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April 10, 2023

Breaking the Chains: Examining the Enduring Effects of Slavery on

Black Women and Their Families

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Abstract

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By Samaia Hill

Drawing on the work of Black feminist scholars who explore the afterlives of slavery, alongside evidence of a history of state-inflicted terrors against Black women in the US, this work contends that the contemporary state induces reproductive injustices against Black women through surveillance and policing of their parenting and reproductive health access. The present-day “child welfare system,” which is entrenched within the legacy of chattel slavery, racism, and white supremacy in America, serves as a tool of hyper-surveillance policing, and punishment of Black motherhood. This system, which I refer to as the Family Policing system, due to its carceral underpinnings, continues the legacy of white supremacy and racism through its integral connections with the criminal punishment system. Exploring the work of the reproductive justice framework, I contend that the family policing system and the reproductive injustices that have ensued through the overturn of *Roe v. Wade* operates within the same racist logics that subordinate the Black community through inflicting violence upon Black women. This work aims to explicate the state reliance on infringing upon the reproductive rights of Black women through policing in order to uphold the “social hierarchy.” Therefore, I call upon the wisdom of prison abolitionists to imagine possibilities of motherhood that are divested from state-sanctioned control and instead prioritize welfare and community-based care.

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Introduction

“If slavery persists as an issue in the political life of black America, it is not because of an antiquarian obsession with bygone days or the burden of a too-long memory, but because black lives are still imperiled and devalued by a racial calculus and a political arithmetic that were entrenched centuries ago.” Saidiya Hartman

“When I called 911, I was bleeding so badly I knew I needed medical attention,” Sharwline Nicholson told a New York Times reporter. “I didn’t know I’d end up down that road, that calling for help would escalate and I’d end up losing my kids” (as quoted in Roberts 2001, 72). This is one of many instances that illustrates the ways in which the child protection system reveals how it operates within the carceral underpinnings of the US. In this case, the system uses punishment against mothers like Sharwline through child snatching, a move which has become emblematic of the system itself. Under the dire circumstances that Sharwline highlights, we can imagine a system of welfare in which both she and her children could have been prioritized as recipients of care, but the “welfare” system is configured to enact wrongful separation of mother and child, a long-standing legacy of state-sanctioned control of the Black family unit.

Through delving into the contemporary research on the child welfare system, which I will refer to as the family policing system, the racial and class disparities within this system arguably mark it as an afterlife of slavery and thus a form of terror impacting Black communities. Current literature reveals that the experiences of Black families within the family policing system lead to self-policing and “social death,” as Black parents become aware of the looming threat of forced separation¹ (Patterson 1982). Often, Black parents, namely Black mothers, make comments about other individuals “calling DCFS on them,” which when taken in conjunction with the forms of policing enacted through the system parallels the fear of individuals “calling the police

¹ See Patterson, O. (1985). *Slavery and Social Death*. Harvard University Press.

on them.” In fact, the system is inextricably tied to the criminal punishment system, as scholars cite that the percentage of Black women in prison, who are the primary caretakers of their children is nearly equivalent to the percentage of Black children in the foster care system, who were removed from their mothers (Roberts 2012, 1477). In learning this, I was amazed by the guise of welfare that has been generally accepted as true, despite the breadth of literature that contends this system often enacts harm in the place of care.

This work expands on the current discourse on the carceral underpinnings of the foster care system through contending that the lack of care provided within this system is endemic to the level of care awarded to Black women throughout all US institutions, especially as it relates to her reproductive health and autonomy. Throughout this project, I draw connections between the failures of the family policing system and the current Dobbs case to reveal that the subjugation of Black women’s reproductive decisions and motherhood is integral to the functioning of white supremacy in America.

Methods and Methodologies

The key focus of this work is to amplify the lived experiences of Black women, families, and their children, through elucidating the ubiquitous nature of capitalism’s deep dependency on race over centuries living in the wake of chattel slavery² (Sharpe 2016). Thus, I employ several methodologies to reveal the structures that generate inescapable feelings of terror and surveillance associated with the Black family in the U.S.

Most notably, this work is situated within what Saidiya Hartman calls the afterlife of slavery, which she elucidates as “the skewed life chances, limited access to health and education, premature death, incarceration, and impoverishment” (Hartman 2006, 6) that have ensued in the

² See Sharpe, C. (2016). *In the Wake: On Blackness and Being*. Duke University Press.

wake of chattel slavery. Alongside Hartman's work, I simultaneously employ Christina's Sharpe expansion of this concept through "wake work", which refers to the continuous and changing nature of terror and dread, that ensued with chattel slavery, leaving "tracks" on the surface of Black existence (Sharpe 2016, 18). Taken together, these methodologies allow me to explicate the pervasiveness and endemic nature of the "social death" that once invaded the lives of the Black enslaved community, which persists in the contemporary (Patterson 1982). Furthermore, I identify the lived experiences of Black families within the Family Policing System and of Black women experiencing reproductive injustice as "afterlives of slavery" and/or "in the wake of slavery" throughout this thesis. In essence, I draw parallels between the experiences of child care and reproductive decisions to which Black enslaved communities were subjected, and the continued impacts these orientations have on contemporary Black communities navigating the terrain of "child welfare" and reproductive healthcare.

Additionally, I call upon the methodology of critical race theory, a practice described by legal scholar Kimberle Crenshaw as interrogating the foundational standing of racism within U.S. systems explicating that "race is not a bygone relic of the past" (Crenshaw, 20221, para. 1) and is instead utilized within the contemporary to maintain a racial caste system (Wilkerson, 2020, 2010). In conjunction with critical race theory, I employ a Black feminist critique to explicate how hetero-patriarchy has historically intersected with racism to subjugate Black women to the most inferior position within American society³ (Collins, 2000).

³ See Collins, P. H. (2002). *Black Feminist Thought: Knowledge, Consciousness, and the Politics of Empowerment*. Routledge. Patricia Hill Collins contends that lived experience operates within the matrix of domination and rejects the notion that oppression can be addressed through additive measures. The matrix of domination addresses the experience of oppression at three levels: 1) personal biography 2) community level of cultural context 3) systemic level of social institutions Furthermore, Collins argues that Black women and other excluded groups should be at the center of analysis related to oppression.

In order to explore the different forms of state-sanctioned control exerted on Black mothers, I take up the Reproductive Justice framework (RJ), a critical Black feminist framework that serves as a direct response to U.S. reproductive politics (Women of African Descent for Reproductive Justice, 1994)⁴. Reproductive Justice strengthens my argument by imagining injustices beyond the right to “choose” and instead identifies the systemic devices that infringe on Black and other marginalized birthing person's right to reproductive decision making and self-determination. Furthermore, the cross-disciplinary groundings of RJ allow me to contextualize instances of reproductive injustice within social justice, human rights, and reproductive rights agendas.

Finally, this thesis centers the methodology of abolition and work of abolitionist scholars, who call for the uprooting of institutions that are bolstered by carceral ideologies through forms of hate, oppression, and violence⁵ (Davis 2003). Due to my focus on child welfare and reproductive health as extensions of carceral institutions, I employ the work of prison abolitionists to imagine how these other institutions function in tandem to surveil, police, and punish Black communities. In addition, I rely upon the imaginative possibilities of abolition to envision a society where violence and hate don't prevail. In parsing through the failures of child protection and reproductive freedom, abolition allows me to imagine a world where state control through policing does not invade personal, family, and community matters. Most importantly, the abolitionist framework aids my argument by providing a framework for surviving and enduring disaster through building solidarity and resistance (Spade 2020, 139).

⁴ See more on the history and framework of reproductive justice in Chapter 3.

⁵ See Davis, A. Y. (2011). *Are Prisons Obsolete?* Seven Stories Press; Gilmore, R. W. (2022). *Abolition Geography: Essays Towards Liberation*. Verso Books..

Literature Review: The Afterlives of Slavery in Child Welfare and Reproductive Health

This project takes an expansive approach to exploring the manifestations of surveillance, policing, and punishment of the lived experiences of Black people in America.

Early on, I establish the historical roots of my overall argument, drawing on the work of Christina Sharpe (2016), Saidiya Hartman (2008), Dorothy Roberts (2001, 2022), Ta-Nehisi Coates (2014) and Angela Davis (1971). Taken together, these scholarly works trace the legacy of the Atlantic slave trade revealing the violent and brutal approaches that enslavers utilized to establish the current racial caste system that guides American society. Additionally, these texts aid me in framing the violence and terror that attended Black family-making and maternity during chattel slavery, taking these forms of violence as both ubiquitous and foundational to the survival of America and its core value: white supremacy. By employing these texts, I attempt to carefully recount the experiences of the enslaved community to explicate the foundations of racist ideologies that have continued to prevail over centuries.

Building on slavery's afterlife, I then turn to Dorothy Roberts's work over the past decade through her texts *Shattered Bonds* (2002) and *Torn Apart* (2022), which bring attention to the racial and class disparities within child protection and the resulting state-sanctioned control of poor, Black families, to show the afterlife of slavery within the Family Policing system. I draw on Roberts's research in Chicago and New York to highlight specific cases which reveal the detrimental experiences of Black families within the family policing system. There she worked on the ground with families, social workers, legal scholars, and community members to illuminate the inadequacies of welfare within the system and the detrimental use of family surveillance and separation. In addition, this chapter also explores Kathryn Mariner's work on transracial adoption, which argues that transracial adoption is a form of cultural genocide that

operates through destroying kinship bonds (2019). I bring Mariner's argument into conversation with the work of Jessica Leinaweaver who suggests that transracial adoption creates a binary between the deserving receiver and inadequate giver of a child, which is defined by white supremacist ideologies of nurturing families (2018).

Lastly, this thesis expands on the lived experiences of Black women and families within the family policing system by drawing connections between the Dobb's case, reproductive injustices and the legacy of violence perpetrated against Black women in the wake of chattel slavery. Thus, I draw upon the work of Loretta Ross (2007, 2017) to reveal how reproductive injustices crystallize based on colliding modes of domination and thus impact birthing persons in the most marginalized groups tremendously. Furthermore, I rely upon other scholars of reproductive justice including Dána-Ain Davis (2020) to elucidate the terror that is inscribed into the birthing experiences of Black women, due to the long-standing impacts of racist ideologies in the U.S. medical system⁶.

Chapter Outline

In chapter one, I establish the underpinning of reproductive injustices through state-sanctioned control of Black women's bodies and families within U.S. Chattel slavery. I employ two scholarly concepts that illuminate the ties between the lived experiences of the enslaved community and the Black community: 1) Saidiya Hartman's concept of the "afterlife of slavery"⁷ and Christina Sharpe's concept of "wake work." In conjunction, these concepts allow me to refute the misnomer of "post-racial" ideologies and instead illuminate the fact that racism, white

⁶ See Roberts, D. E. (1997). *Killing the Black Body: Race, Reproduction, and the Meaning of Liberty*. Pantheon.

⁷ See Hartman, S. (2021). *Lose Your Mother: A Journey Along the Atlantic Slave Route*. Serpent's Tail.

supremacy, and capitalist endeavors are foundational to U.S. institutions and thus Black people who must navigate these institutions experience terror. This chapter begins with the onset of chattel slavery in 1619 and traces the on-going persistence of racial terror that persists in contemporary forms and configurations through other carceral institutions such as the prison-industrial complex and what I refer to as the family policing system⁸. I trace the history of controlling images under the neoliberal regime with the aim to argue that the state has forced culpability onto Black families, blaming them for their disparate access to safety, resources and economic stability rather than acknowledging the devices utilized to neutralize resistance to their “inferior” position within the social hierarchy. Most importantly, I establish the centrality of Black women’s lived experiences to my argument, as I aim to argue that enslavers, white supremacists, and the U.S. utilize the subjugation of Black women to promote social death within the Black community and to uphold the social hierarchy. The primary form this social death takes is that modeled in regimes of slavery around family separation, coerced and violent forms of forced reproduction, and the control of Black maternity.

In chapter two, I contend that the “Child Welfare System” often fails to provide welfare to children and instead regulates families in ways that are consistent with the system's entrenchment in racist and capitalist methods. Thus, I elect to label this system “The Family Policing System” to emphasize its carceral underpinnings and pursuit to address child neglect through the surveillance, policing, and punishment of families. Drawing on the work of Dorothy Roberts and other scholars, which illuminates the racial disparities within the system and its entanglement with the Prison Industrial Complex, I argue that the system manifests as an afterlife of slavery, reproducing instances of terror within the Black communities and families. Furthermore, I

⁸ See chapter two for explanation on the importance of language within this project, as I employ an abolitionist methodology to practice through emphasizing the ubiquity of harm within U.S. institutions.

develop my argument of the reliance of white supremacists on the subjugation of Black women by exploring the neoliberal ideologies that criminalize Black mothers for societal ills and punish them by policing their mothering and producing the looming threat of snatching their children. Finally, in chapter three, I take up the reproductive justice framework to elucidate the history of reproductive harms that have been perpetrated against Black women in the US, again exploring the ways that reproductive harm as it was institutionalized in chattel slavery continues to mark contemporary Black lives, manifesting in new forms such as the recent Supreme Court decision on the Dobbs case. Working through the three core reproductive justice values delineated by SisterSong (Ross et.al 2017)⁹I argue that racism and capitalism have facilitated the perpetuation of reproductive injustices through forced sterilization, forced reproduction, and child snatching. Furthermore, I end by arguing that the lived experiences of Black women operate within the wake of slavery and work to bolster white supremacy by elucidating how seemingly contradictory institutional forces all serve the purpose of subjugating Black women and solidifying Black women's inferiority within the social hierarchy.

