

NARAL Episode 2: "The Tightrope"

ACT 1:
TODD AKIN

A1 (A) - Title

Ilyse: I started to have a theory as an organizer that we were leaving energy on the table around issues of reproductive freedom and justice because of sort of cultural stigma that extended to Democrats. And we weren't centralizing these issues as a progressive movement.

Democrats were on the defensive. They had lost big in the 2010 midterms.

ARCHIVE CLIP - Tea Party Summary

A surge of Tea Party victories helped the Republicans win the house, and the fight to keep no-cost contraception in the Affordable Care Act had cost the Obama administration a lot. Now they were less keen to center policy conversations around reproductive freedom. Going into the 2012 election, Democrats knew they needed to hold onto the Senate... and it didn't look good.

ALT: It was the summer of 2012, the end of Obama's first term... and Democrats were nervous.

[11.20_IlyseArgot.wav](#)

Ilyse Argot: There was a Senate race and Missouri and Claire McCaskill who had been elected to be the Senator of Missouri in 2006 was running against Todd Akin

The polling looked bad for incumbent Democrat, Claire McCaskill.

Her opponent, Todd Akin was a well-liked businessman who also happened to be an anti-abortion crusader. He called abortion providers "terrorists," and was arrested eight times in a three-year period in the mid-eighties for trespassing at clinics.

In spite of this (or maybe because of it) momentum was moving in Akin's favor.

[11.20_IlyseArgot.wav](#)

ILYSE: He was leading in the polls and people were scared

Then...something happened. Akin appeared on a local news show where he was asked about his stance on abortion.

*****ARCHIVE***** Akin_JacoReport_OGcomments

Reporter: What about in the case of rape? Why should it be legal or not?

Todd Akin: Well, you know, people always want to try and make that as one of those things. Well, how do you how do you slice this particularly tough sort of ethical question? It seems to me first of all, from what I understand from doctors, that's really rare if it's a legitimate rape. The female body has ways to try to shut that whole thing down.

Public condemnation was swift, loud, and bipartisan.

[11.20_IlyseArgot.wav](#)

ILYSE: There was a massive amount of backlash.

*****ARCHIVE***** Akin_ABCNews_GOPBacklash.mp3

REPORTER: Those words were almost universally condemned even giving Mitt Romney and Barack Obama something to agree on.

OBAMA: The views expressed were offensive. rape is rape.

ROMNEY: His comments about about rape were deeply offensive. And I can't defend what he said I can't defend him.

The interview went viral.

*****ARCHIVE***** Akin_Colbert_Summary_SteveKing.mp3

STEPHEN COLBERT: You know, actually, Jimmy, I don't want to take credit for the congressman's courageous stance. Let's put Aikens face overmind for this. All he's saying is the female Body shuts that whole thing down to prevent a pregnancy during a legitimate rate. Therefore, any woman who gets pregnant wasn't really raped.

11.20_IlyseArgot.wav

Ilyse: Now, aside from this being, scientifically, just preposterous, it showed an underlying disdain for women in inferring that they would cry rape in order to get an abortion. It was kind of the anti choice statement heard around the world.

The backlash worked in McCaskill's favor. Todd Akin lost that Missouri race by 15 points - a total reversal from what the polls projected. Democrats kept control of the Senate, and at the time it looked like anti-choicers were starting to pay a price for their extreme views. And maybe in the short term that was true.. but what about the long game?

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Ilyse Argot: While they didn't like it, they were willing to sacrifice an election here or a candidate there to actually mainstream what otherwise would seem like preposterous ideas as an organizer, it was impossible not to take notice of that. And start to also understand how radical the ideology of the other side was and how we were letting them off the hook by not organizing to force them to say their truth.

[Back in 2012] GOP leaders wanted us to believe that Akin was an outlier, a bad apple... and the Left largely let them get away with it. But when Todd Akin talked about legitimate rape, he just made the mistake of saying the quiet part out loud.

[11.20_IlyseArgot.wav](#)

ILYSE: I wrote a piece for the nation at the time called the dangers of laughing at Todd Akin, because what I knew, even before I was at NARAL, was that treating him as an outlier was antithetical to the way that the anti-choice movement worked.

They lost the election, but four years later, elected a serial sexual predator to the White House. And I think that there's so many lessons for us in that because we stopped at today again, We didn't dig deeper. We didn't look at the underlying ideology of the republican party at that time, and fully leverage it to our advantage. [Partly because we have internalized stigma and we weren't centering these issues as a movement.]

I started to have a theory as an organizer that we were leaving energy on the table around issues of reproductive freedom and justice because of sort of cultural stigma that extended to Democrats. And we weren't centralizing these issues as a progressive movement.

Welcome to The Lie That Binds, a 6-part series exploring the insidious history of how the anti-choice movement was built from scratch. I'm your host Jess McIntosh.

This week, we're looking at how the Radical Right has used junk science and disinformation to manipulate an entire generation of voters. But they haven't just influenced the GOP base: their propaganda has shaped the conversation for everyone - conservatives and progressives.

We talk so much about disinformation right now, and the early adopters of disinformation tactics were the anti-choice movement, only then we just called them lies. When you don't have popular opinion on your side, and you don't have facts, you resort to these tactics to maintain control. You lie until people remain silent because they don't know how to argue with lies. And the lies are most powerful when they tap into deeply held suspicions or beliefs. The anti-choice movement knew just how to do this when it came to women and sex and shame

These days, normalizing extreme ideas and spreading lies feels like a Trump-era phenomenon, but Donald Trump didn't invent these tactics and neither did Todd Akin. It turns out,

And these strategies were written into the anti-choice playbook from day 1.

[11.20_IlyseArgot.wav](#)

ILYSE: I think the assumption at the time was like they're just like these independent, crazy people who were never educated. But the opposite is true. They were quite, carefully educated around this set of alternative facts junk science that the movement created, and it's quite coherent with what tons of right wing people have been taught about these issues over the years.

ACT 2 - John & Barbara Willke

For abortion to become a mobilizing issue, Conservative activists had to make their message palatable to the media and the public. They needed a set of stories and

supporting evidence that would help them claim the moral high ground and prove abortion was actually as bad as they claimed.

Enter John C. Willke...

