Body
and
Religion

BAR (PRINT) ISSN 2057–5823
BAR (ONLINE) ISSN 2057–5831

Article

The theological vindication of resistance against enforced motherhood

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Abstract

For the suffragists of the 19th century, women's enfranchisement was a central goal. Yet the right to vote was not nearly as vital to the suffragists as the right to one's own bodily freedom. Furthermore, as they saw it, bodily autonomy was a 'sacred' right: it was grounded theologically. Most concerning to the suffragists were the ways in which women of their time were forced against their will to become mothers. This article presents the suffragists' theological grounds for resisting enforced motherhood. As I argue, doing so serves three purposes. First, it helps pro-choice Christians understand the ways in which their faith might support the defense of abortion access. Second, it foregrounds the political theological insights of the all too often overlooked suffragists. Finally, and perhaps most importantly, it gives the lie to a widespread mischaracterization of the suffragists as would-be advocates of the contemporary anti-abortion movement.

KEYWORDS: VOLUNTARY MOTHERHOOD; PREGNANCY; ABORTION; AUTONOMY; SUFFRAGISTS

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Received: 25 January 2024 Accepted after revision: 13 May 2024

BAR VOL 6.2 2022 196–219 doi: https://doi.org/10.1558/bar.28201
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Introduction

> The cause of woman is … the sacred right of a woman to her own person, to all her God-given powers of body and soul. (Elizabeth Cady Stanton, cited in Thomas 2016:163)

> It seems to me about time that these self-constituted deputies of God Almighty were compelled by their victims either to relinquish their claims to divine authority, or else to … produc[e] credentials from headquarters to that effect. (Sarah Norton, cited in Clark 1988:913)

According to a commonplace understanding of the debate over abortion today, many assume that the lion's share of religious – and especially Christian – practitioners support the bans that have been instituted since *Dobbs*. Correlatively, many assume that most pro-choice advocates are irreligious, or at least that their support of reproductive rights is not rooted in religious commitments. Of course, these assumptions are somewhat grounded in the data: while 61% of American survey respondents say they believe abortion should be legal in most or all cases, only 24% of self-identified evangelicals agree (Pew Research Center 2022). However, many religious practitioners, including Jews, Buddhists, Hindus, and mainline Protestants, are even more likely than the average American survey respondent to believe that abortion should be legal in most or all cases.[1] In fact, as is becoming clear, one of the most severe attacks on the new abortion bans will come from religious leaders and practitioners on the basis of religious freedom (Belluck 2023; Corbin 2023). Despite this new trend, the theological reasons that Christians may have to support access to abortion have gone relatively unnoticed.

At the same time, a rich corpus of theological and political reflection on bodily autonomy has remained generally underappreciated, both in relation to discourse about reproductive rights and to political theology more generally – that of 19th-century suffragists. These women, whose movement was named for the political rights they championed, repeatedly maintained that the value of political rights pales in comparison to the value of one's right to bodily freedom. Notably, that right to bodily freedom was *theologically* grounded. The suffragists, that is, may have endorsed a version of the commonplace slogan 'my body, my choice,' but they would have wanted to append the phrase, 'as God intended.'

Chief among the suffragists' concerns about bodily autonomy was their development of and commitment to the idea of 'voluntary motherhood' – the idea that women should not be forced into motherhood against their will. In the present article, I revisit the concept of voluntary motherhood

that the suffragists developed and examine how revolutionary the concept would have been in their social context. I look carefully at the theological reasoning that underpinned their discussion of voluntary motherhood and the value of tracing the suffragists' theologics for political theorists and activists today.

This last task is particularly pressing because, regrettably, a number of anti-abortion activists have spun the suffragists' story in ways that controvert their fundamental commitment to bodily autonomy. Crusaders like Erika Bachiochi and Marjorie Dannenfelser have argued for a relatively narrow application of the suffragists' concept of voluntary motherhood, and have turned arch-suffragists Susan B. Anthony and Elizabeth Cady Stanton into heroines of the anti-abortion movement. In what follows, I thoroughly challenge this misrepresentation. Indeed, I argue that the very theological reasons which Stanton and Anthony voiced in their public argumentations concerning voluntary motherhood would decidedly serve to defend women's right to abortion access today. The suffragists doggedly defended those who were denied bodily autonomy – including even a young woman convicted of infanticide – because they repeatedly cast their lots with those divine image-bearers most maltreated by patriarchal social arrangements. Anti-abortion activists who fail to notice and be troubled by the same patterns at play today, while claiming the suffragists' noble mantle, do so shamefully and reprehensibly. Or so I will argue.

Bodily sovereignty, the most sacred right

Seventy-two years after the drafting of the Declaration of Independence, the suffragist Elizabeth Cady Stanton borrowed Jefferson's language and logic to compose her own declaration. Her 'Declaration of Rights and Sentiments' (also 'Declaration of Sentiments') was signed the next day by 68 women and 32 men in attendance at the Seneca Falls Convention on July 20, 1848. It spoke of self-evident truths and unalienable rights, although Stanton's version insisted that not only men but both men and women are created equal. It protested the treatment of women by men, likening the tyranny of American patriarchy to that of the British king. Where Jefferson lists the transgressions of George III, that is, Stanton bemoans a 'history of repeated injuries and usurpation on the part of man toward woman,' in which 'man' has consistently 'compelled her to submit to laws, in the formation of which she had no voice' (Schneir 1994:80).

