**Headline:** Anti-Abortionists Played the Long Game, And They Are Winning

**Teaser:** The U.S. is sliding toward a grim future where abortion is criminalized with little support for families. This “new normal” is disproportionately impacting low-income people of color.

By Sonali Kolhatkar

**Author Bio:** Sonali Kolhatkar is the founder, host and executive producer of [“Rising Up With Sonali,”](https://www.risingupwithsonali.com/) a television and radio show that airs on Free Speech TV and Pacifica stations. She is a writing fellow for the [Economy for All](https://independentmediainstitute.org/economy-for-all/) project at the Independent Media Institute.

**Source:** Independent Media Institute

**Credit Line:** *This article was produced by* [*Economy for All*](https://independentmediainstitute.org/economy-for-all/)*, a project of the Independent Media Institute.*

**Tags:** GOP/Right Wing, Politics, Women’s Rights, Human Rights, Social Justice, Identity Politics, Health Care, Social Benefits, Law, Activism, History, Economy, Democratic Party, Immigration, Indigenous Resistance, Interview, North America/United States of America, Central America/El Salvador, Asia/China, Asia/India, Opinion, Time-Sensitive

**[Article Body:]**

Republican state legislatures are creating abortion refugees across America.

After Texas Governor Greg Abbott signed a draconian bill, [SB 8](https://texassignal.com/abbott-signs-senate-bill-8-one-of-the-most-extreme-anti-abortion-laws-in-the-country/), into law last year, empowering bounty hunters to sue abortion providers, those seeking care fled to the [neighboring states](https://www.aclu.org/news/reproductive-freedom/texas-bounty-hunter-abortion-ban-is-a-dire-warning-of-what-lays-ahead-for-our-reproductive-rights) of Louisiana, Arkansas, and Oklahoma.

But GOP leaders were ready for them. Oklahoma’s Republican Governor Kevin Stitt on April 12 [signed the nation’s strictest abortion ban](https://www.washingtonpost.com/politics/2022/04/12/abortion-oklahoma-criminal/) into law, ending all abortions in his state except in cases of danger to the pregnant person’s life. Now, reports are emerging of Oklahomans turning to the neighboring state of [Kansas](https://kansasreflector.com/2022/04/12/trust-women-clinic-in-wichita-may-experience-patient-surge-in-wake-of-oklahoma-abortion-law/) for abortions.

Not to be outdone by his GOP colleagues, presidential hopeful Ron DeSantis, governor of Florida, also [signed a 15-week abortion ban](https://www.npr.org/2022/04/14/1084485963/florida-abortion-law-15-weeks) into law similar to the one passed by states like [Kentucky](https://19thnews.org/2022/04/kentucky-first-state-strict-abortion-ban/).

“I think by the fall, abortion’s going to be criminalized in about half of the states, and I think that’s a really scary place to be,” Imani Gandy, senior legal analyst for [Rewire News Group](https://rewirenewsgroup.com/), told me in a recent [interview](https://risingupwithsonali.com/oklahoma-texas-and-the-coming-end-of-roe/).

Already, low-income people living in states with abortion bans are facing prohibitively expensive travel to access care. The costs could jump even higher as more states enact bans and people have to travel farther, weighing the pressures of finances, juggling job schedules, family obligations, and the ticking clock of gestation. “It’s not going to be middle and upper-class white women who are going to have problems accessing abortion,” said Gandy.

And, it’s only a matter of time before the anti-abortionists’ wildest dream of overturning the [*Roe v. Wade* precedent](https://www.washingtonpost.com/opinions/2022/04/13/oklahoma-abortion-supreme-court-overturn-roe/) at the Supreme Court will come true. According to one [analysis](https://www.axios.com/roe-v-wade-repeal-supreme-court-texas-mississippi-fbf18076-8b9b-4243-bd8b-e75700671259.html), this would immediately result in abortion becoming illegal in at least 13 states. Only 17 states and Washington, D.C., have ensured that abortion will be legal and accessible if *Roe* falls—and that figure is dependent on Democrats retaining control of those state legislatures.

You have to admire the long game that anti-abortion evangelicals have played, steadfastly remaining [single-issue voters](https://news.gallup.com/poll/313316/one-four-americans-consider-abortion-key-voting-issue.aspx), catapulting any state or federal leader into power—no matter how antithetical to their values—as long as they promise to oppose abortion. With a multipronged strategy of state-level abortion bans that chipped away at reproductive rights bit by bit, tossing case after case to the Supreme Court, while at the same time relentlessly pressuring Republican leaders to appoint anti-abortion conservative justices, anti-abortion advocates have ushered in the end of *Roe*.