Conclusion

Throughout this thesis, I work to refute the narratives that US chattel slavery and the history of racism within America are long forgotten memories that are disentangled from the lived experiences of contemporary Black individuals. Through focusing on the experiences of Black women specifically, I trace the legacy of surveillance, punishment, and terror since chattel slavery to explicate the endemic nature of violent subjugation within US institutions. Thus, in the

⁹ See SisterSong Women of Color Reproductive Health Collective 2005, 'Reproductive Rights are Human Rights', *Collective Voices*, 1, no. 3:16–17; SisterSong Women of Color Reproductive Health Collective, 'Collective Voices', online <http://www.sistersong.net/newspaper.html>

concluding section, I call for non-reformist reforms and abolitionist steps to address the failures of contemporary systems that have alarmingly led to the destruction of the Black family unit.

Chapter 1

The Legacy of Subjugation of Black Women in the US

This work is grounded in the acknowledgment that the foundational nature of the US is built on the principles of destroying Black families and communities. Unfortunately, this destruction did not start during the onset of neoliberal policies, which shifted the trajectory of the Family Policing system and is instead an intimate aspect of the wake of chattel slavery¹⁰, as Christina Sharpe (2016) posits. The Family Policing System extends much further into the past than present-day surveillance that invades the lives of Black parents. It represents a key device used by white supremacists to cast Black families as deviant, criminal, and unfit (Davis 1972, 112). Furthermore, through using controlling images that define the Black family unit as peculiar, white supremacist ideologies have maintained the racial caste system over centuries, especially through the present-day manifestation of Family Policing.

In order to understand the contemporary context of Family Policing, it is necessary to establish that the present systems are undeniably linked to practices of family separation practiced by slave owners, though the contemporary mechanisms of the Family Police System operate more subtly than those of chattel slavery. Not only is the presence of the Family Policing System less pervasive than chattel slavery, but the brutal methods of family control through exploiting Black enslaved women for their reproductive capabilities, the looming threat of stolen children, and integral use of family destruction to control the slave community wholeheartedly manifest in more understated forms of everyday violence. In her book *In the Wake: On Blackness and Being*, Black studies scholar Christina Sharpe utilizes a specific definition of

¹⁰ Throughout this project, I refer to chattel slavery and slavery as the colonial period in the U.S. between 1619 at the onset of the Atlantic Slave trade and 1865 with the ratification of the 13th amendment, which legally ended slavery. However, I recognize that slavery has persisted globally in different manifestations from the racial bondage that occurred in the U.S..

“wake” to conceptualize wake work as: “ the track left on the water’s surface by a ship; the disturbance caused by a body swimming or moved, in water; it is the air currents behind a body in flight; a region of disturbed flow” (Sharpe 2016, 19). I take up this definition to think of the enduring disturbances that Black families experience as the present-day Family Policing System persists as the wake of US chattel slavery. The track that chattel slavery has left on the surface of US soil is inescapable from the everyday lives of Black people. Although the ship has departed, Black families are still tormented by the terror that Black enslaved families experienced with the looming threat of forced separation. The track serves as an everyday reminder of Black existence in America being inextricably tied to the violent Atlantic crossing marked by violence, captivity, and subjugation. The track that Sharpe notes marks Black lives manifests as the continued insistence that Black people have a lower status, and are undeserving of maintaining the wholeness of the family unit that white Americans often take for granted.

By understanding chattel slavery through wake work, I reject the conceptualization of this heinous occurrence as a mistake in history, and assert its forging of an intimate connection between violence and existence that has shaped the experiences of Black family life for centuries. Without this acknowledgement, we obfuscate the despicable foundations of the US itself and instead position slavery and violence as deviances from the "indefectible" values of America. Therefore, it is not sufficient to recognize chattel slavery as a stain in American history, but this institution should be understood as central to American values. Thus, it at once becomes evident that the captivity, peculiar punishment, and violence that were projected toward Black existence were not erased with the emancipation proclamation and are instead still present as “tracks” on the surface of American institutions.

Ideas of personhood, citizenship, and status have a particular conceptual significance when considered through the lens of chattel slavery, especially in relation to upholding white supremacy and justifying slavery. Due to the ideology that African enslaved persons existed as deviant, bestial, savage, criminal, non-humans, white enslavers justified the exploitation of their bodies for capital gain based upon their non/status, non/personhood, and non/citizenship (Sharpe 2016, 36). Thus, enslavement was rationalized as the natural position of Blackness, whereas whiteness became deeply entrenched within values of freedom and liberty. In addition to the manufactured notion that enslaved people existed in the realm of low status or non-human beings, the everyday lives of Black enslaved people were cruelly marked by ideologies about Black deviance, bestiality, and criminality¹¹ (Davis 1972). Thus, slavery was rationalized as a reality that was prompted by the personal deficits of enslaved people rather than the insidiousness of white enslavers (Moynihan 1965). When interrogating the notions of deviance that sustain the relegation of enslaved people to the category of non-person, it is also necessary to call upon the existence of enslaved people as property of white enslavers and the subsequent capital and financial importance of enslaved people's existence. The definition of enslaved people as property, according to the American government, undeniably defined the trajectory of the Black family unity and the Black enslaved community.

As Ta-Nehisi Coates argues in his essay, "The Case for Reparations," "we find the roots of American wealth and democracy in the for-profit destruction of the most important asset available to any people, the family. The destruction was not incidental to America's rise; it facilitated that rise" (Coates 2014, 28). Furthermore, the sundering of Black enslaved families

¹¹ See Davis, A. (1971). Reflections on the Black Woman's Role in the Community of Slaves. *Black Scholar*, 3(4), 2–15. <https://doi.org/10.1080/00064246.1971.11431201>

that Coates elucidates bolstered the caste system that existed during chattel slavery: white freedom and liberation coupled with Black subjugation. As Jill Elaine Hasday states in, “Federalism and the Family Reconstructed,” “slaves had no right to marry and no right to parent their children; slave families could be separated at their masters' will” (Hasday 1998, 5). The caste system was so integral to America’s foundations that enslavers utilized forced separation as a tool for social control, as severing familial bonds ensured enslaved people were in constant fear of losing their kin and thus would avoid acting out in ways that would result in this form of punishment. Concurrently, forced separation ensured that enslaved people were subjugated on an individual level and disempowered at a community level, as they were stripped of the most important asset available, as Coates posits. Thus, fifty percent of interstate slave trades involved severing the familial ties of enslaved people (Coates 2014).

Forced separation is undoubtedly embedded within American history and has been foundational to American capitalism since chattel slavery. Due to their status as property, the Black family unit had no legal rights and was thus treated as disposable by enslavers. Due to the “naturalness” of the enslaved person’s subjugation, lack of personhood, and subsequent property status, law posited that the Black family unit was impossible and that “enslaved persons[...] have no inheritable blood” (Cobb as quoted in Finkelman 1999,). Furthermore, enslavers recognized the economic necessity of preventing access to lineage for Black enslaved families, as this falsehood justified the violent separation from Black enslaved parents from their children and Black enslaved spouses¹². If the family unit never existed and an enslaved child never inherited

¹² During chattel slavery there was discourse and legal proceedings regarding the personhood of enslaved people and thus their access to rights and legal standing. In tandem with the separation of enslaved families, enslaved children, who were fathered by their enslavers due to the incessant nature of rape against enslaved women, were prevented from inheriting rights of their white parents (i.e personhood, freedom, marriage, land rights). See Reilly, P. R., & Shaw, M. W. (1983). The Virginia

their parents blood, selling off enslaved family members was simply a transaction of property that did not deserve additional thought. For instance, enslavers such as Thomas Cobb of Georgia argued “slaves have few family ties and in effect, will not suffer from separation” (Cobb as quoted in Finkelman 1999, 106). In “A Lineage of Family Separation,” Anita Sinha elucidates that “the construction of narratives to justify family separation was intertwined with the narrative endeavors to uphold the system of slavery generally” (Sinha 2022, 9). That is, the legal classification of enslaved people as property worked partly to justify the foundations of enslavement and to ensure that these foundations were actively reproduced and strengthened in perpetuity. Furthermore, classifying enslaved people as property allowed enslavers to obfuscate the abhorrent nature of chattel slavery and instead relocate blame.

In addition to the reliance on the status of enslaved people as property and the critical centrality of chattel slavery to capitalist endeavors, enslavers relied upon the racist ideologies that enslaved people lacked personhood¹³ due to their deviant and criminal nature to justify the violent act of forced separation. As non/persons, slave owners and traders argued that enslaved people lacked the capacity to have deep feelings about a family member and therefore would not suffer as a result of being permanently separated. Enslavers argued that the feelings of enslaved people lacked strong passions and affections and were thus transient (Cobb as quoted in Finkelman, 107). According to the enslaver, the transactional act of forced separation was mundane due to the innate feelings of disposability that enslaved people had towards their own kin. In the same regard that the enslaver utilized property status to disguise their primary control

racial integrity act revisited: The Plecker-Laughlin correspondence: 1928-1930. *American Journal of Medical Genetics*, 16(4), 483–492. <https://doi.org/10.1002/ajmg.1320160407>

¹³ See *Slavery and the Making of America . The Slave Experience: Legal Rights & Gov’t | PBS*. (n.d.). <https://www.thirteen.org/wnet/slavery/experience/legal/docs2.html>

over forced separation, enslavers utilized the misnomer of the “deviant” enslaved person to escape moral responsibility of the terror inflicted upon the lives of enslaved people through violently sundering family ties. In the same regard, enslavers legitimized forced separation by arguing that the enslaved person “is cruel to their own offspring, and suffers little by separation from them” (Cobb as quoted in Finkelmann 1958, 107). It was undoubtedly necessary for the enslavers to utilize false notions to justify the use of forced separation through thrusting the blame onto enslaved Black people.

First Hand Accounts of Forced Separation by Black Enslaved People

Throughout my research, I have aimed to employ the methodologies of Black feminist scholars, who empower and elevate Black women through storytelling¹⁴ (Nadar 2014). In alignment with this methodology, I will be calling upon the firsthand accounts of enslaved people, who experienced the brutal acts of forced separation during American chattel slavery.

Sojourner Truth (Born Isabella Baumfree)

Sojourner “Belle” Truth was born into an enslaved family, owned by Colonel Hardenbergh of Esopus, New York. After Hardenbergh’s death in 1806, Truth was only nine-years-old³ and experienced the violent separation from her twelve siblings, and her father. If this experience was not violent enough, after escaping slavery with one of three children, Truth found that her son was illegally sold off. She became the first Black woman to challenge a white man in US court¹⁵ (Truth 1850).

Charles Ball

¹⁴ See Nadar, S. (2014). “Stories are data with Soul” – lessons from black feminist epistemology. *Agenda (Durban)*, 28(1), 18–28. <https://doi.org/10.1080/10130950.2014.871838>

¹⁵ See Truth, S. (1850). *Narrative of Sojourner Truth: A Bondswoman of Olden Time, Emancipated by the New York Legislature in the Early Part of the Present Century; with a History of Her Labors and Correspondence, Drawn from Her “Book of Life” : Also,*

When recounting his experience as an enslaved person in Maryland, Charles Ball reflected “young as I was, the horrors of that day sank deeply into my heart, and even at this time, though a half a century has elapsed, the terrors of the scene return with painful vividness upon my memory” (as quoted in Williams; Ball 1837, 24) At the age of four, Ball witnessed the severing of his family, as each member of his family was sold to a different enslaver, even despite his mother pleading with enslavers to keep her family intact. When his mother cried in desperation for Ball’s new enslaver to purchase her and the other children as well, her new owner interjected saying “give that little negro to its owner” (as quoted in Williams; Ball 1837, 24).

Thomas Lewis Johnson

Johnson recounts the experience of realizing that he was enslaved and could be sold for profit at any time, sharing, “whenever they saw a white man looking over the fence while they played, the children ran and hid” (as quoted in Williams; Johnson 1909, 28). Originally, this heightened sense of fear and vulnerability was resultant of witnessing another enslaved child being sold and separated from his mother.

Elizabeth

Elizabeth was an enslaved woman in Maryland, who was sold miles away from her mother and siblings with “nobody in the wide world to look to but God” (as quoted in Williams; Elizabeth 1863, 39). After being sold and denied permission to rekindle with her family, Elizabeth was stricken with grief for over six months as she began to feel “as though my head were waters, and I could do nothing but weep” (as quoted in Williams; Elizabeth 1863, 39). In addition to the emotional turmoil she experienced, she lost her appetite causing her to reach a level of weakness that hindered her ability to work.

Through each of these accounts, it is necessary to note that despite the expressed experiences of grief, terror, loss, and vulnerability of enslaved people experiencing family separation, white enslavers had no hesitation in separating families and solely focused on the profit gained from the transactions. However, the experience of forced separation for Black enslaved families was defined by the bewildering realization, especially for children, that their position within the American caste system was defined by inferiority, powerlessness, and thus subordination.

