Conceptualizing Reproductive Justice Theory: A Manifesto for Activism

LORETTA J. ROSS

Silhouettes unknown
Momentarily colorless
Will reveal themselves

—Jerome Koenig

Reproductive Justice Theory: Keisha's Story

In 2010 a twelve-year-old girl named Keisha (a pseudonym) needed an abortion and traveled to Atlanta from Chicago. I was her abortion escort and I met her at the airport. Her mother, two-month-old baby sister, and the mother's boyfriend came with her. Keisha traveled to Atlanta because, at the time, the state of Georgia offered twenty-four-week abortions and she was in her twenty-third. Illinois only provided abortions up to twenty weeks. Toni M. Bond Leonard, founder of Black Women for Reproductive Justice (BWRJ), contacted my organization SisterSong and asked me to escort Keisha to the Feminist Women's Health Center for her two-day procedure.

Keisha was a baby still sucking her thumb. I saw her obvious signs of distress. I understood why her mother was there; she had to provide permission and Keisha's birth certificate, but why did the boyfriend come? After all, they had solicited financial help from BWRJ to fly to Atlanta, pay for the abortion, and stay at a hotel. Who paid for the boyfriend? I spent three days with this family and felt some uncomfortable vibes. The mother obviously was still in shock that her twelve-year-old daughter was pregnant and needed an abortion. Quite possibly, in dealing with her own fifth pregnancy, the mother hadn't paid enough attention to her oldest child. The way the boyfriend hovered around the mother and the girl gave me the creeps; he did not seem supportive as much as monitoring.

After the abortion and waiting period to make sure everything was medically safe, the clinic offered the mother and daughter several free options for birth control. Sadly, the mother turned them down. All I could do was quietly escort them back to the airport and hope that Keisha stopped sucking her thumb before she became a mother.

Keisha's story illustrates why black women needed a new theoretical framework to move beyond the mired debates on abortion. The tragedy wasn't that Keisha *had* an abortion but that she *needed* one. How can Keisha protect her body when it is vulnerable to reproductive violence at any time? Neglecting the violence committed against girls and women weakens all attempts to achieve reproductive freedom and autonomy.

For complicated lives like Keisha's, black women activists invented reproductive justice in 1994 based on our shared legacy of feminist theories and organizing. We wanted to close the gap between an alarmingly routine story like Keisha's and the activists who helped her. We needed new language to ground moments like these in our own understanding of the vulnerability of an unprotected young black girl enmeshed in a pervasive rape culture. Reproductive justice is a real and present embodied activism by women of color pushing against a conservative, racist, and misogynist antisex society that devalues our lives, our partners, and our children.

Reproductive justice centers on three interconnected values based on human rights: the right *not* to have children by using safe birth control, abortion, or abstinence; the right to *have* children under the conditions we choose; and the right to *parent* the children we have in safe and healthy environments. In addition, reproductive justice demands sexual autonomy and gender freedom for every human being. For the past two decades, RJ has served as an important model for activist practices and movement building. It provides a prism through which I can refract Keisha's story.

This essay will offer an overview of the growth and impact of reproductive justice theory (RJT). It will examine its disruptive challenges to the pro-choice/pro-life abortion binary and the role of white allies; critique neoliberalism and white supremacy; explore the process of knowledge production (epistemology) using black feminist, critical race, and critical feminist theories; and incorporate classic feminist standpoint theory. It will also briefly analyze the pre-Enlightenment philosophy of Ubuntu as a philosophical foundation for this emerging RJT, and discuss RJ underpinnings of self-help, intersectionality, and human rights.

This essay communicates only some of the transformative potential of RJT as a synthesis of theory, strategy, and practice. This manifesto is for readers interested in movement building, feminist studies, black women's theories, and women of color activist practices to gain new perspectives on organizing and reproductive politics. RJT explores the complex relationship between lived experiences and knowledge production by challenging false binaries and false solutions through what feminist theorist Judith Butler calls "intellectual promiscuity" to synthesize theories from many disciplines. RJT has become a family of ideas generated by black women and other women of color who have transformed feminist theory and practice, moving from the margins to the mainstream.

Reproductive Justice Flowers in the Compost of the Pro-Choice Movement

Twelve black women created the concept of RJ in the summer of 1994 in Chicago at a conference sponsored by the Illinois Pro-Choice Alliance and the Ms. Foundation for Women. After the first day, black women met to analyze healthcare reform proposed by President Bill Clinton's adminstration. We believed that the proposals, while tiptoeing around abortion rights, inadequately addressed the range of intersectional reproductive health concerns in the African American community.

In abortion debates of privacy, women's rights, fetuses, and the law, the isolation of abortion from other social justice issues like violence against women fails to incorporate the intersecting issues that actually determine how a pregnant woman makes the decision to have a baby. She may base her decision on available healthcare, housing, violence, age, finances, her partner, education,

immigration status, or other considerations. Combinations of social and economic issues matter.

Remember, Keisha had to travel from Chicago to Atlanta to have her abortion. Her mother had to ask for funds to pay for it as well as provide permission for her to have the procedure. Obviously Keisha was not old enough to work or be financially self-sufficient, and lacked the education, maturity, and other resources to be a successful parent. That she survived childhood sexual abuse was obvious; whether she would receive effective mental health counseling to help her cope with her experiences was doubtful. Even if she had the capacity to provide informed consent, she could not even make the independent decision to obtain and use birth control. Needing an abortion was a symptom of Keisha's situation, not the cause. Terminating her pregnancy did not solve other problems in her life.

This is why both the pro-choice and the pro-life movements incompletely address the complexity of black women's lives and decisionmaking. "White women's feminisms still center around *equality*," writes Brittney Cooper. "Black women's feminisms demand *justice*. There is a difference." Cooper continues, "One kind of feminism focuses on the policies that will help women integrate fully into the existing American system. The other recognizes the fundamental flaws in the system and seeks its complete and total transformation."[1] As feminist philosopher Chandra Talpade Mohanty says, "My insistence on the specificity of difference is based on a vision of equality attentive to power differences within and among various communities of women."[2] Black women felt the need to disengage from the abortion binary to create a more holistic framework for understanding our lives before, during, and after our pregnancies. When we centered ourselves in our lens, we understood how intersectional paradigms could reframe historical inequalities and differences in power and opportunities that affect our reproductive behaviors. Rather than accommodating ourselves in a pro-choice paradigm, we chose to transform the model itself.

To end the artificial isolation of abortion from other social justice issues, the twelve women in Chicago spliced together the concepts of reproductive rights and social justice to create the term "reproductive justice." We decided to call ourselves the Women of African Descent for Reproductive Justice in order to launch a campaign in July 1994 to influence healthcare reform. A few months later, some of us attended the International Conference on Population and Development in September 1994 in Cairo, Egypt, where the global women's health movement emphasized the relationship between poverty, underdevelopment, and women's reproduction. We joined sisters from the Global South to critique strategies of population control and learned from our sisters internationally who used the human rights framework to make stronger, more positive claims for women's full human rights that moved far beyond the limits of the US Constitution and the restrictive privacy framework.

Analyzing white supremacy is a cornerstone of reproductive justice. Failures to criticize it produce sterile theories and practices that are, in fact, complicit with white supremacy by airbrushing it to soften its lethality. It is important to underscore that white supremacy is an ideology used to promote unequal laws, practices, and social outcomes, such as differential, racially structured access to power. White supremacy is not a fact of genetics or an accurate description of either a race of people or the hierarchy of all races. The ideology and tactics of the formal white supremacist movement disgust many people in the US who identify as white. White supremacy is an ideology; white privilege is the practice.

Including an analysis of the observable historical factors that determine the worth of the lives of people of color, or the downstream consequences of upstream racism, required a new theory by African American women. Just as critical social theory "constitutes theorizing about the social in defense of economic and social justice,"[3] RJT analyzes intersectional reproductive politics in pursuit of human rights. Intersectionality is the process; human rights are the goal.

Keisha's life was obviously at the intersection of gender, age, sexual violence, race, class, neglect, mental health, and a host of other mutually reinforcing issues I could not explore with her. I could have asked what happened, but that would have been objectionable and objectifying. Keisha did not have to satisfy my curiosity, and I did not have the right to impose my need on her story. However, she lingers in my heart as I write this essay. Helping Keisha helped me. I had my own experiences with childhood sexual abuse, unhealed trauma, and abortion. Simply debating whether Keisha could or should have an abortion clearly overlooks the avalanche of other issues in her life.

Reproductive justice is based on the human right to make personal decisions about one's life, and the obligation of government and society to ensure that the conditions are suitable for implementing one's decisions. Individual and state actions are interdependent to achieve reproductive freedom and bodily autonomy. In particular, RJ draws attention to the lack of physical, reproductive, and cultural safety for vulnerable people. It does not privilege the production of babies as the only goal of women's biology, but also includes sexual freedom and autonomy, bodily self-determination, and the complex interdynamics between an individual and their communities.

RJ is collective and interdependent by definition, in contrast to the individualistic, atomistic worldview of liberals or the alienated, selfish worldview of ultraconservatives. Scientific racism that claims people of color are genetically and intellectually inferior to white people is part of an ideology that propelled Iowa Representative Steve King to tweet in March 2017, "We can't restore our civilization with somebody else's babies."[4] Both conservatives and liberals support the neoliberal, cowboy capitalism and soft eugenics so hazardous to our bodies and communities both domestically and globally. Reproductive justice is needed because underdeveloped analyses of the impact of white supremacist ideas on reproductive politics are insufficient to offer a radical new vision for the future.

Keisha's life is not just a story about the pro-choice/pro-life debate. The African American community has difficulty honestly discussing issues of sex and sexuality because of shame and religious beliefs. Maybe it is a remnant of respectability politics through which we try to dispute racialized sexual stigmas. Some black women fiercely seek to establish ourselves as respectable women deserving the same regard as other people in society, regardless of our dress, language, or religion. Black women are accused of sexual irresponsibility and hyperfertility in the media, in public policy debates, and in our homes. Internalizing such myths creates self-inflicted soul wounds leading to low self-esteem and intense discomfort about our human right to sexual pleasure. Overidentifying with the stereotypes may produce seemingly rebellious displays of blatant sexuality to reclaim our power. Regardless, we get slut shamed and often believe that only by following the moral compass of the conservative wing of the black church or mimicking a mythologized white society can we redeem our honor and respectability.

Leonard, one of the RJ cocreators, is a religious scholar developing a theology of reproductive justice. She writes that the black community needs "a discourse that would begin to examine and erase the lasting remnants of White culture's reproductive violation

and degradation of Black women and inhumane portrayal of Black men as nothing more than sexual predators during slavery."[5] She references the work of noted scholar and theologian Kelly Brown Douglas, who calls for a "sexual discourse of resistance" as a way to "expose the manifold impact White culture has on Black sexuality."[6] Douglas's excellent scholarship asserts that the sexual exploitation of black women and men has not only damaged the self-esteem of the community but creates a particularly grave injustice for African American women. The majority-female population keeps the black church thriving while the church ignores black women's sexual and reproductive needs. While recognizing that the church is not monolithic when sex, sexuality, and reproduction are mentioned, it is often in a judgmental and condemnatory way, rather than with love and support because our collective sexual consciousness has been warped by misogyny, slavery, and colonialism.

Byllye Avery, founder of the National Black Women's Health Project (NBWHP), calls this a "conspiracy of silence." If the black church seeks to heal not hurt, failing to acknowledge the amazing gift of sexual expression every human is entitled to enjoy is unacceptable. Some religious leaders believe that merely talking about sex is a sin, and actually having sex is the pathway to spiritual damnation for those not in monogamous, heterosexual marriages. A sexually conservative black church abandons its responsibility to black men, women, children, and gender nonconforming people when it is condemnatory. What's a child like Keisha to do, much less her mother, when all conversations on sex and sexuality are religiously verboten?

RJT is an example of Douglas's sexual discourse of resistance that challenges both the conspiracy of silence around sex and sexuality that stifles black church culture and inhibits African American communities, and the respectability politics that bolster that silence. We have difficulties talking about sex, sexual abuse, abortion, HIV/AIDS, sexism, gender identities, violence against women, and a host of key issues that affect the lives of black women. Keisha's story offers an important lesson: we cannot keep our children safe if we cannot talk about sex. We cannot proceed out of this morass of silence without a new way of thinking about reproductive politics.

We must affirm the worth and fragility of our children and our black communities to bring epistemic and political processes together because of the importance that knowledge plays in empowering oppressed peoples to analyze sites of domination and resistance. For example, racism and capitalism together cause premature deaths among African Americans in the United States. According to Ruha Benjamin, an "estimated 83,570 excess deaths each year could be prevented if this blackwhite mortality gap could be eliminated. To put it more starkly, that's the equivalent of a major airliner filled with black passengers falling out of the sky every single day, every year."[7] Breaking endlessly reproducing cycles of oppression demands dismantling interlocking systems of disadvantage and privilege, and reimagining a world in which autonomy, dignity, and freedom are available to everyone globally. We envision liberation and justice from within our dynamic realities. As Olga Villa-Parra said, "We are always hungry for understanding, we engage in the eternal human search for reason, for grouping things together so we can make sense of them. We want to understand what drives us in life."[8]

Because it places vulnerable people in the center of our lenses, RJT helps people understand the relationship between white supremacy and white privilege. Most white people justifiably deny that they subscribe to the ideology of white supremacy, but all do benefit from white privilege. For example, white privilege is not necessarily special treatment, but it means that white people do not have to worry about many things people of color do, like racist police brutality or racial profiling. Special treatment based on racist stereotypes is what people of color routinely experience, especially black and brown victims like Michael Brown, Sandra Bland, Manual Diaz, or Terence Crutcher, who were unjustly killed by law enforcement. Or, like James Means or Jordan Davis, they may be assassinated by angry, entitled white men with guns. Special treatment is housing discrimination or higher mortgage interest rates because of race, such as brilliantly described by Ta-Nehisi Coates in his incisive "The Case for Reparations" article in the *Atlantic* in June 2014. Special treatment is to be seen with a fearful gaze before one's humanity is acknowledged, so that a twelve-year-old black child like Tamir Rice is killed within seconds by Cleveland police who say they mistook a toy gun for a real one, even in an open-carry state.

