

WINNING REPRODUCTIVE JUSTICE

CONTRIBUTIONS TO POLICY CHANGE
FROM THE REPRODUCTIVE JUSTICE MOVEMENT



THE MOMENTUM SERIES

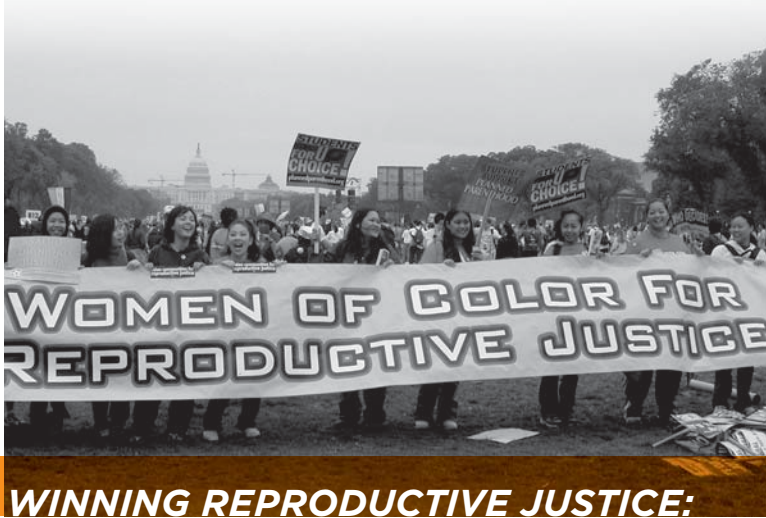
A project of EMERJ: Expanding the Movement
for Empowerment and Reproductive Justice

Volume 1

EMERJ is a national movement-building initiative
of Asian Communities for Reproductive Justice



ACRJ
ASIAN COMMUNITIES FOR
REPRODUCTIVE JUSTICE



WINNING REPRODUCTIVE JUSTICE:

*Contributions to Policy Change
from the Reproductive Justice Movement*

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Principal author: Moira Bowman

front cover photo: ACLU of Southern California
back cover photo: Rebecca Project for Human Rights

Asian Communities For Reproductive Justice staff:

Moira Bowman, EMERJ Movement Building Director
B. Cole, MSc, Development Director
Maria Nakae, MPH, Alliance Building Coordinator
Trang Thy Nguyen, POLISH Organizer
Dana Ginn Paredes, Organizing Director
Aparna Shah, MHS, Director of Special Projects
Eveline Shen, MPH, Executive Director
Amanda Wake, Youth Organizer
Lily Wong, Administrative Coordinator



THE MOMENTUM SERIES

Volume I. Winning Reproductive Justice:

Contributions to Policy Change from the Reproductive Justice Movement

Volume II. Intersections at the Grassroots:

Insights from Organizing for Reproductive Justice, Youth Leadership, and Immigrant & Refugee Rights

The Momentum Series is a project of EMERJ (Expanding the Movement for Empowerment and Reproductive Justice), that supports movement building by engaging reproductive justice allies in dialogues that lead to deep and shared understandings of the current movement and opportunities for movement growth. Through these efforts, EMERJ is releasing reports that document our dialogues as well as tools, models, and resources that highlight and amplify the groundbreaking work of reproductive justice groups and our allies.

The work of EMERJ is grounded in a long history of women of color leaders and organizations that have taken courageous and innovative action to demand an end to reproductive oppression in our communities and achieve a more just future. As a result of our collective work, the Reproductive Justice Movement is growing. Through this series of conversations and reports, EMERJ will gather and document successes and insights from the vast and diverse body of experience of reproductive justice allies. The Momentum Series is one of many ways in which EMERJ and other groups are making a contribution to reproductive justice movement building. Together we will continue to strengthen our collective capacity to build the social, political, and economic power required to make lasting change.



PHOTO: ANTHONY DIMAANO

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INTRODUCTION

REPRODUCTIVE JUSTICE EXISTS
WHEN ALL PEOPLE HAVE THE
ECONOMIC, SOCIAL, AND POLITICAL
POWER AND RESOURCES TO MAKE
HEALTHY DECISIONS ABOUT OUR
GENDER, BODIES, AND SEXUALITY
FOR OURSELVES, OUR FAMILIES,
AND OUR COMMUNITIES.

Asian Communities for Reproductive Justice (ACRJ) is committed to the health and well-being of all communities. As a result, we are excited and hopeful to be witness to, and a part of, building and expanding the movement for reproductive justice. The Reproductive Justice Movement is at a pivotal point in history and is gaining prominence as an effective and strategic force for change.

One of the ways we measure a movement's success is its ability to affect public policy. While this is not the only way to measure success, shaping public policy is a critical aspect of the systemic change desperately needed in order for our families and communities to thrive. ACRJ's movement-building initiative, EMERJ, developed Winning Reproductive Justice to understand and document the ways the Reproductive Justice Movement is making specific contributions to U.S. policy change.

In 2005, ACRJ released a report, *A New Vision for Advancing our Movement for Reproductive Health, Reproductive Rights, and Reproductive Justice*, that compared a range of approaches to ending reproductive oppression. The report emphasized three distinct, yet complementary frameworks. First, a Reproductive Health Framework seeks to broaden the critical reproductive health services that women need. Second, a Reproductive Rights Framework uses a legal and advocacy-based model to protect an individual woman's legal right to reproductive health services, such as abortion. Finally, a Reproductive Justice Framework understands that the control and regulation of bodies, gender and sexuality is centrally connected to the regulation and exploitation of entire communities, especially communities that experience multiple forms of oppression. A Reproductive Justice Framework requires strategies that confront multiple and intersecting oppressions within families, communities, institutions, and societies.

