

Success in the States:

A Pro-Life Strategy for the Current Decade and Beyond

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Declining Abortion Rates

- Between 1990 and 1999 the number of abortions has declined by 18.4%
- Strong economy might be partly responsible
- Pro-Life legislation in the states also played an important part

Strategies of the pro-life movement

- 1973-1983 Human Life Amendment
- 1983-1992 Changing the Supreme Court
- 1992-2001 State Level Activism

State Strategies in the 1990s

- 1) Pro-Life Legislation
- 2) Pro-Life Advertising

Part 1:
Pro-Life Legislation in the States

Pro-Life Gains in the States

	1992	2000
Parental Involvement Laws	20	32
Informed Consent Laws	0	27
Waiting Periods	0	11
Partial Birth Abortion Bans	0	12

Reasons for this increase in legislation

- *Casey vs. Planned Parenthood* (1992)
- Republican victories in state legislatures

State legislatures controlled by Republicans

- | | |
|--------|----|
| • 1992 | 8 |
| • 1994 | 19 |
| • 2000 | 18 |

Academic Studies

- Cartoff and Klerman (1986)
- Blum, Resnick, and Stark (1987)
- Haas-Wilson (1990)
- Rogers, Boruch, Storum, DeMoya (1991)
- Blank, George, London (1996)
- Ellertson (1997)
- Prichard and Parsons (1999)

Conclusions From the Academic Literature

- Parental involvement laws and Medicaid funding restrictions reduce the number of abortions taking place within the boundaries of a given state
- Evidence is mixed as to whether these laws cause overall reductions in the number of abortions that occur

Shortcomings in the Academic Literature

- Studies only examine parental involvement laws and Medicaid funding restrictions
- Most only use data from either Center for Disease Control (CDC) or the Alan Guttmacher Institute (AGI)
- All legislation is treated monolithically

State Data on Abortions

- 1) Center for Disease Control (CDC)
Collected every year from every state.
Inconsistencies with how some states report data
- 2) Alan Guttmacher Institute (AGI)
Data not collected every year
They survey abortion clinics so data collection is more consistent

Data on State Legislation

- 1) Annual Volumes of NARAL's *Who Decides?* (1989-2000)
- 2) Jon Merz, Catherine Jackson, and Jacob Klerman, "A Review of Abortion Policy: Legality, Medicaid Funding, and Parental Involvement, 1967-1994." *Women's Rights Law Reporter* 17, no. 1 (1995): 12-57

Regression Analysis

- Multiple factors can influence the incidence of abortion (strength of the economy, demographics, legislation)
- Regression analysis allows us to “hold constant” the different factors to focus on the impact of legislation

Four Dependent Variables

- 1) Abortion Rate: (CDC Data) Number of Abortions per thousand women between the ages of 15-44
- 2) Abortion Rate: (AGI Data) Number of Abortions per thousand women between the ages of 15-44
- 3) Abortion Ratio: (CDC Data) Number of Abortions per thousand live births
- 4) Abortion Ratio: (AGI Data) Number of Abortions per thousand live births

Factors held constant

- Racial demographics of women between the ages of 15-44
- Age demographics of women between the ages of 15-44
- Annual change in state per capita personal income growth
- Year indicator variables
- State indicator variables

Pro-Life Legislation Analyzed

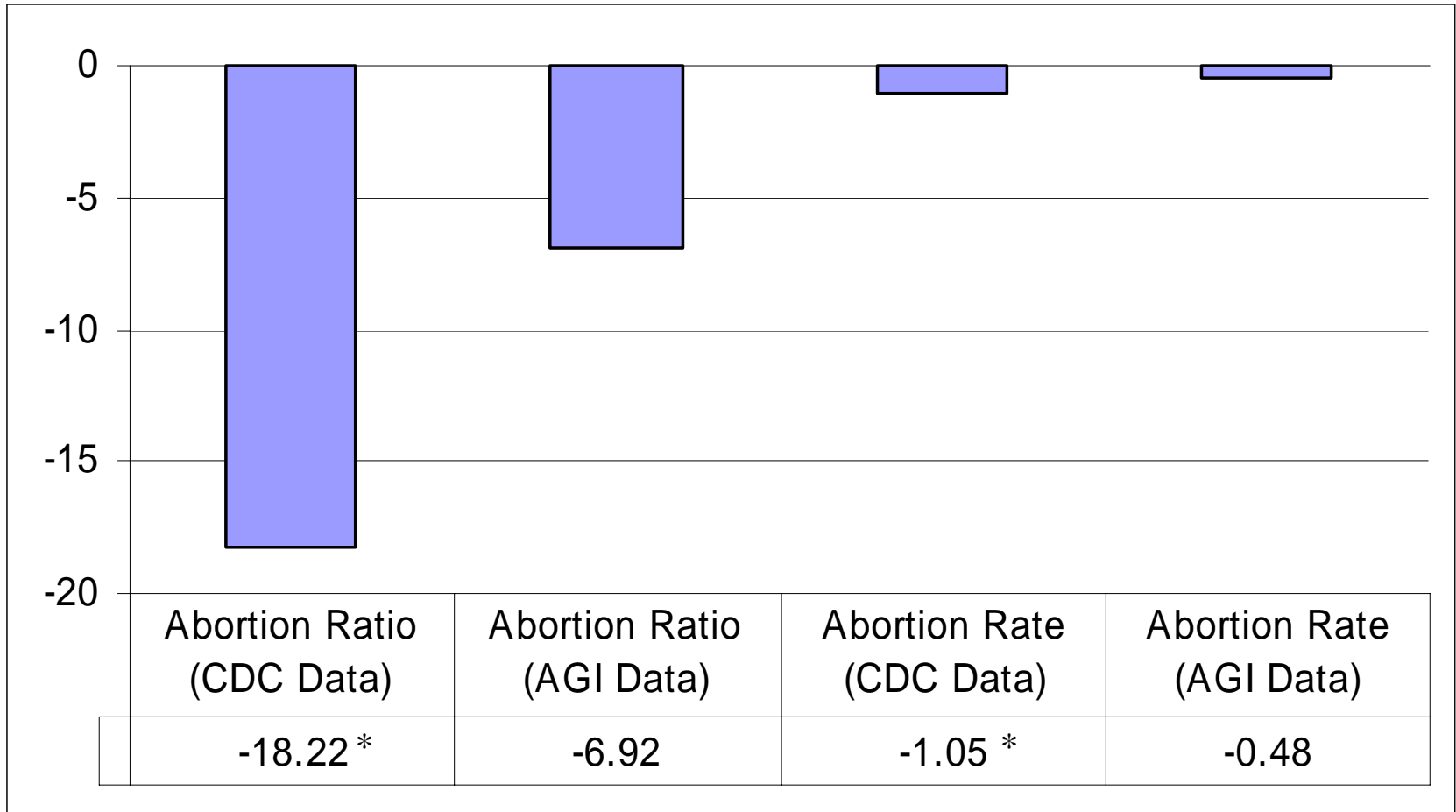
- Parental involvement laws
- Informed consent laws
- Medicaid Funding Restrictions
- Partial Birth Abortion Bans
- Waiting Periods