ARCHIVE MONTAGE - MONTAGE

*****ARCHIVE***** **Akin_Willke_DN_20120821.wav**

"A guy named John Wilkie, who's the founder of the national right to life committee wrote an article My guess is it's the article where Todd Akin got his ideas about female reproductive biology"

*****ARCHIVE***** **Akin_Willke_DN_20120821.wav**

"And it will be arguing that rape statistics are uncertain because somebody Men are quote pregnant from consensual intercourse of later claimed rape. Also writing quote, to get in state pregnant a woman's body must produce a very sophisticated mix of hormones hormone production is controlled by a part of the brain that's easily influenced by emotions. There's no greater emotional trauma then can be experienced by a woman then assault rape on quote, that's John C. Wilkie often referred to as the father of the pro life movement."

*****ARCHIVE***** **Willke_TributeBlueprint_heartbeat.wav**

"It's safe to say that the pro life movement would not be where it is today without Dr. Wilkie"

"From Dr. and Mrs. Willkes peace legacy. We were given the blueprint for the pro life movement that will endure until our battle is truly one"

"There wouldn't be organizations in place without his early work."

*****ARCHIVE***** **Willke_FetalDevelopment_Population.wav**

"WILLKE: what we did help to fuel live to become ultimately successful. Call us pioneers. That's probably what they'll do."

Dr. John C. Willke is widely referred to as the "father of antiabortion movement," but a more accurate title would be godfather of disinformation. Despite his training as a physician, throughout his career, Willke increasingly embraced the role of propagandist.

[11.13.19_Ellie_Pt2.wav](#)

Ellie: John Willke was anti-choice activist who really wrote the book.

That's Ellie Langford, Director of Research at NARAL Pro Choice America. She isn't speaking metaphorically. Willke and his wife Barbara literally wrote the book on anti-choice ideology. Before Roe v Wade, John and Barbara Willke were early leaders of the isolated religious movement that fought against abortion access.

Their daughters encouraged them to share their beliefs with a wider audience.

*****ARCHIVE***** Willke - WIAB Documentary2 - Kids Convince Them To Write Book.wav

WILLKE: They said, Why don't you and mom just put down your ideas about abortion? You don't have to write a story just put down questions and answers and just call it handbook on abortion.

It's a little unnerving to hear John Willke speak about this so fondly, because it almost sounds sweet. But that's how they get you: part of why the Willkes were so successful in spreading lies is that on the surface they seem like a couple of grandparents who just love babies. But the Handbook on Abortion is filled with dangerous misinformation. And it had an enormous impact. First published in 1971, it sold millions of copies and has since been translated into many languages and disseminated all over the world.

[Ellie_011720.wav](#)

Ellie: pretty early on, Wilkie was trying to figure out a way to translate anti choice ideology from a niche Catholic issue into something that he could build a broader organizing effort around.

His opportunity came in the wake of the supreme court's 1973 Roe decision. After that, Willke became a go-to source for anti-choice talking points.

*****ARCHIVE***** Willke - WIAB Documentary3 -

Handbook Abortion.wav

WILLKE: Roe vs. Wade. Well, that was nine o'clock in the morning. By the time I went to bed at midnight, I was on 14 radio and TV shows.

He now had a much larger and more public stage to amplify his ideas.

[11.13.19 Ellie Pt2.wav](#)

Ellie: He was the one who figured out how to message this whole thing. To misdirect the conversation to just evade the real, frankly difficult conversations about what it looks like to demand somebody go through a forced pregnancy. He used to say, words are important. The words will shape the value system.

Willke used to say things like "words are important, words are powerful." He believed the words chosen by activists on either side of the debate could shape the values of those who listened. He provided specific guidelines - instructing Conservatives to never describe physicians as "doing" abortions, but rather "committing" abortions, in order to place a cloud of stigma over the procedure. Willke also offered a list of words to avoid. Chief among them? Rape.

[11.13.19 Ellie Pt2.wav](#)

Ellie: And some of the things that he wrote about rape are appalling. He recommended that people on his side don't use the word rape, but instead qualify it as assault, rape or forcible rape. And he actually wrote that and this is a direct quote, using the word rape alone include statutory rape intercourse consensual or otherwise with a minor to use assault, rape or forcible rape separates it from the more vague and specious terms like marital rape or date rape.

Another key part of Willke's strategy? Erase the woman from the conversation entirely.

[11.13.19 Ellie Pt2.wav](#)

Ellie: *He also recommended that you should never use the words pregnant woman only call a pregnant person a mother. He also recommended that you never say uterus, that you only talk about the womb. He said that that was a warmer, more maternal term and less medical. He certainly didn't want abortion to be considered a medical conversation.*

While people in support of abortion access relied on legal structures and scientific facts to make their case, John and Barbara Willke knew how to press people's buttons

[Ellie_011720.wav](#)

Ellie: *He and his wife were actually really invested in putting together focus groups to try and test different ways they could get people to think their way on abortion, but one of the Our biggest insights was how important visuals were, they found that they had a lot of trouble getting people to really picture a fetus as what they wanted born baby, who should be treated legally as a person.*

*******ARCHIVE***** Willke - WIAB Documentary2 - Kids Convince Them To Write Book - Props**

BARBARA WILLKE: *We're telling people that this is a baby, and they don't know what we're saying. But if we could just hold a picture up. And so that's what we started to do is started collecting pictures. And we'd find out we describe this beautiful baby, then we'd hold up a picture to go, "Oh, it is a baby." And we just been saying it. So we realized we needed props. And that's how we got into slides and pamphlets and all kinds of things that would help people understand what we're talking about.*

The Willkes embody the Radical Right's messaging strategy that values style over substance. Again, to hear Barbara Willke discuss these focus groups - they sound so well intentioned, but that's all part of the carefully crafted campaign that seeks to focus the attention on props and away from the reality of pregnancy.

Ellie_011720.wav

Ellie: And of course, that insight is something we see that on street corners all the time

In the early days immediately after Roe, John Willke saw the opportunity to get ahead of the medical conversation and start spreading lies about fetal development.

