PBS’ “TO THE CONTRARY”

Family Planning Rollback; Gender-Reassignment Surgery; The First Amendment

March 10, 2017

Host: Bonnie Erbe

Panel Members: Ann Stone, Latifa Lyles, Jennifer Higgins, Patricia Sosa
Bonnie Erbe: This week on To The Contrary.” First, is this the end of Planned Parenthood as President Trump signs a bill to allow states to defund it? Then, should health insurance companies cover gender reassignment surgery? Behind the headlines: Are Americans experiencing a "first amendment crisis"? Hello, I'm Bonnie Erbe. Welcome you to To The Contrary, a discussion of news and social trends from diverse perspectives. Up first, family planning showdown, President Trump signed a bill allowing states to withhold family planning funds from organizations that provide abortions, such as Planned Parenthood. The money in question never funded abortions. The bill, signed by the President in private, reverses a rule put in place by President Obama which said the money must be used to pay nonprofits that provide family planning services whether or not they perform abortions. Democrats say the bill will deny poor women access to contraception, fertility, and pregnancy care even cervical cancer screenings all these services are subsidized by title 10. But Republicans counter this rule will allow state governments to make the choices that best suit them. So Anne Stone how will low income women be impacted?

Ann Stone: Well, I think there may be some short-term confusion but the gaps will be filled and Planned Parenthood will be just fine, they’ll survive.

Latifa Lyles: It sends a pretty clear message we don't care about poor women's health and it’s going to have a really detrimental impact on communities.

Jennifer Higgins: I think it’s no surprise that Republicans are moving to find any means necessary to defund Planned Parenthood.

Patricia Sosa: You know this is political pandering and for women who are caught in the middle and they will suffer the consequences.

Bonnie Erbe: Tell me how, how it, it the services will be made up?

Ann Stone: Well, I think first of all, Planned Parenthood will have people that will step forward and fill in the funding gap. Six of the eight wealthiest people in the world are liberal democrats and they all support Planned Parenthood so they can draw on those six to begin with.
Bonnie Erbe: You mean Bill Gates should step in and –

Ann Stone: All of them.

Bonnie Erbe: And play the federal government?

Ann Stone: It’s more than just bill gates, theirs several.

Bonnie Erbe: How realistic is that Ann?

Ann Stone: I think it's very realistic because all of them do support and Warren Buffet is another, they do support the programs Planned Parenthood. But beyond that the market will fill in. There are other clinics out there that don’t provide any abortion services that will get the money. You know that I think that ultimately, we’re hoping to educate the Trump Administration because I agree with Susan Collins when she says if you want fewer abortions you fund family planning. So if the ultimate goal is to reduce abortion in this country you not only have to fund the current family planning but find better measures. Because 60% of all abortion is due to the failure of contraception. Not only we have to fund what we have but we have to improve it.

Bonnie Erbe: Do you think poor low income women are going to find a way around? Are we going back to illegal abortions?

Patricia Sosa: Why are we doing this?

Bonnie Erbe: Or let me ask you this: I mean I know they don't have access to the birth control but will they get access to illegally possibly things like ru-486 or a board of patients?

Patricia Sosa: Unchartered territory absolutely. You got the infrastructure includes Planned Parenthood clinics that are not funded with any federal money to provide abortion. You dismantling that infrastructure we know other states that have dismantled the infrastructure like Texas in 2011 they defunded two-thirds of their reproductive health services and now they are they have the highest rates of mortality of poor women during birth. So the evidence shows that doing this is harmful for women's health. Ann I congratulation I hope your plan works. We’ve been in this program both of us for many, many years we have covered this issue when the Bush Administration and the Republicans were in power they did the same thing what we saw was the pregnancy rates going up, and teenage
pregnancy rates going up, abortion going up. And the Obama people come they put the services in place and they fund Planned Parenthood, abortion, and teenage pregnancy going down. So we’re back to the same place we’ve been before and we know that the evidence shows is when these policies are put in place it hurts poor women, abortion, and unfortunately I hope not illegal ones but the scenario is there for a perfect storm.

Bonnie Erbe: You know I'm curious President Trump has flip-flopped on Isis, on Syria, on Russia, and on NATO. Why hasn't he flip-flopped on women's issues I don’t get it?