Regression Results

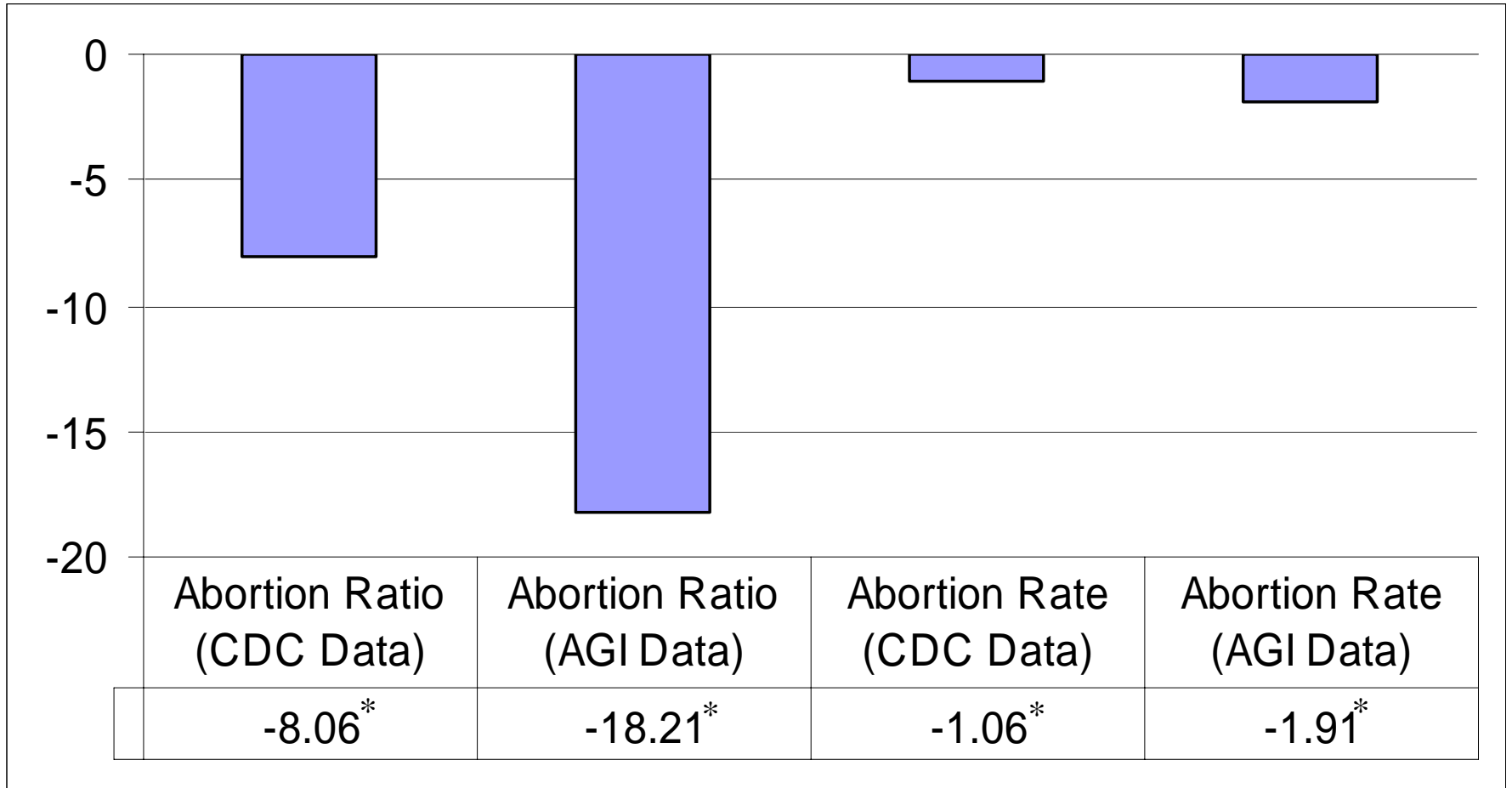
	Abortion Ratio	Abortion Rate	Abortion Ratio	Abortion Rate
Data Source	CDC	CDC	AGI	AGI
Parental Involvement	-18.22*	-1.05*	-6.92	-0.48
Informed Consent	-8.06*	-1.06*	-18.21*	-1.91*
Medicaid Funding Restrictions	-31.68*	-2.16*	-33.81*	-2.47*
Partial Birth Abortion Ban	-14.74*	-1.02	-52.59*	-1.86

* indicates a statistically significant difference ($p < .10$)

