From the Margins to the Forefront: Black Women's Activism in Reproductive Justice and the Oversights of the Civil Rights Movement

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I. Introduction

Martin Luther King, Malcolm X, Whitney Young, Stokely Carmichael, and John Lewis are the men that come to mind when thinking about the civil rights movement. The narrative today is that of great Black men fighting for racial equality. Women are rarely mentioned in the movement's focus on race relations and efforts to improve the life of Black people who were systematically oppressed and had to endure racial harassment. While women were involved in the civil rights movement, they were often overlooked and not seen as significant figures or leaders. Consequently, the problems faced by Black women were often overshadowed and disregarded by the movement's leadership.

One specific issue that uniquely affects Black women within the United States is reproductive justice, stemming from their distinct historical struggles. Despite its significance to Black women's autonomy and liberation, reproductive freedom was not a prominent part of the civil rights movement's agenda. Simultaneously, in the 1960s and early 70s, the fight for women's autonomy gained momentum. However, this struggle was predominantly led by white, primarily middle-class women who took centre stage in advocating for reproductive justice and freedom. Consequently, Black women appeared less involved than white women and Black men in their respective movements. Both the civil rights movement and the women's movement aimed to achieve equality and freedom from oppression during a similar timeframe. The interlinked identity within both struggles is that of a Black woman who was pushed into the background of the civil rights movement. Her concerns and historical battles were often overlooked by white women fighting for self-determination. Both movements address critical concerns and struggles faced by Black women, including the racial discrimination they endured and the lack of self-determination resulting from years of reproductive dispossession, yet they are sidelined by both.

The scholarship on reproductive freedom and the struggle to legalise abortion and have access to birth control has had a predominantly white middle-class focus. Most literature is concerned with the years leading up to the legalisation of abortion or white activists such as Margaret Sanger. Abortion and birth control scholarship often mention Black women's contribution and historical struggle on the margins. In recent years there has been a growing amount of literature that centres on Black women at the core of the struggle for reproductive

freedom. Scholars like Dorothy Roberts, Loretta Ross, and Saidiya Hartmann significantly contributed to this research. They focus on Black women's experiences during slavery and how the afterlife of reproductive slavery influenced their reproductive choices in the 20th century. It is also noteworthy that scholarship on the Civil Rights movement is male-dominated, and focus on Black female activists is scarce compared to scholarship on men. Just like the scholarship about reproductive freedom sidelines, Black women *"have remained anonymous, a category of invisible, unsung heroes of one of the most revolutionary periods of modern American history."*[1] The invisibility of Black women within feminist scholarship on reproductive freedom and within social movement scholarship results from gender, race, and class biases. Feminist scholarship has almost exclusively been focused on white middle-class women and their efforts. In contrast, scholarship about the Civil Rights Movement has almost solely been concentrated on the leading roles and charisma of great men within the Black community.[2] The connection between Black women's reproductive freedom activism and a male-dominated civil rights movement is rarely made. Ross asserts in one sentence only that Black women *"opposed the myopic racial focus of the male-dominated civil rights movement, which ignored gender equality."*[3] While gender discrimination in the civil rights movement is addressed, it is only done so in a limited capacity. The research on Black female activism needs to be expanded, in addition to what we consider activism. It is crucial to research how gender discrimination influenced Black women's visibility on a quintessential Black feminist issue. This paper seeks to answer how Black women were involved in the fight for reproductive justice and why the civil rights movement did not include reproductive justice as a demand in its agenda. First, this paper will establish that reproductive justice is a Black feminist issue by positioning Black women's historical struggles as integral to the fight for reproductive justice and highlighting their activism. Then, it will examine the civil rights movement and the oversights of gender discrimination that prevented the inclusion of reproductive justice as a demand within its agenda.

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[1] Bernice McNair Barnett, "Invisible Southern Black Women Leaders in the Civil Rights Movement: The Triple Constraints of Gender, Race, and Class," *Gender & Society* 7 (1993): 162–82, 163.

[2] Barnett, "Invisible Southern Black Women Leaders," 164.

[3] Loretta J. Ross, "African-American Women and Abortion: A Neglected History," *Journal of Health Care for the Poor and Underserved* 3, no. 2 (1992): 274–84, https://doi.org/10.1353/hpu.2010.0241, 283.

II. Reproductive Dispossession

In 1973 the Supreme Court ruled in a 7-2 majority that the Constitution guarantees the right to have an abortion under the right to privacy protected by the 14th Amendment. This historic decision was an important step for women's reproductive rights and the path to Reproductive Justice. Reproductive Justice, Freedom or Liberty, according to the *National Black Women's Reproductive Justice Agenda, "means the right to control our sexuality, our gender, our work, and our reproduction*."[4] Essentially, Reproductive Justice advocates for women to have the right to have children, the right not to have children, and the right to nurture their children in a safe and healthy environment. Hence, the right to birth control and the right to have an abortion is needed for Reproductive Justice as it allows a woman the right not to have a child. The fight for Reproductive Justice and the right to have an abortion is widely and mistakenly regarded as a white middle-class effort. Black women's contributions towards Reproductive Justice have not been acknowledged, and their struggle for Reproductive Justice is seen as a recent phenomenon that started in the 1990s.[5] This erroneous assumption ignores Black Women's historical experience, which is marked by their gender, race, class, and sexual exploitation. Reproductive Justice is, at its core, a Black feminist issue, and their experience and resistance within and against a white patriarchal capitalist establishment paved the way for Reproductive Freedom, which I will prove in the following chapter.

Black women's experience in America has been defined by their enslavement, sexual violence, and its resulting reproductive dispossession. Their reproductive freedom was stripped away the moment they were forced upon the middle passage. On top of the violence and danger every enslaved person had to endure on this gruesome journey, enslaved women and girls were frequently sexually assaulted and raped on their voyage.[6] Although there is not a single autobiographical narrative about the middle passage of an enslaved female

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[4] "Home," In Our Own Voice, accessed June 4, 2023, https://blackrj.org/our-issues/reproductive-justice/.

