Deconstruction of Feminist Jurisprudence vis-à-vis Dobbs v. Jackson Women's Health Organization and Roe v. Wade as a path to Global Justice

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Introduction

We are witnessing and living in the fourth-wave era of feminism. This ideology has forever had skeptics questioning various aspects of it. The predominance of women has escalated in every sphere of life where she can indeed be a mother and a CEO concurrently. Her power knows no leaps and bounds, and the support she garners worldwide is prodigious at best. Hence, the question is, "Is feminist jurisprudence an outdated concept?" Is the irrefutable distinction between the sexes used as a justification for meting out distinctive treatment anymore?

Challenges heighten to a special complexity when these concerns meet legal frameworks. Countries like India and the United States adhere to a more advanced form of Aristotelian equality, which means treating equals as equal and unequals as unequal—in other words, equality means equity.[1]

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As a result, the beginning eras of feminist theory were developed in the quest for the equality of sexes, which was sought through urging for new laws and fighting legal battles in Courts for the equality of men and women in the eyes of the law. There was a shift in the objective from winning legal battles to resisting the patriarchal nature of the legal structure. This shift in focus stemmed from the realization that the traditional sense of equality is illogical to impose owing to the differences between men and women based on biology and the resultant hurdles women were prone to, one example being pregnancy.[2]

In order to better comprehend the development of feminist jurisprudence and its significance in the legal hemisphere, it is pertinent to revisit the history of feminism. On one side, it is claimed that feminism, if not in its original fashion, existed in some way or the other even

[1] Aristotle, *Nicomachean Ethics* vol 3 (WHD Ross tr, Oxford University Press 1925).

[2] Frances E. Olsen, *Feminist Legal Theory* (New York University Press 1995).

before the Golden Age of Greece. A story from which the reference can be made is the play of Lysistrata by the ancient Greek playwright Aristophanes. It was performed in Athens and dates back to 411 BCE. In this play, women are depicted as being in control of political decisions by practicing abstinence from men.[3] However, the roots of modern feminism can be traced back to the French and American Revolutions. Mary Wollstonecraft was a writer who portrayed significant roles in creating awareness regarding the ideology through her works like "A Vindication on the Rights of Men" and "A Vindication on the Rights of Women," but lost her popularity posthumously when her husband unintentionally exposed her lifestyle that was considered to be unorthodox back then.[4] Another notable advocate of the theory was John Stuart Mill, who, for the first time, began a motion to grant suffrage for females in the House of Commons and also co-authored the work "The Subjugation of Women" with his wife, Harriet Taylor.[5] This was also a main concern raised in the First Wave of feminism of the 19th and the early 20th century, where women started demanding suffrage, among others, including property rights and termination of ownership of married women by husbands.[6] The movement culminated with the Representation of the People's Act, 1918, which empowered women who then owned houses and were above the age of 30 to vote, a right which was later applicable to all women who were above the age of 21 in 1928. This era was followed by the Second Wave that focused on women's socio-political domain of influence like reproductive rights, sexuality, workplace harassment, domestic violence, marital rape, and other issues which were intrinsic to her human existence and dignity.[7] We are currently witnessing the third and fourth waves of feminism, which are more reactionary and perceptive to the shortcomings of the previous waves and also focus on increasing the purview of feminism to broader issues, not just of women but of all sexual and gender classifications.

A more extensive understanding of the history of feminism showcases how women have been subjugated and marginalized by the law, fundamentally and literally a man-made system, where women did not possess significant representation. Perhaps it is the very same revelation that led to feminists developing a hedonic jurisprudence that throws light on the personal

[3] Sherrine M Walker and Christopher D Wall, 'Issue 2 Article 5 5-1-1997 Feminist Jurisprudence: Justice and Care, 11', vol 11 (1997).
[4] MH Abrams et al (eds), *The Norton Anthology of English Literature* (6th edn, Norton 1993) 99.
[5] Sherrine M Walker and Christopher D Wall, 'Issue 2 Article 5 5-1-1997 Feminist Jurisprudence: Justice and Care, 11', vol 11 (1997).
[6] Laxmidevi Y Assistant Professor, 'National Journal of Multidisciplinary Research and Development History of Feminism and Its Theories' (2018) 3 41 <www.nationaljournals.com>.
[7] ibid.

narratives of oppression, domination, and devaluation of innumerable women.[8] In other words, there is a need for a more subjective and inclusive approach to jurisprudence that affirms the experiences of women besides that of men. The traditional legal system was severely criticized by the concept of feminist jurisprudence in order to promote a just and equitable society.