The Political Role of Black Enslaved Women

At the crux of the violences that occurred during chattel slavery are the hyper-injustices inflicted on Black enslaved women¹⁶. This results in the U.S. relationship of violent, white supremacist rhetoric to hetero-patriarchy. Since the arrival of the first African slave on Powhatan land in 1619, America has implemented hyper-surveillance to criminalize Black femininity, casting Black women as non-normative through myths such as the Black matriarch (Davis, 1972 82). When attending to the parallels between the Black woman in the slave community and the modern-day Family Policing System, it becomes evident that the subordinate position of the Black woman in the racial caste system is integral to upholding American ideals built on hyper-injustice. Thus, it is necessary to view the peculiar treatment of Black women as a tool used by white supremacist to destroy the Black community as a whole.

During chattel slavery, white supremacists heavily relied upon groundless arguments of Black inferiority that were bolstered through controlling images (Collins 1993). That is, the fiction of white supremacy required the simultaneous projection of controlling images onto the lived experiences of Black women. These images sustain both white superiority and Black

¹⁶ For the scope of this project, I will be focusing on the lived experience and subjugation of Black enslaved women and their critical role within the community of enslaved people based on their position as mother, spouse, daughter, servant, etc. However, I wholeheartedly recognize that the brutalities of slavery were both pervasive and endemic.

inferiority. Thus, each of these techniques were part in parcel and served the unified purpose of developing a racial caste system. The enslaver and white supremacist employed the image of the Black matriarch to mystify the power dynamics chattel slavery operated under and craft particular forms of blame pertaining to enslaved women. Under the guise of power, the Black matriarch stereotype constructed the enslaved woman as an authoritative figure in the slave community, which subtly erased the violent captivity of her life enacted by the enslaver (Davis 2023, 82).

The designation of the black woman as a matriarch is a cruel misnomer. It is a misnomer because it implies stable kinship structures within which the mother exercises decisive authority. It is cruel because it ignores the profound traumas the black woman must have experienced when she had to surrender her childbearing to alien and predatory economic interests (Davis 1981, 5).

As Angela Davis argues, constructing the Black enslaved woman as a power figure is antithetical to the ideology of power under a white supremacist regime. First, white supremacists created the racial caste system to legitimize her inferiority. Furthermore, even tangentially relating the positionality of the enslaved woman to power places white superiority in imminent danger. Legitimizing the authority or power of an enslaved person would pose the threat of them unleashing this power, leading to the end of the slave system itself. Again, it is necessary to recall that the idea of white superiority is a fragile fiction that must be upheld by tools that can deem white superiority legitimate. Thus, we must recognize that the myth of the Black matriarch was an equally fictionalized trope that fallaciously positions Black women as authoritarian for the sole purpose of obfuscating the insidious nature of her captivity (Davis 1972, 84).

As aforementioned, tactics that legitimize a racial caste system bolster the ideology of white superiority. Hence, the period of chattel slavery consisted of a plethora of violent maneuvers utilized to muddle reality and defend a white supremacist regime. The ideology of white superiority did not employ the stereotype of the Black matriarch alone but instead coupled it to the aforementioned forced separation of parents, children, siblings, and spouses to bolster the regime of the ruling class. The term matriarch implies that the enslaved woman was not only an authoritative and autonomous figure, but it also implies that she played a role in the slave “family” and was, therefore, a collaborator to the enslaver. While positioning the Black woman as an authoritarian figure, the enslaver continued to work tirelessly to uphold the ideology of white supremacy by physically and violently disrupting black life. As discussed earlier, the white enslaver often severed all ties in the Black family by separating mothers and fathers and tearing enslaved children away from their mother's bosom as soon as they were of age. This depiction elucidates the very purpose of the trope of the Black matriarch, which was to place culpability on the enslaved woman through an inconceivable notion while deflecting from the reality of racial terror that the white Supremacist was perpetuating. In reality, enslavers such as Thomas Cobb used disaggregation of the Black family structure as forms of punishment specifically against Black enslaved women. Cobb understood that “selling slaves was a factor in slave discipline. When one of his female slaves misbehaved, Cobb sold off her four youngest children as a form of punishment” (as quoted in Finkelmann; Cobb 1858, 107). Here, it is evident that punishing the enslaved woman was a form of collateral punishment for the entire enslaved family and community, reinstating the enslaved person's inferiority and thus powerlessness. Furthermore, the use of forced separation as punishment bolstered the position of the enslavers as agents of social and family control, who at any time “could be put out by way of death” (as quoted in

Finkelmann; Jefferson, Betts, 1953, 106). The ruse of the Black matriarch and subsequent disruption of the enslaved family reveal that at the core white supremacy, and by extension American life, are built atop hyper-injustices against Black women and Black families, employed to maintain a social hierarchy.

The denial of Black women's reproductive rights has not only been recurrent throughout American history but, as Dorothy Roberts argues in her book *Killing the Black Body*, “is systematic and institutionalized”(Roberts 1997, 4) within this country. Furthermore, the state has strategically employed the infringement on the reproductive rights of Black women to aid its formation. During chattel slavery, the white male slave master enacted domination over the enslaved woman through the heinous act of rape. As Angela Davis elucidates in her essay “The Black Woman’s Role in the Community of Slaves,” “given the already terroristic texture of plantation life, it would be a potential victim of rape that the slave woman would be most unguarded. [...] She might be most conveniently manipulable if the master contrived a random system of sorts, forcing her to pay with her body for food[...]the safety of her children, etc” (Davis 1972, 11-12). Thus, the white slave master utilized rape to establish both his domination within the social hierarchy and to ensure that the enslaved woman was left feeling powerlessly immobile in her position at the bottom of the hierarchy. Additionally, the systematic use of rape was employed to “reestablish her femaleness by reducing her to the level of her biological being” (Davis 1972, 11). Here, it is necessary to elucidate the fact that the role of the Black enslaved woman was as a reproductive vessel for both the white slave master and the state at large. This becomes evident in parsing through legal doctrine such as, *Partus sequitur ventrem*, or, literally, “offspring follows belly,” a 1662 Virginia act, based upon Roman Law, which instituted that children’s status of enslaved or free would be in accordance with the condition of their *mother*.

In parsing through the use of forced reproduction to facilitate capital gain, *Partus sequitur ventrem*¹⁷ was vital for upholding this condition. As the thirteenth-century Spanish *Siete Partidas* stipulated:

slaves are considered more as commercial items than as people; hence property rights are acquired in the same way as they are with objects. . . . Thus, he who is born of a slave mother is also a slave, even if his father is free, . . . So the mother's owner also owns her child, just as the sheep's owner also owns her lamb. (Drescher and Stanley 1998, p 216-221).

The slave master used rape to subordinate and dehumanize the enslaved woman, which also served the goal of capital accumulation particularly when the slave trade transitioned from relying on the importation of enslaved persons to the exchange of those born on U.S. soil.

In calling out the subjugation of the enslaved Black woman, it is necessary to interrogate how the Black woman serves as a key political figure within the social hierarchy of America. In her essay "Love and Violence/Maternity and Death: Black Feminism and the Politics of Reading (Un)representability," Sara Kaplan argues that using sexual violence to deny Black women their reproductive rights leads to a "social death," a liminal phase between existence and nonexistence, human and nonhuman, and living or nonliving. Thus, her dual position as reproductive property and a female capable of reproducing strategically positioned the Black enslaved woman in the social sphere. Kaplan goes further to argue that "the production of Black people as property through the alchemy of social death both produced and marked captive black people as existing at and as the limit of the human " (Kaplan 2007, 100). In positioning the Black enslaved woman as a social subject, it becomes apparent that her "social death" serves as a tool for capitalism as the state acknowledges her humanity for reproductive purposes while simultaneously dehumanizing her by confining her reproductive decisions and rights. In her

¹⁷ See Morgan, J. E. (2018). *Partus sequitur ventrem*. *Small Axe: A Caribbean Journal of Criticism*, 22(1), 1–17. <https://doi.org/10.1215/07990537-4378888>

essay “Black 'Feminisms' and Pessimism: Abolishing Moynihan's Negro Family,” Tiffany King works to destabilize the Black family as a normative, amicable structure calling upon Lindsey Pens’s argument that “the family has been used by the white agency to perpetuate the state, and Blacks have been used as extensions of the white family, as the prisoners of war enslaved to do the dirty work of the family, i.e. the state. If the family as an institution were destroyed, the state would be destroyed” (as quoted in King 2018, 75). Here, Pens elucidates the political role of the enslaved Black woman by arguing that the family is a foundational institution for the state, which the reproductive power of the Black woman upholds. Therefore, it is evident that the Black woman's role is much larger than a social subject, as her existence and the violent subordination she experiences are indispensable under the U.S.’s capitalist regime. King further destabilizes the normativity of the family structure by contending that “the family as the geopolitical unit of women-children-and-slaves is a form of property that can be accumulated” (King 2018, 69). Again, King elucidates that forced reproduction during slavery and the misnomer of the Black matriarch that ensued was created to further conquer the Black woman's body as a site of reproduction and capital accumulation under the guise of the growing family. The political role of the Black woman is thus related to her ability to aid wealth accumulation for both the slave master and state through the production of more laboring bodies. Through each scholar's argument, it is evident that the “social death” of the Black enslaved woman not only situates her in the social sphere but instead works to uphold the social hierarchy that was created by a racist, capitalist regime.

The Neoliberal Regime Historically Forces Culpability on Black Women

The ruses of white supremacy cannot be viewed as bygone, as the lineage of chattel slavery reveals that hyper-injustice was integral to the foundation of white superiority, which is part in

parcel of American society at large. Hence, the lived experience of the enslaved Black woman is not unique to chattel slavery and instead represents the permanent position of Black women in America, as hyper-injustice against Black women is also integral to upholding a social hierarchy predicated on white supremacy. More so, when interrogating the experience of the Black enslaved woman compared to those of the Black mother in the Family Policing system, the parallels elucidate that surveillance and brutality still prevail as dominant orientations to Black families in the U.S. Since these horrors have persisted for centuries after the first African slave arrived in America, it is clear that violence is foundational to the establishment and continued persistence of U.S. regimes. When analyzing the impact neoliberalism has had on communities of color in the past few decades, Dorothy Roberts elucidates that "the neoliberal regime (...) depends on the brutal containment of the nation's most disenfranchised groups. The welfare, prison, foster care, and deportation systems have all become extremely punitive mechanisms for regulating residents of the very neighborhoods most devastated by the evisceration of public resources" (Roberts 2012, 1478). It is first vital to note that neoliberalism leads to the dismantling of the social safety net, and the subsequent over-policing of disenfranchised groups. Neoliberalism argues that one must pull themselves up by their bootstraps to reach success, while also putting measures in place that inhibit the upward mobility of the Black community. The rhetoric of neoliberalism in modern times has haunting similarities to the enslavers' rhetoric, as they both absolve white supremacists of the blame for the hyper-injustices projected onto Black women and instead argue that she is to blame for her oppression. Rather than facing the reality that in America injustice permeates every essence of Black people's lived experience, white supremacists obfuscate this reality through the guise of power and thus culpability.

The myth of the Black matriarch has endured centuries after chattel slavery began, as white supremacists have coupled it with a plethora of other stereotypes used to police Black women's femininity. Owing to deviance from white, heteropatriarchal norms of gender differences, gendered, racialized stereotypes pathologize the Black family. This issue is especially evident in texts such as *The Moynihan Report: The negro family, the case of national action* (1965), which justifies the dispossession of Black people under the guise that they have not achieved appropriate differences in gender roles and are therefore inferior to white people. Moynihan specifically argued that these deficits were due to the impacts of slavery on Black family life, while simultaneously arguing for more intervention into Black families. It is important to note that similar notions were foundational to slavery and maintaining the status quo of racial hierarchy and the possession of Black slaves. Suggesting that Black communities have not attained humanity through criticizing their inadequate conformity to gender roles plays a part in the continued subjugation of Black people, and their diminishment as bodies and objects. Hence, this notion reproduces the need for a racial caste, and the commodification of Black people to amplify the power of capitalism and white supremacy.

The history and goals of neoliberalism are especially important in relation to the drastic shifts in welfare programming in the 1970s. Originally, the Child Welfare movement was led by white-progressive reformists, who argued that "children's welfare was tied to social conditions that could only be improved by society-wide reforms" (Roberts 2001, 32). This understanding was largely due to the exclusion of Black families from the system altogether, which meant that the system operated under notions that defined white mothers as caring and nurturing. However, the Family Policing system was quickly established with the introduction of Black mothers, who had been opposingly deemed as criminal and neglectful. As welfare services became enmeshed

with Black existence between the 1970s and 1990s, there was a 60% decline nationwide in the number of children receiving in-home services rather than being introduced to the family policing system through separation and removal (Roberts 2001, 34). In addition to the privatization of welfare and the criminalization of Black families who sought welfare services, other neoliberal policies were instituted that further disaggregated Black families by relying upon the same racist ideologies that bolstered chattel slavery to enact punitive measures against Black mothers. For instance, the Anti-Drug Abuse Act of 1986 mandated that simple possession of crack cocaine, a drug that became associated with the Black community, required a minimum penalty regardless of offense status. Not only did this act work to specifically target users of crack (associated with Black drug users) compared to cocaine (associated with White drug users) at an 100:1 ratio (Williams 2020), but also bolstered racialized notions that all pregnant drug users are Black and that all Black pregnant were drug users leading to increased surveillance and punitive measures. These punitive measures often crystallized through perceived notions of parental unfitness and incarceration that lead to both temporary and permanent separation of Black children from their families.