[5] Ross, "African-American Women and Abortion," 275.

[6] Sowande' M. Mustakeem, *Slavery at Sea: Terror, Sex, and Sickness in the Middle Passage* (Urbana, IL: University of Illinois Press, 2016), 88.

available,[7] it is safe to assume that this type of abuse happened. First, Sailors would be at sea for prolonged periods. Second, enslaved bodies were dehumanised. Third, and most importantly, narratives that recount instances of sexual violence prove that enslaved women had to endure sexual assault. In his autobiography, Olaudah Equiano, a formerly enslaved person, describes how enslaved females on ships were treated:

"*[I]t was almost a constant practice with our clerks, and other whites, to commit violent depredations on the chastity of the female slaves […] I have even known them to gratify their brutal passion with females not ten years old.*"[8]

This account underscores the pervasive and systematic nature of sexual violence against enslaved Black women. Moreover, every enslaved person in the Middle Passage was regarded as cargo and seen in terms of quantity and how much space their flesh occupied on the ship. This rendered any person culturally undone, not a person, neither male nor female.[9] While Black womanhood was destroyed in the middle passage, the horrors inside the colonies further eroded Black womanhood but also denied enslaved women motherhood as a female blood right.[10] The rape of enslaved women did not stop after the middle passage. Hence the question arose of what to do with the children conceived of such acts. Consequently, a Virginia Law codified in 1662 that any child born to an enslaved woman should inherit its mother's status as enslaved. This law was aptly titled *Partus Sequitur Ventrem* and is Latin for 'the child follows the belly.' Since the mothers' dispossession was transferred to their children, women's bodies became the definition site of racial slavery.[11] The children of enslaved mothers would thus become property at the moment of conception and legally belong to the enslavers of their mothers.[12] Any claims of motherhood were

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[7] Saidiya Hartman, "Venus in Two Acts," *Small Axe: A Caribbean Journal of Criticism* 12, no. 2 (2008): 1–14, https://doi.org/10.1215/-12-2-1, 3.

[8] Olaudah Equiano, "Chap. V," *The Interesting Narrative of the Life of Olaudah Equiano*, 2013, 180–226, https://doi.org/10.1017/cbo9781139583640.007, 205-206.

[9] Saidiya Hartman, "The Belly of the World: A Note on Black Women's Labors," *Souls* 18, no. 1 (2016): 166–73, https://doi.org/10.1080/10999949.2016.1162596, 167.

[10] Hortense Spiller, "Mama's Baby, Papa's Maybe: An American Grammar Book," *Diacritics*, 1987, 64–81, 75.

[11] Hartman, "The Belly of the World," 168.

[12] Dorothy Roberts, *Killing the Black Body: Race, Reproduction, and the Meaning of Liberty* (New York, NY: Vintage Books, 1997), 33-34.

rendered obsolete under the law because their children were legally considered property. Since any child born to an enslaved mother was enslaved itself, slaveowners had an increased interest in Black women's fertility and reproduction since the reproduction of enslaved women created more capital in the form of more enslaved people. *Partus Sequitur Ventrem* thus acted as a gateway for enslaved women's universal and unique experience, in which they had to endure both sexual and reproductive slavery. Consequently, *"African slave women [were] forced to gestate human chattel."*[13] The hereditary nature of slavery gave rise to the South's economic model of biocapitalism, in which the South relied on an enslaved, self-reproducing workforce. Enslaved women lost their reproductive freedom and their right to motherhood, and the human breeding for more enslaved people became more pronounced after 1808, when the transatlantic slave trade was outlawed. After 1808 the only way to maintain a steady and growing slave population was by forcing enslaved women to reproduce. Naturally, Black women's fertility became speculated upon at slave auctions, as a formerly enslaved woman, Rose Williams, recounted:

"*Den dere am three or four other niggers sold befo' my time comes. Den massa Black calls me to de block and de auction man say, 'What am I offer for dis portly, strong young wench. She's never been 'bused [abused] and will make de good breeder.'"*[14]

This recollection of Rose Williams proves highlights that Black women were seen as breeders and specifically acquired for their reproductive capabilities. It also hints at the widespread sexual abuse that was inflicted upon Black women. Similarly, Thomas Jefferson hinted at just how vital enslaved women's labours were:

"I know no error more consuming to an estate than that of stocking farms with men almost exclusively. I consider a woman who brings a child every two years as more profitable than the best

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[13] Alys Eve Weinbaum, *The Afterlife of Reproductive Slavery: Biocapitalism and Black Feminism's Philosophy of History* (Durham: Duke University Press, 2019), 31.

[14] "On Being Sold Library of Congress - National Humanities Center," On being Sold (National Humanities Center, 2007), http://www.nationalhumanitiescenter.org/pds/maai/enslavement/text2/onbeingsoldwpa.pdf.

man of the farm. What she produces is an addition to the capital, while his labors disappear in mere consumption."[15]

Jefferson's view on enslaved women's reproduction sheds light on how detached childbearing was from motherhood and how Black women were dehumanised and exploited as vessels for reproduction and a means to increase economic capital. Because reproducing enslaved women was the only way of creating more enslaved people and more property after 1808, slave breeding and Black women's fertility became increasingly important. For instance, southern courts prohibited the misrepresentation of enslaved women's fertility.[16] To create the most profitable future offspring, enslavers started breeding their enslaved property, similar to animal breeding. Enslavers would pick out an enslaved woman and man with qualities he wished to see in the children of that union.[17] To that effect, enslavers would hire particularly muscular men, which were rented out to multiple plantations. Enslaved women were thus forced to be impregnated by these hired men.[18] Neither the man nor the woman had any choice in the matter; they were both effectively raped by their enslavers. Besides these breeding practices to ensure high-quality offspring, enslavers tried to increase women's fertility to get more enslaved children. To that effect, some enslavers would give pregnant women more food, additional clothing, and relief from fieldwork.[19] Although enslavers wanted enslaved women to reproduce, that did not mean that enslaved women had a safe pregnancy or a safe environment to nurture their children. Pregnant women were still whipped when they angered their enslavers. To ensure the foetus' safety, they had to lie face down on the ground and place their pregnant bellies into a hole. The desire to protect the foetus but punish the woman was the first foetal-maternal conflict in American history.[20] In addition to the physical punishment, the timing of the child's birth also created conflict

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[15] Thomas Jefferson to John Wayles Eppes, 30 June 1820, "Jefferson Quotes and Family Letters," tjrs.monticello.org/letter/380.

