Reproductive Justice and the History of Grand Midwifery in the United States around 1850

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I. Introduction

Reproductive Justice is one of the most important topics of this historical moment, and its significance has been thrown into relief by the overturning of *Roe v. Wade*, the 1973 United States Supreme Court decision that guaranteed federal protection for the right to an abortion, in 2022. Reproductive Justice is more comprehensive than the frame of reproductive rights, however. Developed by Black feminists in 1994 and popularized by members of the SisterSong Women of Color Reproductive Justice Collective in Atlanta, Georgia, Reproductive Justice comprises three tenets: "(1) the right *not* to have a child; (2) the right to *have* a child; and (3) the right to *parent* children in safe and healthy environments."[1] This paper focuses on why the right *not* to have a child is so significant historically.

In today's United States, Black birthing people and women and are 2-to-3 times more likely to die in childbirth than their white counterparts, and Indigenous birthing people and women have mortality rates around childbirth of more than 5 times that of

[1] Loretta J. Ross and Rickie Solinger, *Reproductive Justice: An Introduction* (Oakland: University of California Press, 2017), 9; Loretta J. Ross, "Preface," in *Revolutionary Mothering: Love on the Front Lines*, edited by Alexis Pauline Gumbs, China Martens, and Mai'a Williams (Toronto: PM Press, 2016), xiii-xviii, xvi.

white women and white birthing people, according to information published by the Centers for Disease Control and Prevention in 2021.[2] "Birthing people" is a phrase that honors nonbinary people and trans men with wombs. The babies Black and Indigenous people birth are more than twice as likely as white babies not to survive.[3] These facts are part of a long history of Indigenous dispossession, settler-colonialism and enslavement in the United States.

I argue, in keeping with historian Jennifer L. Morgan and others, that because appropriation of enslaved people's wombs was the crux of transatlantic slavery, choosing not to have a child deemed someone's property during slavery was a radical denial of the logic of racial capitalism.[4] Racial capitalism, a phrase popularized by Cedric Robinson, is the system that binds together blackness and reproduction and established colonial configurations of race more generally over the past five hundred years of the development of capitalism.[5] The people who sustained community among enslaved people under conditions of total violence for generations and facilitated birthing people's right *not* to have a child under those circumstances (in addition to their right to *have* a child) are known as grand (or 'granny') midwives. How did grand midwives—Black and

[2] Latoya Hill, Alisha Rao, Samantha Artiga, and Usha Raji, "Racial Disparities in Maternal and Infant Health: Current Status and Efforts to Address Them," *KFF*, Oct 25, 2024, https://www.kff.org/racial-equity-and-health-policy/issue-brief/racial-disparities-in-maternal-and-infant-health-current-status-and-efforts-to-address-them/#:~:text=As%20of%202022%2C%20infants%20born,as%20high%20(Figure%205 (accessed Nov. 26, 2024).

[3] Ibid.

[4] Jennifer L. Morgan, "*Partus sequitur ventrem*: Law, Race, and Reproduction in Colonial Slavery." *Small Axe*, Vol. 22, No. 1, 1-17. DOI: 10.1111/1468-0424.12499; Helen A. Gibson, "Granny Midwives' Epistemic and Embodied Care," in *Herausforderung Solidarität. Konzepte – Kontroversen – Perspektiven*, edited by Kerstin Schmidt and Joost van Loon (Bielefed: Transcript Verlag, 2024), 303-316.

[5] Cedric J. Robinson, *Black Marxism: the Making of the Black Radical Tradition* (Chapel Hill: The University of North Carolina Press, 2000); Helen A. Gibson, "Teaching Towards Calvin Warren's Nonmetaphysical Historiography" in *Participation in American Culture and Society*, edited by Philipp Löffler, Margit Peterfy, Nathalie Rauscher, and Welf Werner (Heidelberg: Universitätsverlag Winter, 2024), 163-178, 172.

Indigenous healers supporting people in birth and death—enable what has since come to be known as the first tenet of Reproductive Justice?

In this paper, I will first establish the significance of the propertization of enslaved people's wombs under slavery. Next, I will establish the significance of the historical practice of grand midwifery, before moving to a discussion of what is today known as abortion and was commonly referred to in the antebellum United States as "Restoring the menses."[6] I will then discuss the historiography of enslaved people with wombs' abortions before introducing the significance of the theoretical frame of Conjure Feminism to ground understanding of grand midwives' historical practices. Lastly, I will briefly analyze evidence of grand midwives' conjuring of bodily autonomy on the part of enslaved birthing people via their use of herbs and other plants—specifically, tansy, rue, pennyroyal, and, most importantly, cotton root. I will argue that liberating oneself via cotton root entailed both a radical denial of the logic of appropriation of labor under racial capitalism and reclamation of the significance of one's own energy.

