

Is CDC's alcohol warning paternalistic? Why some women think so

February 19 2016, by Anne Brice



Earlier this month, the Centers for Disease Control and Prevention released a [report](#) recommending that women of childbearing age who aren't taking birth control abstain from drinking alcohol.

Reactions ranged from mocking to incredulous. Some said the CDC was treating all [women](#) of a certain age as "pre-pregnant" and unable to make decisions for themselves.

Melissa Murray is the faculty director of the Center of Reproductive Rights and Justice at Berkeley Law. In her view, the report gives the impression that women are incapable of making responsible choices about their [reproductive health](#). Further, the report fails to take into account that pregnancy is not something every woman wants.

"There are maybe lots of women who want to be pregnant," says Murray, "but there are also women who have no interest in being pregnant, don't want to be mothers, or at least don't want to be mothers through pregnancy."

But she says this kind of message is nothing new—doctors and other professional groups have been making these kinds of pronouncements for a long time.

"The focus on women as vessels for the next generation—this goes back so far in time. I just taught my students in constitutional law a case from 1908 called *Muller v. Oregon*..."



Melissa Murray (right) is the faculty director of Berkeley Law's Center on Reproductive Rights and Justice. Jill Adams (center) is the executive director and Kristin Luker is the founding faculty director emerita.

In that Supreme Court case, the state of Oregon was sued over a law that capped the number of hours in the work week—but only for women working in strenuous jobs, like laundries. The court ruled in Oregon's favor, affirming that states had a special interest in protecting women's health.

"They talked about the whole idea of women being more vulnerable to economic predation," Murray says. "Of being more vulnerable to being swindled by their employers or being taken advantage of and exploited."

The landmark decision went on to describe how if women worked too much and too hard, they were compromising their reproductive abilities and therefore unable to bring forth the next generation, as they were meant to do. Murray says these seemingly outdated ideas persist in today's society.

"It's not that long ago. I don't even think these ideas died out 108 years ago. They've survived. They've just transformed into different kinds of entities. Maybe this is part of the reaction to the CDC. It does feel out of step with this idea that women can make decisions for themselves and their health independently."

Murray says there has also been a kind of cultural shift in how we view pregnancy, especially when it comes to balancing career and motherhood.

"We are in this moment where your family responsibilities as a mother, being pregnant, balancing all of this is sort of top-of-mind. It's all part of a larger picture. We ought not to think about the CDC pronouncement without thinking about that larger picture."

Provided by University of California - Berkeley

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