Remarkably, Stanton's document also utilized theological reasoning to a degree not seen in Jefferson's draft.[2] The penultimate grievance in the Declaration of Sentiments insisted that the tyranny men exercised was not only

unjust but *sinful*. In subjecting women to their wills, Stanton reasoned, man 'has usurped the prerogative of Jehovah himself, claiming it as his right to assign for her a sphere of action, when that belongs to her conscience and her God' (Schneir 1994:80). According to Stanton's reasoning, patriarchy is essentially a particular form of heresy. By dictating the vocation of women, men have arrogated for themselves what is God's alone. Indeed, elsewhere, Stanton denounces the impious belief 'that God made woman for man; to grace his home, to minister to his necessities, to gratify his lust' and its codification in law (Stanton 1857).[3]

Stanton and her contemporaries were hardly secular thinkers. They utilized the Christian theological resources available to them to make the case for women's equality.[4] 'All rights are holy,' wrote the Quaker abolitionist Sarah Grimké in a treatise on women's equal rights, for example (Grimké 1977:90). Many argued at least as vociferously for women's right to preach as for their right to vote, and many, like Lucretia Mott, with whom Stanton organized the Seneca Falls Convention, themselves sought and obtained recognition as religious leaders (Zink-Sawyer 2003). Both Mott and Stanton depended upon Grimké's radical religious writing, who herself integrated knowledge of Locke and Jefferson with biblical interpretation in her noteworthy theological and political work.[5] For all these women, religious reasoning decisively shored up the suffragists' position.

One of the most innovative accomplishments of the suffragists, however, consisted in the way they integrated their theological and political reasoning with an emergent emphasis in suffragist circles on bodily autonomy. Suffragists like Lucy Stone – who, like many advocates for women's equality, was also a strident abolitionist – foregrounded the centrality of bodily freedom in any conception of freedom. 'It is very little to me to have the right to vote, to own property &c,' wrote Stone, 'if I may not keep my body, and its uses, in my absolute right' (Stone and Blackwell 1987:144). In truth, Stone added, unless each woman has such 'a right to herself,' no other rights will improve her position. During her groundbreaking candidacy for the presidency in 1872, Victoria Woodhull roared that any defense 'of woman's rights which ignores the right of self-ownership as the first of all rights is insufficient' (Woodhull 1974:5). To be sure, Stone, Woodhull, and other suffragists were tenacious in their efforts to enfranchise women. Yet they agreed that even suffrage was not more important than having sovereignty over one's physical body.[6] It is a shame that the members of the movement were known as 'suffragists' and not named for what they believed to be humans' principal, naturally endowed right, although, admittedly, 'bodily sovereigntists' simply doesn't have quite the same ring.[7]

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Importantly, though, this foundational right was defended theologically. The sovereignty that God granted human beings is founded most fundamentally, according to the early suffragists, in our bodily self-determination. Stanton, echoing Lucy Stone in an explicitly theological tenor, put it thus: 'The rights, to vote, to hold property, to speak in public, are all-important; but there are great social rights, before which all others sink into utter insignificance.' Stanton further wrote: 'The cause of woman is [that] of human rights – the sacred right of a woman to her own person, to all her *God-given powers of body and soul*' (Anthony, Gage, and Stanton 1881:846; emphasis mine). Thus, Stanton's commitment to the inviolability of the right to one's own body was not only political but also theological – a *sacred* right. Indeed, at times Stanton called a woman's right 'to her own person' the '*most* sacred' (Stanton 1857). Because God created us as individuals within separate bodies, with discrete souls, we must be granted the latitude to use and care for them conscientiously, and the authority to pursue what benefits them and forgo what harms them.[8] Otherwise, it is simply too easy for those who live beyond the bounds of any of our bodies to utilize our bodies for their own ends.

The genesis of voluntary motherhood

More ought to be said here, though, about the specific forms of violations of bodily autonomy that concerned the suffragists. Many, like Grimké and Mott, were active in the movement to abolish chattel slavery, and so they had ample reason to focus on the injustice of the infringement of bodily sovereignty. While many suffragists were careful to draw meaningful distinctions between the harms of patriarchy and the harms of slavery, they nevertheless increasingly foregrounded the particular kinds of bodily oppression which women suffered. Women in the mid-19th century were wholly subject to their husbands' wills – and their sexual desires. Thus, Grimké wrote that women were subject to 'that worst of all slaveries – slavery to the passions of Man,' a sobering claim from one of the United States' foremost abolitionists (Grimké 1977:86). The supposed 'right' of husbands to sex warranted an exception to rape laws across the nation, which stipulated that men could not be criminally charged with rape if they were married to their victims. In fact, the same 'right' gave men license to divorce their wives if their sexual needs were unmet. It is worth noting that marital rape was legal in all 50 states until 1976, and it was not completely outlawed in the United States until 1993 (Hasday 2000; Siegel 1995).

The suffragists were, of course, concerned with the subjection of women to coercion, including especially the sexual coercion of their husbands. But

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they were in truth more concerned about the *consequences* of such coercion: pregnancy and motherhood. Stanton, for example, bitingly speculated whether men had 'ever paused to think whether it was with joy and gladness that [women give] up ten or twenty years of the heyday of [their] existence to all the cares and sufferings of excessive maternity' (Anthony, Gage, and Stanton, 1881:846). Thus, Stanton, Stone, and others developed and substantiated a framework that they called 'voluntary motherhood' as a critique for the reprehensible 'enforced motherhood' so many women of their time faced.

Voluntary motherhood was the paradigm that defended the 'right on the part of woman [to] decide when she shall become a mother, how often and under what circumstances,' as Sarah Grimké put it (Grimké 1977:91). It was, after all, women who would be subjected to the challenges of pregnancy and motherhood, the suffragists wrote, and so it should be women who determine when and how to take on those burdens. Women should not be made susceptible to pregnancy against their wills, the advocates of voluntary motherhood argued, for women had every right to govern their reproductive lives. 'Surely,' wrote Grimké, 'as upon her alone devolves the necessity of nurturing unto the fulness of life the being within her and after it is born, of nursing and tending it thro' helpless infancy and capricious childhood, often under the pressure of miserable health, she ought to have the right of controlling all preliminaries' (Grimké 1977:91).