II. Propertization of Enslaved People's Wombs

Transatlantic slavery rested on the commodification of enslaved people's wombs. The centuries long rendering of people property via enslavement entailed explicit denial of paternity, and denial of accompanying legal traditions of heritability according to cis-heteropatriarchy. Theorists like John Locke helped write the "absolute authority" of

[6] Leslie J. Reagan, *When Abortion Was a Crime: Women, Medicine, and Law in the United States, 1867-1963* (Berkeley and Los Angeles: University of California Press, 1997), 9.

enslavers over the people whom they enslaved into legal code.[7] Rape and coerced sex were definitional facts of slavery in British North America and the United States; white enslavers raped and had coerced sex with the people whom they enslaved.[8] Yet acknowledging paternity in this context would have meant acknowledging kinship relations.[9] This would have destabilized the logic of numeracy that enabled the propertization and assetization of people, including the children of white enslavers. The stakes of these circumstances were obvious to both enslavers and to enslaved people, whom historian Jennifer L. Morgan argues convincingly were political economic theorists of their own experience.[10] The legal advocacy of Elizabeth Keye, a mother seeking to protect her child from enslavement in seventeenth-century Virginia, famously set inadvertent legal precedent via a reactionary piece of legislation by the Virginia legislature that later came to be known as "*Partus sequitur ventrem*," or "offspring follows belly."[11]

This 1662 Virginia law, originally titled "*Negro womens* [sic] *children to serve according to the condition of the mother*," stated,

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[7] R. A. Judy, *Sentient Flesh: Thinking in Disorder/Poiēsis in Black* (Durham and London: Duke University Press, 2020), 3; John Locke helped write the 1669 *Fundamental Constitution of the Carolinas*, which states in clause 110: "Every Freedman of the Carolinas has absolute power and authority over his negro slaves, of what opinion or religion whatsoever."

[8] Henry Louis Gates, Jr. once wrote that an enslaved woman's life was "defined by her reduction to a sexual object, an object to be raped, bred, and abused," Henry Louis Gates, Jr., "To Be Raped, Bred, and Abused," *New York Times*, Nov. 22, 1987; Hortense J. Spillers, the matriarch of Black feminist theory, refers to this consciousness on the part of Black women as "flesh," Hortense J. Spillers, "Mama's Baby, Papa's Maybe: An American Grammar Book." *Diacritics* 17, no. 2 (1987), 65-81.

[9] Morgan, "Partus sequitur ventrem"; Jennifer L. Morgan, *Reckoning with Slavery: Gender, Kinship, and Capitalism in the Early Black Atlantic* (Durham and London: Duke University Press, 2020).

[10] Jennifer L. Morgan, "On Race and Reinscription: Writing Enslaved Women into the Early Modern Archive," Keynote Speech, Jena: "Contested Concepts of Property in Past & Present," *Annual Conference of the Collaborative Research Centre (SFB) TRR 294 "Structural Change of Property,"* Friedrich Schiller University Jena, Oct. 4, 2022.

[11] The Latin phrase was added by a nineteenth-century historian, William Henig; Morgan, "*Partus sequitur ventrem*," 4.

> WHEREAS some doubts have arisen whether children got by any Englishman upon a negro woman should be slave or ffree [sic], *Be it therefore enacted and declared by this present grand assembly*, that all children borne in this country shalbe [sic] held bond or free only according to the condition of the mother, *And* that if any Christian shall committ [sic] ffornication [sic] with a negro man or woman, hee or shee soe [sic] offending shall pay double the ffines [sic] imposed by the former act.[12]

Jennifer Morgan shows that this legislation was a radical departure from previous British common law understandings of heritability. Making the status of the child heritable "according to the condition of the mother" established both blackness as essentially fungible and slavery as hereditary. Despite the later naming of this act "*partus sequitur ventrem*"—a Latin phrase meant to confer authority, this was a radical break with the past unique to enslavement in British North America and the United States.

By the time the Atlantic slave trade was legally abolished in the United States in 1808, white enslavers' practice of assetizing their own children via enslavement had become the norm.[13] Morgan writes, "In 1819, while considering the role of enslaved women on plantations, Thomas Jefferson wrote, 'It is not their labor, but their increase which is the first consideration.'"[14] Jefferson, who enslaved the children whom he fathered with a woman whom he also enslaved, Sally Hemings, stated elsewhere, "I consider a slave women who breeds once every two years as profitable as the best worker on the farm."[15] These two quotes epitomize the many layers of expropriation of enslaved women's and birthing people's labor in the nineteenth-century United States.

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[12] William Henig, *The Statutes at Large: Being a Collection of All the Laws of Virginia from the First Session of the Legislature, in the Year 1619*, 13 vols. (Richmond, 1819), 2:170.