Over the last 15 years, an impressive network of scholars, grassroots activists, opinion leaders, and organizations have helped to shape and guide the Reproductive Justice Framework. This work has demonstrated how gender, race, class, sexuality, ability, age, and immigration status intersect in a dangerous web of control and exploitation. It has laid bare the devastating assumption that reproductive autonomy and control can be addressed in isolation from these broader dimensions of power. And it has insisted that the self-determination and freedom of all marginalized communities remains intimately connected to guaranteeing the reproductive rights, capacities, and agency of individuals and communities.

Yet as *A New Vision* asserts, “Efforts to advance reproductive justice cannot be achieved by vision and analysis alone.” Indeed one of the challenges posed by employing a Reproductive Justice Framework lies in translating its wide-ranging call for structural transformation into an immediate course of action. In other words, in the midst of such a layered web of inequality and exploitation, how do we create opportunities to make change?

There are no quick solutions to reproductive oppression. But the Reproductive Justice Framework is making significant inroads through public policy work. This paper examines five policy change strategies currently employed by the Reproductive Justice Movement.

1. Naming and framing reproductive justice for communities at the margins
2. Organizing communities traditionally left out of political calculations
3. Using short-term tactics that build toward long-term change
4. Building political power through values-based coalitions
5. Proactive issue campaigns

Each of these strategies demonstrates three core aspects of the Reproductive Justice Framework that distinguish reproductive justice policy interventions from other efforts. These core aspects are expressions of the **values** of the Reproductive Justice Movement and the **strategic contributions of reproductive justice to the broader progressive movement**.

- 1. Demonstrating links between individual reproductive health and rights, and broader structures of inequality.** A reproductive justice policy approach values the wholeness of individuals and their relationship to families and communities. It builds from the strategic assumption that individual health and rights are undermined when communities as a whole are suffering.
- 2. Addressing cultural assumptions and ideas.** Reproductive justice advocates realize that in the long-term the opposition of competing world-views is vitally important. They avoid short-term tactics and strategies that inadvertently support or reinforce regressive world views. Instead, they strategically address the complex set of cultural assumptions and ideas underlying oppressive policies.
- 3. Building power for marginalized communities.** Reproductive justice policy change emerges from the leadership of communities most affected by reproductive oppression. This approach to change is based in the value of inclusion. And, it is a strategy that ensures that policy campaigns are effective in terms of actually addressing problems in ways that result in meaningful change.

Using strategies that reflect these core aspects of reproductive justice, organizations and leaders are achieving policy wins for specific communities that also act as points of leverage for change more broadly speaking. The cumulative impact of this work is a potent response to conservative wedge strategies that continue to strangle and distort debate in many policy arenas. This aspect of the Reproductive Justice Framework is probably the most compelling of its contributions to public policy.

The following sections explore each of the five reproductive justice policy strategies more closely using stories of organizations engaged in policy change work. Readers will see that these strategies are interconnected as they play out in policy battles even as we use the stories to illustrate one strategy or another.

Although this report tells stories to demonstrate the breath and diversity of reproductive justice activity around the United States, it is far from comprehensive. The efforts profiled here represent a small part of the Reproductive Justice Movement's vibrant narrative. This report joins a growing number of studies that similarly seek to frame and summarize the dynamic policy advocacy and organizing work underway across the country. In addition, this story is always unfolding. Many of the organizations discussed in this report are in the midst of active, and therefore evolving, campaigns. Readers interested in keeping up to date or supporting these efforts are invited to follow up with individual organizations.

NAMING REPRODUCTIVE JUSTICE: COMMUNITIES AT THE MARGINS

Public policies are at best ineffective and at worst oppressive when they do not reflect the experiences of whole communities. The same is true of efforts that try to change public policy. In many cases, the dynamics of oppression happen through the vilification, exploitation, or invisibilization of groups of people. Some of the most groundbreaking contributions to policy change start with giving voice to the lived experiences of people at the margins. When vulnerable communities tell their stories, we can accurately understand the policy changes that are necessary to make concrete improvements in their lives.

Five stories underscore the strategic value of policy change centered in the experiences of marginalized people.

Roe v. Wade Isn't Helping "Us"

Undoubtedly, the legal status of abortion has come to almost singularly define the general public's understanding of the meaning and extent of reproductive rights in this country. For this general public, the arguments for protecting the Supreme Court's 1973 *Roe v. Wade* decision that a woman's right to an abortion is constitutionally protected, tend to be grounded in the language of "choice," "privacy," and "freedom" from unlawful government interference.

Reproductive justice activists, however, have long pointed out that frameworks emphasizing choice and privacy ignore the political and economic realities of many of our communities. Poor women and women of color tell us that *Roe v. Wade* falls far short of guaranteeing affirmative access to abortion services in particular and reproductive agency in general. The most profound example of this is the existence of the Hyde Amendment, which prohibits federal dollars to be used for abortion, except in cases of incest, rape or life endangerment, but without any exception to preserve the woman's health.

Reproductive justice groups have been at the forefront of challenging the Hyde Amendment. For African American Women Evolving, based in Chicago, the campaign to repeal Hyde is at the top of their policy priorities. This campaign is emblematic of the strategic necessity of centering the experiences of communities at the margins. Campaigns to mobilize communities to support *Roe v. Wade* – "We'll never go back!" – cannot be effective when these communities have not experienced any guarantee of reproductive health care as a result of *Roe*. In this very concrete way, we can see that the experience of low-income women and women of color must guide

both our policy priorities and our messages if we want to reflect and resonate with the lived experiences of the very communities who suffer most from reproductive oppression.

Homeless LGBTQ People and Families

Many disenfranchised communities are vilified and blamed for their vulnerability. This is especially true for people who are homeless. Within this diverse group of people, LGBTQ (lesbian, gay, bisexual, transgender, and queer) individuals and families are often invisible. A recent policy win in New York City demonstrates the potential for policy shifts that impact a broad range of communities when they are grounded in the experiences of the most vulnerable.

