

## Getting Curious with Jonathan Van Ness & Heidi Schreck

JVN [00:00:01] Welcome to "Getting Curious", I am Jonathan Van Ness. And every week I sit down for a 40 minute combo with a brilliant expert to learn all about something that makes me curious. On today's episode, I'm joined by two-time Tony Award nominee, playwright and actress Heidi Schreck, where we discuss her play, "What the Constitution Means to Me", where Heidi breaks down the language and interpretation of the Constitution. And I ask, "Honey, what is going on with that constitution? Do we need to do a little makeover on her? What to deal with the Second Amendment? What's up with how women got the right to vote and what's all the tea anyway"? Welcome to "Getting Curious", this is Jonathan Van Ness. I'm very, very, very excited. Our guest this week is, she is a playwright. She's the creator. She's an actress extraordinaire. But her name is Heidi Schreck. Welcome.

HEIDI SCHRECK [00:00:45] Thank you so much for having me.

JVN [00:00:47] But I'm really excited for this episode because I've been wanting to talk about the Constitution for a long time.

HEIDI SCHRECK [00:00:51] You too?

JVN [00:00:53] Yes.

HEIDI SCHRECK [00:00:53] OK.

JVN [00:00:54] You too. Me too. Us too. Yes.

HEIDI SCHRECK [00:00:57] Yes.

JVN [00:00:57] But. Yeah. So you too. Your play is literally about the, it's what the Constitution means to me.

HEIDI SCHRECK [00:01:05] Yep.

JVN [00:01:06] That's the name of it.

HEIDI SCHRECK [00:01:07] That is the name.

JVN [00:01:08] So what? You're minding your own business. You're like a young American girl running through the fields of?

HEIDI SCHRECK [00:01:13] Wenatchee, Washington, the apple capital of the world.

JVN [00:01:15] Wow, literally running through the fields of Washington. I just guessed.

HEIDI SCHRECK [00:01:18] The orchards.

JVN [00:01:19] The orchards.

HEIDI SCHRECK [00:01:19] The apple orchards. Yeah.

JVN [00:01:20] And you become obsessed with the Constitution?

HEIDI SCHRECK [00:01:23] Yes.

JVN [00:01:23] It, when you're 6, 8, 12?

HEIDI SCHRECK [00:01:26] 15.

JVN [00:01:27] 15.

HEIDI SCHRECK [00:01:28] 15, yes.

JVN [00:01:28] Kind of a late, late, like what everyone else is getting obsessed with driving, you're like, let me get my hands on this constitution.

HEIDI SCHRECK [00:01:34] Yeah. Exactly. Driving obsessed.

JVN [00:01:34] When did you get bit by the constitution bug?

HEIDI SCHRECK [00:01:37] I mean it was like I had a mercenary reason for becoming obsessed with that. I just I, I really wanted to go to college and my mom had this idea to have me do this contest because she knows it's quite lucrative. So she proposed that I do this contest where I travel the country giving these, you know, rousing, inspirational speeches about the Constitution at American Legion halls. And I did that and I won so much money and was able to pay for my entire college education.

JVN [00:02:07] Holy shit.

HEIDI SCHRECK [00:02:08] I mean it was I went to school in 1989. To send a girl to college, to a state school.

JVN [00:02:13] You went to college in 1989?

HEIDI SCHRECK [00:02:15] In 1989. Yeah.

JVN [00:02:15] Bitch, what are you using for your skincare? Fuck the constitution. Who, did you and the devil like have sex or something? You are, not to, you look, your skin, honey. Wow.

HEIDI SCHRECK [00:02:27] Thank you so much. I have had sex with devils before, but I think I had like very oily skin. You know, I had like a lot of acne. And I think that serves me later.

JVN [00:02:35] Good for you.

HEIDI SCHRECK [00:02:37] Yeah, thank you. Thank you.

JVN [00:02:38] Wow, we literally look the exact same age.

HEIDI SCHRECK [00:02:40] I don't think that's true. I think you look much younger than I do.

JVN [00:02:43] Could not be any more true. So you're 15. You're in Washington and you do a rousing speech contest of the Constitution, which honest, I've never heard of this tour circuit. I didn't know that it existed.

HEIDI SCHRECK [00:02:54] Oh yes.

JVN [00:02:54] Is it still around?

HEIDI SCHRECK [00:02:55] It's still around. You can still make a whole bunch of money this way.

JVN [00:02:58] Kids.

HEIDI SCHRECK [00:02:58] Yeah.

JVN [00:02:59] So what do you do? You just go reenact the Lincoln-Douglas debates, kind of? But with the constitution.

HEIDI SCHRECK [00:03:03] It's, it's a little different. You have to give an 8 minute prepared speech about the constitution. I think that's because I played, you know, I was in "The Crucible" in high school.

JVN [00:03:14] Oh. So it was, it was the forefront of your mind. So what was "The Crucible" of the Constitution for you back then?

HEIDI SCHRECK [00:03:20] For me back then, the idea was that, you know, this crucible is this kind of like melting pot or this place that people come together to like sort of battle out ideas and ethical notions. And so I gave a speech about how was this kind of I don't know, I was very into like magic and transformation. So how is this like sort of hot boiling pot of like transformation and magic and. Yeah.

JVN [00:03:48] So through doing these tours, are you basically like accidentally like memorize the Constitution?

HEIDI SCHRECK [00:03:53] Sort of. Well.

JVN [00:03:54] Kinda like you know it really well.

HEIDI SCHRECK [00:03:56] Kinda, because there was this second part of the contest, which is where you had to draw an amendment or article from a hat. So every year they chose six, three amendments, three articles and you had to study them and then be ready to speak about them extemporaneously for five minutes. So, the look of shock on your face.

JVN [00:04:14] So you did this are all four years of high school?

HEIDI SCHRECK [00:04:17] I did, yes.

JVN [00:04:17] So you really studied the, all of them a lot?