Black feminists reject the belief that quotidian repetition and legalistic rituals should numb us to the violence of these injuries. It is cowardice not to draw attention to this through feigned innocence. Moral cowards flee responsibility for threats and deaths based on white supremacist ideologies and traditions. A complex reality is not an excuse for silence.

In a sense, reproductive justice simply finds new words for old ideas. There is admittedly little original about RJ; black women have used an intersectional analysis to fight racism since Sojourner Truth declared, "Ain't I a Woman?" to an 1851 women's rights convention that ignored racial justice issues. Frederick Douglass protested the lynching of a black man in 1858 using the term "human rights" and Anna Julia Cooper wrote about the unique situation of black women in the United States in 1892. What is fresh about RJ is that women of color are leading the way in applying the global human rights framework to reproductive politics in the US, to move beyond the limits of the Constitution by continuing our historical resistance to white supremacy.

By the beginning of the twenty-first century, two decades after reproductive justice was created, we understood that this expanding RJT was a logical next step in the tradition of the intellectual history of women of color. Like our foremothers, each generation of women of color RJ activists has built new conceptual expansions of pioneering work by black feminists from the 1960s forward. These decades were particularly important for the emergence of seminal race/gender/class/sovereignty/immigrant/queer intersectional approaches. Each writer fiercely pushed against the devaluing of our lives. Audre Lorde so eloquently stated: "I am not free while any woman is unfree, even when her shackles are very different from my own."[9] RJ emerged as a theory and a movement to reimagine what reproductive freedom could look like for all people.

The novelty of the RJ framework makes it attractive, but its primary influence may be because many people want to move beyond the stalemate of abortion politics. Perhaps the pro-choice/pro-life binary has outlived its shelf life in the past forty years, becoming obsolete. Planned Parenthood Federation of America (PPFA) reported in 2014 that it would no longer describe itself as a pro-choice organization. I guess it was providential that RJ came along twenty years before that announcement. Problematizing the pro-choice/pro-life deadlock may be a matter of timing and attention span, or possibly women of color have pivoted to a new, more radical consciousness attractive to some on both sides of the debate. Only time will tell if RJ is a sustainable concept.

The framework of reproductive justice was populated and popularized because women of color, not just African American women, needed a "theory that explains how we articulate or otherwise express our bodies, experiences, and affects, all of which are fluid and

energetic, in some form of meaningful signification so that we can communicate."[10] Activism by women of color provided the scaffolding for RJ for many years as we attempted to strengthen the pro-choice movement. We recognized that the lack of appropriate language imprisoned our souls and frustrated our alliances. We were not offering to colorize an existing pro-choice framework by merely adding women of color and stirring, but to shake it up and offer our own radical paradigm that could account for the differential impacts of white supremacy and incorporate intersectionality. This led us to explore new ways of describing our realities, producing multiple voices in dialogue as part of a movement conversation between activists and the state. We sought to investigate how linguistic practices can either reproduce or transform the very structures that shape them. As scientific historian Evelynn M. Hammonds says, "Investigating how medicine and public health structure power relationships that construct gendered, 'raced,' and 'classed' identities must be at the center of our work."[11]

An example is how the language of choice based on the concept of privacy reinforced the subordination of poor women through the Hyde Amendment that prohibits using federal funds for abortions. This legislative prohibition first passed in 1976 and has been attached to appropriations bills ever since. Although there are legal exceptions for rape, incest, and threats to the life of the mother, many states have used Hyde as an excuse to restrict abortion even further than the federal law requires. Hyde prohibits federal funding for abortions for anyone whose healthcare is provided by the federal government, including impoverished people on Medicaid, those within the Indian Health Service, people in the military and the Peace Corps, etc. The privacy framework used by the Supreme Court to affirm Hyde says that if abortion is a private decision, then the government has no obligation to pay for this private decision, laying the groundwork for making an exception for abortion coverage as if it is not a routine part of reproductive healthcare for women. This inferred interpretation of the right to privacy—which is not actually in the Constitution—was rationalized by the Supreme Court in the 1973 *Roe v. Wade* decision legalizing abortion, as well as other decisions decriminalizing the use of birth control. The danger lies in its tenuous foundation lacking a constitutional basis: what the Supreme Court giveth, the Supreme Court can taketh away. Feminists pay careful attention to the vulnerability of the liberal/conservative ratio of the court because we recognize the frailty of the legal protections for abortion rights and birth control. Abortion presented as a choice became a co-opted neoliberal frame that denied government responsibility for providing healthcare.

Hyde discriminated against people trapped in poverty, and the mainstream pro-choice movement largely failed to analyze the impact of white supremacist thinking on tax policies. Black women, of course, pointed out that white Americans are particularly resistant to public policies that appear to help people of color in general and African Americans in particular. Hyde was disguised as concern for fetuses, and became yet another public policy to be rejected or attacked because of racial politics. For example, in 1978 California voters passed Proposition 13 as a thinly disguised property-tax-relief measure that had the net effect of decreasing funding to California's public schools, colleges, and universities. Because publicly funded education benefited the increasingly diverse California student population, a tax-disguised dog whistle joined the list of publicly beneficial policies opposed by the majority of white voters who believe undeserving people of color take advantage of public systems like education, welfare, and healthcare while "hard working white people" unfairly foot the bills. These types of enraged, race-based producerist diatribes against education and healthcare, in particular, have had severe consequences in every avenue of political discourse.

Black women led campaigns to remove the Hyde restrictions on abortion beginning in the early 1990s. The first campaign was initiated by the NBWHP from 1993 to 1996, according to Leslie Watson Malachi, the C.A.R.E. campaign director. NBWHP understood the desperate conditions of many impoverished black women who needed abortion coverage. They protested that low-income women on Medicaid, many of whom are women of color, could not use their public insurance coverage for an abortion, whereas middle-class women with private insurance faced few or no restrictions. Some mainstream organizations financially supported C.A.R.E. but most did not, believing that taxpayers could not be persuaded to subsidize abortions. This passive acceptance of antitax and antiabortion rhetoric that singularly punished poor women using racist dog-whistle politics infuriated black women. Even without the political power at the time to revoke the legislation, black women insisted that Hyde would provide a slippery slope to undermine abortion rights and healthcare as opponents cascaded even more restrictions. History has proven our point.

Becoming an RJ Activist by Building a Theoretical Home

> *We know things with our lives, and we live that knowledge, beyond what any theory has yet theorized.*
>
> —*Catherine MacKinnon*

I have been active in the black feminist movement since the 1970s, when I was sterilized at age twenty-three. Now, I'm a passionate writer creating change through my experience, unapologetically using my heart to guide my words. My educational background in chemistry, physics, and women's studies paralleled my feminist activism for the past five decades. I've been a scientific researcher, an antirape organizer, a professional feminist, a human rights educator, and an analyst of fascism and white supremacy. As a bridge-builder who delights in ambiguous borderlands in the tradition of Gloria Anzaldúa, I've become deeply attuned to both the community and the academy simultaneously while working with an inadequate theoretical language to better convey my growing understanding of the transformative power of RJT.

Reproductive justice has become a free and safe conceptual love zone for integrating my subjective and objective experiences as an African American woman hoping to connect feminist theory with political organizing. Synthesizing this emergent RJT is an honor while standing on the shoulders of black feminist scholars who influenced me like Dorothy Roberts, Toni Cade Bambara, Beverly Guy-Sheftall, Stanlie James, Angela Davis, Patricia Hill Collins, Audre Lorde, Paula Giddings, bell hooks, and Kimberlé Crenshaw, among others. They have written about asserting our body autonomy, sexual expressions, and reproductive rights as African American women, creating conceptual space for my ruminations. bell advised me to write about black women in the antirape movement in 1981 while I was at the DC Rape Crisis Center and organized one of her lectures on black feminism. Nevertheless, I felt very insecure about my lack of academic credentials to do so, at the time lacking even a bachelor's degree.

Crenshaw first encouraged me to write this essay on RJT. I attended a conference on critical race theory in 2009 seeking an academic scholar who could do justice populating this concept. Among my targets was lawyer and activist Crenshaw, who coined the

term “intersectionality” that will be discussed further in this essay. I believed she was the most appropriate person to further develop a radical theory of reproductive justice. When I asked if she would write for this anthology, Crenshaw threw the ball back into my court, insisting that theorizing on RJ was best done by the very activists who created the framework. I was intimidated by her response and taken aback by her belief that I could adequately transmit my heartfelt belief in the theoretical capacity and power of reproductive justice. When I investigated the artificial binary between the activist and scholar communities, I spoke of my fears to scholars like my Agnes Scott women’s studies professors Elizabeth Hackett and Isa Williams, and my Emory University professor Rosemarie Garland-Thomson. Gloria Steinem, who recommended the excellent book *Disciplining Feminism*, helped me feel empowered to live up to the courage of my instincts to write this essay. In the words of Zora Neale Hurston, “I had knowledge before its time.”[12]

As feminist biologist Banu Subramaniam explains, I have learned through my activism that feminism moves

> beyond a focus on women, to how material bodies, institutions, and structures are gendered. Feminists also recognize that woman is not a universal monolithic category, but always intertwined with other social categories such as gender, sexuality, race, ethnicity, class, and nation since women’s experiences are shaped by their multiple social locations and identities. Thus, “feminist” means not just exploring women or gender, but recognizing the co-constituted meanings of categorizing human populations. We need to focus on the process of knowledge production, not just the content.[13]

Fortunately, there is a rich body of scholarship available to help me flesh out a capacious theory of reproductive justice. I developed my feminism in the company of other black women in Washington, DC, in my formative years, so I came to my understanding of the intersection of feminism and white supremacy long before I had to armor it against the reservations of white women. Instead, many women of color first learn feminist theoretical concepts outside of their natal communities and struggle to articulate their own analyses of oppression through intersectional lenses. As an African American woman who relies on the scholarship of black feminists to evolve this manifesto, I recognize that is part promising theory and part polemic against injustices. This does not deny the other amazing seminal influences of other women of color, white women, and men who influence me and who may further theorize reproductive justice through their own lenses. I choose to use the register that I am most comfortable with (just as I am with dangling prepositions and split infinitives!).

Because my activism and advocacy seek to create change in the present and lay a foundation for alternative futures as an RJ cocreator, I’m glad reproductive justice was an intersectional activist practice long before it was theory. Reproductive justice also confronts the presumed objectivity, neutrality, and certitude of the rapacious white supremacist system that violates the human rights of black women and girls. America’s legal, economic, and even academic systems are not racially or gender neutral, nor objective. These metasystems have built-in biases against all who are not white, heterosexual males, proven daily through economic or academic statistics, news reports, elections, and popular culture. Such systems only value knowledge derived from privileged sites of power. Reproductive justice organizes grassroots knowledge into words and experience into theory to counter this false narrative of objectivity and certainty, i.e., that heterosexual white men are best qualified to develop laws and policies governing women’s reproduction.

In contrast, RJ is the effort “to bridge the gap between the actualities of our lives and the consciousness of our oppressor,”[14] to transcend the too simplistic dualism of victim and oppressor. It investigates the social constructions of race, gender, class, sexual identity, and sexual preference, and how socially imposed boundaries affect our reproductive decision-making. We explore how ideologies of motherhood are an intersectional locus with which to analyze gendered and racial concepts of citizenship, as well as the right to sexual agency and sexual desire and pleasure. RJ challenges the stereotypes of black women as inferior beings without agency, without the power to think for ourselves or make decisions about our lives and bodies. RJT helps fill the relative paucity of black feminist theorizing about the sexual body. As I reflect on Keisha’s situation and her presumed choices, I will speculate on what we, as black feminists creating new theory, have to offer Keisha as she grows and copes with difficulties common for vulnerable black girls.

Black feminist theorizing generally avoids jargon and the reliance on obscure theorists in a language that is difficult to acquire and understand, an elite mark of status. Black feminists write about the intimate connection between the production of knowledge and the power relations in our society. As activists writing about theory, we endure accusations of philosophical naïveté because our writings are not dense, opaque, or mystifying. The goal is communication, not self-presentation. As Patricia Hill Collins writes,

> Theory of all types is often presented as being so abstract that it can be appreciated by only a select few. Though often highly satisfying to academics, this definition excludes those who do not speak the language of elites and thus reinforces social relations of domination. Educated elites typically claim that only they are qualified to produce theory and believe that only they can interpret not only their own but everyone else’s experiences.[15]

I hope RJT can both use feminist theoretical language and make it accessible. I want to have all such tools at our disposal to deploy them in a new way using our lives as the intellectual centers of our inquiries. At the same time, I seek to avoid the opaqueness of high theory (assuming I’m even qualified to speak passably about postmodern theories without confusing myself in convolutions). My interpretation of RJT does not seek to present a singular, unified view of the entire RJ field, but rather to explore its diversity, depth, and flexibility. I most want to offer pathways for future scholars and activists. The goal is not to arrive at consensus or cohesion but to establish a foundational set of analyses to counter racial and “biological determinism, [presumed] scientific objectivity, and assumptions about value neutrality, reproduction, and the labor of women.”[16]

The kind of knowledge a society has reflects the kind of society it is. Thinking about when Isaac Newton named gravity is illustrative. He did not invent gravity, but he observed that objects always fall down not up, and he named theories of gravity, motion, and inertia. It was not possible for the concept of gravity to emerge without the rise of scientific inquiry because it had to counter religion-based explanations of physical phenomena. The social conditions had to be ripe for rethinking how the universe works, and the social relations had to be favorable for Newton not to be executed by the church for offering his novel theory about invisible physical forces. While not presuming to compare RJT to profound scientific discoveries, RJ is a theory about social and economic forces and reproductive politics whose time had come for African American women.

