

University of Arkansas, Fayetteville

ScholarWorks@UARK

Sociology and Criminology Undergraduate
Honors Theses

Sociology and Criminology

5-2023

Determinant Factors in Abortion Support Preceding Dobbs: Has SCOTUS Left Popular Opinion Behind?

Caden Hall

University of Arkansas, Fayetteville

Follow this and additional works at: <https://scholarworks.uark.edu/sociuht>



Part of the [Politics and Social Change Commons](#)

Citation

Hall, C. (2023). Determinant Factors in Abortion Support Preceding Dobbs: Has SCOTUS Left Popular Opinion Behind?. *Sociology and Criminology Undergraduate Honors Theses* Retrieved from <https://scholarworks.uark.edu/sociuht/15>

This Thesis is brought to you for free and open access by the Sociology and Criminology at ScholarWorks@UARK. It has been accepted for inclusion in Sociology and Criminology Undergraduate Honors Theses by an authorized administrator of ScholarWorks@UARK. For more information, please contact scholar@uark.edu, uarepos@uark.edu.

**Determinant Factors in Abortion Support Preceding Dobbs: Has SCOTUS Left Popular
Opinion Behind?**

An Honors Thesis submitted in partial fulfillment of the requirements for Honors Studies
in Sociology

by
Caden Hall

Spring 2023

Department of Sociology

J. William Fulbright College of Arts and Sciences

University of Arkansas

Acknowledgements

This thesis could not have been made possible without the unfailing aid of its supervising director, Dr. Rocio Paez Ritter. Her constant support, alongside that of my friends, family, and other mentors, has been key to the success of this research and my academic goals overall. I would also like to direct appreciation to the members of my defense committee, Dr. Karen Sebold, Dr. Lori C. Holyfield, and Dr. Daniela D'Eugenio, for offering to serve in their respective roles. Finally, I must express my gratitude towards the University of Arkansas' Political Science, Criminology, and Sociology Departments for their assistance throughout my undergraduate education.

TABLE OF CONTENTS

Introduction.....	4
Literature Review.....	5
SCOTUS and the Public.....	6
Pre-Dobbs Public Opinions.....	7
Policy Recommendations.....	8
Theoretical Framework.....	9
Methodology.....	10
Data	10
Sample	11
Measures.....	13
Independent Variables.....	13
Dependent Variables.....	15
Analytic Strategy	16
Results.....	17
Discussion.....	20
Conclusion.....	23
References.....	24
Appendix.....	28

Introduction

The Supreme Court's landmark ruling in *Dobbs v. Jackson Women's Health Clinic*, which overturned the most well-known constitutional court case defending reproductive rights, *Roe v. Wade* (*Roe v. Wade* 1973), elicited an uproar from many Americans for its purported irreverence of women's rights (Davis 2022). In addition, the decision was criticized for its consequent effects on women's housing, education, and general health and safety- particularly that of women within the BIPOC and other marginalized communities (Coen-Sanchez 2022). A growing skepticism on the Court's ability to fulfill its purpose as an impartial adjudicator of public opinion has followed as protests have erupted around the nation (Gallagher 2022). This concern stems from the Court's current makeup of a firmly conservative majority, a partisan leaning that has been criticized as detrimental to SCOTUS' fulfillment of its purpose as a nationally representative (and affective) voice on constitutional law (Zillis and Blandau 2021).

To remedy the issues either caused or worsened by this ruling, many different policy initiatives have been suggested. The most broadly spanning criticism that has been voiced has been directed at state governments for failing to identify how abortion access factors into various fields such as healthcare, criminal justice, welfare assistance, and much more (Treisman 2022). Additional specific recommendations have been directed at both the Supreme Court and other levels of government for either lifting abortion restrictions or addressing problems that stringent regulations have created or further aggravated (Orrel 2022; Orris, Harker, and Lukens 2022; Hunter et al. 2022, Cohen, Donley, and Rebouché 2023)

Relying on the data from the Pew Research Center's American Trends Panel, the current study examines determinant factors associated with the public's views on abortion preceding *Dobbs*. The results of this are framed within a sociologically oriented structural functionalist

theory, specifically that of Robert Merton and his work on dysfunction in society (Merton 1968; Appelrouth and Edles 2021). Policy recommendations based on these findings are included in the discussion of this paper.