FEMINIST METHODOLOGY- Feminist legal methodologies incorporate elements of both the imperative/hermeneutic tradition and critical theory precepts. Whereas hermeneutics has its primary goal in understanding, critical theory, on the other hand, aims for emancipation by bringing to light how societal elements, primarily ideologies, perpetuate a status quo that limits various groups from generating knowledge. In Feminist Legal Methods, Katharine Bartlett analyses three methods. Notably

1. "Asking the women's questions" involves identifying and critiquing exclusionary or disadvantageous aspects of current legal norms, highlighting those marginalized by traditional legal frameworks. For example, the methodology of 'asking the women's question' could be applied to the case of *Dobbs v. Jackson Women's Health Organization* by examining how abortion restrictions uniquely burden women, particularly in terms of physical health, economic independence, and societal roles. This approach challenges the ostensibly neutral language of legal decisions that ignore these impacts.
2. "Feminist practical reasoning" approaches legal solutions as pragmatic responses to real-world dilemmas, focusing on resolving specific issues rather than treating legal questions as binary conflicts between opposing viewpoints.
3. "Consciousness-raising" is the process of gaining broader perspectives through collaborative learning, drawing on personal experiences and narratives. Traditional jurisprudence reflects a masculine perspective, but feminist authors offer alternative narratives. Women perceive the world differently than men.

The distinguished type of feminist reasoning has come from this different experiential existence and the claims of feminist jurisprudence may be based on this foundation.

[8] Olsen (n 2).

FEMINIST JURISPRUDENCE AS A THEORY OF GLOBAL JUSTICE

There are many global justice frameworks that support various theorists across the world. The principles of feminist jurisprudence, such as equitable resource distribution and universal human rights, align with global justice frameworks like CEDAW. For instance, CEDAW explicitly calls for the elimination of discriminatory stereotypes and advocates reproductive freedom as a cornerstone of gender equity.

While discussing "global justice," it is pertinent to look back into the theory propounded by John Rawls in his work "The Law of Peoples." He categorically expanded the concept of justice beyond national boundaries and confined it to international significance. According to Rawls, the best way to determine global justice principles is to take into account what members of these many civilizations would first agree upon while operating under a "veil of ignorance," meaning that they are unaware of the particular circumstances that exist in their own society. The relationships between peoples would be governed by the ideals that resulted from this.

John Rawl has also argued predominantly in favour of two major aspects of global justice, the first being securing equal liberties of all people and the second being allowing social and economic inequalities in the society only when it is for promoting the advantages of the marginalised based on the principle of equity. This principle is also called the Difference Principle or the Fair Equality of Opportunity Principle.[9]

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Global justice is a rather ever-evolving philosophy that has to accommodate the newly emerging aspects of the world and re-adjust itself accordingly. An example for the same can be viewed from the lens of artificial intelligence. One would often wonder what impact AI has on the theory of global justice. But as unrelated theories as they seem, there is a very intricate relation between the both, as the unmonitored production and use of the former can lead to apocalyptic tendencies upsetting the very global basic structure and system of justice.

Hence, in the contemporary world it is important to adopt a disaggregated approach to global justice, focusing on specific segments of global politics rather than treating it as a unified entity. Such an approach is also designed to meet 'action guidance' to provide reasonable solutions to specific problems within a well-defined context. In summary, this approach offers a detailed

[9] John Linarelli, *Research Handbook on Global Justice and International Economic Law* (Edward Elgar 2013).

and pragmatic framework for governance that addresses and resolves global justice issues by recognizing the diversity and intricacies within specific domains.[10]

In this aspect, it is fair to assert that feminist jurisprudence can be studied as an application of disaggregated approach to global justice, as they share both emphasize on addressing particular aspects, acknowledging complexity and underlinining the necessity of focused investigation in the fight for justice.

