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Abortion to Abolition: Reproductive Health and Justice in Canada

by Martha Paynter

Winnipeg: Fernwood Publishing 2022

Review by Rebecca Simmons

Martha Paynter's *Abortion to Abolition: reproductive health and justice in Canada* is a bold and ambitious work that seeks to not only catalogue Canada's meandering and often back tracking path towards reproductive justice, but also acts as a manifesto for Paynter's own ideas and goals for reproductive justice. The book takes the form of an anthology of stories, divided into chapters that are grouped around a certain *right*, for example, the right to bodily autonomy. This format guides the reader effectively from abortion to abolition - Paynter adroitly starts the book with "white feminist" favourites "bodily autonomy" and "not having children", before logically progressing to more radical ideas such as "parenting in prison", and prison abolition in totality. The stories of the book are accompanied by warm, colorful illustrations by Julia Hunt - also illustrator of the front cover image - which help the reader to visualize the person behind the story and the very real life that was affected - for better or worse - by reproductive law and/or social norms. Paynter holds a PhD in nursing, and it is from this background that she writes, seeking to educate nurses and those in the medical profession, alongside a broader readership garnered through her clear and approachable writing style.

Chapter 1 introduces the reader to many of the book's key themes by considering the right and need to have bodily autonomy, and the multiple ways this manifests itself in ordinary (and less ordinary) life. Paynter considers the disparate stories of five women, all fighting in

some way for bodily autonomy. The stories cover events of gender-based gun violence, sexual assault, trans rights in prison, the legalisation of sex work, police violence and institutional racism. These stories are recounted by Paynter in a way characteristic of her voice throughout the book - each story catalogs tragedies and injustices with blunt and brutal honesty - perhaps to an unnecessary extent - every horrific fact is laid bare for the reader as she uncovers the intricacies of gender based, imperialist and racist violence. Paynter has chosen these stories to display the multitude of ways in which people - especially Black, Indigenous and people of color (BIPOC) and minoritized genders - can be willfully wronged by the state and the criminal justice system, such that the reader must begin to confront the fact that neither of these structures seem to exist to benefit or protect the most marginalized in society.

Chapter 2 approaches the right not to have children through a number of stories related to contraception, abortion and family planning. Paynter sketches some of the key points in Canada's journey towards decriminalization of abortion, from paradoxical "trailblazers" such as Dr Emily Stowe in the 1800s, to the viral memefied content of art protestor "iamkarats". While the unequivocal legality of abortion in Canada suggests incredible progressiveness and support for "women's rights", Paynter paints a more complex picture through her chosen narratives. Crucially, the inequitable geographical access to abortion in particular, throughout the huge landmass of Canada, suggests that the right to not have children in Canada is not a universal one. Moreover, Paynter suggests that access is also bounded by financial constraints, finite public funding, and by the limited availability of inclusive clinics that prioritize healthcare for LGBTQ2S+ people.

Chapter 3 considers the topic of having children, in particular the right to reproductive technologies and freedom from forced sterilization. Paynter quickly makes clear that while many

“white feminists” might see having and not having children as diametrically opposed, they are, in fact, two equally essential parts of reproductive justice. Paynter draws attention to the “Sexual Sterilization Act” of 1928 which was only overturned in 1972, and which she describes as part of the “genocidal colonial project” (84) - a collection of laws and policies aimed at fulfilling eugenicist neoimperial ideals of increasing production of the white “race”, and promoting the genocide of Indigenous people. Furthermore, Paynter argues that evidence of forced sterilization of Indigenous people, among other physical violence and neglect, persists to the present day and must be stopped, as well as reparations made for previous harm. Paynter then considers the complex and often debated case of commercialized surrogacy, which she defines as surrogacy where the surrogate is paid in excess of any incurred expenses. She warns that current laws and regulations around commercialized surrogacy are inadequate and might lead to “commercialisation of the body” (91). Paynter therefore calls for further clarity within the law and for more effective “enforcement of the law” (91) - a jarringly carceral feminist perspective in an otherwise abolitionist book. Here, Paynter seems to echo anti-sex work narratives that suggest that the body becomes an object that is at risk of being “bought” or “sold”, when what is actually commercialized is the worker’s energy, time and emotional and physical labour - as with many other forms of work. Paynter also suggests that it might be preferable to focus on getting to the cause of infertility, both medically and environmentally, rather than “resort” to surrogacy. Perhaps, as Sophie Lewis (2019) suggests - commercialized surrogacy is problematic only inasmuch as all work is exploitative in a late capitalist society. However, Lewis argues, surrogacy, as ancient as it is, has a power to disrupt heteronormative patriarchal assumptions, and to broaden our vocabulary of what it means to reproduce and “be” a family.

