

LAURA FLANDERS & FRIENDS

FROM BALLOTS TO BODIES: ABORTION, TRANS RIGHTS, & THE BATTLE FOR BODILY AUTONOMY

LAURA FLANDERS - Coming up on "Laura Flanders & Friends," the place where the people who say it can't be done take a back seat to the people who are doing it. Welcome. We have hit a hinge moment in our political and personal lives. And I say that as a woman, as a lesbian, and as a person who cares about freedom and bodily autonomy. For 50 years, the question of abortion has divided American people and policymakers. But in 2022, when the Supreme Court, in [Dobbs v. Jackson Women's Health](#), overturned the constitutional right to abortion that was established by Roe v. Wade in '73, it did away with federal standards, empowered states to set their own rules, and dramatically changed the political scene. Now, extremist Republicans are pushing to go further, to a total national ban, while other Republicans seem frankly freaked out that they have handed Democrats such a powerful motivating tool for their base. At the local level, 20 plus states currently ban or restrict abortion, while the procedure is broadly legal elsewhere. Multiple states, including Michigan, Ohio, and Kansas, have already organized to protect abortion rights at the state level. And come November, a record 10 more will decide whether to enshrine abortion rights in their state constitutions. If every abortion rights measure is successful this fall, five states with existing bans and restrictions could see abortion re-legalized. And since 2022, well, every ballot measure to protect abortion rights has passed while every measure to restrict or weaken those rights has failed. When it comes to controlling bodies, abortion is not the only issue, mind you. Access to trans health, contraception, and freedom from sterilization abuse are all on the same controllers' agenda. And brutal restrictions on all of those have been at least proposed, and a few have passed in the last few years. Elections can go either way. Clearly, voters could vote to control more bodies more this election, but they could, we could, also enshrine more freedoms more firmly in more places. So with voting already or soon to be underway, we turn to three experts. In Florida, [Nadine Smith](#) directs [Equality Florida](#), that state's largest organization dedicated to ending discrimination based on sexual orientation and gender identity. [Heidi L. Sieck](#) is the founder of [Vote Pro-Choice](#), which focuses on women of color candidates at the state level and BIPOC, young, and new voters, as well as down ballot races. And [Renee Bracey Sherman](#), the so-called Beyonce of abortion storytelling, is co-author of the just released book, "[Liberating Abortion: Claiming Our History, Sharing Our Stories, and Building the Reproductive Future We Deserve](#)." Welcome all of you. Let's start at the very top. Thank you for joining me. Do you agree that we are at a hinge moment, and would you agree kind of with my framing? Let's start with you, Renee.

RENEE BRACEY SHERMAN - Well, I'm actually going to disagree with your framing because, you know, you started off by saying that abortion has divided America for the last 50 years. That's actually super not true. Like, 80% of this country believes that abortion should be

legal and should be available. What has been divided is our politics. And that has to do with gerrymandering of our political system, the way in which money, capitalism plays a role in who gets to take votes and deny election results, all of those things. And one of the things that we found in our book, "Liberating Abortion," was that abortion has been around for thousands of years but have been deeply embedded in this country's founding, and that until the mid-1800s, it was widely acceptable, that it wasn't until the Comstock Act when we started to see bans on abortion, restrictions that people even then laughed about it and didn't take it seriously. But this idea that abortion is stigmatized or a fraught political topic is actually quite new and is something that has been thrust upon us.

LAURA FLANDERS - Heidi, what about you? What would you pick apart from my introduction, and I'm totally in favor of it.

HEIDI L. SIECK - I 100% agree with Renee, and I'll go a little bit deeper and more experiential, which is across the board for decades, over 80% of this country did not want Roe v. Wade overturned. They don't think their elected officials should be making decisions about their pregnancies or their healthcare. And really, we have to understand that this was a political tactic. I started my career in 1989 in [Planned Parenthood](#) of Lincoln, Nebraska in the Nebraska Unicameral, and I saw firsthand that there was something happening in the country. And what was happening was that Ronald Reagan, who was governor of California, a pro-choice governor who actually signed into law expansion of abortion rights and birth control access in California, realized that he could not get elected without the evangelical anti-choice minority, which is about 18% of the country. So starting in the '80s, this overly-funded anti-choice minority started investing in political infrastructure. And that included the Federalist Society, which was training judges. It included the association, what is it, [American Legislative Exchange Commission](#) that was looking at templated legislations in state legislatures, protest infrastructure. And the tactic of mobilizing people was extremely well-funded and organized. And I will tell you, as a person that started in the states watching the strategy unfold, unfortunately what happened is our progressive democratic ecosystem did not answer that tactic at all for decades.

