

The End of *Roe v. Wade*Supplement to *Power and Poverty, 4e*

Edward Royce, August 2023

Ruth Bader Ginsberg (aka Notorious RBG) was nominated to the Supreme Court by Bill Clinton in 1993. Soon thereafter she became the leader of the Court's liberal wing. Ginsberg died in September 2020. Her seat on the bench was filled by Amy Coney Barrett, a devoutly religious product of the conservative Christian legal movement and a staunch opponent of abortion.¹ This game-changing turn of events decisively altered the balance of power in the nation's highest court. At present the conservative bloc consists of six justices, including three nominated by G.W. Bush—John Roberts (currently Chief Justice), Clarence Thomas, and Samuel Alito; and three nominated by Donald Trump—Neil Gorsuch, Brett Kavanaugh, and Amy Coney Barrett—all of whom were vetted and recommended to Trump by the rightwing Federalist Society.² The liberal bloc consists of three justices, including two nominated by Barack Obama—Elena Kagan and Sonia Sotomayor, and one nominated by Joe Biden—Ketanji Brown Jackson who was selected in February 2022 to replace the newly retired Stephen Breyer.

For the foreseeable future conservatives on the Court, empowered by a six-three “supermajority,” will be in a commanding position, with no need to compromise with their liberal counterparts and with minimal checks on their power.³ Besides being decidedly conservative, the Court under Chief Justice Roberts is also the most “pro-religion” it's been for at least 70 years.⁴ And as measured by the rate of decisions favorable to business, it is also the most pro-business court since the 1920s.⁵ Today's Supreme Court, dubbed the

“extreme court” by journalist Elie Mystal, is positioned to move the country in a defiantly rightward direction, with far-reaching implications, not only for reproductive rights, but also for voting rights, campaign finance, gun control, racial justice, health care, environmental protection, the rights of workers, and much else.⁶

On June 24, 2022, the Roberts Court issued a decision in the case of *Dobbs v. Jackson Women’s Health Organization*.⁷ The question at stake: “do women have a right to obtain an abortion?” With the three liberal justices dissenting, the majority opinion held that “the constitution does not confer a right to abortion” and that the “authority to regulate abortion” rests with the individual states.⁸ This ruling overturned *Roe v. Wade*, the law of the land for nearly a half-century; it upended the legal environment within which for decades men and women have organized their personal lives; and it set off a new round of political warfare over the “freedom of women to control their own bodies”⁹ This was not the only freedom *Dobbs* placed in jeopardy. As interpreted by Justice Clarence Thomas and other conservative lawmakers, including Senator Ted Cruz, the legal rationale for ending *Roe v. Wade* could also be applied to restrict the use of contraceptives and rollback the legalization of same-sex marriage and other LGBTQ rights.¹⁰ It is worth considering that perhaps no other decision by government authorities has had such a disruptive impact on so many people’s lives.¹¹

The *Dobbs* ruling and its aftermath connects to three issues central to the argument presented in *Poverty & Power*. I discuss each of these in turn in the segments below. The first concerns the exceptionally high levels of poverty and inequality in the United States. More restrictive abortion policies are bound to deepen existing class, race, and gender

- Online at rowman.com
- Call 800-462-6420 ext. 3024
- Email orders@rowman.com

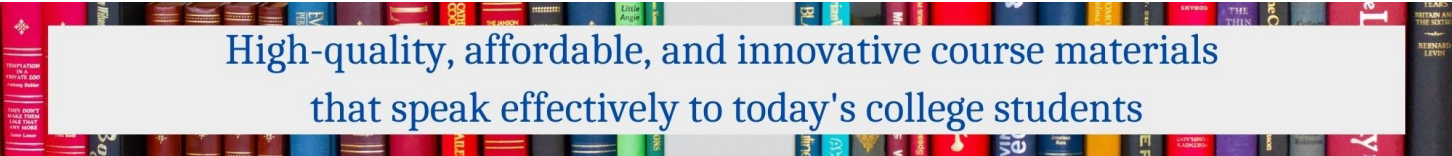
inequalities and exacerbate the many hardships already endured by Americans in the bottom half of the income distribution.

