

BEYOND DOBBS



TOWARD REPRODUCTIVE JUSTICE



Program Introduction



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Pre-Roe Reality

- Dale's Story
- Illegal, unsafe abortions
- Access was neither equal nor equitable
- Public health crises

The Passage of Roe

- Built on a right to privacy, an individual, negative right (the government cannot interfere), not a right to healthcare access or resources.
- Roe coexisted with the Hyde Amendment (1976), which blocked Medicaid coverage of abortion.



Protections Afforded by Roe

- Dale's Story
- Illegal, unsafe abortions
- Access was neither equal nor equitable
- Public health crises

The Undermining of Roe

- States implementing barriers to access through Trap laws (targeted regulation of abortion providers)
- Expanding funding to crisis pregnancy centers
- Promoting declarations of personhood for the unborn starting at fertilization
- Gerrymandering to enable minority rule in state legislatures

Dobbs Overturns Roe

- Collapse of a right that was already conditional and unevenly held.
- For marginalized communities, Dobbs intensifies longstanding access barriers like Hyde and TRAP laws.
- It intersects with multiple socioeconomic factors and healthcare needs simultaneously.

The Reality in Ohio

- Issue One Passes
 - It's protections
- ***Current Conditions***
 - Simultaneous declines in contraceptive and abortion access.
 - 30% of surveyed Ohio women faced unmet reproductive healthcare needs despite constitutional protections.
 - Higher LARC and permanent contraception uptake, while nearly half of Ohio women turned to fertility-tracking apps to monitor their cycles.

Reproductive Freedom Amendment

A. Every individual has a right to make and carry out one's own reproductive decisions, including but not limited to decisions on:

- 1.** contraception;
- 2.** fertility treatment;
- 3.** continuing one's own pregnancy;
- 4.** miscarriage care; and
- 5.** abortion.

B. The State shall not, directly or indirectly, burden, penalize, prohibit, interfere with, or discriminate against either:

- 1.** An individual's voluntary exercise of this right or
 - 2.** A person or entity that assists an individual exercising this right,
- unless the State demonstrates that it is using the least restrictive means to advance the individual's health in accordance with widely accepted and evidence-based standards of care.

However, abortion may be prohibited after fetal viability. But in no case may such an abortion be prohibited if, in the professional judgment of the pregnant patient's treating physician, it is necessary to protect the pregnant patient's life or health.

Beyond Roe

- Collapse of a right that was already conditional and unevenly held.
- For marginalized communities, Dobbs intensifies longstanding access barriers like Hyde and TRAP laws.
- It intersects with multiple socioeconomic factors and healthcare needs simultaneously.

Reproductive Justice

In 1994, members of the Black Women's Caucus of the Illinois Pro-Choice Alliance identified white-led pro-choice efforts as a movement not comprehensive or inclusive enough to address the needs of Black women. After traveling to Cairo, Egypt to attend the International Conference on Population & Development—the group named the intersection of reproductive rights & social justice **Reproductive Justice** and named themselves Women of African Descent for Reproductive Justice

Repro Justice v

Repro Rights/Freedom

Dimension	Reproductive Rights	Reproductive Justice
Primary Tool	Legal, individualistic approach through courts	Expansive, intersectional, holistic; movement building
Legal Foundation	Right to privacy (Roe v. Wade, 1973)	Human rights framework, responds to social inequalities privacy law ignores
Central Question	Can government be stopped from interfering?	Is a legal right enough to protect real autonomy?
Scope of Issues	Abortion and contraception rights	Health access, childbirth, material mortality, plus race, class, gender, immigration statusIndividual
Who Is Centered	Individual legal protection, historically shaped for middle and upper class white women	Vulnerable communities most impacted by a policy and/or condition
What Freedom Means	A legal right exists	The material ability to actually exercise that right

PRINCIPLES OF RJ

RIGHT TO HAVE A CHILD

"...the worst thing in the world is for a woman to have to choose to have an abortion of a child she really wanted but couldn't afford."

-Loretta Ross

RIGHT TO NOT HAVE A CHILD

"It's those living in states where access has been completely obliterated, they're going to be impacted most — that's people of color, low-income folks, queer, trans, and gender-nonconforming folks."

-Monica Simpson, SisterSong





PRINCIPLES OF RJ

RIGHT TO PARENT YOUR CHILD IN A SAFE ENVIRONMENT

"They are placing profits over people and rifles over children under the guise of love for our country and pro-life values. This culture creates entry points to aiding and abetting gun violences that targets our most vulnerable..."

-Rhannon Carnes, OWA

RIGHT TO BODILY AUTONOMY

"Reproductive oppression of Black womxn's bodies is deeply rooted in this state and this law is a continuation of the history of the commodification (with the denial of bodily autonomy) of Black womxn's bodies."

-Marsha Jones, The AFIYA Center

Reproductive Justice

What world do we want for ourselves and the generations to come?... Our future is in the hands of those who are ready to fight for our freedom. This is the time to not only vote but also organize. This is the time to sit at the table and build with people we don't know and deepen our relationships with our current allies. This is the time to study and learn from the historical victories over fascism. Because fascism always loses when it comes against the collective power of those determined to achieve our human rights.

Monica Raye Simpson

<https://www.theguardian.com/commentisfree/article/2024/sep/07/republicans-reproductive-justice-black-women>

Solidarity

Authoritarian consolidation is not permanent. It is not inevitable. It is a political project. Political projects can be defeated when we build the infrastructure to defeat them before the crisis demands it, when we show up for each other across lines of difference before we need anything in return, and when we refuse to let anyone believe they are alone. The solidarity that will matter most is not what we declare at rallies. It is what is already organized, funded, practiced, and legally prepared on the day it is needed. That day is coming. The infrastructure has to already exist when it arrives. Build it now.

Scott Nacagawa

<https://www.theguardian.com/commentisfree/article/2024/sep/07/republicans-reproductive-justice-black-women>

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