In February 2007, New York City's Department of Homeless Services (DHS) approved a new policy to allow couples registered as domestic partners to secure emergency shelter as families in the same way as married couples. The policy not only ends discrimination against same sex couples in accessing these vital services, but also opens access to all domestic partners who are unmarried, as well as homeless adults who have other family relationships (e.g. grandparent and grandchild, siblings, etc.). Previously, only married couples were allowed to access family shelters, forcing domestic partners, both gay and straight, to separate in order to seek emergency shelter.

The campaign to win the new policy demonstrated a commitment to core reproductive justice values. A coalition including the grassroots organization Queers for Economic Justice (QEJ); the Coalition for the Homeless; the Legal Aid Society; the Lesbian, Gay, Bisexual, and Transgender Community Center, and the Peter Cicchino Youth Project worked for several years to convince New York City Council members to enact the policy. At one point in the campaign, this coalition rejected a plan that would have provided access for same-sex domestic partners, but not for other unmarried families.

As Jay Toole, QEJ Shelter Organizer, noted, "The media really picked up on stories of gays helping straight couples. And our own [LGBTQ] community might not have known what was going on with our brothers and sisters who are homeless." QEJ's use of the campaign to tell the stories of large numbers of LGBTQ New Yorkers affected by poverty and homelessness increased visibility, safety, and resources for the broader homeless community.

Nail Salon Workers

Low-wage workers are another marginalized community directly affected by reproductive oppression. In recent years, as the number of nail salons across the country has grown dramatically, significant public attention has focused on whether the equipment, practices, and products used in such salons pose any danger to customers. Rarely mentioned in these accounts are the significant health risks faced by the nearly 400,000 nail salon workers across the country who are often exposed for 10 to 14 hours a day to a range of toxins and chemicals. Some substances, such as phthalates – a chemical found in nail polishes – have been clearly linked to birth defects. Women make up 96% of this workforce; half are of childbearing age.

In Oakland, ACRJ organizes Vietnamese nail salon workers and owners through a program called POLISH (Participatory research, Organizing and Leadership In Safety & Health) as over



80% of the California nail salon industry is Vietnamese. POLISH participates in the California Healthy Nail Salon Collaborative and ensures that Vietnamese workers and nail salon owners are fully engaged as leaders in addressing the challenges they face. The Collaborative won a key policy battle in 2005 when the California legislature passed the Safe Cosmetics Act (SB 484). A number of nail salon workers testified to lawmakers about the need for greater disclosure about the chemicals used by cosmetics manufacturers. The new law requires cosmetic companies to disclose to the state any known carcinogens or reproductive health hazards in their products. Enforcement, however, has proved challenging as the industry has fought the regulations at every juncture.

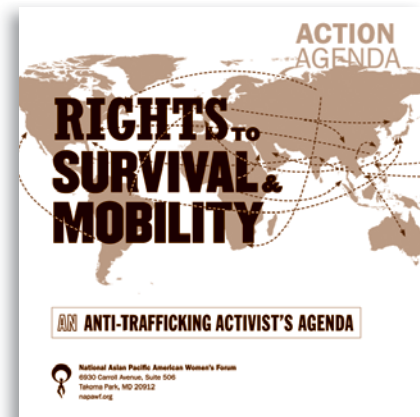
For Asian American women, especially low-wage and recent immigrant workers who often labor in hazardous work places lacking basic health, wage, and hour standards, POLISH helps to generate important public attention and reform. State Assembly Representative Lieber plans to reintroduce a bill in the upcoming legislative session that would provide workers the same protections as consumers when it comes to toxic exposures. POLISH hopes to leverage their growing political power to ensure the success of this legislation and increase health and safety for all low-wage workers.



Survivors of Human Trafficking

Survivors of human trafficking are supported by the reproductive justice organizing of the National Asian Pacific American Women's Forum (NAPAWF). As Asian and Pacific Islander women make up the largest ethnic group trafficked into the US, NAPAWF advocates for an estimated 18,000 persons forced to work in commercial sex industries, sweatshops, and individual residences each year. Due to inherent issues of disempowerment and isolation, this community is extremely vulnerable to violence and abuse.

One of NAPAWF's most important contributions to public policy efforts to end trafficking is to outline a comprehensive, survivor-centered anti-trafficking agenda. Based in a human rights framework, NAPAWF offers an analysis and agenda that acknowledges the tricky terrain of anti-trafficking work. As Liezl Tomas Rebugio, Anti-Trafficking Project Director, states, "So much of what we do is to counter the efforts of the religious right and mainstream feminists. These 'strange bedfellows' have encouraged a myopic focus on sex trafficking that is detrimental because it draws attention away from the myriad forms of forced labor connected with human trafficking."



From this perspective, NAPAWF provides a much-needed critique of current federal policy and anti-trafficking efforts that narrowly focus on ending sex work and its impact on Asian and Pacific Islander women and girls. The results of such a narrow and politically motivated view are ineffective policies that decrease access to harm reduction information and services and increase the vulnerability of survivors both domestically and internationally. In addition, the preoccupation with sex work goes hand in hand with other policies and practices that limit access to sexual health education and services for survivors. A policy agenda that is driven by conservative ideology around sex and sexuality refuses funding to agencies supporting survivors of trafficking who provide services or information about contraception and abortion. A survivor-centered agenda prioritizes all areas of forced work – not just sex work – and promotes harm reduction, sexual health education, and self-care strategies.

This is precisely why NAPAWF's analysis and framework is so critical in policy battles around trafficking. As Liezl sums it up, "Let's be clear that everyone wants to end trafficking, but from a reproductive justice standpoint, it is critical that policy be created that supports women's self-determination and agency."