[16] Roberts, *Killing the Black Body*, 27.

[17] Ibid, 28.

[18] Ibid.

[19] Ibid.

[20] Ibid, 40.

between enslaved women's reproductive and productive roles.[21] Because harvest season was over in late fall and early winter, many enslaved women fell pregnant towards the end of the year when they had lighter workloads. Consequently, they were in their third trimester in late summer and early fall, when the labour demand was highest.[22] During those months, expectant mothers had to work on cotton and rice plantations and, as a result, were at an increased risk of contracting diseases such as malaria or typhus, which put their infants at risk.

Because of the reasons mentioned above, Black women had no reproductive liberty. Whether they were forced to carry their pregnancy after being raped or were robbed of their children, "Black women's childbearing in bondage was largely a product of oppression rather than an expression of self-definition and personhood."[23] Firstly, a Black woman did not have the right to determine whether or not to have a child because she was either forced to procreate against her will with an enslaved man or her white enslaver raped her. In 1860, ten per cent of the enslaved population was biracial, which further indicates that the rape of Black women by white men was common.[24] In either case, women could not actively consent to having a child. Secondly, in the rare instances when a Black woman actively wanted to have a child, they did not have the right to nurture that child in a safe environment. They had to perform hard labour and endure corporal punishments during pregnancy, all of which put their infants at higher risk of death.[25] Thirdly, and most importantly, their children were regarded as property and inherited their dispossession, which meant they were never safe and never belonged to their mothers. The child and mother could be separated at any time. Chattel slavery gave rise to a unique form of biocapitalism, which stripped Black women of their reproductive freedom. That does not mean, however, that Black women stood idly by while a white patriarchal, capitalist system tried to control their fertility. In fact, Black women utilised birth control, abortion, and at times infanticide to resist reproductive slavery as they

[21] Ibid,41.

[22] Ibid, 42.

[23] ibid, 23.

[24] Ibid, 29.

[25] Ibid, 42.

did not want to give birth to children that inherited their social condition.[26] Enslaved women knew about contraceptives and abortifacients through ancient African folk knowledge that survived the middle passage and was shared in midwifery circles, where women passed information down.[27] Black women often resorted to herbs as birth control and abortifacients or used strenuous exercise to induce miscarriages. It is hard to stipulate how many enslaved women resorted to birth control, abortion or infanticide to resist reproductive slavery. However, historian Kenneth Stampp mentions in his book *The Peculiar Institution: Slavery in the Antebellum South* that *"[p]ainful or irregular menses, suppurative infections of the generative tract, and prolapsus uteri were extremely common; sterility, spontaneous abortions, still births, and death in childbirth occurred two to three times as frequently among slave women as among white."*[28] It is possible that these spontaneous abortions can be attributed to the poor living and working conditions of labouring enslaved women or the seasonality of births. However, following the tradition of Black feminist thought, one can assume that at least part of these spontaneous abortions was intentionally induced. Similarly, irregular menses could be attributed to pregnancies that were terminated at a stage so early that the slaveowners did not notice. Since the middle of the 19th century, the fertility rate of Black women has more than halved, which is widely attributed to poor health rather than assuming that Black women controlled their fertility through various measures.

For instance, Keisha Goode and Barbara Rothman highlight the case of a Black woman who was sold as barren in 1857 but continued to have three children after the Civil War.[29] This woman must have known about a secret way to control her fertility. Slavery forced Black women's healthcare practices underground. It shed them in secrecy, which anchored them in the Black community and resulted in "close-knit women's networks" that created "intergenerational female connectedness."[30] This knowledge survived generations through Granny midwives who were at the core of communally driven healthcare during slavery.

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[26] Ross, "African-American Women and Abortion," 276.

[27] Ibid.

[28] Kenneth Stampp, *The Peculiar Institution : Slavery in the Ante-Bellum South* (New York: Vintage Books, 1965), 306.

[29] Keisha Goode and Barbara Katz Rothman, "African-American Midwifery, a History and a Lament," *American Journal of Economics and Sociology* 76, no. 1 (2017): 65–94, https://doi.org/10.1111/ajes.12173, 74.

[30] Madeleine Ware, Cara Delay, and Beth Sundstrom, "Abortion and Black Women's Health Networks in South Carolina, 1940–70," *Gender & History* 32, no. 3 (October 2020): 637–56, https://doi.org/10.1111/1468-0424.12503, 639.

Granny midwives "*were generally well-respected, esteemed, older, wise women who were first transported from Africa to the Americas on slaveships in the 17th century*."[31] These women were at the core of their community and helped with all sorts of medical ailments. Most importantly, these midwives helped enslaved women bring their children into the world. While physicians typically attended to white women on plantations during childbirth, granny midwives attended to enslaved women. On top of that, they also shared knowledge about how to prevent pregnancies and assisted in ending and preventing unwanted pregnancies.[32] Aiding in ending a pregnancy was never seen as distinct from midwifery but was regarded as an act of healing that was part of life,[33] just like attending childbirth was seen as an act of healing. Therefore, midwives' actions enabled enslaved women to make choices regarding their reproduction. Midwives provided their communities with medical but also social support during slavery and well into the 20th century as healthcare givers and were thus part of a Black intergenerational female effort to provide reproductive freedom to their communities.

