

An Analysis of the Effects of *Dobbs v. Jackson Women's Health Organization* On Voter Turnout

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Since the Supreme Court decision in *Dobbs v. Jackson Women's Health Organization*, abortion has become a major topic in both federal and state policy. The Supreme Court ruling removed abortion as a constitutional right, opening the floodgates for states to determine their own policies. Previously, abortion did not weigh very heavily as a policy issue, but this has changed since 2022. As states begin to put major restrictive and protective policies in place, the question is how representative are these policies of the populations that they serve?

Earlier polling conducted by the American National Elections Studies (ANES) revealed that prior to 2022, the majority of Americans rated abortion very low as a topic of concern for the United States' (US) government behind issues such as gun control and defense spending.[1] Similar polls in the 1980s showed that the majority of Americans agreed with the legality of abortion "as it is now".[4] However in 2020, an ANES survey showed Americans, while ranking abortion low as a policy issue, still felt that it should only be legal in certain circumstances (rape, incest, etc.).[2]

With the change in Supreme Court rulings, though, comes a change in abortion law. Many states enacted so-called "trigger laws" that immediately set severe restrictions on abortion policy within the state upon rescission of the precedent set by *Roe v. Wade* and *Planned Parenthood v. Casey*. Ostensibly, these policy changes reflect the "will of the people" within the state, whereby more conservative or Republican states could adapt their state-level abortion policy to better represent public opinion on abortion within the state.

This linkage is completely untested, however. We do not know the extent to which changes in abortion policy, generally becoming more conservative, are actually

representative of the will of the people who live within a given state. It is wholly possible that state-level legislatures are making restrictive abortion policy that few, if any, individuals in the state actually want. This hypothesis is additionally informed by existing research demonstrating that even the most conservative individuals typically support exceptions for certain circumstances (i.e. cases of rape or incest or when the life of the mother is in danger). These exceptions, however, are not common to all state abortion policy.

This research survey was designed to evaluate attitudes towards abortion across states and how these attitudes have translated into voting behavior. In November of 2023, I recruited a nationally representative sample of 1000 American adults, measuring their attitudes towards abortion generally, the circumstances in which they believed abortion should be permissible, their state of residence, and their perception of abortion policy in their state. Specifically, I asked whether abortion policy in their state triggers common emotional responses of anger and disgust. I measured these attributes on a one to five scale, where one is "does not at all describe my feelings" and five is "strongly describes my feelings." The survey was distributed to a random sample of American adults using the online distributor, Lucid Theorem.

The results revealed a wide range of emotions and responses to the survey with the total sample leaning slightly conservatively but overall being split evenly. Two emotions that the survey specifically probed were disgust and anger toward the individual's state abortion policy. The results were divided between male and female responses displayed in the anger maps seen in Figures 1 and 2. As shown in Figure 1, the majority of female respondents reported a mild level of anger towards their state's abortion policy. Women were angri-

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est, on average, in Arizona, Indiana, and Utah. These states are notable for their abortion policy as they all passed extremely restrictive policies that place the fetus as the sole concern. In Figure 2, the male respondents of these particular states show a deep contrast with each state indicating much lower levels of anger and Utah especially shifted to show no anger. The male map as a whole shows less anger in many states when compared to women with Wyoming being the only outlier. This is extremely relevant in understanding the lack of representation that these policies reflect but also the division between men and women on this issue. With the vast majority of females reporting a mild to severe level of anger, it is clear that most states are not listening to the constituents that are targeted by these policies: women. The data also shows that there is a divide in perspectives based on gender that could be playing a major role in policy decisions as the majority of states have male-dominated state governments.

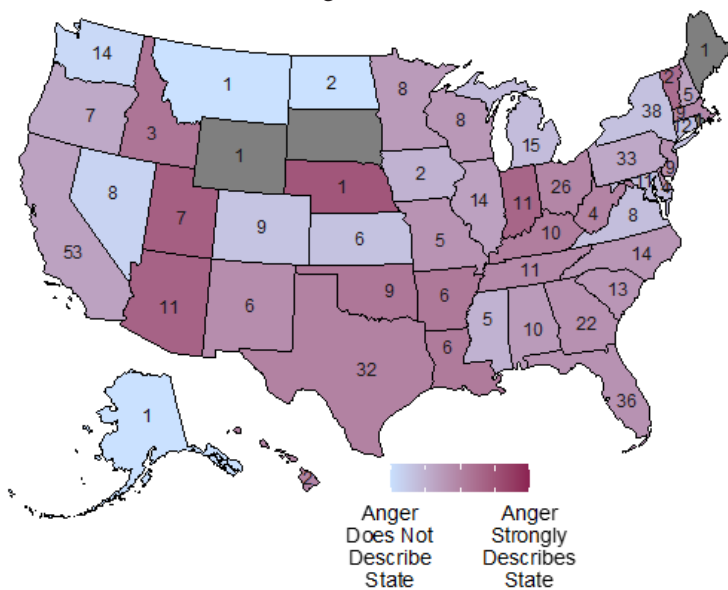


Figure 1. Average Level of Anger Towards State-Level Abortion Policy Among Women in Each State (# = Number of Respondents).