HEIDI SCHRECK [00:04:20] I did.

JVN [00:04:21] So like we come over from Britain. Like we like we're minding our own business.

HEIDI SCHRECK [00:04:27] Sure.

JVN [00:04:27] The 13 colonies, was there 13 colonies right off the bat? There was right or no?

HEIDI SCHRECK [00:04:31] Yes. Well, I don't know about that.

JVN [00:04:32] Whatever, so there's 13.

HEIDI SCHRECK [00:04:33] But yes, eventually.

JVN [00:04:33] Like right when they came over, like they like or or was there any New England first and then like Georgia came later or something?

HEIDI SCHRECK [00:04:38] Pretty quickly. There were 13 colonies.

JVN [00:04:39] OK, so pretty quick there was 13. And then. So then but then we were like no more of this, no taxes. Boston Tea Party happens, all this stuff happens. Revolutionary War. And right before the Revolutionary War, we wrote the Constitution? In the midst of it?

HEIDI SCHRECK [00:04:53] No aft, afterwards. So after we gain independence from England. They're, the states were basically trying to figure out how, like how to come together as a nation. Like how, what, what would unite these states that we're now liberated from England, right?

JVN [00:05:13] And they loved their state power. That was such a big deal.

HEIDI SCHRECK [00:05:16] It was a very big deal. Yeah, the state power was considered very important, but they knew, there's something, I don't know if you remember studying Shay's Rebellion in high school, but-

JVN [00:05:24] No.

HEIDI SCHRECK [00:05:24] There were, to be honest, I don't remember that well either. But I know that it sparked this question of like, how are we going to unite ourselves as one nation? So they had what was called the Articles of Confederation, which was in a sense, essentially a kind of constitution. But they, they wanted to come together and basically amend and rewrite the articles.

JVN [00:05:45] To make it official.

HEIDI SCHRECK [00:05:46] Make it official, make it better figure out how to unite all of these states that they came together in the constitutional convention. I guess, when was that? 1789. They came together very sweaty summer in Philadelphia. They met in these like hot rooms and just argued for days and days and days until they came up with this constitution.

JVN [00:06:13] And how many articles was there at the beginning? Or, or how many like amend-, or how, what's it organized into?

HEIDI SCHRECK [00:06:20] Well, the, the, the, the Bill of Rights came pretty quickly because they they didn't want. There were many people who didn't want to ratify the document without a Bill of Rights. So those are the first, as you know, the first 10 amendments and those.

JVN [00:06:33] Oh.

HEIDI SCHRECK [00:06:33] Yeah.

JVN [00:06:33] I didn't, I'm not that good at the Constitution.

HEIDI SCHRECK [00:06:37] That's OK.

JVN [00:06:39] So the first 10 articles of the Constitution.

HEIDI SCHRECK [00:06:41] The 10 amendments.

JVN [00:06:42] The 10 Amendment.

HEIDI SCHRECK [00:06:43] Yeah, so the articles, basically, they're, they're about the kind of the structure of our government. Right? They give us the three branches of government. They talk about.

JVN [00:06:52] But what's the order?

HEIDI SCHRECK [00:06:53] The order. OK, so the articles come first.

JVN [00:06:56] Yes. So in the little book, 'cause when you come to the play. Oh, yeah. Because like spoiler alert, you guys. Fierce play. She wrote this fierce play. It's like What The Constitution Means To Me. But instead of like a playbill you get like the constitution.

HEIDI SCHRECK [00:07:06] Yes.

JVN [00:07:07] So when your own the constitution. You get your own pocket constitution, which is like, honey, aside from seeing your brilliant ass like that's a reason, we all need a pocket constitution.

HEIDI SCHRECK [00:07:16] I agree.

JVN [00:07:16] So you open it up and then what's it say?

HEIDI SCHRECK [00:07:18] Oh, well, the first there's the preamble to the constitution, which is "We the people".

JVN [00:07:22] Yes.

HEIDI SCHRECK [00:07:22] Yes. Which is we discuss a lot in the play as who did they mean by "We the people" when they wrote it. They really didn't mean very many people. They meant mostly, well they meant white male property owners as maybe one of us in this room is one.

JVN [00:07:37] So when they, so when they go on to-. So when they go on to explain that in the Constitution, what they mean in "We the people".

HEIDI SCHRECK [00:07:45] Yes.

JVN [00:07:46] So what do they mean?

HEIDI SCHRECK [00:07:48] Well, I mean.

JVN [00:07:49] What do they say?

HEIDI SCHRECK [00:07:50] They say, hmm.

JVN [00:07:53] Because like that's before ladies.

HEIDI SCHRECK [00:07:54] That's before lad, ladies, we're not considered a part of this.

JVN [00:07:56] Was that the three-fif? What about the whole three-fifths bullshit?

HEIDI SCHRECK [00:08:00] The three-fifths bullshit. Well, that was of course, the kind of the greatest horror of the constitutional convention was that they agreed. You know, there were many people who were abolitionists and anti-slavery arguing that.

JVN [00:08:13] Even at the constitutional convention in 1789?

HEIDI SCHRECK [00:08:15] Even at the constitutional convention. Yes. And-

JVN [00:08:17] In 1789.

HEIDI SCHRECK [00:08:18] Yes.

JVN [00:08:19] So there was anti-. There there's abol-. There's abolitionists even then, that were like, "This slavery thing is fucked up".

HEIDI SCHRECK [00:08:24] Absolutely.

JVN [00:08:24] You guys like, what are you doing down there in Georgia and South Carolina and stuff?

HEIDI SCHRECK [00:08:27] Exactly. But those states, the southern states had a great deal of wealth, obviously, because it was ill gotten wealth and power. And in the end, they made, you know, the most disgusting compromise.

JVN [00:08:41] Which wasn't it? Wasn't it?

HEIDI SCHRECK [00:08:43] Yeah.

JVN [00:08:43] Kind of like, oh let's kick this can down the road. We will. None. No. No laws will change on, change on this until like later. Wasn't that kind of what they said?