Eventually, it became evident that the prison and family policing system operated in a cyclical nature, which explicates the link between pathologizing Black motherhood, violence to Black women's bodies, and reifying the racial caste system. Perceptions of Black single-mothers as "hostile," "aggressive", "angry", "loud", "incorrigible", and "cognitively delayed" (Roberts 2001)¹⁸ contributed to the notion that Black parents were innately criminal and therefore unfit to raise their children. Beyond that, key decision-makers including a Florida juvenile court judge

¹⁸ See Roberts, D. (2002). *Shattered Bonds: The Color Of Child Welfare*. Civitas Books. In Chapter four, "Is Racism the Cause?" Roberts discusses the prevalence of stereotyping and cultural prejudices used to justify Black women's supposed maternal unfitness and deviance.

who claimed “inadequate family correlates with race and ethnicity. It makes sense to put delinquent kids from these circumstances in residential facilities” (Roberts 2001, 347). Here, it becomes evident that “necessary” state intervention employs negative perceptions that are naturalized to justify intervention into the Black family. Often, this state intervention manifests into further injustice as “about one-third of women in prison are black and most were the primary caretakers of their children. About one-third of children in foster care are black, and most have been removed from black mothers” (Roberts 2012, 1477). The parallels between the relationship of the modern-day carceral state (prison and family policing) and chattel slavery are striking insofar that they both work under the assumption that Black families are better off under state control/ surveillance. Thus, the prison and foster care systems direct state control of Black families leads to the notion of white superiority over Black inferiority and reinforces the racial caste system.

Most strikingly, throughout American history, the disaggregation of Black communities has prevailed, which ensures that the racial caste system remains undisrupted. With the interconnectedness of the prison system and foster care system, it becomes evident that the disruption of Black life is integral to the goals of white supremacists. As Dorothy Roberts contends, “prisons break down social networks and norms needed for political solidarity and activism. Putting large numbers of black mothers behind bars contributes significantly to the destruction of these critical family and community ties” (Roberts 2012, 1483). The carceral system also historically robs incarcerated Black mothers of the opportunity to mother their children and of their ability to resist structures of injustice. The carceral system forcibly places the Black woman in a powerless position. She is unable to teach her children about the afterlives of slavery. She is unable to join with her community in solidarity. She is unable to fight to

abolish the systems built on hyper-injustice. The enslaver also employed kindred tactics by devaluing the livelihood of the Black woman through sexual assault, which elicited the political subordination of the Black community at large. When exploring the archive of sexual assault during slavery, Angela Davis posits “clearly the master hoped that once the black man was struck by his manifest inability to rescue his women from sexual assaults of the master, he would begin to experience deep-seated doubts about his ability to resist at all” (Davis 1978, 12).

Certainly, there is a continuity between the white enslaver and contemporary white supremacy as both invest in thwarting the power of Black solidarity. Hence, American institutions, that serve whiteness, destroy the stability of Black family structure to stifle resistance to hyper-injustices, especially through the means of thrusting violence onto Black women’s lived experiences.

While imprisoned at Rikers Island, Assata Shakur asserted “there is no justice in the amerikan judicial system.(...) Blacks and Puerto Ricans are discriminated against in every facet of amerikan life” (Shakur 1978, 11). It becomes evident that reform is not a plausible solution for minorities in the U.S. society because the system is predicated on logics of family separation embedded in the relationship of the Black family to the accumulation of wealth under chattel slavery and into the modern era.. As depicted above, white supremacist logics strategically wield violence to disrupt Black life in every way possible, which is foundational to American whiteness. Hence, arguing that the current systems that work to oppress Black people can be reformed suggests that the hyper-injustices occurring are a mere by-product of these systems, in contrast to how white supremacist logic is central to the design of these systems. However, as Martinot and Sexton explain, “these various forms of violence (e.g., racial profiling, street murders, terrorism) are the rule itself as standard operating procedure” (Martinot and Sexton 2003, 170). When learning that during labor incarcerated women “are routinely shackled to the

hospital bed; their legs, wrists, and abdomens are chained during the entire delivery of their babies” (Roberts 2012, 1494), it is impossible to reimagine a non-violent system in America. Since chattel slavery, white supremacy has worked to redefine who the aggressor and victim are, ensuring that under any circumstance society views Blackness as parallel to criminality. Saidiya Hartman recounts the criminalization of the Black enslaved woman, which “disavowed white violence as a necessary response to the threatening agency of blackness” (Hartman 1996, 540). Furthermore, Hartman contends that “in positing the black as criminal, the state constituted itself as the embodiment of the law, thereby obfuscating its instrumental role in terror, by projecting all culpability and wrongdoing onto the enslaved” (Hartman 1996, 540). Correspondingly, Steve Martinot and Jared Sexton explain “vicarious liability is the inversion of responsibility by the police. (...) The existence of a victim of police abuse is transformed into the cause for the abuse, a victim of self-abuse through the machinery of the police ... There is no way to say that this makes sense” (Martinot and Sexton 2003, 176). It is important to note that each text is situated in completely different contexts and time periods, but still lend to the argument that the American institutions created in the interest of white flourishing necessarily promoted violence against Black people. As Martinot and Sexton argue “there is terror and the police are its vanguard. The law, clothed in the ethic of impunity, is simply contingent on the repetition of its violence” (Martinot and Sexton 2003, 176). In this essence, hyper-injustice is not only integral to the function of our current society, but it is also irreversible. There is no level of reform, reparation, or change that can undo the repetition of violence that whiteness unleashes.

As I discuss the manifestations of surveillance, social control, and punishment within the Family Policing System, it is important to note that racial terror has historically become naturalized in our society in a way that absolves white supremacy of blame and instead situates

violence as an ordinary aspect of Black life. This fact too is a cruel misbelief. Thus, it is integral to interpret the forthcoming experiences of Black families within the Family Policing system as a terror field afterlife of the experiences of Black enslaved families. The insidious nature of America's foundation within violence against black life is indisputable and thus represents a track that always remains on the surface of America, permeating every facet of American life. In the chapters that follow, I enumerate the afterlives of slavery within the Family Policing Systems of child welfare and foster care, and the management of reproductive care of Black women.

Chapter 2

The Legacy of Family Policing

“I wouldn’t wish DCFS on anybody,” Michelle, a kinship foster care parent for her nephew, expressed. Without knowing the acronym “DCFS,” Michelle’s claim makes it nearly impossible to imagine that DCFS represents an organization intended to promote welfare and provide care (Roberts 2022, 122). However, the reality is that communities and families that society forces to interact with the “Family Policing System” experience hyper-surveillance in ways that cause the system to feel like a “death wish.” Thus, it is necessary to interrogate this system within the legacy of the violent destruction of Black life that underscores the foundation of America. As previously mentioned, since the wake of enslavement through chattel slavery, white supremacists have utilized the destruction of Black family life and communities through violent subordination to uphold the capitalist regime that bolsters America. At the crux of capitalism’s function as a tool of white supremacy, the Black woman and Black mother figure has become a moniker of violence, captivity, and state-sanctioned control, marking her body and life a site of political turmoil. As the literature continues to bring stories and experiences such as Michelle’s to light, it becomes clear that the precarity of mothering for Black women is due to the state’s refusal to acknowledge forms of mothering and family life that we can disentangle from the white, heteronormative, nuclear household. Therefore, when Black families rear their children in “non-normative” ways, this system becomes an institution that continues the legacy of violence that began with chattel slavery to control Black life and render the Black family structure (im)possible. Furthermore, as Black families and the Black community at large continue to fight towards liberation from the act of “child snatching” perpetuated by DCFS and other “Child Welfare” institutions, it becomes integral to recognize that the system’s purpose renders it

inextricably tied to the regulation and control that began during chattel slavery and thus has penal and carceral foundations rather than foundations in welfare.

Child Welfare or Family Policing: A Note on Language and Abolition

Before explicating the manifestations of hyper-surveillance rampant within the system, I would like to call upon the methodology of abolitionist scholars who argue that language is a key tool for abolition, especially as it relates to renaming the misfortunes of the state. The naming of “The Child Welfare/ Protection ” system is not only ahistorical, but also a misnomer due to the actual ramifications of the system, which begin with surveillance and regulation. First, the focus on children aims to pull at the heartstrings of the public, considering that the majority is not aware of the experience of families within the system. Furthermore, focusing on children reifies the notion that the safety of children is directly threatened by their “neglectful” parents. However, the entire family unit is impacted by merely interacting with the system and the possible threat of removal. For one, parents experience the trauma of being deemed “negligent” and have the looming fear of losing their children to the system due to the impacts poverty, racism, and sexism have on child care. For instance, one mother, Gaby, who sought mental health services for her daughter was subjected to three separate interrogations by a caseworker over a forty-five day period simply for seeking resources (Fong 2020, 11-12). Thus, the underpinnings of the system, which are rooted in racist ideologies that fueled chattel slavery, cause the system to police the family as a whole rather than provide welfare for children. It is additionally necessary to rename the system in relation to families because “family destruction has historically functioned as a chief instrument of group oppression in the United States” (Roberts 2022, 181). Here, it is evident that replacing the term children with families situates the system within the

wake of chattel slavery as argued in the previous chapter, which heavily relied upon family destruction and encapsulates the impact the system has on both children and their caretakers.

Considering the reality of “welfare” within the system requires us to parse through the history of how child welfare institutions have shifted over time. Originally, the issues of maltreatment and neglect were understood as social ills caused by poverty that could be addressed through social services and social reform (Roberts 2022, 32). However, the passage of the Child Abuse and Protection Act in 1974 instated a neoliberal regime aimed at regulating the actions of caretakers under the guise of “protecting” children from neglectful parents (Roberts 2022, 353). With the passage of this act, there was a key shift in addressing child neglect from social reform to punitive functions. In considering this history, the use of the term welfare becomes ahistorical, as the primary function of the system is to use surveillance against families for instances of abuse rather than support families in caring for children.

Furthermore, throughout my research, I have come to appreciate the striking parallels between the Prison-Industrial Complex (PIC) and the welfare system. For one, the system is rooted within capitalism and has clear aims in removing children from their families to generate revenue. It is unfathomable that a “welfare” system allotted 8.6 billion dollars to adoption resources and to keeping children in the Family Policing system, which is ten times greater than the amount spent on providing resources that would reduce instances of neglect and maltreatment. Furthermore, between the two federal statutes that finance the Family Policing system, only 4 percent of funding is allocated for reunification and preservation services, while the remainder of funding is dedicated to addressing the needs of impoverished families through destruction. Furthermore, the system functions to police the lives of families living in poverty, namely, Black and Indigenous families, which has detrimental impacts throughout generations.

Similar to the PIC, the system often destroys the family unit by removing children from their family and leaving a traumatic stain in the wake. More alarmingly, the two systems often converge, as many of the same poor, Black children who must navigate the foster care system are often the same children sent to juvenile detention centers. Moreover, the system is equipped to provide welfare resources to children who “age out” of the system, which leads to 1 in 4 children becoming incarcerated within two years of aging out. The “foster care to prison pipeline” further lends to the necessity of understanding the system as a bureaucratic body rooted within carceral and neoliberal logics that criminalize and traumatize poor people for the failures of the state (Williams 2020, 34). Thus, I will refer to the system as “The Family Policing”¹⁹ system, as this phrase encapsulates the impacts that surveillance and regulation have on the entire family unit and emphasizes, what Dorothy Roberts refers to as, the “giant carceral web” that defines the conjunction between foster care and prison (Roberts 2022, 332).

Interrogating the Racial Bias within The Family Policing System

As aforementioned in the introduction, the forthcoming analysis is grounded within the Reproductive Justice framework and the “three interconnected human rights values: the right not to have children using safe birth control, abortion, or abstinence; the right to have children under the conditions we choose; and the right to parent the children we have in safe and healthy environments” (Ross 1994, et.al 2). It is undoubtedly true that Black women’s experiences have been historically defined by reproductive injustices. This thesis specifically hones in on the human right value “to parent the children we have in safe and healthy environments” which

¹⁹ See Williams, E. (2020a). Dreaming of Abolitionist Futures, Reconceptualizing Child Welfare: Keeping Kids Safe in the Age of Abolition. *Honors Papers*, 712 for further analysis on the use of language when referring to the “child welfare system”. Another fitting term, coined by Emma Williams, is the “Family Regulation” system, which illuminates the impacts the system has on the entire family unity and encompasses the vast outcomes that can result from interactions within the system outside of welfare or punishment.

Black women have been deprived of in slavery and its wake. As Black feminist scholar Angela Davis illuminates, the fact that under the regime of slavery “the mother was ‘the only legitimate parent of her children’ did not therefore mean that she was even permitted to guide it to maturity” (Davis 1971, 83). Moreover, Davis shares the disheartening truth that “children, when they became of age were branded and frequently severed from their mothers” (83). Davis’s account makes it difficult to imagine the separation that occurs via the Family Policing System as separate from the separation that occurred during chattel slavery. Furthermore, illuminating instances of forced separation requires us to interrogate how the system provides welfare via the separation of Black women from her children?

