Hortense Smith*

*Dec 19, 2009 11:30 AM*

Senator Ben Nelson of Nebraska says he will vote in favor of health care reform, effectively giving Democrats the 60th vote needed to pass the proposed legislation. But of course, his vote comes with a price.

Nelson's vote was swayed by an amendment to the bill the "abortion language" in an amendment to the bill (which you can read in full here) that essentially gives states the right to prohibit the use of federal funds toward abortion:

"SEC. 1303. SPECIAL RULES.

(a) STATE OPT-OUT OF ABORTION COVERAGE. — "(1) IN GENERAL. — A State may elect to prohibit abortion coverage in qualified health plans offered through an Exchange in such State if such State enacts a law to provide for such prohibition. (2) TERMINATION OF OPT OUT. — A State may repeal a law described in paragraph (1) and provide for the offering of such services through the Exchange.

(b) SPECIAL RULES RELATING TO COVERAGE OF ABORTION SERVICES. — (1) VOLUNTARY CHOICE OF COVERAGE OF ABORTION SERVICES. — (A) IN GENERAL. — Notwithstanding any other provision of this title (or any amendment made by this title)— (i) nothing in this title (or any amendment made by this title), shall be construed to require a qualified health plan to provide coverage of services described in subparagraph (B)(i) or (B)(ii) as part of its essential health benefits for any plan year; and "(ii) subject to subsection (a), the issuer of a qualified health plan shall determine whether or not the plan provides coverage of services described in subparagraph (B)(i) or (B)(ii) as part of such benefits for the plan year.

(B) ABORTION SERVICES. — (i) ABORTIONS FOR WHICH PUBLIC FUNDING IS PROHIBITED. — The services described in this clause are abortions for which the expenditure of Federal funds appropriated for the Department of Health and Human Services is not permitted, based on the law as in effect as of the date that is 6 months before the beginning of the plan year involved.

(ii) ABORTIONS FOR WHICH PUBLIC FUNDING IS ALLOWED. — The services described in this clause are abortions for which the expenditure of Federal funds appropriated for the Department of Health and Human Services is permitted, based on the law as in effect as of the date that is 6 months before the beginning of the plan year involved.

"I know this is hard for some of my colleagues to accept and I appreciate their right to disagree. But I would not have voted for this bill without these provisions," [Nelson says](#). Naturally, anti-choice advocates are already celebrating: "I think he's drawn a line in the sand," Nebraska Right to Life director [Julie Schmit-Albin tells the Associated Press](#), "The guy is standing by himself right now. It's incredibly courageous ... and we want to thank him for that." Yes! Thank you so, so much, Senator Nelson & Co. It's just so wonderful to see all of this health care "progress" being made by throwing women's rights and access to legal medical procedures under the bus. How courageous of all of you! USA! USA!

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## Health Care Reform, At Whose Expense?

By JESSICA | Published: MARCH 29, 2010

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Guest post by Aimée Thorne-Thomsen, Pro-Choice Public Education Project (PEP)

Despite the headlines and excitement over the signing of the health care bill, today is not a great day for many of us. After months, and let's be honest, years of struggle to reform America's decayed health care system, we got...what, exactly? Yes, young people can now stay on their parents' insurance until they are 26, assuming that their parents have insurance. The legislation expands Medicaid to cover family planning and other preventative reproductive health care. Insurance companies will no longer be able to charge women more than men or deny coverage based on pre-existing conditions. So, yes, women and our families gain a lot from the passage of this bill but at what cost, and at whose expense? This law makes the most vulnerable among us – young women, women of color, immigrant women, low-income women, and transgender women – more vulnerable. **And I don't consider that a victory.**

I have already heard it argued that this bill was the best progressives could get. I absolutely reject that. The President was elected along with majorities in both the House and the Senate to pass health care reform that removed barriers and improved access to health care, for all of us, not just the most politically palatable. Many of us who believed in the ideals of hope and change thought that we could achieve universal health care, if not in policy, then certainly in practice. That didn't happen. Poor people, immigrants, and women, among others, were all used as bargaining tools from the very beginning.

As often is the case, women's bodies and health, was the ultimate battleground. The Stupak Amendment and then the Nelson Amendment in the Senate banned the use of public funds for abortion. Both were unnecessary and redundant because the Hyde Amendment, which has been renewed every year since it was first introduced in 1977, remains in place. But that wasn't enough. Stupak and Nelson went further by also barring women who would use the exchanges from getting insurance that would cover abortion. When that still did not satisfy Stupak and his anti-choice cronies, the President agreed to sign an executive order barring public funding of abortion in return for their support for the overall bill. Women's health was traded away for a handful of votes.