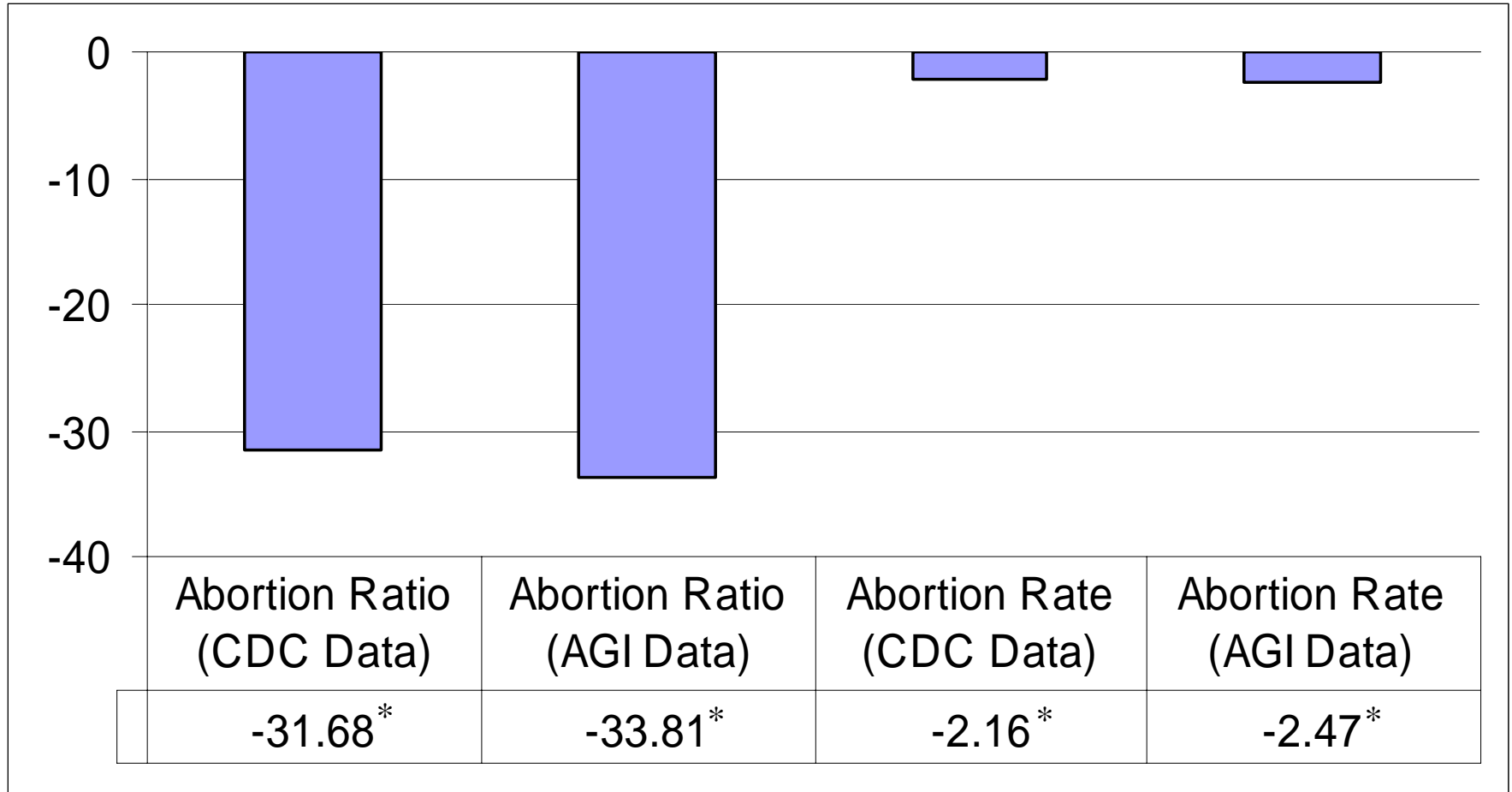
Regression Results: Parental Involvement



