Introduction

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In the summer of 2022 the US Supreme Court overturned Roe v. Wade, its 1973 decision legalizing abortion nationwide. The new decision, Dobbs v. Jackson Women’s Health Organization, has had predictably brutal and unequal impacts on the lives of people in the United States. In the first months following Dobbs, thirteen states implemented total abortion bans. Several others implemented bans based on the period of gestation, and still others continue to squabble over intended bans in courts. The Supreme Court’s ruling was a dramatic shock but not exactly a surprise after fifty years of attacks on legal abortion and after former president Donald J. Trump’s appointment of three antiabortion justices, explicitly for this purpose.¹

Dobbs is a singular Supreme Court decision, but it reflects a long history of politicians and other elites treating reproductive capacity as the key site for addressing a variety of challenges facing the nation. This history makes the Dobbs decision a climactic marker in the continuous stream of legal, institutional, and cultural efforts across several centuries to control—or regain control—over people’s reproductive bodies. In the early history of the United States (and continuing today), elites defined the nation’s primary challenges as producing a labor force and controlling land, wealth, and national order, to
sustain the country as a “white nation.” This aim, over several centuries—before the invention of dependable, self-administered contraception and national legalization of abortion—required the government at the outset to enact laws and policies, pursue military operations and labor practices, and organize everyday lived experience with the aim of shaping and controlling population growth and marking the destiny of newborns according to racial principles.

We must look first at the institution of slavery, a system that was sustained and enlarged by the reproductive labor of Black people. At the same time, the reproductive labor of white women produced a free white population. Clearly, the system that prohibited enslaved Black women from the rights to choose sexual and reproductive partners, the rights to form and protect their families and to parent their children, fundamentally built and defined the brutal system of enslavement. In marked, deliberate contrast, this system ennobled a narrative of the sexual and reproductive “self-ownership” of white women.

Politicians and elites also aimed to produce a continent where public and private ownership of land and other natural resources was no longer under Native stewardship. To achieve this aim, white settlers and national armies decimated Native reproductive bodies and otherwise brutalized Native communities. Immigration policies, too, centered and justified exclusions and inclusion to meet the goal of privileging white reproduction, to build a “white nation.” In an effort to exclude Asian immigrants from the United States, for example, a series of laws in the nineteenth century allowed limited numbers of laboring Chinese men into the country (until the Chinese Exclusion Act of 1882 prohibited all Chinese immigrants for ten years) but excluded the wives of these men, thereby limiting the number of Chinese children—citizens—born in the United States.

Later, in the twentieth century, laws and policies extended earlier population-control strategies that associated whiteness, and only
whiteness, with citizenship. New efforts continued to enforce racialized reproduction and introduced pseudo-scientific eugenical standards. For example, politicians and policymakers designed public policies to punish poor women of color who public authorities accused of having sex with a man, who got pregnant, or who had a child while receiving public subsistence allowances. Hospital policies supported the involuntary sterilization of poor white, African American, Native women, and Spanish-speaking women, targeting these groups as producing racially and culturally “inferior” children. The rules of social welfare agencies justified removing children from low-income households of color, especially when the head of the family was a woman who did not live with a man and was therefore defined as an “illegitimate” parent.

Today, obstetric care, environmental policies, educational opportunities, child-transfers, and many other resources and practices that impact pregnancy, parenthood, and bodily autonomy still target people based on their race and class. All of these laws, policies, and practices, together with (pre-Roe, post-Roe, and post-Dobbs) lack of safe, legal, and accessible contraception and abortion, have extended and deepened harms many people have suffered over time, based on their reproductive capacity.

The historical record, as well as the experiences of people today, shows that when the state takes the right to control the bodies of individuals with reproductive capacity, the results severely undermine the dignity, safety, and possibilities for full-citizenship status of their targets. When women did not have the right to abortion or the right to contraception, not coincidentally, they also lacked economic rights and other forms of personal independence. And, always, this “dependency” was harsher and more totalizing for people born poor and for people of color. As many of the essays in Fighting Mad point out, this harsher, totalizing lack of support for managing reproduction has persisted across time, before Roe v. Wade, after, and now, when the
Court has revoked *Roe*. Again, the *Dobbs* decision is another marker of the breadth and depth of hostility to reproductive outcomes and national social arrangements that challenge both white supremacy and male supremacy. This is the context in which we bring together the diverse voices whose work we share in *Fighting Mad*.