Reproductive justice theory is the logical next step in the tradition of black women’s intellectual history, to bring the work of black feminists into focus when we assert our leadership in reproductive politics. We can help prevent more tragedies for girls like Keisha. If

she goes to college in a few years, I hope we can explain RJT to Keisha in a way that is clear and helps her own this knowledge and her body.

Why Is Reproductive Justice Theory Needed?

Reproductive justice theory is needed because many earlier theories about reproduction pay inadequate attention to the physical, socioeconomic, and emotional realities of Indigenous women, poor women, trans women, and women of color. Such theories fail to thoroughly analyze and critique the system of white supremacy that determines which bodies matter and which do not. Any theory that does not work for or include marginalized cis and trans women does not adequately describe gender relations. Analyzing the relationships between people who are reproductively privileged and those who are disadvantaged is key to understanding the systems of difference and inequality and to illuminate the experiences of each group of people (and the individuals within them) who seek to control their destinies. To comprehend how the American empire uses and misuses bodies, especially the bodies of people of color, is part of my mission with this essay.

It is important for RJT to go beyond affirming the right *not* to have children and pivot to emphasize the right to *have* children under the conditions we choose. Women of color and Indigenous women live in communities constantly under siege by forces promoting and enacting policies of privatized eugenics and population control, so applications of RJT must account for the politics of white supremacy. Debates about desirable and undesirable bodies have been a site of scientific and social inquiry for centuries, bolstered by white fears of miscegenation, disabilities, and the fertility of people of color. The government has historically used women's bodies as sites of population and community control to build an exclusive national identity based on ideas about who was appropriately white, heterosexual, able-bodied, and middle class. In her book *Pregnancy and Power*, historian Rickie Solinger calls this the "racialization of reproductive politics." RJT challenges the perception that the racialized female-identified body is uniquely suitable for regulation by the state and private parties. As transgender writer Katherine Cross says, "I cannot indulge the false premise that women are born to be oppressed—a very different notion from saying we are born into a world that oppresses us."[17]

The construction of the hierarchies of white supremacy depended on preserving white racial "purity" as a political, not biological, category as well as the separating and subjugating of Indigenous peoples and enslaved Africans. hooks posits that "[t]he very concept of white supremacy relies on the perpetuation of a white race. It is in the interest of continued white racist domination of the planet for white patriarchy to maintain control over all women's bodies."[18] Indigenous scholar Andrea Smith argues that this domination required the "constant purification and elimination of racialized enemies within the state."[19] White men in power have erected and continue to reinforce racial boundaries by placing the regulation of reproduction and policing of all sexual relations at the center of their project, leading to "reproductive disappearing" of Indigenous people, and perpetrating racist beliefs about the sexual and reproductive behaviors of all people of color, but particularly black women and men.

As people of color, we are engaged in an ongoing struggle against white supremacy because the history of the United States is thick with racism, one of the manifestations of white supremacy. White supremacy is also a patriarchal war against the feminine, especially for women of color and trans women, for whom state violence is political currency to maintain the status quo. The disproportionate violence against trans women proves that violence against women includes gender subordination without having been assigned a female label at birth. Who is vulnerable to violence depends on the male supremacist need for domination, identity, and destruction of others.

Population control measures, also called eugenics, focused primarily on the biological control of people, and included sterilization abuses, dangerous contraceptives, and separation of family members. These policies sought to manage reproduction in communities of color as well as among others, such as poor white people and mentally or physically disabled people. Racialized population engineering processes continue today through sterilization abuse, promotion of long-term contraceptives that providers refuse to remove or carry exorbitant removal costs, overincarceration, and environmental racism. More blatantly, the assaults on sex education, abortion, and birth control are attempts to compel white women to have more children through promoting a culture that normalizes breeding (i.e., *19 Kids and Counting*) while at the same time punishing women of color through myths about our reproductive recklessness in order to maintain the system of white supremacy. For example, a pseudo-documentary entitled *Demographic Winter: The Decline of the Human Family* is popular among those who fear white "demographic suicide" through reduced births. There is also a new phenomenon reproductive technology has made available, persuading privileged (and mostly white) women to freeze their eggs as incentivized by Apple and Facebook (now a twenty-thousand-dollar employee benefit). These are just two examples of racialized reproductive engineering.

The policies are working. Despite the stereotype of teen pregnancy as a black, Indigenous, or Latina phenomenon, white teenage pregnancy rates are rising in states that mandate the toughest restrictions on sex education, birth control, and abortion access. While the national teen pregnancy rate in 2010 was thirty-eight per one thousand teens, the most conservative states with the most stringent restrictions had much higher rates, forty-eight per one thousand teens, and higher. These states resist providing the kinds of resources that would reduce teen pregnancy, concentrating instead on disproven abstinence-only programs. In addition, states that offer the stingiest welfare state benefits also experience a decrease in life expectancy.

Biological strategies can control entire communities, but they are not the only method. A privatized modern form of population control, neo-Malthusianism—based on perceptions of resource scarcity, safety fears, and regurgitated racism—is sophisticated ideological glue that binds together many disparate issues that affect reproductive politics such as security, climate change, religious nationalism, white supremacy, resource scarcity, public health, and family planning.

Population control critiques through an RJ lens go far beyond abortion and sterilization abuse to broaden the picture and show how oppressions are interrelated. Policies that at first glance appear disconnected have implications for reproductive decision-making.[20] Fighting police brutality, gun violence, or tainted water supplies so our children can survive is as equally urgent as fighting for bodily integrity and self-determination. I coined the term "reprocide" to describe when genocide is primarily committed through reproductive control. These political crimes of reprocide occur in full view of the American public, yet there is no accountability. RJT offers a lens

through which we examine the various ways in which social stigmas and public policies affect black women's sexuality, reproduction, children, and labor during stages of economic expansion and contraction, as well as shifts in engagement with the ideology of white supremacy and the practices of white privilege.

Black women know population control ideologies morph over time, but are never totally abandoned. Sociologist Nicole Rousseau writes, "As Black women's relationship with the United States begins with her role in a forced labor pool, it stands to reason that her continued position in society, even in the years following slavery, would remain connected with her labor location."[21] Rousseau explores the relationship between the shifts in the tools and technology of capitalist wealth creation and how these means of production correlate to the shifts in the demand for black women's forms of labor: productive, reproductive, and biological.

Ironically, we can also add political labor to this list. During the 2016 presidential election, 91 percent of college-educated black women voted against Trump, while non-college-educated black women more eagerly opposed him at 95 percent. At the same time, 45 percent of college-educated white women voted for Trump, and 62 percent of non-college-educated white women did so. Averaged out, 53 percent of white women voted for Trump. While some mainstream media pundits have described the crisis in white masculinity that animated the angst in Trump's base, few recognize that affirming white supremacy also reassured conservative white women about the immutability of gender relations to protect their own perceived privileges as white women. Black women drove the gender gap, not the white women who privileged race over gender, or said another way, asserted white racial identitarian politics as the best protection for their gender, despite the evidence to the contrary.

The passionate activism and theories of black feminists excavates the nightmare of America's history and explains the legacies of settler colonialism, xenophobia, and enslavement. I've tried to talk to my friends who are progressive but completely underestimate the power of white supremacy as a body of ideas that is affirmed daily in thousands of ways: The feminists who believe that gender should have kept Trump out of office. The economic radicals who believed that a class analysis should have prevented this political moment. My LGBTQ friends who thought we turned the corner with marriage equality. And so on. White supremacy is not a resurgent, anachronistic characteristic or symptom of America, but its DNA. Not every marginalized social location provides a sturdy or even particularly insightful analysis of how to deconstruct white supremacy and build a better future for the world. Will the progressive movement ever listen to progressive black women who understand this probably better than anyone ever has?

Black feminists gifted the concepts of identity politics, intersectionality, and now reproductive justice to the progressive movements, and witnessed the transformative power of our ideas to build social justice movements for human rights. Yet misogynoir still contaminates every radical political discussion, and our allies keep getting continuously surprised by the resilience of white supremacist ideas. Black feminist scholar Moya Bailey termed this ingrained habit of dismissing the knowledge of black women "misogynoir," referring to hatred of women or misogyny directed toward black women that can be conscious or unconscious. She describes the unique experiences of black women when anti-blackness and misogyny combine to malign African American women.

It is okay to be optimistic but dangerous to be naive. White supremacy determines what one knows or chooses not to know. We concur with James Baldwin when he said, "People are trapped in history and history is trapped in them."[22] The impact of this history reflects the politics of our time, and the least prepared people to deconstruct white supremacy are perhaps not the best to lead the struggle against it within reproductive politics.

Reproductive justice theory challenges the effects of white supremacy on our minds and bodies in what African philosopher Frantz Fanon called "epidermilization," or the imposition of race on the body. Black feminists had to create alternative modes of analysis based on neglected or understated intellectual influences and foundations that accounted for the ideology of white supremacy and its handmaiden, white privilege. It is impossible to fully understand reproductive politics and build a movement for reproductive justice without comprehending the politics of population control and the ideology of eugenics underlying such thinking.

The human right to birth or to parent in the RJ framework addresses a system that is constantly trying to manage or pathologize communities of color. Institutionalized racism, sexism, and xenophobia within the medical-industrial complex distort our reproductive experiences. Different axes of identity, location, and circumstance are manipulated by economic and social forces, creating a chain of "-isms" too tiresome to endlessly repeat. An emerging field of birth justice activists comprised primarily of midwives and doulas who use the RJ framework understand how, according to Patricia Hill Collins, "these forces collide, often violently, in determining the sexual and reproductive trajectories of entire communities," and offer radical birth work to humanize people's reproductive experiences.[23]

The right to mother is never and has never been uncontested for black women in the United States. Motherhood here has meanings and assumptions about racial differences, gender roles, work-force participation, and masculinity. Controlling black women's sexuality maintains race, class, and gender inequality. Slavery created the interpretations of racial differences that underpinned capitalist development and expansion. The pursuit of white racial purity created a hierarchy of subordination continuously affecting laws, public policies, economics, and social relations.

Our children's lives are a battleground in which a black women's standpoint on the human right to mother and have our children survive in a system that devalues their existence has generated a radical set of ideas and social practices in dialogue with each other. Black women pursuing justice are becoming more radicalized through the deaths of our children. We organized the Black Lives Matter movement, for example, to challenge the monstrous appetite of white supremacy that chews up black lives. In the words of Thandisizwe Chimurenga, "We have a shared victimization by white supremacy. As we transform society, we also heal ourselves."[24] Assata Shakur, a legendary political exile in Cuba, asserts, "It is imperative that we, as black women, talk about the experiences that shaped us; that we assess our strengths and weaknesses and define our own history."[25] Black women have to determine for ourselves our meanings for motherhood through the RJ framework. We resist accusations of failed femininity or failed motherhood when we are stereotyped as hypersexualized and promiscuously fertile, or overmasculinized and desexualized.

We stand accused as black women of being incapable of speaking for ourselves, and much less capable of composing our own cultural and historical narratives and theories, yet we have offered a different kind of knowledge production based on black feminism. As Mai'a Williams says in the brilliant anthology *Revolutionary Mothering*, we are black women determining the meaning of motherhood for ourselves "who believe in themselves and their children, in the future and the ancestors so fiercely they will face down the ugly violence of the present time and time again."[26] Alexis Pauline Gumbs continues, "Those of us who nurture the lives of

children who are not supposed to exist, who are not supposed to grow up, who are revolutionary in their very beings are doing some of the most subversive work in the world."[27] We dare to imagine an America in the future that is not violent toward the marginalized bodies of people of color. That America has never existed before.

Neoliberalism and Reproductive Justice

Through reproductive justice theory, we need to challenge conceptual practices of the pro-choice movement that not only understates issues of intersectionality and white supremacy but also offers no radical alternatives to neoliberal capitalism and its emphasis on rights and choices. Liberal feminism also inadequately explains the lived experiences of all women and the differences between them.

As reproductive justice activists, we need to "think about ideologies of family, sexuality, and reproduction as animating imperial and racial projects" in the context of our victimization by white supremacy, according to Laura Briggs, who writes about the colonization of Puerto Rico through militarism and reproductive abuses.[28] White supremacy attempts to eliminate or at least contain the racially constructed other through differentiated values for reproductive bodies. It simultaneously claims our bodies and our sexuality, while erecting undisputable barriers of exclusion through legal and political subordination.

Attacks on the reproductive behaviors of women of color are necessary to disguise the neoliberal capitalist system's manipulation of racial politics to hide its class warfare against poor and middle-class people. The system generates endless recyclable myths of the undeserving mother—poor, immigrant, queer, disabled, or a woman of color—accused of reproductive recklessness. Conservatives claim we put our sex lives ahead of our social responsibilities. The sexuality of women must always be hidden or punished. The visible products of this sexuality, our children, must also suffer from having been born. From Ronald Reagan's rants against "welfare queens" to Tyre King's murder in Ohio, the white supremacist rallying cry is that the world must be saved from our wanton sexual desires because women of color—and our children—are held responsible for all the ills of society, from environmental degradation to the 2007 collapse of the mortgage industry.

Most liberals and conservatives assume poverty results from our reproductive behaviors, and is not the inevitable consequence of the unjust distribution of wealth and opportunities in the United States. These myths about our alleged lack of morals and individual responsibility prop up the austerity justifications used by the 1 percent and the politicians who serve them as excuses to decimate the welfare, unemployment, and social security systems, and demonize what they characterize as the dependency culture pitting the makers against the takers. This highly individualistic, producerist worldview is inherently and manipulatively antithetical to our competing worldview based on human rights and human interdependence. In this neoliberal worldview, care for the social good is no longer the responsibility of local and federal governments and agencies. It is left, rather, to the biases of private corporations, charities, and the discretionary impulses of uneven global capitalists.

In response to the economic and demographic changes of the twenty-first century that will produce a nonwhite diverse demographic, white supremacy rearranges its power relations. Examples include claiming that white people are the principal victims of reverse racism, that women feminize men by having too much power, or that trans people have unfair advantages over cisgender people, such as the legislative battles over bathroom access.

