



Why Zaena Zamora is Fighting for Our Reproductive Freedom

The executive director of pro-choice Frontera Fund discusses the ramifications of the loss of abortion rights in Texas, and the challenges that lay ahead for the state and the the country. Zaena also gives Alicia insight into what it takes to keep abortion care at the forefront of the national healthcare movement.

Alicia Menendez:

Earlier this month, in the middle of the night, the Supreme Court refused to block a Texas law that bans most abortions. That law is now the most restrictive abortion measure in the nation. It bans abortions after about six weeks of pregnancy, and establishes a sort of bounty system that allows anyone to sue those involved in facilitating an abortion. This is, of course, bigger than Texas. The decision could be a blueprint for gutting Roe V. Wade, the Supreme Court ruling that legalized abortion nationally, is going to play out in the courts. And while it does, groups on the ground are figuring out how to adapt.

Zaena Zamora is the executive director of the Frontera Fund. They provide support and funding for those seeking abortions in Texas's Rio Grande Valley. We're going to talk about what this decision means for those seeking care and where this fight goes from here.

A lot of us aren't in Texas right now. We're not looking at this through the lens of someone who is there. Where are you, Zaena? Where in Texas, are you?

Zaena Zamora: I'm located in the Rio Grande valley, so deep south, Texas, along the U.S. Mexico border.

Menendez: What are you hearing from people in Texas?

Zamora: There's a lot of confusion around the law and just people being upset. I think a lot of people think that this law just went way too far. The biggest concern for most of the people who do abortion funding work is, how are we going to help people get their abortion care?

Menendez: In your own words, what does this legislation do?

Zamora: So SB8, what it does, is it bans abortion past six weeks in Texas. It is essentially a complete abortion ban because by the time most people know that they're, they're unable to get an abortion in Texas. This also has a very cruel and specific civil litigation or civil

cause of action that allows anybody to sue anybody else who helps, quote unquote, "... aid and abet someone in getting abortion care in Texas, past six weeks."

It is such a vague law that we don't really know what it means, to aid and abet. It can be anything from giving somebody money to get their abortion, taking them to their abortion appointment, literally driving them to their appointment, a parent being there for their child while they get their care, a spiritual leader giving counseling around abortion, a doctor giving that as an option to a patient. Somebody who works, like the work that we do in Frontera Fund do abortion funding, like helping people pay for their abortion, helping them get the travel that they need to get their abortion care. So, all of that constitutes aiding and abetting, right? So, it puts a lot of people at legal risk for helping someone that they love, get the care that they need.

Menendez: We'll talk a little bit about what this means nationally, and the ramifications nationally. But first, I do want to talk about Texas. And I want to talk about people might be seeking abortions in the Rio Grande valley, specifically what this legislation means for Latinas in RGV.

Zamora: Just to kind of give you a background of the demographic in the Rio Grande Valley, we're a very beautiful and vibrant community. But on the flip side, we also are a low income community. We're largely characterized as Hispanic or Latinx. More than 90% of us identify as Hispanic. Even prior to SB8, we were kind of living in an abortion desert. There's only one abortion clinic, south of San Antonio, and that clinic is in McAllen, Texas. There were a lot of barriers that Texas has in place, even prior to SB8, that made getting an abortion exceedingly difficult.

One of the first things you realize when you get an abortion, is, you have to get an ultrasound. Right? So, the ultrasound has to be performed by the same person who is doing the abortion. And an ultrasound has to be done 24 hours before the actual abortion. So, there's a 24 hour waiting period to getting an abortion. The doctor has to explain to you what you're seeing on the ultrasound screen. They also have to do mandatory counseling, and then you have to wait 24 hours. Then you go back the next day and you get your abortion.

So, all of these were hoops that people had to jump through to get an abortion. So I think, well specifically in the Rio Grande Valley, we're in a very unique geographical area. Because we are close to the border, that means we're the furthest away from any state line. Right? So under SB8, if you don't get your abortion before six weeks, then you're going to have to travel outside of Texas to get your care. And that just simply isn't a reality for a lot of people.

What Frontera Fund does, is we provide financial assistance. So we'll literally help you pay for your abortion, because it's so expensive. And we also provide travel support as well. Because another big barrier in Texas, is that there are very few abortion clinics. We're a huge state. We also provide travel support in the form of lodging, gas money, air and ground transportation, however... whatever anybody needs to get their care.

Menendez: Which is to say, nothing of the fact, that if you are a working class woman-

Zamora: Mm-hmm (affirmative).

Menendez: ... in order to do that travel and in order to accommodate the 24 hour wait time, it means you're likely taking at least two days off of work.

Zamora: Oh, yeah. You're taking two days off. If you have to travel more than a hundred miles to the clinic, then you're able to get a same day procedure. But you have to wait two hours between your ultrasound and your actual abortion. But in general, yes. There's a bunch of residual costs that aren't even calculated into the actual cost, which is loss of wages, childcare, food, all of that stuff.