Some people contend that these funding restrictions are not new, but rather they reinforce the status quo. That thinking lends legitimacy to the idea that the long-standing bans on federal funding for abortion are just. **The status quo is immoral and it is wrong.**

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Hiding behind that argument as the rationale for including it in health care reform and then expanding it, is not only craven, it is also unjust. These restrictions are harmful to women and their families. They will limit access to abortion for low-income women, who tend to be disproportionately women of color, immigrants and young, as well as women who may purchase insurance through the exchange. These funding bans will further codify discrimination against poor women for being poor. Finally, they will continue to stigmatize abortion and is White by COMM@NDC design, LLC

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Other colleagues and allies in the reproductive health and progressive movements contend that the executive order will have very little impact: that it is largely symbolic. Well, symbols matter. And what this symbolizes to me is that as a woman, my health needs are less important, my ability to make my own health care decisions is suspect, and my vote for who I believed was a pro-choice President certainly doesn't amount to much. Our political leaders in the White House, Senate and House of Representatives sold out women not just in the legislation, but in the process itself. There remain many questions about the implementation, oversight and real-life effects of this health care bill. However, one thing is clear. **Until women's lives and women's health are not used as trade goods for votes, we will remain vulnerable and invisible.**

*Aimée Thorne-Thomsen is a long-time social justice activist with extensive experience in leadership and communications. In her role as Executive Director of the Pro-Choice Public Education Project (PEP), she focuses on creating spaces for and elevating the voices of young women in the reproductive justice movement.*

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 **SamLL**  
Posted March 29, 2010 at 11:05 am | [Permalink](#)

I am sympathetic to your viewpoint, but you complain about the health care reform bill and then state, in bold, "The status quo is immoral and it is wrong." In what I saw of our political process, the alternative to the current health care reform bill *was* the status quo, exactly. You and I can agree there were a lot of policies that would be better than what we achieved, but in

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# After Healthcare Vote, All Eyes Turn To Abortion

By Anna North

Mar 23, 2010 9:30 AM

Abortion rights groups have taken [differing stands](#) on the healthcare bill, with NOW decrying it and Planned Parenthood optimistically looking forward to changes. But one thing's for sure: abortion is [back in the spotlight](#).

In the *Wall Street Journal*, Laura Meckler [finds](#) evidence to confirm what many suspected: that the need to keep abortion-related funds separate from all other money as per [Obama's executive order](#) will cause insurers to drop abortion coverage entirely. A spokesperson for insurance company WellPoint called the process of segregating funds "nightmarish," and said there would be no market for policies with abortion coverage. And a letter from nonprofit insurance company Affinity Health Plan stated that the costs of keeping the money separate would dwarf any revenue companies made from covering abortion.

Abortion rights groups, understandably, are angry. NARAL has [criticized](#) the fund segregation requirement, saying it creates an "an unacceptable bureaucratic stigmatization" of abortion. NOW goes farther, also noting the bill's lack of a public option and the fact that it gives permission for some employers to charge women more for insurance. Says NOW president Terry O'Neill, "women as a whole are worse off with this bill than they are with the status quo." Planned Parenthood, however, thinks it can still convince Obama to modify the bill's requirements for abortion coverage. Says Laurie Rubiner, Planned Parenthood's vice president of public policy, "We're going to try and work with the administration in order to make this the least cumbersome as possible. There are ways through the regulatory process that we could ease some of these administrative processes."

Planned Parenthood won't give details, to avoid tipping its hand, but it's a little hard to see how this would work, especially given how contentious the abortion issue was in the healthcare debate. Will Obama really be willing to budge on a compromise he [painstakingly forged](#) over "multiple one-on-one personal conversations" with anti-abortion Democrats? Will he do so when even the current language of the bill has [some anti-choicers](#) crying "betrayal" (not to mention "baby-killer")? Bart Stupak continues to take heat for not sticking to his initial, stronger demands for a ban on any coverage for abortion by plans that take federal money — Susan B. Anthony List President Marjorie Dannenfelser says, "Stupak has not only failed to stand strong for unborn children but also for his constituents and pro-life voters across the country."

Stupak faces criticism from the other side too — EMILY's List President Stephanie Schriock [says](#), "Pro-choice Democratic women led the fight against the anti-choice forces led by Bart Stupak" — and it's somewhat ironic that he's being demonized as an extremist by the two opposing forces between which he offered an (admittedly unpalatable) compromise. Politico's Alex Isenstadt [writes](#) that "the abortion issue is poised to make a political comeback, returning

the familiar wedge issue to the campaign trail after a brief hiatus," and indeed, midterm elections may see Stupak challenged by both a pro-choice Democrat and a conservative Republican. If healthcare reform does lead to a re-polarization of the abortion debate, it'll be a sobering reminder that despite talk of bipartisanship, abortion reduction, and the like, women's reproductive rights are an area where compromise has been nearly impossible to strike.