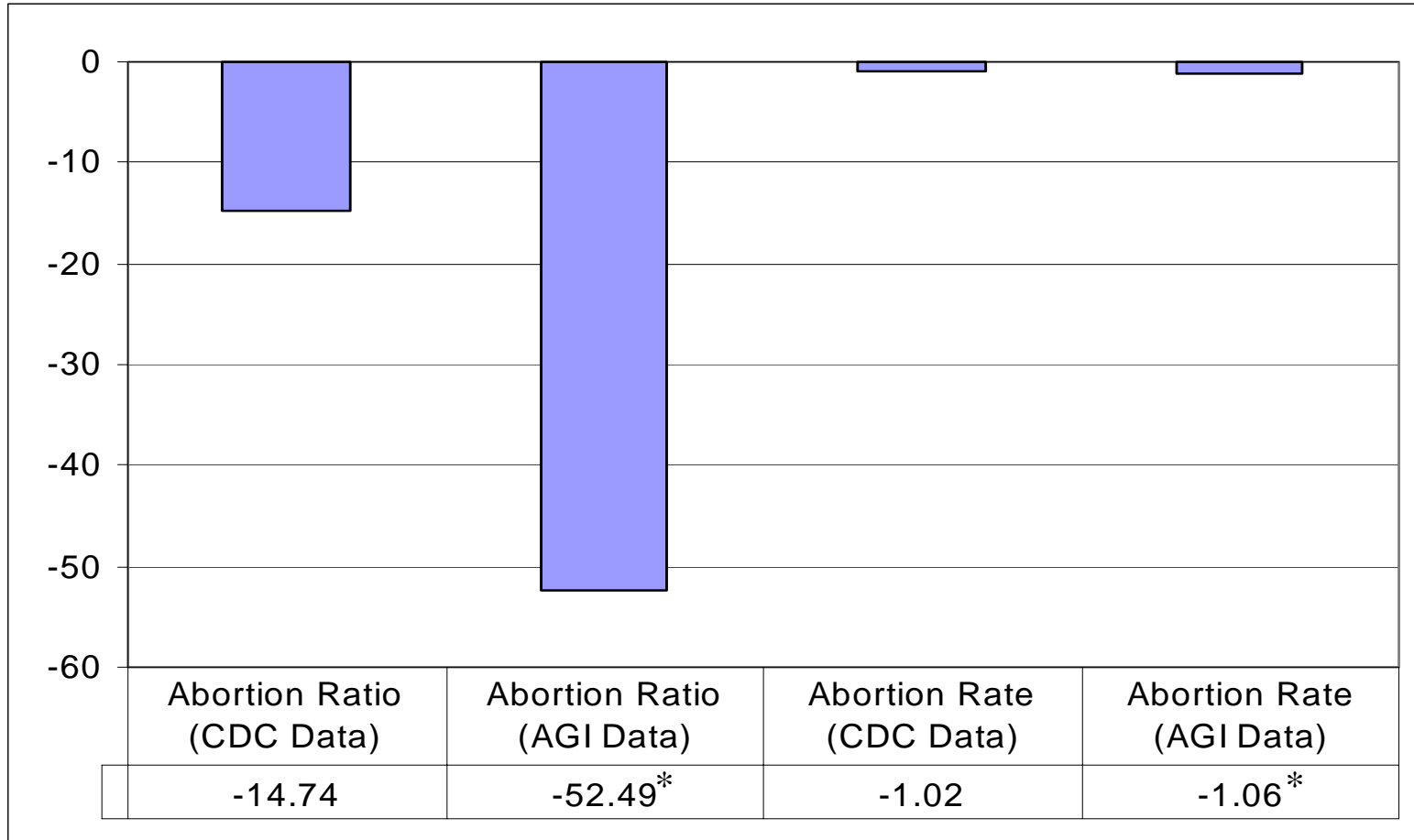
Regression Results: Informed Consent



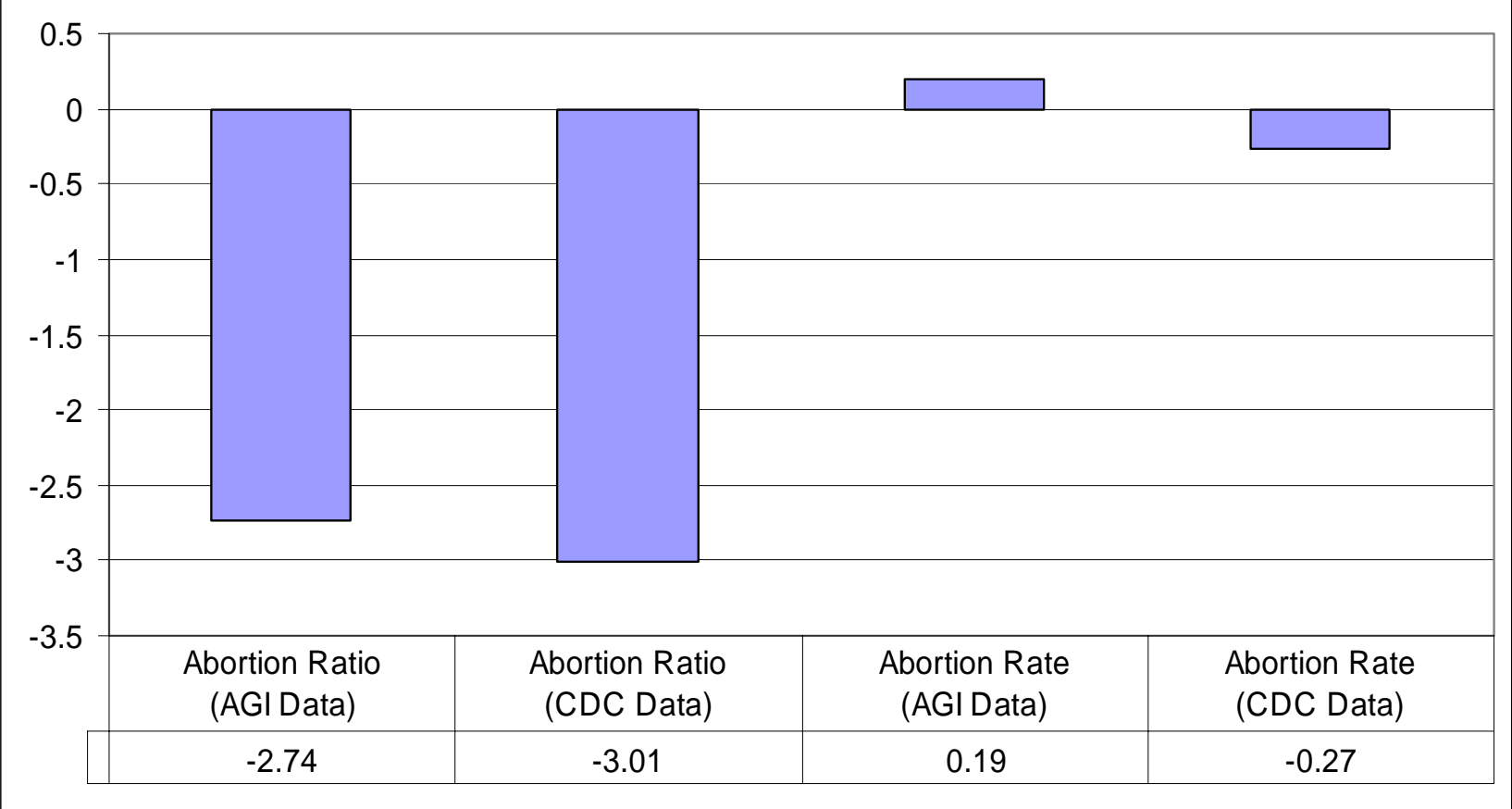
Regression Results: Medicaid Funding Restrictions