Feminist jurisprudence critiques traditional legal structures, emphasizing the gendered implications of laws and policies. This article focuses specifically on the interplay between feminist legal theory and reproductive rights, using the *Dobbs v. Jackson Women's Health Organization* and the *Roe v. Wade* decisions as a case studies to explore its global justice implications. Male bias in traditional legal perspectives can often lead to misrepresentation and exclusion of females in legal doctrine.[11]

Hence, feminist jurisprudence has an intrinsic link to global justice as it objects and expands traditional legal framework by recognising gender as a social construct. It provides for a broader scope of global justice ensuring the inclusion of a non-exhaustive plethora of issues like reproductive rights, domestic violence, concerns of sexuality, sexual orientation, race, class and so on. In a time where gender is no longer perceived rather as a spectrum than as binary, feminism has evolved not encompass not only females but all the genders within its protective ambit, at a transnational level.[12] However, it is beyond question that feminist jurisprudence has evolved to give voice to the voiceless, the historically silenced and marginalized, contributing to a more inclusive and just global order. For this reason, it can be rightfully stated that feminist jurisprudence focuses on more of a distributive global justice than retributive or reformative.[13]

[10] Helena de Bres, 'Disaggregating Global Justice' (2013) 39 Social Theory and Practice 422 <http://www.pdcnet.org/oom/service?url_ver=Z39.88-2004&rft_val_fmt=&rft.imuse_id=soctheorpract_2013_0039_0003_0422_0448&svc_id=info:www.pdcnet.org/collection>.

[11] Sherrine M Walker and Christopher D Wall, 'Issue 2 Article 5 5-1-1997 Feminist Jurisprudence: Justice and Care, 11', vol 11 (1997).

[12] Alison M Jaggar, 'The Philosophical Challenges of Global Gender Justice', vol 37 (2009) <https://about.jstor.org/terms>.

[13] Maya Manian, 'The Ripple Effects of Dobbs on Health Care Beyond Wanted Abortion' (2023) 76 SMU Law Review 77.

FEMINIST JURISPRUDENCE AND REPRODUCTIVE RIGHTS

The topic of reproductive rights is becoming an indispensable conversation in feminist jurisprudence in the wake of the serious threats that these rights are under with every passing day. Feminists all over the world continue to mark their dissent against the decision of the Supreme Court in 2022 in Dobbs v. Jackson Women's Health Organization[14], which overturned the Roe v. Wade[15] decision that conferred "fundamental right to abortion".[16] Whereas this might not be perceived as a threat equally serious in other countries, it is also pertinent to be mindful of the impact of westernisation. Globalization, often viewed as westernisation, which is a particular type of universalisation wherein social structures of modernity, rationalism, urbanism and so on are pervading humanity, often in the process of which pre-exiting cultures get amalgamated, has undeniably resulted in a particular type of Americanisation. This is the very reason the countries should keep a safeguard against the changes brought in by the US before it invariably spreads from the west to the rest.

In feminist jurisprudence, women's reproductive rights form a key part of what has been described by legal scholar Gerald N. Around the world, women's rights organizations and feminist legal advocate groups are defining these issues as reproductive freedom to control one's own body and sexuality in direct relation to separating sexuality from reproduction. At the same time, understanding this struggle requires a more careful approach because it is influenced by religion, class, and culture. "It's far more nuanced than pro-life vs pro-choice debates and is about women's bodily autonomy".[17]

In this context, it is important to give its due recognition to the "Convention the Elimination of All Forms of Discrimination Against Women" (CEDAW), an international treaty that aims to "eliminate discrimination against women, by requiring states to fully assure reproductive rights including subsidized family planning services and right to abortion".[18] The Convention also

[14] Ibid.
[15] Ibid.
[16] Book Editor, Meg Leta Jones and Amanda Levendowski, 'Chapter Title: Digital Security and Reproductive Rights: Lessons for Feminist Cyberlaw Chapter Author(s): Michela Meister and Karen Levy Book Title: Feminist Cyberlaw'.
[17] ibid.
[18] Convention on the Elimination of All Forms of Discrimination Against Women (adopted 18 December 1979, entered into force 3 September 1981) 1249 UNTS 13, art 16.

identifies the need to break the traditional stereotypes confining the role of a woman to childcare and reproduction.[19] The denial of reproductive rights only leads to the establishment of gender hierarchy, the very same concept strictly challenged by feminist jurisprudence.[20] Cairo Conference is also responsible for giving attributes of fundamental rights to women's reproductive rights and these rights included the prerogative to decide the number, spacing and timing of children.[21]