Conversely, enforced motherhood – to which virtually all women were subject in the 19th century – violated women's 'most sacred' right of bodily autonomy. 'Enforced motherhood is a crime against the body of the mother and the soul of the child,' wrote Matilda Gage, a dear friend of Stanton and Anthony's in *Revolution*, a newspaper they co-edited, in 1868 (Gage 1868). In the same issue, an anonymous writer rejoined a previous submission condemning abortion as 'child murder' with a more sympathetic account. This author explained that even the life-threatening dangers of abortion seemed more preferable to some mothers than enforced motherhood, and invoked Patrick Henry's celebrated cry to elicit sympathy from her readers:

> They do it with the knowledge that it endangers their own lives, but the cry is 'Liberty or Death': and could you look upon the wretched homes where heartbroken women work day and night, for the most shameful pittance to provide food for the little ones whom the brutal lusts of a drunken husband have forced upon them, you would not wonder that they do not choose to add to their number. (Conspirator 1868)

Enforced motherhood, on this reading, was at least as severe as the violation of liberty that occasioned the founding of the nation, and citizens who

shared the values of the republic ought to appreciate women's resistance to such tyranny. Being forced to gestate, birth, nurse, and rear children was an intolerable form of unfreedom in a country that claimed to be founded on a commitment to freedom. Similarly, another suffragist likened enforced motherhood to prostitution (Gordon 2002:68). Again, though, it is imperative that we keep in mind that the injustice of enforced motherhood was consistently argued on theological grounds by virtue of a woman's divinely endowed right to her own person.

Indeed, some suffragists described those that sought to confine women to domestic roles in theological language that evoked that of the Declaration of Sentiments. At Seneca in 1848, the reader may recall, Stanton had groaned that man 'has usurped the prerogative of Jehovah himself, claiming it as his right to assign for her a sphere of action, when that belongs to her conscience and her God.' In 1870, Stanton published a submission from the suffragist Sarah Norton in *Revolution,* in which the author lampooned conservatives' assignation of gendered roles as similarly usurping a divine prerogative. She then defied the 'self-constituted deputies of God Almighty [to] either … relinquish their claims to divine authority, or … produc[e] credentials from headquarters to that effect' (Clark 1988:913).

Not only did many of the suffragists use theological language to support their claims, but some also worked the logic in the other direction. Religious commitments vindicated voluntary motherhood, but voluntary motherhood was also viewed as a sort of religious liberty. Enforced motherhood, that is, violated women's capacity to live a pious, faithful life. For example, according to Charlotte Perkins Gilman, the novelist and feminist activist who rose to prominence a generation after the Convention at Seneca Falls, voluntary motherhood was not only a right, it was a part of 'Religion' (Gilman 2009:69). As Gilman put it, the 'helpless involuntary fecundity' which women face in the United States robs women of the opportunity to be 'Conscious Makers of People,' to purposefully bring about another life, to be responsible for and to that life. Voluntary motherhood is a holy task; enforced motherhood made it impossible for women to live faithful and virtuous lives.

Misconceiving the suffragists

Despite the suffragists' unshrinking arguments for the centrality of bodily autonomy, many anti-abortion advocates have portrayed 19th-century pioneers in the fight for women's equality as opponents of abortion access.[9] In testimony before Congress while serving as a Congressional representative, Mike Pence claimed that Anthony and Stanton were 'committed to

the right to life' – in fact, Pence said, 'unapologetically so' (Thomas 2012:8). Sarah Palin claimed that the country's first feminists 'saw the rights of the unborn as fundamentally linked to the rights of women' and considered 'the fight for the rights of the unborn as part of the broader fight for women's rights' (Palin 2010:156). In 2009, Pence and 48 other co-sponsors proposed the 'Susan B. Anthony and Frederick Douglass Prenatal Nondiscrimination Act,' which essentially served as a tool to limit women's access to abortion.[10] Perhaps most notable is the organization 'Susan B. Anthony Pro-Life America,' which aims, according to its website, 'to end abortion,' and is named 'after the influential suffragette who also fiercely opposed abortion.'[11] (Incidentally, 'suffragette' is an appellation Anthony would have also fiercely opposed.[12])

One of the eminent scholarly defenders of this portrayal is Erica Bachiochi, who erroneously claims that first-wave feminists militated against any reproductive rights that extended beyond the right to be celibate. In her recent book, *The Rights of Women: Reclaiming a Lost Vision* (2021), Bachiochi interprets women like Stanton and Anthony to be advocating a strong anti-abortion view. Daring to bear out Mike Pence and Sarah Palin's glosses over multiple volumes, Bachiochi reiterates the mischaracterization of the suffragists' views rife throughout the anti-abortion movement. 'Nineteenth-century women's rights advocates, who had won for women the right to vote,' writes Bachiochi, 'regarded abortion as an act of violence against an innocent unborn child, a reality advances in modern science have only made clearer' (Bachiochi 2021:16). On this insight rests the major thesis of *The Rights of Women*; that those rights that are most stridently defended by feminist activists today run counter to the original values of American feminism. Where women's rights advocates today preach on behalf of sexual freedom and reproductive autonomy, according to Bachiochi, they violate the principles that they inherited from their foremothers. Grimké, for example, pronounced that 'our great desire is to purify and exalt the marriage relation and destroy all licentiousness' (Grimké 1977:93). It would be hard to imagine such a pronouncement on a placard at a women's rights rally today.