Menendez: This is happening in Texas. Legislation like this is written not just to limit access to abortion in the state of Texas, it is written to force a decision from the Supreme Court that fundamentally changes the nature of abortion and access to abortion in the United States. Can you tell me what that long game looks like?

Zamora: So, I had told this to a reporter earlier, that if, and we're already seeing it, that if SB8 is allowed to stand, then you're going to see copycat laws all across the south and the Midwest. You're going to get this vast abortion desert where nobody in the south or the Midwest is able to get their care without having to travel very far distances to get the care that they they need.

Menendez: Or access care that is not legal.

Zamora: Yes. And that's what happens when you have abortion bans, right? Abortion bans don't stop abortions. What they really do, is stop abortions happening in a clinical setting. You have people turning to self-managed abortions to get the care that they need.

Menendez: Meaning, the use of Misoprostol or other drugs.

Zamora: Yes. Using abortion-inducing medication.

Menendez: And is my understanding, that there is additional legislation that is aimed at self-managed abortion?

Zamora: Yes. I think it was SB4 that just passed recently, that limits abortion medication. I think has kind of very similar language to SB8, putting that punishment towards people who are helping other people get access to medication abortion.

Menendez: Talk to me a little bit about the split screen of, in the same week that the Supreme Court upholds legislation that effectively bans an abortion in the state of Texas, that right across the border, you have Mexico's Supreme Court declaring that abortion is not a crime.

Zamora: Yeah. That was... It's so interesting. We don't know what that means for us yet, because right now, all Mexico has done is decriminalized it. Right? So they're just saying, a person can't be punished criminally for having an abortion. But there's still not an abortion provider in any of the neighboring states. In Tamaulipas or Nuevo León, there's not an abortion provider. But if there was one, I can definitely imagine people crossing the border to get their care, because people do that already with other types of care.

So many people go to the border towns for all sorts of healthcare and go to the pharmacies in Mexico to get their pharmaceuticals. And that's just something that people commonly do in border towns. We're in a very weird moment because things are literally changing from day to day. The fact that Mexico decriminalized it, is going to affect my work. The fact that the DOJ has now gotten involved, is going to affect the outcome of SB8.

Menendez: Let me just say for those who may not be following this as closely, what you're referring to, is that the Department of Justice is going to file suit against the state of Texas?

Zamora: Yes. Yes. And so, what outcome is that going to have? We're at pivotal point in abortion access. But at the same time, people who've been doing this work have been preparing for a post Roe V. Wade type of world. And we've kind of looked at SB8, of what's happening in Texas, as horrible as this is to say, as a practice run of what it's going to be like to live in that type of world. How are we going to build the infrastructure and the pipelines to get people to places where they can get their care? Many people from the United States depend on going to Mexico to get their care because it is a lot cheaper, and it's high quality care over there. So, I'm very happy that Mexico did what they did.

Menendez: When you say that organizations like Frontera fund are imagining and thinking through what infrastructure will need to look like in a post Roe world, what is that work?

Zamora: So what that work looks like, is basically working together with the different funds in different areas of the country and figuring out kind of getting the logistics of all the different restrictions that each state has. What does it look like for minors to get care over there? What's the travel going to be like? Are there people who are bilingual that can help people who are Spanish speaking? All those types of logistical questions that we need to get answered. Are there protestors outside of the clinic? What kind of restrictions do the state have? What's so frustrating is that it's really different from state to state. And that almost creates a little bit of a logistical nightmare because we have to think about all these different things.

Menendez: Zaena, I want to talk a little bit about Roe V Wade. Because one of the shifting conversations within the reproductive justice movement has been about the fact that millennials, like myself, born into a post Roe world, where we, depending on where we lived, did not need to think about access to abortion in the same way that people were thinking about it in a pre Roe world. And that the framework of Roe was not exactly resonant with many members of our generation. You've seen this shift within the advocacy community, away from focus so much on Roe and focusing more on access to reproductive care, as a broad racial justice issue, social justice issue. And I wonder now, that that shift, that generational shift has been made, how something like the Texas law, which brings Roe back into question and thus back into focus, then collides with this new framework and this new language.

Zamora: There's a little bit of a disconnect, I think. It can be little things like saying, "This is about women's rights." Well, it's not just about women's rights. It's about human rights. Because, again, it's not just women who have abortions. It's non-binary, intersex, trans folks. And also, recognizing that Roe is the floor, it's not the ceiling, access should be the bare minimum of what we should get.

There is a shift in the culture stigma of abortion. I think now we're seeing people who are no longer saying things like, "I'm pro-choice." It's like, "No, I'm pro-abortion." And pro-abortion means that you support somebody's decision to have an abortion, that you trust what they're... that they know what they're doing for themselves. And they're making the right decision for themselves, and that you think that people should have complete access to abortion care without any restrictions. Right? And I think it's really important to recognize that, again, that Roe is the floor and it's not the ceiling. That is the bare minimum of what we should be asking for.

Menendez: So if that's the minimum, then what is the maximum?