Review of Literature

Due to the recency of the *Dobbs* decision, research on the topic is still developing. Despite this, the long-standing national interest and pertinence of the subject matter have led to numerous studies beginning in the wake of *Roe v. Wade*'s overturning. Much of the work being conducted now will likely finish within the next year. In the meantime, the available sources are from short-term analyses and reports born out of the immediate aftermath, as well as from publications written in 2022 that witnessed the *Dobbs* decision shortly before their completion.

SCOTUS and the Public

The *Dobbs* decision was met with national protests and condemnations following its leaked majority opinion and following official announcement (Gallagher 2022). Researchers across varying fields have used this backlash as an instrument of analyzing the relationship between the Supreme Court (SCOTUS) and the general public. Political polarization has been a mainstream topic in the realm of political science for nearly a decade, and one of the many manifestations of this trend is the increased politicization of SCOTUS; this politicization is argued by Ziegler (2022), Zilis and Blandau (2021) as being corruptive to the Court's function as an impartial institution and causative of a widespread distrust in the judiciary among Americans. Beyond that, Ziegler (2023) argues that the decisions of SCOTUS are held in little regard by much of the nation when it comes to the formulation of individual opinions.

It should be no surprise that many polls have determined that most Americans hold the Court in an unfavorable light. In fact, an analysis of seven different polls from aggregate opinion

pollster website FiveThirtyEight found that as much as 54% of Americans disapprove of the Supreme Court in light of the *Dobbs* decision, with only 44% approving (Qamar 2022). Five months before this poll, a similar one conducted by the Pew Research Center found the exact opposite: 54% of the public viewed the Court favorably, while 44% disapproved; however, it also found that opinions on the Court had been in a decline during the preceding three years, and that current views constituted SCOTUS' lowest national favorability ratings in four decades (Doherty and Kiley 2022).

Ziegler (2022) even goes so far as to suggest that the Supreme Court no longer appropriately functions as a conduit of democracy. Ziegler emphasizes the role that politics played in the current ideological formation of the Court, including the double standard treatment of the confirmation proceedings of Barack Obama's nominee, Merrick Garland, and Donald Trump's nominee, Amy Coney Barrett, by the United States Senate.

Pre-Dobbs Public Opinions

Across the board, pollsters and researchers have determined that abortion remains firmly nationally supported by Americans. A poll conducted by Ipsos found that not only did 54% of questioned Americans support abortion rights, 59% believed that abortions were a vital component to women's healthcare. Additionally, 60% of polled respondents thought that *Roe v. Wade* was correct in giving women the constitutional right to an abortion (Jackson et al. 2023). Similarly, a FiveThirtyEight poll (Qamar 2022) determined a 58% average support percentage in the given abortion favorability surveys, with 53% disapproving of the decision to overturn *Roe*. Qamar also noted that national polling of American abortion opinions from 2021-2022 had remained largely stagnant, with little variability occurring in supporting or opposing trendlines.

The disconnect between the Supreme Court and its constituents extends beyond its decision to overturn *Roe*, however. Following a ruling that forbade the issuing of at-need permits for gun owners to carry their firearms outside of their homes, a Monmouth University poll found that 56% of Americans believed that individual states should determine gun regulations instead of the Court. Furthermore, the same poll found that within the six states targeted by this decision, only 16% of respondents supported the ruling (Murray 2022).

Another staple in American opinion research, The Gallup Organization, has conducted at least one survey a year since 1988 polling respondents on their sentiments toward abortion legality. In 2020, a notable shift occurred that led to trends in support beginning to rise while trends in opposition began to steadily decline. According to Gallup, current 2023 abortion support has not been this high since the mid-to-late 90's; that is to say, 2020 marked the beginning of a significant increase in pro-abortion sentiment that has only continued its momentum. (The Gallup Organization 2023)

Policy Recommendations

Following *Dobbs*, the scientific community was quick to establish identified unmet needs from states now experiencing severe restrictions or outright bans on abortions. One of the most pertinent fields affected by the decision is the healthcare and insurance industry. For instance, studies have found that 60% of pregnant women lack health insurance, and 24% have unmet healthcare needs (Orrel 2022). Similarly, Orris, Harker, and Lukens (2022) found that a massive gap in the coverage ability of Medicaid led to nearly two million uninsured Americans who lived below the poverty line. With a likely rise in unplanned pregnancies that are carried to term, the authors argue that the unprovided access to contraception and preconception care of this population can lead to serious and damaging consequences.