The second issue concerns the structure of power in the United States and, more specifically, the conservative drift of American politics beginning in the 1970s. Since the 2016 election the right has become an even more powerful political and culture force while at the same time moving even further to the right. The presence of a six-three conservative majority on the Supreme Court has energized this rightward turn. So too has the rise of the MAGA movement and the political mobilization of religious conservatives, with Christian nationalists and white evangelicals at the forefront.¹²

The third issue concerns the failure of the American political system to live up to democratic standards. The inordinate influence of wealthy individuals and corporate lobbyists in the shaping of government policy, the political marginalization of the working class and the poor, and a constitution seemingly designed to limit majority rule—these and other features of the American political system, as documented in *Poverty & Power*, subvert the principle of political equality and undermine the democratic ideal.¹³ On the brighter side, however, in the wake of the Dobbs decision there has been something of a political uprising on the part of ordinary citizens. Activists across the country, as I discuss below, rather than leaving the decision in the hands of legislators and the courts, have fought, with some success, to place the issue of abortion on state ballots, thus, in true democratic fashion, letting the voters decide.

The Aggravation of Inequalities

In 1969, against the backdrop of the women’s movement of the era, Betty Friedan issued this declaration: “there is no freedom, no equality, no full human dignity and



High-quality, affordable, and innovative course materials
that speak effectively to today's college students

personhood possible for women until we assert and demand the control over our own bodies.”¹⁴ More than fifteen years later, Ruth Bader Ginsberg reasserted the principle articulated by Friedan. Women’s ability to “participate as men’s full partners in the nation’s social, political, and economic life,” she said, is possible only if they are guaranteed “reproductive autonomy.”¹⁵ True gender equality, as emphasized by Friedan and Ginsberg, requires that women have the freedom to decide if, when, and with whom to have children. The Dobbs ruling, which gives state officials the authority to intervene in the making of these most personal decisions, negates this freedom, curtails the rights of women, and relegates women to a lesser status.

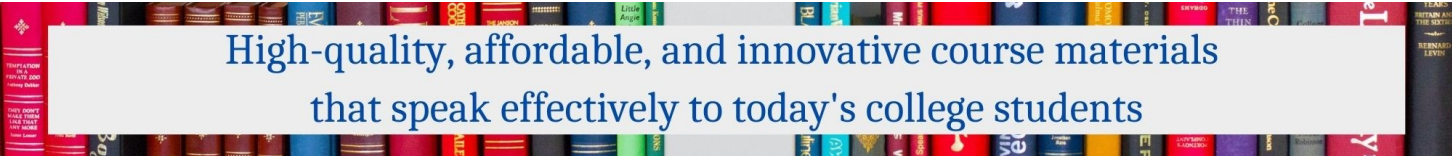
The end of *Roe v. Wade*, as journalist Elizabeth Spiers observes, will make life hard for “both rich and poor Americans.”¹⁶ This is no doubt true. But the adversities resulting from the passage of restrictive abortion laws will not be distributed equally. The financial assets, network connections, and other valued resources available to wealthier women enable them to pursue alternative options when hemmed in by legal restrictions. They can, for example, afford to travel to another state (or another country) to get an abortion. Or they can draw on their friends, colleagues, and neighbors to help them find qualified practitioners willing—on the sly—to perform an abortion, or supply needed pharmaceuticals, or provide other related health care services. Low-income women, on the other hand, cannot easily escape the harms resulting from the Dobbs decision. Besides lacking the advantages of their high-income counterparts, they are also more likely to need and seek abortion care and more likely also to die or experience negative health consequences from a miscarriage.¹⁷ As Liz Theoharis, co-chair of the Poor People’s

- Online at rowman.com
- Call 800-462-6420 ext. 3024
- Email orders@rowman.com

Campaign, observes, restrictions on abortion have already precipitated a public health crisis, and in any such crisis, she says, “it’s the poor who will suffer the most.”¹⁸

As of August 2023, thirteen states have legislated a total ban on abortion. Several other states have placed restrictions on abortion, in some cases severe restrictions.¹⁹ Republican legislators are not only calling for a ban on surgical abortions, but they are also pushing to outlaw medical abortions (the use of abortion pills to terminate a pregnancy) and to restrict access to contraceptives.²⁰ In states with abortion bans, exceptions are sometimes authorized, as in the case of rape for example—at least in principle. But as Laurie Bertram Roberts, a pro-abortion activist in Mississippi, observes, “Having the legal right on the books to get an abortion and getting one in practice, are two distinctly different things.”²¹ One obstacle, for example, is that women seeking abortions are often unable to provide authorities with sufficient *proof* that their pregnancy was in fact the result of sexual assault. In many states, in addition, ambiguities in the law and the prospect of facing criminal penalties have caused doctors and hospitals to turn away women who meet the exception criteria, effectively banning all abortions regardless of women’s circumstances or their health and well-being. Even when their lives are at risk or when carrying a fetus that is no longer viable, women are in danger of being denied needed medical treatment. “In this post-Roe world,” one emergency medicine physician warns, “women with miscarriages may die.”²²