HEIDI SCHRECK [00:08:50] I mean yeah technically I guess they said they were kicking the can down the road, but everyone knew they were agreeing to ratify a constitution that.

JVN [00:08:59] Allowed slavery in the South.

HEIDI SCHRECK [00:09:01] In which slavery was legal. Yes.

JVN [00:09:02] In the South?

HEIDI SCHRECK [00:09:03] In the South.

JVN [00:09:04] But not in the North.

HEIDI SCHRECK [00:09:04] Not in the North.

JVN [00:09:05] But really bad because it's in the fucking South.

HEIDI SCHRECK [00:09:09] I mean, yeah, horrific. And also at the time there were laws. Yeah. You know, even though slavery was illegal in many northern states, you know, if, if someone were to run away to a northern state, I think they could be or were legally required to be sent back. I mean, it was you know.

JVN [00:09:29] I wonder about Canada. Like maybe if you got to Canada you were safe or something. Such a fucking nightmare.

HEIDI SCHRECK [00:09:34] Probably was really, very difficult to get to Canada. Yeah.

JVN [00:09:37] But, you know, when you think about it, like that was really only like 200 year-

HEIDI SCHRECK [00:09:40] Like 230 years ago.

JVN [00:09:42] Yeah. Like, it's just not that long. Like there is definitely a very clear cultural pain body and like there's still leftovers like in the South from like that disproportionate balance of wealth, like the the footprints of what that did is still so all over. It's everywhere.

HEIDI SCHRECK [00:09:57] Yes. I mean it's, it's everywhere. It's in all of our structures, all our structural-. You know, I think it's baked into the fabric of our government. I mean, it's, it's, that's the Electoral College was born out of the slavery decision to-. Yeah.

JVN [00:10:14] Oh, wait. Oh, yeah. Yes. So. But wait. So you open up with the preamble then what is it?

HEIDI SCHRECK [00:10:18] Yes.

JVN [00:10:20] Preamble then?

HEIDI SCHRECK [00:10:20] Then we go to article one which I might have to look at my-.

JVN [00:10:24] So there's like there's like three articles or ten articles or something. How many articles? Just like a bunch of articles.

HEIDI SCHRECK [00:10:28] Yeah. There's a bunch of articles.

JVN [00:10:30] And then, and then you. And then it's the amendments afterwards?

HEIDI SCHRECK [00:10:33] Yes. Beginning with the Bill of Rights.

JVN [00:10:35] So we're going to take a really quick, we're going to go really quick break and then we'll be right back with more Heidi Shreck and more on the Constitution right after this. Welcome back to "Getting Curious", this is Jonathan Van Ness. So basically she's the preamble in the Constitution and then it's very many articles and then there is a ton of amendments. And when we pass a new amendment, certain things have to happen.

HEIDI SCHRECK [00:11:07] Yes, certain things have to happen. Let me just say that. OK. So there are seven articles.

JVN [00:11:14] Seven articles.

HEIDI SCHRECK [00:11:15] And 27 amendments.

JVN [00:11:17] And 27 amendments.

HEIDI SCHRECK [00:11:17] And the 27th amendment has to do with congressional pay raises. It was one of the first amendments ever proposed over 200 years ago, and they just passed it in 1992. So it took a very long time to pass.

JVN [00:11:30] So our last amendment we ratified was in 1992.

HEIDI SCHRECK [00:11:33] In 1992. Yes. And there are many people who think that it's almost impossible in today's political climate to ever ratify another amendment. I mean we're so divided and it would need to pass to the House and the Senate and then it would need like, I believe two thirds. I can't remember the exact number of states, but people believe that, that it's almost impossible now.

JVN [00:11:55] Because the State Houses would have to ratify it, too. So like the federal House, the federal Senate. And then two, and then each state House and Senate would vote on it.

HEIDI SCHRECK [00:12:05] Yes. Exactly.

JVN [00:12:05] And they would have to pass two thirds of each state, House and Senate.

HEIDI SCHRECK [00:12:08] Yes.

JVN [00:12:09] But then there's that one state that only has the one which is Virginia.

HEIDI SCHRECK [00:12:11] Yes. You know a lot about the Constitution.

JVN [00:12:14] I, well-.

HEIDI SCHRECK [00:12:14] Or the government.

JVN [00:12:15] Delegates, honey, or whatever, you know, delegates, whatever. OK, so, so, so. Right when they ratified the whole constitution, there was just the 10 amendments at the beginning or there is none?

HEIDI SCHRECK [00:12:24] Yeah. Yes. They ratified the Constitution, including, it included the Bill of Rights when they ratified it.

JVN [00:12:30] Which was the? And the Bill of Rights is the whole first ten amendments?

HEIDI SCHRECK [00:12:33] Exactly, yes.

JVN [00:12:33] OK. And then the Second Amendment is one for me that I just, much infuriating. Do you know, like what it is off the top of your head? It's something like militia and right to bear arms.

HEIDI SCHRECK [00:12:42] Yeah. In order to maintain. Well I'll read it. I have it right here.

JVN [00:12:46] Yeah. Read that shit. And then break it down for us because I really want to understand.

HEIDI SCHRECK [00:12:50] OK. So it word for word reads, "a well-regulated militia, comma, being necessary to the security of a free state, comma, the right of the people to keep and bear arms, comma, shall not be infringed". There's a lot of argument about the commas.

JVN [00:13:10] Oh, why?



HEIDI SCHRECK [00:13:11] Well, I mean, there are people who argue that it, that the intention of it was not necessarily to allow all individuals to carry guns, but that the states might be able to maintain militias in case they, we were ever confronted with a tyrannical federal government that the states needed to defend themselves from.

JVN [00:13:30] Oh, but it wasn't necessary for people.

HEIDI SCHRECK [00:13:32] Well, this is the argument. This is a-

JVN [00:13:33] So read that again.