An understudied demographic that is now experiencing exacerbated difficulties, according to Hunter et al. (2022), in reproductive healthcare is women in the military. The Department of Defense already limited this group to what it calls “covered” abortions only; that is, abortions which are necessary for the survival of the mother or are the result of rape or incest. Previously, women in the military had to seek out local clinics in many cases. Now, as the number of DoD dependents begins to increase, these women are having to seek out abortions from their communities. However, the authors note that the very same states which possess the most military bases and highest active-duty population are the ones adopting the most restricting abortion policies, such as Texas, Florida, and much of the Southern and Midwestern states.

Cohen, Donley, and Rebouché (2023) also note the increasing complexity of interjurisdictional abortion regulations in wake of *Dobbs*. Despite previous opposing arguments from Justices Scalia and Alito that proposed eliminating *Roe* would simplify abortion law, there are now fifty states with competing regulations that must now operate without a blanket law. Concerns surrounding abortion provisions on federal land, telemedicine licensure and infrastructure, and shields for abortion providers from out-of-state prosecution.

Theoretical Framework

The research at hand is a macro-level, national analysis of how general American public opinion compares to the decisions made by its purported judicial representative, The Supreme Court of the United States. To rigorously evaluate if the country’s supreme body of jurisprudence is functional, a structurally focused sociological framework is required. Initially, this leads any researcher to the work of Émile Durkheim in the field of structural functionalist sociology. Durkheim’s assertion of the existence of social institutions within society that operated interdependently is useful for a base understanding of how the Supreme Court functions

(or, as this paper seeks to contemplate, does not function) as a part of the larger societal organism. However, the scope of this research is oriented around assessing the Court of any potential downfalls or unintended consequences. These specifications call for a more specialized theory, which is best encapsulated by that of structural-functionalist innovator Robert Merton.

Merton's work builds on earlier functionalist thought with an added focus on the existence of manifest and latent functions within institutions of society. As opposed to Durkheim's considerations of how these institutions play as cogs in the machine of society, Merton's work examines what it looks like when the cogs are not operating as intended; Merton referred to this phenomenon as *dysfunction*. Cases of dysfunction are caused either purposefully, as an intended *manifest* function, or, more commonly, as an unintended *latent* function. In either scenario, dysfunction represents a failure of any societal mechanism to support the larger living organism of society (Merton 1968).

Another important contribution by Merton was his work on the causes of deviance; one of the core bases of strain theory. According to Merton, deviance originates out of a simple inequality in society. If the values of a people are not achievable through the means currently afforded to them, deviance arises as the only other logical avenue for realizing these values. Dysfunction, by nature, disrupts the larger societal system. This can lead to deviance through either the institution of additional pressures on members of society or a depletion of the means for value achieving that they possess (Merton 1938).

To place this theory into the context of this paper, the data analyzed within is being used as a measurement of public opinion within the United States, a measurement that should also reflect general American values regarding abortion support. This will then be compared to the *Dobbs v. Jackson* decision of the Supreme Court to overturn *Roe v. Wade*. As the previously

stated designated entity for representing American opinion in constitutional law, the Court operates as our institutional means of realizing our values in matters of jurisprudence. If an inequality between these two areas is found, then the institution is dysfunctional. Merton's theory would suggest that to address this, one would have to adjust said institution that would either assist it in its societal assimilation or substitute it with something else altogether.