With the passage of *Dobbs*, courts and legislators in nearly every state are caught up in the fight over women’s reproductive rights.²³ Anti-abortion lawmakers around the country have advocated or already implemented harsh policies, including the prohibition of abortion even in cases of rape and incest.²⁴ The Supreme Court in South Carolina,



High-quality, affordable, and innovative course materials
that speak effectively to today's college students

overturning an earlier ruling that permitted abortions up until 22 weeks of pregnancy, recently passed a new law banning abortions after 6 weeks of pregnancy—so early that many women at that point would not even be aware of their pregnancy.²⁵ In Idaho, the Republican Party has called for the criminalization of abortion, with both abortion patients and abortion providers potentially subject to prosecution for murder.²⁶ In Missouri and other states where abortion is now outlawed, conservative lawmakers have also introduced bills barring women from traveling to another state for the purpose of obtaining a legal abortion.²⁷ And even if a woman manages to get a legal out-of-state abortion, she may still be subject to punishment when she returns to her home state.²⁸

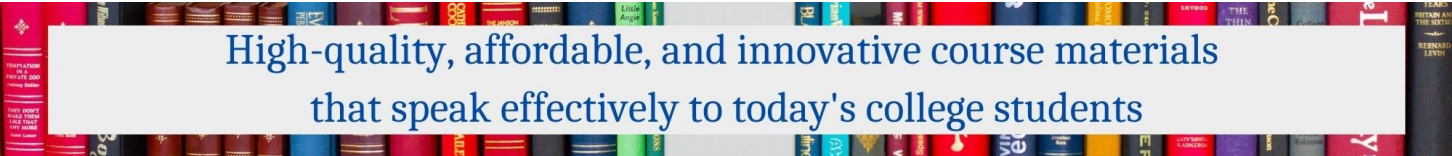
Medical professionals in the post-Roe era are at risk too. The environment for health care practitioners has become treacherously complicated. Across numerous states, anti-abortion legislators have advanced dozens of bills intended to restrict women's access to abortion by threatening legal sanctions against the doctors who might otherwise perform the procedure.²⁹ In several states, if caught carrying out an abortion or distributing abortion pills a doctor may lose his or her license, pay steep fines, or even be thrown in prison.³⁰ Because of the possible penalties involved, doctors are understandably reluctant to treat pregnant women who are critically ill. In Texas, according to law professor Elizabeth Stepper, "doctors have to worry that they will face homicide charges or be labeled as 'murderers' for acting to save a pregnant person's life in severe emergencies."³¹ Targeted by abortion foes, some doctors are concerned about their own physical safety as well. "It's terrifying to be a doctor in post-Roe America," one Indiana OB-GYN confides.³² It's terrifying also to be a pregnant woman needing an abortion and finding that due to

- Online at rowman.com
- Call 800-462-6420 ext. 3024
- Email orders@rowman.com

complicated state laws and possible sanctions, many doctors have become unwilling to perform the procedure.

At this early point, there is no reliable data on precisely how the well-being of American families have been or will be affected by the reversal of *Roe v. Wade*. But a study carried out prior to the Supreme Court Decision, “The Turnaway Study,” offers some significant clues about what the future might bring. Beginning in 2008 and ending in 2016, this study followed a sample of approximately 1000 women who sought an abortion for an unwanted pregnancy. The study compared the life outcomes of those who were denied an abortion to those who received an abortion. Those forced to give birth, the researchers found, experienced significantly worse outcomes than those allowed to terminate their pregnancy. Among other negative consequences, the “turnaways,” researchers found, were more likely to fall into poverty, endure lasting financial insecurity, face difficulties raising their children, and experience negative psychological and health outcomes for themselves.³³