Regression Results: Partial Birth Abortion Ban

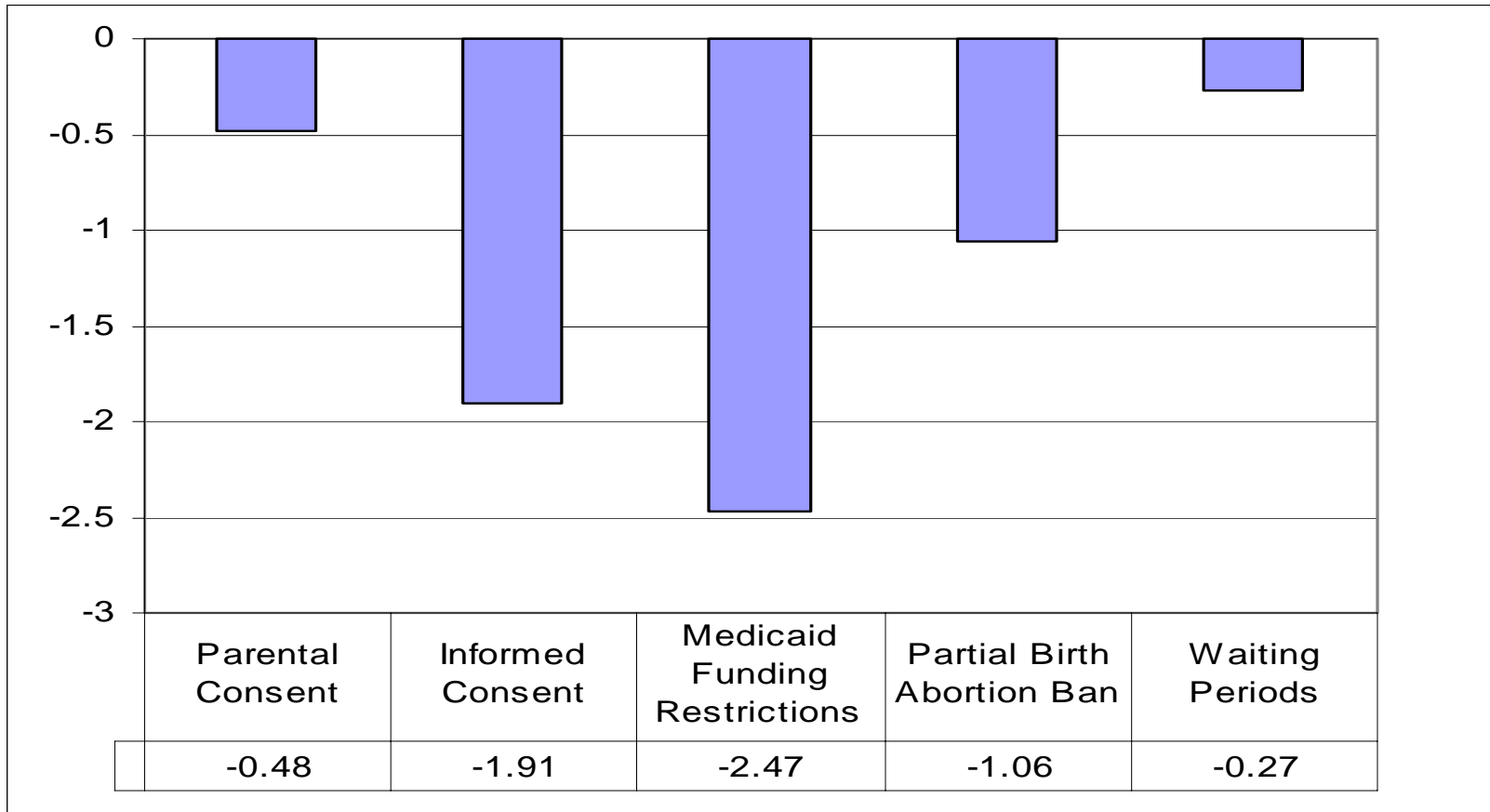


Regression Results: Waiting Periods



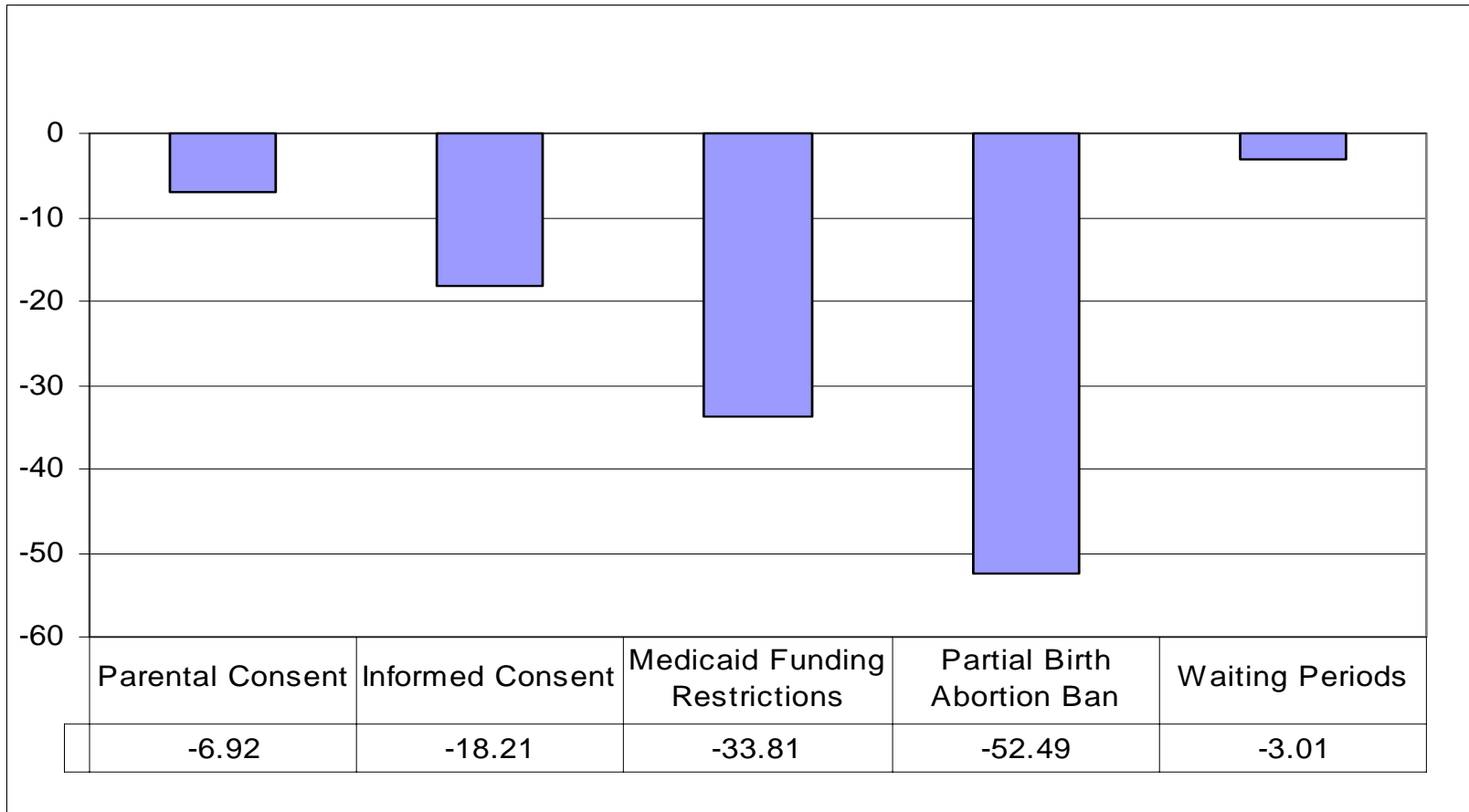
Comparing Different Types of Legislation

(Change in Number of Abortions Per Thousand Women 15-44, CDC Data)



Comparing Different Types of Legislation

(Change in the Number of Abortions per Thousand Live Births, CDC Data)



Endogeneity Problems?

- The passage of pro-life legislation is not something that occurs randomly
- States that pass pro-life legislation differ from other states. They might have a population that is becoming more religious, conservative, etc.
- The changing values and not the legislation could account for the decline in abortions

Solution 1: Run an experiment

- Not practical
- Might be a disaster

Solution 2: Natural Experiments

- Often times pro-life legislation is nullified by a judge
- This creates some nice natural experiments
- These states have passed the legislation, but legislation did not actually take effect