HEIDI SCHRECK [00:13:34] OK. So I will read it again. "A well-regulated militia, comma, being necessary to the security of a free state, comma". So that's the part where they say like the gun was, right. The gun was for these militias. These state militias.

JVN [00:13:48] To be kept by the state.

HEIDI SCHRECK [00:13:50] Exactly. "The right of the people to keep and bear arms shall not be infringed".

JVN [00:13:55] And the people could be like "We the people of the state".

HEIDI SCHRECK [00:13:58] It could be. Yes.

JVN [00:13:59] Which could be like at that time, like the white male property owners. So maybe like.

HEIDI SCHRECK [00:14:03] Well at that time, it definitely was the white male property owners. Yes.

JVN [00:14:06] But now it's like women's, any people of color and just anybody in the U.S. like our rights to bear arms, can't be infringed upon.

HEIDI SCHRECK [00:14:13] Yes.

JVN [00:14:13] It's like how the NRA argue it.

HEIDI SCHRECK [00:14:14] Yes.

JVN [00:14:15] And that's problematic for me.

HEIDI SCHRECK [00:14:17] I mean, I think it's problematic, too.

JVN [00:14:20] So how do we-

HEIDI SCHRECK [00:14:21] I think many of us think it's a problematic.

JVN [00:14:23] We do.

HEIDI SCHRECK [00:14:24] Yeah.

JVN [00:14:25] So but then more things get passed. What was the 11th Amendment after the original 10?

HEIDI SCHRECK [00:14:32] The judicial power of the United States shall not be construed to extend in any suit in law or equity commenced or prosecuted against one of the United States by citizens of another state, or by citizens or subject of any foreign state.

JVN [00:14:52] Oh, it's like we can't, like it's that the whole thing. Like we can't sue people from, like that's why we couldn't sue Saudi Arabia after 9/11 or whatever.

HEIDI SCHRECK [00:14:58] I think so.

JVN [00:14:58] But then like, they can't sue us or something.

HEIDI SCHRECK [00:15:00] Yeah, I didn't I didn't know much about the 11th.

JVN [00:15:02] But then really the 13th. The 13th Amendment is major. So I saw obviously the "13th" with Ava DuVernay, which really is crazy because it like, the 13th says, it's like all men are free unless you're like a criminal or like a felon or something, which is why like 30 percent of Alabama, like doesn't have a right to vote because like they have that state that says that you can't vote if you're a felon.

HEIDI SCHRECK [00:15:24] Yes. Which is why many people argue, as, as the film does, that the modern prison state is just a contemporary form of slavery.

JVN [00:15:32] Yes.

HEIDI SCHRECK [00:15:33] Yes.

JVN [00:15:33] Yes. And I think that the longer that it goes on, the more it's like not only does it keep, you know, people of color in that contemporary slavery model, but also like just like economically, like peop-, poor people. Like poor and people of color like.

HEIDI SCHRECK [00:15:50] Yes, absolutely.

JVN [00:15:51] It's classist and it's racist.

HEIDI SCHRECK [00:15:52] Yes.

JVN [00:15:52] It's both.

HEIDI SCHRECK [00:15:53] It is absolutely 100 percent both. And of course, when those things intersect, when class and race intersect in that way, it's most devastating for lower income people of color. Yeah. I mean, I think that. I mean, one of the things we are, when we debate at the end of the show, one of the things we're debating is how is it possible for this document that was set up to benefit primarily white, not primarily, that was set up only to benefit white male property owners. Right? That's what it was originally. Those were the only people who were considered human beings. So how does this document. How do we force this document to grow and expand enough to to essentially like push back against and undo and rectify the inequality it was born out of? Because the fact is it wasn't, it was not a document of equality when it was created. And so there are a lot of people and I am one of them, who think that like this idea of a neutral document, you know, we have this idea that the constitution is, is, is neutral. Right? It's primarily it's founded in negative rights, like protecting us from a tyrannical government. But a document that was created by and for white male property owners. How can that ever be a neutral document?

JVN [00:17:16] Right.

HEIDI SCHRECK [00:17:17] And so, yeah. So would there-. It's clear, I think, that we need to take a lot of steps to, to actively undo.

JVN [00:17:24] Well I feel like we kind of have been doing that since, trying to kind of do it since the inception of the Constit-, because I mean.

HEIDI SCHRECK [00:17:30] Well, yes, that's true.

JVN [00:17:31] But like so then the 14th Amendment, which is obviously very major amendment.

HEIDI SCHRECK [00:17:35] Yes.

JVN [00:17:36] What's her story?

HEIDI SCHRECK [00:17:37] Her story. She's a wonderful amendment. So as you know, the 13th Amendment abolished slavery. The 14th and 15th Amendments set up protections for former slaves. Basically, Lincoln knew that just abolishing slavery would not necessarily result in in any sort of like equality for former slaves. So he and a group of people, including this guy named John Bingham, got together and wrote the 14th and 15th amendments, which basically ensured that former slaves could vote. Explicitly gave them equal protection under the law and said that anyone born on United States soil was an American citizen, because that, of course, was the big decision in Dred Scott versus Sanford in 1857 when the Supreme Court declared that Dred Scott would have to remain a slave. They also said that no person of African ancestry could ever become a United States citizen. That in order to overturn that horrible Supreme Court decision, you know, an entire civil war was fought.

JVN [00:18:42] And that was in 1857?

HEIDI SCHRECK [00:18:43] That was in 1857, one of the things.

JVN [00:18:46] That caused the civil war?

HEIDI SCHRECK [00:18:47] Yeah. Dred Scott's like incredibly brave action. I think about Dred Scott all the time because he, you know, he was living with his wife and his kids in Illinois. He was living as a free man and decided to risk that freedom deliberately to challenge slavery in this country. Like-.

JVN [00:19:06] How did he do it? What happened?

