

## Abstract for Plenary on Reproductive Rights

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I will offer two suggestions. First, the primary challenge for supporters of reproductive choice in the years ahead is political, not jurisprudential. Accordingly, where it is politically advantageous to do so, they should mobilize around issues of reproductive freedom and equality in upcoming national and state elections. Second, and in the meantime, supporters of reproductive choice should (among other things) seek to persuade Justice Anthony Kennedy that he reaffirmed *Planned Parenthood v. Casey* even as he decided *Gonzales v. Carhart*, and that he should draw from his gay rights opinions in future abortion rights cases. Just as Kennedy cited *Casey*'s key passage about human dignity and autonomy in *Lawrence v. Texas*, so he should be persuaded to cite key passages of *Lawrence*, *United States v. Windsor*, and the impending same-sex marriage decision the next time he encounters an abortion restriction that disrespects the dignity of women. Supporters of reproductive choice should impress upon him that there are human dignity concerns on both sides in constitutional challenges to restrictions on reproductive choice, and in RFRA challenges to laws that enhance access to reproductive choice.