LAURA FLANDERS - Alright, so it's new, relatively new, it's manufactured, not genuine. It doesn't mean it doesn't have real impacts this particular moment. And, Nadine, I'm coming to you. You know, Imara Jones has talked about the anti-trans hate campaign and that machine that has been fueling up something like 530 initiatives in states, ballots introduced in states around the country in the last few years. They haven't passed. Most of them haven't gone most places. But you're in the front line in Florida, and life has changed a lot for people there.

NADINE SMITH - Well, absolutely. You know, people talk about [Project 2025](#), and they talk about the restriction on freedoms, and this all-out assault on reproductive health, abortion, healthcare of all kinds. And all of that is unfolding in Florida. It's not theoretical here. And I

think the lesson that has just been laid out is such an important one, how they manufacture outrage and then use the outrage as an organizing mechanism. You know, I think back to another Floridian, not Ron DeSantis but Anita Bryant. And when Anita Bryant was launching her so-called Save Our Children campaign, which started in Florida and marched across the country, and it left in its wake laws that took decades to undo, bans on marriage, bans on adoption. She was bankrolled by The Moral Majority, and their big issue was not abortion. It was the integration of schools. And so they use these same techniques. It will be whatever it needs to be. It will be the Tea Party. It will be anti-immigrant. It will be whatever can inflame and mobilize. And what we're seeing now is the convergence of all of those tactics and strategies.

LAURA FLANDERS - And as you've pointed out, Renee, in your book, there was also this campaign against sex education and this kind of trope of the vulnerable child, usually a white child, mixed into all of this. To what extent do you think we've grasped it now that this is a continuum, one big package, or are we still siloing sex ed from reproductive rights, from trans rights, from health, family, you name it?

RENEE BRACEY SHERMAN - I mean, I think we're finally getting there, that we're organizing together, right? And this is what our communities have always experienced, because, as Audre Lorde says, you know, we don't live single issue lives. But the way that nonprofits or organizers are often funded is to work on single issues. And so we've done a lot of effort to join our movements together. Just last month, we had the [Gender Liberation March](#) in DC. I was at it, and it was this beautiful march for trans justice and liberation, abortion justice, racial justice, all of these things together, understanding that they're all connected. And we had a tent for banned books, because as they're banning sex ed, as they're banning trans youth healthcare, trans healthcare at all, and abortion, they're also banning books. They're banning access to information. They're limiting access to higher education. It's the same people. We do not have different opposition. It's the exact same people. They're just fighting about a different thing on a different day. And so when we come together, we'll be able to stand against them.

LAURA FLANDERS - And Nebraska is a very interesting case in point in terms of being at a hinge moment. You want to talk about what's happening there right now, Heidi?

HEIDI L. SIECK - Well, as we indicated, I started in Nebraska. I came up through Nebraska. And it's a very unique state. It's very libertarian. And right now, they've got two competing ballot initiatives. And they've got a very interesting senate race that's an independent running for Senate and really having these conversations about body autonomy and freedom. But I will say, like, we have to remember that this is an infrastructure investment issue. It is a political tactic for power. And so, for decades, the money on the anti-choice side has been going to investments in these local infrastructure. And I will say, like, we don't operate like that on the progressive and political democratic side. Most of our investments are going into the federal infrastructure. And

that is a problem. And it's been happening for many decades. So we see that in Nebraska, where it's suddenly been overtaken, we used to have Democratic senators. We had a democratic governor. You know, my family were Democrats, like, operating throughout the Nebraska Democratic Party and the political scene. And suddenly it's totally overtaken by very conservative statewide electeds. This is an investment in infrastructure.

NADINE SMITH - Well, I think Heidi's right. You have to have proximity to the issue. You have to organize at the state level. And it's not sufficient simply to focus on presidential elections. When you look at who's making the biggest decisions about our lives that affect us on a daily basis, it's happening in state legislatures. It's happening in city councils and county commissions.