III. A Right for the Privileged a Duty for the Poor

Although African-Americans in the 20th century were no longer enslaved, Black women's fertility was still controlled to achieve social objectives established by a white, patriarchal society.[34] During slavery, the social objective was to increase the Black population to increase capital. However, after abolition, the social objective was to curb the growth of the Black population so whiteness would remain the dominant hegemonic power. The early 20th century saw the rise of the birth control movement spearheaded by Margaret Sanger, who originally wanted women to be able to control their reproduction to ensure their equal participation in society.[35] Simultaneously, however, the eugenist movement became increasingly popular and determined to eliminate unfit characteristics from society. The fight

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[31] Goode and Rothmann, "African-American Midwifery,"72.

[32] Ware et al, "Abortion and Black Women's Health Networks," 640.

[33] Goode and Rothmann, "African-American Midwifery,"67.

[34] Roberts, *Killing the Black Body,* 56.

[35] Ibid, 57.

for Birth Control quickly changed from a radical feminist demand to a eugenist tool that *"regulate[s] the poor, immigrants, and Black Americans."*[36] Rooted in racist ideology, eugenist scientists used intelligence as an indicator of human value. They 'proved' via IQ tests that Black Americans, among other ethnic groups, were intellectually inferior to Americans of Anglo-Saxon descent.[37]

Eugenicists were convinced that the 'feebleminded' and other socially undesirable people were a burden to the welfare state and took advantage of it. Thus, they believed that social programs, which would improve the working conditions of poor and Black people, would instead lead people with "inferior heredity" to reproduce and thereby reverse natural selection.[38] So to prevent 'socially undesirable' people from procreating, eugenists advocated for implementing negative eugenics, such as compulsory sterilisation.[39] Hence while birth control started as a *"right for the privileged",* became a *"duty to the poor."*[40] States began enacting compulsory sterilisations for the mentally retarded and ill, epileptics and criminals who were confined in state institutions, which were primarily poor people.[41] By 1930 eugenists started to focus on the Black population in the South, where many Black people were impoverished sharecroppers. During that time, the Black community's birth rates were already low, which has often been attributed to poor health and venereal diseases by scholars. This focus on health as the sole contributor to low fertility ignores evidence suggesting that Black women actively used contraceptives.[42] But despite low birth rates, eugenists still insisted on extraordinary government-funded measures to curb Black women's reproduction. Institutionalised Black women got sterilised as they increasingly replaced poor white women in state institutions. To illustrate, the Eugenics Commission of North Carolina oversaw 7687 involuntary sterilisations in the 1930s and 40s under the guise of preventing mentally

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[36] Ibid, 59.

[37] Ibid, 63.

[38] Ibid, 65.

[39] Ibid.

[40] Angela Davis, "Racism, Birth Control, and Reproductive Rights," in F*eminist Postcolonial Theory: A Reader*, ed. Reina Lewis and Sara Mills (Edinburgh: Edinburgh University Press, 2010), 353–67, 358.

[41] Roberts, *Killing the Black Body,* 67.

[42] Jessie M Rodrique, "The Black Community and the Birth Control Movement," in *Gendered Domains* (Ithaca, NY: Cornell University Press, 2019), 244–60, 245.

deficient people from procreating. About 5000 of those sterilised were Black.[43] Even after compulsory sterilisation laws were abolished, government-paid doctors continued sterilising Black women without their consent or knowledge. Most sterilisations of Black women happened in hospitals where white doctors performed sterilisations and hysterectomies on their unknowing patients. Sterilising Black women without their knowledge became so frequent in the South that it was called 'Mississippi Appendectomy.' One of the most infamous instances when this happened was when civil rights activist Fannie Lou Hamer went to the hospital in the 60s to get a small uterine tumour removed. Unbeknownst to her, the doctor performed a hysterectomy on her instead. Doctors happily performed hysterectomies on poor Black women instead of tying their tubes, as removing the uterus gave them a bigger Medicaid payout. However, the operation was more complex and carried greater risk for the patients.[44] Teaching hospitals would perform unnecessary hysterectomies on Black women in order to teach their students the procedure. Racism from doctors was widespread, with some doctors refusing to help deliver Black Medicaid patients' babies unless they agreed to sterilisation upfront. A doctor in South Carolina coerced sixteen Black welfare patients to get sterilisations so they would not occupy more welfare payments by the threat of withholding medical aid. There was a consensus in the medical profession that women on welfare with children were not intelligent enough to use birth control. It was thus better for society to sterilise them to provide relief for the welfare system.[45] Doctors, however, were not alone in coercing women into serialisations or performing procedures on Black women without their consent. In 1964 Nial Ruth Cox was unmarried, lived with her mother, a welfare recipient, and just had a baby of her own. A social worker approached the family and threatened to end the family's welfare payments unless an 18-year-old Cox underwent temporary sterilisation. Cox's family agreed to temporary sterilisation, and the Washington County Welfare Agency then petitioned the Eugenics Board to sterilise Cox. Cox was supposed to get a tubal ligation, which can be reversed in certain circumstances. Years later, she found out that the doctor had instead, unbeknownst to her, removed both her

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[43] Angela Davis, "The Historical Context: Racism, Birth Control and Reproductive Rights," *Race, Poverty & the Environment* 4 (1993): 21–23, 22.

[44] Roberts, *Killing the Black Body,* 89-90.

[45] Ibid, 92.

fallopian tubes.[46] So while the forced breeding like chattel ended after the abolition of slavery, it got replaced by another horror to take control of Black women's fertility. Forced or coerced sterilisations stole and impeded Black women's reproductive freedom to make the choice of when and if to have a child.