Today, the Family Policing System’s disproportionate focus on Black families²⁰, which I have argued is a remnant of slavery, defines the system itself. As I have shown in the previous chapter, scholars such as Dorothy Roberts have explained how the Family Policing System represents a genealogy of chattel slavery and colonization of the U.S.. Most notably, the state relies upon over-surveillance based upon racist ideologies to determine if the care provided by parents, family, and community members is sufficient. According to 2017 data, Black children only comprised around 13% of the U.S. population while they are nearly 23% of the U.S. foster care population (Child Information Gateway, Children's Bureau, 2016). Concurrently, racial bias further impacts the foster care system with varying intensities. For example, in cities such as Chicago, Black children make up 70% of the Cook County foster care population and only 23%

²⁰ See Jacobs, D., *A Generation Removed: The Fostering and Adoption of Indigenous Children in the Postwar World* (Lincoln, University of Nebraska Press, 2014), 6.

Although the scope of this project focuses on Black families within the system, indigenous families in the U.S. also have experienced the legacy of forced separation since the colonial period. The Indian Adoption Project (1958) devised and enacted a plan to remove children from their families and place them with non-native adoptive families. This project expanded on a history of cultural genocide of indigenous American’s lives ensued by the U.S. government.

of the total Cook County population (James 2020, para.6). According to Los Angeles County statistics, a study estimated that 72% of Black children in Los Angeles County will endure an PS investigation by Child Protective Services (CPS) during their childhood (Edwards *et. al* 2021, 1). A Texas study emphasizing Black children's over-representation within child maltreatment cases, also revealed evidence of racial bias within foster care placement decisions (Roberts 2022, 169). Furthermore, the racial disparities as to who is represented within the Family Policing System are due to the formless definitions of neglect that are often rooted within stereotypes of Black women that bolster the notion of their maternal unfitness and within narrow definitions of the family structure. For one, caseworkers often operate under the notion that "because these mothers do not fit the middle-class norm of a primary caregiver supported by her husband and paid child care, they [...] have abrogated their duty toward their children" (Appell, 1997, as cited in, Roberts 2001, 96). Additionally, stereotypes that incite the precarity of motherhood for Black women such as the careless Black mother and Welfare Queen often lead to the punishment and surveillance that ensue through the Family Policing system (Roberts 2001, 100-104). Through further interrogating the operations of the Family Policing system, it becomes clear that tools of over-surveillance crystallize through caseworkers' reliance upon cruel misnomers projected onto the lives of Black mothers. Under the falsehood that Black mothers are careless, lazy, welfare-dependent drug addicts, the state often intervenes through drug testing, income surveillance, home intrusion, and even kinship care. For instance, one mother, Kayla, shared:

"My daughter, my fifth daughter, was born with deformities. She had conjoined fingers, and she had an extra finger on one hand, and she only has two toes on her left foot. When they saw her [they made assumptions]. . . . Of course, I'm Black, I'm young, it's my fifth child, I'm under 25. The assumption by the hospital staff was I must have done drugs. The reason I know that is because as soon as I woke up and got out of recovery, they questioned me about drug use five times." Center for Reproductive Rights 2014, 17).)

Similarly Gladys, another mother, was penalized due to poverty, and the state ultimately stole her children. In Gladys's case:

“Instead of attending to the children's economic and medical needs, Angel Guardian Home directed Gladys to a pointless battery of psychological therapies. The agency also falsely accused Gladys of using drugs and required her to submit three random drug tests—all with negative results” (Roberts, 2001, 253).

Understanding Kayla and Gladys's case, reminds us of the ways in which groundless stereotypes of the “careless” mother and crack addict are often projected onto the lives of Black mothers by caseworkers simply because of racist ideologies. Furthermore, these assumptions manifest as social workers accompanied by police officers raiding apartments in Black, low-income neighborhoods in search of drugs. However, this occurrence is specifically targeted towards Black mothers due to their interaction with state agencies and public hospitals that increase visibility under the neoliberal eye²¹²². By receiving social services, Black families are at a greater risk of interactions with mandated reporters and individuals who have been tainted by ideologies that define maternal unfitness and will thus report Black mothers to (CPS)²³. Therefore, Black mothers are often falsely blamed and penalized for drug-related struggles, while white mothers remain unaffected by the over-surveillance of Black mothers that the state perpetuates. As stated by an attorney within the system, the Family Policing System is a ghost system that is not explicitly criminal, but haunts people in the same way, out of sight (Williams 2020, 65). In

²¹ The Neoliberal regime was a key paradigm shift, as it places “personal responsibility” onto individuals, despite the breadth of evidence that reveals the systemic nature of racism, capitalism, patriarchy, and classism in the US and thus the disproportionate impact on the lived experiences of certain groups. Neoliberal politics employ the public and institutions to surveil certain groups to identify instances of criminality and thus necessary punishment. Furthermore, increased state presence, intervention, and surveillance are utilized as methods of crime and behavioral control and intervention are utilized to police the behaviors of individuals. Lastly, it is necessary to note that means of surveillance are disproportionately increased and targeted towards black and brown, low-income communities.

²² See Coleman, R. (2004b). Images from a Neoliberal City: The State, Surveillance and Social Control. *Critical Criminology*, 12(1), 21–42. <https://doi.org/10.1023/b:crit.0000024443.08828.d8>

²³ Black children and families are more likely to interact with mandated reporters through navigating public, government health care facilities and social services.

viewing the Family Policing system as a ghost system, the impacts of surveillance extends further than the physical trespassing by the state into the lives and homes of Black families. In addition, Black families are forced to live within a constant state of fear within the surveillance-state, knowing that at any moment they are being watched, judged, and incriminated for their parenting. As Emma Williams argues, the policing mechanisms of the CPS extend further than physical case worker intervention, to create compliant, self-policing citizenry (Williams 2020, 11.)

However, as we return to the question of welfare within this system, it is integral to note that even when Black mothers struggle with drug addiction, the policing system resorts to punishment rather than promoting welfare. Roberts notes that “most states either limit or deny welfare benefits altogether to people who have been convicted of some drug-related crimes. Few welfare workers receive training to perform the screening needed to refer their clients to drug treatment services” (2001, 263). Conversely, the system is more likely to support white mothers who experience drug-related struggles while their bonds with their children remain intact (2001, 78). Again, it becomes evident that the Family Policing system operates through penal and carceral logics rather than welfare.

Alongside the issue of drug surveillance, Black mothers and families are punished due to the social ills of racism and poverty rather than provided with means of welfare. More specifically, the Family Policing System works towards detecting neglect amongst poor and low-income parents and thus punishing those parents. According to the head of the Los Angeles child welfare department, nearly “half of the children in his system were removed from their homes because of their poverty” (Roberts 2001, 74). Furthermore, caseworkers often interpret conditions under poverty- food insecurity, housing insecurity, poor medical care- as evidence of

parental unfitness and neglect. As the previously-mentioned Texas study also found, these issues, which marginally affect Black children, define the perceptions that Black, low-income parents are inherently neglectful that many caseworkers have that can result in severed bonds between parents and children. 18-year-old, Shamyah Allen, shared, “when I go back and read my articles that are in the system, it says that I got taken away from her because she didn’t make enough money in the family” (Carson et al. 2022, para. 12). Similarly, Devon, a legal kinship care provider to her nieces and nephews, lost her children for several years because her apartment was considered too small (Robert, 2020, 601). Furthermore, in states such as Illinois, *neglect* is defined as “the failure of a parent or caretaker to meet ‘minimal parenting’ standards for providing adequate supervision, food, clothing, medical care, shelter or other basic needs” (Illinois Department of Family and Children Services 2020, para. 9). However, neglect is often met with punitive and traumatic intervention by the state that can result in severed bonds between parents and children. In conjunction with these findings, Roberts argues that parental income is a better predictor of destruction of family bonds than physical abuse and alleged maltreatment (Roberts 2020, 75). Hence, it is important to define the Family Policing System and the workers that fuel the system within the regime of neoliberalism. That is, decisions made within the system are defined by underlying assumptions that individuals living in poverty are at fault for their disparate situation.

Moreover, the Family Policing System detects neglect due to poverty more often than neglect due to physical abuse²⁴. Hence, when we return to the disproportionate presence of Black and Indigenous, low-income families within this system, we illuminate the fact that the system fails to provide care for and protect children. When discussing the surveillance that occurs due to

²⁴ See more late in this chapter on detecting physical abuse in transracial adoption cases.

poverty governance, sociologist Kelley Fong contends, “the responding agency, organized around individual behavioral inadequacies, is primarily equipped with tools of surveillance and legal intervention. In the context of austerity, families experience surveillance without material support, reinforcing and punishing their marginality” (Fong, 2020, 630). Rather than provide childcare assistance to families experiencing poverty, caseworkers and judges often blame parents for poverty, a condition produced by the structures of racism and capitalism, while punishing these parents by removing their children from their custody. Therefore, the system fails tremendously at addressing the root causes of neglect and placement in foster care, which if sensitively addressed, could ensure that fewer parents are defined as “neglectful” while actively improving the conditions under which children live and are cared for. Instead, these systems use the concerns of financial struggle, inadequate housing, and lack of childcare resources to punish Black, low-income families.

Severing Black Kinship Bonds through Transracial Adoption

Although the alarming majority of families impacted by the Family Policing system are suffering from the social ills of poverty, which could be addressed by adhering to the “welfare” component of the system and providing financial and childcare assistance to these families, children are likely to be separated from their parents and forced to age out of the foster care system or experience adoption²⁵. In conjunction with the alarming rate of Black and Indigenous children

²⁵ See Roberts, D. (2002). *Shattered Bonds: The Color Of Child Welfare*. Civitas Books; Roberts, D. (2022). *Torn Apart: How the Child Welfare System Destroys Black Families--And How Abolition Can Build a Safer World*. Roberts labels the child welfare system the “foster industrial complex” to interrogate the capital underpinnings of the system, based on spending on welfare and social services to promote family improvement compared to spending on foster care and abortion services. Roberts argues that the capital roots of the system are similar to those of the prison industrial complex, which she also argues is tied to the child welfare system, based on the reliance on Black children through forced separation to yield capital gain.

forced to experience family regulation, these children are also more likely to be separated from their parents based on racialized determinations of parental unfitness. As abolitionist Emma Williams argues, termination of parental rights is the civil equivalent to the criminal punishment of the death penalty, as it is the most severe and permanent outcome that can result (Williams 2020, 4). Despite the severe consequences of terminating parental rights, the child welfare, and court systems in states such as Illinois target Black children to remove them from their parents and terminate parental rights²⁶, whereas white families are protected from this means of destruction (Olison v. Ryan, 1999). Alongside the disproportionate penalization through termination of rights, adoption has continuously been bolstered as the solution to the overwhelming number of Black children in foster care, often due to parental neglect. Black children in foster care are often argued to live better, safer lives with adoptive parents rather than with their biological parents. In parsing through the issue of severing family bonds and placing children in adoptive homes, transracial adoption becomes incredibly insightful as it relates to providing “care” through over-surveillance within the Family Policing System. When interrogating instances of child maltreatment, abuse, and neglect within white adoptive homes, we illuminate the foundation of racism within the system and the racial bias that ensues through surveillance. For instance, in one Illinois case, a young girl was removed from her Black biological mother, and the state granted custody to her biological father and white stepmother. DCFS never assessed her stepmother as a caretaker, despite previous indications of child maltreatment and communications on behalf of the daughter and biological mother of abuse to DCFS. Unfortunately, the abuse continued and eventually led to the daughter’s death caused by

²⁶ See Williams, E. (2020a). Dreaming of Abolitionist Futures, Reconceptualizing Child Welfare: Keeping Kids Safe in the Age of Abolition. *Honors Papers*, 712. Termination of parental rights is referred to as the “civil death penalty” because it is the most “severe and permanent outcome that can result from a civil case” (Williams 2020, 4).

abuse-related health complications (Williams 2020, 59). Similarly, when aforementioned kinship caretaker, Devon, lost her children to the state, they landed in abusive foster homes, where they were given potent mood-altering drugs to make them more manageable (Roberts 2020, 602).

In a similar and widely publicized instance, three children-Devonte, Cierra and Jeremiah-were removed from their biological mother, Sherry Davis, due to her struggle with cocaine addiction and placed in the care of her aunt. When the Texas Department of Child Services conducted an unannounced home visit, they found Davis visiting her children unsupervised and terminated her parental rights, allowing two white mothers, Jennifer and Sarah Hart, to adopt the children. During their time with the Hart family, the children were neglected and abused by their adoptive mothers, which was reported to child services and local authorities. In 2011, one of the mothers even pleaded guilty to domestic abuse due to spanking the children. One week in 2018, Devonte Hart went to their neighbors begging for food, as the children were severely neglected and starved. Unfortunately, days later, Jennifer and Sara Hart committed a murder-suicide killing themselves and their six adoptive children. (Mariner 2020, 20).

As Mariner elucidates, six black children were removed from their biological parents due to the perceptions of neglect and harm within the family policing system, yet these same black children were physically abused within the environment that was intended to be “safer” and more “nourishing”. In citing these cases, I aim to illuminate how surveillance works as a tool within the Family Policing System that precisely disrupts Black life and family bonds while allowing white parents the freedom to remedy mistakes and sometimes perpetuate violence in the lives of Black adoptees. This is not to reify groundless arguments of parental unfitness, but to elucidate the foundations and reliance on racism within this system that persists in the guise of “welfare.” If Black mothers such as Sherry Davis are penalized for cocaine addiction by snatching their children, it would be absurd that Jennifer and Sara Hart are allowed to freely neglect and abuse their children under the same system. Similarly, it should be unthinkable that the unnamed child or Devon’s children could be abused while DCFS, a system intended to promote welfare, was involved. However, the issue is that the system was not founded on welfare or care but is

inextricably tied to the foundations of a racist society that ensued in the wake of chattel slavery by casting continued suspicion on Black mothers while turning away from the violence of white parents.