Restrictions on women’s access to abortion services, besides limiting their freedom and impairing their health also has adverse economic consequences, negatively affecting women’s labor market experiences and outcomes and their long-term financial well-being. The economic ramifications resulting from abortion bans are especially hard hitting because the states where such bans are in place—red states typically—besides having higher rates of poverty, tend also to be limited in the social and economic support available to low-income and working-class families. States with bans, for example, tend to have a lower minimum wage, lower rate of unionization, less-generous unemployment insurance benefits, stingier safety net, and less access to health care coverage.³⁴



High-quality, affordable, and innovative course materials
that speak effectively to today's college students

As recent studies suggest, along with other evidence available subsequent to the Dobbs decision, it appears likely that low-income women in the years to come, especially those residing in Republican dominated states, will encounter an assortment of perils, including limited options for terminating an unexpected or undesired pregnancy, life-threatening health risks, and a chance of facing criminal prosecution if they seek or are able to get an abortion. If they undergo a forced birth, they will likely experience poor economic outcomes for themselves and their children and a heightened prospect of getting mired in poverty. The combination of these and other problems as they accumulate over the longer run will no doubt give rise to a circumstance where problems of poverty and inequality in the United States worsen, the class and race divides widen, and many women and families will be deprived of the opportunity to live a fulfilling life.³⁵

The Structure of Political Power

I argue in *Poverty and Power* that the right turn in American politics over the past several decades has resulted primarily from the political mobilization of big business and the political activism of wealthy individuals. The power of corporate conservatives is an essential part of the story without a doubt. But what I should have emphasized more forcefully is the power of *religious* conservatives. And just as big business groups exercise excessive power in the American political system, so too do rightwing religious groups have a notably strong political and cultural presence. Not only to they have the backing of the Supreme Court, but they are empowered also because the electoral success of the Republican Party is dependent on their vote.

For many religious people, perhaps even most, their religious practices, observances, and beliefs are not closely bound up with whatever political identities they

- Online at rowman.com
- Call 800-462-6420 ext. 3024
- Email orders@rowman.com

may have. For those aligned with the Christian right, however, their religious commitments and their political commitments are inseparable. They are, to cite the case at hand, fiercely opposed to women’s right to choose. They are a well-organized, well-funded, and highly motivated constituency as well, and they have multiple connections to lawmakers and other people in positions of power.³⁶ Evangelic Christians in particular, who “dominate the MAGA movement,” are also among the strongest supporters of Donald Trump.³⁷

The political voice of the religious right rings loud in part in part because of its tacit alliance and overlapping membership with an increasingly extremist GOP—an extremism so contrary to public opinion that even some Republicans have become concerned.³⁸ The opposition to abortion, as well as same-sex marriage and other LGBTQ rights, is, in sum, fueled by the influence wielded by a minority group consisting of Christian conservatives in alliance with the far rightwing of the Republican Party.³⁹ Robert Jones of The Public Religion Research Institute recently stated that the power of the Christian Right today “is the most disproportionate” he has seen in his lifetime.⁴⁰

The Supreme Court’s ruling in the case of Dobbs was an assertion of power. It could be called many other things as well. What it was not, however, was a decision intended to respect a prior court ruling that had been settled doctrine for almost 50 years. Nor was it a decision based on deep knowledge of or reflection on the lives and circumstances of women and families in today’s United States.⁴¹ Nor was it intended to respect the preferences of the American public. According to a survey administered shortly after the Dobbs decision most Americans (62 percent) said that abortion should be legal in all or most cases. This includes the vast majority of those leaning Democrat (84 percent) and a significant minority of those leaning Republican (38 percent).⁴² This is not to say, of course,



High-quality, affordable, and innovative course materials
that speak effectively to today's college students

that the Supreme Court should make its decisions based on public opinion polls. But, as Justice Elana Kagan observes, “neither can the court become entirely unmoored from public sentiment.”⁴³ Given the current composition of the Supreme Court, unfortunately, we are likely to see many more legal decisions in the years to come that run contrary to the wishes of the American public.