Jennifer Higgins: Yeah I think it’s an interesting question. I don’t have the answer to that question but I will tell you that congress is working even more to take the next step in this process which would be if the Affordable Health Care, I’m sorry the American Health Care Act were to pass we’d see Planned Parenthood reductions on the Medicaid side as well so this is obviously a slippery slope and this is the ability for the President to engage on this policy. But all we’re doing is providing states with the latitude to do that, not every state is going to make this choice to adjust their title 10 fund.

Bonnie Erbe: Right but most of the red states, all the red states will.

Jennifer Higgins: Right

Latifa Lyles: There’s a huge elephant in the room here is that Planned Parenthood and among other local clinics are filling a major gap this is a patchwork system we have for the healthcare in this country. And a lot of women in rural communities and other places this is all they have. You know, the conversation about whether or not we could even fund maternity care we can’t believe came up a few weeks ago. These are not people who get what’s really happening in the lives of women and people who need it most. We have a healthcare crisis in this country that we have to figure out. We’re on the way to figuring out and this is taking a step way in the wrong direction.

Bonnie Erbe: Are we going to see any reactant or are we going to see demonstrations or are we going to see riots? I mean this is millions and millions of women we’re talking about?

Latifa Lyles: It is and this is and you know this is a good question here and I'm glad we’re talking about low income women is that these are the folks who have
the least voice in this conversation and in this debate and hopefully there’ll be more Susan Collins out there who will step up and say we can’t have this in our communities.

Patricia Sosa: I think money a majority of these women voted for Trump they are in the states the rural communities they voted for Trump that is why they are so difficult to see how it's served cognitive dissonance. Now that they voted for something, one thing and they are getting something else.

Bonnie Erbe: I would say the white women voted for Trump. The women of color did not.

Patricia Sosa: You are right. But they are the majority.

Jennifer Higgins: You asked about a pivot and I think that the fact is that community health centers there are 20 community health centers for everyone one Planned Parenthood clinic in the country so there is a resource for these women maybe not the most ideal resource but I think what you’ll see by the time September comes around --

Bonnie Erbe: Will they fund?

Jennifer Higgins: Well that’s what I was going to say that until we get to September, when funding becomes reauthorized for community health centers in federally qualified health clinics I think there’s an opportunity for the president to potentially pivot and provide additional resources for these clinics.

Ann Stone: Right and I disagree that he flip-flopped. I think there’s been an evolution on some of those issues but…

Bonnie Erbe: I was reading that headline, that very headline from a cable news network.

Ann Stone: It doesn't mean its right. But I would say there’s a reason that this bill signing was in private not in public. It's not something that he really feels comfortable with. And others --

Bonnie Erbe: Is he being pushed by pence?
Ann Stone: Well, I think there’s part of that but I think he’s filling a promise, too and I think we will find a way out of this because again ultimately if their goal is to reduce abortion --

Bonnie Erbe: How’s there a way out? What’s the way out?

Ann Stone: The way out is education for people who don’t understand that you cut family planning access you increase abortion. And the people who are at that signing –

Bonnie Erbe: They don’t care.

Ann Stone: Yeah, they do. The people that were at that signing…

Bonnie Erbe: Pence doesn't care.

Ann Stone: Yes they do…

Bonnie Erbe: He’s such a...

Ann Stone: Yes they do..

Bonnie Erbe: You know…

Ann Stone: They are not --

Bonnie Erbe: Evangelical, biblical adherent --

Ann Stone: No they want abortion.

Bonnie Erbe: He doesn’t care.

Ann Stone: They want abortion reduced and I got to tell you the conversations I've had for the last 20 years with these people there's incredible ignorance they don’t understand the direct correlation between effective family planning and what we have now is ok family planning we need to make it even more effective if we want to impact the abortion rate.
Bonnie Erbe: I've been out there, I have been out there. I have interviewed members of Congress female and male who are evangelical Christians. I have talked to them out and they just think they want women barefoot and pregnant. And even when they were just trying to overturn Roe v. Wade before they got you know 20 years ago before they got to birth control they would say oh, we don't want to touch birth control. Now that they have the power they want to end access to birth control for not just poor women, all women.