Drawing on Saidiya Hartman's *Lose Your Mother*, cultural anthropologist Kathryn Mariner contends transracial adoption reaffirms slavery's afterlife when it (re)doubles the loss of losing your mother, which creates an irreparable breach between one's kin, origins, country, and culture (Hartman 2006; Mariner 2020, 12). Mariner further argues that Devonte's and his siblings' separation from their biological parents represents "a form of removal that disproportionately ruptures families of color in the United States and echoes the separation of Black kin wrought by and since slavery" (Mariner, 2020, 12). In revisiting Hartman's concept of the "afterlives of slavery," transracial adoption is established, alongside the Family Policing System, as having a genealogy of slavery, which repeats the heinous act of severing kinship bonds. Therefore, it becomes necessary to disrupt the feel-good spectacle of love, safety, and protection that transracial adoption advocates promote and instead interrogate how adoption reiterates the violent destruction of Black kinship structures since the wake of slavery.

In conjunction with the experiences of Devonte and his siblings, Devon's children, and the unnamed child, recounted experiences of transracial adoption by Haudenosaunee adults also illuminates Hartman and Mariner's argument of cultural genocide. A study conducted by Tricia Lyman traced the lived experiences of Haudenosaunee who were adopted in Euro-American households, finding that all three interviewees shared that being adopted was not only a negative experience, but also traumatic in some instances (2017). All interviewees are members of a tribe that values connectedness and support by extended family members, which was destroyed during their time as adoptees. Unfortunately, one of the interviewees, Violet, shared that during her time

in her adoptive home, her and her sister were molested by their adoptive father. Again, it is troubling to note that the Family Policing System fails tremendously to promote welfare for children involved and facilitates further abuse and traumatic experiences through white, supremacist assumptions that Black and Brown children are “safer” with white parents. As anthropologist Jessica Leinaweaver notes, adoption often reproduces “a social hierarchy between deserving receiver and inadequate giver of a child” (Leinaweaver 2018, 7). Furthermore, transracial and transnational adoption politics thrive on inequalities created by structural racism that produce neglect and maltreatment through calling upon white-savior narratives of rescue.

Conclusion

Family policing and control is ubiquitous within the history of the U.S., due to the white ruling class’ need to bolster white supremacy. In order to maintain the social hierarchy, the state has utilized means of surveillance, policing, and punishment to disturb the Black family unit and continuously instate the inferior position of the Black community. Furthermore, the looming threat of family separation serves as a tool of cultural genocide, as Black mothers often experience “social death” after losing control over their families and mothering capacities. This form of cultural genocide continues to be reinforced through neoliberal politics of responsibility and fitness, which characterize Black mothers as undeserving child rearers alongside white mothers as deserving child nurturers. In the forthcoming chapter, these politics will be further interrogated through an analysis of the materializations of reproductive injustice for Black women.

Chapter 3

The Legacy of Reproductive Injustice through State-Sanctioned Control

Just as the state has continued the legacy of slavery through forced separation of Black families, the state has continued to mark the Black woman's body as a site of violence, captivity, and state-sanctioned control through the management of reproductive health. There is an intimate connection between the tools of bolstering white supremacy and racist ideologies used during slavery and the modern day framing of the experience of Black motherhood as precarious. Often, this framing is coupled with a failure to acknowledge the stain of violence that has been smeared across the lives of Black women for centuries, rendering motherhood (im)possible. Returning to the history of violence against the Black community since chattel slavery and slavery's afterlife, the brutality of forced separation of Black families existed alongside forced reproduction for Black enslaved women. Today, after the SCOTUS has strategically overturned the landmark *Roe v. Wade* decision, it is impossible to separate the reproductive injustices that will ensue, namely for Black women. In this chapter, I consider those injustices in relation to the history of subjugating Black women to the position of reproductive vessels in relation to profit motives. Furthermore, in conjunction with the previous chapter's discussion of the failures of providing welfare for children who experience neglect due to the conditions of poverty and systemic racism, it becomes evident that the impacts of overturning *Roe v. Wade* and the roll back of abortion access will shape the Family Policing system to surveil, police, and disrupt Black family existence. Additionally, it is imperative to employ the reproductive justice framework to

elucidate the historical economic, social, and health factors that produce the conditions of reproductive decision making. In considering these factors, it is necessary to recall how this moment is intermeshed with the afterlife of slavery, revealing the trail of violence towards Black women that has foreshadowed this moment.

The Reproductive Justice Movement

Centuries after the official abolition of chattel slavery, the state still utilizes the Black woman's body for reproductive labor and incessantly infringes upon her reproductive rights. After witnessing the overturning of the landmark *Roe v. Wade* decision on June 24, 2022, it is necessary to point out that the objections to the policy were neither grounded within reproductive choice, reproductive rights, nor religious beliefs. In analyzing the rhetoric and political impact of the *Dobbs* case, it becomes evident that the discussion of the constitutionality of abortion and roots of reproductive rights within U.S. history is grounded within the reproductive justice framework, due to the evident control the state has sanctioned through systemic racism. Similar to the sexual violence to which Black women were subjected under the chattel slavery system, the *Dobbs* era leads to an environment in which the state will assert control over the reproductive decisions of women, and in particular Black women who have been deemed indispensable under the operation of capitalism. As key reproductive justice scholars argued in the *Dobbs v. Jackson Women's Health* brief, "these experiences are the legacy and continuation of a history in which black women have been subject to all manner of subjugation and reproductive control, including forced sterilization, forced pregnancy, and forced separation from their children" (*Dobbs V.*

Jackson 2021, 5). The metaphor of the ship as leaving a track on the surface of Black women's existence is here the specter and history of sexual assault during chattel slavery, and its wake is still present today.

The reproductive justice framework was birthed by twelve Black women during a pro-choice conference in 1994 (Women of African Descent for Reproductive Justice)²⁷. Prolific Black feminist theorists and activists such as Loretta Ross developed this framework through first interrogating the failures of the women's liberation movement to include the needs of women of color. Through acknowledging the need for intersectionality within the women's rights movement and the need to focus on those who are most oppressed, reproductive justice proponents created a framework that was grounded within both social justice and reproductive rights (as cited in *off our backs*; Ross 2006)²⁸. The necessity of grounding this theory within social justice involved elucidating the manifestations of systemic racism and oppression that disallow "choice" and self-determination regarding reproductive decisions for women of color. Hence, the reproductive justice framework sought to amplify the collision between human rights, social justice, and reproductive rights concerns that project reproductive injustices into the lives of the most marginalized groups of women. Throughout this chapter, I intend to explore how the

²⁷ See SisterSong Women of Color Reproductive Health Collective & The Pro-Choice Public Education Project. (2007). *The Reproductive Justice Briefing Book: A Primer on Reproductive Justice and Social Change*.

²⁸ See Ross, L. (2006). Understanding Reproductive Justice: Transforming the Pro-Choice Movement. *Off Our Backs*, 36(4), 14–19.

three core reproductive justice values; 1) the right to have children, 2) the right not to have children, and 3) the right to parent children in safe and healthy environments are experienced by Black women living in the wake of chattel slavery. The way in which the state mediates and controls reproductive healthcare access and reproductive experiences of Black women is, like the child welfare and Family Policing systems, another way in which Black women experience the afterlife of slavery.

The Right to Have Children

The recent decision to overturn *Roe V. Wade* is a choice that is grounded within the legacy of biopolitical force, which historically extends through both the right to have and the right not to have children. French philosopher and social theorist Michel Foucault's concept of biopower is defined as "the set of mechanisms through which the basic biological features of the human species became the object of a political strategy, of a general strategy of power" (Foucault 1978, 1). Unfortunately, reproductive injustices for Black women in the U.S. did not begin with the collision between reproductive health and legislation, but instead have been traced through history since forced reproduction and family separation. Notably, during the 1960s and 1970s, reproductive injustices often crystallized as infringements on the right to have children, especially for women of color. Most notably, Black and Latina^{29 30} women were entrapped by

²⁹ See Tajima-Peña, R., & Espino, V. (Directors). (2015). *No Más Bebés*. PBS.

³⁰ See Davis D. A. (2020). Reproducing while Black: The crisis of Black maternal health, obstetric racism and assisted reproductive technology. *Reproductive biomedicine & society online*, 11, 56–64. <https://doi.org/10.1016/j.rbms.2020.10.001>

physicians into sterilization through threatening to withhold welfare benefits, using fear tactics to obtain consent to tubal ligation, and through racist ideologies of inferiority, unfitness and criminality (Alonso 2020, 5). During this time period, forced sterilization was intertwined with negative eugenics and white supremacist ideologies that characterized women of color and poor women as “feeble minded” and thus unfit to have children (Buck v. Bell 1927). Furthermore, neo-eugenicists and white supremacists called upon legislation to control the reproductive decisions of women marginalized by racial and class differences. Through doing so, white supremacist aimed to bolster the notion of white superiority by further subjugating women of color to the inferior status through reproductive violence. Concurrently, these individuals worked to maintain the social hierarchy and racial caste system through revoking the right to motherhood for Black women and thus “othering” their gender, sexuality and femininity. Additionally, legislation passed that decided that forced separation was legal aided the (im)possibility of mothering for Black women, which has historically defined their birthing experiences. In returning to the aforementioned argument that white supremacists utilized the subjugation of Black women as a tool to maintain the social hierarchy and disenfranchise the Black community, it is evident that the use of forced sterilization aided this cycle tremendously. For instance, Elaine Riddick, a victim of North Carolina’s 1929-1974 eugenics³¹ program, was involuntarily sterilized at the age of 14. In a Washington Post interview, Riddick recounts this traumatizing

³¹ See Brophy, A. L., & Troutman, E. L. (2015b). The Eugenics Movement in North Carolina. *Social Science Research Network*. <https://doi.org/10.2139/ssrn.2650083>

experience, sharing “I didn’t have control of my body, and I have been devastated since I found out that this is what happened to me. I never had the chance to say yes or no” (as quoted in Venkataramanan; Riddick 2022,). In sympathizing with Riddick’s experience, it is integral to note that a key form of subjugation that has been instituted since chattel slavery involves ensuring that Black women are hyper-aware of their powerlessness within the destiny of their personal life and community, as well as their permanent position of inferiority. Through robbing Black women such as Riddick and thousands of others of the right to bodily and reproductive autonomy, white supremacy ensured that these women remained immobilized within their position beneath the social hierarchy and ensured that Black families would be controlled by this heinous decision, dampening any hope of liberation.

The Right to Not Have Children

In parsing through the recent Roe v. Wade decision, one interpretation of Giorgio Agamben’s conception of bare life is that women are reduced to reproductive life and thereby exposed to state intervention (Agmben 1998)³². Here it is evident that this legal decision reconfigures biopower by controlling the reproductive autonomy of birthing persons, with particular impact on Black women who will be disproportionately subjected to restrictions on their reproductive decision-making. In conjunction with the evident infringement on reproductive autonomy, it is necessary to call upon the core reproductive justice value: the right

³² Agamben, G. (1998b). *Homo Sacer: Sovereign Power and Bare Life*. Stanford University Press.

to not have children. Considering this value is especially useful in relation to the current climate around birthing experiences for Black women. More specifically, it is unsettling that Black women in some states are restricted from self-determination and autonomy related to birthing experiences, despite the disparities related to maternal mortality and maternal complications for Black women. According to the CDC³³, Black women are three times more likely than their white counterparts (CDC 2022). In conjunction with this alarming statistic, Dána-Ain Davis coined the term obstetric racism to interrogate the interactions between medical racism and obstetric violence that crystallize to create disparate birthing experiences and outcomes for Black women (Davis 2020, 58). Davis argues that obstetric racism manifests in several forms including “critical lapses in diagnosis; being subjected to neglectful, dismissive or disrespectful treatment; being subjected to pain that was intentionally inflicted; ceremonies of degradation; medical abuse; and racial reconnaissance” (Davis 2022,60). In conjunction with Davis’s concept of obstetric racism, the CDC contends that structural racism, quality of healthcare access, and implicit bias are a part of the multiple factors that lead to disparate outcomes for Black obstetric patients. Thus, through interrogating the CDC’s rationale on the inequalities in maternal mortality, it becomes evident that the disproportionate experience of disparate birthing outcomes for Black women can be understood through obstetric racism. For instance, Dána-Ain Davis

³³ See Working Together to Reduce Black Maternal Mortality | Health Equity Features | CDC. (2022, April 6). *Cdc.Gov*.

illuminates the experience of obstetric racism through sharing Crystal's negative birthing experience when

the hospital kept him in the NICU for five days as punishment to her for making demands about her birth plan. Crystal felt that the doctors viewed her as "just another young Black girl who could be ignored," and they kept her son in the NICU because she had insisted to have some say in her birthing (Davis 2020, 566).