Recent judicial nullifications of parental consent laws

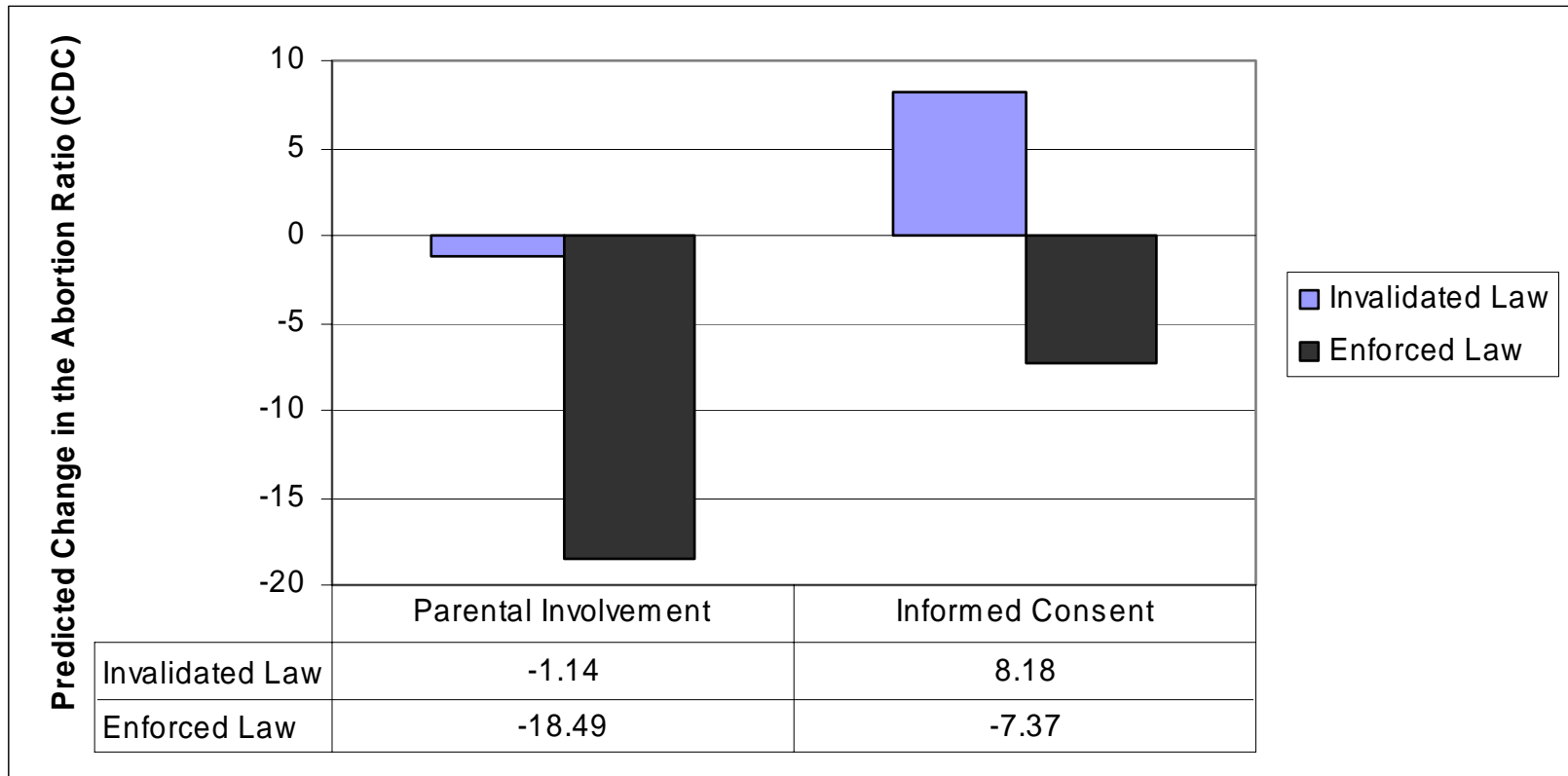
- Georgia: July 1987 to September 1991
- Minnesota: November 1986 to October 1990
- Mississippi: July 1986 to July 1993
- South Dakota: July 1993 to July 1997
- Tennessee: October 1989 to February 1992
- Tennessee: July 1996 to July 1999

