

SWS Call to Action Opposing the Supreme Court decision Overturning the Federal Right to Abortion

July 20, 2022

SWS unequivocally opposes the SCOTUS decision in *Dobbs v. Jackson Women's Health Organization* which overturned the federal right to abortion that was held in *Roe v. Wade*. Because we understand the urgent need to take action and get involved in our communities as resistance to this regressive turn of events regarding reproductive justice, we are sharing this information as a working document that will continue to evolve as the situation changes and more resources are gathered.

We encourage you to take action!

As a feminist organization striving to put intersectionality and transnationalism in practice, SWS opposes the decision to overrule the federal right to abortion for the following reasons:

- **This is about Reproductive Justice.** A Reproductive Justice approach underscores that reproductive matters are not only related to pregnancies, abortions or family planning, but intrinsically linked to broader social, cultural, political and economic structures and practices. Specifically, as [Sister Song](#) states, Reproductive Justice is “the human right to maintain personal bodily autonomy, have children, not have children, and parent the children we have in safe and sustainable communities.” This frame helps us best understand the implications and consequences of this moment locally, regionally, nationally and internationally. Historically, the frame of Reproductive Justice is rooted in Black feminism, human rights, and intersectionality in the United States. In other countries a similar frame has been applied, emphasizing its collective dimension (as opposed to an individualistic approach) on matters of gendered economic precarity and violence, long-standing racial and ethnic hierarchies, religious dictates, heteropatriarchy, various related forms of gender-based violence, and the clearly unequal impact of the criminalization of abortion.¹
- **This is not only about choice.** It is about people’s “[right to lead self-determined lives](#).” All people who may have the ability to be pregnant should have the freedom to manage their own lives and the quality thereof. Not to be able to decide whether to have an abortion is equivalent to not being able to make decisions about our own selves. The prohibition of abortion limits the fundamental right to self-determination. Moreover, both

¹ See SisterSong at <https://www.sistersong.net/reproductive-justice>; *Reproductive Rights as Human Rights: Women of Color and the Fight for Reproductive Justice*. (<https://nyupress.org/9781479831296/reproductive-rights-as-human-rights/>); and *Abortion and Democracy: Contentious Body Politics in Argentina, Chile and Uruguay* (<https://www.routledge.com/Abortion-and-Democracy-Contentious-Body-Politics-in-Argentina-Chile-and-Sutton-Vacarezza/p/book/9780367529413>).

self-determination and choice are influenced by the structure of our society, which is deeply unequal by design, as many sociologists and activists of color have emphasized for years. Consequently, we must keep in mind that “there is no choice where there is no access” ([Sister Song](#)).

- **Unequal access will be deepened.** Mostly white, economically advantaged people will be able to travel to other states, afford accommodations, have access to time off from work (increasingly necessary with waiting periods), and are more likely to be able to draw on friends or family to escort them, whereas others will not. Recent data, collected in advance of the overturning of *Roe*, show that lack of local access to abortion intensifies racial and economic inequality² and poses further compounding obstacles such as the need to take time off for work and to fund travel expenses for up to two trips at times for states that have a two visit requirement.³ The short of it is that Black people and people of color, especially those economically disadvantaged, will be most negatively affected by this rollback. Indeed, similar kinds of intersecting inequalities are what pushed the “Green Tide” (Marea Verde) reproductive justice activists in Latin America to demand “free, legal and safe abortions for all” because “the right to abortion was considered inseparable from the demand that it be guaranteed in the public health care system.”⁴
- **Forced pregnancies will follow.** States are now effectively forcing pregnancies in the United States. Thirteen states have enacted their “trigger laws” and 13 more are maneuvering to outlaw abortion entirely or with very rare exceptions. That means in most US states, it will soon be illegal to seek a medical or surgical abortion. This also will result in increased surveillance and criminalization of miscarriages, even those resulting from intended pregnancies.
- **Abortion IS healthcare.** Why? Because pregnancy is risky, far more dangerous in fact than safe, legal abortion. For example, statistics reveal non-Hispanic Black women facing maternal mortality at 2.9% times the rate of non-Hispanic white women.⁵ It is in these instances and more that overturning *Roe* denies people with uteruses life-saving healthcare and self-determined choices.

² Cohen (2022). “Abortion and Women of Color: The Bigger Picture.” *Guttmacher Policy Review* 11(3). <https://www.guttmacher.org/gpr/2008/08/abortion-and-women-color-bigger-picture>

³ Berak and Jones (2022). “Cross-state Travel for Abortion Care.” *The Lancet Regional Health – Americas*. Vol 10 (<https://www.sciencedirect.com/science/article/pii/S2667193X22000473?via%3Dihub>)

⁴ See Gago, “What Latin American feminists can teach American women about the abortion fight” (May 10, 2022), *The Guardian* <https://www.theguardian.com/commentisfree/2022/may/10/abortion-roe-v-wade-latin-america> and also Chang, Mehta and Kenin, “What the U.S. can learn from abortion rights wins in Latin America” (July 7, 2020), *NPR* (<https://www.npr.org/2022/07/07/1110123695/abortion-roe-latin-america-green-wave>)

⁵ Harris (2022). “Black Mothers Are Dying. Here’s How We Stop It.” (May 27, 2022), *Ms. Magazine* <https://msmagazine.com/2022/05/27/black-women-dying-childbirth-maternal-mortality/>