Additionally important to thoroughly understanding this topic is the inclusion of conflict theory within all truly rigorous analyses. Modern conflict theory, as envisioned by C. Wright Mills, argues that society is composed of separate groups of people who are united by various interests, commonalities, and resources. Some of these groups possess more power within society than others, which causes social conflict. The elite, or ruling class, in particular are noted by Mills as being in direct opposition to the majority underclass through its attempts to maintain power at their expense. In this paper, conflict theory can be applied to examine whether the Court's function is a manifestation of this elite class's power dominance. If this holds true, then the issue may not be related to Merton's inequality of values and means where SCOTUS represents a faulty version of societal means; instead, it may be that the Court acts in direct opposition to the values of the underclass in order to maintain the power differential status quo. (Mills 1975)

Methodology

Data

The data for this research was pulled from Wave 52 of the Pew Research Center's American Trends Panel, a nationally representative online survey panel composed of 10,000 adults residing within the United States. The target population for this study was non-institutionalized persons aged eighteen or older living within the United States (including Alaska

and Hawaii). Respondents were found from an address-based recruitment process that randomizes each respondent to the household level. This was to ensure proper randomized representation within the sample. The Pew Research Center partners with Ipsos, a research consulting firm, to field and maintain respondents for the study. Recruitment is probability-based and occurred in four different waves of recruitment surveys; the first of these being from January 23rd to March 16th, 2014, the second from August 27th to October 4th, 2015, the third from April 25th to June 4th, 2016, and the final fourth survey was conducted from August 8th to October 31st, 2018. The initial fielded sample size was 5,766 but was reduced to 4,175 once missing data and subsample size adjustments were accounted for. (Pew Research Center 2021; Pew Research Center 2019)

For this panel, 4,175 panelists were polled between July 22nd and August 4th, 2019. On the first day of the data collection period, respondents with a known address were mailed a postcard invitation, while those with known email addresses were sent virtual invitations. All participants that gave either email or SMS consent received up to four reminders following the initial invitation. Respondents received a compensation of at least \$10, with higher incentives being offered to panelists that were part of selected demographics with a traditionally low propensity in response. The questionnaire used for data collection was copied into both the English and Spanish languages, with respondents choosing their preferred copy. Panelists without their own means of accessing the online web survey were offered mobile tablets with a pre-installed survey-taking application at no charge.

Sample

Descriptive statistics for the 4,175 participants surveyed are detailed below. All percentages are adjusted for missing data. The variables with the highest number of said missing

data were income level (193 respondents missing) and party lean/affiliation (178 missing).

Approximately 52.12% of the sampled panelists were female, while 47.88% were male. Age was measured in four separate categories, the mean group of the four being the 30-49 range. 84.59% identified as non-Hispanic, with 15.41% being Hispanic. 30.2% of the respondents had only graduated high school, and 30.1% had completed at least a bachelor's degree. Participants making \$50,000 or less in annual family income accounted for 49.8% of the sample, while those making \$100,000 or more made up 21.3%. White, non-Hispanic identifying people accounted for 64.4% of the respondents. Nearly 42% of the sample identified as Protestant, while Catholics made up 18.2% and panelists identifying with no religion (including atheism and agnosticism) represented 20.2% of the data. No other religious group made up more than 6.1% of the total.

With regard to partisanship, nearly a third (31.3%) of the respondents identified with the Democratic Party. Republicans accounted for an even 27% percent, with independents comprising 28.1% and all others making up 13.6%. When limited to the two main parties, over half (54.2%) identified with or leaned toward the Democratic Party, while the remaining 45.8% sympathized more with the Republican Party.

Table 1. Descriptive Statistics (N=4,175)

	Minimum	Maximum	Mean	SD
Independent Variables				
Age	1	4	2.467	1.025
Sex	0	1	.479	.5
Ethnicity	0	1	.846	.361
Race	0	1	.735	.442
Education	1	6	3.352	1.575

	Minimum	Maximum	Mean	SD
Independent Variables				
Income	1	9	5.172	2.456
Marital Status	0	1	.615	.487
Christian Religiosity	0	1	.378	.485
Partisan Lean	0	1	.458	.498
Dependent Variables				
Support to Overturn <i>Roe</i>	0	1	.284	.451
Abortion Legality	1	4	2.233	.977

Measures

Independent Variables

Age: Respondents were placed into one of four categories based on their age: 18-29, 30-39, 50-64, and 65+. These categories were respectively coded on a 1-4 scale.