The Great Recession of 2007–2008 is similar to the Great Depression in that it deepened a crisis in white masculinity with the disappearing of economic futures for white men without a college education. Economic upheaval was defined not as a consequence of unregulated laissez faire capitalism but rather the result of the loss of male authority within families, as presciently described by Ruth Feldstein. Both of these economic crises are characterized by a backlash against anti-racist efforts and misogynist policies designed to push women out of the workforce to reassert white male power and control. Trumpism may reaffirm older ideas about the role of women as mothers to rebuild the prominence of white patriarchal values and distract from the privatized, neoliberal policies at the root of the economic collapse of the white working and middle-class.

A central oppressive feature is white men reasserting the power to name and define the identities and realities of marginalized people, and for these accounts perceived as objective and authoritative, eclipsing our perspectives as black women. As part of this rearrangement, increasing numbers of conservative people of color seduced by white supremacist ideologies deny the persistence of racism, sexism, imperialism, transphobia, etc. They cynically thwart progressive movements, spending their best efforts keeping others down, without offering viable economic or racial justice solutions.

Reproductive justice is our answer to the myriad forms of such interlocked oppressions because justice-centered feminist ethics are needed. Reproductive oppression is the exploitation of our bodies, sexuality, labor, and fertility in order to achieve social and economic control of our communities and in violation of our human rights, according to Asian Communities for Reproductive Justice (now Forward Together). This expansive definition provides many possibilities for reproductive justice analyses, particularly for women.

Knowledge Production through Reproductive Justice Activism

As black feminists, we cannot consider the question of what to do before we examine the question of how we think. Otherwise, we risk settling for false solutions that reproduce the existing system of inequalities. The most important work must be epistemological, an inquiry into how we know what we know, and how what we know makes us think. "I am therefore I think" could be a fresh expression of this embodied knowledge production based on our lived experiences. We are not disembodied as thinking subjects. How the body acts and is acted upon affects why, how, and what we think.

Incorporating the fluidity of social constructs describing and defining bodies is among the possibilities of reproductive justice theory that invests in shifting meanings, accounting for the gender continuum and the artificiality of racial boundaries. Reproductive justice will never be a linear narrative. It has leaps, chasms, circumlocutions, subversions, and conundrums that transform relationships

of perceived difference into possibilities for concerted social change. In many ways, it is a decentered, polyvocal, and cocreated theory of justice applicable to all. It offers a theory, strategy, and practice with which to challenge dominant narratives about the power and experiences of marginalized people.

For example, this emergent theoretical framework is based on discussions among women of color and Indigenous women about sex and sexuality and how current practices and norms fail to meet the needs of our communities and our lives. Perhaps Keisha's situation could have been avoided if she had received age-appropriate evidence-based sex education and protection from the violence of a male predator. Although she probably was not responsible for her pregnancy, we live in a society that blames young women for their pregnancies, regardless of cause. Our society is especially scornful of and unhelpful to young mothers, passing judgment on their perceived reproductive misbehavior.

RJT is a new addition to feminist epistemology and activist practices. "From its inception, radical feminism in particular emphasized the importance of sexuality, not simply as the ground of women's oppression, but equally as the take-off point for an account that valorized bodily difference,"[29] according to theorists Janet Price and Margrit Shildrick. Radical feminist theories call for a "dissolution of subject and object, of observer and observed" even in academic settings that have "vivisected a vibrant world into sterile disciplinary formations."[30] RJT, like most advanced feminist theories, uses disciplinary and interdisciplinary resources to challenge masculinist incorporeal abstraction theories because of the validity of the lived experiences foregrounded by women of color. The false dichotomy of mind versus body generates a default otherness for subordinated people accused of the physical malfeasance of caring for and nurturing the life forces of humanity. Denial of the corporeal impacts of embodiment disregards the process of wealth creation in the United States for which that materiality is vital for explaining the importance and endurance of reproductive oppression experienced by black women. This subject has been undertheorized by most traditional theorists. "Indeed, understanding intersectionality as a process emerging through the institution of science and the material production of different bodies has not been adequately explored or theorized," according to Subramaniam.[31]

As a positive theorization, RJT presents an immediate acknowledgment of the centrality of bodies by resisting the artificial hierarchies determined by abstract individualistic universalism, but RJT also avoids a biological essentialism that centers sexual, gender, and racial subordination. RJT radically reconceptualizes the politics of reproduction by speaking not only to how bodies are gendered but how they are racially and sexually identified to analyze hierarchical reproductive relations imposed by the ideology of white supremacy. RJT actively engages theories of embodiment that account for racial, class, ability, gender identity, and citizenship (among an infinite array of differences), and examines the specific focused and rigorous contexts in which bodies exist. In this sense, RJT builds on French feminist theorist Luce Irigaray's project of rewriting sexual difference beyond the static masculine-feminine binary, and challenges the alienation from the maternal and material body, disputing widely accepted binary theories. Differences based on artificial binaries are too conventional and mechanical to adequately account for the porousness of the fabric between knowledge production and embodiment which is an epistemological ecosystem rather than yet another dichotomy in reproductive justice theory.

RJT developed outside of the formal settings of an academic institution or an organization. Theoretical works by marginalized women or groups are often delegitimized by the academy because they are accessible, not written in jargon, and lack obscure references. This sets up "unnecessary and competing hierarchies of thought which re-inscribe the politics of domination by designating work as either inferior, superior or more or less worthy of attention."[32] Some theories that originate in the academy have erected barriers even as they offer new meanings and explanations of the world. Theories are necessary, sometimes productive, in the ways they enable tools and scholarship. Conversely, they may bind or restrict new knowledge through institutional and intellectual biases and structures.

The construction of countertheory by women of color feminists is a complex process and emerges from engagement with collective oral and written history sources rather than individual scholars. This is dismissively seen as "folk knowledge" by self-appointed elite traditional theorists who reinforce institutionalized power and privilege. "Indeed, the privileged act of naming often affords those in power access to modes of communication and enables them to project an interpretation, a definition, a description of their work and actions, that may not be accurate, that may obscure what is really taking place," writes hooks.[33]

Reproductive justice theory uses historical folk knowledge as intellectual fodder: memories of the enslavement of Africans, the forced breeding of black people, and the selling and murdering of our children. This knowledge is in our emotional and spiritual DNA, and black women offer our own facts and theories to counter worldviews that dismiss our realities. Black women's bodies are not only a place of vulnerability but also a place of power and affirmation giving sustenance to an ethos of caring, relationality, and mutual responsibility that is the essence of human rights practices upon which RJT is foundationally based.

According to scholars Wendy Kolmar and Frances Bartkowski:

> Knowledge is that body of information, facts and theories through which a society or culture defines what is true and important, what constitutes its past, and how it understands the complexities of the natural and social worlds. To be excluded from these bodies of knowledge and the sites and processes of knowledge production [epistemology] as women of color and other marginalized groups have been, is to live in a "reality" not of one's own making.[34]

To speak up is to ask many epistemological questions about knowledge and beliefs in our society, and explore why inequalities persist through time and repetition. Speaking about knowledge formation from lived experiences, South African legal scholar Tshepo Madlingozi writes that epistemicide is "the repression and marginalization of the knowledge system and cosmologies of the historically colonized group."[35] Our knowledge comes from the way we keep our memories. Black women had to develop our own pathways to knowledge, and lifting our voices paved the way.

In RJT, we created an accessible theory that was both rigorous and powerful that bridged the language of the academy. Theory is important, as black theorist Barbara Christian argues, but disconnected from activism it becomes prescriptive and limited. Black women activists are not alienated from our communities. Instead, communities are launch pads for our activist and scholarly explorations, allowing both objective and subjective perspectives. We did not want to reinforce social relations of domination but instead understand our realities by incorporating diverse theoretical traditions. Without a new theory to explain our lived experiences,

the reality of reproductive violence, such as sterilization abuse targeting incarcerated women, becomes a contested concept: a theoretical playground for those not experiencing reproductive oppression every day.

This radical RJT does not offer arcane abstractions that preoccupy some recent feminist theorizing that is not only inaccessible to those not versed in European philosophical norms but relatively useless in effecting social change in the material world of economics, politics, and public policy. Feminism was a practice in the women's movement before it was theorized. As legal scholar Catharine MacKinnon observes:

> The postmodern version of the relation between theory and practice is discourse unto death. Theory begets no practice, only more text. It proceeds as if you can deconstruct power relations by shifting their markers around in your head. Like all formal idealism, this approach to theory tends unselfconsciously to reproduce existing relations of dominance, in part because it is an utterly removed elite activity.[36]

We ground RJT by creating a way of understanding reproductive relationships in the world that has practical applications and promotes constructive social change: in other words, praxis. For example, SisterLove, an HIV/AIDS organization, uses the RJ framework to assess state legislatures and Congressional actions on reproductive health through the lens of black women. SisterLove fought and won the protection of certain Medicaid-covered antiretroviral prescriptions that were due to be defunded in Georgia, including medications that many women prefer who use contraceptives.

All human knowledge is learned and conveyed through economic, social, and cultural processes, but most scholarship on black women focuses on our work as victims and activists, not as producers of knowledge. RJT affirms that radical new insights emerge when black women reimagine the status quo. For example, when an African American woman, Mechelle Vinson, established in 1986 that sexual harassment was sex discrimination under civil rights law, she believed that she had the human right to employment without fear of sexual exploitation by her supervisor. Her case changed the theory of sex discrimination for all women.

Just as Vinson's case changed laws on sex discrimination, feminist and LGBTQ activists and scholars have pushed the boundaries of thinking about sex, gender, and the law, and this expansion informs RJT. In her best-known work, *Gender Trouble*, Judith Butler argues that the insistence on sex as a natural category is itself evidence of its very unnaturalness. She points out that sex as well as gender are culturally produced categories, and the definitions change over time. While multiple gender identities are increasingly accepted by society, legal systems remain ill-equipped to address the gender continuum legitimated by science. RJT affirms gender fluidity as described by Butler but also confirms that while categories such as gender and race are socially contrived, they are also embodied sites of reproductive oppression. The esoteric, dense language of some feminism theorizing cannot account for, or counter, the material realities of embodiment, as Butler also points out.

Reproductive justice advocacy and theorizing are not just expressions of simplistic understandings of identity politics. This dismissal describes black women's lives as essentialist sources of limited knowledge production. Epistemological and embodied politics intersect through reproductive justice, and knowledge production by black feminists demonstrates universalist connections. RJT recognizes that the epistemological constraints are different when they arise from the best practices of activists in the field as we reconfigure subjects (knowledge producers) and objects (those about whom knowledge is produced). Through RJT, we can envision layers of meanings and unpack the dominant narratives that devalue our lives.

People's life choices occur in a context of racialized and gendered notions of morality and normalcy. For example, Lillian Garland went to court in 1987 to establish that guaranteeing unpaid leaves for pregnant women by law is not discrimination on the basis of sex, but is a step in *ending* discrimination on the basis of sex. An African American woman, Garland's resistance to her employer, the California Federal Savings and Loan Association, fortified sex-equality law away from its previous alleged neutrality that, in fact, discriminated against all women. As an example of lived experiences contouring new understandings of law and reproductive theory, her case signaled that reproduction is an issue of sexual equality, something conservative courts are reluctant to admit even while they permit the narrowing of abortion rights, especially through bans on alleged race- and sex-selective abortions.

RJ functions as a belief system that aids in understanding the objective and subjective conditions in which we live that attempt to repress our consciousness, restrain our reproduction, and reduce our human potential. Black feminists underscore that categories of race or gender are not functionally or analytically equivalent because the definitions are structured to produce different risks and benefits.

Theoretical Roots of Reproductive Justice

Reproductive justice theory rests on an intellectual inheritance in which we are rooting our new framework. Black feminist theory provides an affirmation of our voices and lived experiences, and arises not from the academy, but from activist places that help us understand our world and ourselves. Self-help theory describes the art and power of telling and owning our stories to heal from internalized oppression and take action to change our objective circumstances. Critical race and critical feminist theory explain the social customs, laws, and legal practices that disadvantage nonwhite and nonmale people in society while providing the framework for understanding intersectionality. Human rights theory provides internationally recognized standards, norms, and a legal regime for articulating a vision for what we demand and deserve as fully embodied persons with inherent and inalienable rights. Standpoint theory validates our multifaceted perspectives, ambiguities, and subjectivities as African American women when we center ourselves in the lens. Womanist ethics and religion theory empowers us to imagine the female as spiritual, and enables us to converse with liberation ethicists like Katie Cannon, who deconstructs the religious legitimization of a society based on the contradictions between liberalism and white supremacy.

Just as importantly, Latinas/Chicanas such as Gloria Anzaldúa and Cherríe Moraga offered breakthrough concepts such as borderlands, bridges, and ambiguity that help flesh out RJT. Indigenous women such as Connie Uri and Ingrid Washinawatok linked bodily self-determination to Native sovereignty and domestic land struggles to the United Nations, invoking the human rights framework that is foundational in RJ. In *Fertile Matters*, Elena Gutiérrez writes about Mexican American women, immigration, and sterilization abuse through an RJ lens. While my essay focuses predominantly on African American women, I hope others will offer more analyses that further explore the expansive theoretical influences in RJT.

Using these influences in tandem, black women as both insiders and outsiders to the pro-choice movement and the academy created RJT to describe the rich density and varied textured meanings of the reproductive politics of the world we experience by trusting in our personal and cultural biographies. Our black feminist "ideas are necessarily produced in dialogue with lived experience," and always affected by "the social facts [constructions] of race, class, and gender."[37] We desired a theory that would help us examine multiple and intersecting oppressions and change the world for the better using knowledge-affirming criteria we established as worthy of our dignity. Reproductive justice theory is not externalized knowledge we acquire, but instead emerges organically from our lived experience and describes our relationship to the world, the same way we resonate with Keisha's story.