It used to be that nations like [El Salvador](https://theconversation.com/el-salvadors-abortion-ban-jails-women-for-miscarriages-and-stillbirths-now-one-womans-family-seeks-international-justice-156484), where abortion is completely banned, were a cautionary tale for the U.S. The laws are so strict that Salvadoran women who have miscarriages and stillbirths have also been arrested and incarcerated for harming their fetuses. It is not out of the realm of possibility that the U.S. is heading in just such a direction.

A 26-year-old Texas woman named [Lizelle Herrera](https://abc13.com/texas-news-lizelle-herrera-murder-charges-dropped-self-induced-abortion/11734455/) was recently arrested on murder charges after a grand jury indictment for the “death of an individual by self-induced abortion.”

“I think they just wanted to see if they could get a grand jury to convict a person of murder after a miscarriage,” said Gandy. “And they did.” It was only after a local reproductive rights group named [Frontera Fund](https://www.texastribune.org/2022/04/13/abortion-murder-lizelle-herrera-texas/) mobilized to demand Herrera’s release that the district attorney in question withdrew charges, saying there was no basis for her arrest in the first place.

According to Gandy, going through a grand jury proceeding “is not something that a district attorney does lightly,” and so she suspects it was a trial balloon of sorts to see if those people sitting on grand juries would tolerate a murder charge over a miscarriage. In Herrera’s case, it turned out they would.

“This is going to be the new normal,” said Gandy. “Black and Brown pregnant people are going to be the ones who are targeted by these laws that criminalize pregnancy.”

Gandy’s fear is based on cases like [Brittney Poolaw](https://www.bbc.com/news/world-us-canada-59214544), a Native American woman in Oklahoma who was convicted last year of manslaughter after having a miscarriage; [Purvi Patel](https://www.theguardian.com/us-news/2016/jul/22/purvi-patel-abortion-sentence-reduced), an Indian American woman from Indiana who was convicted and sentenced to 20 years in 2015 for inducing an abortion (her sentence was [overturned](https://www.nationaladvocatesforpregnantwomen.org/purvi-patels-conviction-for-feticide-overturned/) a year later after a massive national outcry); and [Bei Bei Shuai](https://www.usatoday.com/story/news/nation/2013/08/02/woman-freed-after-plea-agreement-in-babys-death/2614301/), a Chinese immigrant, also in Indiana, who was convicted of feticide after attempting suicide (she too had her charges eventually dropped after public pressure).

“More than half of women who seek abortions are already mothers,” said Gandy. “So, if we’re now going to start throwing these pregnant people in jail, who’s going to be taking care of these kids?”

Gandy is also disturbed by the timing of the new anti-abortion laws that empower private citizens to sue individuals over abortions, such as SB 8 in Texas. “It is particularly nefarious that this is going on at a time of economic crisis,” she said.

With rising inflation, interest rates, and gas prices, “we have states that are capitalizing on people’s financial struggles to encourage them to snitch on the private behavior of their neighbors on the off chance that they are going to be able to collect on this $10,000 bounty,” she added.

Meanwhile, Congress has failed to ensure financial support for low-income parents, dropping the ball on renewing the [child tax credit](https://www.npr.org/2021/12/30/1069143123/expanded-child-tax-credit-expires-friday-congress), and passing [paid family and medical leave](https://www.nytimes.com/2021/10/31/us/politics/paid-family-leave.html) legislation.

The horror that the U.S. is sliding toward could have been avoided had Democrats codified reproductive rights into law during any of the times they have been in control of both houses of Congress and the presidency in the decades since the *Roe v. Wade* Supreme Court decision. Their inaction, even in the face of concerted anti-abortion activism and resulting successes, is unconscionable.

A legislative effort that was too little, too late, came this past March in the form of the [Women’s Health Protection Act](https://www.vox.com/2022/2/28/22946299/womens-health-protection-act-senate-vote-abortion-rights), which would have legalized abortion. But it failed to pass the Democratic-controlled Senate, with Vox describing the bill as “primarily for messaging,” and asserted that its failure to pass “makes the case for a larger Democratic majority.”

Democratic Senator Joe Manchin of West Virginia, as well as the two sole pro-abortion Republican senators, Lisa Murkowski of Alaska and Susan Collins of Maine, also voted against the bill, making clear their support for abortion rights is mere lip service.

Asleep at the wheel, lawmakers have left Americans at the mercy of a vocal minority intent on criminalizing abortion while caring little about financial support for parents.