HEIDI SCHRECK [00:19:07] He he got lawyers and he did what, what we do all the time now, which is when we're trying to get a case to the Supreme Court. He took it through the court systems, got all the way to the Supreme Court to challenge.

JVN [00:19:19] But Dred Scott, Dred Scott was a person, a man of color?

HEIDI SCHRECK [00:19:21] Yes. He was a former slave.

JVN [00:19:23] And he lived in?

HEIDI SCHRECK [00:19:24] He lived in, well, I don't remember where he was born, but he had been living in Illinois as a free man with his family for like four years.

JVN [00:19:31] So he escaped the South?

HEIDI SCHRECK [00:19:32] Yes. I think he was actually, he escaped and may have been, quote unquote, liberated by, by someone, but he risked that freedom to take his case to the Supreme Court and challenge, essentially challenge slavery, and the court said, "No, you're still a slave. And what's more, no person of African ancestry can ever be a United States citizen".

JVN [00:19:59] And so then from 1857, then the war started in '61.

HEIDI SCHRECK [00:20:03] Yeah, exactly. And this was one of the cases that, you know, that brought everything to a kind of conflict.

JVN [00:20:10] Major.

HEIDI SCHRECK [00:20:11] Yeah, it was very major. Yes.

JVN [00:20:12] And when did women get protected in the Constitution?

HEIDI SCHRECK [00:20:16] Well, some people argue that women are not protected in the Constitution even to this day.

JVN [00:20:20] But what about the suffragette thing?

HEIDI SCHRECK [00:20:22] I mean.

JVN [00:20:22] And voting.

HEIDI SCHRECK [00:20:23] I mean, the 19th Amendment.

JVN [00:20:25] 19th Amendment. Yes.

HEIDI SCHRECK [00:20:25] The 19th Amendment finally gave women the right to vote in 1920.

JVN [00:20:29] Which that in and of itself is fucking crazy during the Titanic. Women couldn't vote.

HEIDI SCHRECK [00:20:37] Yeah. No, they could not vote.

JVN [00:20:37] That's fucking nuts.

HEIDI SCHRECK [00:20:38] I mean, when my grandmother was born, women could not vote, which it still shocks me when I think of that. Yeah. So one of the terrible compromises that was made when the 14th Amendment was ratified is that they, there were arguments to try to include women in the 14th Amendment. To say that that 14th Amendment guarantee, guaranteed equal protection under the law. And, and voting rights for women. But instead, people felt this would be trying to do too much at once. So. Male, it, they, they use for the first time in the constitution, they use the word "male" explicitly and said "male citizens, any male citizen of the United States had to be guaranteed the right to vote". Which was terrible for women in many ways because some states had already legalized voting for women, but the Constitution basically said-

JVN [00:21:39] Oh, really?

HEIDI SCHRECK [00:21:40] Yeah. There were a few states in which women could vote. I actually think Washington State where I'm from was one of them. And then the Constitution-

JVN [00:21:46] Washington state was a state in 18-

HEIDI SCHRECK [00:21:47] No, it was not.

JVN [00:21:49] Oh no, 1920.

HEIDI SCHRECK [00:21:49] It was not. Yeah, yeah, yeah. Sorry. I don't know. I don't remember which states.

JVN [00:21:54] But there were states pre-

HEIDI SCHRECK [00:21:55] But Washington did allow women to vote before 1920. But, but basically the Constitution came out and said, yeah, this is not guaranteed on a federal level.

JVN [00:22:06] Which is so horrif.

HEIDI SCHRECK [00:22:07] It's yeah, it's horrific, yes.

JVN [00:22:09] Because like it's like black women at the time were like not all of it. So like what-?

HEIDI SCHRECK [00:22:14] Yes. No. Yes.

JVN [00:22:15] So black women weren't really freed under the-

HEIDI SCHRECK [00:22:18] No. They were, absolutely not.

JVN [00:22:18] Only black men were?

HEIDI SCHRECK [00:22:19] Well. And you could argue that black men were also not really freed either, because as soon as these amendments passed, especially states in the South came up with all sorts of ways to still stop black men from voting. But technically, legally, black men were allowed to vote under the constitution. Technically, legally, they were given full rights. Of course, that didn't happen in reality until the civil rights movement, until the Warren Court, until we started passing laws to make that a reality. But-

JVN [00:22:48] Oh yeah, 'cause they did like separate but equal or whatever.

HEIDI SCHRECK [00:22:51] Yes. Yes.

JVN [00:22:53] So fucked up.

HEIDI SCHRECK [00:22:54] It's so fucked up. I mean, the whole history of the-. Well, obviously, of our country and of this document is, is a kind of horror show.

JVN [00:23:08] Ok, but wait.

HEIDI SCHRECK [00:23:08] Yeah.

JVN [00:23:08] So. Well, no, not let's wait. But let's get to it.

HEIDI SCHRECK [00:23:11] Yeah.

JVN [00:23:11] So, so there is that. So your mind, your business, your baby, Heidi Shreck, you come up on this-. We're going to take a really quick break. We'll be right back with more "Getting Curious" right after this. Welcome back to "Getting Curious", this is Jonathan Van Ness. We're here with Heidi Shreck. So you're minding your own business from Washington State, obsessed with the Constitution, win all this money, you put yourself through school. Congratulations.

HEIDI SCHRECK [00:23:42] Thank you.

JVN [00:23:42] Yes, love. And so then you moved to New York.

HEIDI SCHRECK [00:23:46] No. I, I. I went to the University of Oregon. That's where I went to college. I studied theater and English and Russian. Then I.

JVN [00:23:56] Ooh, interest.

HEIDI SCHRECK [00:23:56] Yes. I loved Russia, I was very into Russia.

JVN [00:23:58] I love a Romanoff story.

HEIDI SCHRECK [00:24:00] Same. Same. Same. I was bearing the Doctor Zhivago as a young girl, and I liked Laura's hat a lot. So I moved to Siberia right after college to teach English.

JVN [00:24:11] And you teach Russia, or you speak Russian too?

