

Good afternoon ladies and gentlemen.

I am New York State Attorney General Eric Schneiderman and I am very grateful to be here today with you.

Thank you Chris for the kind introduction.

And thank you to Ilyse for inviting me here.

I have worked with and spoken at NARAL events for decades but never to a group this large or at a time when both the challenges and opportunities facing the pro-choice movement were as great as they are today.

My long and close relationship with NARAL reflects the fact that I have essentially spent my entire adult life working to protect abortion rights.

When I was 17 I graduated from high school but I didn't go straight to college.

Instead I went to work at an abortion clinic in Washington DC.

This was a year before Roe v. Wade and while abortion was legal in the District of Columbia it was illegal in all of the rest of the Southeast United States.

And because none of us knew that Roe was coming it seemed that Washington was going to be the primary place where millions of women would have to travel from Georgia Tennessee all over the South for years to come.

Among my duties was to meet women flying into National Airport and drive them to the clinic.

I have never forgotten those women.

Many had left home without telling their friends their parents their partners.

I remember women pleading with doctors that they needed to go home sooner than the medical staff thought was safe because they had not been able to tell anyone they were going to get an abortion and they had to fly back home before their employer or parents or husband learned they had left town.

Almost all were terrified of someone finding out what they were doing and virtually every one of those women flew into Washington alone.

It was clear to me that the laws that prohibited women from making their own decisions in their home states about a medical procedure that is ordinarily quite safe - those laws created a threat to women's health and women's lives.

At the age of 17 it was clear to me that these women were fleeing oppression.

So I learned a critical lesson.

If a woman does not have the right to control her own body she is not truly equal.

If a woman does not have the right to control her own body she is not truly free.

Then I went off to college and after Roe v. Wade I remember thinking “Well, at least we’ll never see that kind of oppressive inhumane treatment of women in America ever again.”

I was wrong about a lot of things when I was young and boy was I wrong about that.

Anti-choice activists having lost in court became a key part of building the contemporary conservative movement that emerged and grew more and more powerful in the 1980s 1990s and 2000s.

And we began to lose ground.

We lost hundreds of clinics.

We lost training hospitals.

States enacted hundreds of abortion restrictions so-called TRAP laws.

Some were struck down in court but many survived.

And the anti-choice movement grew stronger and more militant.

They drove pretty much every pro-choice Republican official out of the party and out of office.

We now live in a country where 89% of our counties do not have an abortion clinic.

Eight states have only one clinic in the entire state.

And the federal government has been taken over by anti-choice anti-women extremists.

So unfortunately my observations and experiences in 1972 are more relevant now than I would ever have imagined.

But I do think I understand a few things about how we got here and about the path forward.

Because as I said at the outset while this is a time of unparalleled challenge it is also a time of unparalleled opportunity.

But we will only seize this opportunity if we understand that we need to build a political movement that is about more than access to certain health care choices.

So let me go back to my most basic observation as a 17-year-old.

Those who would deny a woman's reproductive rights seek to do so in order to oppress and disempower women.

Denying women access to contraception and abortion services is a critical part of the larger machinery of oppression discrimination and violence against women that we now have the opportunity to call out and take down.

But to do so we need to re-imagine the pro-choice movement and build a stronger louder movement for women's freedom and equality than we have ever seen.

Much has been written about how we need to call out the white supremacists in power in Washington.

Well it is time we got the same level of outrage at the male supremacists in power in Washington and all across America.

I have three thoughts about the path forward that I want to share with you today.

First building a movement means shifting our focus from short-term transactional politics to longer-term transformational politics.

Transactional politics is an important part of my job.

It is about getting the best deal on a healthcare bill or an immigration bill or a gun control bill that I can today.

Transactional politics requires us to accept public opinion and the power structure as it exists right now and get the best possible result.

What can I do to win my motion to block Trump's latest anti-Muslim Travel Ban this week?

Or to help Ralph Northam and Mark Herring get elected as governor and Attorney General of Virginia in two weeks?

That is transactional political work and it is important.

But it will never enable us to truly advance if we do not also combine it with transformational political work.

Transformational politics is the work we do today to change public consciousness to change the terms of the debate so that the deal we can get on a healthcare bill or an immigration bill or a gun control bill in a year or two years or five years is better than the deal we can get today.

Transformational politics requires us to challenge people's assumptions about each other and human nature.

It is all about changing hearts and minds.

I am a student of American political movements.

And to me the history of the United States is a history of high ideals at its founding freedom and equal justice under law ideals that were contradicted by the facts on the ground at the inception of the Republic.

When the United State was formed slavery was widespread.

Women couldn't vote and in many places couldn't own property.

Jews and other non-Christians labored under a host of discriminatory disability laws.

But the history of the United States to me is a history of progressive social and political movements that have brought us ever closer to our core ideals of equality freedom and justice.

The abolition movement the women's suffrage movement the labor movement the civil rights movement the LGBT equality movement.

Each of these transformational movements set out to do what at its founding was politically impossible.

Movements are all about transformational politics seeking to change public consciousness over time until what was once impossible becomes possible.

Movement politics is not the politics of accommodation.

It is the politics of perseverance.