Pregnant Women Struggling with Addiction or Incarceration

Some of the most maligned segments of our society are pregnant women who struggle with drug addiction or incarceration. The fastest growing rate of incarceration in the US is among low-income women of color, most for nonviolent crimes relating to poverty and drug use. Most are mothers and many are or become pregnant during their incarceration. As well, despite a near total absence of laws authorizing the arrest of women who continue to a full-term pregnancy with a drug addiction, there is a frightening persistence of new arrests of such women, regardless of lack of science or law to justify those arrests.

As Lynn Paltrow of National Advocates for Pregnant Women (NAPW) explains, “Too often the notion of collective responsibility for the nation’s children translates into collective demonization of pregnant women. Collective responsibility for our children should mean support for policies that help pregnant women get the care they need to have healthy babies. Instead, states and localities are increasingly blaming individual women, exaggerating the harms from individual behaviors.”

When reproductive justice organizations listen to and prioritize incarcerated pregnant women, it becomes incredibly clear that these women are experiencing a range of attacks on their well-being, which demands policy change. First and foremost, centering the experience of women who struggle under poverty, addiction, and racism shifts policy priorities from criminalization to human services.

For pregnant women already within the system, their voices are silenced and their bodies are controlled in the most literal way. In the past year, The Rebecca Project for Human Rights, a national advocacy organization, led efforts to improve one of the worst conditions these women experience: shackling. In 47 states, the District of Columbia and in federal prisons, women may be subject to leg irons, shackles, belly chains, or handcuffs behind the body at any time during their pregnancy, including during active labor as well as during delivery and immediately after birth. Leading an anti-shackling coalition, The Rebecca Project successfully reformed Federal Bureau of Prisons policy in shackling pregnant women to render the practice a rare exception and eliminated the use of belly shackles on pregnant women. They are currently working to place similar restrictions in Immigration Customs and Enforcement (ICE) detention centers.

While these policy shifts will not end the physical abuse of women through shackling, they are a step toward meeting the basic needs of extremely vulnerable women and laying groundwork to challenge the criminalization and incarceration of pregnant women struggling with addiction.

LESSONS LEARNED

Reproductive justice organizing efforts identify issues that are usually silenced, marginalized, or ignored by lifting up the lived experiences of vulnerable communities.

Telling the stories of communities at the margins undermines conservative wedge strategies that demonize and vilify certain communities in order to move a policy agenda.

Policy priorities and frameworks that do not center the experiences of communities at the margins replicate and reinforce their vulnerability and invisibility.

Policy priorities and frameworks that do center the experiences of disenfranchised communities are poised to identify systemic conditions and effective policy solutions.



PHOTO: ANTHONY DIMAANO

FROM STORIES TO ACTION: ORGANIZING COMMUNITIES WITH LIMITED POLITICAL POWER

When reproductive justice organizations tell the stories of marginalized communities, they press on to change structural inequities. Policy change using a Reproductive Justice Framework demands that the communities most affected by reproductive oppression take leadership in creating, demanding, and implementing solutions. Traditional models of policy change often rely on political calculations that leave out communities with the least political power. Reproductive justice strategies don't pretend that policy change can be made without political power but they insist on doing the work of building that power for the communities who are traditionally left out. In doing so, they not only contribute to critical policy wins but also build the long-term capacity and power of disenfranchised communities.

The following two stories of policy battles in California and New York City demonstrate the transformative nature of organizing communities often excluded from traditional political equations.

Communities of Color Defeat Parental Notification Ballot Initiatives

Ballot initiatives are an arena where the prioritization of “likely supportive voters” often overshadows the opportunity to build capacity for marginalized communities. In California, repeated ballot fights around parental notification have provided ample opportunity for reproductive justice organizations to do both.

In 2005, a few wealthy donors contributed over one million dollars to qualify the state's first parental notification measure. Proposition 73 required physicians to notify a minor's parent or legal guardian 48 hours before performing an abortion, and included exceptions for medical emergencies and court waivers. Voters rejected that measure by a 52.6% to 47.4% margin.



PHOTO: ANDREW WEEKS

The measure's sponsors immediately regrouped and qualified a very similar initiative, Proposition 85, for the November 2006 election. This time, voters defeated the measure by a larger margin: 54% to 46%.

The campaigns that defeated these measures included traditional advocates for reproductive rights like Planned Parenthood Affiliates of California, NARAL Pro-Choice California, ACLU of Northern California and ACLU of Southern California, as well as members of the statewide California Coalition for Reproductive Freedom. The important and successful work of these campaigns is well documented. Perhaps less known is the work that reproductive justice organizations did within the campaign and within their own communities to guarantee that their constituencies were not left behind in terms of media messages, voter education, coalition building and other electoral strategies.

In the 2005 campaign, leadership from the mainstream campaign was primarily drawn from reproductive rights organizations. In 2006, the leadership body was expanded to include reproductive justice groups who helped to defeat Proposition 85 by a wider margin than Proposition 73. California Latinas for Reproductive Justice (CLRJ) served as statewide chair of Latina/o outreach and shaped message development and voter education for this community. In this role they collaborated with the Dolores Huerta Foundation, which organizes farm workers in the Central Valley and was critical in bringing labor leaders to the campaign. As well, they won the backing of influential leaders like Los Angeles Mayor Antonio Villaraigosa. These endorsements, English and Spanish language radio ads, and a tightly focused voter education strategy produced impressive results. Though pre-election polls suggested Latina/o voters favored the measure 67% to 33%, the final Latina/o vote on Proposition 85 was split 50/50, suggesting the campaign helped shift the Latina/o vote by up to 34 points.

California Black Women's Health Project (CABWHP) is a statewide health advocacy organization that worked to mobilize opposition to Proposition 85 in the African American community in Los Angeles. While they were interested in reaching the African American community in general, CABWHP made the strategic decision to focus some of their outreach on the African American faith community. Through their efforts to engage pastors and leaders of many local churches as well as several mega churches, CABWHP reached and mobilized constituents who are often discounted as "unlikely allies" in traditional electoral equations.