HEIDI SCHRECK [00:24:14] Da.

JVN [00:24:15] Wow.

HEIDI SCHRECK [00:24:14] Yes, I do.

JVN [00:24:15] Major.

HEIDI SCHRECK [00:24:16] Yeah. Yeah. It's a little rusty.

JVN [00:24:17] How do you say like, "Oh, my God, I'm not sure if maybe Anastasia could still be alive". Can you see that in Russian, like, "Oh, my God, I'm not sure if Anastasia is dead".

HEIDI SCHRECK [00:24:27] I'll try. [Russian].

JVN [00:24:31] And then how would you say like you've Yevgenia Medvedeva is a really beautiful ice skater.

HEIDI SCHRECK [00:24:38] OK, I have a Russian sister-in-law and she's going to kill me for my accent, but [Russian].

JVN [00:24:53] How do you say "fuck" Russian?

HEIDI SCHRECK [00:24:55] You can say it a few ways. God. I can't remember it.

JVN [00:25:02] What? There's this one. Whenever they land quads in figure skating. This one commentator will be like "[Russian]". Like what's that word? Is it like "beautiful"? Like [Russian].

HEIDI SCHRECK [00:25:20] I'm not sure.

JVN [00:25:20] I'll have to play it for you afterwards.

HEIDI SCHRECK [00:25:21] Yeah, play it for me and I'll say if I can get it.

JVN [00:25:24] Anyway. So when did you realize that you wanted to write this play? "What the Constitution Means to Me".

HEIDI SCHRECK [00:25:28] Oh, my God. I realize I don't, I have that idea. Well, I actually had that idea 20 years ago, but then it seems like too overwhelming of an idea. I had this like really ambitious idea that I could. You know, the part of the contest where you draw an amendment or article out of a hat. I had this ambitious idea to take all the amendments, 27 amendments and put them in a hat and then somehow write or construct a personal story connected to each of them. And then I could have this like performance event like Taylor Mac style 24 hours where you could pull an amendment from a hat and then somehow there would be some incredible story related to it. And this over the course of 27 amendments would make this larger story about my personal relationship to the constitution. Was way too ambitious.

JVN [00:26:15] Yeah. Twenty four hours. It's like in "Harry Potter", the five hour one, I almost had a breakdown.

HEIDI SCHRECK [00:26:20] Yeah.

JVN [00:26:22] It's too long.

HEIDI SCHRECK [00:26:23] Also like Taylor Mac is singing like who wants to just hear me tell stories about?

JVN [00:26:27] Well I would, but for like an hour and a half or two hours.

HEIDI SCHRECK [00:26:29] Exactly. Which is what I finally settled on.

JVN [00:26:31] Yes.

HEIDI SCHRECK [00:26:31] And we only really do, as you know from the show, the 14th Amendment, Section 1, because that is so dense. There's so much in that little series of like four clauses that I'm able to like tell the story of four generations of women in my family using that section. And I'm able to like really do a deep dive into my own, you know, position as, as a white woman in this culture. And yeah, it's-.

JVN [00:27:00] Well without ruining the play. Tell us about what that looks like.

HEIDI SCHRECK [00:27:07] Well, basically, it looks like. So. OK. So the original prompt of the contest was you were supposed to make the constitution personal. Right? Like you're supposed to come at 15 and say, like, how is this document shaped my life in a very personal way. But of course, at 15, I didn't, I think most people wouldn't know how to do that. I certainly didn't. I just would spout a lot of platitudes, you know, about I don't know, it gave me freedom of speech so I could wear a skirt to school and I could vote and whatever. So I thought it would be interesting as an adult to say, like, what would it mean to, to really do that? Like, how has the document actually

made me who I am? How has it affected my life choices? How is it allowed or circumscribed my life to have-. You know, how has it allowed certain things to happen or prevented certain things from happening. And so I started looking into it. And of course, you know, because I'm, because I have this body, I started with birth control and with abortion. And then I started looking into the lives of the women in my family on my mom's side. And I have a long history of domestic and sexual violence on that side, and on my maternal side. And I started investigating how the Constitution, what it had to say about sexual violence toward, well, anyone.

JVN [00:28:36] Which was not a lot, right?

HEIDI SCHRECK [00:28:37] Which is basically nothing, of course. In fact, the Constitution had almost nothing to say about, you know, any bodies that weren't white male bodies. So, so that, the sort of the female experience was entirely left out of this document. And I started to see by investigating a lot of Supreme Court cases and listening to hours and hours and hours of oyez.com, I saw the way that the lives of the women, my family had been shaped by kind of the, by the things that were left out of the Constitution, by the protections they weren't given. By the ways their lives and bodies were not considered by this document.

JVN [00:29:18] And how do you see from? Or so then in the show, like what happens? Like how do you, how does that play out on the show? Because like when I explained like the premise of the show to my friend Julie.

HEIDI SCHRECK [00:29:31] Yes.

JVN [00:29:31] It literally like she just like started to cry. Like just like she's like, "oh, my God, having like Constitution", like it just much emotional because I mean, it is, when you think how much it has shaped people's lives and the-.

HEIDI SCHRECK [00:29:44] Yeah.

JVN [00:29:44] And the disbalance of power and the hardships that it's placed on people and continues to place on her, or continues to because it's like that's like what privileges. Like this document like setup so much privilege in it.

HEIDI SCHRECK [00:29:58] It did.

JVN [00:29:58] And.

HEIDI SCHRECK [00:29:59] And it assumed so much privilege. You know it's just like inherent in the doc-, it's baked into the genes of the document basically.

JVN [00:30:05] So how does that play out like in what you do in the play? Like what you guys do with like how does that debate come into, into fruition?