LAURA FLANDERS - But I do want to clear up a few things that may be confusing people in terms of where the parties stand. Very quickly, on Vance and Trump, you alluded, Nadine, to the fact that they're not necessarily, especially the vice president candidate, is not necessarily saying out loud in public what he used to say. And he and Donald Trump seemed to be fudging a little bit around the question of a federal ban, as if to suggest, well, if there are exceptions, it's somehow not a ban. Who wants to jump in on the truth versus lies on this kind of exceptions isn't a ban story. Renee?

RENEE BRACEY SHERMAN - The thing is exceptions don't work. We know this, right? For abortion, rape, incest, health indications, they don't work. I have worked with a number of abortion storytellers who experienced a sexual assault and should have been able to get an abortion and were not. We saw the stories in [ProPublica](#) of Amber Thurman and Candi Miller, who died in 2022 in Georgia. They should have been able to get abortions, but they were so scared of the criminalization. In Amber's case, her providers were so scared to give her the procedure that she needed, to give her a D&C, and they waited, and she died, because they were afraid of the criminalization. The way in which people aren't able to get the care that they need, these exceptions are not workable. They are put forward as a common sense solution, but in reality, healthcare doesn't work like that. It takes minutes or seconds to be able to save someone's life. And if you have to check to see what the law allows, that is when people are dying. But also, if you truly believe that someone who is on the record as constantly lying as former president is saying, "Oh, I'm not going to do a national ban," but the people who are funding him want a national ban, who do you think he's going to listen to?

HEIDI L. SIECK - I'll sound like a broken record, but you've got to look at everything through the lens of power, and politics, and strategy, and tactics. The message is shifting because they're seeing their polling numbers, that women are just not having this. They don't like it. They're having personal experiences. Like, privileged women in red states who would normally be writing checks to Donald Trump's campaign are having impact and not getting the access that

they are used to. So again, remember, like, to get elected, they have to mobilize this anti-choice minority. And now, the anti-choice minority is falling apart. They're going for the anti-trans minority. But now, they also have to do something with women, so they're shifting their messaging strategy. Melania Trump suddenly coming out with a biography that says she supports abortion. Like, this is all a tactic. And they will say whatever it takes to win their elections based on whatever they're seeing in the polls.

LAURA FLANDERS - [The Lincoln Project](#), among others, have been producing chilling ads about what the future could be like if Project 2025 was put into effect. It gives you a sense of what life could be like under Project 2025, but we don't have to look into the future to look at these authoritarian tactics in action. I come to you, Nadine, for what life is already like in Florida. I understand that there are police being called out on activists on this issue?

NADINE SMITH - I mean, the governor in Florida has been so extreme. He has sent investigators to people's homes for signing the petition that got the constitutional amendment on the ballot that would restore access to abortion in Florida. The willingness to use state funds to run political campaign ads against abortion, against adult use of marijuana, all of these things are so far beyond the pale. But because Florida has been a Republican majority, and now a Republican supermajority, for nearly 30 years, there's no checks and balances. I mean, Florida's a cautionary tale for what can happen in this country without those checks and balances. And he's gone further. He's threatening television stations that run ads that are in support of the abortion ballot measure. So this is somebody who's removed duly elected public officials without the authority to do so, lost in court, but the outcome is he didn't have the right to remove you, but I don't have the power to reinstate you. And the mechanism to reinstate you is controlled by him. But we can look at actions and we can say to ourselves, who placed the Supreme Court justices on the bench that ended *Roe v. Wade*? Without a doubt, that was Donald Trump. So whatever, you know, last minute smoke and mirrors they try to throw our way because they see women across the political spectrum abandoning them around this issue, don't fall for it. Don't go by what they say. Look at what they do. Look at what they've done. And their goal is to enforce an abortion ban nationwide, period.

LAURA FLANDERS - Now, you have won some victories, and I want to make sure we let our audience know about those. And one of those was in the fight against another one of DeSantis's signature initiatives, which was the "Don't Say Gay or Trans" bill. Talk about what was done in response to that, what you organized, and what you won, and how.

NADINE SMITH - When it comes to the Don't Say Gay, Don't Say Trans bill, one of the most important things was we did not allow them to attach a name to it that was intended only as a scare tactic and a lie. We made people look at what it actually did. And we took them to court. And in the settlement, not only did we get almost everything that we asked for, we got more

because they count on shadows. They count on intimidation. They count on vagueness to cause people to curtail freedoms on their behalf while they can have some plausible deniability. And the more we force them to say out loud what they are up to, the more people are willing to repudiate their entire agenda.