Ann Stone: I've had discussions with the people that you identified. I’ve been protested by the people you’ve identified I’ve been yelled at by the people you've identified but it is a wedge issue on the other side because most of the people who are against abortion are for family planning because most do understand. The ones who don't when you have the time and the opportunity to have a quiet reasoned discussion with them, and show them the information, but then also point out the family planning we have now is still not as effective as it needs to be. It does move them.

Bonnie Erbe: All right, let us know what you think please follow me on Twitter @bonnieErbe at To The Contrary, from title 10 to gender reassignment surgery. Should health insurance cover gender reassignment surgery? Two transgender women, who work at the University of Wisconsin, say yes. They and the ACLU are suing the university, its board, and insurance company for refusing to pay for it. One of the plaintiffs already paid for the surgery, the other has put off the surgery knowing coverage would be denied. The lawsuit claims discrimination against transgender people by depriving them of medical care for the condition quote "gender dysphoria." Sarah McBride, a transgender woman who works for the Human Rights campaign believes Wisconsin will lose.

Sarah McBride: It's a cruel action to take away medically necessary healthcare to transgender workers in the state of Wisconsin. The reality is that transgender people need and deserve access to medically necessary transitional related care and to allow for these services to be provided for every other reason but to deny them to transgender people is discrimination plain and simple.

Bonnie Erbe: Republican Governor Scott Walker blocked a plan to add those benefits his spokesman says the policy is legal and forcing taxpayers to fund sex changes for state employees is unreasonable. McBride says more than 130 anti-LGBTQ bills have been introduced in 30 states this year. But she says that there are counter trends.
Sarah McBride: You’re going to see more and more will see more and more states adopt non-discriminatory policies you’re going to see more and more corporations adopting inclusive benefits and were will look back and I think the state of Wisconsin is going to regret this decision made by governor Walker.

Bonnie Erbe: So Latifa are the states that are going to adopt inclusive health insurance policies and the corporations by the way, that stick with paying for that in their insurance plans regardless of what the state's laws are. Are they the same states that will keep Planned Parenthood clinics open?

Latifa Lyles: Well hopefully. And I think we were in this business of picking and choosing you know what medical care that we’re going to be covering. We’re in difficult territory for sure. And you know, these are decisions made between their doctor and the patient. These are medically necessary. This is not cosmetic surgery. There’s a lot of myths around this and you know this is not we don't have the option we don't have the option to say you can be, you can get this service or get this medical procedure and you can't. I think we've got to, we’ve got to back to leaving these medical decisions in the hands of the patients and their doctors and that means coverage for these patients when it's medically necessary.

Jennifer Higgins: We saw this in North Carolina I think there is a lot of lack of understanding about the transgender community and I think the issues that face them whether that be medically or emotionally or physically. And I think one of the things that is happening in Wisconsin which I tend to agree with is that like Walker made a decision based on partisan lines and acknowledging the fact that he does not want taxpayer dollars funding sex change operations that’s much more complicated than that. I think a lot of the work that needs to be done needs to be about educating people about treatment options, in which are not entirely focused on surgical procedures.

Patricia Sosa: Let me tell you that someone that the issue of transgender have been very close to my family. Avery close friend of my son transitioned from female to male and I knew her well I know him and the family and what they went through and it really was a matter of life and death. I mean really, for him, the identity was so clear and they did the surgery and the complete transition. And I can sort of value the importance of providing that service. At the same time I'm from such a different generation it was very sort of for me to grow into understanding what was going on was not easy. So I can see how the politics of it
can still be so complicated in a country that were still battling for you know basic you know reproductive services.

Bonnie Erbe: Transgender people, Americans, are .7% of all of all Americans but 1.7% of Americans under the age of 18. So clearly, I just wonder as more and more people came out as gay and lesbian in the 70s, 80s, 90s, how more people like for example former vice-president Dick Cheney had a has a gay daughter. You know as more people run have interact with transgender people in their personal lives, will opinions start to change the way they did with gay people?

Patricia Sosa: Absolutely.

Ann Stone: And I think you have to have more than just Caitlyn Jenner out there. There is a spokesperson General Pritzker who made the transition to female, having somebody out there like that people who are not expected is going to help reeducate. But you know on all of this, we are only one side of the equation is having their services cut or their rights denied we need to find commensurate things on the other side and say alright you are not going to cover this then let's not going to cover that. You’re not going to cover you know maternal care then let's not cover Viagra I mean you know it’s what’s, let’s have some quid pro quo that will help the needle as well.