Democracy Fights Back

On the issue of abortion, and on many other issues as well, thanks to what remains of American democracy, the Supreme Court does not necessarily have the final say. Nor is success guaranteed for the minority coalition of religious conservatives and far-right Republicans. Pro-choice advocates can prevail. And where state governments choose to respect majority rule and “let the voters decide”—through the use of referendums or ballot measures, for example—they have prevailed. Activists in numerous states are demanding that the abortion issue be put to a vote. In Nebraska, for example, the pro-choice coalition, “Protect Our Rights,” is currently mobilizing to place a referendum on the 2024 ballot which would allow voters to decide whether or not to overturn the states’ 12-week abortion ban.⁴⁴ Similar efforts are underway in Arizona, Ohio, Florida, and Missouri.⁴⁵ Thus far, remarkably, in every state where the people themselves have been allowed to vote on the issue they have elected to protect women’s right to choose.⁴⁶ In fact most Americans, including many Republicans, do not want to criminalize abortion, a reality that has become a problem for the G.O.P. In the 2022 midterms, and in other state elections since, the Democratic Party has gained votes by opposing *Dobbs*, while the Republican Party has lost votes by supporting *Dobbs*.⁴⁷ The abortion issue, indeed, has put the G.O.P. on the defensive.⁴⁸

- Online at rowman.com
- Call 800-462-6420 ext. 3024
- Email orders@rowman.com

Consider the case of Kansas, a red state by any measure. In August 2022, the Republican dominated legislature introduced a referendum asking voters to decide whether they wanted to change the state constitution to allow for the banning of abortion. The pro-choice side won by a landslide. The lesson learned from this case, Michelle Goldberg states, is that even in a very red state, abortion bans “cannot necessarily survive contact with democracy.”⁴⁹

The case of Ohio is perhaps even more interesting. In August of 2023, the Republican leadership put forward a measure putatively intended to shield the state’s constitution from the influence of special interest money flowing in from out of state. This measure, called State Issue 1, proposed that any amendment to the constitution would require the approval of at least 60 percent of eligible voters. The real purpose of this ballot measure, not well hidden from the general public, was to prevent the passage of an amendment to the constitution set to be on the ballot in November. Requiring a simple majority to be approved, this amendment would have protected women’s access to abortion.⁵⁰ The people of Ohio, including many on the pro-life side, recognized a “sneaky” and “underhanded” tactic when they saw it. Voters in Ohio rejected Issue 1 decisively, with 57 percent voting “no” and 43 percent voting “yes.” Most “no” votes were undoubtedly motivated by sympathy for the pro-choice position. But, as reported in the *New York Times*, some Ohioans voted “no” in part to distance themselves from those who would undermine democratic norms and noted “no” also from a conviction that making it harder to change the constitution was not a good idea.⁵¹ On Tuesday, August 8, 2023, the citizens of Ohio expressed their support for both women’s right to choose and for the democratic principle of majority rule.



High-quality, affordable, and innovative course materials
that speak effectively to today's college students

Most Americans favor a democratic lawmaking process where the majority rules and “We the People” ultimately decide on the important issues of the day. Those favoring the legalization of abortion and women’s right to choose, as demonstrated by the citizens of Kansas and Ohio, can prevail. But they can do so only if they demand that the abortion issue not be left in the hands of state courts and state legislators, but is, rather, turned over to voters themselves. The protection of women’s right to choose and other rights as well, also requires the protection of democratic principles, including free elections and majority rule.⁵²

If you’re an instructor and would like to provide feedback to Dr. Royce on this supplement for his textbook, please feel free to email him at Eroyce@Rollins.edu.

¹ On Barrett and the circumstances leading to her nomination, see Linda Greenhouse, *Justice on the Brink: The Death of Ruth Bader Ginsberg, The Rise of Amy Coney Barrett, and Twelve Months That Transformed the Supreme Court* (New York: Random House), xi-xxix; and Joan Biskupic, *Inside the Supreme Court’s Drive to the Right and Its Historic Consequences* (New York: William Morrow, 2023), 301-329.

² On the Federalist Society and its place in conservative politics, see Steven M. Teles, *The Rise of the Conservative Legal Movement: The Battle for Control of the Law* (Princeton, NY: Princeton University, 2008), 134-79; and Amanda Hollis-Brusky, *The Federalist Society and the Conservative Counterrevolution* (New York: Oxford University, 2019).

³ On the significance of the 6-3 conservative majority and how it, far more than a 5-3 majority, has empowered justices and emboldened conservative advocates who appear before the court, see Ruth Marcus, “The Rule of Six: A Newly Radicalized Supreme Court Is Poised to Reshape the Nation,” *Washington Post*, December 2, 2021.