Why is abortion important to reproductive rights? Quite often, people are led or misled to think that the sole rationalization for right to abortion is to prevent unplanned parenthood especially among single women. It is hence stigmatised to be the act of denial of an opportunity of life to the offspring that never would be. But the implications are far wider. It is only logical to accept that abortions will happen whatever the case may be, be it legally or otherwise. It becomes a critical aspect of reproductive health, especially in developing countries wherein unsafe abortions are rampant. The report of deaths due to unsafe abortions by UNFPA long back in 1993 was proof enough as to why a holistic approach to abortion laws is the need of the hour.[22] Hence, the concept of "reproductive autonomy" as a cardinal right of every woman should start permeating the system of government, the layers of health and medical systems, and the mindset of females and males.[23]

Abortions must be perceived as something more than mere individual rights or claims to the same. It involves an interplay between rights and responsibility at various levels including social, cultural and personal. The safeguarding of the right should not be viewed as a pathway to unconscionable and unrestrained cases of abortions but in fact the prevention of thereof by a proper and enforcement. Right to safe abortions can be understood as a pressing issue under the ambit of feminist jurisprudence in order to tackle maternal mortality all over the world, promote the fundamental fights of women and also acknowledging the religious and cultural issues to make safe abortions applicable to all.[24]

[19] Convention on the Elimination of All Forms of Discrimination Against Women (adopted 18 December 1979, entered into force 3 September 1981) 1249 UNTS 13, art 5.
[20] Barbara Stark, 'The Women's Convention, Reproductive Rights, and the Reproduction of Gender', vol 18 (2011) <http://globalsolutions.org/files/>.
[21] 'Perspectives from the Women's Movements' (1986) 61 NYUL Rev 589, 634-42.
[22] Ruth Pearson and Caroline Sweetman, 'Abortion, Reproductive Rights and Maternal Mortality,' vol 2 (1994).
[23] Lynn P Freedman and Stephen L Isaacs, 'Human Rights and Reproductive Choice,' vol 24 <https://about.jstor.org/terms>.
[24] Pearson and Sweetman (n 16).

DOBBS V. JACKSON WOMEN'S HEALTH ORGANISATION[25]

This is the decision of the US Supreme Court that came out in 2022 and it reversed the landmark decision of Roe v. Wade[26] and Planed Parenthood of Pennsylvania v Casey.[27] Roe v. Wade (1973) emerged during the second-wave feminist movement, which emphasized personal autonomy and gender equality in reproductive health. By contrast, Dobbs reflects a growing conservative shift in U.S. politics, influenced by ideological battles over constitutional interpretation and states' rights.

Facts of the Case:

Mississippi's Gestational Age Act was passed in 2018. It held abortions to be illegal and prohibited after 15 weeks. However, there were exceptions in the case of emergencies and conditions wherein the fetus had severe abnormalities that were fatal. In response to this, Jackson Women's Health organization instituted a suit in the Federal District Court wherein the constitutionality of this Act was contested. The petitioner was Thoman Dobbs, a Mississippi State Health Officer. The Court granted him the petition of certiorari for which he had filed.

Main issue of the case:

The US Supreme Court granted writ to discuss the constitutionality of the pre-viability prohibitions imposed on elective abortions.

Arguments of the petitioner:

In *Dobbs,* Mississippi argued that the U.S. Constitution does not spell out a right to abortion, and individual states should have wide latitude in pursuing that interest by banning abortion. The state cited the Tenth Amendment, which prohibits states from making treaties but empowers them to regulate abortion. In *Roe v. Wade,* one of the most prominent arguments put forth by the Respondent (the State) is that the Fourteenth Amendment acknowledged a foetus as a person. This meant that the State had interest in protecting it. However, the Court had rehected that claim. In the *Dobbs* case, Mississippi also argued that "liberty" in the traditional

[25] Dobbs v. Jackson Women's Health Organization is 597 U.S. 215 (2022).
[26] Roe v Wade, 410 US 113 (1973).
[27] Planned Parenthood of Southeastern Pennsylvania v Casey, 505 US 833 (1992).

understanding of the Court and the 14th Amendment does not extend to fundamental rights, like the right to same-sex marriage, which are said to be deeply embedded in the nation's historical and traditional structure. In light of the fact that when the Fourteenth Amendment was ratified, nearly every state had laws forbidding abortion, the state argued that abortion could not be considered a "fundamental right." Mississippi also contended that the "viability line" is too vague to keep states from pursuing their own interests.