It is not the politics that encourages advocates to say "We'll agree to disagree."

It is the politics that says "If you don't see the essential justice of this cause today you will see it tomorrow or the day after that or maybe in a year because this cause is just."

Ladies and gentlemen our cause is just.

But that alone is never enough.

Our strategy also has to be sound.

And that leads me to my second point -

One of the greatest strengths of the contemporary conservative movement was its commitment to building from the ground up.

I remember in the early 1990s that the Christian Coalition began running candidates for state and local offices all the way down to local school boards in New York.

In retrospect I realize the brilliance behind that strategy that at the time I thought was really bizarre.

Those campaigns were part of a decades-long effort to take power at the state level.

And boy did they succeed.

All of the state-level abortion restrictions I mentioned earlier are no coincidence.

Anti-choice Republicans now control 68 of the 99 legislative chambers in the nation and 34 governorships.

Only 21 states have pro-choice Democratic attorneys general. *And I happen to think attorneys general are pretty important.*

So the movement we are called to build must go local.

Successful movements are always organized from the ground up.

Pro-choice activists and progressives in general have tended to obsess about who is President and to a lesser extent Congress but they overwhelmingly neglect the grassroots.

By a show of hands:

How many people have supported candidates for house or Senate in states other than your own?

How many supported a candidate for Attorney General or state legislator in another state?

When I was in the New York State Senate I had more doors slammed in my face that I care to remember by major national Democratic donors from New York who would not give me \$10 to take control of the state senate away from anti-choice Republicans.

Meanwhile a coalition of national conservative donors began pouring money into state-level races across the country.

So we need to build a movement for true equality and freedom for women a movement against male supremacy in all its forms and manifestations.

And we need to build this movement from the ground up focusing on state as well as federal action.

And finally my third point, and this is really good news, is that this work is already underway.

You are at a conference hosted by an organization that has been prescient about everything I have been talking about.

When I got into the New York State Senate then controlled by a militantly anti-choice Republican majority I had no stronger ally than NARAL.

NARAL always understood that reproductive rights are a part of a broader struggle against the oppression of women.

And NARAL was ready to partner with me the moment I took office.

You understood the need to focus on state power long before many others.

Together we passed laws to protect clinics doctors and patients from intimidation and harassment and to prevent discrimination against women by health insurance companies.

And our partnership deepened even further when I became Attorney General.

More than three years ago NARAL provided leadership in the wonderful legal organizing and communications strategy around the *Whole Woman's Health v. Hellerstedt* litigation.

Honestly for the first time in decades I said “Wow it really feels like our movement is exploding and that we really have our act together.”

And NARAL was at the heart of that effort.

Ilyse called me well over a year before we even got to the Supreme Court.

And in a step that pointed towards our movement breaking down the walls of silence to challenge male supremacy one of the amicus briefs we submitted was an

unprecedented brief from 100 prominent successful women explaining why their personal decisions to have an abortion were critical to their own freedom and ability to succeed.

Their willingness to speak out and personalize their stories was in a way a precursor to the MeToo campaign now driving the fight to end sexual harassment and assault.

Because oppression is oppression and male supremacists always fear the voices of women.

So my friends and colleagues but you are here at the right place at the right time.

We have a movement to build and there are people in this room who know how to build it.

So let me close with another message of hope.

Since January a coalition of progressive state attorneys general has emerged as an incredible team fighting to uphold the rule-of-law and to block or delay the anti-American inhuman policies that rain down on us from Washington like debris from some toxic volcano.

We meet. We have weekly conference calls.

I am very proud of the coalition we have formed partnering with public interest lawyers local governments and members of the private bar who are stepping forward to stand up to the unprecedented lack of regard for the rule of law shown by this president.

I have been able to provide some guidance to my counterparts in these efforts because I have a longer history of litigation with Donald Trump.

I was the only law enforcement officer to sue him over his phony Trump University back in 2013.

He ended up having to pay back millions to the students he defrauded and a \$1 million fine to the state of New York.

And we continue to beat him.

Our coalition of state AG's played a key role in blocking his first two anti-Muslim travel bans and are in court right now on Travel Ban Number 3.

We are in court right now defending the Affordable Care Act and the signature Obama-era program to deal with climate change the Clean Power Plan.

We are preparing papers right now to seek an injunction to stop his efforts to eliminate contraceptive coverage for millions of women.

And then there's the despicable saga of *Garza v. Hargan* in which the federal government attempted to force Jane Doe, a pregnant 17-year-old immigrant they are detaining in Texas to carry a baby to term against her will.

My office led group of state AGs supporting this young woman and standing up to the Trump Administration's efforts to ignore state laws on the right to an abortion and parental consent.

As we argued, the federal government cannot block any woman from exercising

her constitutional right to an abortion.

And today, Jane finally got justice.

We are your lawyers.

And we will never back down from these fights.

The founders of the Republic created our federalist system to protect us all from a president who would be a tyrant that is the word they used “tyrant.”

So as we move ahead together to build the next great American movement for freedom and equality please know that the legal resistance is strong and we will not waver.

Thank you for supporting NARAL.

Thank you for supporting freedom.

And thank you for the honor of letting me address you today.