- **Criminalizing abortion does not mean that abortions will stop.** Some states have already reverted to their pre-*Roe* statutes when abortion was a crime. Abortion has and will continue to be one strategy to manage one's reproductive lifecycle. By leaving the legality of abortion up to individual states, criminalization of those seeking, referring, or performing abortions will be expanded. This criminalization will be exacerbated for people who face pre-existing criminal justice supervision (e.g., pregnant/reproductive health concerns for people on probation, currently incarcerated, on parole, , etc.). The criminalization of abortion is especially deadly for (1) people with at-risk pregnancies and compromised health (i.e., Black women are likelier to die in childbirth comparably); (2) people who attempt dangerous abortion options out of desperation because they are unable to legally access medications that help people safely self-manage abortion from the comfort of home; (3) women in abusive partnerships who are more likely to be killed by their partners when pregnant and also stay with abusive partners; and 4) those who would take to suicides because they see no way out.⁶

- **This is also about historic inequalities.** Reproductive Justice helps us link the history of indigenous, Afro-descendant, migrant and other marginalized and minoritized women being controlled, marketed, auctioned, and/or used for breeding, as well as being used as objects for gynecological experimenting, and/or forced sterilization to today's movement to eradicate bodily autonomy. These efforts affect all people who desire the privacy to make decisions about their bodies but are confronted with the reality that bodies are sites of public, governmental and political contestation.⁷

- **There are wider implications.** As indicated in Justice Thomas' concurrence, rulings around contraception (*Griswold*), same sex relationships (*Obergefell*) among others are at risk for being challenged and overturned. This has implications for *everyone* in the U.S. and beyond.

- **This decision has a global impact.** Given the dominant position of the United States, other countries will be affected by this conservative turn economically, politically and culturally. For example, restrictive reproductive policies in the U.S. affect international funding supporting reproductive justice causes in other countries. Moreover, political decisions in the U.S. are used as examples of what can or should be (or not). In this case, right wing politics elsewhere will find respite in such a conservative turn of affairs. Therefore, it is important to keep in mind that alliances across geographical borders can

⁶ See Interrupting Criminalization site to learn about the links between abortion criminalization and broader policing (<https://www.interruptingcriminalization.com/decriminalize-abortion>) and also CDC information about abortion surveillance (https://www.cdc.gov/mmwr/volumes/70/ss/ss7009a1.htm#T7_down)

⁷ See Dorothy Roberts *Killing the Black Body: Race, Reproduction and the Meaning of Liberty* (<https://www.penguinrandomhouse.com/books/155575/killing-the-black-body-by-dorothy-roberts/>)

be fundamental to strategize action for reproductive justice and other intersectional gender related matters.⁸

Strategic Action is Urgent and Necessary

These are some ideas and resources for people to take action in opposition to the overruling of the federal right to abortion, but please keep in mind your [digital security level](#) and how increasing it can protect you and people seeking abortions or advocating for abortion access:

- Trust the leaders of the grassroots organizations who have been doing work on the [ground for years](#), and follow their social media in the coming months to see what other types of support they need.
- Before deciding to start your own organization, funds, etc., read what abortion providers are saying they need. For example: [Abortion Care Status](#) and [Abortion Funds Status](#).
- Share reliable information about state-by-state abortion access organizations that support financial and other needs for those seeking abortions. Donate if you can.
 - [National Network of Abortion Funds](#)
 - [National Abortion Finder](#)
 - [I Need an A](#)
- Write to legislators (city, state, federal) about your concerns. Look up your elected representatives at the [Congress.Gov](#) site. Host letter-writing campaigns locally.
- Educate yourself on how the right to *not* have children is linked to the right to *have* children and the right to parent. Organizations to learn from and support include [SisterSong](#), [Constellation Black Reproductive Justice Network](#), [National Latina Institute for Reproductive Justice](#), [Indigenous Women Rising](#), [National Advocates for Pregnant Women](#), and [National Asian Pacific Women's Forum](#).
- Understand that your recourse should be more than "to vote." This is important, but elected and unelected bodies (like SCOTUS) will not protect us, and they won't fight for us.
- Share information about legal issues, including at-home abortion pill options, self-managed abortions, and judicial bypass.
 - [Repro Legal Helpline](#)
 - [Plan C](#)
 - [Aid Access](#)

⁸ See for example, comparison of abortion laws worldwide, <https://www.cfr.org/article/abortion-law-global-comparisons>, and <https://reproductiverights.org/maps/worlds-abortion-laws/>, and information about the green tide in Latin America: <https://www.amnesty.org/en/latest/impact/2019/08/the-green-wave/>

- Read up!
 - For reliable information on state laws and policy impacts: [National Women's Law Center](#).
 - For information about research and policy: [Guttmacher Institute](#)
 - For information about [How to Show up for Abortion Access](#)

Please, help us improve our list of actions and resources by filling out this form [here](#). Erin Baker-Giese, SWS Media Relations Committee Chair, is compiling a comprehensive social media package to share information about resources, experts, and images that can be used.

If you're interested in further organizing, please contact Kris De Welde (deweldek@cofc.edu) and Heather Hlavka (heather.hlavka@marquette.edu), Co-Chairs of the SWS Social Action Committee.

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Special thanks to everyone who contributed to this Call to Action:

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