Arguments of the respondent:

Jackson Women's Health Organization, aka Women's Health, contended that the Fourteenth Amendment to the Constitution is in support of abortion. They stressed on the importance of the concepts of freedom and liberty in the physical aspect of the person and the integrity of the body as "essential elements of liberty protected by the Due Process Clause." For example, the term "liberty" also brings within its ambit the usage of contraceptives. Women's Health further raised the argument that the common law history places abortion and individual freedom on a certain pedestal upholding the capability of humans to take decisions with regard to their bodies. Moreover, Women's Health noted federal courts have continuously applied viability levels in determining laws regarding abortions.

Decision of the Court:

Justice Alito, Justices Thomas, Gorsuch, Kavanaugh, and Barrett penned the majority opinion. The Court stated that the most pertinent question in this case was whether the Constitution confers the right to abortion. The Court held that there was no express reference to abortion in the supreme law of the land and that abortion is not a fundamental aspect of the nation's traditions. The due process clause grants protection only to two categories of fundamental rights. The first category is the rights protected by the first eight amendments and the second category is the rights that are declared to be fundamental. Since three-fourth of the States had upheld abortion to be illegal no matter what stage of pregnancy the woman is in, during the Fourteenth Amendment was given ratification, the Court observed that "abortion has a long history in the United States and that it was once considered a felony". It was not until *Roe v. Wade* that abortion was recognised as an important aspect of the right to liberty, which according to the Court was a case in which history was completely foregone.

From its observations, the Court concluded that the Constitution does not confer the right to abortion as a fundamental right to the citizens. It was also a matter of shock when the Court

equated the grant of abortion rights to uphold individual autonomy, to granting license to the "illicit use of drugs or prostitution."

The implication of this judgment was that it gave every States the right to bring in various regulations to the laws regarding abortion. These regulations could not be challenged under the Constitution of United States, as the laws were entitled to a "strong presumption of validity".

Roe v. Wade[28]

This was a landmark US Supreme Court decision of 1973 which held that placing excessive restrictions on abortions is against the spirit of the constitution. The Texas statutes criminalizing abortion was held to be a violation of the right to privacy which was held to have been guaranteed in the due process clause of the 14th Amendment.

The plaintiff instituted a federal action against the District Attorney of Dallas County in Texas, where the former was residing.

The plaintiff claimed that she had an unrestricted claim to end pregnancy. The Supreme Court rejected this claim. The State established its control over abortion by basing its regulations on fetal viability, which typically occurs during the latter half of pregnancy. This shift allowed the State to focus on protecting potential human life instead of upholding the rights of individual women, thereby creating legal grounds to restrict those rights. However, the Court ruled that the state could not ban abortion in the first trimester before viability. Even though the State could bring in regulations during the second semester to protect the health of the pregnant persons, it could not prohibit the practice of abortions as such.

In spite of repeated challenges, this decision was not overturned. It was ruled by the Supreme Court in the case of *Planned Parenthood of Southeastern Pennsylvania v. Casey*[29] that "it is unlawful to impose limits on abortion only if they specify an undue burden on a person who wants to get an abortion before the fetus attains viability". In the case of *Gonzales v. Carhart*[30] the federal Partial-Birth Abortion Ban Act[31] outlawed the technique of abortion that was performed regularly, which were "intact dialation and evacuation". In the case of *Whole*

[28] Ibid.
[29] Ibid.
[30] Gonzales v Carhart, 550 US 124 (2007).
[31] Partial-Birth Abortion Ban Act of 2003, Pub L No 108-105, 117 Stat 1201 (5 November 2003).

Woman's Health v. Hellerstedt[32] (2016), the two requirements of a Texas statute that mandated "abortion facilities to adhere to ambulatory surgery center standards" were overturned by the Court. The rationale for this ruling was found by the Court in the case of Casey[33].

A lower court had struck down the Mississippi law passed in 2018, and the US Supreme Court agreed to review that ruling in May 2021. As the law barred most abortions after 15 weeks, long before fetal viability, in conflict with the precedents established by *Roe v. Wade* and *Planned Parenthood v. Casey*. The Mississippi lawmakers passed the leguslation hoping for it to ultimately go to the decision of the Supreme Court, where a conservative majority might put new restrictions or possibly overturn those past decisions. Specifically, the case being considered, *Dobbs v. Jackson Women's Health Organization*, asked the Supreme Court to decide only one question: Are all the pre-viability bans on abortion unconstitutional? In May 2020, a major leak exposed the draft of an opinion written by Justice Alito stating that "the Court had voted to affirm the Mississippi law" and overrule *Roe and Casey*. A political news publication had also gotten hold of the draft. The Supreme Court decision in June 2022 — as many had expected to end up happening — overruled both *Roe v. Wade* and *Planned Parenthood v. Casey* by 5–4 vote, with Alito contending that the Constitution nowhere protects a right to abortion. It resulted in a wave of state laws greatly limiting access to abortion.