Zamora: Having complete access to abortion. Abortion doesn't have to be... It feels like abortion care almost needs to be this constant battle for crumbs. In certain states, that's what it feels like, especially in Texas and in the south and Midwest. It doesn't have to be that way.

People saw, especially under the pandemic, saw the usefulness of doing telemedicine or telehealth. Abortion could be as easy as meeting your doctor online and telling them when your last menstrual period was and them sending you pills through the mail, where you're able to have an abortion at home with the guidance of a doctor or nurse practitioner or somebody, and without any shame or stigma attached to it. Or being able to go to a clinic without getting harassed or having to go through a bunch of different types of barriers that the state implements on a person. Having abortion be able to be covered by health insurance coverage, or even be free for people.

And not only just abortions, but just the whole range of reproductive. I think it's good to imagine and how it should be instead of just thinking, fighting for those little crumbs. I think it's really important when you do this work, to imagine, it doesn't have to be this way. It can be an experience that is not riddled with shame or stigma or restrictions, and it should be that way.

Menendez: It is not lost on me, I don't think it's lost on most people, that Texas has been in the news a lot these days, in part, because of the way your governor has approached the pandemic. In part, because of the voting rights legislation that we've seen coming out of the state of Texas. And in part, because of this abortion law, to say nothing of gun laws, immigration, is a whole bouquet of issues there. I wonder if you agree that all of these issues are connected.

Zamora: Oh, yeah.

Menendez: And that to truly understand the power grab that is happening, you can't just look at any one piece. You have to step back and look at it as interconnected and happening in its totality.

Zamora: Yeah. Absolutely. It is no coincidence that the same legislature that passed SB8 is the same legislature that passed restrictions against public schools teaching critical race theory. It's the same one that is passing voting restrictions. It's the same one that is trying to pass anti-trans legislation. And it's all connected because none of these exist in a vacuum. Right? They're all intersectional. So, that's definitely not lost, I think on anybody who lives in Texas, who sees what's happening.

Menendez: Which is why so many Texans, I think, have that constant, "Do I stay and fight, or do I concede that this is not aligned with my values and who I am?"

Zamora: Yeah. I mean, it's definitely difficult to have that conversation with yourself. But I also think that comes from a place of privilege where you're able to say, "Oh, do I stay and fight or do I go?" Most people don't have the privilege to just go. And we shouldn't have to go either.

A lot of us are indigenous to this land. We've lived here for generations and generations. On my mother's side, I'm second generation American. But on my dad's side, they've been in Texas since Texas was Mexico, and since Texas turned into Texas and then Texas turned into a state in the U.S. Right? So, that family has been here for generations and I'm going to stay and fight because someone has to. And I always tell myself, "You are the one you've been waiting for. There's not going to be a savior who's going to come and save us all. It has to be done from the community, and it has to be done with you."

Menendez: Which brings me perfectly to my next question, which is, what is it that brings you to this work?

Zamora: So, I think funding abortion is a radical act of community care. And doing this work has really changed my worldview on a lot of things, because it's so intersectional. And it really does make you view the world through a very specific type of lens that is for freedom for all types of people.

And how I personally got into this work was, a friend of mine who is the founder of Frontera Fund, she was having an event for Frontera Fund. And I met up with her and I asked her, "Wow, this is great. How can I help?" And so, she put me on the board and she put me to work. She put my money where my mouth was and was like, "Okay, you want to help? Then, get on the board and you're going to do some work around it."

And I just kind of really fell in love with it. I've always been very vocal about being pro-choice, and I really love the work that I do and being able to help my community in this way.

Menendez: Zaena, what did I miss?

Zamora: That is a good question. I think it's really important for people to have these uncomfortable conversations, to say the word, abortion. Don't use euphemisms like say, "the procedure" or whatever. Say, "abortion." It's not a dirty word. Abortion is healthcare.

People get abortions for different types of reason, and we shouldn't have to bring up things like, "Oh, they didn't even make exceptions about rape or incest." It shouldn't matter the reason somebody has an abortion. It matters that this is what they want, this is what they've decided for themselves, and for their families. And they should have the right to have access to an abortion, if they so need it. And it should not be the responsibility of other states to take care of Texans. Texans should be able to take care of Texans for themselves.

Menendez: Zaena, I know this is a very, very busy time for you, so thank you so much for taking the time for us.

Zamora: Thank you.

Menendez: Instead of offering you my takeaways from this episode, I'm instead going to read you a bit of what Justice Sonya Sotomayor wrote in her dissent. "The court's order is stunning," she wrote. "Presented with an application to enjoin a flagrantly unconstitutional law engineered to prohibit women from exercising their constitutional rights and evade judicial scrutiny, a majority of justices have opted to bury their heads in the sand. The court has rewarded the state's effort to delay federal review of a plainly unconstitutional statute enacted in disregard of the court's precedence, through procedural entanglements of the state's own creation. The court should not be so content to ignore its constitutional obligations to protect not only the rights of women, but also the sanctity of its precedence and of the rule of law."

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