IV. A Community Effort Shrouded in Secrecy

As previously laid out, Black women's bodies and their reproduction have always been an interest by the state and thus been controlled, and Black women were denied reproductive freedom by the state. The eugenist movement was particularly concerned with Black women's reproduction, and because of involuntary sterilisation, many Black nationalists, members of the Black Power movement, and Black leaders started to oppose birth control and family planning. Many men in the black community considered an increased amount of birth control as 'race suicide', to which the countermeasure was to increase the Black population to ensure its survival.[47] While the racial genocide narrative gained momentum within the Black community, Black women recognised the importance of birth control and access to abortion to advance their positions within the world. They knew supporting birth control and abortion was not synonymous with supporting eugenicists' depopulation efforts.

Abortion was illegal in many parts of the country until Roe v Wade. Black women, however, just like they did during slavery, continued to have abortions and made decisions about if and when to have children. Especially in the South, a continuation of midwifery practice can be observed. Black lay midwives provided most abortions and contraceptive services to Black women in the South.[48] Such a case can be observed in Mobile, Alabama when a Black midwife got arrested for illegally performing an abortion in 1909:

"*On a charge of using an instrument for the purpose of illegally procuring an abortion, Lula Ford, a negro midwife, was taken into custody this morning by the police department and held under a bond of $1000 for appearance for [a] preliminary hearing in the recorder's court. The negress, it is*

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[46] *Cox v. Stanton*, 529 F2d 47 (4th Cir. 1975).

[47] Roberts, *Killing the Black Body*, 98-99.

[48] Ross, "African-American Women and Abortion," 280.

alleged, used some means of bringing about a miscarriage upon Mrs. Emma Shaw, […] who died on April 26."[49]

Despite the legal restrictions and societal barriers, Black women persisted in seeking reproductive autonomy and deciding about their bodies. The case of Lula Ford exemplifies the vital role of Black midwives in providing essential reproductive healthcare to Black women, highlighting their resilience and resourcefulness in navigating oppressive systems and preserving their reproductive freedom. These midwives practising in the 20th century US South had, just like the midwives before them, *"learned their craft from other Black women."*[50] According to research about abortion networks in South Carolina by Madeleine Ware, Cara Delay, and Beth Sundstrom, authorities started to target Black women as abortion providers. They brought an increased amount of cases against them. One of those cases showcased a woman with a ledger that documented her having assisted and provided over 500 abortions and that she used herbal substances and instruments like speculums and faucets. This suggests that Black female abortion providers in the South preserved and utilised intergenerational knowledge about abortion and continued to provide their communities with reproductive care despite being prosecuted for it.[51] Just like reproductive healthcare during slavery was performed secretly and on a local level, so was reproductive care in the South in the 20th century. Non-community members would not have known about these close-knitted healthcare networks.[52] Most women seeking an abortion would find out about abortion providers via word-of-mouth references,[53] which helped keep these networks hidden from local authorities. These women providing for their communities would perform most abortions in the privacy of their homes. Generally, the authorities would only find out about the abortion networks when a woman was severely injured or passed away from an abortion. By the 1960s, extralegal abortion started commercialising with white male medical students offering for-profit abortions. However, Black women continued to provide

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[49] "Negro Midwife of Mobile Taken into Custody," *The Montgomery Advertiser*, May 1, 1909, https://chroniclingamerica.loc.gov/lccn/sn84020645/1909-05-01/ed-1/seq-2/.

[50] Ware et al, "Abortion and Black Women's Health Networks," 641.

[51] Ibid, 642.

[52] Ibid, 644.

[53] Ibid, 645.

communally-centred abortions since mostly only white middle-class women could afford the for-profit abortions.[54] So while Black women were prosecuted for providing reproductive healthcare and had to compete with an emerging white male commercialisation of extralegal abortion, they still continued to do so and maintained their local community-driven healthcare networks. While this is not protesting on the streets, it is a form of invisible activism. Having these healthcare networks out in the open was impossible because of fear of prosecution and social condemnation about Black women's sexuality and 'immorality.' This community-driven effort to provide women with reproductive care was invisible compared to the white women's struggle for reproductive freedom, who had fewer constraints on them regarding birth control and abortion. Yet, Black women continued their century-old traditions and were *"assertive and tenacious regarding their reproductive healthcare."*[55]

V. A Male-Dominated Civil Rights Movement

As previously demonstrated, Black women knew of the importance of birth control and access to abortion to navigate a patriarchal society. They vehemently fought for their rights, be it visible like activists such as Frances Beal or Toni Cade Bambara or in secret like the Black women providing for their communities. Today reproductive justice is widely regarded as a crucial part of civil rights, yet reproductive justice was not part of the mainstream civil rights movement. Black activist women did advocate for reproductive justice and access to safe abortion. Still, hardly anyone, besides historians specialising in women in the Civil Rights Movement, know of any woman other than Rosa Parks in the Civil Rights Movement. Women within the movement have remained anonymous despite initiating protests, formulating strategies and tactics, and mobilising resources such as money, personnel, and communication networks.[56] Contrarily, most people know of multiple men in the movement. This is unsurprising, given that most leadership roles went to men while women were assigned organisational and cleaning work in the background. Women were often overlooked for leadership roles in favour of men. This is evident in the Student Nonviolent Coordinating

[54] Ibid, 646-647.

[55] Ibid, 648.

[56] Barnett, "Invisible Southern Black Women Leaders," 163.