It must be granted that facially, it seems that the claims of these conservatives regarding suffragists like Stanton and Anthony are not without merit. Debates over abortion were at a flashpoint in the mid-19th century, in part simply because abortion rates increased as effective methods became more and more available – and advertised. According to an expert on the history of abortion in the United States, between 1800 and 1830 roughly 3–4% of all pregnancies ended in abortion; in the 1850s and 1860s about 15% of all pregnancies ended in abortion (Mohr 1978:50). Many suffragists chose not

to weigh in on the fraught topic, focusing instead on uniting allies in the effort to win women suffrage and other property rights. Furthermore, in a world in which women were at the mercy of their husbands, access to tools like abortion, which facilitated men's extramarital dalliances, threatened those who only stood to suffer the effects of an insecure marriage (Gordon 2002:66). As the historian Linda Gordon notes, '[a]chieving voluntary motherhood by a method that would have encouraged sexual license contradicted the felt interests and ethical commitments of the very group that formed the main social basis for the cause – middle-class women' (Gordon 2002:67). This surely gave suffragists like Stanton, Anthony, and others reason to be skeptical of both abortion and contraception via means other than abstinence.[13] The voluntary motherhood movement, for example, focused primarily on marital abstinence.[14] In a letter to a fellow suffragist in 1875, Stanton explained her position on monogamy:

> You ask if I believe in 'free love.' If by 'free love' you mean promiscuity, I do not. I believe in monogamic marriage, and for men as well as women. I do not believe in man having a wife for breeding purposes and an affinity [mistress] for spiritual and intellectual intercourse. Soul-union should precede and exalt physical union. (Thomas 2016:90)

But this ostensibly conservative pronouncement was not Stanton's final word. In her next breath, Stanton reaffirmed her tenacious commitment to women's rights to bodily sovereignty. 'If by "free love" you mean woman's right to give her body to the man she loves and no other, to become a mother or not as her desire, judgment and conscience may dictate, to be *the absolute sovereign of herself*,' Stanton pivoted, 'then I do believe in freedom of love' (Thomas 2016:90; emphasis mine).[15]

The suffragists were not always in agreement; some defended no-fault divorce, while others believed that only those who suffered their husband's adultery or abandonment had a right to divorce.[16] (In some cases, like that of Victoria Woodhull, they radically changed their minds over the decades.[17]) They differed vehemently about whether enfranchisement for women or Blacks deserved priority.[18] But, as we have seen, virtually all agreed that women held a God-given right to their own bodies, and that securing and defending that right was the foremost priority of the women's movement.

As a particularly illustrative example, the legal scholar Tracy Thomas narrates Stanton's defense of Hester Vaughn (or Vaughan), a poor woman convicted of infanticide in 1868 and sentenced to be 'hanged by the neck until she is dead' (Thomas 2012:42). If there was any debate about the immorality of abortion in the mid-19th century, there was none about infanticide; it was an appalling, wretched act. Many may have thought of

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infanticide as unpardonable. Elizabeth Cady Stanton and Susan Anthony did not, however, and neither did the governor of Pennsylvania in the wake of Stanton and other suffragists' political mobilization (Thomas 2012:46). Vaughn's sentence was overturned shortly after Stanton met with Governor Geary. For Stanton and many of her fellow suffragists, Vaughn's sentence was objectionable *not* because it might be acceptable to kill one's own child, but because the oppression of women was so inescapable that someone like Hester Vaughn had few other options. As the suffragist Maria Giddings put it in 1851, the 'only case in which [a woman's] individuality is acknowledged by the law is in her punishment' (Isenberg 1998:132). The first editorial in *Revolution* concerning Vaughn's conviction was stinging in its pronouncement:

> If that poor child of sorrow is hung, it will be deliberate, downright murder. Her death will be a far more horrible *infanticide* than was the killing of her child. She is the child of our society and civilization, begotten and born of it, seduced by it, by the judge who pronounced her sentence, by the bar and jury, by the legislature that enacted the law (in which, because a woman, she had no vote or voice), by the church and pulpit that sanctify the law and the deeds … All these were the joint seducer, and now see if by hanging her, they will also become her murderer. (Anon 1868)[19]

Stanton only deepened that editorial's excoriation. 'Men have made the laws cunningly, for their own protection,' Stanton wrote, but also

> ignorantly, for they can never weigh the sorrows and sufferings of their victims. So long as by law and public sentiment maternity is made a disgrace and a degradation, the young and inexperienced of the poorer classes are driven to open violence, while money affords the rich the means of fraud, protection, and concealment. What a holocaust of women and children we offer annually to the barbarous customs of our present type of civilization, to the unjust laws that make crimes for women that are not crimes for men. (Stanton 1868b; Stanton and Anthony 2000:191)

To be sure, it wasn't in support of the *morality* of infanticide that Stanton and others defended Vaughn. It was in support of *Vaughn* – in support of her person, and in opposition to the violation she suffered by virtue of both her poverty and embodiment.[20] Vaughn, who Stanton visited in prison, was taken advantage of and abandoned by a man who did not care to raise a child. She was harmed both by the man who deserted her *and* the judicial system – composed only of men – that condemned her. Without sanctioning her deeds, Stanton offered Vaughn the sympathy that no juror had. After the visit, Stanton declared to her readers, 'we have an individual responsibility in the helpless ones now suffering in our jails and prisons.

If we could only make the sorrows of others our own, we should have less patience with wrong and oppression' (Stanton 1868a). She finished her three-page admonishment by quoting one of Jonathan Swift's acerbic lines: 'It is remarkable with what Christian fortitude and resignation we can bear the suffering of other folks' (Stanton 1868a:355).

This case may help us to understand how and why suffragists seem so opposed to abortion in the quotations that anti-abortion activists cite. Rarely do the suffragists develop any argument about the immorality of the act, but they rather regularly harness public opposition to abortion *on behalf of women's rights* in ways that many anti-abortion activists consistently overlook today.[21] Suffragists rarely defended in depth the rights of a fetus, but rather concentrated on how significantly women's equality would diminish those widely condemned practices. If you want to eliminate the wrong of abortion, went the logic of the argument, you ought to grant equality to women. In an essay that Bachiochi mistakenly attributes to Woodhull, in which the author speaks of 'antenatal child murder,' the conclusion is that those stipulated fetal rights are best supported by the enfranchisement and other forms of equality for women. 'Can any one suggest a better [*sic*] than to so situate woman,' writes the submission, 'that she may never be obliged to conceive a life she does not desire shall be continuous?' (Anon 1870) Indeed.