[13] Deirdre Cooper Owens writes, "After Congress banned the importation of African-born slaves in 1808, American slave owners became even more interested in increasing the number of slave births in the United States"; Deirdre Cooper Owens, *Medical Bondage: Race, Gender, and the Origins of American Gynecology* (Athens: The University of Georgia Press, 2017), 15.

[14] Morgan, "Partus sequitur ventrem," 14.

[15] Tiffany R. Ward, Edward Willians, Ciarra N. Carr, and Jade W.P. Gasek, "Brief for Amicus Curiae: The Howard University School of Law, Human and Civil Rights Clinic in Support of Respondents," *Dobbs v. Jackson Women's Health Organization*, 597 U.S. 215 (2022), 6; Bruce Fehn, "Thomas Jefferson and His

III. Grand Midwifery during Enslavement

Despite the denial of kinship as quintessential to enslavement in the United States and British North America, some people managed to survive the total violence of slavery with the support of grand midwives, who birthed most people in the antebellum South.[16] Grand midwives were typically enslaved, and they turned the money they earned from birthing people on neighboring plantations over to their enslavers as part of yet another layer of expropriation.[17] Many of the people whom they helped birth were deemed property, yet grand midwives managed to convey different meanings of life in this context.

Grand midwives are commonly acknowledged in contemporary birthwork settings and Reproductive Justice scholarship today as having sustained entire communities. This is vital in a historical context in which people were deemed property and situated close to death. As M. Carmen Lane (who identifies as Black and Indigenous doula, or emotional support guide for birth and death) put it at an event in 2018,

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Slaves: Teaching an American Paradox," *OAH Magazine of History* 14, no. 2 (2000), 24-28. DOI: 10.1093/maghis/14.2.24.

[16] Tanya Hart, *Health in the City: Race, Poverty, and the Negotiation of Women's Health in New York City, 1915-1930* (New York and London: New York University Press, 2015), 203; Marie Jenkins Schwartz writes, "In the South, most midwives were enslaved blacks with no formal training, especially in the country, where the majority of slaves lived," Schwartz, *Birthing a Slave: Motherhood and Medicine in the Antebellum South* (Cambridge: Harvard University Press, 2010), 36. This fact is substantiated by both contemporary historical scholarship such as Ruth Hays' "Birthing Freedom: Black American Midwifery and Liberation Struggles" [in *Birthing Justice: Black Women, Pregnancy, and Childbirth*, edited by Alicia D. Bonaparte and Julia Chinyere Oparah (New York: Routledge, 2016), 166-175], and historical accounts of the period such as *The Stethoscope and Virginia Medical Gazette* (Richmond: Ritchies & Dunnavant, 1851).

[17] Cabell Family Papers, 1796-1867, Accession #38-111-g, Special Collections, University of Virginia, Charlottesville, Va; "Story by Aunt Clara Walker." in Vaden-Young (ed.), *Federal Writers' Project: Slave Narrative Project,* Vol. 2, Arkansas, Part 7*,* 19-27.

> The brilliance of a granny midwife in terms of keeping our people alive during a system where your body is an object—that your body is cattle, that your child is someone else's property, even though you see an umbilical cord connecting you to your child, *even* if you have a child that looks like the person who is oppressing you, and owning you—that that granny midwife was able to *restore* and *maintain* your humanity, and the humanity of the community, and the humanity of that child, and figure out how to be the purveyor of the gate between being property and a human being, and maintaining community. And *that* is the responsibility of a doula.[18]

Grand midwives were able to restore and maintain the humanity of enslaved birthing people and their children in spite of these people's interpretation as objects of property in the eyes of the law and of enslavers like Thomas Jefferson. One of the ways in which grand midwives did this was in connecting enslaved people's spirits to those of their ancestors. I have written on this topic elsewhere in the context of a sacred symbol, known as a cosmogram, which drew power to a particular place on earth and united the living and the dead.[19] In this paper, however, I would like to focus on ways in which grand midwives supported enslaved people with wombs in their right *not* to have a child.

Grand midwives were "herbalists and keepers of sacred recipes and remedies" who both drew on inherited African knowledge systems and saw themselves as vessels of spirit in service of their communities.[20] Religious studies scholar Yvonne P. Chireau writes, "Herbalism was a healing practice that evolved out of African Americans' assimilation of native African, native American, and Anglo botanical techniques. 'Root and herb' systems of medicine had been preferred by bondpersons."[21] Numerous 1930s

[18] M. Carmen Lane and Dr. Alicia Bonaparte, "Decolonizing at the Root: Settler Colonialism, Granny Midwives, and the Mayhem of Intersectionality within Birthwork (In Loving Memory of Erica Garner)," *Born Into This* conference, Austin, TX, July 12 and 13, 2018, video of panel discussion, https://wearedti.podia.com/decolonizing-at-the-root.