*****ARCHIVE*****

Willke_FetalDevelopment_Population.wav

Willke - When we started. Almost no one knew the facts of fetal development. Everybody knew how the baby got started. Everybody knew how the baby came out. But hey, we're nine dark months in here. Medicine, of course, through light on that, and how truly human that baby is very early on. And in the first two decades of the pro life movement. Basically, we were educating our nations to fetal development

11.20_IlyseArgot.wav

Ilyse: That quite intentionally moved the country who was feeling deep sympathy for women. Men who had suffered pre Roe to very intentionally erasing women from the picture entirely, and constructing this idea of what a fetus looks like to move this empathy there. It was a real undertaking to be able to do this.

The Willkes' descriptions of fetal development have been proven misleading or flat-out untrue time and time again. But that hasn't stopped the spread of anti-choice misinformation [from infecting the public conversation].

The Willke's success taught the Right a vital lesson: it doesn't matter if what you're saying is true; it just has to *feel* true for people to convert to your way of thinking. Once the Radical Right embraced

propaganda, it was time to take that lesson into the political sphere.

ACT 3: Hyde Amendment / Akin

11.20_IlyseArgot.wav

Ilyse: They started to move policy that was politically feasible at the time, which was always going to be policy that affected women without class privilege or race privilege. And so that's how you got the Hyde Amendment.

The Hyde Amendment. The landmark legislation that arguably jumpstarted the policy conversation around abortion as we know it. And like so many pieces of this story, this brings us back to one of our main characters from Episode 1: Paul Weyrich. As the Willkes were building their grassroots misinformation campaign, the primary architect of the Radical Right was grooming GOP candidates.

Ellie_011720.wav

Ellie: Weyrich founded Heritage in 1973. The very next year, he said that he was worried that conservatives were losing all over the ballots in the house. And he put together a pack designed to help conservatives when he said they didn't have a ton of success. But one of the key people they invested in and helped put over the top was Henry Hyde.

In 1976, with Willke's doctrine in his ear, and Weyrich's support in his pocket - Henry Hyde launched what was essentially a one-man Congressional crusade to roll back the freedoms afforded by Roe. He proposed an amendment to the constitution that would prevent all low-income Medicaid participants from using that insurance to pay for abortion.

11.20_IlyseArgot.wav

Ilyse: Henry Hyde explicitly said if he could outlaw abortion for every woman in the country, he would, but he knew he couldn't. So he was just going to take what, like, nobody really argued with him, was the low hanging fruit: which was women without structural power in society. You look back and it's so deeply cynical and egregious that you can't believe people didn't rise up. But, you know, it was all men in power that point.

*******ARCHIVE MONTAGE***** WomensNews_Hyde**

"The Constitutional amendment means that if you're poor, you're right to an abortion is meaningless."

*******ARCHIVE MONTAGE***** Hyde Amendment - CSPAN - Debate on Congress floor WITH HYDE.wav**

"The Hyde Amendment is nothing but a discriminatory policy against for women. And quite frankly, I've just about had it with my colleagues vote against people of color, vote against the war and vote against women."

*******ARCHIVE MONTAGE***** Hyde Amendment - CSPAN - Debate on Congress floor WITH HYDE.wav**

"I think you saw a lot of racial tensions in the Congress flare up in this debate."

*******ARCHIVE MONTAGE*****NTPFAA_2011Hearings.wav**

MIKE PENCE: Henry said, quote, I believe nothing in this world of wonders is more beautiful than the innocence of a child and that little, almost born infant struggling to live as a member of the human family. And abortion is a lethal assault against the very idea of human rights and destroys along with the defenseless baby. The moral foundation of our democracy, close quote.

*******ARCHIVE MONTAGE***** WomensNews_Hyde**

"Henry Hyde himself is one of the prime people who votes down legislation for maternal health programs."

*******ARCHIVE MONTAGE***** HydeFunding_NPR**

"Well, the basic intent of henry hyde was to simply prohibit the use of federal funds to pay for abortions. But when you actually get into the implementation of the policy, you find that there are a lot of other questions that people raised."

[11.20_IlyseArgot.wav](#)

Ilyse: There was a very long and robust conversation in the course of discussing the Hyde Amendment in 1976, about whether or not you needed to rape exception to it.

For as long as men in power have led the conversation about abortion access, that conversation has included parsing the definition of rape. During the initial Hyde debate, Conservative house members demanded that "forced rape" be inserted into the amendment to make sure statutory and marital rape was not covered under any exception. (It's important to remember, marital rape wasn't even considered a crime in all 50 states until 1993).

The first version of Hyde passed with no exceptions whatsoever, but the house and senate were soon forced to confront the question of rape again.

[Mulhauser Karen Side 12232019 MARKERS.WAV](#)

Karen: A few years later, after the Hyde Amendment passed there was an effort to reduce the funding even more and not having it available for women who were victims of rape or incest

Karen Mulhauser, who you met in episode 1, testified in both the House and Senate about her own assault. A quick content warning - the next section includes some details from that testimony.

[Mulhauser Karen Side 12232019 MARKERS.WAV](#)

Karen - I actually gave testimony on both the House and the Senate side as a survivor of rape by two men at gunpoint. It was not easy but I testified before committees some of the republicans in the committee room were so they didn't they so did not know how to react that one of them literally turned his chair from the table and face the wall rather than listen to a real human life story. And another

I called him out in the in the house hearing because in a committee hearing, he had said the question is not whether or not she was raped, but how much she enjoyed it. And of course, he denied saying that but he said it. This was 79 and, and there was not Twitter. There was not internet. So it was me in a room of men. For me, it was an opportunity to, to high, you know, turn something so negative into something that might be positive for other women. And so that's kind of how I, I thought of it.

As Willke correctly suggested, rape is a powerful word that forces people to empathize with women. Karens' testimony, along with other firsthand accounts, had an impact beyond making the mostly male politicians uncomfortable. In 1978, the Hyde Amendment was updated to include new exceptions for rape and incest victims, along with instances when the woman's health would be severely harmed. However, in 1980 the Supreme Court upheld the constitutionality of the original Hyde language, containing only an exception for life endangerment. In other words - if a woman could survive carrying a pregnancy to term - she should be forced to.

Alt: Essentially - if a woman could literally survive a pregnancy, she should be forced to do so.

*******ARCHIVE***** Hyde_WomensNews**

"Demonstrations protesting the recent US Supreme Court decision upholding the high demands took place last week across the country. The Supreme Court decision has been interpreted not only as an attack on poor women, but also as an attempt to take away the rights of all women to control their own lives."