⁴ Ian Prasad Philbrick, “A Pro-Religion Court,” *New York Times*, June 22, 2022; and Ian Millhiser, “The Supreme Court Is Leading a Christian Conservative Revolution,” *Vox*, January 30, 2022, 3

⁵ Lee Epstein and Mitu Gulati, “A Century of Business in the Supreme Court, 1920-2020,” *Minnesota Law Review Headnote*, 107 (2022); see also Eve Tahmincioglu, Celine McNichols, and Daniel Costa, “Supreme Court Justices’ Close Ties with Business Interests Threaten Workers’ Rights,” Economic Policy Institute, Working Economic Blog, June 20, 2023, <https://www.epi.org/blog/supreme-court-justices-close-ties-with-business-interests-threaten-workers-rights/>.

- Online at rowman.com
- Call 800-462-6420 ext. 3024
- Email orders@rowman.com

⁶ Elie Mystal, “The Extreme Court,” *Nation*, July 7, 2022; Michael Waldman, *The Supermajority: How the Supreme Court Divided America* (New York: Simon & Schuster, 2023); and Ruth Marcus, “You Thought the Supreme Court’s Last Term Was Bad? Brace Yourself,” *Washington Post*, September 30, 2022, <https://www.washingtonpost.com/opinions/2022/09/30/supreme-court-term-conservative-targets/>.

⁷ On the shoddy legal reasoning of the majority decision, see David Cole, “Egregiously Wrong,” *New York Review of Books*, August 18, 2022; Lawrence H. Tribe, “Deconstructing Dobbs,” *New York Review of Books*, September 22, 2022; and the dissenting opinions of Breyer, Sotomayor, and Kagan, in Supreme Court of the United States, “Dobbs State Health Officer of the Mississippi Department of Health, ET AL. v Jackson Women’s Health Organization ET AL.,” https://www.supremecourt.gov/opinions/21pdf/19-1392_6j37.pdf. Hereafter cited as *Dobbs*. This lengthy document provides a complete record of the *Dobbs* decision,

⁸ “*Dobbs*,” 1.

⁹ Keeanga-Yamahtta Taylor, “Abortion Is About Freedom, Not Just Privacy,” *New Yorker*, July 6, 2022; and for a deeply researched and informative history of the fight over abortion during the fifty-year period prior to the *Dobbs* decision, see Mary Ziegler, *Roe: The History of a National Obsession* (New Haven: Yale University Press, 2023).

¹⁰ Zack Beauchamp, “Could Clarence Thomas’s Concurrence Signal a Future Attack on LGBTQ Rights?” *Vox*, June 24, 2022; and Trip Gabriel, “Roe’s Reversal Stokes Attacks on Gay Rights,” *New York Times*, July 23, 2022.

¹¹ Waldman, *The Supermajority*, 213.

¹² See Melissa Deckman et al., “A Christian Nation? Understanding the Threat of Christian Nationalism to American Democracy and Culture,” Public Policy Research Institute/Brookings, February 8, 2023, <https://www.brookings.edu/events/understanding-the-threat-of-white-christian-nationalism-to-american-democracy-today/>; and Kristin Kobes Du Mez, *Jesus and John Wayne, How White Evangelicals Corrupted a Faith and Fractured a Nation* (New York: Liveright, 2020).

¹³ On the anti-democratic biases of the American constitution, see Steven Levitsky and Daniel Ziblatt, *Tyranny of the Minority: Why American Democracy Reached the Breaking Point* (New York: Crown, 2023).

¹⁴ Cited in Heather Cox Richardson, “Letters from an American,” January 22, 2023.

¹⁵ Ruth Bader Ginsburg, “Some Thoughts on Autonomy and Equality in Relation to *Roe V. Wade*.” *North Carolina Law Review* 63, no. 2 (1985), 375-86, 375.

¹⁶ Elizabeth Spiers, “Abortion Bans Will Affect Both Rich and Poor Americans,” *New York Times*, July 7, 2022; see also Danielle Bessett, “Abortion Restrictions Are Harmful to Everyone,” *Contexts* 21, no. 2 (Spring, 2022): 72.

¹⁷ Justices Breyer, Sotomayor, and Kagan, Dissenting Opinion, *Dobbs*, 50-53; and Katha Pollitt, “Life After *Roe* Will Be Worse Than We Feared,” *Nation*, June 29, 2022.