[19] Helen A. Gibson, "The Otherwise Cosmogram," in *Relating to Landed Property*, edited by Sofia Bianchi Mancini, Helen A. Gibson, Dirk Schuck, and Markus Vinzent (Frankfurt/New York: Campus Verlag, 2024), 209-227.

[20] Karen L. Culpepper, "*Gossypium* spp. (Cotton Root Bark): A Symbol of Herbal Resistance," *Journal of the American Herbalists Guild* 15, no. 2 (2017), 45-52, 49.

[21] Yvonne P. Chireau, *Black Magic: Religion and the African American Conjuring Tradition* (Berkeley and Los Angeles: University of California Press, 2003), 93. Janet Farrell Brodie makes a comparable argument

interviews with formerly enslaved people and their descendants refer to grand midwives' expertise as herbalists, or 'root doctors.'[22] Indigenous Studies scholars including botanist Robin Wall Kimmerer, philosopher Brian Burkhart and Michi Saagiig Nishnaabeg writer Leanne Simpson, affirm that plants themselves teach humans about their gifts.[23] In employing Indigenous epistemologies, or knowledge systems, grand midwives were vessels of plant spirits. Their knowledge included such information as a principle Robin Wall Kimmerer relates in *Gathering Moss: A Natural and Cultural History of Mosses*: "Another tenet of indigenous plant knowledge is that we can learn a plant's use by where it occurs."[24] Citing a midwife's knowledge, Kimmerer continues, "For example, it's well known that a medicinal plant frequently occurs in the vicinity of the source of the illness."[25] According to Indigenous wisdom, grand midwives channeled plant spirits in supporting enslaved people with wombs in processes of birth and death.

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in *Contraception and Abortion in Nineteenth-Century America* (New York: Cornell University Press, 1994), 53.

[22] Chireau, *Black Magic*, 93; G. L. Summer, "Interview with Laura Caldwell," in *Federal Writers' Project: Slave Narrative Project,* Vol. 15, South Carolina, Part 1*,* 169-171; Marjorie Jones, "Interview with Fannie Moore," in *Federal Writers' Project: Slave Narrative Project,* Vol. 11, North Carolina, Part 2*,* 128-137; Interview with Aunt Harriet Miller, in *Federal Writers' Project: Slave Narrative Project,* Vol. 4, Georgia, Part 3*,* 127-131; Adella S. Dixon, Interview with Phil Towns, in *Federal Writers' Project: Slave Narrative Project,* Vol. 4, Georgia, Part 4*,* 37-47.

[23] Robin Wall Kimmerer, *Braiding Sweetgrass: Indigenous Wisdom, Scientific Knowledge, and the Teachings of Plants* (Minneapolis: Milkweed Editions, 2013); Brian Burkhart, *Indigenizing Philosophy through the Land: A Trickster Methodology for Decolonizing Environmental Ethics and Indigenous Futures* (East Lansing: Michigan State University Press, 2019); Leanne Betasamosake Simpson, "Land as Pedagogy: Nishnaabeg Intelligence and Rebellious Transformation," *Decolonization: Indigeneity, Education & Society* Vol. 3, No. 3 (2014), 1-25; Anna Möllers, "The Construction of Land as Property: Ideas about the Relationship between Land and Humans in Nineteenth-Century Political Economy and Indigenous Counter-Narratives," and Laura Bella Theis and Yann Schosser, "Freedom, Experience and Emancipation. A Pragmatistic Inquiry on the Practices relating to Land in Northern American History" in Gibson, Bianchi Mancini, Schuck, and Vinzent (eds.), *Relating to Landed Property*.

[24] Robin Wall Kimmerer, *Gathering Moss: A Natural and Cultural History of Mosses* (Corvallis: Oregon State University Press, 2003), 106.

[25] Kimmerer, *Gathering Moss*, 106, 112.

A grand midwife practiced on every plantation.[26] These midwives worked at the nexus of total violence under slavery, supporting enslaved people with wombs and others in countering logics of propertization. This remained the case through the legal end of slavery in the United States in 1865, with enslaved midwives sometimes being explicitly trained for years and then exploited by gynecologists on neighboring plantations, yet continuing to conjure and practice herbalism.[27] Historian Deirdre Cooper Owens writes, "As black women's birthrates increased" following the legal abolition of the Middle Passage in the United States in the decades following 1808, "white medical doctors began to work in midwifery in greater numbers, too."[28] Midwifery had, in British North America and the United States, like elsewhere, been understood as "a job divinely ordained for women."[29] Yet enslavers like James Marion Sims, the 'founder' of modern gynecology who later became president of the American Medical Association (AMA), founded in 1848, began their notorious gynecological experimentation on enslaved people with wombs who were also nurses between 1844 and 1849.[30]