Committee (SNCC), which a woman, Ella Baker, initially founded. The SNCC was essential to the Civil Rights Movement and organised voter registrations and Freedom Rides. Baker started as a member of the National Association for the Advancement of Colored People (NAACP) and eventually became the New York NAACP president. After three years of heading the New York NAACP, Martin Luther King asked Baker to become an executive secretary to the Southern Christian Leadership Council (SCLC). Despite her past activism and experience, she was tasked with running day-to-day tasks and was never considered for a leadership role. The ministers within the SCLC treated their female staffers chauvinistically.[57] It is important to note that the civil rights movement was a church-based movement which subsequently had an impact on who was considered for leadership within the movement.[58] Many of the men were Baptist preachers whose religious beliefs dictated the primacy of men. A contemporary of Martin Luther King, Lonnie King, supported this and recalled the chauvinism within the movement and how Baker's view clashed with that form of leadership:

"How do I put this? A lot of African American preachers are very chauvinistic. And Ms Baker, from their perspective, did not know her place. And she was an outspoken person who would say what was on her mind, and that always got in trouble with these preachers. I think that might have gotten her in trouble with Martin King,"[59]

Baker, however, disagreed with the male-dominated hierarchal organisation of the SCLC, which focused on a charismatic leader. She wanted to establish a non-violent organisation with a more egalitarian structure[60] that employed group-centred leadership. Thus she founded the SNCC in 1960 at an SCLC-sponsored conference at Shaw University in North Carolina. The students and Baker insisted that the organisation comprised young people and would not become an extension of an already established organisation like the SCLC or NAACP. Since the organisation did not want any leaders to maintain an egalitarian structure but still needed the expertise to produce results, Baker, along with Constance Curry,

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[57] Aprele Elliott, "Ella Baker Free Agent in the Civil Rights Movement," *Journal of Black Studies* 26, no. 5 (1996): 593–603, https://doi.org/10.1177/002193479602600505, 593.

[58] Elliot, "Ella Baker Free Agent," 597.

[59] "Lonnie King Interview: Oral History," interview by Emilye Crosby, May 29, 2013, video, 01:38:37, https://www.loc.gov/item/2015669189/.

[60] Dennis J Urban, "The Women of SNCC: Struggle, Sexism, and the Emergence of Feminist Consciousness, 1960-66," *International Social Science Review* 77 (2002): 185.

became the SNCC's first advisors. Women continued to be instrumental and resourceful within the organisation, with women like Diane Nash being the primary force behind the SNCC's Freedom Rides, where students hoped to desegregate buses throughout the South.[61] The SNCC became more influential in the South, and a large part of its success was due to the relentless effort of women within the organisation. However, female members of the group still reported sexist discrimination within the organisation. In 1964 Mary King and Casey Hayden reported to the leadership that despite their experience, they were assigned clerical and menial tasks. If a woman was in a leadership position, she still had to consult a man on any decision-making. Men assumed leadership positions while the women had to perform the stereotypical female jobs such as typing, clerical duties, and even cleaning the Freedom Houses.[62] Even though the SNCC had emerged because of female activism and Black women's demand for equality after the organisation's early years, a sexist work environment began to fester, and its male leadership failed to treat its female members as equals. The SNCC serves as an example in the more prominent male-dominated Civil Rights Movement, which according to Loretta Ross, ignored gender equality and only focused on racial equality.[63] By only focusing on racial equality, Black men failed to realise just how crucial reproductive freedom was for Black women and that they needed access to reproductive care to uplift Black women.

The sexist environment that had festered within the SNCC is not a singular occurrence of gender discrimination within the Civil Rights Movement. Another prominent example is the treatment of Dorothy Height. Height, a prominent civil rights activist, joined the National Council for Negro Women (NCNW) and became its president in 1957 and continued to serve as such for forty years. Height was among the first people who saw equality for African Americans and women as an inseparable issue.[64] Height had much political influence and was often considered part of the "Big Six", which were the leaders of the six most prominent civil rights organisations that were part of organising the March on Washington. As president of the NCNW, she played a key role in organising the march. She mobilised around 250000

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[61] Urban, "The Women of SNCC," 186.

[62] Ibid, 188.

[63] Ross, "African-American Women and Abortion," 283.

[64] "Dorothy I. Height (U.S. National Park Service)," National Parks Service, accessed June 19, 2023, https://www.nps.gov/people/dorothy-i-height.htm.

people to rally at the march, and she was on the podium with leaders like John Lewis, Whitney Young, Roy Wilkins, Phillip Randolph and Martin Luther King himself.[65] While twelve men proceeded to speak that day, with King giving his famous 'I Have a Dream' speech, Height was never allowed the microphone. Women pleaded with the leadership to include women speakers, but the leadership insisted that women were part of all the organisations, and thus, there was no need for a woman speaker.[66] In fact, while twelve men proceeded to take the stage, only one woman was permitted to speak. Daisy Bates was allowed to give a short speech and commemorate a few women who made great contributions to the movement. Bates said fewer than 150 words:

"*Mr Randolph, friends, the women of this country, Mr Randolph, pledge to you, to Martin Luther King, Roy Wilkins and all of you fighting for civil liberties—that we will join hands with you as women of this country. Rosa Gregg, Vice President; Dorothy Height, the National Council of Negro Women; and the Delta Sigma Theta Sorority; the Methodist Church Women, all the women pledge that we will join hands with you. We will kneel in; we will sit in until we can eat in any corner in the United States. We will walk until we are free until we can walk to any school and take our children to any school in the United States. And we will sit on, and we will kneel in, and we will lie in if necessary until every Negro in America can vote. This we pledge to the women of America."*[67]

Bates pledged that she and women would fight with the men for racial equality, but she was not allowed to champion issues particularly affecting Black women. Her brief speech made clear that the women in the movement were not equal to the male leadership as the women pledged to the men, following their lead. Many women, after the March, became much more aware of sexism within the male leadership and their views on women.[68] Height can be seen at the podium being visibly frustrated with the male leadership as she was the only woman with a leadership position allowed on the stage among the male leaders and their wives.[69] ("see Fig. 1")

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[65] Dorothy Height, *Open Wide the Freedom Gates: A Memoir* (New York, NY: PublicAffairs, 2005), 145.

[66]. William P Jones, March on Washington: Jobs, Freedom, and the Forgotten History of Civil Rights (New York, NY: W.W. Norton & Company, 2014), 175.

[67] Annoyle. "MOW Tribute." Youtube Video, 3:30. June 06, 2013. https://www.youtube.com/watch?v=dq0PHPq8Lis.

[68] Jones, *The March on Washington,* 176.

[69] Ibid, 175.