Since the Hyde Amendment requires yearly approval, the law has become a canary in the coal mine, alerting us to the strength of the Radical Right's grip on the country at any given time. After that 1980 Supreme

Court Ruling, Congress enacted the law, with only that life endangerment exception from 1981 through 1993.

****While there have always been controversial aspects of Hyde, Conservative Politicians found common ground and ultimately bi-partisan approval by focusing the conversation away from women and, instead, on funding - specifically taxpayer funding.**

Since the Hyde Amendment requires yearly approval, the law has become a canary in the coal mine, alerting us to the strength of the Radical Right's grip on the country at any given time. After that 1980 Supreme Court Ruling, the Hyde Amendment remained in place, unchanged (with only that life endangerment exception) for over a decade through the Reagan and George H. W. Bush administrations.

But Hyde can't be placed at the foot of the GOP alone. Republicans spear-headed the effort, but they ultimately found bi-partisan approval by erasing the impact it would have on women, and instead focusing the conversation on funding - specifically, tax payer funding.

*******ARCHIVE***** Hyde Amendment - CSPAN - Debate on Congress floor WITH HYDE.wav**

"That's the most contentious aspect of the abortion debate. I think and that is federal funding of abortion for for women."

"Federal funding for abortion has always been unpopular among voters, even people who are pro choice are uneasy with the government. Finally abortions and they kind of a lot of people kind of want to take a hands off approach saying on the one hand abortion should remain legal. On the other hand, the government shouldn't

subsidize it. Obviously, that raises issues, equity issues, and people debated just a moment ago."

LAURA: A major talking point that they've been using is, is "Don't make me pay for it." If you're going to get an abortion, I oppose that. Don't make me pay for it.

That's Laura Bassett, she's an award winning journalist and one of the first reporters devoted entirely to covering the state of reproductive rights in America.

LAURA: I mean, at least when I first started covering this, Democrats always defended themselves by saying, well, the Hyde Amendment exists. And for 30 years, it's been illegal for taxpayer dollars to pay for abortions, and that's been sort of a defense thing that they would use. It's been their little security blanket against No, your taxpayer dollars aren't paying for abortion. And I think they've been unwilling to sort of give that up because then they have to say, No, you know what abortion is okay. It's part of healthcare and your tax dollars should pay for it. And the same way they pay for all kinds of family planning grants, and all of them and all these government programs. Help people that need it. Because it shouldn't just be a thing that rich women can access and poor women can. That's not really a right if half the country can't access it, and I think they've been unwilling to go there and poor women have been unable to it, they don't have the platform to stand up and say this is messed up.

[Ilyse_011720.wav](#)

ILYSE: It was an early lesson in the sort of idea that on our side, we could make concessions and find common ground. And on the other side, they were never interested in concessions come in and common ground. And if anything, you know, we saw that sort of loss and failure of our side to draw a bright moral line and hide, come back and haunt us 44 years later, and the Hyde Amendment still stands.

So, what are the takeaways from Hyde? Well, as Ilyse said - you can't bargain with people who have already been indoctrinated by the Radical Right. Compromising

on Hyde has only led to more and more incremental losses. It's also important to point out - Democrats actually held the House and the Senate during the initial Hyde debate. Having full control of Congress, along with public opinion on their side, was not a strong enough defense against the deafening anti-choice rhetoric and an argument about taxpayer money.

This conversation started in 1976, but it has continued every single year since. It's 2020, and this fight is not over.

INSERT ILYSE "44 years later clip"

Over the years, both sides of the abortion fight have tried to avoid the annual Hyde debate. Pro-choice progressives have fought to remove Hyde from the spending bill entirely while conservatives have fought to make it permanent. In 2010, the opposition proposed HR3 - a standalone bill that would do just that.

negate the need for annual approval by making Hyde permanent law.

*****ARCHIVE***** NTPFAA_2011Hearings.wav

"Madam Speaker, I yield one minute to the gentleman from Ohio Mr. Babiner, the Speaker of the United States House of Representatives.

"We thank my colleague for yielding and express my support for HR three the no taxpayer funding for abortion act, this common sense bipartisan legislation in calcifies, the Hyde Amendment and similar policies by permanently applying a ban on taxpayer funding of abortion across all federal programs."

Which brings us back to where we started this episode - Todd Akin. When Akin made his disastrous comments about legitimate rape, he was talking about **HR3**

11.20_IlyseArgot.wav

ILYSE: Technically that hide conversation and that aching conversation were largely the same right. This is a fundamental piece of ideology that the anti choice movement has held for a very long time.

HR3

Akin was one of 212 Republicans (and 16 Democrats) in Congress - including future Speaker of the House Paul Ryan -- who that year attempted to deprive rape survivors of abortion care by enshrining the phrase "forcible rape" into federal law [ALT: into HR3].

******ARCHIVE***** Akin_Willke_DN_20120821.wav**

"In 2011, Ryan and Akin co sponsored the no taxpayer funding for abortion act."

- **ARCHIVE***** Akin_PaulRyan_KDKA News.wav**

REPORTER: Ryan like Romney distanced himself from Akins remarks, but in Congress he joined Akin in opposing abortions. Even when a woman has been raped. You sponsored legislation that has the language forcible rape, what is forcible rape?

RYAN: Rape, rape is rape period End of story. So that forcible rape language meant nothing to you at the time, rape is rape, and there's no splitting hairs over rape.

While the forcible rape provision was removed in the wake of the Akin comments, nearly the entire Republican caucus was on record advancing the idea that women would cry rape in order to access abortions, spreading the junk science claim that women's bodies would shut down pregnancy in so-called legitimate circumstances. The GOP tried to separate themselves from Akin, but the 2011 HR3 hearings brought back all of Willke and Hyde's original talking points.

******ARCHIVE***** NTPFAA_2011Hearings.wav**

GOP Speaker: Madam Speaker, it is said that a government is what it spends. This bill is really about whether the role of America's government is to fund a practice that takes the lives of over 1 million unborn American babies every year.

MIKE PENCE: Today we say yes to life. But we also say yes to respecting the moral sensibilities of millions of Americans, who wherever they stand on this divisive social question, stand broadly for the principle that no taxpayer dollars should be used to subsidize abortion at home or abroad. HR three is that legislation I urge my colleagues to support it.