HEIDI L. SIECK - The good news is that now that Roe has been overturned, everyone really understands what's at stake. And so we're seeing these ballot initiatives across the country winning by large numbers. And they have been, and they will continue to do so. I'm sure of it. However, it doesn't erase the trauma and the terrible stories, like the ones we know that we talked about here. But there are so many that we don't. And that is what is so heartbreaking to me, because we will eventually probably get there, like, folks understand they all need to be showing up, the ballot initiatives, et cetera. We've got this presidential, that obviously abortion is number one in everyone's mind. I just know that it's going to take us a little while to get the infrastructure in place. And it's going to have to happen at the state level. It's going to have to happen at the local level. We're going to have to be working in every area possible by making sure policies are in place as fast as possible and investments are being made to provide care in the red states as much as possible.

LAURA FLANDERS - We talked about the top of the ticket on the Republican side. Coming to the top of the ticket on the democratic side, Renee, you've got Harris-Walz talking about restoring Roe. Every time we've done a show, especially around Black women's health, Black women's reproductive justice, people have said we need to do better than Roe. We have our sights on much more than going back 50 years. Would you agree?

RENEE BRACEY SHERMAN - Absolutely. I mean, I think Roe, it was a law that allowed some people to have abortions, but it created a pathway in which if you did not follow a very specific type of abortion in a certain place, then you were subject to criminalization. And also, a lot of the restrictions that we've seen over the last decade were allowed under Roe v. Wade and Planned Parenthood v. Casey. What we need is reproductive justice. We need the government out of people's decision making. We need abortion to be decriminalized. And, you know, as we say in our book, we need abortion to be liberated.

LAURA FLANDERS - Liberate abortion. We're going to come to our closing comment. And, Nadine, I just want to thank you. I know you are facing a hurricane evacuation order as we speak, so we want to get you to safety. But we have a closing comment, a closing question I ask everybody, and I want to ask you. What do you think will be the story that the future tells of this moment?

NADINE SMITH - What the Harris-Walz team has tapped into when they talk about joy is I think America is having a hate hangover right now. I think there's a deep desire for some kind of

reconciliation, some kind of family reunion where we can sort of build on something other than division.

LAURA FLANDERS - Will we recover from the hate hangover? What do you think, Heidi?

HEIDI L. SIECK - Yes, I do think we will. So I am going to say the way that we're going to get through this is investment in local and state leadership, investment in local and state policy, investment in our communities, connection to our civic participation in where we live. So I'm hopeful that this federal campaign, the Harris-Walz campaign, will ignite us all into our communities again. But we can't let that stop. We have everything that we need. People want body autonomy. They want reproductive freedom. We have to give folks the opportunity to put those policies in place. The possibility is there.

LAURA FLANDERS - What do you think, Renee? And thank you for your T-shirt.

RENEE BRACEY SHERMAN - I mean, yes, I think that all of us who've had abortions should share our stories. And I look forward to seeing a full plan that includes making sure people not only have access to abortion, but the ability to have children and live free from state-sanctioned violence, because we cannot have reproductive justice so long as we have criminalization of abortion and policing in Black and Brown communities in this country.

LAURA FLANDERS - Renee, Heidi, Nadine, thank you so much all of you for joining us. I really appreciate your work. And I look forward to seeing you and talking with you on the other side of all of this. May there be one.

We often focus, when we're talking about abortion and reproductive rights, on women, and pregnant people, and pregnancies, and births, and families, and choice. But there's another side of the equation, and that's the question of control. And it's here that I think Harris-Walz are correct to be focusing on the broader agenda of controllers today. In the 1930s, the Germans toured an exhibition called Pregnancy Must Not Be Terminated. That was for Aryan women, of course. For others, abortion was almost a mandate. In this context today, Harsha Walia, a recent guest, suggest that we are seeing an agenda to border and control playing out in almost every aspect of our lives. Why? Well, Richard Wolff, host of "[Economic Update](#)" podcast, suggest that possibly it's about men preserving their place in the workforce, anticipating a decline in jobs with greater automation and AI. Is it that? We don't know. But we can say that a choice is in front of us, between a society that cares more and encourages coexistence and one that controls more and borders the choices in our lives. Which choice will the nation make? Well, we'll find out soon enough. In the meantime, stay kind, stay curious, and thanks for joining us. For "Laura Flanders & Friends," I'm Laura. And don't forget, you can get the full, uncut conversation through subscribing to our podcast. All the information's at our website.

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