The results of the survey also showed that policies are not appropriately considering circumstances that voters view as acceptable exceptions to abortion restrictions. The leading reason that surveyed individuals gave for an acceptable justification for an abortion was a circumstance in which the woman's health is in danger. However, in states that are more conservative, such as Texas and South Carolina, restrictive abortion policy is being passed with no exceptions for the

woman's health.[3] The next leading justification for abortion was in circumstances of rape or incest, which has become a highly contested exception to abortion restrictions. State governments have not appropriately accounted for these situations, and the data has shown that this is an exemption most constituents want in their state policy. The bar graph in Figure 3 reflects the reasons included in the survey in which an abortion would be acceptable and the percentage of total participants that chose each reason. An unexpected outcome from this question was that approximately 40% of participants stated that an abortion should be acceptable for "any reason." While this is by no means a majority, it is a higher percentage than state policies would lead individuals to believe.

Abortion attitudes and policies have been evolving for decades, but the data reveal that currently there is a significant gap between the policies being passed and the emotions of the constituents. The democratic integrity of state abortion policies should be questioned, as data reveals a serious lack of representation for citizens' true attitudes surrounding the issue. While subsequent analysis is necessary, the message is clear that abortion policy is not aligned with the wants and needs of the people to which it applies.

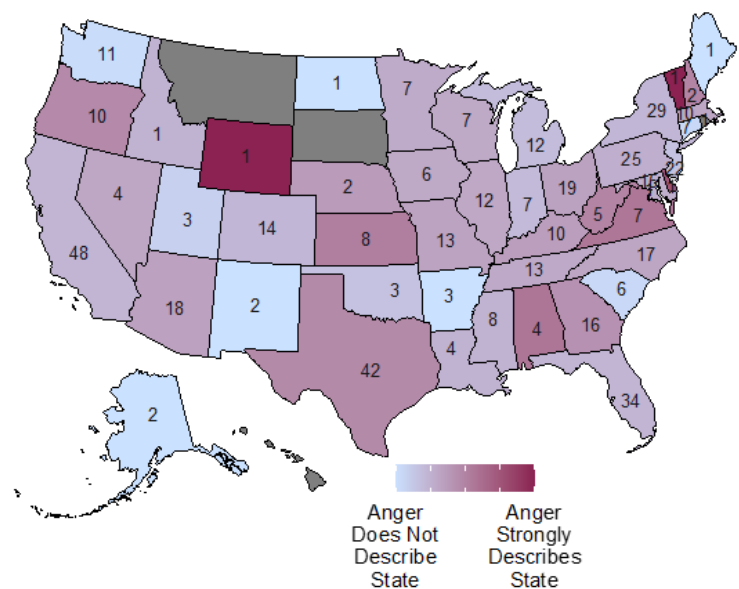


Figure 2. Average Level of Anger Towards State-Level Abortion Policy Among Men in Each State (# = Number of Respondents).

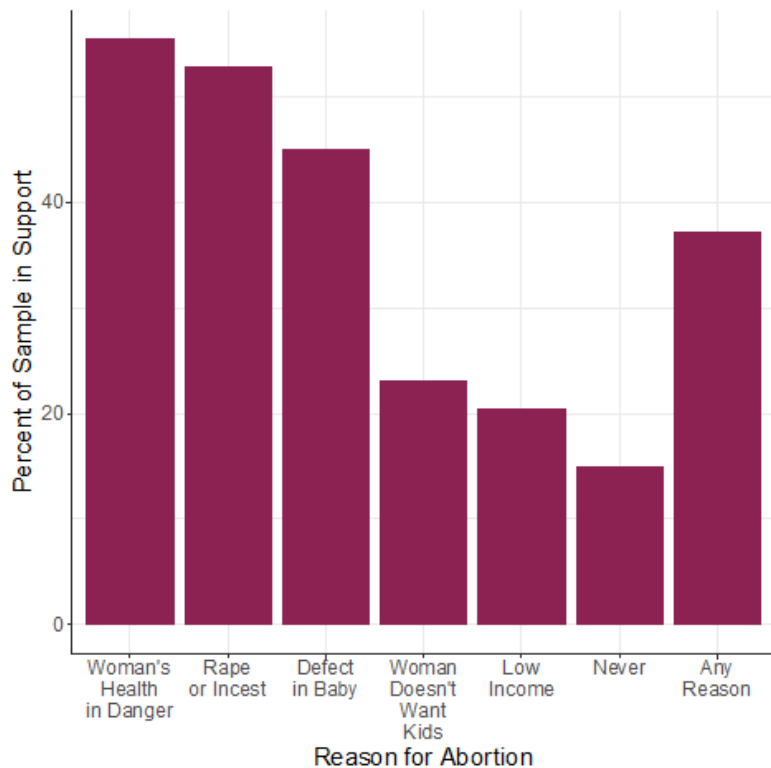


Figure 3. Percent of the Sample Who Believes Abortion Should Be Legal in a Given Circumstance.

Statement of Research Advisor

American abortion attitudes are at an inflection point. Dobbs, as a Court decision, serves as an opening for states to create new abortion policy as well as potentially generating a firestorm of criticism about the Court itself. However, we have little to no understanding of how Americans feel about these changes in abortion policy, either at the Court level or within their states specifically. Gabriella's original, poignant research helps address this gap by measuring American attitudes towards state-level abortion policy. This research is essential for our understanding of the extent to which abortion policy is a channel or representation for individuals in states, or if abortion policy showcases a fundamental disconnect between state legislators and their constituents.

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Authors Biography



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