The 'birth' of gynecology and increasing regulation of grand midwifery went hand in hand. "By 1830," historian of nurse-midwifery Sharon A. Robinson writes, "13

[26] Gertrude Jacinta Fraser, *African American Midwifery in the South: Dialogues of Birth, Race, and Memory* (Cambridge and London: Harvard University Press, 1998), 187. In a plea for retention of female midwives across the United States in a pamphlet by "M.C.," "An Appeal to the Medical Society of Rhode Island, IN BEHALF OF WOMAN TO BE RESTORED TO HER NATURAL RIGHT AS ' MIDWIFE,' and elevated by education to be the physician of her own sex," 1850, in "Medical Progress, alias Fanaticism," *The Stethoscope and Virginia Medical Gazette* 1 (Richmond: Ritchies & Dunnavant, 1851) 153, M.C. writes, "In our Southern states, the negro woman, with no other than the intuitive education of nature, *always* performs this office [that of grand midwife] for her white mistress with far greater safety than is possible for man," Ibid., 153-54.
[27] "Story by Aunt Clara Walker." Clara Walker was born in 1833 and trained from the age of 13 until 18, despite having inherited the gift of seeing spirits—a prerequisite for grand midwifery—from her mother, who was kidnapped in Africa; Chireau, *Black Magic*, 94-95.
[28] Owens, Medical Bondage, 16.
[29] Ibid.
[30] Owens, *Medical Bondage*, 1; Reagan, *When Abortion Was a Crime*, 10.

states had passed laws outlawing lay healers," although these laws were rarely enforced.[31] The stakes of such laws in the context of racial capitalism and enslavement were clear. Deirdre Cooper Owens writes, "The growth of gynecology provided for the maintenance of sound black female reproductive bodies; it also served to perpetuate the institution of slavery. Slavery, medicine, and capitalism were intimate bedfellows."[32] What grand midwives offered enslaved people with wombs was holistic, and remarkable both because of shared epistemologies between midwives and birthing people and superior knowledge of both herbalism and Conjuring to that of budding gynecologists.[33] Yvonne P. Chireau writes, "Conjure is a magical tradition in which spiritual power is invoked for various purposes, such as healing, protection, and self defense."[34] Unlike enslaving gynecologists who experimented on the people whom they enslaved, grand midwives were invested in the wellbeing of the people whom they attended.[35]

Concurrent with an explicit devaluation of grand midwives in the name of medical science, the AMA began what historian Leslie J. Reagan refers to as its anti-abortion "crusade" by 1857, following more than a decade of booming "abortion business" across the United States, in spite of the 13-state ban on abortions by 1830.[36]

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[31] Sharon A. Robinson, "A Historical Development of Midwifery in the Black Community: 1600-1940," *Journal of Nurse-Midwifery* 29, no. 4 (1984): 247-250, 248.
[32] Owens, *Medical Bondage*, 48.
[33] Gibson, "The *Otherwise* Cosmogram"; Chireau, *Black Magic*, 95. Yvonne P. Chireau writes, for example, "Yet, although whites generally had no respect for the effectiveness of black healers, some were impressed by the breadth of their experience. 'The knowledge which some of these Conjurers possess of the properties of every herb and tree of field and forest is positively uncanny,' wrote one author, at the turn of the nineteenth century," Ibid.; Owens, *Medical Bondage*, 51; Sharla M. Fett, *Working Cures: Healing, Health, and Power on Southern Slave Plantations* (Chapel Hill and London: University of North Carolina Press, 2002.
[34] Chireau, *Black Magic*, 12. Mid-nineteenth-century Conjure, herbalism, and root doctoring will be discussed at more length in the next chapter of this Habilitation.
[35] See previously referenced WPA interviews with formerly enslaved midwives and their descendants.
[36] Reagan, *When Abortion Was a Crime*, 10. Documenting the prevalence of what is now called abortion in the early-to-mid-nineteenth-century United States is beyond the scope of this draft. See Reagan, *When Abortion Was a Crime*, for further empirical details.

This crusade, led by enslaver physicians, was both anti-grand midwife and explicitly white supremacist.[37] Historical archeologist Laura A. Wilkie writes in a 2013 article, "Expelling Frogs and Binding Babies: Conception, Gestation and Birth in Nineteenth-Century African-American Midwifery," that "Abortion became criminalized in the United States during the second half of the nineteenth century, and this was mainly directed at attempting to increase reproduction among middle-class white women, who had begun to embrace the notion of voluntary motherhood in the 1850s."[38] Voluntary motherhood was unavailable to enslaved women and people with wombs at constant risk of rape and coerced sex by their enslavers, not to mention destruction of their kinship networks via sale of their loved ones.[39] Enslavers, deeply invested in the continued commodification of humans, were also explicitly interested in countering possible abortions on the part of enslaved people.[40]

