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Editor's note:

Richa Venkatraman defended her thesis titled "Informed Consent Laws for Abortion: What Do Women Have a "Right to Know?"", in May 2020 in front of committee members Jane Maienschein, Jennifer Brian, and Carolina Abboud, earning her a Bachelor's degree from Barrett, the Honors College. https://repository.asu.edu/items/56488[4]

Abstract:


The objective of this project was to determine the importance of informed consent[6] laws to achieving the larger goal of dismantling the right to abortion[5]. I found that informed consent[6] counseling materials in most states contain a full timeline of fetal development, along with information about the risks of abortion[5], the risks of childbirth, and alternatives to abortion[5]. In addition, informed consent[6] laws for abortion[5] are based on model legislation called the "Women’s Right to Know Act" developed by Americans United for Life (AUL). AUL calls itself the legal architect of the pro-life movement[7] and works to pass laws at the state level that incrementally restrict abortion[5] access so that it gradually becomes more difficult to exercise the right to abortion[5] established by Roe v. Wade[8].

The “Women’s Right to Know Act” is part of a larger package of model legislation called the “Women’s Protection Project,” a cluster of laws that place restrictions on abortion[5] providers, purportedly to protect women, but actually to decrease abortion[5] access. “Women’s Right to Know” counselling laws do not directly deny access to abortion[5], but they do reinforce key ideas important to the anti-abortion[5] movement, like the concept of fetal personhood[9], distrust in medical professionals, the belief that pregnant people cannot be fully autonomous individuals, and the belief that abortion[5] is not an ordinary medical procedure and requires special government oversight. “Women’s Right to Know” laws use the language of informed consent[6] and the purported goal of protecting women to legitimize those ideas, and in doing so, they significantly undermine the right to abortion[5]. The threat to abortion[5] rights posed by laws like the “Women’s Right to Know” laws indicates the need to reevaluate and strengthen our ethical defense of the right to abortion[5].

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Subject


Topic

Legal[15] Ethics[16]

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