Asian Communities for Reproductive Justice (ACRJ) focused their efforts on raising awareness about the measure in Asian-language and ethnic media outlets; developing multilingual campaign materials in Chinese, Vietnamese, and Korean; training and mobilizing dozens of Asian youth to work on the campaign; and building relationships with other Asian progressive organizations. ACRJ produced a toolkit to support grassroots organizing against Proposition 85, focusing on the particular impacts a parental notification policy could have on Asian families and young women, as well as immigrant communities and communities of color overall. The group also emphasized opportunities for developing relationships and sharing experiences across generational divides.

The efforts of these organizations and other reproductive justice groups represent a "movement building" approach to defensive ballot measure campaigns. In many cases, these organizations serve communities that are traditionally ignored by campaigns whose main goal is to achieve 50% +1 on election day. But, reproductive justice groups know that marginalized communities who are most likely to feel the negative effects of oppressive public policies must be engaged as meaningful partners in the struggle. Certainly these efforts contributed to the defeat of Proposition 85, with strong showings in counties with the largest communities of color.

These lessons and experiences will be put to the test again in 2008. Wealthy sponsors have spent more than two million dollars to qualify another parental notification measure, Proposition 4, for the November election. In response, reproductive justice organizations have joined forces in a newly formed California Reproductive Justice Alliance that will focus its efforts and resources in communities of color throughout the state to build upon the foundation built in previous election cycles.

LGBTQ Youth of Color Oppose Big Business

Another example of organizing disenfranchised communities can be seen in New York City where lesbian, gay, bisexual, transgender, and queer (LGBTQ) youth of color are experiencing increased threats to their health, safety, and well-being through the privatization of public spaces. In this policy battle, LGBTQ youth of color are shifting the terms of the debate around gentrification and community accountability.

The Christopher Street Pier in Manhattan's West Village has traditionally provided one of the few safe spaces of kinship and community for LGBTQ youth of color and homeless youth from across New York City. This public space has provided an important, if tenuous, respite to the harassment and violence such youth face in most other public spaces and has been a place where youth can find one another and create their own networks of support and sustenance. LGBTQ youth constitute one-third to one-half of the City's estimated 22,000 homeless youth,

though transitional housing and service programs specifically serving queer youth provide less than 100 beds.

FIERCE, an organization founded in 2000 by a group of youth activists to organize, educate, and support LGBTQ youth of color and homeless youth, is currently organizing to retain community accountability as the pier is developed through a private/public partnership. They are protecting their access to the pier as well as the medical, mental health, housing, and employment services historically provided there. Glo Ross, Lead Organizer for FIERCE, describes the public health impact of this reality, “Effective health services, be they reproductive health, access to shelter and food, etc., are only effective if people feel safe accessing them.”

But in the last decade, as the area became the focus of a \$700 million public/private plan to develop the area into a “green and blue oasis for all New Yorkers to enjoy,” powerful interests sought to ensure that “all New Yorkers” did not include the pier’s most steadfast users. These interests have prioritized fine dining and entertainment over the public health services needed in this neighborhood. Police and some local neighborhood activists have led efforts to remove LGBTQ youth from the area. Such harassment even targeted mobile health service vans run by nonprofit organizations that conducted outreach on the pier.

In response, FIERCE’s primary strategy is to organize LGBTQ youth of color and allies to build the political power required to shift the priorities of the development plan. In January 2008, following months of community listening sessions, the collection of 300 youth surveys, and meetings with two dozen advocacy and nonprofit organizations, FIERCE unveiled its proposal for a state-of-the-art LGBTQ Youth Center on Pier 40, adjacent to the Christopher Street Pier. As a result of their organizing, the proposed center is now under consideration by the public/private partnership that owns the area. The center would house an array of programs to serve LGBTQ youth in particular and enhance the broader redevelopment of the area. Specific reproductive health services identified by the youth who helped develop the proposal include safe hormones for transgendered youth, HIV/AIDS testing and counseling, health care referrals, and support services for transgendered and queer sex workers. Other educational, job training, cultural, and community building programs are also envisioned.

LESSONS LEARNED

Communities with little perceived political power can organize and win policy campaigns.

Traditional political calculations that leave out marginalized communities miss key opportunities to build a strong and committed base of support for long-term change.

Organizing communities who are perceived as powerless can radically change the terms of political debate by demanding a response to the very existence and lived experiences of those who are traditionally silenced.



SHORT-TERM TACTICS THAT BUILD TOWARD LONG-TERM CHANGE

When facing attacks on our communities, we often are faced with choices about whether to use messages that win in the short-term or to challenge underlying cultural assumptions and root causes that lay the groundwork for long-term systemic change. Many of the strategies favored by opponents of reproductive justice are specifically designed to make us choose the short-term strategies that may actually undermine our long-term goals.

In the two examples that follow, we can see the potential for the Reproductive Justice Framework to provide us strategic guidance in making choices as we defend our communities against regressive attacks on reproductive justice.

Wedge Issues: To Address or Avoid

In 2006, South Dakota voters rejected a ballot initiative to criminalize nearly all abortions by a 55.5% to 44.5% margin. The initiative was triggered in response to a new law prohibiting all abortions in South Dakota, except when “intended to prevent the death of a pregnant mother.” Reproductive rights advocates quickly mobilized, collecting more than 38,000 signatures to refer the law to a public vote. Because polling suggested the majority of the South Dakota electorate would approve a limited abortion ban, the campaign to repeal the law centered primarily on the lack of appropriate exceptions for rape, incest, or the health of a pregnant woman. By focusing on the harshness and inflexibility of the

new law, pro-choice advocates hoped to avoid conversations about abortion itself in order to influence an electorate that otherwise seemed willing to endorse an abortion ban.