IV. A Brief Historiography of Abortion pre-1857

Practicing abortion in the mid-nineteenth century and prior was by no means the exclusive purview of enslaved birthing people. Even the Catholic Church, historiography of the subject invariably points out, supported what is now called abortion, and was then known as restoration of the menses, through approximately the twentieth week of

[37] Fett, *Working Cures*, 65.
[38] Laura A. Wilkie, "Expelling Frogs and Binding Babies: Conception, Gestation and Birth in Nineteenth-Century African-American Midwifery," *World Archaeology* 45, no. 2 (2013), 272-284, 275.
[39] Spillers, "Mama's Baby"; Alexis Pauline Gumbs, "m/other ourselves: A Black queer feminist genealogy for radical mothering," in Gumbs, Martens, and Williams, eds., *Revolutionary Mothering*; Helen A. Gibson, "Granny Midwives' Epistemic and Embodied Care," in *Herausforderung Solidarität. Konzepte – Kontroversen – Perspektiven*, edited by Kerstin Schmidt and Joost van Loon (Bielefed: Transcript Verlag, 2024), 303-316; Morgan, *Reckoning with Slavery*; Harriet Jacobs, *Incidents in the Life of a Slave Girl, Written by Herself*. 1861, repr. Jean Fagan Yellin, ed. (Cambridge: Harvard University Press, 1987).
[40] Fett, *Working Cures*, 65.

pregnancy.[41] (Leslie Reagan writes that the word "abortion" referred at the time to miscarriages of later-stage pregnancies.[42]) Women and people with wombs during this era and prior generally emphasized returning their bodies to a state of flow, thereby overcoming blockage or "arrestation" of the menses.[43]

The twentieth week of pregnancy marked a period known as "quickening," when the pregnant person could typically feel the fetus move inside the womb. Significantly, this was a subjective experience, determined by the pregnant person themselves. Marking the beginning of a pregnancy via quickening was derived of British common law, and remained in effect in the United States until 1860.[44] Gynecology and obstetrics were not yet omnipresent, with grand midwives accompanying most births in the South through the legal abolition of slavery in 1865, and the stethoscope wasn't used to listen to fetal heartbeats until at least 1818.[45]

Leslie Reagan writes in a monograph on the history of abortion in the United States that "[r]estoring the menses was a domestic practice."[46] This quote reveals the ways in which a historiographical focus on abortion as a universal practice is insufficient for the history of enslaved people's experiences. Enslaved people were, by definition of enslavers' purported 'absolute authority' over their reproductive and other labor, denied access to the privacy of the domestic sphere.[47] Yet enslaved people with wombs managed

[41] Reagan, *When Abortion Was A Crime*, 8; Laura A. Wilkie, "Expelling Frogs and Binding Babies: Conception, Gestation and Birth in Nineteenth-Century African-American Midwifery," 275.
[42] Reagan, *When Abortion Was A Crime*, 8.
[43] Reagan, *When Abortion Was A Crime*, 8; See additional nineteenth-century references to pregnancy as "arrestation of the menses," *The American Journal of the Medical Sciences*, edited by Isaac Hays, Philadelphia: Lea & Blanchard; London: Wiley & Putnam, 1842), 35.
[44] Mary Grace Albanese, *Black Women and Energies of Resistance in Nineteenth-Century Haitian and American Literature* (London: Cambridge University Press, 2023), 53.
[45] Albanese, *Black Women and Energies of Resistance*, 53.
[46] Reagan, *When Abortion Was A Crime*, 9.
[47] Spillers, "Mama's Baby."

to 'restore the menses,' or establish their right *not* to have children, outside of a domestic sphere.

Angela Davis famously argues in her groundbreaking 1982 essay "Racism, Birth Control, and Reproductive Rights" that "Black women have been aborting themselves since the earliest days of slavery."[48] Contemporary historians of Reproductive Justice Loretta J. Ross and Rickie Solinger corroborate Davis's claims.[49] Importantly, Davis deems the practices of abortion and infanticide during slavery acts of refusal and "desperation, motivated by […] the oppressive conditions of slavery."[50] This framing contrasts sharply with contemporary understandings of abortion as a reproductive right, highlighting instead advocacy of freedom *from* the reproductive logic and violence of enslavement. Abortion in this context was much more than the subjective experience of quickening and restoration of the menses; it was a means of refusing the total violence of slavery.