Akin's comments pulled focus away from the more troubling belief that he, Paul Ryan, and countless others in the Radical Right held: that survivors of rape should be forced to carry that pregnancy to term.

*******ARCHIVE*******

Akin_ChuckTodd_FollowUp.mp3

REPORTER: Should abortion be legal for somebody who has been raped?

AKIN: Well, that gets to the heart of the question on that interview two years ago. And so here's the question, should the child conceived in rape, have the same right to life as a child conceived in love? That's the question. I had a number of people on my campaign that were children that had grown up that had been conceived in rape, they were helping me on the campaign trail, REPORTER: Which by the way, also undermines your argument that somehow the woman's body shuts down.

It undermines his argument because there is no argument. Akin paid a big price for his claims about women's bodies and rape. But at the end of the day, none of the semantics actually changed his stance on abortion.

Over the course of the last 4 decades, Conservative politicians learned to walk a tightrope in order to signify their allegiance to extremists without frightening the majority of Americans. And as you can see, from the Hyde debate alone, that tightrope hasn't changed much over time.

Ilyse_011720.wav

ILYSE: Henry Hyde actually started to show the very basic fundamental foundation of the sort of radical right argument about abortion, which is that you can't actually grounded in science and data because it doesn't hold up. So you have to start to actually tell lies about it. So just information about it in order to take the steps that you want to take.

Hyde codified a winning strategy for passing policy: punish women without privilege, make it about something palatable (like federal funding), and string it all together with misleading and manipulative talking points about unborn babies.

With the right messaging, the right political infrastructure, and enough politicians who understood how to stay on message - they could be devastatingly successful.

*******ARCHIVE*****Tea Party 2010 - Dem Strategy Press Conference.wav**

"Republican Party leaders, Republican candidates, led by Tea Party organization and tea party candidates have taken positions that have increasingly moved the party far to the right and outside of the American mainstream positions that would take Americans backward not forward.

Act 4: Junk Science & The Art of Revulsion

It took decades for that strategy to fully form the political behemoth we know today as the Radical Right. Throughout all of it, Weyrich, Falwell, and their colleagues were mounting a massive infrastructure

effort to push their radical beliefs into law. They had many legislative victories along the way, but in 2010, they really saw their work pay off.

MONTAGE PLACEHOLDER

HR3 is just one example of a larger effort from conservatives to create a legislative stranglehold on abortion. New bills were testing the limits of Congress's legal capacity to regulate reproductive rights at the federal and state level.

Imani Gandy, now a senior legal analyst at ReWire News, was tracking the rise of anti-choice legislation.

Imani: It was about that time that Tea Party explosion of anti choice bills, just swamped legislatures across the country. It was partially a blowback to the election of Barack Obama, but it was also partially the culmination of decades of effort by anti choicers to get to the point where they were ready with institutes and organizations dedicated to writing model bills.

One of the largest and most prominent of these organizations is yet another Paul Weyrich brain child: ALEC

Ellie: ALEC was one of Weyrich's initiatives. ALEC stands for the American Legislative Exchange Council, they turn out draft bills that they package up and send to legislators across the country at the state and federal level, Alec is the kind of organization that straight up, puts out the language for bills that are tailored to exactly what their strategic goals are all legislators have to do is copy and paste.

Imani: So they spend all year working with junk scientists working with anti choice advocates law makers to come up with essentially mad lib bills that they can then send to

legislature so that legislators don't have to do their own work, they can just fill in the blanks and then introduce those bills and their state

Ellie: and Alec isn't alone, an anti choice organization called a ul Americans United for life, they're the kind of organization that has been around for a while, and that has really led the fight for incremental rollbacks of reproductive freedoms, as well as the organization responsible for that whole raft of anti choice bills that we saw last year, but also that we saw earlier in 2010.

Imani: The bills were being introduced just hand over fist by legislators who didn't even really know what they meant, who hadn't really even read them and so it became clear to me that a lot of the information that was in the bills was wrong with respect of what the bills meant from a scientific standpoint and it became clear to me that there was nothing in terms of reality when it came to these bills versus what actually happens with pregnant people and pregnancies and abortions.

Ellie: In the 70s moving forward. There was this whole cottage industry of anti choice, think tanks and pseudo scientific quote unquote researchers,

Ilyse: They recognize that they needed to build infrastructure around it, they built institutions they built the Charlotte luxur institution that actually turned out propaganda,

Ellie: the landscape of full research organizations in the anti choice movement has just exploded. Everything from Susan B Anthony lists research arm, the Charlotte Lozier Institute to we care, the American Association of pro life Obstetricians and Gynecologists, which has actually been disavowed by ACOG, even though its name is specifically designed a plug to sound like a cog there the Elliott Institute.

Imani: The Elliott Institute, which was started by a guy named Dr David Reardon PhD who actually has a PhD in engineering but doesn't really tell people that because it makes it sound

better if he just calls himself dr Reardon because people assume he's an MD, certainly organizations like the Charlotte Lozier Institute, have been very very effective at creating a veneer of respectability around their science their quote unquote peer reviewed scientific studies, which, in actuality, aren't really peer reviewed in the way that scientific studies are supposed to be if you're going to publish in a reputable journal, essentially what they do is they create these scientific studies, and then they peer review each other. So it's just a bunch of junk scientists, reviewing each other's junk science in order to make sure that they are following the scientific rubric, which requires that your work be criticized and you know torn apart and put back together to make sure that it's actually accurate,

Ellie: We see a number of groups, brought in time and time again to write amicus briefs, to provide documentation for anti choice bills that are moving at the state or federal level, to testify on hearings about anti choice bills. And it's the same couple of people and the same couple of organizations over and over again.

Imani: You know science is always about testing hypotheses and seeing whether hypotheses are true, right? and because science tends to be uncertain it tends to be about people trying to find solutions. If there is no 100% absolute answer to a particular question, then that leaves some room for doubt, and that's where the junk scientists intervene they sort of live in that space of doubt and create enough doubt so that a court is not going to be bothered with trying to figure out who's right and who's wrong, and with these people who are claiming that fetus can feel pain or that there's a fetal heartbeat at six weeks, this is not science, this is not actual medicine, this is just nonsense. So if a legislature says we are passing this bill this 20 week abortion ban because fetuses can feel pain at 20 weeks, and sure there might be some disagreement in the medical community about whether that's true. But when it comes to that sort of disagreement a court is just going to throw up its hands and say we're not in the business of deciding, who's right and who's wrong on the science. So the tie goes to the legislature, and if the legislature has incorporated junk science into their bills, then that means junk science becomes law.