The 2006 debate in South Dakota replicated many of the same limitations and tensions that have vexed the mainstream Reproductive Rights Movement for 30 years. As *The Nation's* Katha Pollitt recently explained, the focus of the 2006 pro-choice campaign on the lack of exceptions in the South Dakota law “was persuasive but left the vast majority of women who terminate their pregnancies undefended against the widespread belief that they were selfish sluts who used abortion ‘as birth control.’ This is how short-term strategies come back to haunt us.”¹

During this campaign, reproductive justice leaders and allies in Indigenous communities did not focus their messages around the lack of exceptions in the ban but spoke to the deeper issue of reproductive agency. As Pollitt writes, “Charon Asetoyer, a Native American community activist and health advocate running for State Senate, talked directly about organizing voters around the classic feminist theme of faith in women to make good decisions, to do what’s best for their families.”²

Similarly, leading up to the 2006 election, Cecilia Fire Thunder, the first woman elected to head the Oglala Sioux tribe in Pine Ridge, pledged to open a reproductive health and abortion clinic on tribal land if the state ban became law. Fire Thunder, a nurse with a background in public health, reproductive rights, and work against domestic violence and sexual assault explained her decision, “I got really angry about a bunch of white guys in the state Legislature making decisions about my body, again.” She described the proposed law as “a significant interference in the right of Lakota women to create their own laws and to be ruled by them.”³

While using the “exceptions” as a basis for a messaging campaign worked in the short-term, it may not have laid the groundwork for defending reproductive agency in the future. Immediately following the repeal of the abortion ban, abortion foes wasted little time in proposing a new measure that included modest exceptions for rape, incest, and the health of the mother, collecting more than 50,000 signatures to qualify for the November 2008 ballot. The South Dakota experience reveals how a Reproductive Justice Framework can provide a basis for proactive messages and actions based in core values that blunt conservative wedge strategies and position ourselves to move a broader agenda.

Reframing Wedge Issues to Our Advantage

While the specter of regressive ballot initiatives often puts us on the defensive, a reproductive justice approach to these attacks encourages us to seize the opportunity to reframe issues to our advantage.

In Arkansas, a group called the Arkansas Family Council is attempting to qualify a statewide ballot initiative that would ban any individual cohabiting outside of a legally recognized marriage to adopt or provide foster care to minors. This effort is the latest manifestation of the Family Council's attacks on LGBTQ families since 1999. Their multi-year strategy has undermined the fundamental dignity of various forms of families in Arkansas and has created a hostile and challenging environment for moving a justice agenda.

In the face of this harsh environment, grassroots organizations such as the Little Rock based Center for Artistic Revolution (CAR) are using this initiative fight as an opportunity to reframe the public debate on the meaning of family and community. CAR's organizing model "holistically combines education, organizing skills, advocacy and creativity and cultural work in order to build stronger communities." The multiracial organization works on a broad range of issues and projects, from antimilitarism and peace, to immigrant rights, youth organizing, and LGBTQ equality. To build strong opposition to the adoption/foster care ban, CAR launched their All Families Matter campaign. All Families Matter challenges the notion that family means married heterosexual couples as described in the adoption ban. Instead, they showcase the concept of family within a framework of progressive values.

Through community forums across the state as well as a community based photo exhibit and online video project, CAR is revealing the complexities of real family structures in our communities: single parent families, extended families, elder non-married families, and families with LGBTQ children or parents. In doing so, CAR is able to connect and mobilize beyond the LGBTQ community as they make the case that progressive values mandate all our families to have access to education, safe and affordable housing, and living wage jobs. They describe the adoption ban as one of many strategies to demonize and criminalize the myriad family structures that are the foundations of our communities. Randi Romo of CAR explains, "By taking this expansive approach to talking about family, we are creating the opportunity to have conversations within our communities that we haven't been able to have before. Whether the adoption/foster care ban passes or not, the All Families Matter campaign is a critical step to building a shared understanding of family in the context of progressive values."

LESSONS LEARNED

The Reproductive Justice Framework emboldens us to respond proactively even in the face of defensive policy battles.

The Reproductive Justice Framework helps us identify effective strategies for addressing the issues we face in the context of systemic root causes.

The Reproductive Justice Framework helps us to recognize and avoid short-term tactics that undermine our long-term success and reinforce conservative wedge strategies.



BUILDING EFFECTIVE VALUES-BASED COALITIONS

Both proactive and defensive reproductive justice policy wins are happening through effective coalition building. Regardless of who we are organizing and what messages we use, policy change requires political and economic power. Because of the intersectional nature of reproductive justice, the most effective coalitions break down siloed approaches to issue-based organizing and build cross-sector alliances. The challenging nature of crossing issues, geographies and constituencies points us beyond short-term tactical alliances toward long-term values based relationships. These opportunities for building collaboration can result in shifts in policy as well as building the long-term capacity and infrastructure of the progressive movement overall.

The following story highlights a new coalition effort that exemplifies a reproductive justice approach to building coalitions.

Breaking the Silos of Immigrant Rights and Women's Rights

Policies around immigration have taken center stage in policy battles at all levels over the past few years. As these policy battles unfolded, both women's rights and immigrant rights organizations and leaders realized the need to break down the siloed thinking that seemed to limit the discussion of immigration to issues of labor and security, while building the political muscle to impact these and other immigration issues on immigrant women and families.

As a result, three national organizations, National Latina Institute for Reproductive Health (NLIRH), National Asian Pacific American Women's Forum (NAPAWF) and National Organization for Women (NOW), founded the National Coalition for Immigrant Women's Rights (NCIWR). In the past two years, NCIWR has grown to over 40 organizations who have signed on to guiding principles that state:

Equality for immigrant women can only be attained when immigrant women can live free from discrimination, oppression, and violence in all their forms. We believe it is imperative that organizations advocating for comprehensive immigration reform also support fair and just immigration policies that protect the rights of immigrant women. The fate of millions of immigrant women's lives is at stake and we can no longer afford to remain silent.

