

## Determinants of Abortion Bans by States Post-Roe

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### Abstract

*In a post-Roe nation, the legality of women's reproductive healthcare has been left up to state governments. Without a federally guaranteed right to abortion, millions of women are now without access to abortion care and resources. Despite a common belief that these issues are strictly "red vs. blue," there are various political and demographic determinants that have historically explained legislative actions to limit women's access to abortion. Drawing on data from various sources, this project examines the political determinants of the enactment of abortion bans by states post-Roe. This is a shortened version of an extended work for a departmental honors thesis.*

On May 2nd, 2022, *Politico* released an unprecedented, leaked draft opinion from the United States Supreme Court ruling on the case *Dobbs v. Jackson Women's Health Organization* (Gerstein & Ward, 2022). Not officially released until a month later, the majority opinion in *Dobbs v. Jackson Women's Health Organization* effectively overruled the decades-long established case law of *Roe v. Wade* and returned the increasingly contentious issue of abortion policy back to the state governments (Thomas E. Dobbs, State Health Officer of the Mississippi Department of Health. Et al., *Petitioners v. Jackson Women's Health Organization*, 2022). Upon the reissuance of a states' right to determine abortion policy, an approximated 22 million women of reproductive age have lost access to abortion care, living in states where abortion is either fully banned or severely restricted (Kirstein

et al., 2022). While there has been an abundance of research that has addressed the factors of state abortion restrictions following the Casey decision, it is now important to analyze the factors contributing to state abortion bans that have actualized upon the overturning of Roe.

Through an in-depth literature review, factors that were found to be affecting the enactment of abortion bans, and therefore were included as independent variables, were the following:

1. The state's legislative control [2022] (full Democratic, split, or full Republican control) (Bentele et al., 2018; Kreitzer, 2015; Medoff, 2012 )
2. The percent of the state population that is Evangelical Protestant [2020] (Barkan, 2014; Bentele et al., 2018; Hout et al., 2022; Medoff, 2012)

3. The percent of women serving in the state legislature [2022] (Bentele et al., 2018; Kreitzer, 2015)
4. The percent of the state's population that has a bachelor's degree [2020] (Barkan, 2014; Hout et al., 2022)
5. The political ideology of the state [2022] (quantified through the Cook Partisan Voting Index score [a value that seeks to quantify the magnitude of states' political leanings as determined by the past two presidential election cycles; Democratic states are assigned negative values, while Republican states are assigned positive values], hereafter referred to as the Cook PVI score) (Hout et al., 2022; Kreitzer, 2015; Medoff, 2012)
6. The percent of the state's population that is Black [2020] (Baker et al., 2022; Hout et al., 2022)
7. Whether or not the state is located in the South as determined by US Census-designated regions (Barkan, 2014)
8. Whether the state had a Democratic Governor [2022] (Kreitzer, 2015)

The independent variable in this project was whether the state had adopted an abortion ban. All statistical analyses were run on SPSS 27 using logistic regression with an alpha comparative value of 0.1 (i.e. the value that the statistical significance of the variables is based on).

## Results

The logistic regression analysis was split into three models (one including all independent variables, one including only demographic variables, and one including only political variables) due to the complicated nature of the equation being run, as there were only 50 cases to examine. For this same reason, a comparative alpha level of 0.1 was used. In this summary article, only the first logistic regression model is discussed. The first model can be seen as a representation of the model's fit

(how well all of the variables come together to predict abortion bans), while the second and third models give more insight into the individual significance of the independent variables.

The first logistic regression model included all independent variables (legislative control in 2022, whether or not the state was in the South, the percent of women serving in the state's legislature in 2022, the percent of the state population that was Black in 2020, the Cook Partisan Voting Index (PVI) score for 2022, and the percent of the state population that was Evangelical Protestant in 2020) to assess their impact on the dependent variable (the enactment of an abortion ban). As a whole, the model was significant in predicting abortion bans (sig. = <.001).

Impressively, this model achieved a Nagelkerke R Square value of 1.000. This value ranges from 0 to 1 and serves as a representation of the R-squared measure provided in linear regression. In logistic regression, the R-squared value represents the equation's model fit, with a value of 1.0 meaning a perfect fit with the equation for the enactment of abortion bans by states. In simpler terms, the variables used in this model can be assumed to come together to predict an abortion ban by a state extremely accurately. It is noteworthy that with this model, none of the independent variables used were independently significant. Because this model has the most predictive power (essentially exactly predicting the enactment of abortion bans without error), this model is the strongest of all three.

## Discussion

As evidenced by the first logistic regression model which included all the independent variables, it can be assumed that all the independent variables, when combined together, create a perfect equation to predict the enactment of abortion bans by

states, with zero error. Therefore, it can be assumed that states' legislative control (full Democratic, split, or full Republican control), the percent of states' populations that are Evangelical Protestant, the percent of women serving in the states' legislatures, the percent of states' population that have a bachelor's degree, states' political ideologies (quantified through the Cook PVI score), the percent of states' population that are Black, and whether or not states are

located in the South are all important determinants of the enactment of abortion ban by states.

In summary, this analysis supports the idea that abortion bans are predicted by a number of determinants that interact and come together to create an environment that is able to produce abortion bans.

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