Black Feminist Theory

African American women are responsible for three of the most widely disseminated and applied feminist theories in the last half century: identity politics, intersectionality, and reproductive justice. This required thinking between and beyond colonized spaces to discover new knowledges from the pain of our bodies and from the multigenerational dislocations we experienced as people of the African Diaspora. This section will also more fully explore the black feminist origins of reproductive justice, including the African concept of *ubuntu* as it intersects with the human rights framework. This lifts the philosophy and language of the oppressed—the ignored African American subject—in defiance to the deliberate and debilitating amnesia and alleged objectivity of white supremacy. At the core of black feminist thought is a "specialized knowledge created by black women . . . [that] provides a unique angle of vision on self, community and society," according to Collins.[38]

Our theories explain things most people can't see. Our concepts of resistance, subversion, and transgression have both embodied as well as aesthetic dimensions. We build upon our traditions and legacies the same way we consult with the ancestors for guidance while pouring libations for the spirits. When we theorize, we not only recover ourselves and our voices but we move forward in building an active, inclusive, and liberatory movement that benefits all people. As Toni Cade Bambara wrote, the standpoint of African American women

> means a sense of community with individuals and groups here and throughout the world who are poised for the light, who work daily to rescue and ransom us all from amnesia and fear, who work sometimes wearily—most times joyously—to encourage and equip us to train for the future as sane, whole, governing people.[39]

Black feminists were urgently compelled to "unmask the power relations of their world."[40] Reverend Pauli Murray, a black lesbian cofounder of the National Organization for Women (NOW), spoke about the intersection of race and gender for African American women:

> [I] must be involved with and necessarily concerned with racial liberation. But I must also personally be concerned with sexual liberation, because as I often say, the two meet in me, the two meet in any individual who is both woman and a member of an oppressed group or a minority group. . . . [R]acism and sexism have been closely interrelated historically, especially in the American South, but they have not been exactly parallel. Rather we should recognize them as interstructural elements of oppression within the overarching system of male domination.[41]

Ubuntu and Reproductive Justice

> *Sometimes a breakdown can be the beginning of a kind of break-through, a way of living in advance through a trauma that prepares you for a future of radical transformation.*
>
> *—Cherríe Moraga*

Reproductive justice theorizing invites a closer examination of pre-Enlightenment ideologies to imagine alternative futures for society. There is no genetic or inherent way of thinking for any race of people, but there are different philosophical traditions beyond the individualism of the Enlightenment that can serve as foundations for deconstructing the Western worldview to enable the reconstruction of a value-system more in harmony with life and human dignity for all peoples. Ideologies cohesively control relationships, pattern behaviors, direct activities, and mold personalities. White supremacy is an ideology whose meanings are constantly recreated and affirmed, defining all who are not white, male, and heterosexual as Others, and promoting the cultural nationalism and dominance of Western thought that has colonized all forms of knowledge about the world.

It is possible, however, to recognize influences of the Enlightenment without bowing to its presupposed philosophical dominance. Reproductive justice theorizing can explore patriarchal consciousness and the degradation of the feminine in the binaries, tensions, and polarities of reason versus emotion, objectivity versus subjectivity, holism versus reductionism, linear versus cyclical thinking, science versus spirituality, etc. Reviving non-European philosophies may offer another way of disrupting the general trends in the history of Western civilization. These trends include the concentration of power and wealth in the hands of the few; rapid industrialization that exploits rather than harmonizes with nature; and increasingly abstract and linear thinking at the expense of holistic thinking. They also include rigid gender roles and expressions that deny the gender continuum; religious intolerance and evangelism in the propagation of those abstract and linear ideas at the expense of the religions of other cultures; and attacks on the people who oppose such absolutes. In the words of Chandra Talpade Mohanty, they use the "universal to erase the particular or positing an unbridgeable gulf between the two terms."[42]

Instead, I hope future RJ scholars examine the philosophical profundity of other cultural understandings. In the Jewish tradition, for example, there is a worldview that declares, "My spiritual needs are my neighbors' material needs," indicating the innate interdependence of human relations. One cannot be spiritually whole if one is selfish toward others in this philosophical tradition. Other philosophical traditions, such as Confucianism with its particular emphasis on the importance of social harmony and the family, may also be explored to counter the sterility of alienated, individualistic philosophies.

As a black feminist, I am intrigued by Ubuntu, an African, humanist philosophical tradition of collective caring that has

pre-Enlightenment roots. The cultural, spiritual, and physical trauma of enslavement and the postcolonial struggles on the African continent also gave rise to a radical revisiting of our African history and practices. This reclamation of a different philosophical foundation to counter the individualistic, competitive theories of Western thought is an important shift in understanding the full transformative power of reproductive justice. Relatively little work has been done on African philosophies or African theorists within Western feminist scholarship, yet Ubuntu offers a philosophical belief in the universal bond of sharing that connects all humanity.

Stated most simply, Ubuntu is an expression of the concept "I am because We are." It recognizes that societies determine the sanctity of humanity, and that social relationships imply a shared human subjectivity that promotes a community's good through an unconditional recognition and appreciation of individual uniqueness and difference. As transgender software designer Audrey Tang says:

> Ubuntu implies that everyone has different skills and strengths; people are not isolated, and through mutual support they can help each other to complete themselves. This emphasis on complementing and completing each other, and through it, helping people to self-actualize, is a South African cultural value.[43]

In terms of reproductive justice, Ubuntu offers another way of envisioning collective mothering and fathering, for example, because children are never orphans depending on a single individual or nuclear family to raise them. Instead, children are the links to our ancestors, and responsibility for their health, education, safety, and well-being rests with the community. Modern evidence of an Ubuntu practice is in the concept of radical mothering offered by Alexis Pauline Gumbs, discussed earlier. Ubuntu also offers possibilities for restorative rather than retributive justice to transform practices of crime and punishment within societies. It focuses on redemption rather than exile of people who transgress against the community.

Instead of viewing different people as potentially malignant others threatening rigid kinship and homogenous cultural boundaries, Ubuntu offers a striking counter to individualism, alienation, and atomism dominant in Western philosophy. This is an important philosophical shift because much of our current cultural interpretations about who we should reasonably care for depends on proximity, kinship, or nationalism. For example, many people fighting oppression believe we can best counter it by getting to know each other better, and considerable time is spent endeavoring to help white people understand what it means to be black, for men to understand what it means to be a woman, for Americans to understand other countries, etc. The key word is *understanding* because this kind of empathy is predicated on knowledge and propinquity, which are by definition limited. Instead, through an Ubuntu lens, one can care about bombs dropped on Syria even if one has never met an actual Syrian or knows nothing about the country. The question is not what you know about others but what you know about yourself in relationship to others. Historian Michael Onyebuchi Eze states:

> "A person is a person through other people" strikes an affirmation of one's humanity in the recognition of the "other" in his or her uniqueness and difference. It is a demand for a creative intersubjective formation in which the "other" becomes a mirror (but only a mirror) for my subjectivity. This idealism suggests to us that humanity is not embedded in my person solely as an individual; my humanity is co-substantively bestowed upon the other and me. Humanity is a quality we owe to each other. We create each other and need to sustain this *otherness* creation. And if we belong to each other, we participate in our creations: *we are because you are*, and *since you are, definitely I am*. The "I am" is not a rigid subject, but a dynamic self-constitution dependent on this *otherness* creation of relation and distance.[44]

Ubuntu clearly offers another conception of ethics, caring, the law, economics, and being human in community with everyone else on the planet. South African Archbishop Desmond Tutu further explains a bold vision of spirituality that contrasts with Western concepts of religion:

> A person with *ubuntu* is open and available to others, affirming of others, does not feel threatened that others are able and good, for he or she has a proper self-assurance that comes from knowing that he or she belongs in a greater whole and is diminished when others are humiliated or diminished, when others are tortured or oppressed.[45]

Given the current political moment in which we find our world besmirched by the overt resurgence of white supremacy, I believe that RJT framed as an Ubuntu practice presents an invitation for us to better understand the social identities within us as individuals. We resist the totalizing and universalizing theories of alienation and harsh individualism to offer a critique of the kinds of debilitated knowledge that limit our actions as embodied, politically conscious, and interconnected human beings. We are capable of creating a just society in which all people have their human rights respected and protected.

Self-Help: Reproductive Justice Theory in Practice

> *We tell our stories and reflect each other. I am not the enemy; I am the answer. If you silence my voice, then what happens to my behavior?*
> *—Juanita Williams, AIDS survivor and SisterSong cofounder*

Storytelling is a crucial part of reproductive justice theory, an act of reclamation and resistance, because our theories grow from our activist locations. Our black feminist ideas emanate from our lived experiences affected by the social constructions of race, class, and gender. As Rachel Kaadzi Ghansah states, marginalized women are "structurally denied the ability to tell our stories."[46] Silence was a strategy of agency that was both individual and collective, and by which black women honored their ability to think critically within a culture that denigrated them.

The role of oral history and storytelling is vital to our survival, and the complexities of our silences speak many meanings. Silence is not absence of thought. It may be a survival mechanism, such as slaves singing songs to express their pain when reading or talking back had deadly consequences. Yet our silence does not really protect us, in the immortal words of Audre Lorde. If one does not understand our silences, it may be even harder to understand our words. Because it may be dangerous to lift our voices individually to tell our truths no matter how much we are dying inside, women of color often work together collectively for strength and safety, such

as the SisterSong motto of "doing collectively what we cannot do individually." As bell hooks says, "Moving from silence into speech [is a] revolutionary gesture" in which we tell our own stories and determine what they mean.[47] Echoing this political practice, Rickie Solinger writes:

> The politics of personal story insist that the reader consider the woman storyteller as real and whole, a person who must be heard . . . as necessary as racial slavery was for defining and ennobling whiteness and worthiness. . . . [Women of color are] crucial to the project of defining legitimate mothers, citizens, and voters. Their existence and treatment functions as tenebrous yet public messages regarding who has the right to education, the right to work, the right to just compensation, and the right to a roof over her head.[48]

This section will discuss the black feminist definition of self-help, discuss why storytelling practices are necessary, and what they achieve in building the RJ movement. It is a critical aspect of healing from trauma and crucial in developing the stamina to withstand the percussive impacts of multiple forms of reproductive and sexual oppression. Thus, self-help is vital to the realization of RJ, not as an expression of individualism, but as a way to link personal stories to collective experiences to form a platform for shared political action.

In practice, RJ involves changing personal and collective behaviors as a statement of philosophy in which processes of self-help from the black feminist movement and conflict resolution from peace studies are intentionally incorporated to assist in helping diverse people work better together. hooks states, "When our lived experience of theorizing is fundamentally linked to processes of self-recovery, of collective liberation, no gap exists between theory and practice. Indeed, what such experience makes more evident is the bond between the two—that ultimately reciprocal process wherein one enables the other."[49]

Self-help as used in this context is a storytelling-based, peer-support process introduced as a black feminist practice by the National Black Women's Health Project (NBWHP) organized by Byllye Avery and Eleanor Hinton-Hoytt in 1983 in Atlanta, Georgia. NBWHP trainer Lillie Allen adapted Re-evaluation Counseling theory, called it self-help, and offered her popular self-help workshops at the first National Conference on Black Women's Health Issues. Lisa Diane White, former NBWHP staffer, describes how "[s]elf-help became a strategy for me and other women to actively pursue our wellness by supporting each other in addressing emotional, spiritual, mental and physical health concerns in our lives."[50] In the practice of RJ, self-help is available as a strategy for appreciating and managing our diversities and the internalized oppressions we bring to the struggle. Without such a process or one similar, it is difficult to imagine how diverse movements will flourish in unity and power. We have to learn how to transform our pain into medicine, like turning winter into spring, to heal our battered selves. Storytelling is a crucial part of RJT, an act of reclamation and resistance, because our theories grow from our activist locations and practices.

Anticolonialist psychiatrist and scholar Frantz Fanon's studies of the psychology of racism and the dehumanization it produces demonstrated both the possibility and the necessity for creating new values, ideas, and practices in order to resist the subjugation of the spirit, the mind, and the body. Reproductive justice is an emancipatory projection of our ideals and the dialectics between consciousness, oppression, and activism, but also transcends inherent dualistic contradictions by producing a tridimensional resistance process. In this way, theory is directly applied to activism to transform not only the thinking but also the strategies and practices of activism, incorporating both reason and emotion. Instead of reason and emotion existing in relational opposition, they exist in conversation. Theories that prerequisite an allegedly apolitical and objective stance thwart the very project of producing liberatory consciousness, theory, and practice working together to end all forms of oppression.

In 1981 hooks wrote in *Ain't I a Woman: Black Women and Feminism* about the devaluation of black women. In concluding that chapter, she wrote:

> Widespread efforts to continue devaluation of black womanhood make it extremely difficult and oftentimes impossible for the black female to develop a positive self-concept. For we are daily bombarded by negative images. Indeed, one strong oppressive force has been this negative stereotype and our acceptance of it as a viable role model upon which we can pattern our lives.[51]

Black women work ceaselessly to end the devaluation of our lives and experiences in the workforce, in the media, in communities, and in relationships. African American women—no matter how rich or famous—face a barrage of negativism. It can happen through the incredible caricatures of shows like the *Real Housewives of Atlanta*, the belittling of scholar and media analyst Melissa Harris-Perry by MSNBC when she refused to alter her show's depth to suit the racist perspectives of the station, or even the disbelief Anita Hill faced when she reported Clarence Thomas's sexual harassment during his confirmation hearing to the Supreme Court.

The rates of domestic violence and childhood sexual abuse in the African American community are staggering for a variety of factors. The number-one killer of African American females, ages fifteen to thirty-four, is domestic violence; we comprise only 8 percent of the population but are 20 percent of the homicide victims at the hands of a partner or ex-partner.[52] Approximately 40 percent of black girls report coercive contact or childhood sexual abuse by age eighteen.[53] Sadly, suicides are disproportionately high among young girls who are slut shamed, and black girls deserve more from society than neglect and blame. We stand accused of being sexually irresponsible, hyperfertile overbreeders birthing superpredatory children who white society must fear and imprison. We are not safe as children or adults, yet black women refuse to accept the white supremacist perception that the African American community is more pathologically violent than the white community.