Even where some submissions to *Revolution* and *Woodhull & Claflin's Weekly* condemned abortion, they repeatedly sustained a position that most anti-abortion advocates today would oppose; that abortion, even if *immoral*, should never be made *illegal*. Even granting that abortion is an immoral act – as was Hester Vaughn's woeful infanticide – rendering the practice illegal would be a bridge too far for a number of reasons, as the suffragists argued. One editorial that many conservatives consistently misattribute to Anthony, for example, explains that 'no matter what the motive, love of ease, or a desire to save from suffering the unborn innocent, the woman is awfully guilty who [obtains an abortion]. It will burden her conscience in life, it will burden her soul in death' (Bachiochi 2021:324; Derr, MacNair, and Naranjo-Huebl 2005:44–7). Yet only sentences later does the author insist that 'to God alone is she responsible for her deeds.' Angela Heywood argued the same. 'To cut a child up in woman, procure abortion, is a most fearful, tragic deed,' wrote Heywood, 'but even that does not call for man's arbitrary jurisdiction over woman's womb' (Gordon 2002:65).

'Man's arbitrary jurisdiction': the recurrent theme of the suffragists was their condemnation of the way men usurped God's role by circumscribing women's life projects *and bodies*. Contemporary anti-abortion activists' failure to appreciate the depth of the suffragists' commitment to this

principle leads to their most absurd of misapprehensions: their analogizing a fetus' relationship to its mother with a slave's oppressive relationship to his master. Anti-abortion advocates today eagerly draw connections between suffragists' abolitionism and their purported opposition to abortion.[22] They miss entirely the degree to which women's relationships to men – both on a personal level *and* a structural one – bears much more resemblance to enslavement than pregnancy does. The suffragists they conscript, however, did not fail to draw this connection.[23] Sarah Grimké, a leading abolitionist and the only female abolitionist from the American South – which is to say, the only abolitionist who consistently experienced firsthand the woes of patriarchal oppression *and* the injustice of slavery – repeatedly made the comparison. 'It was when my soul was deeply moved at the wrongs of the slave that I first perceived distinctly the subject condition of women,' Grimké once wrote. 'It requires but little thought to see that the condition of women and that of slaves are in many respects parallel' (Lerner 2004:130). In another essay that has been quoted several times heretofore, Grimké laments, 'how many women … have too soon discovered that they were … chattels personal to be used and abused at the will of a master' (Grimké 1977:96). Bachiochi even cites this second quotation in *The Rights of Women* (Bachiochi 2021:109). How Bachiochi and other anti-abortion advocates continue to fail to acknowledge that suffragists granted precedence to alleviating the injustice of gendered violence – over and against any claims on behalf of fetuses – is difficult to fathom.

Further associations between enforced motherhood and enslavement deserve brief mention; I will offer only a cursory list here. First, gestation is recognized as labor by laws that regulate surrogacy. Many who carry children as surrogates are paid between US$30,000 and US$50,000 to do so. Compelling pregnant persons to perform the same tasks constitutes forced labor, which violates the 13th Amendment (Bridgewater 2001). Second, one of the commonplace defenses of chattel slavery in the 19th century involved the claim that enslavement benefited enslaved people, and even went so far as to claim that 'the institution of slavery is full of mercy' (Stringfellow 1981:165). Similar arguments have been made on behalf of abortion bans; that they somehow allow women to morally benefit or mature by means of the pregnancy. One anti-abortion lawmaker from Ohio recently said in a hearing that rape victims who became pregnant were thereby offered 'an opportunity for that woman – no matter how young or old she is' to mature morally and personally (Edwards 2022). Third, legal scholars have poignantly revealed the comparable logics of 19th-century slave patrols and the newest Texas law, which grants US$10,000 to those who successfully bring a suit against those who have performed an abortion

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(Townsend 2023). Fourth and finally, as the legal scholar Michele Goodwin has noted, enforced motherhood was itself an integral part of the chattel slavery system. 'Black women's sexual subordination and forced pregnancies were foundational to slavery,' Goodwin writes. 'If cotton was euphemistically king, Black women's wealth-maximizing forced reproduction was queen' (Goodwin 2022). It is not simply *analogous*, therefore, but reproduces the very harms that black women in this country endured for centuries as enslaved persons. As Goodwin details, the activists and lawmakers that outlined and supported the 13th and 14th Amendments had in mind to eliminate not only forced labor but also forced procreation. Notably, Hester Vaughn was tried the same month that the 14th Amendment was passed.

The association of the suffragists' fervent abolitionism with their alleged anti-abortion commitment certainly serves the rhetorical purposes of those who seek to restrict or eliminate women's rights today. Yet, in at least two significant ways, they are mistaken. First, it is likely that folks like Stanton and Anthony would have scorned those activists who now seek – as did many in Hester Vaughn's time – to exacerbate women's subordination by penalizing their attempts to resist enforced motherhood. If they would have proposed any analogy between the abolitionist movement and contemporary debates about abortion, the abolitionist-suffragists would likely have underscored the structural analogies between patriarchy and slavery, just as they did in their own era. Perhaps more importantly, contemporary anti-abortion activists give the impression, both by drawing on abolitionist-suffragists like Stanton and Anthony and by invoking theological language, that they have cornered the market on morality and principle. Yet it is precisely by correcting their mischaracterization of the suffragists that we might discover a decisive theological motivation for decriminalizing abortion. One's right to her own person – her own body – is God-given, and anyone who tries to dictate to a woman how she is to use her body usurps a role that is God's alone. Moreover, those who are untroubled by the victims of such usurpation – including, for example, the victims of rape – fail miserably to follow Jesus' second commandment.