NCIWR has resulted in concrete gains for the movement that will build toward policy change. By building cross-sector alliances, NCIWR increases the political power behind a comprehensive policy agenda that includes legal and safe immigration options; a path to citizenship; job opportunities; workplace protections; reducing family and employment based immigration backlogs; rights and protections for LGBTQ immigrants; and an end to discriminatory, militaristic, and inhumane immigration enforcement practices. The guiding principles also serve as a tool to keep immigrant, women's, and reproductive rights groups accountable to the specific needs and experiences of immigrant women. Lastly, NCIWR provides a national model that promotes coalition work in local communities. Silvia Henriquez, Executive Director of NLIRH, shared the story of two organizations in New Mexico that are beginning to work side by side and expand their historically siloed approaches to women's rights and immigrant rights as a result of joining the national coalition.

NCIWR members now regularly communicate with Congress on a range of policy issues impacting immigrant communities. Examples of NCIWR's efforts include advocating for inclusion of the Legal Immigrant Children's Health Improvement Act in the State Children's Health Insurance Program and opposition to the Secure American through Verification and Enforcement Act.

LESSONS LEARNED

Values-based coalitions are opportunities to embody the intersectional nature of reproductive justice by bringing together allies who have not traditionally identified common interests.

Coalitions that challenge siloed approaches to change are strategic vehicles for articulating and representing the specific needs of marginalized constituencies.

Cross-sector coalitions build political muscle for communities with limited political power on their own.

MOVING PROACTIVE ISSUE CAMPAIGNS

Perhaps the best way to talk about the contributions of reproductive justice to public policy shifts is to celebrate the recent successes of proactive issue campaigns that concretely benefit our communities. These two stories demonstrate that we can win and serve as models to build momentum for replicating these campaigns elsewhere.

Winning the Right to Be Sick

In November 2006, San Francisco voters approved Proposition F, an unprecedented law that requires all employers in the city to provide paid sick leave to their employees. Sick leave is a critical component of a reproductive justice agenda because it addresses the economic stress that can undermine the ability of our families to be well and thrive. The ordinance covers full- and part-time employees; applies to physical or mental illness, injury, medical condition, medical diagnosis or treatment; and can be used to care for a child, spouse, domestic partner, family member, or another designee. Importantly, this policy applies to all employers and not just large businesses.

Proposition F was developed and implemented by the Policy Committee of Young Workers United (YWU). This multiracial membership-driven organization devised a strategy ensuring that the priorities of workers most in need of sick leave would benefit from the policy, including women and people of color who are overrepresented as part-time workers. The members of YWU were unwilling to take an incremental approach to changing paid leave policies, which often leaves out part-time workers and employees of small businesses. In addition, they wanted to make certain that the process of shifting policy supported the leadership of their members and built the capacity of their organization. So their goal was not only to change the policy but also to build political power for the communities most affected by the policy. YWU member Alicia Hershey explains, “Because this beautiful piece of legislation was built by a coalition of working people and community organizations, we wanted to see it retain its strength and not let it get watered down by competing interests in City Hall.” To achieve these goals, YWU used an electoral strategy that placed Proposition F on the ballot rather than utilizing a lobbying tactic through the Board of Supervisors in San Francisco.



Once YWU members had developed a model policy, they built the Coalition for Paid Sick Days anchored by YWU, Parent Voices, St. Peter's Housing Committee, Chinese Progressive Association, and local affiliates of two leading unions of service sector workers, SEIU and UNITE-HERE. By building a powerful alliance, the Coalition for Paid Sick Days was able to create a political context in which their strongest opponent, the wealthy and politically connected Golden Gate Restaurant Association, was forced to make the strategic decision to not put resources into defeating the measure.

The Coalition then flexed their grassroots muscle to build support using a justice framework that asserted that all employees deserve the "Right to be Sick." They educated the public on how sick leave policies have broad advantages, benefiting employers and taxpayers by lowering aggregate labor costs and promoting general health. To make their case, YWU told the story of the disproportionate impacts of lack of paid sick leave on women, part-time workers, and people of color. Matt Garron, a YWU and Coalition member explains, "The Paid Sick Days campaign had a wide variety of faces as speakers and on our literature to match the demographic affected. It was a collection of women and men who were of different ethnicities, single parents, teachers, janitors, etc. all sharing their stories illustrating how we all deserve the right to be sick."

Through their efforts, Proposition F passed by nearly 20 percentage points. This policy win also signifies tremendous movement building wins, seen in the member leadership of YWU developing the measure and implementing the campaign; YWU using the campaign as a



vehicle to build capacity and power as a trusted voice for low wage workers, women, and people of color; and the broad coalition coming together to achieve this victory.

Youth Win in Chicago

In April 2006, Chicago Public Schools Board of Education voted to adopt the Family Life and Comprehensive Sexual Health Education policy, requiring schools to teach comprehensive, age-appropriate sex education programs. This gain was a result of over two years of local and statewide advocacy and organizing work involving students, community-based organizations, teachers, and parents. From a reproductive justice perspective, access to meaningful sexual health information is a necessary resource for our communities to make healthy decisions about our gender, bodies, sexuality and families.

In 2004, the Illinois Caucus for Adolescent Health (ICAH), a 30-year-old advocacy and leadership development organization, and Planned Parenthood/Chicago Area jointly founded the Illinois Campaign for Responsible Sex Education to secure statewide funding in support of comprehensive sex education programs, support policy changes within individual school districts, and improve teacher and school practices in the implementation of such programs. The Campaign emerged partly in response to student-led organizing at several high schools around Chicago, especially Curie Metropolitan High School.