Crystal's account of her experience further elucidates the relationship between biopolitics and Black woman's current health outcomes. Since, Black women have been historically forced into an inferior position within the social hierarchy, medical professionals are able to use their power to control the birthing experience of Black women. This manifests in ways that parallel the dynamics of reproductive life under chattel slavery, as Black women are allowed to reproduce, but in the most unprotected and dangerous conditions, and with their reproduction being disconnected from their humanity and motherhood (Davis 2019)³⁴. In relation to the aforementioned relationship to biopolitics and reproductive justice, it is evident that the experience that mothers such as Crystal have of their babies being stripped away from them remind Black women that their inferior position places them under constant state domination. Moreover, Black women must remember that the state has full autonomy over their reproductive decisions and that they are thus disempowered.

³⁴ See Davis, D. (2019). *Reproductive Injustice: Racism, Pregnancy, and Premature Birth*. NYU Press.

In conjunction to the state-sanctioned control that is employed during the birthing experiences of Black women like Crystal, Black sociologist, Tressie McMillan Cotton recounts the brutal experience of losing her child immediately after birth, due to an evident instance of obstetric racism related to neglectful and dismissive treatment. In her essay “Dying to be Competent,” Cotton shares that “I never felt more incompetent than when I was pregnant. [...] Like millions of women of color, especially Black women, the healthcare machine could not imagine me as competent and so it neglected and ignored me until I was incompetent” (Cotton 2019, 85). Based on the stories of Crystal and Cotton, who undeniably experienced obstetric racism, the racist and white supremacist foundations of the decision to overturn *Roe v. Wade* is illuminated, especially as it relates to neglecting, punishing, and disregarding Black obstetric patients to further solidify the ubiquitous nature of their inferiority within the American social hierarchy. Note that the *Dobbs* decision failed to account for or name Black women in its language and discourse, effecting a unilateral legal change with terrible consequences for Black and poor women. Furthermore, these foundations highlight the groundless nature of the pro-life argument directed towards all birthing persons, instead providing that “pro-life” is specifically related to the “historic victory for white life,” as a republican congressman contended (Sullivan 2022, 1). It is impossible to understand the pushback against *Roe v. Wade* without a consideration of racism and white supremacy when the concurrent experiences of Black women who are seeking to have children are met with obstetric racism when navigating healthcare settings.

As we interrogate the tactics employed by healthcare professionals to deem Black women such as Cottom and Crystal as incompetent and inferior, we must also parse through the manifestations of these ideologies within the experience of raising children. As aforementioned, the core value of reproductive justice to raise children in safe and healthy environments is especially pertinent to the overturning of *Roe v. Wade* and the simultaneous failures of the foster care system. During the Supreme Court's historic decision to overturn *Roe v. Wade*, Judge Samuel A. Alito Jr. contended that “a woman who puts her newborn up for adoption today has little reason to fear that the baby will not find a suitable home,” (Alito 2022)³⁵. Evidently, this argument was made without acknowledging the fact that adoption is a lengthy process and that between one to two million parents are currently on waiting lists. Thus, the “choice” of raising a child is not as simple as finding an adoptive family and many women will instead be forced to raise children that they did not want to and/ or did not have the resources to provide adequate care to due to state abortion bans. Therefore, the failures of the family policing system are omnipresent when discussing reproductive injustice and violence that has ensued through the overturning of *Roe V. Wade*. A key nuance of the reproductive justice framework extends beyond the binary debate regarding choice vs. life, highlighting that neither of these arguments are applicable for Black women, who are unable to make self-determining reproductive decisions

³⁵ See Sisson, G. (2022, July 6). *Alito touted adoption as a silver lining for women denied abortions*. Washington Post. <https://www.washingtonpost.com/made-by-history/2022/07/06/alito-touted-adoption-an-option-women-denied-abortions/>

due to the history of structural racism in America. Thus, I will home in on the latter part of the third core value regarding raising children in “safe and healthy environments.”

The Right to Parent Children in Safe and Healthy Environments

The arguments by the Amici Curiae in the *Dobbs v. Jackson* takes an intersectional approach to emphasize the monstrous injustice perpetrated by the Supreme Court. The scholars argued that banning abortions in one of the poorest states in the country would acutely affect women of color, who already lack full reproductive autonomy. Black women within the U.S. do not have the same access to the right to have a child, the right to not have a child, and the right to raise a child in safe and sustainable environments, which are necessary to obtain reproductive justice. In situating the current discourse on overturning *Roe v. Wade*, it is necessary to utilize an intersectional analysis to elucidate the vast disparities that will result from the banning of abortion, birth control, and emergency contraceptives within poor, southern communities specifically. First, we must understand that women exist within the matrix of domination at varying positions and are thus impacted by state domination in varying forms. Comparing the situation of Black women, who identify as low-income to their white counterparts, reveals that systems level issues such as financial, labor, education, and family concerns caused by structural racism can immobilize these women in their efforts to seek abortion services (Sanchez *et. al* 2022, 2). The Amici Curiae argues that “the ability to access abortion is a means of ensuring black women’s agency and autonomy; it is a means of steering one’s own life amidst a past and

present rife with threats to one's health and well-being"(Dobbs v. Jackson 2021, 206). Therefore, it becomes evident that overturning Roe v. Wade can ensure the state controls Black women's agency and autonomy, continuing the legacy of reproductive injustice against Black women. However, it is important to note how impoverished Black women will suffer due to their class status, higher rates of intimate partner violence, and inability to access contraceptives (Dobbs v. Jackson 2021, 5). Most poignantly, for the 22 states where abortion bans are in effect, mothers and children experience more difficulties in accessing health care and financial assistance, which can contribute to disparate health and life outcomes seemingly contradicting the "pro-life" debate (Treisman 2022, para. 4). More alarmingly, 10 out of the 12 states that have failed to expand Medicaid programs, despite the recent provision in the Affordable Care Act to expand Medicaid with incomes up to 138% of the federal poverty line, have instituted an abortion ban or are currently attempting to do so (Treismann 2022, para. 15). Delving deeper into the choice not to expand Medicaid services in these states, reveals that Black women who are forced to reproduce are likely to lack access to life-changing doula services, perinatal care, and health education, which all work to decrease the aforementioned disproportionate maternal mortality rate for these same women (Treismann 2022, para. 19). Therefore, it is evident that Black women who are forced to reproduce are not met with conditions to raise children in healthy environments based on state failures to provide welfare services and to promote life.

In addition to the clear trends in income status and healthcare access for states that have instituted reproductive bans, it is also necessary to return to the failures of the family policing

system to address the argument that mothers who are unable to provide for their children should just enlist into the adoption process. As Dorothy Roberts contends in both *Shattered Bonds* and *Torn Apart*, the experience and instance of motherhood for Black women is immediately marked with surveillance grounded within the foundations of racist ideologies that can lead to terror and injustice. Furthermore, surveillance of poor, Black mothers, who lack access to necessary welfare resources such as health care and food assistance, are held criminally liable for minor instances of neglect (Roberts 2001, 2022). It is important to recall that Roberts contends that “parents may be guilty of neglect because they are unable to afford adequate food, clothing, shelter, or medical care for their children” (Roberts 2001, 61). Thus, in forcing Black women to reproduce and bring life into a society that is equipped to support families experiencing financial hardship, the Supreme Court’s decision has continued the legacy of reproductive injustice by criminalizing the choice not to have children under circumstances where providing a safe and healthy environment isn’t feasible. Moreover, in parsing through the entanglements between the family policing system and the modern day carceral system, it becomes clear the not only are Black mothers forced to have children that they will not be equipped to provide for due to structural racism, but they are also often stripped of the right to parent their children due to the inherent racist ideologies that bolster the carceral system. As Roberts elucidates, “about one-third of women in prison are black and most were the primary caretakers of their children. About one-third of children in foster care are black, and most have been removed from black mothers” (Roberts 2012, 1477). Hence it becomes clear that from all fronts, Black women are often denied

the right to both parent their children, due to neoliberal ideologies that criminalize Black motherhood, and are denied the right to provide safe and healthy environments, due to state failures to provide welfare.

In understanding the disparities that have ensued, it is clear that the state has forced the burden of reproduction upon the bodies of Black women, who do not have the resources to re-establish their autonomy. In the same way that the slave master forced the Black enslaved woman to reproduce through the exploitation of her body through sexual violence, the state is working to force Black women to reproduce by manipulating their disadvantaged position and establishing control over their reproductive choices. She may also be criminalized for abortion seeking as some states pass legislation that criminalizes people who have abortions, as well as those who help them attain these abortion services, while also leaving open the path to criminalization of their parenting in the cases where they do become parents.

Conclusion: The legacy of Counter-Insurgency by Black Women Also Persists

As the legacy of reproductive injustice within America unfolds, Black women have continued to fight toward liberation and actively resisted the capitalist regime through violent and non-violent acts of counter-insurgency (Davis 1972)³⁶. Therefore, as the state works to install the Black woman's body as a site of reproduction and thus labor, Black women have used their bodies as a battle ground to assert their reproductive autonomy. For instance, enslaved

³⁶ See Davis, A. (1971). Reflections on the Black Woman's Role in the Community of Slaves. *Black Scholar*, 3(4), 2–15. <https://doi.org/10.1080/00064246.1971.11431201>

Black mothers have refused to reproduce bodies for capital gain for centuries through abortion, and infanticide. Additionally, the current actions of the SCOTUS in striking down *Roe V. Wade* are historically tied to the violent control of Black women's reproductive autonomy that began during chattel slavery. However, the reproductive injustices inflicted on Black women have and will always be met by counter-insurgency. Through their mere existence, Black women actively work to defy and respond to the state's violent blows to their lives. However, as the state infringes upon the right to abortion and possibly contraception, Black women who stand as reproductive justice activists and feminist scholars will continue their ancestor's legacy of counter-insurgency by fighting for all Black women to have the right to have children, the right not to have children, and the right to parent their children in safe and sustainable environments. As the successors of a legacy of perseverance and existence, the Black women of today will continue to forge a path towards reproductive autonomy and liberation by any means necessary.

Conclusion

Towards Liberation: How do we imagine loving, caring practices in the wake of reproductive injustices?

“I often feel I am trapped inside someone else’s imagination, and I must engage my own imagination in order to break free.”³⁷

~Adrienne Maree Brown

The modern-day lived experience of Black women, their families, and their children are undoubtedly defined by the imaginations of white enslavers, who envisioned a society that would succeed via the subjugation and enslavement of Black people and subsequent financial gain from their captive bodies. For the Black community, this imagination has crystallized as a pervasive trap defined by the invasion of surveillance, terror, punishment, and carcerality within their lives. For Black women, this imagination instituted a legacy of white supremacists marking her body, femininity, and lived experience as a site of state-sanctioned control for the purpose of relegating Black communities to an inferior position within the racial caste system. Hence, the discussion of liberation has also been limited for centuries within an imagination that never envisioned equality, rights, liberty, opportunity for Black communities. As I have argued in this thesis, the truths of this imagination come to light and make it necessary to divest from reformist strategies that work to “fix” the imagination of the enslaver, which was never broken. Rather the institution of slavery was built upon racist, white supremacist underpinnings. For this reason, we must employ non- reformist reform efforts (Gorz 1976)³⁸ that allow us to create new imaginations of a

³⁷ See Brown, A. M. (2017). *Emergent Strategy: Shaping Change, Changing Worlds*.

³⁸ See Gorz, A. (1976). *The Division of Labour: The Labour Process and Class-struggle in Modern Capitalism*.

world built for us, where “systems do not dictate the futures of families” (Albert et. al 2021, 871). Through calling upon the work of prison abolitionists that encourage us to develop new imaginations that are intentionally anti-racist in their foundations, we are able to form radical and transformative alternatives that divest from the demobilizing frameworks that bolster reproductive injustice today (UpEnd 2020)³⁹.

Most alarmingly, the Family Regulation System fails to promote welfare, provide care, or protect children and actively works to surveil, penalize, and separate Black families. Rather than promote welfare, the current system is deeply entrenched within the foundations of chattel slavery in America and, thus, incarceration. Therefore, we must ponder how we address the issues within a dysfunctional system in hopes of actually providing care to children in need. As carceral studies scholar Erica Meiners argues, “the prevailing contemporary carceral logic recycles the false notion that safety can be achieved through essentially more of the same: more guards, fences, surveillance, suspensions, punishment, etc. [...] We must reclaim definitions of safety” (Meiner 2011,106-114). The entanglement between the Family Policing System and the Prison-Industrial Complex calls for the work of abolitionists in providing guidance toward imagining a future where children receive care without punitive and traumatic measures. Furthermore, arguments from abolitionists bolster Meiner’s contention on the necessity to reclaim definitions of safety by arguing that we must reimagine a system of care that is not constrained by the limits of surveillance, guards, punishment, and separation. Thus, to provide

³⁹See *Home - upEND Movement*. (2020). upEND Movement. <https://upendmovement.org/>; Dettlaff, A. J., Weber, K. L., Pendleton, M. C., Boyd, R., Bettencourt, B., & Burton, L. P. (2020). It is not a broken system, it is a system that needs to be broken: the upEND movement to abolish the child welfare system. *Journal of Public Child Welfare*, 14(5), 500–517. <https://doi.org/10.1080/15548732.2020.1814542>

care for children and families in need, it is integral to imagine and create a world where broken systems such as the family policing system become obsolete, and the abolition of these systems becomes possible (Williams 2020, 70). Conversely, it is equally important to acknowledge the quandary in imagining and creating a society deemed impossible since America's wake. As we move towards liberation by relying upon an abolition framework, there are several steps parents, families, and community-based organizations can take.