This framing is reminiscent of historian Saidiya Hartman's 2016 essay "The Belly of the World: A Note on Black Women's Labors" in which Hartman famously writes, "The forms of care, intimacy, and sustenance exploited by racial capitalism, most importantly, are not reducible to or exhausted by it."[51] However much enslavers attempted to render people real property, "One of the ways in which enslaved women and

[48] Angela Davis, "Racism, Birth Control and Reproductive Rights" in Angela Davis, *Women, Race and Class* (London: The Women's Press; New York: Random House, Inc., 1982), 292-271, 294.
[49] Leslie J. Reagan, *When Abortion Was A Crime: Women, Medicine, and Law in the United States, 1867-1973* (Berkeley and Los Angeles: University of California Press, 1998); Loretta J. Ross and Rickie Solinger, *Reproductive Justice: An Introduction* (Oakland: University of California Press, 2017).
[50] Davis, "Racism, Birth Control," 294. Jennifer Morgan writes at some length about infanticide among enslaved people in the "English-speaking New World" on pages 225-228 of Jennifer L. Morgan, *Reckoning with Slavery: Gender, Kinship, and Capitalism in the Early Black Atlantic* (Durham and London: Duke University Press, 2021).
[51] Saidiya Hartman, "The Belly of the World: A Note on Black Women's Labors," *Souls: A Critical Journal of Black Politics, Culture, and Society* 18, no. 1 (2016): 166-173, 171. DOI: 10.1080/10999949.2016.1162596.

their black male partners," Deirdre Cooper Owens writes, "attempted to restore love and humanity in their lives and relationship was to engage in mutually satisfying sexual partnerships with each other and to plan their pregnancies."[52] Despite potentially fatal encounters with physicians, "for bondwomen, planned pregnancies implied a sense of liberation because their could determine the pre- and postnatal care that they would receive from black midwives."[53] This care entailed both intimate knowledge of plants on the part of grand midwives and loving attention to the birthing person.

V. The Sacred Reciprocity of Cotton Root

By the early 1860s, cotton root was known to both enslaver physicians and enslaved people with wombs as an effective contraceptive.[54] Sharla Fett writes, "Rumors that enslaved women used the cotton root as an abortifacient, for example, greatly concerned southern planters."[55] One enslaver physician "advised readers that witch hazel effectively counteracted the effects of cotton root in an attempted abortion," Fett continues.[56] Other physicians recommended black haw to forcibly counteract attempted cotton root-induced abortions.[57] Yet enslaved people's relationship to cotton root was intimate, and complex. WPA interviews from the 1930s with formerly enslaved people recount that "Cotton root

[52] Owens, *Medical Bondage*, 58.
[53] Ibid.
[54] See Frances Peyre Porcher on cotton root and "suppression of the menses," Porcher, *Resources of the Southern Fields and Forests, Medicinal, Economical, and Agricultural: Being also a Medical Botany of the Confederate States; with Practical Information on the Useful Properties of the Trees, Plants, and Shrubs* (Richmond: West and Johnson, 1863), 94.
[55] Fett, *Working Cures*, 65.
[56] Ibid.
[57] Culpepper, *Gossypium* spp, 50.

was used as a contraceptive by chewing on the fresh root bark."[58] Enslaved women and people with wombs' use of cotton root as a contraceptive is distinctly reminiscent of the Indigenous epistemic tenet that plants appear at the source of illness—in this case, as a life-preserving agent at the source of a brutal regime of expropriated labor. Cotton was, famously, one of the primary means of facilitating the Colonial/Racial/Capital over hundreds of years of enslavement and Indigenous dispossession in the name of global empire.[59]

Enslaved people's use of cotton root as a contraceptive indicates that the line between contraceptives and abortifacients (fetus-releasing substances) was negligible for enslaved women and people with wombs in the mid-nineteenth-century United States. The profound act of enslaved people consuming the fruit of their own labor in sacred reciprocity with the plant affirms Saidiya Hartman's assertion that "The forms of care, intimacy, and sustenance exploited by racial capitalism, most importantly, are not reducible to or exhausted by it."[60] Plants used by enslaved people as abortifacients also included okra.[61] Herbs administered by grand midwives as abortifacients commonly included pennyroyal, rue, and tansy, and required significance knowledge of the plants' toxicity and uses.[62] These plant-based means of restoring the menses were part of a profound epistemic shift in response to enslavement.

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[58] Culpepper, *Gossypium* spp, 50.
[59] Denise Ferreira da Silva, *Unpayable Debt* (London: Sternberg Press, 2022); Sven Beckert, *Empire of Cotton: A Global History* (New York: Knopf, 2014).
[60] Hartman, "The Belly of the World," 171. Phil Towns' formerly enslaved grandmother, Hannah, like many grand midwives, knew how to incorporate the epistemologies and cosmologies she had inherited in Africa into a practice of sacred reciprocity in Richmond, Virginia, living to be a reported 129 years old and teaching her kin the secrets of reciprocity and responsibilities in a context of entangled mattering; Dixon, "Interview with Phil Towns," 41.
[61] Wilkie, "Expelling Frogs and Binding Babies," 275.
[62] Reagan, *When Abortion Was A Crime*, 9; Wilkie, "Expelling Frogs and Binding Babies," 275. "Slaves Were Well Fed," Interview with Gus Smith, *Slave Narratives*, *Vol. X: Missouri Narratives*, 321-332, 331;