("Figure 1.") Dorothy Height during the March on Washington while Martin Luther King delivered his famous 'I Have a Dream' speech. (Photograph by AP, *Dorothy Height during the March on Washington,* August 28, 1963, https://www.cbsnews.com/news/dorothy-height-march-on-washington/).

Height voiced her frustration in her memoir and said that this *"stance showed us that men honestly didn't see their positions as patriarchal or patronizing. They were happy to include women in the human family, but there was no question as to headed the household!"*[70] This stance highlights that racial equality was the foremost issue among the male leaders within the civil rights movement and that Black women's issues were considered inconsequential or of secondary importance compared to racial equality. The leadership was concerned with toppling white supremacy but made little to no effort to combat a patriarchal system that was and still is oppressive towards Black women. Black women were overlooked for leadership positions and treated chauvinistically by the men within the movement by being asked to perform typically female and demeaning tasks. In effect, Black women were not given a chance to make reproductive justice part of the demands of the civil rights movement, and the demands focused solely on racial oppression since the male leaders were not oppressed by their gender. In fact, Black men were often

[70] Height, *Open Wide the Freedom Gates,* 152

oblivious to Black women's needs and struggles. In addition to Black women's struggles being ignored, some Black leaders even went so far as to denounce birth control and abortion.

VI. At Odds with a Patriarchal Civil Rights Movement

While many civil rights leaders failed to recognise and reprimand sexism and gender discrimination within the movement, they were not outright opposed to reproductive freedom. Nonetheless, some members of the Black community called for Black women to abandon their birth control and boycott abortion clinics and equated reproductive freedom to 'race suicide.' This was a widespread view, particularly among young, uneducated Black men in the North.[71] It is important to consider that these views not only stem from sexist beliefs. In light of the history of eugenics and forced sterilisations within the country, it is only logical that some members of the Black community harboured a deep distrust of family-planning clinics that were run by whites and provided sterilisations and abortions. Distrust in family-planning institutions turned into a narrative about racial genocide. Especially Black nationalist groups were vehemently opposed to birth control. The Black Power Conference passed an anti-birth control resolution, which equated birth control to 'black genocide.'[72] Furthermore, even more, mainstream organisations opposed birth control. For instance, Whitney Young, leader of the Urban League, rescinded his organisation's support of contraception in 1962.[73] Young stopped supporting birth control just a year before the March on Washington, where he was one of the key speakers, while women were collectively snubbed and were allowed to speak just under 150 words. Young can be seen right next to Martin Luther King during his speech ("see fig. 1"), implying his high position within the leadership. Some leaders went even further than rescinding their support for contraception. Marvin Dawes, head of the Florida NAACP, rescinded his support and stated that Black women needed to increase the Black population by having a large number of babies. According to Dawes, Black people would not gain liberation until they made up about 30-35

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[71] Roberts, *Killing the Black Body*, 98.

[72] Simone M Caron, "Birth Control and the Black Community in the 1960s: Genocide or Power Politics?," *Journal of Social History* 31, no. 3 (1998): 545–69, https://doi.org/10.1353/jsh/31.3.545, 547.

[73] Caron, "Birth Control and the Black Community," 546.

per cent of the total population.[74] While this demand has liberation in mind, it reduces Black women to non-political, passive objects whose task it is to procreate in order to advance the Black community. If a Black woman is denied motherhood at her own discretion and reduced to a baby-maker to achieve the social objective of having a certain amount of a Black population, it reverberates dark themes that were present during reproductive slavery, where enslaved women had to procreate to achieve the social objective of creating more capital.

Despite the growing fears of 'race suicide' and genocide within the Black community, Black women held positive attitudes towards family planning, even more so than white women.[75] They denounced activists who openly opposed family planning because they knew it was essential for their community's health. In comparison to rich white women, Black women were, in most cases, unable to afford safe illegal abortions or to be granted a therapeutic abortion. Hence, Black women among Puerto Rican women were the most likely to die from an abortion. Beal voiced this issue in her *Double Jeopardy: To Be Black and Female* pamphlet.

"The rigid laws concerning abortions in this country are another vicious means of subjugation […]. Rich white women somehow manage to obtain these operations with little or no difficulty. It is the poor black and Puerto Rican woman who is at the mercy of the local butcher. […] Nearly half of the child-bearing deaths in New York City were attributed to abortion alone, and out of these, 79% are among non-whites and Puerto Rican women. […] Black women have the right and the responsibility to determine when it is in the interest of the struggle to have children or not to have them. It is also her right and responsibility to determine when it is in her own best interests to have children, how many she will have, and how far apart, and this right must not be relinquished to anyone."[76]

As Beal passionately articulated, the right to make informed decisions about reproduction should not be undermined or infringed upon but rather upheld as an essential aspect of black women's agency and self-determination. Beal rejected the idea that Black women were not supposed to assume leadership roles but support Black men in their quest for racial justice and that it was Black women's role to raise 'warriors for the revolution'

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[74] Ibid.

[75] Ibid, 548.

[76] Frances Beal, *Double Jeopardy: To Be Black and Female* (Detroit, MI: Radical Education Project, 1971), 10.

instead of being one herself. The right of self-determination is not to be relinquished for whites but is also not to be forfeited for the Black community to advance its objectives. Social activist Toni Cade criticised the call to abandon birth control more directly in her essay *The Pill: Genocide or Liberation:*

> *"I've been made aware of the national call to the Sisters to abandon birth controls, to not cooperate with an enemy all too determined to solve his problem with the bomb, the gun, the pill, to instruct the welfare mammas to resist the sterilization plan that has become ruthless policy for a great many state agencies; to picket family-planning centres and abortion-referral groups, and to raise revolutionaries. And it seems to me that once again, the woman has demonstrated the utmost in patience and reasonableness when she counters, 'What plans do you have for the care of me and the child? Am I to persist in the role of Amazon workhorse and house slave?'"*[77]