Demonstrating their commitment to supporting youth leadership in policy change around sexual health education, ICAH convened student activists across Chicago to provide advocacy and organizing training and coordinated their efforts in order to garner support for a new policy. ICAH supported new leaders like Yessenia Cervantes who saw the campaign as an opportunity to step up and support her community. Asked about her experience, she reflected, "I cannot be certain if it was an exact moment or many experiences that led me to realize that

despite my own hardships I am still part of a bigger picture: humanity. Therefore, in a world where we are trained to think for and only for our own interest, that realization is the only reason why anyone would step up to their responsibility and do what others won't, simply because when we do good for this world we are ultimately helping ourselves."

With strong youth involvement, the campaign progressed at multiple levels. Students at Curie High conducted large, multilingual surveys of both parents and students, documenting the need for and support of comprehensive sex education. Students held rallies, met with Chicago public school administrators and exerted pressure through local press coverage. After building public awareness and working with administrators, a new policy was drafted and eventually came to the School Board for approval. The Board passed the proposal with no objections following testimony by students and their allies. As Curie High senior Mayadet Patittucci explained, "We believed that the entire school system needed to make a commitment to providing life-saving information to Chicago schools, so we took our cause to the top."

The newly adopted policy established the broad framework that all sexual health education programs in the district must follow, while leaving considerable discretion to individual school sites about the specific content and implementation of their own programs. The district's policy requires "comprehensive," "age-appropriate," and "medically accurate" information while continuing to emphasize abstinence as "the expected norm" in accordance with state law.

Since the April 2006 adoption, the Campaign and student leaders have focused on the policy's implementation in addition to passing similar policies in other Illinois school districts. Recognizing the multiple barriers that exist to implementation, ICAH has sought to work closely with Chicago public schools in this process, assisting the district in assessing readiness at individual schools sites, identifying community-based providers of sex education, identifying funding opportunities, and developing an overall proposal for implementation.

LESSONS LEARNED

Issue campaigns that utilize core aspects of the Reproductive Justice Framework can win concrete and meaningful changes in the day-to-day lives of marginalized communities.

Reproductive justice campaigns at the local level can build models for change that can be replicated across communities.

Winning reproductive justice issue campaigns benefits the overall progressive movement by developing and supporting new leaders, building power for disenfranchised communities, and articulating a vision of reproductive justice that helps all communities to thrive.

MOVING FORWARD

We conclude *Winning Reproductive Justice* with tremendous hope and optimism that the reproductive justice approach to policy change is building momentum to achieve long-term health, well-being, and justice for our communities. We are awed and inspired by the groundbreaking work that organizations and leaders are doing to support their communities in securing reproductive justice with limited resources in exacting political contexts.

The reproductive justice approach to public policy is a winning strategy for the broader movement for justice. From defensive ballot initiative fights to proactive local issue campaigns, from building cross-sector analytical frameworks to setting campaign messaging priorities, from grounding campaigns in the experience of the most disenfranchised in our communities to developing and strengthening their leadership – each of these stories demonstrates that the reproductive justice approach to policy change builds synergy and points of leverage that fortify and uplift multiple social change projects and movements.

These distinguishing aspects of the Reproductive Justice Framework are probably the most compelling of its contributions to public policy:

When we root policy campaigns in the lived experiences of marginalized communities who are targeted by multiple layers of oppression, we change policy and cultural norms as well as dismantle systems and practices that both regulate and enforce gender, body, sexuality, and family.

When we organize and demand a seat at the table for communities traditionally left out of political and electoral calculations, we embody our values of inclusion and build meaningful democratic structures.

When we demand human rights for vulnerable, demonized, and invisibilized members of our communities, we describe the appropriate role of government as supporting rather than policing, punishing, and incarcerating our communities.

Clearly, disrupting these root causes of oppression serves as proactive leveraging for all movements committed to justice for our communities.

EMERJ is grateful to the organizations and leaders who shared their stories for this report and to everyone working to advance these and other critical reproductive justice issues. Winning Reproductive Justice just begins to scratch the surface of the depth and breadth of work that is underway. The movement's capacity to make strategic contributions is swelling – we are excited to be learning from and in struggle with such a vibrant and powerful group of people.

EMERJ is committed to further exploration of the Reproductive Justice Movement's efforts to transform public policy as well as other vital strategies for change being forwarded by reproductive justice leaders and organizations. The next installment of The Momentum Series that will address reproductive justice and public policy is a documentation and evaluation of electoral strategies utilized by reproductive justice organizations in the 2008 elections. We are confident that our learnings from this process will continue to reveal the effectiveness and strategic necessity of utilizing a reproductive justice approach to create opportunities for our families and communities to thrive.

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ORGANIZATIONAL CONTACT INFORMATION

Asian Communities for Reproductive Justice

Oakland, CA
510.434.7900
www.reproductivejustice.org

Queers for Economic Justice

New York, NY
212.564.3608
<http://qej.tripod.com/qej2/index.html>

African American Women Evolving

Chicago, IL
312.566.0983
<http://aaweonline.org>

National Advocates for Pregnant Women

New York, NY
212.255.9252
www.advocatesforpregnantwomen.org

California Black Women's Health Project

Los Angeles, CA
310.412.1828
www.cabwhp.org

The National Asian Pacific American Women's Forum

Tacoma Park, MD
301.270.4440
www.napawf.org

California Latinas for Reproductive Justice

Los Angeles, CA
213.270.5258
www.californialatinas.org

National Latina Institute for Reproductive Health

New York, NY
212.422.2553
www.latinainstitute.org

Center for Artistic Revolution

Little Rock, AR
501.244.9690
www.artisticrevolution.org

Native American Women's Health Education Resource Center

Lake Andes, SD
605.487.7072
www.nativeshop.org/nawherc.html

FIERCE

New York, NY
646.336.6789
www.fiercenyc.org

Rebecca Project for Human Rights

Washington, DC
202.265.3906
www.rebeccaproject.org

Illinois Caucus for Adolescent Health

Chicago, IL
312.427.4460
www.icaah.org

Young Workers United

San Francisco, CA
415.621.4155
www.youngworkersunited.org

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