Today's Hester Vaughns

Despite their archaic phraseology and ornamental verbiage, there is much in the writings of the 19th-century suffragists that speaks to the state of women in 21st-century America. True, women are now eligible to vote, hold public office, and serve on juries. Yet over two centuries after Stanton and Anthony's birth, we remain underrepresented in positions of power

– at work, at the ballot box, and at home. Victoria Woodhull ran for president over 150 years ago, and yet not a single woman has held the highest office in the nation. As suffragists like Stone and Stanton noted, however, even the progress that has been made in securing women's procedural rights – their ability to vote, own property, and divorce – comes to naught without securing women's sacred right to their own person. On this, the progress has been shaky at best.

The rights to one's person are hardly protected today such that women would not feel the sting of the danger of sexual assault and rape. Even though women are no longer quite as vulnerable to legal marital rape as they were in the suffragists' time – a change made as recently as 1993 – one in five women in the United States has been raped, with 1.5 million rapes occurring every year (Basile *et al.* 2018). Women from other marginalized groups have disproportionately high vulnerability to rape and sexual violence. Disabled and bisexual women suffer the highest rates of vulnerability; both are three times as likely as their able-bodied and straight counterparts to have been raped (Basile, Breiding, and Smith 2016; Truman and Morgan 2022). Sexual assault and rape are drastically underreported, with only roughly 20% of incidents having been reported to the authorities (Thompson and Tapp 2023:6). The dearth in reporting is attributed to a number of factors, including fear of retribution, fear of not being believed, and other difficulties related to the fact that most rapes are committed by acquaintances (Jones *et al.* 2009). Then only 3.5% of *reported* rapes end in a conviction, which means that just a fraction of a percent of all rapes result in a conviction (Dam 2021).

Meanwhile, fully 5% of rapes end in pregnancy (Basile *et al.* 2018). Almost *three million* American women have experienced rape-related pregnancy.

Too many of their stories appear in headlines today. In August 2023, *Time Magazine* published an article about 'Ashley,' a Mississippi girl who was raped by a stranger in her yard just before her 13th birthday, and who is identified pseudonymously in the story (Alter 2023b). Ashley's pregnancy was discovered months later, when her severe vomiting prompted her mother to take her to the Emergency Room. Told that the closest abortion provider was in Chicago – requiring a trip too long and too costly to afford – Ashley and her mother were resigned to her sad fate. Ashley, who is black, has ADHD and an Individualized Education Program in school, and had to miss months of school in order to conceal her pregnancy. Now she is a mother. Ashley reflects that 'the hardest part of motherhood is "being up at nighttime," because the baby "eats a lot"' (Alter 2023a). When

asked what advice she would give other girls, she said simply, 'be careful when you go outside' (Alter 2023b).

Ashley's case is not singular. Her story parallels many others, including that of a ten-year-old rape victim who was unable to get an abortion in her home state of Ohio in the summer of 2022, just days after the *Dobbs* decision came down. Not only did this girl suffer the pain of rape, the pregnancy that resulted from it, and the legal constriction of her access to abortion, she then suffered the mocking scorn of multiple conservative news outlets that doubted her story. A *Wall Street Journal* editorial called the story 'fanciful.' Fox News' Jesse Watters called it 'unbelievable' and possibly a 'hoax' (Goldberg 2022). Some insinuated that the girl had only made the accusation to evade the consequences of her own promiscuity (Decker 2022). Ohio's Attorney General, Dave Yost, had complained that her story was 'a fabrication,' and also that the girl did not seek an abortion in her state, which has a 'medical emergency' exception (Anon 2022; Rubin 2022). One writer for the *National Review* even tweeted sarcastically: 'Hey, so did they catch the guy who raped the Ohio ten year old yet?' (Goldberg 2022) Five days after that derisive tweet, the girl's mother's boyfriend was arrested and charged with rape. After the perpetrator's arrest, Yost made a public statement saying, '[m]y heart aches for the pain suffered by this young child' (Robertson 2022). He offered no apology, however, and neither did any of the others whose remarks have been included here. It is appalling that Yost, or any others, have no sense of the pain this girl suffered *at their hands*, as they disbelieved and belittled her, and pretended that she had choices when she did not. After all, the 'medical emergency' clause in Ohio's law does not explicitly cover rape victims, and even if it had, such clauses are hardly effectual (Walker 2023). A month after the incident, Jim Bopp, the lawyer who drafted the model legislation to which this girl was subjected, explained that the ten-year-old should not have got an abortion and should have had the baby: 'As many women who have had babies as a result of rape, we would hope that she would understand the reason and ultimately the benefit of having the child' (Messerly and Wren 2022). Bopp – who papers over the fact that a ten-year-old is hardly a woman – again endorses the 'opportunity' that this girl chose to forgo.

These stories are some of the most egregious of those that dozens of thousands of women face every year, given that there are about 1.5 million rapes in the country every year, and roughly 5% of them end in pregnancy. Indeed, rape victims' hesitancy to report, lest they are disbelieved, is not only exacerbated by Watters' and Yost's language, but also by the fact that distrust of women is so prevalent in our judicial and political system. In a debate about a proposed abortion ban in Missouri in 2019, for example,

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a legislator used the term 'consensual rape' as a synonym for 'date rape,' with the implication that such an assault was not a 'legitimate' rape (Donovan-Smith 2019).[24] It is worth noting here that when *Dobbs* came down, a sitting Supreme Court Justice and a current presidential candidate were both enjoying extreme power despite serious allegations – and in one case, a conviction – about their own sexual misconduct (Kirchgaessner 2023; Weiser, Fadulu, and Christobek 2023). This structural state of affairs too closely resembles the very legal and social environment in which Elizabeth Cady Stanton begged for mercy even for a woman guilty of nothing less than infanticide. Furthermore, only in 11 of the 22 states that have thus far implemented bans that could not stand under *Roe* are there *any* exceptions offered in cases of rape or incest. Even where those exceptions formally exist, they are nearly impossible to exercise (Walker 2023). Perhaps even more egregious is the fact that the same states which have the most stringent bans consistently have the lowest ratings in the country in terms of infant and maternal mortality – and sex education.[25]