Cade realised that asking a woman to raise as many children as possible keeps her in the domestic sphere. Denying women birth control and bodily autonomy halts her ambitions for equality. While some Black men demonised all birth control and family planning services, Black women were aware that some free clinics in poor Black neighbourhoods had racist population control intentions.[78] However, Black women realised that to advance their status in a patriarchal society, they needed reproductive freedom. Cade also condemned the chauvinism within the movement and pointed out that "*racism and chauvinism are anti-people. And a man cannot be politically correct and a chauvinist too."*[79] Black feminists such as Beal and Cade argued that liberation for Black women could not be gained unless they were in control of their lives. And a quintessential part of that is to decide when and if to have children. They also rejected the idea that Black liberation could be gained through an increase in the population. They knew it was more important to have children that they could safely care for and nurture instead of too many that they could not care for. The words of the first African-American congresswoman Shirley Chisholm reflect this view:

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[77] Toni Cade,"The Pill: Genocide or Liberation," in *The Black Woman An Anthology*, ed. Toni Cade (New York: The New American Library, Inc., 1970), 163.

[78] Caron, "Birth Control and the Black Community," 546.

[79] Toni Cade,"On the Issue of Roles," in *The Black Woman An Anthology*, ed. Toni Cade (New York: The New American Library, Inc., 1970), 107

"To label family planning and legal abortion programs "genocide" is male rhetoric for male ears. It falls flat to female listeners and to thoughtful male ones. Women know, and so do many men, that two or three children who are wanted, prepared for, reared amid love and stability, and educated to the limit of their ability will mean more for the future of black and brown faces from which they come than any number of neglected, hungry, ill-housed and ill-clothed youngsters."[80]

Chisholm's words challenge the notion that reproductive freedom is synonymous with genocide. Instead, she emphasises the importance of nurturing a limited number of children in an environment of love, stability, and education. She highlights that quality care surpasses quantity in securing a brighter future for marginalised communities. In addition, to dismantling the theory of Black liberation via increasing the Black population, Chisholm also worked tirelessly in the 70s to increase the number of family planning clinics in Black neighbourhoods to improve access to reproductive care. The voices of Black feminist activists amplified the opinion that reproductive autonomy and responsible family planning were essential components of Black women's liberation and, by extension, the Black community. They understood that true liberation required the ability to make choices about their own bodies and reproductive futures. By advocating for accessible and comprehensive reproductive healthcare, including family planning clinics in marginalised communities, these activists aimed to empower Black women to have control over their reproductive lives. Their voices resonated with many who recognised that the well-being and success of a smaller number of children, who were given the necessary love, stability, and resources, would have a far more significant impact on the future of Black communities than a larger number of children who would face neglect and deprivation. Through their unwavering advocacy, Black female activists challenged patriarchal narratives and prioritised the needs and agency of Black women.

VII. Conclusion

To summarise, enslaved Black women have been dehumanised and reduced to flesh and a commodity since the beginning of the transatlantic slave trade. Due to their unique location in history, their bodies became the definition site of racial slavery. To follow a Black woman's womb was to be born into slavery. Because of P*artus Sequitur Ventrem* and the

[80] Quoted in Roberts, *Killing the Black Body,* 101.

discontinuation of the transatlantic slave trade, enslaved Black women were submitted to sexual and reproductive slavery, in which they had to procreate to create more capital/ enslaved children. Enslaved women became commodified not only for their productive capabilities but also for their reproductive capabilities. Black women were forced to breed with other enslaved men or were raped by their white enslavers. Because racial slavery was defined within Black womanhood, Black women used ancient African folk knowledge that transcended the middle passage to take control of their fertility. Enslaved women used herbal remedies as birth control or abortifacients and used strenuous exercise to induce miscarriages. Black women cared for each other in close-knit communities to spare their children a life in slavery. These practices were shrouded in secrecy, and these communities existed not despite the oppressive nature of slavery but because of it. Black women resorted to birth control and abortions not only for self-determination but also as an act of resistance against the oppressiveness of slavery. If we expand our notions of activism beyond marching on the streets and forming official organisations, we can recognise Black women's intergenerational approach to reproductive freedom as an act of activism. This approach lasted far longer than the institution of slavery as Black women continued to have close-knit community-based healthcare networks well into the 20th century. Just like during slavery, these practices were invisible and hidden because abortion was illegal at the time. Black women had to ensure healthcare to their communities as they did not have the luxury of securing a therapeutic abortion, unlike white women. Black women's resistance and activism remained largely invisible out of necessity and safety to ensure these networks continued to exist. Reproductive Justice is thus a historical Black feminist issue. However, there was a clear male-dominated hierarchy during the civil rights movement. The men of the civil rights movement saw themselves as leaders. Meanwhile, the women were supposed to support them from the background. As Dorothy Height said, it was clear who was head of the household and who was supposed to follow. Women were sidelined and denied leadership positions, and subsequently, their unique issues that stemmed from the intersection of their race and gender were sidelined as well. The civil rights movement was primarily focused on racial equality. Black women knew the importance of reproductive justice and favoured birth control and abortion because they saw it as part of their liberation. Black men, however, were preoccupied with their liberation, with some movement members going so far as to denounce

birth control altogether. Thus during the time of social movements, Black women still suffered from sexism and gender discrimination within the civil rights movement. Because women were not considered as part of the leadership, they did not have the chance to include reproductive justice, a quintessential Black feminist issue, as a demand of the civil rights movement, despite Black women having fought for it for centuries and knowing it was crucial for their liberation. The civil rights movement overlooked their struggle because of gender discrimination within the movement and oppositional views on the importance of birth control and access to reproductive care. This lack of recognition from the mainstream civil rights movement and the invisibility of their past activism is partly why the fight for reproductive justice has not been accredited as a Black feminist issue, and their historical contributions and struggles are overseen. Considering both the oversights within the civil rights movement and the marginalisation of Black women within the women's rights movements, it is crucial to acknowledge these factors in future research on reproductive justice as a Black feminist concern and to understand their impact on the visibility of Black women.

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