This goes beyond messaging tactics. The anti-choice movement operates with a fundamental understanding of the loopholes in our democratic system. And these model bills are the policy manifestation of the lies John and Barbara Willke developed, decades earlier, in their focus groups.

Ilyse: When you don't have popular opinion on your side you are much more likely to understand that you have to manipulate people's emotions in a way that forces them to be silent about your agenda, or go along with it. I don't think our site is about that because we are enough about that because we think that we have science on our side or popular opinion on our side and we don't actually recognize the power of manipulating emotions and we don't want to be manipulative like let's be honest you know like it's just not in our playbook to be manipulative and so, you know, part of why we're actually doing this entire project is because we don't spend enough time understanding what they're doing to match our strategy to theirs. And I'll give you a very small example of that. The six week abortion ban, they call the heartbeat ban.

There have been several versions of these so-called fetal heartbeat bills. An early example was introduced in Ohio in 2011, and more recently one of the most restrictive versions was proposed in Georgia. This bill, HB 481 was the one proposed by Brian Kemp, Stacey Abrams' opponent in the 2018 Georgia Governor Race. Here's Stacey.

TAPE: StaceyAbrams_010920.wav

Stacey Abrams: HB481 - What it states is that you cannot have access to an abortion after six weeks with very limited exceptions, and that those who seek those services are subject to criminal penalties and the doctors who provide the medical treatment that may be necessary to protect a woman's body, they can also face criminal penalty. And what we have already learned is that for a number of students in medical school, who are matching for residency, they're

questioning whether they want to come to the state, Georgia also has the highest maternal mortality rate in the nation. And we know that for black women in particular maternal mortality rates are three to four times higher than those of white women. And so we live in a state of crisis, where we have a doctor shortage in nursing shortage high maternal mortality rates. We have no Medicaid expansion, which means that women who are working in the state of Georgia, who may find themselves pregnant, are precluded often from even getting access to the very medical services they need. On the outset, Georgia is a perfect storm of long and it sits at the feet of the abortion bill. The challenge is, they like to call it a fetal heartbeat bill. But that's not science. There is no fetal heartbeat at six weeks, even in the act of repeating those words, you are creating a false narrative that then carries through every other conversation that become part of how we hear and think and that's how we debate the issue.

The very phrase "fetal heartbeat" is misleading, because a fetus doesn't have a heart at 6 weeks gestation.

Yet this fake concept was one of the cornerstones of Willke's dogma - it appeared in his lectures, his testimonies, and was a go-to part of the story he constructed around fetal development.

*******ARCHIVE*******

Willke_TributeBlueprint_heartbeat.wav

SPEAKER: If he were giving a talk, he would likely bring his still running portable cassette tape recorder and play his recording of a six week old developing baby's heartbeat.

Willke testified during the hearings in support of the Ohio version of the bill. His testimony as both an anti-choice advocate and a physician blurred the lines between propagandist and expert witness

*******ARCHIVE***** Willke_heartbeat testimony.wav**

Willke: *When do you obviously see evidence of a human life? And that's when there's a heart beating pretty hard to deny if you're looking and we can look and see them.*

Ilyse: *What does that do, a heartbeat bill? It focuses you on the potential life on the pregnancy, and even our side says, that's an abortion ban. That's accurate right and access to abortion is actually a very popular principle so why wouldn't we say that. Well the reality is that that language doesn't meet their strategy, right? What we need to recognize is that they're playing on emotions and we're saying something quite factual that requires intellectual engagement and "it's about a medical procedure." And so if you're going to hold, you know, a very gut level sympathy for a potential life next to a medical procedure, you're not going to have as much traction as when you think about the language that reintroduces the pregnant person.*

TAPE: StaceyAbrams_010920.wav

Stacey: *Part of our responsibility on the side of choice is to actually create our own language, and to use it to restate and reframe the narrative. And so I refer to it as the forced pregnancy bill*

TAPE: 11.20_IlyseArgot.wav

Ilyse: *these are forced pregnancy laws. There is a person attached to this pregnancy, you're forcing them to do something against their will. And guess what, if you're a casual observer, you are now thinking about that person attached to the pregnancy in a way that you're not, if you're just talking about the medical procedure.*

While the opposition opens their arguments with pseudoscience and claims about the child's life, they're actually quite open about their true intentions. Willke went on to say this during his Ohio testimony.

ALT: Willke started his testimony with misinformation about fetal heartbeats, but he eventually said this -

*******ARCHIVE***** Willke_heartbeat testimony.wav**

WILLKE: This bill here... Out of Ohio. If it goes up. And I hope it will. might well reverse Roe vs. Wade, in essence, because if you stop all abortions after three or four weeks, you pretty well stopped all abortions.

TAPE: StaceyAbrams_010920.wav

***Stacey:** I think we have to stop fighting the fight set up for us by the anti choice movement, if we want to be effective in our ability to win. When you adopt the language of your enemies and you're giving your enemy entry into your thinking and into your strategy. When we use euphemisms to cloak what we're discussing, we give people reason to feel ashamed. I very clearly talk about abortion rights. I don't feel it as healthcare. It is a part of the healthcare decision, but it's a very specific healthcare decision. And when we talk about cancer treatment we don't talk about it as healthcare, we talk about the issue, and the process, and we need to claim that was when it comes to abortion. I was in the deep south. I grew up the daughter of ministers, and I believe that an abortion is a medical choice, that should be made to protect a woman's body, but I will not couch it in these vague terms in order to hide what I mean. Because the minute you hide the conversation. You are admitting that there is something wrong with the process, and that is not true.*

It's a positive sign that HB481 did not become law in Georgia. But we can't take our eyes off this fight. Much like we shouldn't get too comfortable laughing at Todd Akin, we can't get too confident about any individual victory - it distracts from the larger strategy. There's a reason why virtually identical bills are popping up again and again despite repeatedly getting voted down. GOP leaders aren't crazy or simply stubborn - they're testing the courts. We'll go more into this in Episode 4, but for now, know this: Trump has stacked courts throughout the country with anti-choice judges. By re-introducing the same legislation they're hoping the new judiciaries will eventually side with them.