The new restrictions on abortion access do not merely harm rape victims, however. They also harm enthusiastic mothers, eager to take on the badge of motherhood, who for a variety of reasons endure physical hardship and grief. Some mourn their miscarriage, and then painfully and dangerously – and needlessly – must pass the fetal tissue they bear because doctors are too nervous to perform an abortion-like procedure (Belluck 2022; Simmons-Duffin 2022). Others are forced to endure a high-risk pregnancy and are disallowed from terminating that high-risk pregnancy unless an imminent threat to life materializes. Two Texan women, both once pregnant with twins, have joined a suit challenging their state's ban, armed with powerful narratives. After one of each of their twins was deemed unviable, only an abortion would ensure the life of the second. Both had to fly out of state for the procedure.

Another woman who joined the suit, Samantha Casiano, was unable to travel to obtain an abortion, and so was forced to carry to term a child that could not survive outside of the womb. When her daughter's terminal condition was detected at around 20 weeks, Casiano was given a list of funeral homes and empathetic consolations, but no opportunity to terminate the pregnancy. She used the remaining months of her pregnancy to fundraise for her daughter's funeral. She was forced to gestate and deliver Halo, who lived for just four hours. Strikingly, Casiano is an eagerly voluntary mother; she cares for five children, including a goddaughter who lives with her. Nor does her wish to have been able to have an abortion reveal her acceptance of the 'culture of death' that so many anti-abortion activists cite. In fact, she sought to find meaning in the cruel Texas law that would

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force her to complete the pregnancy, and so tried to figure out if Halo's organs could be donated. 'Maybe this is why this is happening, because my baby can save another baby,' she thought, according to the narrative she offered a reporter. When Casiano was told that her baby would not qualify for organ donation, because of the baby's condition, she responded: 'I was like, "OK, I don't see a purpose in this"' (Simmons-Duffin 2023). In recent testimony related to the suit, when Casiano was asked if she could describe the emotional effects of the pregnancy, she involuntarily vomited (Zernike 2023). Meanwhile, an anti-abortion advocate told NPR in their reporting on the story, 'I do believe the Texas laws are working as designed' (Simmons-Duffin 2023).

In response to the suit, attorneys for the state of Texas accused the women plaintiffs of being publicity seekers (Zernike 2023).

Reclaiming theological reasons for resisting enforced motherhood

It is difficult, in the contexts of these stories, to possibly imagine that the women to whom we owe the vote – who often based their work on theological grounds – would have stood with Jim Bopp and Erika Bachiochi over and against 'Ashley' and Samantha Casiano. Rather, I suspect that Stanton may have lamented the Swiftian 'Christian fortitude' that enables anti-abortion activists to cite the 'opportunity' in rape-related pregnancy, to defame ten-year-old rape victims, and to celebrate bereaved mothers' forced gestation as evidence of their legal accomplishments. Indeed, in my home state of South Carolina, legislators drafted an abortion ban bill that would render those who obtain abortions liable to the death penalty – the very same sentence that Hester Vaughn received (Robins-Early 2023).

Against this backdrop, I am most disturbed by claims peddled by so many anti-abortion activists who claim to have a monopoly on (Christian) theological reasons for their position. This includes, in fact, the South Carolinian state representative who introduced the bill that would subject pregnant women to the death penalty (Harris 2023).[26] These crusaders are wrong. There are rich resources in the early suffragists' resistance to patriarchy that we ought to reclaim. Stanton and Stone and Perkins' insistence that God endows each of us with a right to our person, a right to bodily autonomy, merits our attention. Importantly, that principle is not separate from Stanton's (also religiously informed) call for charity, for bearing with Hester Vaughn and 'Ashley' and Samantha Casiano. It is because of the embodied hardships that Vaughn and so many since have endured by virtue of their pregnancies, often in compromised circumstances, that

Stanton implored her readers to have compassion. It was, the reader will remember, because God created us as individuals within separate bodies that we must be granted the autonomy to use them conscientiously – to become a mother, or to refrain from doing so. This was central to her suffragist agenda, and it should be central to ours.

Most women today are no longer subject to the arbitrary wills of our partners in the same way and to the same degree that the suffragists and even many of our own mothers were. But we are now subject to the arbitrary, unaccountable wills of those who have made clear their disregard for the person and agency of women in this country. They have, in the words of Stanton, 'usurped the prerogative of Jehovah, claiming it as [their] right to assign for [women] a sphere of action, when that belongs to her conscience and her God.' These theological reasons for resisting enforced motherhood merit retrieval – indeed, they demand it – perhaps now more than ever.[27]

Acknowledgments

This project would not have come into existence, or appeared in its current form, if not for a number of conversations this author deeply benefited from. This includes a conversation generated by an AAR panel in which an early draft of this project was presented, alongside the work of Toni Bond, Tara Baldrick-Morrone, Kate Hoeting, Margaret Ham, Haley Feuerbacher, and Elizabeth Freese. Maggi Kamitsuka served as a respondent in that panel and offered particularly constructive comments. I also shared a version of this project with the working group on Faith & Politics in 2023, and Marilie Coetsee and Toni Alimi graciously offered incisive responses. I am deeply grateful for the feedback these scholars have granted me, but also insist that any of the text's shortcomings are solely the fault of its author.

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Notes

1 The most recent data from Pew does not have detailed information on the views of non-Christian religious practitioners concerning abortion. But data from Pew's 2014 survey revealed that 83% of Jews, 82% of Buddhists, 68% of Hindus, and 60% of mainline Protestants believed that abortion should be legal in most or all cases – all higher than the American average (Pew Research Center 2015:110).