¹⁸ Liz Theoharis, “Controlling Bodies and Subverting Democracy: How *Dobbs* Is an Attack on Us All,” *Tom Dispatch*, July 19, 2022; and for a detailed account of the hazardous and even life-threatening consequences of state abortion bans, see Elizabeth Warren, Tammy Duckworth, Mazie Hirono, and Tina Smith, “Post-Roe

Abortion Bans Threaten Women’s Lives: Health Care Providers Speak Out on the Devastating Harm Posed by

High-quality, affordable, and innovative course materials
that speak effectively to today's college students

Bans and Restrictions,” United State Senate, October 2022,

<https://www.warren.senate.gov/imo/media/doc/Abortion%20Care%20Oversight%20Report1.pdf>.

¹⁹ AbortionFinder, “State-By-State Guide,” August 12, 2023, <https://www.abortionfinder.org/abortion-guides-by-state>.

²⁰ Ellen Loanes, “Wyoming Banned the Abortion Pill. Some States Are Trying to Go Even Further,” *Vox*, March 19, 2023, <https://www.vox.com/2023/3/19/23647123/wyoming-abortion-pill-ban-south-carolina-texas>;

Thom Hartmann, “Is the Right to Contraception About to End in America,” *The Hartmann Report*, January 4, 2023, <https://hartmannreport.com/p/is-the-right-to-contraception-about>; and Sheryl Gay Stolberg,

“Contraception Is Next Battle at State Level,” *New York Times*, June 19, 2023.

²¹ Cited in Amy Schoenfeld Walker, “Most Abortion Bans Include Exceptions. In Practice Few Are Granted,” *New York Times*, January 22, 2023.

²² Pam Belluck, “When Miscarriages Collide with Abortion Law,” *New York Times*, July 18, 2022; and Timothy Bella, “Woman Says She Carried Dead Fetus for 2 Weeks After Texas Abortion Ban,” *Washington Post*, July 20, 2022.

²³ Kate Zernike, “Abortion Fight Puts New Onus on State Courts,” *New York Times*, January 29, 2023.

²⁴ Fabriola Cineas, “Rape and Incest Abortion Exceptions Don’t Really Exist,” *Vox*, July 22, 2022, <https://www.vox.com/23271352/rape-and-incest-abortion-exception>.

²⁵ Kate Zernike, “In S. Carolina, Court Upholds Abortion Ban,” *New York Times*, August 24, 2023.

²⁶ Michel Goldberg, “Why Is the Right Forcing Women Who Miscarry to Suffer?” *New York Times*, July 19, 2022.

²⁷ Jamelle Bouie, “The G.O.P. Is Threatening the Right to Travel,” *New York Times*, July 17, 2022.

²⁸ Elie Mystal, “Could GOP States Really Stop Pregnant People from Traveling to Get Abortions?” *Nation*, August 8/15, 2022.

²⁹ Allison McCann, “‘Chaos and Confusion’ in States Where Abortion Laws Keep Shifting,” *New York Times*, August 13, 2022; and Kate Zernike, “What Is ‘Abortion’? In the U.S., It’s Complicated,” *New York Times*, October 19, 2022.

³⁰ David W. Chen, “Abortion Bills Now Put Doctors in Center of Fray,” *New York Times*, February 17, 2023.

³¹ Editorial Board, “There’s Nothing Pro-Life about the Texas Attorney General’s Abortion Lawsuit,” *Washington Post*, June 18, 2022.

³² Tracey A. Wilkinson, “Dr. Caitlan Bernard Didn’t Co-Write This Essay Because of Attacks on Her,” *New York Times*, July 16, 2022; and Sheryl Gay Stolberg and Ava Sasani, “Doctor in Indiana Faces Risks as Voice for Abortion Rights,” *New York Times*, July 29, 2022.

³³ Diane Greene Foster, *The Turnaway Study: Ten Years, a Thousand Women, and the Consequences of Having—or Being Denied—an Abortion* (New York: Scribner, June 2021); see also Bryce Covert and Mike Konczal, “The Dobbs Price,” *Nation*, August 22-29, 2022.

³⁴ See Asha Banerjee, “The Economics of Abortion bans,” *Economic Policy Institute*, January 18, 2023, <https://www.epi.org/publication/economics-of-abortion-bans/>; Rachel Treisman, “States with the Toughest Abortion Laws Have the Weakest Maternal Support, Data Shows,” NPR, August 18, 2022,

- Online at rowman.com
- Call 800-462-6420 ext. 3024
- Email orders@rowman.com

<https://www.npr.org/2022/08/18/1111344810/abortion-ban-states-social-safety-net-health-outcomes>; Emily Badger et al., “Ragged Safety Net Is Weaker in States That Ban Abortion,” *New York Times*, July 30, 2022; and on the case of Mississippi specifically, see Sheryl Gay Stolberg, “Post-Roe, Mothers in Mississippi Get Minimal Support,” *New York Times*, August 19, 2022.