Sex: The survey also asked participants their sex, with female panelists being coded with the value 2 and males being coded as 1. For this study, the values were recoded as to assign females the value of 0 instead.

Ethnicity: Respondents were asked whether they identified as Hispanic, those that did were assigned a score of 2, and those who did not were given a score of 1. In this paper, all 2 values were instead rescored to the value of 0.

Race: Panelists were asked to select a race with which they most identified with in the Pew Research Center's study. The options given were White, Black, Asian, Mixed Race, or Other Race. For the purpose of this study, the variables were recoded into a dichotomy where

respondents who identified as White were given a value of 1 and those who identified as any other race (including biracial) were assigned a value of 0.

Education: Education in the American Trends Panel was measured in a six-tiered ordinal set. Initially, the dataset assigned those respondents with less than a high school education to the value 1, those who only graduated high school to the value 2, those with some college education to the value 3, those with associate degrees to the value 4, those who were college graduates to the value 5, and those who pursued post-collegiate education to the value 6.

Income: Family or household income in the Pew Research Center survey was measured on an ordinal 9-tier scale. The nine selected categories were: less than \$10,000, between \$10,000 and \$20,000, between \$20,000 and \$30,000, between \$30,000 and \$40,000, between \$40,000 and \$50,000, between \$50,000 and \$75,000, between \$75,000 and \$100,000, between \$100,000 and \$150,000, and more than \$150,000. These were all scored on an ascending 1-9 value scale.

Marital Status: Panelists were initially asked to describe their marital status within a measurement scale of six options: married, living with a partner, divorced, separated, widowed, and never been married. These categories were condensed into a dichotomous scale where the value 0 represented being currently single or not in a relationship, and the value 1 represented currently having a partner. According to a report by the Guttmacher Institute, over half of all abortions performed in 2014 were for patients currently not living with a partner (Jerman, Jones, and Onda 2016). With such strong divisions along abortion trendlines, the inclusion of this variable hopes to inform future research studying how relationship status interacts with both abortion support and abortion rates.

Religiosity (Christian): Panelists were initially asked which of the following twelve given religious categories they most identified with: Protestant, Roman Catholic, Mormon, Orthodox

Christian, Jewish, Muslim, Buddhist, Hindu, Atheistic, Agnostic, Other Religion, or None. For this study, the values were condensed into a bifurcated set of categories: Christian and non-Christian. The former category contains the first four options in religious identification (Protestant, Roman Catholic, Mormon, and Orthodox Christian), all of whose values were assigned a score of 0, while the second contains all other categories, all of whose values were rescored with a value of 1. The purpose of this measure's inclusion is to examine the long-acknowledged relationship between religion and abortion support, which has been documented through decades of research (Harris and Mills 1985).

Party Lean: Respondents were asked which of the two major parties, the Republican and Democratic, they leaned towards the most in political ideology. Survey participants that answered with the former were assigned a score of 0, while those who leaned more towards the latter major party were given a score of 1. Respondents included members of both parties, as well as third party affiliates and independents. This binary only indicates which of the two parties that participants most identified with, regardless of their official registrations or personal beliefs. The relationship between support for reproductive rights and partisanship has been long-documented and is steadily growing as national political polarization also continues to rise (Killian and Wilcox 2008).

Dependent Variables

The primary measure of this study is public support for abortion. To break this down into more easily analyzed variables, two questions were selected from the questionnaire within Wave 52's survey that best represented participant disposition towards the subject within this model.

The questions chosen are as follows:

Abortion Legality: Participants were asked “On a different topic...Do you think abortion should be...” and given the answers “Legal in all cases,” “Legal in most cases,” “Illegal in most cases,” and “Illegal in all cases” as options (Pew Research Center 2019) The answers were coded into the data set on a descending scale of support, with respondents who chose “Legal in all cases” being scored with a value of 1 and those who chose “Illegal in all cases” being scored with a value of 4.