2 This is, of course, hotly debated. Jefferson's draft of the declaration does speak of 'nature's god' and of humans' endowment of unalienable rights, although in his version, it is by virtue of their 'equal creation,' not by receiving such rights from a 'Creator.' Congress added two additional references to God before the draft was finally affirmed (Davis 2000).

3 Admittedly, she calls it a 'false philosophy' rather than a 'heresy,' but the force of her critique remains squarely theological.

4 Stanton was interested in engaging Christian theology, at least in her earlier years. She famously printed in her later years the 'Women's Bible,' a polemical effort that ensnared her in controversy. As one historian notes, this project was 'the ruin of her historical reputation' (Kern 2001:1). According to Tracy Thomas, this solidified Stanton's friend Susan B. Anthony's legacy as the hero of the suffragist movement and consigned Stanton – who Thomas suggests was the true 'principal feminist thinker, leader, and "radical conscience" of the nineteenth-century woman's rights movement' – to obscurity (Thomas 2016:1).

5 One historian describes Grimké's accomplishments thus: 'Grounding her theory in her personal experience, Sarah was able to connect the theory of rights and the moral argument based on religious considerations with a social analysis that took power into account' (Lerner 1998:24).

6 According to Hasday, both more conservative and more radical suffragists agreed on the centrality of bodily sovereignty to the cause of women's equality (Hasday 2000:1422–6).

7 Some readers may know these activists as 'suffragettes,' but most suffragists in the United States rejected this pejorative nickname. British suffragists were more willing to reclaim the designation (Bennett and Chambers 2020).

8 So argued Stanton in her last public address, delivered before a Congressional committee in 1892. The address, entitled 'The Solitude of Self,' is one of Stanton's most famous works (Stanton 1992).

9 Not without facing a great deal of criticism. For the best in-depth criticism of this trend, see Thomas (2012).

10 The purported purpose of the bill was to limit so-called 'sex-selective abortions,' but the force of the bill was to preclude those pregnant persons who had learned of the sex of their unborn child from having access to abortion.

11 This is according to the group's website. The same group bought the building in which Susan B. Anthony was born and converted it into a museum, complete with an exhibit on Anthony and other suffragists' alleged universal condemnation of abortion. This group has engaged in disreputable enough practices that the National Susan B. Anthony Museum & House have had to clarify that the museum

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is unaffiliated. The CEO of the Anthony Museum explained, for example, that she received an irate call from a father whose six-year-old had just been subjected to a robocall that graphically detailed late-term abortion, describing it as 'murder.' She had to assure him that she was not responsible for his daughter's traumatization. See Hughes (2012).

12 As discussed in note 8 above.

13 Stanton was said to have opined that artificial methods of contraception 'were too degrading and disgusting to touch upon, and must be classed in the category of crime alongside infanticide' (Bachiochi 2021:115).

14 It should not be forgotten, however, that such a proposal was very controversial in its time. Where the suffragists understood enforced maternity to amount to 'legal prostitution,' some leading doctors suggested that the *failure* to offer men an opportunity to submit to 'the sexual instinct … degraded [the wife] into a mistress.' How voluntary chastity might render marriage 'legalized prostitution' is hard to follow, but that was the view that was repeatedly defended by doctors of the age (Siegel 1992:309–10).

15 It is worth noting that she identified this entitlement to bodily sovereignty as God-given, so if pressed, she would be likely to acknowledge that the modifier 'absolute' only applied in the context of interhuman relations.

16 This was the major difference that motivated the so-called 'free love' movement.

17 Woodhull began her career supporting 'free love,' and later renounced her association with the movement as she gained traction in wider feminist circles, culminating in her presidential run in 1872.

18 The record of white suffragists' prioritization of their own causes over those of enslaved and formerly enslaved persons is scathing. They also all too often failed to recognize black women's intersectional oppression by white supremacy and patriarchy.

19 Gordon seems to believe that Stanton herself wrote this, but it is impossible to say, although Gordon does align the editorial with Stanton's language elsewhere (Stanton and Anthony 2000:158–9).

20 Note, however, that Vaughn was violated by virtue of her *embodiment* and not just her class. Stanton also defends a woman convicted of infanticide from the upper class (Stanton 1868b).

21 In fact, at one point, Bachiochi cites suffragist Sarah Norton's lament that 'antenatal child murder' is irremediable. Yet this was the same Norton that condemned those who claimed to be God's emissaries on earth in their assignation of women to subjugated familial and political roles.

22 This move is nearly ubiquitous in anti-abortion advocates' writings and speeches. For specific examples, see Meckler (2020), Milbank (2023), and Williams (2021). For a history of the emergence of this rhetorical move, see Ziegler (2023:4).

23 For a book-length treatment of the repeated comparison, consider Stevenson (2015). Furthermore, Stevenson explicitly identifies black women who also made the comparison, to dispel assumptions that such claims were only made by white suffragists. Bachiochi concedes Stanton's likening patriarchy to slavery (Bachiochi 2021:118).

24 This evokes Todd Akin's terrible suggestion that women have sufficient control to 'shut that whole thing down' in the case of a 'legitimate rape' (Eligon and Schwirtz 2012).

25 I thank Candace Jordan for pointing this dangerous confluence out to me (Edwards 2019; Samuels 2022).
26 Harris explained that he was on a tour of the state to drum up support for the bill, and most of his stops were at churches.
27 As a brief epilogue, *Dobbs* came down on June 24, 2022, which happened to be my daughter's first birthday. How I wish that I could have protected her from the message that was made clear to her that day; that her right to her own person, the foundation of any of her political rights, would no longer be protected under law. It is chilling to think that, just months thereafter, lawmakers in her own hometown would make her criminally liable for pursuing healthcare in any number of justifiable situations. I pray regularly for a world that does not make my daughter another Hester Vaughn.

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