Recent judicial nullifications of informed consent laws

- Indiana 1995-2003
- Michigan 1995-1999

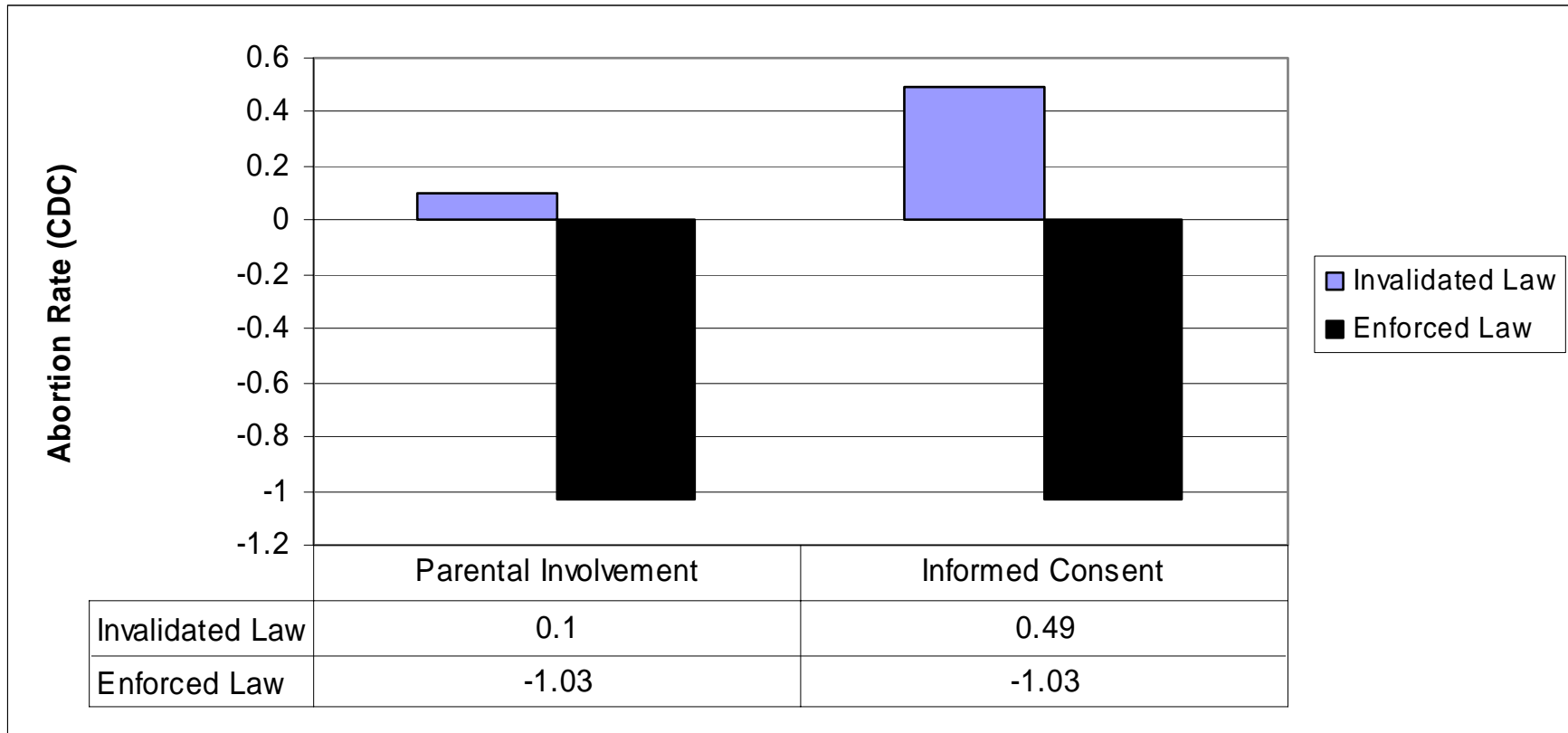
Enforced Laws vs. Invalidated Laws

Abortions per thousand live births

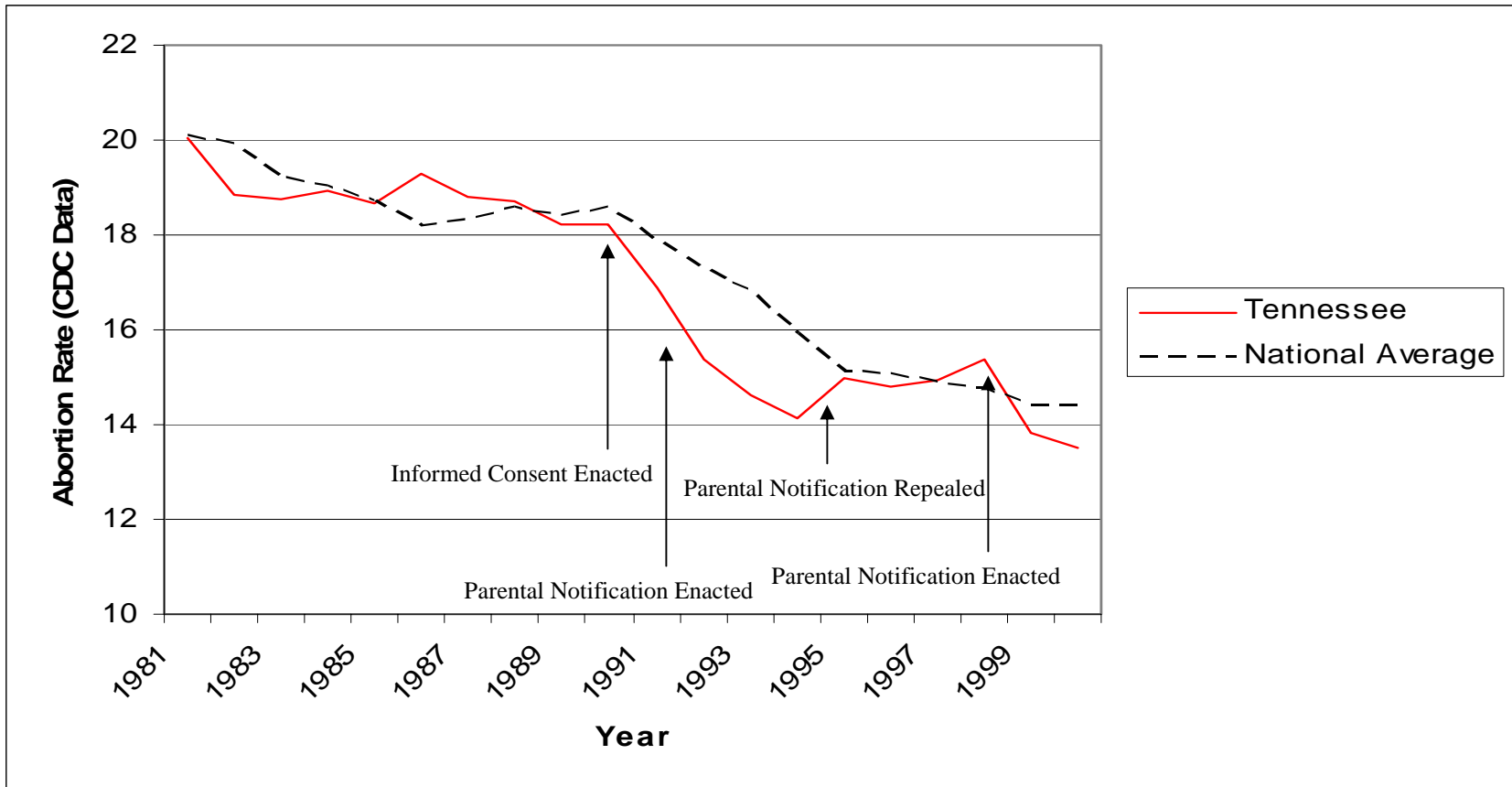


Enforced Laws vs. Invalidated Laws

Abortions per thousand women ages 15-44



Case Study Tennessee: Pro-Life Legislation and the Abortion Rate



Improving the effectiveness of pro-life legislation

- Insufficient data to analyze differences in waiting periods or partial birth abortion bans
- Not enough variation in public funding provisions
- Too much variation in informed consent laws
- Parental involvement laws, appropriate for further analysis

Differences in Parental Involvement Laws

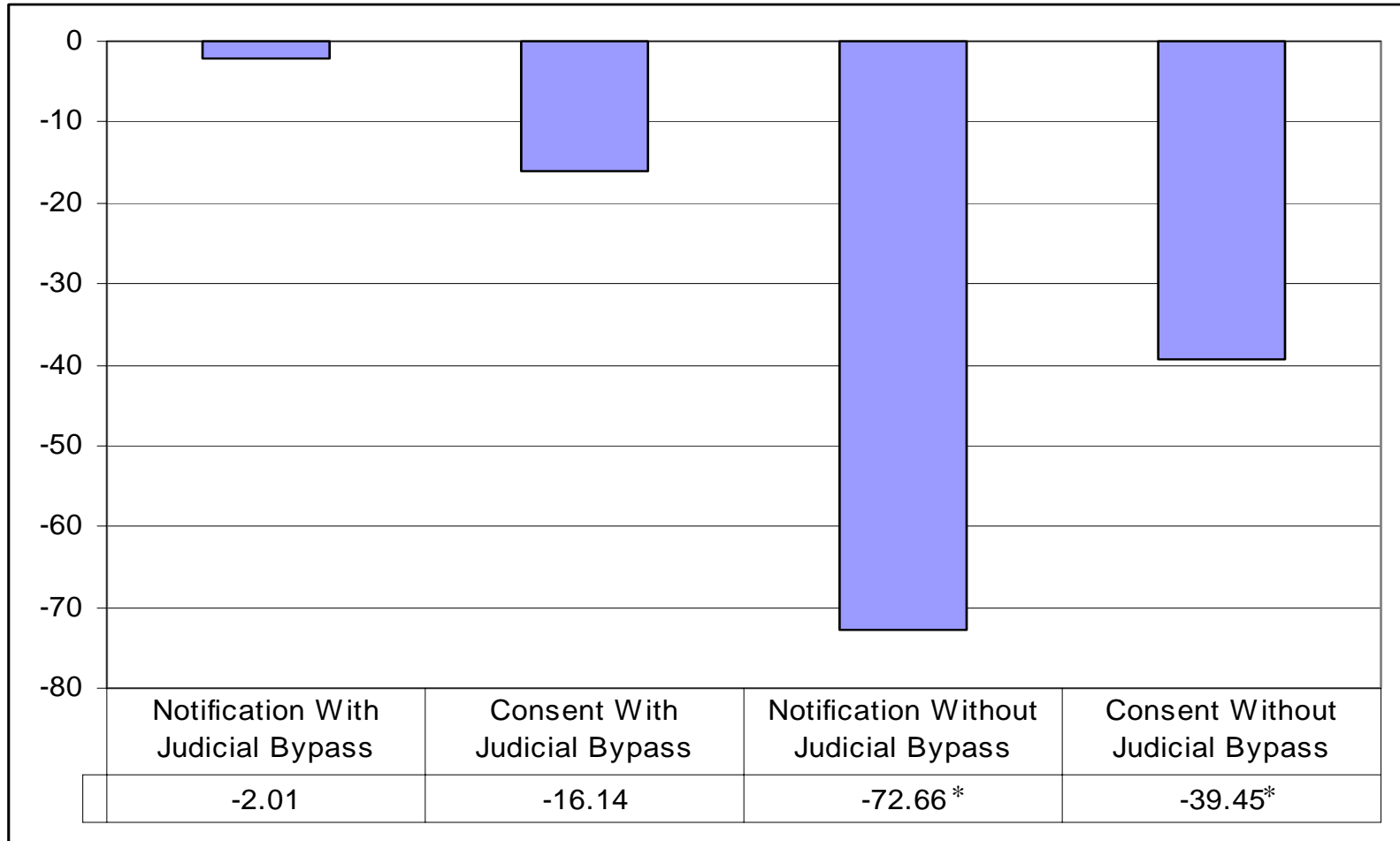
- Some require involvement of both parents, others, just one parent
- Some require notification, others require consent
- Some have a judicial bypass, others do not