HEIDI SCHRECK [00:30:13] So the debate comes into fruition basically by the end, by the end of, you know, I start the play as my 15 year old self, very idealistic, really did believe deeply in the genius of this document and the genius of the men who made it. And I sort of trace my awakening at various ages to the ways in which-. You know, I concentrate because it's a personal story on the ways in which I was left out of this document, but also the way, the ways other, other bodies, other people less privileged than I am, were actually overtly harmed by this document. So by the end, I, I come to a place where I and I did this. While I was researching the play. I read all sorts of other countries constitutions. And most of them, you know, most countries have modern constitutions made in the 20th or 21st century and they're fantastic documents. And I started to



question, you know, the like, is it time for a new contemporary document? I mean, this document was revolutionary at the time. It's not now. It's very old. The oldest living constitution in the world. We're one of the only constitutions that doesn't have explicit gender protections. 179 constitutions have explicit gender protections. We don't have an equal rights amendment, which is absurd. And I just started to think like, wow, do? It honestly, and, you know, it's probably occurred to lots of other people, but honestly, it never had occurred to me until I started making the show that the idea of getting rid of it and making something new. And so I thought that would be a, an interesting and kind of galvanizing way to end the play.

JVN [00:32:01] So that's what that's what happened.

HEIDI SCHRECK [00:32:02] There's a live debate at the end of the play.

JVN [00:32:04] So you go through Amendment 14, section one.

HEIDI SCHRECK [00:32:07] Yes.

JVN [00:32:08] And how it relates to your 15, your younger self all the way to now.

HEIDI SCHRECK [00:32:12] Yes.

JVN [00:32:12] And how it's affected the history of like your family is like a white woman from America or from from Washington.

HEIDI SCHRECK [00:32:18] Yeah. From a rural working class Washington state family. Yeah.

JVN [00:32:24] And how and how long has the play been running for now?

HEIDI SCHRECK [00:32:26] It's been running so long. I started doing in a New York theater workshop last September.

JVN [00:32:33] So like five nights a week?

HEIDI SCHRECK [00:32:35] 8. I do 8 shows a week.

JVN [00:32:39] Jeez, sister, God damn.

HEIDI SCHRECK [00:32:41] I know.

JVN [00:32:42] What about if you get the laryngitis? Do you have an understudy or something?

HEIDI SCHRECK [00:32:44] I have no understudy.

JVN [00:32:45] Julie, my assistant. Not that she ever has any time because I need her, but fuck, I bet she would really love to be your understudy. Oh my god.

HEIDI SCHRECK [00:32:51] I would, Julie.

JVN [00:32:52] Julie's like "Yes, please, I'm throwing myself through the window. I quit. I'll come work for you right now". But how often do we throw it out and how often do we keep it like in your play? 'Cause it's always different, right?

HEIDI SCHRECK [00:33:03] It's always different. I think people vote to abolish it. 15 percent of the time.

JVN [00:33:10] 15.

HEIDI SCHRECK [00:33:10] Yeah.

JVN [00:33:10] So usually we want to keep it.

HEIDI SCHRECK [00:33:12] Usually people want to keep it.

JVN [00:33:13] Does it disappoint you?

HEIDI SCHRECK [00:33:14] A little bit. I mean especially I think even as.

JVN [00:33:17] You're like, "Fuck, I just went through this whole thing with y'all, and you still want to keep it? Fuck you".

HEIDI SCHRECK [00:33:21] Yes. I mean, to be clear, I also think especially right at this moment, we should keep it. I don't know that I, I can imagine a world in which we could safely.

JVN [00:33:30] Our state legislatures we can't keep now. Yes. Yeah.

HEIDI SCHRECK [00:33:32] Yes. Make this happen. But, but I am a little surprised by how unwilling people are to even in, in the sense of play, in the sense of pretend like think about ditching this document.

JVN [00:33:44] Like in pre-2018 midterms I think was like 36 legislatures that were Republican controlled.

HEIDI SCHRECK [00:33:51] Yeah.

JVN [00:33:51] I think. And I think you need 38 to ratify a new like you would need 38. Right?

HEIDI SCHRECK [00:33:57] To, yes.

JVN [00:33:57] That's two thirds of 50.

HEIDI SCHRECK [00:33:59] To ratify, yeah.

JVN [00:33:59] So how what would really happen if they did ratify like a new thing like basically the Cong-, like the federal Congress had to write a bill or would have to write a like a pitch for an amendment. Is that a bill?

HEIDI SCHRECK [00:34:13] It's. OK. Well, first of all, let me say this. We actually the country is actually one state away from ratifying the Equal Rights Amendment. And there are people actually trying to make that happen. There's some question about-.

JVN [00:34:24] Is it the Equality Act.

HEIDI SCHRECK [00:34:25] It's that, it's that, it says that people can be discriminated against on the basis of sex.

JVN [00:34:30] Yes.

HEIDI SCHRECK [00:34:31] Yes. It's Alice Paul's amendment, so we're actually one state away from doing it. There's a question about the time because there was a time limit on it.

JVN [00:34:39] Does that protect trans people or no?

HEIDI SCHRECK [00:34:40] Well. So this is the question. There are people and I actually agree with this. In favor of writing a new equal rights amendment.

JVN [00:34:50] Which is the Equality Act.

HEIDI SCHRECK [00:34:51] Which is the Equality Act.

JVN [00:34:53] Yes.

HEIDI SCHRECK [00:34:53] Yes, exactly. To say to include.

JVN [00:34:55] But how would you make.

HEIDI SCHRECK [00:34:56] Explicitly trans people.

JVN [00:34:58] Yes.

HEIDI SCHRECK [00:34:58] To include gender, not just sex.

JVN [00:34:59] But the Equality Act would become an amendment.

HEIDI SCHRECK [00:35:01] It would become an amendment.

JVN [00:35:02] It would become an amendment on the, the, the whatever the amendment was in 1963 which was the Equality Act or something.

HEIDI SCHRECK [00:35:10] What, are you talking about The Equal Rights Amendment?

JVN [00:35:12] Yes.