It's just another example of the Radical Right manages to successfully advance an unpopular agenda, even without winning every fight.

TAPE: 11.13.19_Ilyse.wav

Ilyse: Whether we're talking about Donald Trump, or the sort of right wing anti choice movement that propelled him to victory, you know one of the things we know now completely is they're not very attached to facts, but they have kind of a reptilian sense of how you push people's emotional buttons to move them to a place you want them to.

As the radical right hijacks the public conversation and sees incremental success, the nature of their rhetoric has become more and more extreme. We saw this very clearly, during the 2016 primary when GOP candidates competed to see who had the most aggressive anti-choice stance. Shockingly graphic language claiming to describe later abortions was amplified from Ted Cruz pro-life rallies to the GOP primary stage and then into the much more public arena of the presidential debate between Hillary Clinton and Donald Trump.

~~*****ARCHIVE***** Gohmert_IntenseAbortionDescription.wav~~

~~GOHMERT: I had to get up and walk out of the hearing at one point because he was describing what he said gives me nightmares now that he would feel for something that he figured was a limb and pull it off and then find another one and pull it off and find another. And when he had done that four times he felt for something bulbous, and would grab it with his clamps and crush it and pull it off.~~

~~That language is extreme and completely removed from reality. And perhaps it could be dismissed because it happened at a Ted Cruz pro-life rally. A niche environment, where you might expect this kind of~~

~~rhetoric to thrive. But we heard similarly inflammatory language being used on a much grander stage later in the GOP primary, when Marco Rubio, said this:~~

~~ALT: The story is extreme, hard to hear, and completely removed from reality. At the time, it was easy to dismiss as just another crazy thing from a niche conservative rally. Later, Marco Rubio doubled down on that rhetoric at a much larger platform: the GOP Primary debates.~~

~~*****ARCHIVE***** Rubio_DueDateAbortion.wav~~

~~RUBIO: Why doesn't the media ask Hillary Clinton why she believes that all abortion should be legal, even on the due date of that unborn child? Why don't they ask Hillary Clinton why she believes that Partial birth abortion, which is a gruesome procedure that has been outlawed in this country, she thinks that's a fundamental right. They are the extremist when it comes to the issue of abortion, and I can't wait to expose them in a general election.~~

~~We'll dive into the canard of partial birth abortion later in this series. But ~~it's important to note, who was standing next to Marco Rubio at that debate, taking in his statement, along with that enormous applause it received from the crowd. Donald J. Trump. He would later amplify it.~~~~

~~Who was standing next to Marco Rubio at that debate, taking in his statement, along with the enormous applause it received from the crowd? Donald J. Trump. Now jump ahead to the Presidential debates.~~

~~TAPE: 11.13.19_Ilyse.wav~~

~~Ilyse: Trump's description of later abortion on the debate stage and the third debate is seared into my memory in the memory of many people around the country.~~

ARCHIVE** Trump - Debates, late term abortion.wav**

MODERATOR: Mr. Trump your reaction and particularly on this issue of light term partial birth

TRUMP: well i think it's terrible. If you go with what Hillary is saying in the ninth month, you can take the baby and rip the baby out of the womb of the mother just prior to the birth of the baby. Now, you can say that that's okay, and Hillary can say that that's okay, but it's not okay with me. Because based on what she's saying and based on where she's going and where she's been, you can take the baby and rip the baby out of the womb. In the nights months. On the final day. And that's not acceptable.

TAPE: 11.13.19_Ilyse.wav

Ilyse: You know there's like the medicine piece of it but there's also not hordes of women who are seeking to terminate pregnancy, up till the moment of birth that just simply is not happening. But it was this role, and it was designed to put people in a place of disgust, and revulsion because that is a very powerful emotion that usually cannot be rectified with facts right like if you're in a place of pure disgust and revulsion and you just want it to go away. No matter how many facts we give you isn't probably going to bring you back. And the other thing that's notable about what Trump did on that debate stage that was straight out of the anti choice playbook is never once did he mention, or acknowledge the experience of the woman. That's because that would have kicked in compassion for a lot of these people, they're facing situations we would never want to face you would never want to sit in your doctor's office and get the diagnosis. So, so, you know, the good thing that happened out of that to be was. Many of these people who had experienced this. Were courageous enough to share their stories. And that's really hard and it actually pains me that they have to relive some of the worst moments of their lives. In order to meet this cool dehumanizing narrative that the raid is trying to put out, but they did. And they actually are swaying people's hearts and minds.

How do we begin to dismantle the infrastructure that the anti-movement uses to amplify its message across every platform? We share our stories. We remind people

of our humanity, much like when Karen had to summon her courage during the Hyde debate.

It's not lost on us how often the burden often falls on women to explain the real implications of the Right's most radical positions. It's painful, it's unfair, but it may be one of our most powerful defense.

TAPE: 11.20_IlyseArgot.wav

Ilyse: We do need to actually rely on how we think about persuading to base level emotions of people in order to win the debate because they're eliciting fear. And we need to elicit compassion.

ACT 5 Shame & Sharing Stories

ILYSE - What was true then which remains true today is that when women tell their stories of facing these sort of unimaginable situations, the heart and the mind naturally gravitate immediately back towards compassion for that woman. Some of the solutions are the easiest ones, which is creating what we think of as social permissions for people to have these conversations openly.

LORETTA: Well, I've been sharing my story is what I've learned about this is what feminists do.

NARRATOR: That's reproductive justice activist Loretta Ross, who you met in Episode One.

LORETTA: My first job in the movement was at the DC rape crisis center. And it was through women sharing our stories about having survived sexual assault that ended up building a movement to end violence against women. This is the fitness practice that I was taught. The silences are the conspiracy that helped keep us oppressed. The people who left their dirty fingerprints all over our lives. They want us to keep those secrets. And so the best way to defeat them is to not keep their secrets for them.

Loretta traces her life of advocacy back to her early trauma. She is a survivor of rape and incest, who at 14 years old, was forced to carry a pregnancy to term.