(Re)Invest in Community-Based Organizations for the Provision of Care

As previously mentioned, neglect is often defined based on maltreatment caused by the social ills of poverty. Under the current system and neoliberal regime, the state blames and punishes families experiencing poverty rather than providing them with the resources necessary for survival. It is neoliberal institutional practices of focusing on the individual, in this case Black parents and particularly Black mothers, that reproduces slavery's afterlife in wresting control over pregnancy and children away from Black women. Investing in community-based organizations makes it possible to provide care that is disentangled from the foundations of surveillance and punishment and addresses community needs.

Under this provision, funds that the state typically allocates to adoptive parents can be reallocated to these organizations to provide food, housing, clothing, education, mental health, domestic violence, and all other necessary support (Burton & Montauban 2021, 678). Through calling upon mutual aid, efforts to provide care become rooted in mobilizing communities to render liberation possible and to make reliance on dysfunctional systems obsolete. For instance, The Urban Institute analyzed philanthropic cash assistance provisions in Washington, D.C., revealing that through working alongside community-based organizations, Black and Latinx families were relieved that the federal government denied them (Minoff 2021, para. 5). Hence,

we can additionally call upon the work of scholars like Dean Spade who advocate for the Black feminist practice of mutual aid, especially as it offers a possibility to establish “new ways of surviving that are based on our principles of liberation and collective self-determination” (Spade 2020, 147).

Ensure Black Kinship Bonds Remain Intact: Children Must be with Their Families

Through forging towards abolition, it is integral that we reimagine means of child protection and welfare that are anti-racist and thus disentangled from racist ideologies on parental, and especially, maternal unfitness. As the UpEnd movement advocates, anti-racist efforts require divestment from the existing child welfare policies that support and maintain racial inequality and the current racial caste system that defines America (Dettlaff 2020, 508). Furthermore, these efforts require us to prioritize the well-being of children by achieving safety and permanency instead of severing familial bonds. Moreover, termination of parental rights should not be a legal matter or at the discretion of state surveillance, leaving decisions regarding care and support to families and communities.

In this thesis, I have argued that the Child Welfare System is not broken, and is thus impossible to “fix.” This system serves as a tool for upholding white supremacy, capitalism, and the racial caste system in America, destroying Black families and thus disempowering the Black community at large. The Family Policing System will become obsolete as we redefine our definitions and practices of care and safety. Promoting care and safety for all children is impossible under the hegemonic notion of parenting that actively renders “good” parenting impossible for Black, Indigenous, and low-income families. As we continue to find our communities and invest in organizations grounded in mobilization and “collective self-determination,” we will be able to imagine and create a society, as a people, where foster parents

like Michelle cannot equate child and family services to a death wish. Forging toward abolition requires a community commitment toward survival and, thus, liberation.

Works Cited

- Alavi, S. (2021, December 13). *Reproductive Responsibility and the Racial Biopolitics of Choice*. Brown Undergraduate Journal of Public Health.
<https://sites.brown.edu/publichealthjournal/2021/12/13/reproductive/>
- Albert, A., Bain, T., Brico, E., Dinkins, B. M., Houston, K., McMillan, J. A., Quarles, V. R., Sangoi, L. K., Cloud, E., & Marx-Arpadi, A. (2021). Ending the Family Death Penalty and Building a World We Deserve. *Columbia Journal of Race and Law*, 11(3).
<https://doi.org/10.52214/cjrl.v11i3.8753>
- Brief for Reproductive Justice Scholars as Amici Curiae Supporting Respondents, *Dobbs v. Jackson Women's Health Organization* U.S 945 F.3d 265 (5th Cir. 2019) (no.19-1392)
- Burger, K., Evans-Agnew, R. A., & Johnson, S. L. (2022). Reproductive justice and black lives: A concept analysis for public health nursing. *Public Health Nursing*, 39(1), 238–250.
<https://doi.org/10.1111/phn.12919>
- Coates, T. (2014). The Case for Reparations. *The Atlantic*, 1–50.
- Coen-Sanchez, K., Ebenso, B., El-Mowafi, I. M., Berghs, M., Idriss-Wheeler, D., & Yaya, S. (2022). Repercussions of overturning *Roe v. Wade* for women across systems and beyond borders. In *Reproductive Health* (Vol. 19, Issue 1). Springer Science+Business Media. <https://doi.org/10.1186/s12978-022-01490-y>
- Coleman, R. (2004b). Images from a Neoliberal City: The State, Surveillance and Social Control. *Critical Criminology*, 12(1), 21–42. <https://doi.org/10.1023/b:crit.0000024443.08828.d8>
- Collins, P. H. (2002). *Black Feminist Thought: Knowledge, Consciousness, and the Politics of Empowerment*. Routledge.
- Cottom, T. M. (2018). *Thick: And Other Essays*. The New Press.

- Davis, A. Y. (2011). *Are Prisons Obsolete?* Seven Stories Press.
- Davis, A. (1971). Reflections on the Black Woman's Role in the Community of Slaves. *Black Scholar*, 3(4), 2–15. <https://doi.org/10.1080/00064246.1971.11431201>
- Davis, D. (2019). *Reproductive Injustice: Racism, Pregnancy, and Premature Birth*. NYU Press.
- Davis, D. (2020). Reproducing while Black: the crisis of Black maternal health, obstetric racism and assisted reproductive technology. *Reproductive Biomedicine & Society Online*, 11, 56–64. <https://doi.org/10.1016/j.rbms.2020.10.001>
- Drescher, S., & Engerman, S. (1998). *A Historical Guide to World Slavery*, 216–21.
- Slavery and the Making of America . The Slave Experience: Legal Rights & Gov't | PBS.* (n.d.). <https://www.thirteen.org/wnet/slavery/experience/legal/docs2.html>
- Finkelman, P. (n.d.-a). Thomas R.R. Cobb and the Law of Negro Slavery. *DOCS@RWU*. https://docs.rwu.edu/rwu_LR/vol5/iss1/4
- Fong, K. (2020). Getting Eyes in the Home: Child Protective Services Investigations and State Surveillance of Family Life. *American Sociological Review*, 85(4), 610–638. <https://doi.org/10.1177/0003122420938460>
- Foucault, M. (2009). *Security, Territory, Population: Lectures at the Collège de France 1977—1978*. Macmillan.
- Hartman, S. (1996). Seduction and the Ruses of Power. *Callaloo*, 19(2), 537–560. <https://doi.org/10.1353/cal.1996.0050>
- Hartman, S. (2021). *Lose Your Mother: A Journey Along the Atlantic Slave Route*. Serpent's Tail.
- Hasday, J. E. (1998). Federalism and the Family Reconstructed. *UCLA Law Review*, 45(1297),

1297–1386.

King, T. L. (2018). Black “Feminisms” and Pessimism: Abolishing Moynihan’s Negro Family.

Theory and Event, 21(1), 68–87. <https://muse.jhu.edu/article/685970/pdf>

Jacobs, D., *A Generation Removed: The Fostering and Adoption of Indigenous Children in the*

Postwar World (Lincoln, University of Nebraska Press, 2014), 6.

Labor, U. S. D. O., & Moynihan, D. P. (2018). *The Moynihan Report: The Negro Family - The*

Case for National Action. Cosimo Reports.

Leinaweaver, J. B. (2018). Adoption. *Cambridge Encyclopedia of Anthropology*.

<https://doi.org/10.29164/18adopt>

Lyman, T. (2017). An Ethnographic Study about the Lived Experiences of Transracial Adoption

from a Haudenosaunee Adult Adoptee Perspective. *Educational Doctoral*.

Mariner, K. A. (2019). White Parents, Black Care: Entanglements of Race and Kinship in

American Transracial Adoption. *American Anthropologist*, 121(4), 845–856.

<https://doi.org/10.1111/aman.13312>

Martinot, S., & Sexton, J. Y. (2003). The Avant-Garde of White Supremacy. *Social Identities*,

9(2), 169–181. <https://doi.org/10.1080/1350463032000101542>

Meiners, E.R. (2011). Ending the School-to-Prison Pipeline/Building Abolition Futures. *The*

Urban Review, 43, 547–565.

Morgan, J. E. (2018). *Partus sequitur ventrem*. *Small Axe: A Caribbean Journal of Criticism*,

22(1), 1–17. <https://doi.org/10.1215/07990537-4378888>

Nadar, S. (2014). “Stories are data with Soul” – lessons from black feminist epistemology.

Agenda (Durban), 28(1), 18–28. <https://doi.org/10.1080/10130950.2014.871838>

Reilly, P. R., & Shaw, M. W. (1983). The Virginia racial integrity act revisited: The Plecker-

- Laughlin correspondence: 1928-1930. *American Journal of Medical Genetics*, 16(4), 483–492. <https://doi.org/10.1002/ajmg.1320160407>
- Redleaf, D. L. (2018). *They Took the Kids Last Night: How the Child Protection System Puts Families at Risk*. ABC-CLIO.
- RJTheologian, V. a. P. B. (2012, August 8). Black Women on Universal Health Care Reform. *Black Women for Reproductive Justice*. <https://bwrj.wordpress.com/2012/08/08/black-women-on-universal-health-care-reform/>
- Roberts, D. (2002). *Shattered Bonds: The Color Of Child Welfare*. Civitas Books.
- Roberts, D. (2022). *Torn Apart: How the Child Welfare System Destroys Black Families--And How Abolition Can Build a Safer World*.
- Roberts, D. E. (1997). *Killing the Black Body: Race, Reproduction, and the Meaning of Liberty*. Pantheon.
- Roberts, D. E. (2012). Prison, Foster Care, and the Systemic Punishment of Black Mothers. *Social Science Research Network*.
https://papers.ssrn.com/sol3/Delivery.cfm/SSRN_ID2184329_code615352.pdf?abstractid=2184329&mirid=1&type=2
- Ross, L. (2006). Understanding Reproductive Justice: Transforming the Pro-Choice Movement. *Off Our Backs*, 36(4), 14–19.
- Ross, L. J. (2020). Understanding Reproductive Justice. *Routledge EBooks*, 77–82.
<https://doi.org/10.4324/9781003001201-11>
- Ross, L., & Solinger, R. (2017). *Reproductive Justice: An Introduction*. Univ of California Press.
- Shakur, A., & Chesimard, J. (1978). Women in Prison: How we are. *Black Scholar*, 9(7), 8–15.
<https://doi.org/10.1080/00064246.1978.11414002>

Sharpe, C. (2016). *In the Wake: On Blackness and Being*. Duke University Press.

Shriver Center on Poverty Law. (2021, February 26). BLM means BFM: The Foster System

Hurts Black Families & We Must Include Black Mothers in the Fight for Justice - Shriver

Center on Poverty Law. *Shriver Center on Poverty Law*.

<https://www.povertylaw.org/article/blm-means-bfm-the-foster-system-hurts-black-families-we-must-include-black-mothers-in-the-fight-for-justice/>

Sinha, A. (2021). A Lineage of Family Separation. *Social Science Research Network*, 87(2), 445–500. <https://doi.org/10.2139/ssrn.3882269>

Spade, D. (2020). Solidarity Not Charity. *Social Text*, 38(1), 131–151.

<https://doi.org/10.1215/01642472-7971139>

Sullivan, B. (2022). A GOP congresswoman said the end of Roe is a “historic victory for white life.” In NPR. <https://www.npr.org/2022/06/26/1107710215/roe-overturned-mary-miller-historic-victory-for-white-life>

Treisman, R. (2022, August 18). *States with the toughest abortion laws have the weakest maternal supports, data shows*. NPR.

<https://www.npr.org/2022/08/18/1111344810/abortion-ban-states-social-safety-net-health-outcomes>

Truth, S. (1850). *Narrative of Sojourner Truth: A Bondswoman of Olden Time, Emancipated by the New York Legislature in the Early Part of the Present Century; with a History of Her Labors and Correspondence, Drawn from Her “Book of Life” : Also, a Memorial Chapter, Giving the Particulars of Her Last Sickness and Death*.

Venkataramanan, M. (2022). She survived a forced sterilization. Activists fear more could occur

post-Roe. In *Washington Post*.

<https://www.washingtonpost.com/history/2022/07/24/forced-sterilization-dobbs-roe/>

Wilkerson, I. (2020). *Caste: The Origins of Our Discontents*. Random House.

Williams, E. (2020a). Dreaming of Abolitionist Futures, Reconceptualizing Child Welfare:

Keeping Kids Safe in the Age of Abolition. *Honors Papers*, 712.

Williams, E. (2020b, August 2). 'Family Regulation,' Not 'Child Welfare': Abolition Starts with

Changing our Language. The Imprint. <https://imprintnews.org/opinion/family-regulation-not-child-welfare-abolition-starts-changing-language/45586>

Williams, H. A. (2012). *Help Me to Find My People: The African American Search for Family*

Lost in Slavery. Univ of North Carolina Press.

Working Together to Reduce Black Maternal Mortality | Health Equity Features | CDC. (2022,

April 6). *Cdc.Gov*. <https://www.cdc.gov/healthequity/features/maternal-mortality/index.html>