Logically progressing from the right to have children, is the right to parenting in safety, and in chapter 4 Paynter considers the obstacles to doing so effectively and without constraint in Canada in recent years. First, Paynter considers the problems surrounding drug criminalization and the taboo of substance use while pregnant or lactating. Paynter considers case study examples demonstrating the punitive and controlling policies pursued by the Canadian government in regards to substance use by pregnant or lactating people. Although there appears to have been success in rejecting some of the more draconian laws and policies, Paynter argues that the government must move towards harm reduction policies that treat substance users with compassion and support, and acknowledge the social causes of substance use. Moreover, existing harm reduction techniques, such as the creation of perinatal housing units, safer and decriminalized pathways out of substance use, keeping families together and breaking the cycle of family separation, all appear to have positive and effective outcomes. Paynter therefore concludes that the incidences of drug testing, forced withdrawal and “birth alerts” that so often tear families apart and result in cycles of trauma and criminalization, must be stopped, and compassionate replacements put into effect.

Parenting in prison, the book’s final chapter, stalks a radical and upsetting path towards the book’s conclusion that, as the title suggests, reproductive justice requires complete abolition of the prison-industrial complex. In doing so, Paynter considers five examples of imprisoned women who fought for the right to parent in prison, only one of whom was successful. These stories are unthinkable and unimaginable, and yet completely coherent within a criminal justice system that purports to promote rehabilitation, and yet does nothing but punish and retraumatize. Although Paynter considers the somewhat lesser evil of being permitted to parent in prison as a better option than not parenting at all, she concludes that pregnant people should never be in

prison because “the risks are simply too great and the trauma too severe” (155). Moreover, she argues, “mother-baby units” and “mother-child” programs are but a band-aid on a gaping wound: they are not a solution, but they are perhaps better than nothing while criminalization and carceral politics persist in their current forms. Paynter concludes that we must end “the incarceration of pregnant people, parents and primary caregivers - *of people, period*” (156, my emphasis) and calls on us as readers, alongside policy and law makers, to consider, envision, and action a plan in which no such injustices, inequities or traumas will ever, or could ever, be repeated.

Abortion to Abolition is a book with wide ranging implications for feminists working within and across the field of bioethics, as it persuasively indicates the interlinked and inextricable nature of bioethics to the broader issues abounding in society itself. As C. Wright Mills (2000) famously espoused the connection of the personal and the public, and as feminists the world over have shouted “the personal is political” - there is no possibility of considering bioethical “quandries”, such as the right to, or appropriate manner of, an abortion, without tackling the sticky, complicated, intertwining political nuances that exist within “democratic” governments and societies. In fact, I would argue, what Paynter makes clear is that those of us researching and working in bioethics *must* address and confront societal inequities in order to ensure that bioethics can be held to the highest ethical and moral standards, and work towards both the personal and societal greater good. I would therefore recommend *Abortion to Abolition* to any IJFAB reader who is ready and willing to be made uncomfortable, to be made to question some of their basic assumptions around bioethics, and potentially ready to be “radicalized” and called to action. Paynter’s passionate and incisive writing is incredibly convincing through its combined use of intimately personal stories, well researched facts and statistics, and her own

voice of experience and emotion. Furthermore, Paynter adheres to intersectional feminist ideals of amplifying BIPOC and other marginalized voices, and thus somewhat relegating herself, as a white woman, to the position of spokesperson, but not of the leader of the movement. However, one could argue that other people, particularly a BIPOC or non-cis-heterosexual woman, might be better placed to lead the charge here, and to enjoy the financial and publicity based benefits that the publication of a book (albeit an academic one) can endow.

Additionally, although the book is about Canada specifically, it contains a host of information and ideas that are applicable to many geographical contexts, not least the United States which has suffered recently from reduced access to abortion, and a consistently expanding prison industrial complex. Moreover, it is applicable to the United Kingdom where at the time of writing members of parliament had just voted for the creation of “buffer zones” around abortion clinics, but simultaneously the criminal justice system has been exposed as institutionally racist, and supported by high levels of drug criminalization and punitive criminal policy (Harris et al. 2022). Clearly, Canadian stories will have relevance for many countries, especially the neoliberal countries of “the West”.

However, I would add that I have two main reservations with respect to this book, the first being that the book often seems to detail the trauma and, if we are honest, torture that many of the people in this book endured, to an extent that seems unnecessary in terms of educating the reader, and demonstrating some of the awful things that have happened and continue to happen to people who can get pregnant. I am surprised that neither Paynter, nor her editors or publishers thought that trigger warnings might be helpful in safeguarding the reader - who perhaps has survived trauma not dissimilar to the stories in this book - and preventing a retraumatizing which Paynter herself says is part of the problem in the cycles of trauma and injustice. Secondly,

Paynter is sometimes inconsistent in the extent to which she refutes the law and its place in society. Although she calls for prison abolition, and the decriminalization of acts such as substance use, Paynter concurrently argues *for* the expansion of legislation in regards to commercialized surrogacy, and often praises the law when it works to promote access to reproductive tools. Ultimately, Paynter seems to believe that law is a force for good, and one that should be convinced to be on “our side”, as opposed to one that was built to control marginalized groups and protect the privileged few. Here, Paynter appears to have missed some of the key points made by abolitionist Black feminists such as Angela Y. Davis and Audre Lorde, and that is, as the title of Lorde’s (2018) book famously declares: “the master’s tools will never dismantle the master’s house”.

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