

June 29, 2022

NCPH statement concerning the overturning of *Roe v. Wade*

The National Council on Public History (NCPH) recognizes the inalienable and unconditional right of an individual to bodily autonomy. NCPH also acknowledges, firmly and publicly, that access to safe reproductive, gender affirming, and contraceptive care, as well as marriage equality, are basic, universal human rights. The legislative protection of these rights represents the culmination of decades of rightful protest, advocacy, and campaigns on behalf of human rights. Legions of public historians have dedicated their careers to documenting and sharing the history of the long-fought struggles to secure personal liberty and autonomy, as well as the larger historical forces arrayed to deny those human rights. The Supreme Court's decision to overrule *Roe v. Wade* (1973) in [*Dobbs v. Jackson Women's Health Organization*](#) significantly limits the ability of people who can become pregnant to exercise control over their own bodies and lives, and [represents the first time in this country's history that the Court has rescinded Constitutional rights](#). We are dismayed that at least one justice has expressed an interest in reconsidering decisions that include *Griswold*, *Lawrence*, and *Obergefell*, cases which directly pertain to fundamental rights to privacy, due process, and equal protection. We share the sorrow, anger, and fear the Court's pronouncements have generated.

We know that court decisions like this have disproportionately affected marginalized communities, lower-income people, communities of color, [and disabled people](#). Restricting access to abortion costs women and pregnant people their lives, and [Black women are three to four times more likely to die](#) from pregnancy-related complications. Threatening medical professionals with fines or jail time for providing necessary care has already increased the risk of complications, infection, or death [in many states](#). [These outcomes echo tragic historical conditions that many of our members have worked tirelessly to interrogate and illuminate in their work.](#)

Furthermore, the majority opinion in the Dobbs case is replete with misrepresentations of the historical record.¹ Colleagues from the American Historical Association (AHA) and the Organization of American Historians (OAH) submitted an [amicus curiae brief](#) that laid out the history relevant to the case. Since the ruling, a number of useful historical [resource collections](#) have been compiled.

Certainly, this Supreme Court decision has profound implications as we consider our organizational activities in the future. Public history is a field where a majority of the workforce are those who can become pregnant and where many do not have access to quality healthcare through their (often precarious) employment, and this decision further increases their vulnerability. We will be keeping a watchful eye on the legislative landscape in Atlanta and Salt Lake City in the lead-up to our 2023 and 2024 annual conferences.² Over the last two years, we have expanded our virtual programming, and we

¹ For a list of prior NCPH advocacy actions related to mis-uses of history, visit <https://ncph.org/what-is-public-history/advocacy/>.

² In 2019 when NCPH was planning our 2020 conference in Atlanta, Georgia, and after the passage of H.B. 481, the "Living Infants Fairness and Equality Act," NCPH collaborated with several other scholarly societies to [make our concerns known](#) with several GA tourism and convention agencies and conference and organizational leadership

renew our commitment to offering (in addition to in-person events) virtual professional development opportunities for reasons of access, equity, and personal health and safety.

The National Council on Public History stands firm in its belief that the practice of history is made fundamentally richer by attention to diversity, equity, and inclusion and that a central purpose of history is the protection and advancement of human rights in the present. That is what “putting history to work in the world” means, and we remain committed to this mission, especially at this critical moment in the saga of our nation.

crafted [a blog post outlining our myriad concerns](#) at the time. While the landscape has changed since 2019, and will likely continue to change in the lead up to 2023, we will continue to monitor and update our community on our thinking, rationales for action or inaction, and what we are and will be doing to protect our community.