The Impact of *Dobbs* and *Roe* on Reproductive Rights and Feminist Jurisprudence

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In the realm of reproductive rights, *Dobbs v. Jackson Women's Health Organization*[34] and *Roe v. Wade*[35] are closely related to feminist jurisprudence. *Roe v. Wade* (1973) created a federal constitutional right to abortion, broadening the role of feminism in law and acknowledging that reproductive rights fall within a women's right to privacy, paving the way for decisions affirming gender equality in areas directly related to discrimination against women. *Roe* protected the abortion right to ban women as second-class citizens in legal systems, establishing a wall against male domination of women's bodies. By contrast, the 2022 *Dobbs* decision struck down *Roe* — a major setback for reproductive rights. The Supreme Court held that the Constitution does not guarantee a right to abortion and gave broad discretion to

[32] Whole Woman's Health v Hellerstedt, 579 US 582 (2016).
[33] *Ibid.*
[34] ibid
[35] ibid

individual states to impose severe limits. This reversal is nothing short of a rollback on the decades of feminist activism that have worked to establish reproductive liberty as a fundamental right, not only for women's medical and sin rights but also their socio-economic empowerment. Reproductive rights sit at an important nexus in feminist jurisprudence – they allow us to map broader battles against gendered subjugation and for individual liberty. *Dobbs* restricts individual freedom by telling women they cannot control their own reproductive health and endorses gender inequality by reinforcing male-dominated legal and social structures.

Conclusion

The trajectory of feminist jurisprudence is inextricably linked to the advancement of women's rights, specifically with regard to reproductive autonomy. The window opened by *Roe v. Wade* was a major step along this journey, recognizing that a woman's ability to make her own decisions about her reproductive health is necessary for full equality. This is an enormous problem for feminist legal theory, not just as a matter of policy (since reproductive rights are considered central to undoing patriarchy and achieving gender equality), but also conceptually.

In addition to reproductive rights, feminist jurisprudence covers areas like male dominance, workplace harassment, gender-based violence, and bodily autonomy. These issues are part and parcel of the power imbalances that feminist legal theory aims to rectify, demonstrating that reproductive justice should not be viewed in isolation, but as a component of a more comprehensive struggle for gender equity and human dignity. Low-income women, women of color, and LGBTQ+ individuals are more likely to face barriers to accessing reproductive healthcare, exacerbating systemic inequalities. Many states of the US is already seeing a positive shift towards banning abortion rights which will lead to issues of forced parenthood upon more women than men, thus affecting their overall potential in various aspects ranging from careers, health, finance and so on. The same implications will befall members of the LQBTQIA community and marginalized groups living in more rural areas. An important aspect to be noted is that doing away with abortion rights cannot permanently stop abortion but only aggravate the deaths caused by unsafe abortions. According to the World Health Organization, unsafe abortions account for 13% of global maternal deaths annually. In Mississippi, a state with one of the highest poverty rates, the Dobbs decision is expected to exacerbate health disparities by increasing reliance on unsafe abortion methods.

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Moreover, feminist jurisprudence is influential in determining international justice by fighting for equal laws that protect and promote the interests of women along with other marginalized groups. With globalization influencing legal systems internationally, feminist jurisprudence is indispensable in evaluating laws vis-à-vis their effects on gender equality and human rights. Feminist legal theory addresses the dynamic interplay among domestic laws and global institutions, fostering a more equitable international order.

When legal systems cross international borders as easily as life does, feminist jurisprudence becomes a useful roadmap to ensure that global justice systems draw on principles of equity and gender balance. By challenging conventional patriarchal bases in legislation, feminist jurisprudence ensures that human rights discourse is gendered for movements pursuing global justice and reproductive freedom. Ultimately, feminist jurisprudence is essential in framing a just global order that reflects a truly pluralistic and interconnected world.

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