We are not oversensitive when we organize to stop this devastation; the devastation is not over. African American women organize against the tropes of white supremacy, against an antifeminist backlash in the black community, against judgmental religious institutions that preach that we deserve our fate because of the alleged story of Adam's fall from grace due to Eve's curiosity, and against a feminist movement that views us as an afterthought, one beat too late. Our stories of freedom and dignity constantly challenge the lies told about us, our partners, and our children, often in the face of incredible dangers like rape, murder, and punitive social policies.

We always resist. We use an RJ analysis to intersect the myriad of issues affecting our sexuality and reproductive decision-making. Yet we also internalize these ceaseless negative messages about our beauty, anger, bodies, or reproductive and sexual behaviors. Many of us develop low self-esteem even as we work collectively to unlearn self-hatred. To counter these stereotypes, black women may

rely on practices of self-knowledge, self-recovery, and self-determination. We apply these practices to the project of achieving reproductive justice, exploring its theoretical, strategic, and healing potential.

As an action strategy, reproductive justice requires working across social justice issues by bringing together diverse issues and people "based not upon expediency, but upon our actual need for each other," in the words of Barbara Smith.[54] Instead of working together based on shared victimization, we acknowledge that we all suffer in some way from white supremacy and population control, but we do not suffer in the same way, nor are we all equally oppressed. In fact, some of us have the ability to oppress others because of our own privileges within the social construct, a victimized-violator stance that requires rejecting monolithic experiences, good/bad dichotomies, and essentialized definitions.

Of course, black women are not alone in valuing the power of building a movement through introspective storytelling. Revealing one's subjective self and standpoint increasingly is treasured in ethnography as well as the reproductive justice movement because we actually challenge the omnipresent, allegedly neutral voice that distances itself from the objects of the discourse. This is a distinct project from those who claim that structural constraints only exist in our minds and the ideal solutions are mostly found in our determination to overcome them. As we said in the NBWHP, you can't self-help yourself out of a toxic neighborhood. Poverty is not caused by low self-esteem.

More recently, I have witnessed younger activists use the art of telling their stories as a strategy for healing from internalized trauma, especially students of color at predominantly white colleges and universities, such as Weaving Voices at Smith College. Smith students of color share stories through storytelling and monologues "to celebrate and honor the labor and struggles that it took to survive" within an elite, predominantly white college. At the same time, they seek to "pass on their lived experiences as knowledge to future generations," noting "that there are other ways to live—past survival, past isolation." While this practice may not be a formal descendant of the self-help practices of the black women's health movement, it can be effective in ensuring everyone's voice is heard, and loving attention is paid to each person to create social transformation in a community.

We question those who believe they can co-opt the concept of reproductive justice without embracing the necessity for engaging in what dismissively is called the "touchy-feely" self-help and/or storytelling work of introspection, self-disclosure, and emotional discharge. According to Lisa Diane White, self-help enables use to become "more aware of the impact of oppression on our lives. These oppressions are interlocking and affect all of us, even when we believe ourselves to be surviving and thriving in our personal and working lives."[55] Self-help and storytelling affirms our experiences as women of color and supports us as we become more aware of the oppressive systems we face within the broader social/political/economic context that is our reality. Self-help allows us to take control of our lives and support each other to do the same. This means that we "acknowledge that we are divided and must develop strategies to overcome fears, prejudices, resentments, competitiveness, etc."[56] Absent a process of self-help or a similar liberatory practice such as conflict resolution, strategic efforts to bring people together while respecting differences and commonalities may be virtually impossible to sustain.

When we try to become what others expect us to be, we divide ourselves and then self-police the divisions in case we transgress, in the Foucauldian sense of manipulated consent. Without structured storytelling practices, the constant shifting of our consciousness and languages can produce madness and anxiety, sometimes genius, sometimes insight, but often suicidal internalizing of oppressive ideas within ourselves. When we conform to a system of internalized white supremacy, we lose sight of who we really are. We sometimes wear the masks of conformity so completely, so endlessly, that we can even forget we are wearing them in the first place. Through policing and internalizing, we become our own intellectual and emotional jailers. As Patricia Hill Collins says, "Suppressing the knowledge produced by any oppressed group makes it easier for the dominant groups to rule because the seeming absence of dissent suggests that subordinate groups willingly collaborate in their own victimization."[57]

We are forming our own processes of self-recovery and self-care. As Indigenous women and women of color, we have had to create our theories from our struggles as diverse peoples experiencing multiple and intersecting forms of oppression. In doing so, we not only recover ourselves and our voices but we move forward in building an active, liberatory reproductive justice movement that benefits all people. What is most evident at this time is that our multiplicity of voices and perspectives, our polyvocality, breaks the chains of a world that insists on marking us as one-dimensional, subject to only one truth—theirs—and insisting that to be heard, we must speak their language, use their references, and only exist in their limited, linear, finite gaze. Storytelling gives us new meanings for our experiences and helps black women develop a collective sense of order and direction for social change.

Critical Race and Critical Feminist Theories

Reproductive justice theory also incorporates earlier pioneering work on critical race and critical feminist theories (CR/CFT) from legal academia by scholars such as Derrick Bell, Mari Matsuda, Kimberlé Crenshaw, Patricia Williams, Adrien Katherine Wing, and Richard Delgado, who speak of multiple levels of consciousness that characterize our existences. Reproductive justice theory parallels critical race and critical feminist theories in that it challenges the liberal "colorblind" and "gender neutral" approach to US reproductive law and politics that is, in fact, neither colorblind nor gender neutral. "Critical" theories (in law, literature, ethnic studies, feminism, whiteness studies, etc.) critique the individualism and hierarchies that use purportedly neutral concepts to mask the true nature of contingent power relationships in modern societies, particularly the role of white supremacy and patriarchy in maintaining the status quo and advantaging and disadvantaging groups of people based on race and gender. Critical ways of interpreting constitutional law became urgent in an alleged postracial society in which remedies for racial injustices were defined by those in power as evidence of racism itself, or reverse discrimination, such as attacks on affirmative action and other measures for addressing racist practices. Emerging legal theory had to address the historically consistent but fluidly morphing right-wing racial ideology reinscribing white supremacy in the post–Civil Rights era.

RJT shares with CR/CFT the following characteristics:

— Relies on storytelling as primary form of communication

— Views racism and sexism as normal part of domination not aberrant
— Recognizes how elites use racism and sexism to serve them
— Views gender and race as social constructs, not immutable biological categories
— Understands how racial and gender stereotypes change over time
— Incorporates intersecting identities

While sharing these characteristics with CR/CFT, reproductive justice theory focuses on reproductive politics, intersectionality, and the human rights framework. This migrates some of the principles to new sites of struggle for reproductive control and bodily self-determination, social obligations, and entitlements. Unlike CR/CFT, our first site of struggle is not the legal system. Rather than unproductively seeking inclusion into a deeply flawed constitutional regime originated by white slaveholders, RJ works primarily in moral and political avenues in order to build a social justice movement based on international human rights standards and norms that can demand and create laws worthy of us and our dignity. Privileging legal strategies can be protractedly ineffective and limited because the law will only deliver justice when we demand it, and have the power to change it.

Women of color have long offered an intersectional framework with which to describe the structuring of gender through race and class to describe multiple forms of oppression that are simultaneous. In decrying the social and cultural construction of the concept of "woman" that only included white women, Sojourner Truth's nineteenth-century declaration of "Ain't I a Woman?" foreshadows Frances Beal's concept of multiple oppressions in her 1969 article, "Double Jeopardy: To Be Black and Female," reprinted in the 1970 anthology *Sisterhood Is Powerful*, edited by Robin Morgan. Toni Cade Bambara, who edited *The Black Woman* anthology also in 1970, greatly influenced me during my first year in college. She expressed the dilemma as beginning with an English language that has been "systematically stripped of the kinds of structures and the kinds of vocabularies that allow people to plug into their kinds of intelligences."[58] Each fought against an essentializing, overgeneralizing construction of gender that ignored the complexities of multiple identities.

Intersectional analyses were then further expanded by the Combahee River Collective Statement in 1977; by Angela Davis in *Women, Race and Class* in 1981; and by Audre Lorde, who said in *Sister Outsider* in 1984, "My fullest concentration of energy is available to me only when I integrate all the parts of who I am, openly, allowing power from particular sources of my living to flow back and forth freely through all my different selves, without the restriction of externally imposed definition." Lorde was speaking of her multiple identities as an African American, immigrant, lesbian, feminist, mother, writer, activist, cancer survivor, etc. Intersectional categories of identity are interdependent and multidimensional.

But the intersectional framework was not named until critical legal theorist Kimberlé Crenshaw coined the term in 1989 to illustrate how racial and gender oppression interact in the lives of black women. She used a traffic metaphor in which black women stand at the intersection of the race and gender streets, liable to injury from cars traveling along any axis. In the words of Crenshaw, intersectionality "mediates the tension between assertions of multiple identities and the ongoing necessity of group politics," while at the same time providing a "basis for reconceptualizing" a single identity as coalition, for example "race as a coalition between men and women of color."[59] In this sense, intersectionality does not just highlight differences. It also makes commonalities visible even as multiple identities diverge.

In her article "Demarginalizing the Intersection of Race and Sex," Crenshaw says that failing to comprehend the "complexities of compoundedness is not simply a matter of political will, but it is also due to the influence of a way of thinking about discrimination which structures politics so that struggles are categorized as singular issues. Moreover, this structure imports a descriptive and normative view of society that reinforces the status quo,"[60] i.e., white supremacy. Crenshaw introduced the word "intersectionality" in legal arguments to describe the limits of assigning mutually exclusive categories to black women in which neither race nor gender is sufficiently integrated in order to capture the particular experiences of black women. The failure to imagine the intersection of race and gender means that the needs and perspectives of African American women are unseen and neglected, and that no legal remedies for harm are available to black women because of the inability of our legal structures in the United States to incorporate multiple forms of oppression that are simultaneous. This is the basis of the aforementioned critical race theory that legal scholars such as Crenshaw, Delgado, and Matsuda have pioneered.

Critical race feminism (CRF) challenges the concept of essentialism, the idea that one "authentic" female perspective exists that can represent all women. The discipline criticizes feminist legal theory, postmodernism, poststructuralism, and liberalism for their failures to include the accounts of women of color beyond minor footnotes. Poststructuralism and postmodernism, interpreted through masculinist lenses, can be antagonistic to theories of embodiment as if lived experiences are irrelevant to developing a politics of the agency of black women and women of color. "Poststructuralism and postmodernism . . . have been often accused of an indifference to materiality. . . . To say that the body is a discursive construction is not to deny a substantial corpus, but to insist that our apprehension of it, our understanding of it, is necessarily mediated by the *con*texts in which we speak."[61]

Going further, CRF resists the essentializing of all black women as heterosexual. This type of erasure and omission silences lesbians, trans women, and gender nonconforming people, even within communities of color, begging the question of to what purpose and whose interests social constructions based on white supremacy serve. Legal scholars such as Patricia Williams, Lani Guinier, Hope Lewis, and Dorothy Roberts have pioneered critical inquiries into the teaching pedagogies of extant legal theories in the academy, calling attention to the perspectives of African American women who contest the white supremacist and patriarchal biases of the law both in theory and practice.

Crenshaw, by naming intersectionality, offered a compact and densely packed conceptual framework for moving beyond singularly ascribed identities. Intersectionality is not a new way to describe identity politics; instead it is a way to describe the interlocked nature of power relationships that advantage and disadvantage people depending on their identities. Both CR/CFT expose white male privilege and debunk the alleged neutrality and impartiality of the law, and the political, economic, and social practices arising from the prejudices of the privileged.

Human Rights Theory and Reproductive Justice

Cynicism is the universe's most supine moral position.

—Lois McMaster Bujold

Reproductive justice is an intentional framework to shape the competing ideals of equality and the social reality of inequality by pointing out the disparity in opportunities to determine our reproductive destinies. These are human rights standards that examine not only processes but outcomes, moving beyond American jurisprudence. The first time I heard the phrase human rights voiced through a gender lens was in Gwen Patton's essay "Black People and the Victorian Ethos" in Bambara's anthology *The Black Woman*. Patton, a legendary disabled Civil Rights activist from Alabama, was trying to reconcile her work in the anti-racist and anti-war movements with the gender oppression she witnessed in so-called revolutionary spaces. Like their white counterparts in the anti-war movement, black men believed that women in the black power movement could only be responsible for activities like "first aid, education, children, sewing" and other gender-segregated roles. This sexist diminution created a false patriarchal harmony between the hyperbinaried sexes in the belief that it aided in the "transition to the human rights struggle which will inevitably lead us to the Revolution."[62]

As a college student in 1970, I was just beginning to understand the intersectional struggle around race and gender I saw in the black power movement at Howard University. Patton's prophetic black feminist use of human rights instead of the more familiar civil rights was a powerful clue overlooked at the time. Patton's essay illustrates that black feminist theorizing using the human rights framework has a long and storied history that predates the 1994 creation of the RJ framework that also invokes the full suite of human rights.

According to historian Louise Knight, the phrase "human rights" seems to have emerged in the first decade of the nineteenth century. Thomas Jefferson used it in his address to Congress on December 2, 1806. Without an apparent sense of irony, Jefferson was referring to the foreign slave trade violating human rights because many slave owners believed that the real moral violation of slavery was capturing free people in Africa and enslaving them. In other words, those born in slavery did not have the same human right to freedom as did the captured Africans.