³⁵ For an assessment of the post-Roe environment and the prospects for the future, see Brent Orrell, “Life After Roe: Supporting Women and Families Facing Unexpected Pregnancies,” *American Enterprise Institute*, August 2022.

³⁶ Linda Greenhouse, “Religion Has Friends in High Places Within America’s Judiciary,” *New York Times*, April 24, 2023.

³⁷ Jennifer Rubin, “White Conservative Christians Ignore the Real Problem: A Fleeing Flock,” *Washington Post*, September 15, 2022; Elizabeth Dias and Ruth Graham, “How White Evangelical Christians Fuse with Trump,” *New York Times*, January 19, 2021; and Elizabeth Dias and Ruth Graham, “Growing Religious Fervor Suffuses Politics of the American Right,” *New York Times*, April 7, 2022.

³⁸ Hannah Knowles, “Some Republicans Fear Party Is Too Extreme on Abortion and Gay Rights,” *Washington Post*, July 30, 2022.

³⁹ Maeve Reston and Marianne Levine, “GOP 2024 Hopefuls Court Evangelicals as They Struggle Over Abortion,” *Washington Post*, June 23, 2023; see also David French, “Political Christianity Has Claws,” *New York Times*, August 26, 2023.

⁴⁰ Ashley Lopez, “The Christian Right Is Winning in Court While Losing in Public Opinion,” *National Public Radio*, July 1, 2022.

⁴¹ *Dobbs*, 49.

⁴² Carroll Doherty, et al., “Majority of Public Disapproves of Supreme Court’s Decision to Overturn *Roe v. Wade*,” *Pew Research Center*, July 6, 2022.

⁴³ Cited in Jessica Levinson, “Justice Elena Kagan Has a Prescription for an Ailing Supreme Court,” *MSNBC*, August 2, 2022.

⁴⁴ Julia Conley, “As Abortion Rights Win Votes Across Us, Nebraska Becomes Latest State to Launch Referendum,” *Common Dreams*, August 18, 2023, <https://www.commondreams.org/news/abortion-ballot-initiative>.

⁴⁵ Rachel Rouben, Yvonne Wingett Sanchez, “Arizona Coalition Launches Effort to Get Abortion Rights on the Ballot,” *Washington Post*, August 8, 2023.

⁴⁶ Unsigned Editorial, “We Must Place Access to Abortion on the Ballot,” *New York Times*, January 8, 2023.

⁴⁷ Kate Zernike, “Abortion Views Shifted in Polls After *Roe’s* End,” *New York Times*, June 25, 2023; and Annie Karni, “Highlighting G.O.P.’s Anti-Abortion Stance,” June 22, 2023.

⁴⁸ Michele Goldberg, “The Abortion Ban Backlash Is Freaking Republicans Out,” *New York Times*, April 9, 2023; Lisa Lerer and Elizabeth Dias, “G.O.P. Unable to Find Unity Over Abortion,” *New York Times*, September 14, 2022; and Katie Glueck, “Abortion Views Are Risky Turf on G.O.P. Trail,” *New York Times*, June 21, 2023;.

⁴⁹ See Michele Goldberg, “Democracy and Choice Win in Kansas,” *New York Times*, August 7, 2022.

High-quality, affordable, and innovative course materials
that speak effectively to today's college students

⁵⁰ Kate Zernike and Michael Wines, “New G.O.P Tactic: Keep Abortion Off the Ballot,” *New York Times*, April 24, 2023.

⁵¹ Patrick Marley, Rachel Roubein, and Kevin Williams, “Ohio Voters Reject Higher Bar for Altering Constitution, A Win for Abortion Rights Supporters,” *New York Times*, August 8, 2023; and Campbell Robertson, Rachel Richardson, and Daniel McGraw, “Ohio Voters Are Moved Not Just by Abortion, But by ‘Sneaky Tactic,’” *New York Times*, August 10, 2023.

⁵² See Goldberg, “Democracy and Choice Win in Kansas”; and David Leonhardt, “One Among Three,” *New York Times*, August 4, 2022.

- Online at rowman.com
- Call 800-462-6420 ext. 3024
- Email orders@rowman.com