HEIDI SCHRECK [00:35:12] Yeah. Yeah. So. So the idea, there is an idea out there to rewrite the Equal Rights Amendment that Alice Paul wrote and that almost was ratified in the 1970s until Phyllis Schlafly came along or I guess 70s, 80s, until Phyllis Schlafly and the Moral Majority came along and sort of torpedoed it. There's an idea to write a much more inclusive equal rights amendment, which I think is a fantastic idea.

JVN [00:35:34] So but like as far as something good or bad happening, like neither one has the two thirds to get it done. Basically.

HEIDI SCHRECK [00:35:45] Well, there's just that. I think we have to see what happens in the next election cycle. Yeah.

JVN [00:35:51] Because is abortion in one of the amendments. Is that, like was, Roe v. Wade? Is that like an amendment?

HEIDI SCHRECK [00:35:55] No, it's a Supreme Court decision.

JVN [00:35:57] Supreme Court. And what's the difference between an amendment and a Supreme Court decision?

HEIDI SCHRECK [00:36:00] So an amendment. So basically, hmm, a Supreme Court decision is basically the.

JVN [00:36:07] A decision law of the land.

HEIDI SCHRECK [00:36:08] A decision law of the land and the Supreme Court interpreting the constitution to say, like, "OK, we find in this constitution that, that the right to choice is a, you know, a federally protected choice". Because women's bodies were not really included in the original constitution. They kind of had to scramble when they, when Roe v. Wade happened, they sort of had to scramble to find ways to support it. The majority of Americans at the time were pro-choice, including Republicans. It was not. It was a 7 to 2 decision, it was not controversial. Most people believed that, that a woman's right to autonomy over her own body was, you know, something she should have or they should have or anyone with a uterus should have. But they couldn't figure out. Basically, they took some of the 14th Amendment. They they used the 9th Amendment, which is sort of a catch all that says like, ok, there's other rights in this constitution that we didn't name. They use that to find a right to privacy. And they located a woman's right to have an abortion. And it mostly in the right to privacy, saying it was a private decision between a woman and her doctor. Yeah. So it's not, yeah, the right to choice is not guaranteed by an amendment, which is why-.

JVN [00:37:25] We need a more better amendment.

HEIDI SCHRECK [00:37:28] I mean.

JVN [00:37:29] For equal rights.

HEIDI SCHRECK [00:37:30] Well, yes. I think there are people who argue that if there were an equal rights amendment or an amendment that guaranteed equality to anyone of any sex, any gender, any orientation, that it would provide a firmer foundation for women to argue for the right to choice by saying, if I don't have the right to control my own body, my own reproductive system, then I cannot be considered equal to other citizens, to male citizens.

JVN [00:37:55] So then this is the part of the yoga class where it's like, you know, you have been here for 30 minutes. Like, you know, it's yoga recess. So you can really say, you know, whatever you want, but also like what would your dream constitution be for yoga recess is really what I'm asking.

HEIDI SCHRECK [00:38:09] What would my dream constitution be?

JVN [00:38:11] Yeah, like how would you like throw it out and redo it if you could? In like two minutes or less 'cause I talk too much.

HEIDI SCHRECK [00:38:15] OK. I would. My dream constitution would-.

JVN [00:38:19] You can also take four minutes because like I'm fine making next person wait, if you're fine, like I don't care.

HEIDI SCHRECK [00:38:23] I'm I'm totally fine with it. But my dream constitution would would be similar to the Czech Constitution or to South Africa's constitution, which provide more explicit

human rights protections. And my dream would be to provide very clearly explicit human rights protections for everyone who is not protected in this country right now, for people of color, for Indigenous people, for trans folks, for I would, I would be very, I would take the first 10 amendments to provide explicit human rights protections. I would also write an amendment which the Czech Constitution has and the South African constitution has protecting the environment, saying that it's, it's the duty of our government, the federal government, to make sure that the planet is looked after. Make sure that we are protecting the future of the Earth for our children. Those would be my my big things. I would also get rid of the Electoral College and change some structural things about our government.

JVN [00:39:26] And like D.C. statehood, Puerto Rican statehood, more representation in the Senate.

HEIDI SCHRECK [00:39:30] Absolutely. 100 percent. Yes.

JVN [00:39:31] Yes. Because that's so major.

HEIDI SCHRECK [00:39:32] 100 percent. Yes. I would change the structure of the Senate, too. But that's a whole other story.

JVN [00:39:35] Are you active on Twitter and Instagram about these thing?

HEIDI SCHRECK [00:39:37] I am. Well, yes, I repost a lot.

JVN [00:39:40] Get on Twitter about these things so people, ok.

HEIDI SCHRECK [00:39:41] I do, I do. I post a lot on Twitter.

JVN [00:39:43] You'll be able to find Heidi Schreck on the episode description of whatever you're listening to it on. So, Heidi. Thank you so much for your time. Thank you for talking to us.

HEIDI SCHRECK [00:39:50] Thank you so much for having me.

JVN [00:39:50] I appreciate you so much. Thank you so much for writing or for make this play, "What the Constitution Means to Me". Which is running in New York through forever.

HEIDI SCHRECK [00:39:57] Yes.

JVN [00:39:58] And where can people get tickets?

HEIDI SCHRECK [00:39:59] They can get tickets at the Hayes box office on 44th Street. Or if you just go to, if you Google "What the Constitution Means to Me" or "Constitution Broadway", there's a telecharge site you can buy tickets on.

JVN [00:40:11] Love it. Heidi, thank you so much for coming. And let's make some content.

HEIDI SCHRECK [00:40:13] OK.

JVN [00:40:13] OK. You've been listening to "Getting Curious" with me, Jonathan Van Ness. My guest this week with Heidi Schreck. You'll find links to her work in the episode description of whatever you're listening to the show on. Follow me on Instagram and Twitter @JVN. But more importantly, follow @CuriousWithJVN. That's @CuriousWithJVN on Instagram and Twitter for all the updates and all the newest news and all the further news on what all of our guests are up to

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