Philosophers Kinitra Brooks, Kameelah L. Martin, and LaKisha Simmons write, "When considering how antithetical abortion is to traditional West African belief, we can better observe how enslavement necessitated a paradigm shift actualized as Conjure Feminism."[63] Brooks, Martin, and Simmons write, further, "Conjure Feminism liberates the diasporic knowledge and folkloric practices of spirit work. Its nonrational, cosmological framework provides Black folx with the fluidity necessary to live in a constantly shifting, perilous world."[64] The "constantly shifting, perilous world" with which people with wombs were faced in the context of enslavement and Indigenous dispossession raises questions about what can be thought of as rational and nonrational.

Jennifer Morgan documents a 1705 account of a peacock flower used as an abortifacient in which naturalist Maria Sibylla Merian writes, "The Indians and Africans, who are not treated well by their Dutch masters [in Surinam], use the seeds to abort their children so that their children will not become slaves like they are."[65] Morgan agrees with Londa Schiebinger, who writes that the existence of a similar seed in Senegal indicates that enslaved people with wombs knew about abortifacients prior to the Middle Passage.[66] Yet the West African cultural taboo on abortion emphasized by Brooks, Martin, and Simmons in "Conjure Feminism" is imperative historical context. Furthermore, Schiebinger argues in *Plants and Empire* that although the peacock flower

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"Ex-Slave 90 Years Old," Interview with Victoria Adams, *Slave Narratives*, *Vol. XIV, South Carolina Narratives, Part I*, 10-12, 12.

[63] Brooks, Martin, and Simmons, "Conjure Feminism," 453.

[64] Ibid., 459.

[65] Morgan, *Reckoning with Slavery*, 224; Maria Sibylla Merian, *Metamorphosis of the Insects of Surinam*, plate 45.

[66] Londa Schiebinger, "Exotic Abortifacients and Lost Knowledges," *The Lancet* 371, no. 9614 (2008): 718-719.

was also known in Europe, it wasn't used there as an abortifacient.[67] Perhaps the plant was simply not needed there.

VI. Conclusion

I have argued that choosing not to have a child deemed someone's property during slavery was a radical denial of the logic of racial capitalism. Liberating oneself via cotton root entailed both a radical denial of the logic of appropriation of labor under racial capitalism and reclamation of the significance of one's own energy. This was especially meaningful because slavery was established as heritable according to the condition of the mother in British North America in 1662, and enslavement in the United States rested on the expropriation of enslaved women and people with wombs' reproductive as well as agricultural labor.

Enslaved women and people with wombs were supported in the reclamation of their own energy via grand midwives, who were present on every plantation in the South. Despite the lack of congruity with West African traditions, grand midwives helped administer abortifacients like tansy, rue, and pennyroyal under the rubric of Conjure Feminism. Grand midwives helped pregnant people navigate the spirit work of Conjure Feminism, responding to rationalized expropriation with nonrational means of care and communion.[68]

Unlike the field of gynecology, which was established in the United States via experimentation on enslaved women in the 1840s, grand midwifery was a holistic

[67] Londa Schiebinger, *Plants and Empire: Colonial Bioprospecting in the Atlantic World* (Cambridge and London: Harvard University Press, 2004), 14, 151.
[68] "Story by Aunt Clara Walker."

practice that was noninvasive, working with magic and spirits. Grand midwives saw themselves as vessels of spirit, including plant spirits, and they helped conjure "healing, protection, and self defense."[69] While grand midwives' healing was divinely inspired in the vein of female midwifery from time immemorial, the circumstances under which they practiced were uniquely abject, and constantly shifting. As gynecologists sought to dislodge the experience of pregnancy and birth from the realm of subjective experience in the name of regulating property and populations, grand midwives drew on deep reservoirs of knowledge about plants to mitigate the desperation of enslaved people with wombs. They helped liberate enslaved women and others in supporting their chosen pregnancies and refusal of propertization.

In a moment in which birthing for BIPOC (Black, Indigenous, People of Color) people in the United States is increasingly precarious, it is important to remember that population control is part and parcel of the history of settler-colonialism. The right *not* to have a child is as profound as the right to *have* a child, and the yet-to-come promise of a right to *parent* in safe and healthy environments. Contemporary views on abortion in the United States have much to do with the advocacy of nineteenth-century enslaver physicians deeply invested in the assetization of people. The history of grand midwifery throws into relief the significance of being "the purveyor of the gate between being property and a human being" in response to shifting logics of expropriation.[70]

[69] Chireau, *Black Magic*, 12.
[70] Lane, "Decolonizing at the Root."