LORETTA: Abortion was not legal in 1968. So I only had a few options. And the only one that seemed available to me was to have the baby and give him up for adoption. But after I had my son in 1969, I found that I couldn't go through with the adoption. And so I ended up co parenting with my rapist for the next four decades, until he died. And so that's where my story begins not having control over if and when I'd have sex and not having control over whether or not to continue a pregnancy. And it took my sister forging my mother's signature for me to obtain permission to have an abortion a year and a half later, because of course, I became pregnant again. But I'm really disappointed that I had easier access to an abortion in 1970 than young women have today. Because the anti abortion movement had not arouse this anger at young women and started punishing them for their sexual activities, the way that they're doing now.

ILYSE: I think the anti choice movement really recognizes our own internalized cultural stigma and shame. And by the way, certainly it is about abortion, but it's really about sex. And so there were aware that they could build an agenda that really was about control if they talked about something that the other side wouldn't talk about, even though we are in the majority and that they depend on our silence. That isgrounded in sort of this acceptance of stigma and shame. And they've been historically correct about that, right? Historically, Democratic leadership has said, Let's not talk about these issues, you know it they get called identity politics. People just want to talk about jobs in the economy. And it's like, well, that's really great, except like one of the most singular things that affects our ability to have economic security and hold jobs is our ability to control when and how and with whom we have kids. So it's really the anti choice movement, laid a , and we've stepped right into it. The anti choice movement is grounded and the idea that women have a very specific role to play when they don't play that they are bad women.

Anti choice leaders who spent decades mainstreaming their radical ideas and we need an equivalent effort fighting to normalize abortion access. In the summer of 2016, at least did something brave from the stage of the Democratic National Convention

*******ARCHIVE*******

ILYSE: I am a fourth generation Texan, Texas women are top to succeed in life. All we need are the tools, the trust and the chance to chart our own path. I was fortunate enough to have these things when I found out I was pregnant years ago. I wanted a family, but it was the wrong time. I made the decision that was best for me to have an abortion and get compassionate care at a clinic in my own community.

ILYSE: It was terrifying. It was absolutely utterly terrifying. I realized I was carrying my own internal stigma about it. I needed to model rejecting that. Otherwise why would I be so scared to do it? My story is not unique about one in

*******ARCHIVE*******

American women have abortions by the age of 45. And the majority are mothers just trying to take care of the families they already have. You see, it's not as simple as that girls get abortions and good girls have families. We are the same women at different times in our lives, each making decisions that are best for us.

ILYSE: I wanted to walk that line between making sure that everybody knows they know someone who's had an abortion, while also not making it necessary to justify my decision by providing a tremendous amount of details. That being said, when I went on to meet my husband and try to get pregnant, it didn't come as easily as it does to some other people. And I was having an enormous amount of feelings about that. And it was an epiphany to me that I recognize the feelings I was having as ones of shame and I have. This moment, through the emotion I had this intellectual moment where I was like, Whoa, it is so deep, right? This shame, I'm feeling about not being able to get pregnant as the shame I'm told to feel when I terminated a pregnancy that wasn't at the right time for me, which all goes to this core belief that women are put on this earth to do one

thing and one thing only, and if we choose not to, we are suspect. And if we can't, we're failures. And I run reproductive freedom organization, right. And this stuff is so deep, that it was still personally affecting me. So when I tell the story, I'm really careful to tell the whole story.

Using our platforms to share individual stories is a powerful step in the right direction, but we need to center these women in every statehouse, and every judiciary across the country to ensure these stories lead to meaningful progress. It's not enough to have popular opinion without also holding power and leveraging our own infrastructure. The Radical Right has rigged the system in order to turn their rhetoric into law, now we need to ensure that our stories (and our lived experiences) are shaping policy - and we can't be afraid of this fight.

ILYSE: We definitely need to have learned to lean into abortion rights as part of our core values. They are depending on our silence to win in 2020 and we are culpable if we see that ground, but we should do it strategically, because those are the voters who are being mobilized. We should also do it principally because we need to not just win in 2020. But we need to win with women at the center of the equation. And we need to do that because the interpretation of how we one governs the priorities of the next administration.

We've spent the last 2 episodes reviewing the playbook and setting up the chessboard, next week we'll see how the game is played - and won. How some of the key players: Weyrich, Willke, Schafly and Falwell helped convert a Macho Hollywood type with a relatively weak stance on abortion into a winning anti-choice president - the first time.

PICKUPS:

ALT OPENING:

The origin of this stigma goes way way back, but for the sake of our timeline, let's look at the late 60s and early 70s. Before Roe, the stakes were pretty clear - without safe access to abortion, women were risking their lives and sometimes dying. Even for people who blamed women for getting pregnant in the first place, that punishment felt too harsh for the crime. But the stigma around the kind of women who engaged in pre-marital sex or were too selfish to want to be mothers was still bubbling under the surface. And 1973, the fact that Roe seemed to let these women off the hook was troubling - to people on all sides of the political spectrum. The architects of the Radical Right were willing to bet that stigma about sex - not abortion, necessarily - would buy the silence of the pro-choice majority. This week we're exploring how that bet worked out for the Right over the last 4 decades.

Let's start the story in 2012.

In episode 1, we explored how the anti-choice movement was formed by tapping into racism and misogyny to gain political power. This week, we're looking at how the Radical Right has used junk science and disinformation to manipulate an entire generation of voters. These days we talk so much about alternative facts and misinformation, but the early adopters of these tactics were the anti-choice movement, only then we just called them lies. When you don't have popular opinion on your side, and you don't have facts, you resort to these tactics to maintain control. You lie until people

remain silent because they don't know how to argue with lies. And the lies are most powerful when they tap into deeply held suspicions or beliefs. The anti-choice movement knew just how to do this when it came to women and sex and shame.

And one of the first movement leaders to perfect this strategy was a man named John Willke.

KELLYANNE CONWAY

V1 - But how did GOP leaders streamline their messaging strategies? They had help from experts like KellyAnne Conway. Yes - we couldn't do an episode about disinformation without talking about the person who introduced "alternative facts" into the political landscape.

V2 - Of course, some politicians -- like Hyde and Akin -- would always find themselves slipping off that tightrope. But there were people waiting in the wings, ready to pick them up and teach GOP leaders how to message around their mistakes. People like KellyAnne Conway.

We'll talk about about