Parental Involvement Laws Without Judicial Bypass

State	Type of Law	Year
Idaho	Notification	1995-1999
Maine	Consent	1992-1996
Maryland	Notification	1992-1999
Tennessee	Notification	1992-1996

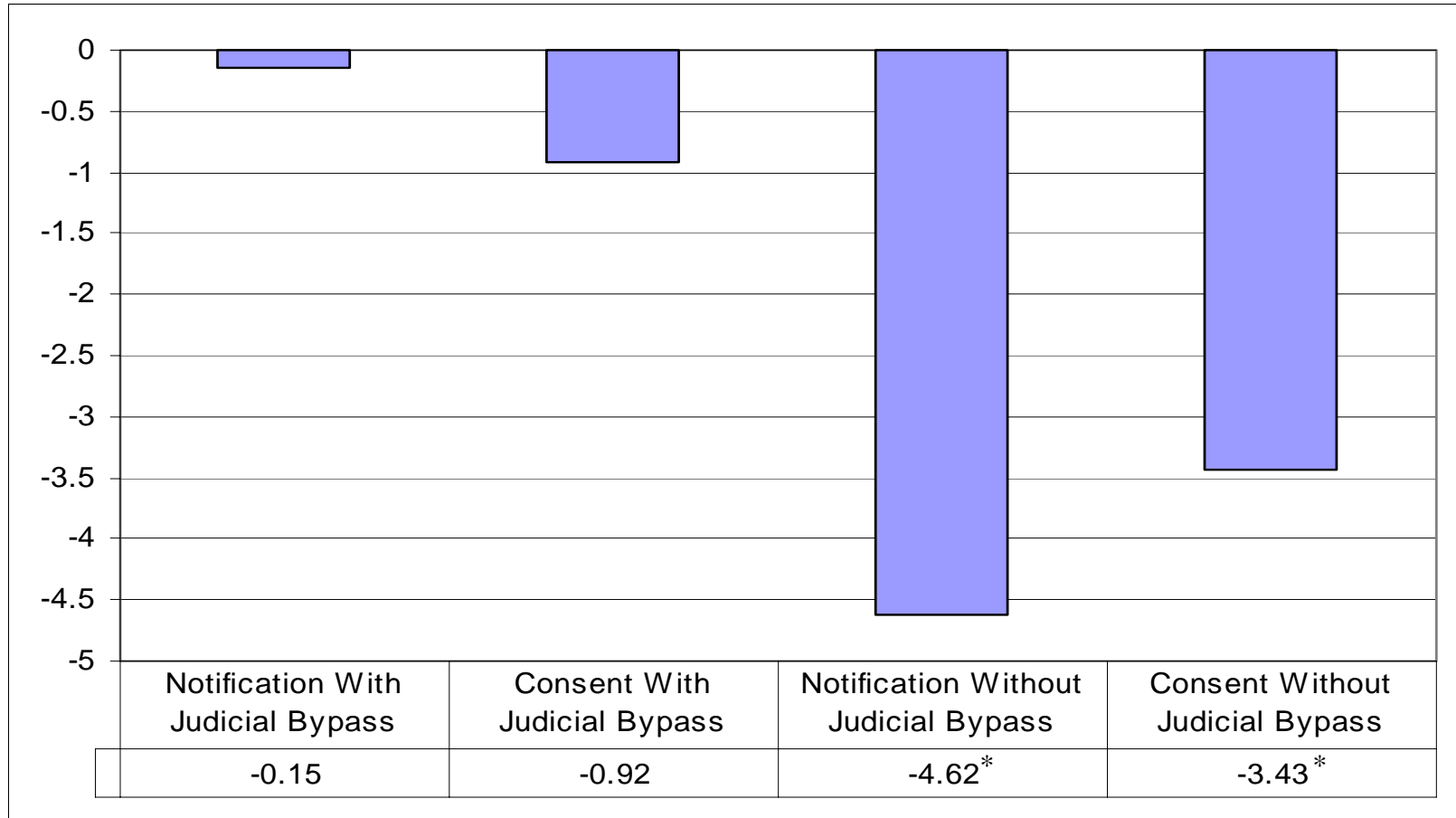
The Impact of Parental Involvement Laws

Abortions per Thousand Live Births (CDC Data)



The Impact of Parental Involvement Laws

Abortions per Thousand Women Ages 15-44 (CDC Data)



Conclusions

- State level pro-life legislation is correlated with declines in abortion rates and ratios.
- Natural experiments indicate that legislation are responsible for these abortion declines and not shifts in values.
- Preliminary analysis suggests parental involvement laws without judicial bypass have considerable promise for lowering the number of abortions that occur.

The Last Word

- During the 1990s the pro-life movement enjoyed considerable success at enacting protective legislation
- With a Pro-Life President and Pro-Life Majorities in the House and Senate the next decade might even be better