About a year later, a black minister, Reverend Peter Williams Jr., broadened the meaning of human rights to include all aspects of enslavement. In New York on January 1, 1808, he described the Maafa enslavement as a "flagrant violations of human rights."[63] Black abolitionist and feminist Frederick Douglass also used the phrase to protest the lynching of a black man in New York City in 1858. Douglass said:

> Human rights stand upon a common basis; and by all the reason that they are supported, maintained and defended, for one variety of the human family, they are supported, maintained and defended for *all* the human family; because all mankind have the same wants, arising out of a common nature. A diverse origin does not disprove a common nature, nor does it disprove a united destiny.[64]

In excavating this history, it is important to recognize this broadening and affirmation of the human rights paradigm a full ninety years before the ratification of the Universal Declaration of Human Rights (UDHR) by the United Nations in 1948. In 1951 African American leaders wrote a petition to the UN entitled "We Charge Genocide," calling on the United States to uphold the Convention on the Prevention and Punishment of the Crime of Genocide adopted by the UN General Assembly on December 9, 1948.

Malcolm X also spoke in 1964 about the importance of using the human rights framework in the struggle for African American liberation: "We can never get civil rights in America until our human rights are first restored. We will never be recognized as citizens there until we are first recognized as humans."[65]

Dr. Martin Luther King Jr. also called for a human rights movement focused on the US in his last Sunday Sermon on March 31, 1968, four days before he was assassinated. Disappointingly, activists in the US have just begun to build that united, indivisible human rights movement *in* the US focused *on* the US, starting in the mid-1990s. Not surprisingly, it has been women of color and African American women in particular who have led this new movement.

This work has not been without its critics and skeptics, because the United States fiercely resists having its sovereignty subordinated to the norms and standards of the international human rights regime even as it commits human rights violations like torture at Guantanamo Bay or in the Chicago Police Department. Conservatives have fought against submitting the US to international human rights standards since the 1940s, when the framework became a global standard for ending injustice and discrimination. In the 1950s US Secretary of State John Foster Dulles opposed compliance with the UDHR, mendaciously arguing that the US legal system offered more human rights protections. Apparently, he willfully ignored the existence of Jim Crow segregation for African Americans at the time that legally excluded black people from the full protection of the law or equal opportunity to enjoy the benefits of society.

In fact, many people may recognize that African Americans still do not enjoy the full and equal protection of the law with the recent continuing rash of police and white civilian killings of unarmed black men and women more than sixty years after the government signed the UDHR. Murdering people of color is baked in to the functioning of America, as the "We Charge Genocide" petition quipped, "Once the classic method of lynching was the rope. Now it is the policeman's bullet."[66] The UN has issued many scathing reports on human rights violations in the United States, particularly citing police brutality and excessive use of force against African Americans by both law enforcement and civilians. The most recent report in 2015 included 348 recommendations to address human rights violations in the US.

A number of US activists on the Left are skeptical about the usefulness of the human rights framework and practice their own particular form of American exceptionalism, believing that the way the US government has consistently undermined the UN and the human rights system makes it an unlikely source of relief for human rights violations. Some social justice activists are unfamiliar with the human rights framework and rely on myths and media accounts to assert that it offers little in terms of validation and support. Others cite the United States's failure to ratify the treaty as the reason for their reluctance, while others point out the cynical

manipulation of human rights by the government in the protection of global capital rather than in the service of vulnerable people. Others question definitions of human rights that are so culturally specific and only selectively supported in democratic countries. For example, while the US claims to prioritize political and civil human rights, conservative attacks on voting rights and freedom of the press belie those claims. New biotechnologies challenge the fundamental definitions of precisely who is human by altering the genomes of future generations, demonstrating that the meanings of these rights always shift over time depending on power relationships.

Critics from the Global South who believe human rights are an imperialistic Western imposition on their societies agree with US skeptics, albeit for different reasons. Perhaps the critics are right to be alarmed because human rights claims challenge all authoritarian and theocratic regimes that deprive their citizens (especially women and LGBTQ folks) of basic human rights, including the United States. Human rights violations are a continuum with some countries performing better on certain issues and others performing worse. That the United States sometimes uses the language of human rights in diplomatic demands while violating such standards domestically is not a reason for complacency. Rather, this inconsistency is a challenge only US activists can uniquely address.

These critics make important and valid points, but despite the doubts of neoliberals, conservatives on the Right, and cynics on the Left, the global human rights framework offers—at this time—the most likely moral, political, and legal regime through which RJ goals may be accomplished. It is far more expansive and inclusive than the limited US Constitution. In terms of reproductive justice, the Constitution cannot adequately address sex discrimination against women. In fact, Sarah Weddington, the attorney who argued for abortion rights in *Roe v. Wade*, wanted the court to rule that denying women the right to an abortion was a form of sex discrimination and violated the Fourteenth Amendment of the Constitution. The court demurred, choosing not to go that far in dismantling traditional sex discrimination in the US (notably a path that Canada actually embraced when it ruled that abortion denial is a form of sex discrimination a few years later). The Supreme Court instead articulated a tenuous "right to privacy" that is not in the Constitution that allowed trimester-based government interventions in women's decision-making, with increasing state power and diminishing women's autonomy further along as the pregnancy progresses. That deeply flawed court decision permitted a patchwork of antiabortion laws across the country, with more than two thousand bills introduced in state legislatures to restrict women's human right to abortion.

Now states are interfering at conception, claiming that fetuses have rights the moment they are conceived. Antiabortion opponents misleadingly argue that certain forms of birth control are in fact abortifacients and terminate pregnancies. Lynn Paltrow of National Advocates for Pregnant Women fights in courts against the policing of pregnant women's behavior. Some have received criminal sentences for refusing doctors' orders for forced cesareans, attempting abortions, using either legal and illegal medications, or having a healthy baby who tests positive for controlled substances. These should not be criminal offenses punished with incarceration or involuntary medical interventions. A hostile Supreme Court may eventually overturn *Roe v. Wade* altogether, recriminalizing abortion in the US.

Many feminists around the world prefer to use international human rights standards to make claims for full reproductive freedom. Recognizing that women have full human rights that cannot be diminished because of a natural health condition like pregnancy, activists particularly from the Global South have urged the UN and nongovernmental organizations to affirm that women's rights are human rights, and that human rights protect abortion rights.

In addition to offering wider protection for abortion rights, human rights also offer more comprehensive protection against the denial of birthing rights. The aforementioned convention against genocide describes the prevention of births among a population as a form of genocide, or reprocide, which fundamentally contradicts reproductive justice values. Other examples include forcibly transferring children from a community, such as Native American children forcibly removed from their families to boarding schools run by white Christians. The disproportionate placement of poor and children of color in foster care throughout the US is also a human rights violation. Thus, strategies of population control and reduction violate several important human rights treaties to which the United States is obligated, having ratified the Genocide Convention in 1992.

Activists have endorsed the usefulness of the human rights framework globally for addressing public health issues like HIV/AIDS. International AIDS activist Dázon Dixon Diallo works in South Africa and the United States providing services, advocacy, and income-generating projects for women with HIV/AIDS. She points out the relationship between working to stop the spread of HIV/AIDS and community conditions: "We're not only fighting a virus; we're fighting the conditions that allow it to proliferate. We need to look at public health issues from within a human rights framework . . . the need for prevention justice," which builds upon reproductive justice theory.[67]

In terms of movement building, human rights appeal because they are a radically different way for social justice activists to examine power and inequality, and the role of state and nonstate actors, like corporations and individuals, in perpetuating violations. Human rights offer strong moral arguments for setting standards for how people should be treated and what everyone deserves as a member of human society, regardless of their identity, citizenship, abilities, etc. Human rights present strong political possibilities for bringing together various social justice movements under a unifying ideological platform not based on identity categories but our shared humanity. Although the United States has not ratified the majority of the available human rights treaties, it is possible to exert pressure on local, state, and federal governments to comply with internationally recognized human rights norms and standards, while building the political power to achieve treaty ratification by the Senate. Legal enforcement possibilities increase when backed by an educated human rights movement.

In using the human rights framework, RJT links both individual and group rights in that we all have the same human rights, but may need different things to achieve them based on our intersectional location in life. For example, if sterilizing women against their will violates the Genocide Convention, then why was California allowed to sterilize incarcerated women until very recently? In 2015 Justice Now successfully fought to pass a bill to end the coerced sterilization of incarcerated women and now works to hold institutions accountable to the new law. Should people lose their human rights because they are incarcerated? Reproductive justice emphasizes each person's individuality as indicated by intersectional markers, but without ignoring collective or group identity.

The RJ movement is a part of the effort toward building a human rights culture in the United States. Human rights must be infused into the complex and multiple beliefs, motivations, and policies of the United States. They offer a compelling counter to the culture of life rhetoric of fundamentalists, conservatives, Libertarians, and Christian nationalists. Human rights challenge those who believe our society should be stuck in the days when people had to be religiously qualified white males in order to hold power, a particularly

paternalistic and authoritarian perversion of democracy inherited from US history. Offering a counternarrative, the US Human Rights Network issues annual reports on human rights violations in America and offers leadership in the human rights movement in the United States.

However, engaging with the government to fight for human rights through an RJ lens requires us to recognize the ambiguous role of the state in supporting or denying justice. For example, the government asserted that Keisha, as a pregnant twelve-year-old, was too young to make an independent decision to have an abortion, or to receive comprehensive sex education that may have prevented the pregnancy, but she is not too young to have responsibility for a baby. This is an inherently contradictory and illogical diminution of her human rights.

In addition, many human rights activists reasonably believe that the nation-state is an outmoded form for organizing human society since capital, corporations, and environmental problems, for example, are largely stateless and not confined by national boundaries. These activists compellingly argue national boundaries only serve to restrain labor forces and restrict the free movement of people, while doing little to ensure that the planet is protected from man-made or environmental catastrophes. Thus, a human rights system reliant on state actions and bound by national charters and constitutions has, by definition, a limited shelf life. However, since the nation-state is probably a feature of global politics for the foreseeable future, this concern is not an immediate challenge to exploring the present utility of the human rights regime.

It is also understandable that governments, corporations, and individuals are often reluctant to curtail their own powers by embracing human rights standards. All three entities often argue in favor of discriminatory policies to meet other objectives, such as allowing discrimination based on religion, gender, sexual preference, class, race, etc. In light of recent Supreme Court decisions like *Burwell v. Hobby Lobby Stores, Inc.*, this may extend permissible discrimination to include women who use birth control, have had abortions, or admit to having sex outside of marriage. This means the task of achieving an RJ-influenced set of policies, much less a worldview—in whatever political or social arena—is further complicated, although strides are occurring to demonstrate the national power of the RJ framework.

This is despite the sometimes-glacial reluctance of some pro-choice allies to accept the power of RJ, and the creativity and leadership of those women of color who explore and embrace it. It may not be possible to hold the United States accountable with the liberal feminist strategies and the leadership of the past. Attempting to co-opt RJT without referencing the human rights framework actually deradicalizes the theory, stripping it of its most powerful tool to challenge US imperialistic hegemony and domestic intransigence.

For example, in 2005, Planned Parenthood sponsored a conference entitled Reproductive Justice for All at Smith College, making it the one of the first mainstream organizations to attempt to incorporate the RJ framework. This conference, predominantly organized by the more progressive members of PPFA, nonetheless failed to shift the national organization into using the human rights framework or to understand the importance of the leadership of women of color organizations in its future. This failure was later illustrated in a brief controversy between PPFA and women of color organizations in 2014, when they proclaimed in the *New York Times* to be moving away from the pro-choice/pro-life dichotomy without acknowledging the pathbreaking work of women of color organizations that produced this sea change.

Claiming Our Power: Standpoint Theory

The pregnancies of women of color are a global ideological battleground on which the right to reproduce—to be mothers—is pitted against those who believe they are rescuing us from the specter of overpopulation. These ideologies and their practitioners would deny women of color not only agency and consciousness but also subjectivity or the right to narrate our own lives by lifting our voices to seek and name hidden oppressions. In response, we developed fresh concepts about workable problems to use for theoretical thinking. Women of color reclaim our subjectivity; we mine our varied heterogeneous experiences to develop comprehensive analyses and explanations of the competing and intersecting forces of power and social control in our lives.

Reproductive justice incorporates feminist standpoint theory because as black women, we occupy both an insider and outsider position within the feminist movement, the African American community, and in gender-nonconforming spaces. These intersectional positions enable us to see multiple realities in ways that are invisible to others who do not stand at our particular shifting locations. We question the indifference of those who don't believe Black Lives Matter or that Black Girls Rock! or understand the importance of the Standing Rock resistance against environmental destruction because we see patterns of injustice that are raced and gendered that others are often oblivious to.

We straddle the borderlands and choose to be bridge builders when we want to, but we fiercely reject those who involuntarily thrust us into that role for their own convenience. We can be the mules and the explainers, the dreamers and the pragmatists. Our marginality in so many locations produces a creative excitement that is transformative and enriches social discourse. By centering ourselves, we reveal, for example, the deeply disguised racist undertones of population control processes, even when camouflaged by feminist or anti-racist rhetoric. Pregnancy and coercion need a fresh examination with some men coercing women to get pregnant, and some women pressuring others not to. When black men claim our wombs as their territorial property in the struggle against white supremacy, we decry the misogyny of these claims, because we refuse to "throw away the birth control pill" to have a baby for the revolution. We refuse to accept the notion that the amazing theoretical gifts we have offered through formulating the concepts of identity politics, intersectionality, and reproductive justice make us unable to perceive misogynoir and the casual disrespect offered by those who walk on the bricks we laid that provide a pathway for others.

According to Sandra Harding, "Standpoint theory emerged in the 1970s and 1980s as feminist critical theory about relations between the production of knowledge and the practices of power."[68] Standpoint theory is part of postmodern and poststructuralist critiques from the academy that interrogate allegedly objective master narratives, much as critical race theory challenges the presumed neutrality of the law that hides its deeply rooted biases against people of color, nonwhite immigrants, queer people, and women. These dominant accounts provide inadequate space for oppositional actions by individuals and communities, replete with their tensions and contradictions. The producers of these purportedly objective accounts cannot successfully veil the material and historical conditions

that create their own biases. In other words, although straight white men may claim to be able to produce a body of laws, norms, and standards that appear neutral and fair, in fact, their inherent inability to understand other standpoints results in discriminatory reasoning that almost unfailingly reinforces the status quo of their disproportionate power.