Latifa Lyles: I also think we generally just need to take partisan politics out of healthcare. I think this is wait their whole idea, It’s not, it’s not, it's not a winning conversation. No one wins. We don't we always have a losing side and I will say that that the conversation --

Bonnie Erbe: You’re saying no one wins. Obviously Scott Walker thinks he won. He is appealing to his base.

Ann Stone: Yeah but no one wins she’s right. I think we all agree.

Latifa Lyles: The other piece of this, though, is I do think on conversations and how we're moving culturally that during the Obama administration including increasing protections in the workforce and other areas we have changed the conversation quite a bit. Especially in the areas of education around in the education system on transgender individuals and Americans. And we you know
hopefully we can continue that progress and that we don't you know again see another yet another rollback on the progress we’ve been able to make.

Bonnie Erbe: My experiences that we've changed the conversation in liberal hotspots like New York and San Francisco and not much outside.

Jennifer Higgin: In North Carolina.

Patricia Sosa: And look at the Congress. Look at the debate, look at the debate the debate on the healthcare Obamacare and repealing Obamacare that was like 19th century discussions. And some basic services you know trying to cut them and a roomful of men making decisions about women's health. >>

Bonnie Erbe: All right. Keep that in mind. Now we go behind the headlines: First Amendment rights, whether it’s a women's march, battles over fake news, the use of anonymous sources, or violent demonstrations against inflammatory speech, Americans are getting lessons on the constitution nearly every day. To the contrary spoke with one woman who uses her personal experience to teach young people about those rights.

Bonnie Erbe: More Americans than ever before are in favor of free speech, including unpopular or unfavorable speech and religious freedom regardless of the fact they live in a nation facing terrorism. That, according to the 2016 state of the first amendment survey by the Museum institute. Which also found 39% OF Americans could not name one of the five rights listed and guaranteed in the first amendment.

Mary Beth Tinker: There’s a shameful lack of knowledge about the constitution and about the first amendment. I've seen statistics showing one-third of Americans don’t even know any of the three branches of government.

Bonnie Erbe: Mary Beth Tinker is a first amendment advocate and free speech activist from Des Moines, Iowa. At the age of 13 she and her brother donned black armbands to oppose the Vietnam War and support a Christmas truce, that action put her at the center of the landmark U.S. Supreme court case Tinker v DSM independent schools. Eventually her activism led to her work with the American civil liberties union to fight for student and faculty freedom of speech in schools. She continues that work today with the Tinker tour.
Mary Beth Tinker: I like to encourage students to learn about the first amendment by using the first amendment. And they are doing it so well and so often around the country right now. Students are speaking up by wanting to wear t-shirts that say black lives matter. Other students in California wore shirts that had the American flag on them but they had to learn you cannot substantially disrupt school with your speech. And that is straight from the tinker ruling of 1969. Having to do with free speech rights. So the students were wearing the American flags to mock the Mexican kids.

Bonnie Erbe: Tinker believes the nation is in a first amendment crisis she cites some examples, they include President Trump's attacks on the news media and his public denigration of judges especially the one who stayed his first travel ban. >>

Mary Beth Tinker: The disrespect that is coming from our President right now towards the basic principles of democracy are terrible. They're very harmful to not only students' understanding about democracy and the first amendment and the three branches of government, but they are harmful. They wear away at our respect for our democracy.

Bonnie Erbe: Recent incidents at universities involving controversial speakers have sparked debate about unpopular speech as some forms are protected by the first amendment. Former Breitbart editor Milo Yiannopoulos was invited by college Republicans to speak at UC Berkeley but after riots broke out over that appearance, the event was canceled.

Mary Beth Tinker: And I think he should have been allowed to speak. Ironically when you censor people in the end it ends up giving them more power.

Bonnie Erbe: Tinker versus DSM independent schools was decided in favor of Tinker in a 7-2 ruling stating quote “Students do not shed their constitutional rights to freedom of speech or expression at the schoolhouse gate.” end quote The case has been cited frequently in other cases to protect the rights of students and faculty.

