

**Statement on Reproductive Justice [Extended Version]**  
**The Department of Women's, Gender, and Sexuality Studies, Penn State**

On June 24, 2022, the US Supreme Court voted to overturn Roe v. Wade (1973) and Planned Parenthood v. Casey (1992), thereby unleashing new laws, regulations and practices that will restrict access to abortions and reproductive health care for millions of people in the United States. The Department of Women's, Gender and Sexuality Studies at Penn State denounces and condemns this regressive ruling that is already inflicting harm and hardship on women, girls, and pregnant people across the country who need abortions. Those who are least likely to have access to safe and affordable health care will be disproportionately affected by the elimination of the constitutional right to abortion, namely, persons of color, undocumented migrants, the incarcerated, members of LGBTQ+ communities, rural youth, and those living in poverty. For women of color, particularly Black women in the south, the impact of the ruling will be especially devastating. Black women's maternal death rate is already staggeringly high, with Black women dying in routine childbirth in US hospitals at three times the rate of white women.<sup>1</sup> In states where abortion has historically been inaccessible, like Louisiana, Alabama, Mississippi and Texas, Black women's maternal death rate is even higher, at four times the rate of white women.<sup>2</sup> Forced pregnancy and birth associated with the criminalization of abortion will undoubtedly result in more Black women's deaths.

Even before the Supreme Court ruling, many persons in this country were already living in a virtually "post-Roe" world. In Pennsylvania, for example, abortion is legal only in the first 24 weeks of pregnancy, minors require parental consent, state-directed counseling is mandatory, and there is a 24-hour waiting period. Furthermore, 85% of Pennsylvania counties have no facilities providing abortion care; alarmingly, 48% of persons who can become pregnant in the state live in those counties.<sup>3</sup> *Nevertheless, the enormity of the Supreme Court's ruling cannot be overstated: this is the first time in the history of the US that a constitutional right has been taken away.* In many states "trigger laws" have been passed that contain punitive and cruel policies that privilege the fetus over the life, health, and freedom of pregnant persons. In this new national landscape, countless persons who become pregnant will be subject to increased surveillance and restrictions. Now, providers living in states that have banned abortion are legally prohibited from fulfilling their duty to care, including by withholding lifesaving procedures to treat pregnancy loss. In other states where abortion is still legal, providers will increasingly practice defensive medicine because they will be too afraid to perform fetal tissue removal. Going forward there will be individuals experiencing pregnancy loss, including a miscarriage or stillbirth, who will be denied medical treatment because the procedure for abortion, whether spontaneous (aka miscarriage) or induced (aka inductive abortion), is the same. Furthermore, without the protections of Roe, pregnant individuals will increasingly be criminalized, even to the extent of being accused of murder, for poor "birth outcomes" (miscarriage or stillbirth). Some anti-abortion legislatures are even seeking to curb the right of pregnant persons to travel, a constitutionally protected right for all US citizens, to jurisdictions where abortion remains legal.

The Supreme Court's decision will greatly intensify the suffering and hardship being perpetrated against women, girls and pregnant people of color, especially Black people, who belong to communities already struggling to survive the manifestations of structural racism in the US, including police violence, discriminatory courts, and generational poverty. Indeed, the Supreme

Court's ruling is in keeping with a long tradition of devastating reproductive injustices dating back to the founding of this country and Black women's enslavement. Recalling this dark history reminds us that abortion cannot be viewed in isolation from other social justice issues that concern the vulnerable and marginalized in our society. Reproductive justice means that the right to reproductive control can only be achieved when everyone, regardless of their class, race, gender, religion, citizenship, or migratory status, has the necessary economic and social power and resources to act on decisions about their bodies. Therefore, in addition to reinstating the right to privacy and the right to individual decision-making that were guaranteed under Roe, governments must address the social reality of inequality that makes it impossible for many vulnerable individuals in the US to exercise control over their reproductive destiny.

The Supreme Court's decision will also have damaging consequences globally. Reproductive health advocates around the world are sounding the alarm that overturning Roe will embolden local anti-abortion and other socially conservative organizations and intensify abortion stigma; already in Bangladesh and Nigeria, to give two examples, anti-abortion advocates have hailed the Supreme Court ruling in calls to ban abortion. Moreover, while existing US law under the so-called Helms amendment, passed in 1973, already prohibits the use of foreign aid to fund abortion services, reproductive health advocates fear that revoking Roe will lead to cuts to financial support for broader sexual and reproductive health services, comprehensive sex education, and gender-related advocacy programs. This is especially dangerous for women, girls, and pregnant persons in Africa, where many countries are heavily dependent on U.S. foreign aid and therefore governments are wary of alienating U.S. donor agencies. Just as in the US, banning abortion in other countries will not result in a reduction in the number of abortions. Instead, the effect will be to force vulnerable women, children, and pregnant persons to use unsafe methods to end their unwanted pregnancies, which inevitably will result in increases in abortion-related morbidity and mortality.

Our mission as a Department of Women's, Gender, and Sexuality Studies at Penn State is to educate members of our community about the complexities of this political moment and to provide resources to all who seek them. Despite this historic setback, we are empowered by our knowledge and community to continue our work for reproductive justice as scholars, educators, and activists. Indeed, coming together in this moment is what fighting for reproductive justice is all about.

### **Possible Resources**

[PLAN C: Learn to access at-home abortion pill options online \(plancpills.org\)](#) [educational site about accessing abortion pills and safely managing abortion]

[Amazon.com: My Choice Emergency Contraceptive 1 Tablet : Health & Household](#) [purchase PlanB]

[Planned Parenthood Keystone](#) [Planned Parenthood of PA]

Verso (versobooks.com) [link to FREE book: *We Organize to Change Everything: Fighting for Abortion Access and Reproductive Justice*, edited by Natalie Adler, Marian Jones, Jessie Kindig, Elizabeth Navarro, and Anne Rumberger (Verso)]

Keep Our Clinics | Abortion Network [support independent community providers who provide abortion care in the US]

Home - National Network of Abortion Funds [helps remove financial and logistical barriers to abortion access]

Reproductive Justice — Sister Song [information on reproductive justice]

M+A HOTLINE [a confidential, private, and secure phone and text hotline for people in need of support for self-managed miscarriage or abortion]

If/When/How Repro Legal Helpline [a free, confidential source for legal advice and information on self-managed abortion]

INeedAnA.com [provides vetted, up-to-date, and personalized information on how to get an abortion; no search or user data saved]

Guttmacher Institute | Good reproductive health policy starts with credible research [research and policy organization committed to advancing sexual and reproductive health and rights globally]

<https://digitaldefensefund.org/ddf-guides/abortion-privacy> [info on digital security and abortion]

<https://www.hhs.gov/about/news/2022/06/29/hhs-issues-guidance-to-protect-patient-privacy-in-wake-of-supreme-court-decision-on-roe.html> [info on privacy and period trackers]

Gender Equity Center | Penn State Student Affairs (psu.edu) [confidential resource providing education, support, and advocacy as well as information on reproductive health resources]

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<sup>1</sup> <https://www.cdc.gov/nchs/data/hestat/maternal-mortality/2020/maternal-mortality-rates-2020.htm>

<sup>2</sup> <https://www.nbcnews.com/news/us-news/no-question-us-maternal-mortality-rate-will-rise-post-roe-experts-say-rcna35741>

<sup>3</sup> State Facts About Abortion: Pennsylvania | Guttmacher Institute