

Roe Is Already Gone

January 28, 2022



Abortion rights activists on the radical left may feel like the Trojan Priestess Cassandra right now: cursed with prophecies that no one believes. For decades, we've been organizing speak-outs and clinic defenses. We've been trying to "lay the groundwork" for a movement independent from the Democrats, knowing (and arguing) that the Dems cannot and will not save abortion rights. We've argued against the mainstream pro-choice strategy: Vote for the right people and trust the experts.

Even as we stare down the barrel of a Mississippi law that could effectively criminalize abortion in 26 states (see coverage of *Dobbs v. Jackson Women's Health Organization* at [scotusblog.com](https://www.scotusblog.com)), pro-choice liberals continue to insist that *we really just need to elect the right people to be our champions*. Democrats, they mean. But Nancy Pelosi already said that abortion is a "fading issue" in the Democratic Party. Bill Clinton said abortion should be "rare." Hillary Clinton called abortion "tragic." Obama invited voters to reach across the aisle to reduce the number of abortions. There are Democrats for Life at congressional and state levels—in fact, there are more than 100 anti-choice Democrats at the state level. The Democrats are not our champions.

Fearing the "Fall of *Roe*" is the siren song that lures activists onto the rocky coast of the Democratic Party, steering energy away from protest and speak-outs and into lobbying and electoral campaigns. But pouring money, time, and hope into support of Democratic politicians has done nothing to stop the Fall of *Roe*.

In fact, the impending Fall of *Roe* is, at this point, more theoretical than actual for millions of people. For people on Medicaid who can't borrow the money, *Roe* is already gone. For people who live too far from a clinic in a state without public transit, *Roe* is gone. For people who will lose their jobs for taking too much time off to meet onerous compulsory counseling requirements, there is no *Roe*. For minors who fail to convince a judge that they are mature enough to get an abortion, the Supreme Court cannot change their fate. For the past few decades, targeted restrictions on abortion providers have shut down hundreds of clinics. Abortion has been inaccessible and unaffordable for millions of people, rendering *Roe* practically moot.

Yes, we need to rally and push to save the constitutional legalization of abortion. The Supreme Court might be inspired to stay in step with public opinion. The constitutional protection is worth fighting for. However, the Supreme Court does not have to listen. This is why many people, reasonably, look to those who *are* elected. But electing the "right people" has not been enough, and it will never be

enough. This liberal refrain has proven ineffective—as I said above, we’ve all but already lost *Roe*.

We have to change course, and there’s no better time than right now. We have to get abortion out of single-issue politics. Instead, we must embrace the framework of reproductive justice that women of color created and strengthened over decades. Abortion is a critical component of a reproductive justice strategy, but it is only a single component. Reproductive justice is defined by SisterSong Women of Color Reproductive Justice Collective as “the human right to maintain personal bodily autonomy, have children, not have children, and parent the children we have in safe and sustainable communities.”

Reproductive justice embraces abortion, adoption, socialized child care, sex worker protections, free contraception, and comprehensive sex education. A “safe and sustainable community” has healthy food, clean water, police-free schools, and free and accessible health care for all kinds of people, including every gender-affirming procedure and treatment. A safe community never deports undocumented people. A sustainable community has no jails. We must set our sights on this future. In doing so, we reject the notion that any of these issues detract from the fight for abortion rights. Abortion rights are weakened by political siloing, just as clinics are more vulnerable siloed away from hospitals and medical centers.

Great, so we’ve determined that we need to fight for ... everything. Where do we start?

Most importantly, reproductive justice is an explicitly anti-racist and anti-oppressive framework. Reproductive justice activists center and uplift the voices, experiences, and leadership of people of color.

Given the impending criminalization of abortion, our strategy is two-pronged: legislation and mutual aid.

We need unapologetically pro-abortion legislative campaigns in every state with restrictions and especially in states with pre-*Roe* bans. Hear me out. I still don’t trust the Democrats. If (when) *Roe* falls, the question will be left to the states. But the question has already been left to the states through targeted regulation of abortion providers and Medicaid exclusions. This is not about elections, lobbying, begging, or waiting. We need state-by-state grassroots campaigns to strike bans on abortions. Here in Wisconsin, we have an 1849 law making abortion a felony. We’re organizing a campaign called Strike the Ban. Our campaign focuses on movement-building, direct action, community participation, and clear pro-abortion messaging. Our most popular sticker (which we give to anyone who wants to put them up around town) says, “ABORTION FOREVER. Strike the Ban!”

We need to help each other now—organizing rides for people to clinics, providing child care (low-cost or crowd-funded) to patients during their appointments, raising money to pay for abortions—especially for people in the states that will ban abortion. Where abortion will remain legal, we need to push for increased access to telemedicine. We must also learn to manage our own abortions. Terminating pregnancies is as old as pregnancy itself, and abortion is safer than ever. We must help each other in the months and years ahead.

The symbol of illegal abortion is no longer a coat hanger, but handcuffs. So, while abortion itself is safer than ever, people who are disproportionately targeted and swept up into the mass incarceration complex (for instance, Black and Brown people, transgender people, undocumented people) are at greater risk of punishment from seeking and securing abortion. On this point we must be clear: The laws are the danger, not abortion itself.

Abortion is normal. Abortion is safe. Abortion forever!