When cisgender men sue women for the right to participate in women-only spaces by claiming reverse gender discrimination, they are not dismantling the patriarchy but instead using it in stunningly unoriginal ways. They are frequently successful because our myopic legal system does not sufficiently take into account differences in power and concretized patterns of discrimination. Allan Bakke's successful 1977 claim of reverse discrimination to dismantle affirmative action is another famous example. Bakke, like many white people, claimed that any remedial actions to correct past racial and gender injustices are de facto discrimination against white people, particularly white men. This widely accepted standpoint casually disregards the centuries of continued preferences for white men in university admissions, employment, financial and credit options, politics, and police forces. Critics of reverse discrimination claims rightfully point out that equality of process often results in discrimination in outcome. If the majority of students at a university have been white for hundreds of years, using apparently neutral admissions processes will reinforce the status quo and privilege white people while not addressing the traditional patterns of discrimination that have produced such outcomes in the past and the present.

Reproductive justice is not an essentialist, reductionist framework based on the shared victimization of women of color. RJ does not insist that there is only one way to view or experience the world. All women of color are not oppressed the same way, even within ethnic groups. Instead, RJ represents the need for strategic alliances among people who experience multiple sites of domination and oppression within the social construction of gender. Societies and cultures prescribe or construct gender roles as the only appropriate behavior for a person of a specific gender. Assigning disparate values to different reproductive bodies predictably generates different reproductive experiences. All people may experience some form of reproductive oppression, but because of our individual intersectional identities, we do not experience it the same way.

This understanding of our enterprise resonates with the theory of standpoint epistemology. Standpoint epistemology foregrounds the effects of politics on knowledge production and argues that objectivity increases by input from multiple perspectives. It thus challenges accounts of reality based only on the perspective of those in power. As Harding explains, "Standpoint epistemology sets the relationship between knowledge and politics at the center of its account in the sense that it tries to provide causal accounts—to explain—the effects that different kinds of politics have on the production of knowledge."[69]

When women of color proclaim that we have a new paradigm called reproductive justice for envisioning our movement, we recognize its disturbance of the dualistic logic of the dominant social order that values sameness or commonalities over specificity and difference, as well as reason over emotion. Because we embed multiple standpoints in the injustices we experience, we embrace the ambiguities attendant to nonstatic standpoints. Both intersectionality and standpoint theory may be limited if they become reliant on fixed points of perspective in space and time. Ambiguity and temporal changes are not only necessary but desired.

Women of color are demanding "a plural consciousness" that uproots dualistic thinking that "requires understanding multiple, often opposing, ideas and knowledges, and negotiating these knowledges."[70] Gloria Anzaldúa suggests that a "*mestiza* consciousness" arising from inhabiting contradictory locations simultaneously is a valuable source of knowledge production because it "challenges dualism and is flexible and tolerant of ambiguity."[71] She writes how marginalized women engage in self-making, the creation of our own identities, that celebrates our ambiguous social locations rather than perceiving them as problematic. RJT frustrates claims of hierarchy and certitude, especially binaries. Canons from black feminists using our knowledge from sites of multiple possibilities that deconstruct the processes that devalue embodiment and brace systems of reproductive oppression may strengthen the evolution of feminist theories.

The ambiguities embedded in our paradigm threaten order, certainty, control, and power in very fundamental ways. We present a significant challenge to both the mainstream pro-choice community and our own communities that devalue women of color. Our knowledge claims contest commonly held beliefs about women of color, our sexuality, and our fertility. We rely on our own knowledge-validation processes that are outside of and often counter to the dominant theories of knowledge that deny us the power to be credible witnesses to our own experiences. As women of color acting as our own agents of knowledge, we embrace the emotions, interests, and values generated by our unique situations and standpoints. In so doing, we reject the positivist methodological approach of objectivity and distance, and do not seek to ascertain truth through adversarial debates.

We believe that Keisha's life can change. We believe that despite her significant challenges, she may overcome her childhood suffering and become self-determining and the author of her own destiny. We believe this because we have lived that reality too. As I said before, her story of childhood abuse, reproductive injustice, shame, and suffering was so much like ours before we conceptualized RJT, moving individually and collectively from the trauma of our experiences to the power of naming our own pathways of resistance.

White Allies and Reproductive Justice Theory

While reproductive justice theory challenges the pro-choice/pro-life binary and arises from the lived experiences of African American women, it is not only applicable to women of color. "Depth does not mean a chasm," to quote Luce Irigaray.[72] Every human being has an intersectional mosaic of experiences subjected to forms of bodily control by society. The creative tension between self-determination, group rights, and collective power provides an analytical foundation for unique standpoints on self, community, and society.

For white allies (and people of color, too) to successfully engage RJT with integrity, they must question neoliberal discourses about individual rights and the marketplace of choices denied to the vulnerable members of our society. In particular, white feminists must overcome their fear of challenging white supremacy by understanding that it is an ideology and not inherent in any race of people. Any devotee of human rights must contest white supremacy, and failure to do so is, by default, to be complicit in its maintenance. In the classic and often-quoted essay by Audre Lorde, "The Master's Tools Will Never Dismantle the Master's House,"

the line following this phrase emphasizes this point: "They may temporarily allow us to beat him at his own game, but they will never enable us to bring about genuine change. And this fact is only threatening to women who still define the master's house as their only source of support."[73]

For example, one of the frequent critiques of the pro-choice movement by radical women is how willingly they often submit to members of the Democratic Party in the hopes that it will stand up firmly for abortion rights because abortion is routine healthcare for women. The negotiations in 2009 over the Affordable Care Act (ACA) are a case in point because abortion was central to many debates about the ACA. The ACA reinforces the current Hyde Amendment restrictions, continuing to limit federal funds to pay for abortions that endanger the life of the woman or that are a result of rape or incest. The Democratic political leadership strengthened rather than weakened abortion restrictions as a concession to ACA opponents, disappointing many RJ advocates by establishing rules unique to abortion coverage, such as requiring a separate insurance premium to obtain coverage. States may ban abortion coverage in the marketplace plans available under the ACA, and twenty-five states do so.

While the political calculus of deal making to get the support of anti-choice Democratic party members is beyond the scope of this article, it is important to point out that such compromises do little to help vulnerable women obtain the full range of reproductive health services they deserve. A key question is how to hold political party leaders accountable to women's human rights when they make these rights a bargaining chip to be traded away. Attacks by conservatives on the ACA continue despite the many antiabortion concessions made, begging the question of whether proponents should have not thrown abortion rights under the bus in the first place. The ACA offered valuable insight into understanding why RJ advocates fight for undivided human rights, not trading away vulnerable people's rights for transcient political gains.

White allies must also interrogate the parallel co-optation of critiques of population control sanitized and modernized with feminist-sounding language. For example, it is fashionable in some quarters to use the term "population stabilization" as a way to describe imposing fertility control measures on communities in the Global South without addressing the root causes of underdevelopment and global exploitation that prevent these communities from controlling their own resources and destinies, violating their human right to development. Often, seemingly moderate language about environmental concerns or women's empowerment mask agendas not too far removed from earlier eugenic attempts at population control in order to contain dissent, extract natural resources from other people's land, and reduce the potential for resistance to neocolonial expropriation.

The liberal wing of the mainstream women's movement can replicate the dualisms of the patriarchy in continuing the imperialist project of colonizing our bodies and lands when this brand of feminism denies its complicity in population control rhetoric and justifications. RJT connects our local concerns to global issues. We are vigilant in challenging the vast and complex mechanisms of social control enacted to create wealth for the economically privileged through globalization. We cannot suppress the parts of ourselves—our authenticity, emotionality, and interdependence—least meaningful to the powers arrayed against us. As theorist Michel Foucault argued in *Discipline and Punish*, modern patriarchal power produces docile bodies through uninterrupted coercion of every bodily process, including reproduction. The regulation of the bodies of women of color renders us invisible through the paradox of extreme surveillance and policing, which assure the automatic functioning of power. The ultimate effect is to produce uninterrupted coercive practices and norms directed toward our every reproductive activity that, in turn, encapsulate us in an ever-changing matrix of power and domination imposed not only by the patriarchy but also by its collaborators and apologists.

The framework of RJ challenges the hegemonic discourses of abortion-focused, single-issue reproductive politics based on the priorities of liberal feminism and its opponents. Even as the bodies of women of color and trans women serve as sites of knowledge production for the mainstream women's movement, our needs and experiences are often neglected and marginalized. Feminists of color exist in an ambiguous insider/outsider status. We have options about how to amass and use our power to challenge devaluation and objectification because academics and mainstream organizations need us more than we need them to substantiate their theories and obtain funding for their operations. For example, since 1970, Title X funding for family planning providers is designed to prioritize services for low-income families, creating an economic model that depends on impoverished people accessing and using public health services. RJ advocates urge Title X–supported organizations to prioritize the needs and leadership of low-income people, particularly women of color, yet they are inexplicably slow to recognize how not doing so challenges their economic viability. The same can be said for academic institutions that incessantly study and receive funding for and about people of color but will not change their institutional biases about hiring and tenuring faculty of color.

RJT offers a powerful position reversal from which to insist on elevating the reproductive justice framework and offering a critique of the ideology of population control from the Right and the Left while challenging hegemonic practices in the academy and mainstream activism that reinforce white privilege and dominance. For women of color, RJT is at the same time about and beyond abortion.

Reproductive justice has moved into the interstices of the pro-choice movement in the United States, moving from the margins to the center. Because of RJ's challenges to institutionalized power relations, it is not a framework convenient for those who seek to maintain the status quo. The limited, dualistic, and polarizing debates based on unitary theories of gender politics mask the differences experienced by women of color. By being trapped in the dynamics of self-reflexivity as both object and subject, liberal feminists "can produce a circular, self-conforming rhetoric and a hermetic closure of thought . . . within the narcissism of the mirror image."[74] In the words of Irigaray, "They have left us only absences, defects, negatives to name ourselves."[75] Because we have to contain ourselves within language that is woefully inadequate, we have the paradoxical task of affirming our differences while working toward our unity in a foreign tongue and in a strange land.

As hooks says, women do not need to eradicate difference to feel solidarity. We do not need to share a common oppression to fight equally to end all oppressions. Lorde affirms: "It is not those differences between us that are separating us. It is rather our refusal to recognize those differences and to examine the distortions that result from our misnaming them and their effects upon human behavior and expectation."[76] It takes all of our differences to make us whole, and differences only become barriers that break us into fragments if we let them.

Conclusion

Our emancipation from this binary two-step of reproductive oppression through reproductive justice theory will present a delicate but everchanging choreography of control and location. We are using our power—claiming our voices for ourselves—speaking for ourselves. We no longer will be a reflection of liberal feminism with a little difference. What may be most startling about RJT is our indifference as to how it is received by those who struggle to understand their own realities, much less ours, because we are refusing to dance that way anymore. No more docile bodies. Because in fact, we have been dancing with our oppressors in a circular two-step that is getting us nowhere. The music, instead of lifting our feet, is controlling our movements in that we have become its object, rather than the other way around.

Our resistance exalts the passion of Zora Neale Hurston—"I dance wildly within myself; I yell within, I whoop. My face is painted red and yellow and my body is painted blue. My pulse is throbbing like a war drum"[77]—while others only hear what we feel and can only guess what we know. Reproductive justice theorists prefer to become our own subjects, without permission and without apology. We are decentering those alienating realities and putting ourselves in the center of the lens. As well as being different, we are indifferent.

Nevertheless, our masks of conformity are never static; masks affect everything around us, mutating as survival dictates. The disguises reveal their own paradox: if they serve the needs of our oppressors, do they serve our needs as well as we think they do? The masks may alienate us from ourselves so thoroughly that we support their goals without fulfilling our own. Irigaray poetically advises:

> Let's quickly invent our own phrases, so that everywhere and always, we continue to embrace. We are so subtle that nothing can stand in our way, nothing will keep us from reaching each other, even fleetingly, as long as we find means of communication that have *our* density. We will walk through obstacles imperceptibly, without damage, to find each other. No one will see a thing. Our lack of resistance is our strength. For a long time, they have appreciated our suppleness for their embraces, their impressions. Why not use it for ourselves?[78]

Reproductive justice theory frees us from the boundaries of white supremacy to disengage from and critique an alienating worldview. As Marilyn Frye argues, oppression is the reduction of options by forces and barriers systematically related to each other in such a way as to form an enclosing structure that restricts or penalizes motion in any direction. Each option exposes one to penalty, censure, or deprivation. Because we envision infinite possibilities for RJT that will be heterogeneous and amorphous, we will not be fenced into their stifling commons, as if collectively owning the space within these cages makes us less imprisoned. There is no circumference to our circle because it widens every time we lift our voices and express our many dimensions. Our silhouettes unknown are colored in by our blood experiences. We created expansive reproductive justice language written through our ancestors exhaling in our exultations. As Tshepo Madlingozi says, "We are our makers of our history. We are our own inventors of our future."[79]

I can imagine Keisha in college attending her first feminist theory class, trying to understand what has happened in her life and to find new words to describe her path to that moment of epiphany when feminist teachings helped save our sanity and our lives. It is possible. Despite having a child at fifteen through incest, I went to college at sixteen. The path was not easy or linear, and I didn't graduate until I was fifty-five. My encounter with the antirape movement in the 1970s saved my life. I learned it could be done. I hope Keisha also learns to escape the oppressors' cages, their endless binaries, their endless oppositions. I hope she doesn't give up on herself the way society may seem to give up on her. A little hope, a little help, and all things are possible. As black feminists, we will do our best to prepare this new feminist theory and have it waiting for her when she arrives. We must always remember Keisha's story and never forget those we strive to represent with compassion and dignity.

We revel in reproductive justice theory and its world of ambiguities and find their certitude about our existences liberating. Absolutes immobilize. Mobility strengthens.

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