Mary Beth Tinker: There are so many things that students are doing today to stand up for their rights to keep the first amendment, the right of free speech, the free press, the freedom of religion, the freedom to assemble and the freedom to petition for grievances.
Bonnie Erbe: Do you agree that were in a first amendment young people particularly, in a first amendment crisis now? And what, if anything, does the current administration and Congress have to do with that?

Patricia Sosa: Well, I think we’re in a period which we are testing the boundaries of the first amendment. I wouldn't call it a crisis because in some other countries, others have been killed and people are in prison I don’t think we have reached that level here. And I think she very much captured sort of the boundaries. You have the Trump Administration and the lies that they are saying the media countering and they’re calling the media fake news so that dynamic is a test of our first amendment and to the other side what is happening in the universities and I totally agree with her I am one of those that I believe that everybody should talk. I love these shows because we have people with different opinions and it's very important and when universities get too sensitive about how people are going to feel about opinions, I think it’s totally inappropriate because that’s what a college experience should be. So again, I think we're testing the boundaries. And it feels that we have a strong country but we need to be engaged because it’s always it can be really threatening.

Ann Stone: I think she’s about half right. These things happening on the college campuses shows that free thought is not being taught people being indoctrinated

Bonnie Erbe: Were you surprised that a liberal progressive campus like Berkeley would have riots against a conservative speaker?

Ann Stone: Well no because we've seen so many of the liberal campuses this has become indoctrination not teaching independent thought it's really pretty disgusting. But beyond that we do have a crisis going on not just because of things Trump says that sometimes are incorrect or misunderstood or whatever it's because the press is not being responsible. Whether you start with the very first day the report that he’d removed the Martin Luther King, Jr. bus which was a total lie to things very recently are a flusher I think made a really great point when Sessions went down and did his session down where the border wall is going to be, he said the "Washington post" had an article they had four people in the article quoted and not one single one was anybody that represented anything other than liberal viewpoint and he said you know the Post should know better journalists more and more are doing that. The things they’re writing are so biased and there’s not even an attempt unfortunately they can’t all be like you and invite diverse opinions.
Latifa Lyles: Were not going to I don’t think we’re going to have a successful debate on whether or not you know the media versus the president I think most people are going to err on the side of believing the press at this point. There’s lots of reasons that people don’t believe the president and putting that aside --

Bonnie Erbe: But doesn't that take into account or does it not take into account what your view of the press is? For example we have a nation of progressives and largely educated people reading "The New York times" and watching CNN or MSNBC and then we have conservatives reading Breitbart on-line and the "Wall Street Journal" and or at least the "Wall Street Journal" editorial pages and then watching Fox news. And people have completely opposite impressions of what exactly happened or about particular stories.

Latifa Lyles: It's true and you know ideally, we need to have neutral sources to provide good information. We don't have that. But that is something that we should constantly be striving for. I don't think we throw the baby out with the bath water. I think we continue to demand good, honest and fair reporting. On the other hand in terms of the free speech conversation, yes people have been galvanized around this idea that I can say and do whatever I want. And you absolutely can say but you know you also there’s a first amendment right but you don't necessarily have to listen to it. I feel a little different about this the students. They had an opportunity to hear from someone, they didn’t want to hear they didn’t have to show up.

Jennifer Higgins: I think we’re in a period of rebuilding if you will. I think the election environment created a very tense deterioration of civil discourse I think what Tinkers talks about is fantastic.

Bonnie Erbe: Well that had been going on before the Trump campaign I mean since 1994 since Gingrich was house speaker.

Jennifer Higgins: Sure I don’t disagree with that but I guess my point is that from the standpoint of finding a way to recalibrate as a society some of this requires civil discourse and an engaged dialogue between people of different viewpoints and I think some of that is taking place but it needs to take place in our school systems, people need to understand civics, what the first amendment is, what
branches of government are, what the constitution says, so that we can preserve the integrity of our democracy rather than tear it down.

Bonnie Erbe: And I think and I would add to that but this is obviously not gonna happen get rid of talk radio. That’s it for this edition, please follow me on twitter visit our website pbs.Org/tothecontrary and whether you agree or think To The Contrary, see you next week. [♪♪]