In putting this volume together, we clarify the contours of the fight for Reproductive Justice unfolding across multiple dimensions of the struggle, in the period immediately following the fall of *Roe v. Wade*. At this time of incredible volatility, misinformation, and confusion, we have been invigorated by the opportunity to create a resource making sense of the rapid-fire set of events unfolding in the wake of *Dobbs*. The recriminalization of abortion in many states has ushered in heartache and constraint for those in need of abortion. But this period also shows us people fighting for reproductive freedom, mobilizing new strategies to help individuals live self-determined lives under the new legal regime. This book shows that resistance is alive. The contributions illustrate what it looks like when people are forced to live under unsound policies. And, most important, we show what people are doing to protect abortion access on the ground.

At its core, *Fighting Mad* is about what Reproductive Justice means and what it looks like to fight for it. This concept and political activist framework was developed by a group of Black women in 1994, to define the human rights and material conditions that individuals require to live safe, dignified, fully embodied lives, making decisions about whether to reproduce or not, and about having access to the resources they need to be a parent or not, with dignity and safety. The Reproductive Justice framework was developed with recognition that courts and public policy have long been instruments of oppression weaponized to disproportionately harm people located at the axes of multiple marginalized identities. This has been true even when courts and policies seem to aim for empowerment. *Fighting Mad* begins in the context of this recognition, elucidating the ways
that people have been denied Reproductive Justice even when *Roe* was the law of the land.

Because *Dobbs* aims to fundamentally restructure the experience of sex, pregnancy, and parenthood in the United States by allowing states to criminalize reproductive autonomy, *Fighting Mad* focuses more tightly on the impacts of criminalized abortion than on other key facets of Reproductive Justice. In fact, *Dobbs* forces us to focus on the meaning and repercussions of this criminalization—the loss of the human right *not* to have a child—and on the uneven impacts of the Court’s ruling across society. Nevertheless, in various ways the essays address the full nexus of core claims that constitute Reproductive Justice. Because *Fighting Mad* is devoted to highlighting on-the-ground work in communities, and to following the Reproductive Justice perspective that acknowledges the law’s limits in securing reproductive autonomy, we leave close analysis of the legal landscape in the aftermath of *Dobbs* to others.

We want this book to serve as an artifact of this tumultuous period and as a record of the tremendous work people are doing in the crisis, in part so that this period is remembered and its accomplishments remain inspirational and foundational. Nevertheless, as a snapshot of an important historical moment, *Fighting Mad* is not a comprehensive survey of all forms of post-*Dobbs* activism, either activism in the interest of Reproductive Justice or in the interest of state control of reproduction. For example, as we write this introduction, the legal status of medication abortion is unsettled. In early 2023, after a federal judge in Amarillo, Texas, banned the distribution and use of medication abortion, or mifepristone, across the country, the US Supreme Court blocked that ban, keeping mifepristone available in states where and when abortion is legal as the case proceeds through the courts. We cannot know the contours of resistance to that and other court decisions that will surely follow *Dobbs*. We do not at this point have a comprehensive understanding of how *Dobbs*
will justify interference in various states with access to assisted reproductive technology procedures such as in vitro fertilization. Or how many hospitals will curb ob-gyn services in the wake of Dobbs. Indeed, the impacts of Dobbs, strategic responses to the decision, and ensuing developments will continue to evolve over years.

We have been heartened to bring together a group of change agents representing a remarkable breadth of energy and expertise: activists and artists, academics and abortion storytellers, religious leaders, health-care professionals, legislators, and clinic directors. This volume has collected the voices of people working to facilitate abortion access and travel; fighting in courts to protect access to abortion and to protect people criminalized for having one; providing abortion care and support across the spectrum of client and patient needs; and so much more. Creating a platform to share all this work felt like both a service to readers and therapeutic respite for ourselves. For just as we read story after story about tragedies unfolding in the news, we also read essay after essay about how activists are standing fast, in the face of reproductive tyranny, to create better lives for themselves and others.

As such, our methodology reflects the world that we live in. To find such a diverse range of contributors, we scoured the internet and looked for fresh names in news stories. We thought of people whom we knew were doing the work and built out from our networks to find contributors whom we did not know. We had conversations that sparked new ideas for a domain that we believed needed coverage. And we reached out wherever and whenever we could, recognizing that the people were busy doing the work that we so desperately wanted them to write about. We remain ever grateful that they obliged and that we can now share their voices. The perspectives gathered here reflect the enduring commitment of individuals, communities, and organizations responding to state violence, variously banding together on the ground to fight for one another while eyeing