Support to Overturn Roe: Panelists were asked “Would you like to see the Supreme Court completely overturn its Roe versus Wade decision, or not?” and given the options “Yes, overturn Roe versus Wade.” or “No, do not overturn Roe versus Wade.” (Pew Research Center 2019). Respondents who selected the former option were assigned a value of 1 within the data set, while those who selected the latter answer were given a score of 0.

Analytic Strategy

To perform the analyses required for this research, all data from Wave 52 of the American Trends Panel was imported into Statistical Package for Social Sciences (SPSS version 28). To better understand the relationships between the key determinant factors chosen and the abortion support variables, the data was subjected to multivariate Ordinary Least Squares (OLS) regression and binary logistic regression analyses. Prior to the multivariate analyses, the normality of all measures was assessed. The skew and kurtosis were all within the normal range. Assumptions for performing regression analyses were also examined. Potential multicollinearity issues were checked by examining the matrix of two-variable correlations among all independent variables (see Appendix A). The highest correlation is between education level and family income (Pearson’s $r=.454$). The OLS regression test was conducted for the ordinal dependent question that measured respondent attitudes toward abortion legality. This analysis examines the

independent variables as predictors for their dependent measure counterpart. The binary logistic regression test was performed with the dichotomous “Support to Overturn *Roe*” dependent variable. This model considers the relationships between the selected dependent measure and its covariates.

Results

Table 2. OLS Regression Results for Abortion Legality

	<i>b</i>	SE	β
Constant	2.502	.082	
Age	.035	.014	.037
Sex	.045	.028	.023
Ethnicity	-.029	.042	-.010
Race	.041	.033	.019
Education	-.042*	.010	-.068
Income	-.030*	.007	-.076
Marital Status	.100*	.030	.050
Christian Religiosity	-.535*	.030	-.268
Partisan Lean	.714*	.030	.365
R ²		.288	

* $p \leq .001$

The above table shows the results from the OLS Regression model when fitted with the abortion legality dependent variable, which used a four-tier scale of descending abortion legality options to measure respondents’ opinion. The nature of this variable may be described as a measurement of opposition to abortion, with the higher values representing more restricted abortion rights and the lower values indicating less stringent restrictions. The overall model was

significant at the .01 level, and the R^2 value was equal to .288. The latter value indicates that approximately 28.8% of the variance in abortion legality opposition could be explained by the independent variables. Variables that were significantly predictive at the .01 value included education, income, marital status, Christian religiosity, and partisan lean.

The most highly effective variable was partisan lean ($b=.714$, $SE=.030$, $p<.001$), with the second-most being Christian religiosity ($b=-.535$, $SE=.030$, $p<.001$). The first indicates that as respondent partisan leanings increased towards the Republican party, so did their opposition to abortion legality. The second indicates that as Christian religiosity decreased, support for scenarios with higher abortion legality increased. Higher income panelists were associated with support for looser abortion regulations ($b=-.030$, $SE=.007$, $p<.001$), as were participants with higher education levels ($b=-.042$, $SE=.010$, $p<.001$). Lastly, respondents that were not currently in a relationship were more likely to oppose more stringent abortion restrictions ($b=.100$, $SE=.030$, $p<.001$).

Table 3. Binary Logistic Regression Results for Support to Overturn *Roe*

	B	SE	Exp(B)
Constant	-.906*	.193	.404
Age	-.001	.044	.999
Sex	.219	.088	1.245
Ethnicity	.264	.157	1.635
Race	-.265	.133	.767
Education	-.127*	.031	.881
Income	-.129*	.022	.879
Marital Status	.329*	.099	1.389

Christian Religiosity	-1.435*	.108	.238
Partisan Lean	1.979*	.101	7.234
Nagelkerke R ²		.335	

Exp(B) represents the unstandardized factor by which odds for support for leaving *Roe* as-is changes when the independent measure increases by 1 unit.

*p≤.001

Binary logistic regression models were used to assess the relationship between support to overturn *Roe* and the set of covariates. Table 3 summarizes the logistic regression results for the model predicting the binary measure on Support to Overturn *Roe*. Similarly to the OLS analysis, the binary logistic regression model found several key determinant factors to be significant in predicting the dependent variable representing abortion sentiments. A negative relationship was found between education and support to overturn *Roe* (B=-.127, Exp(B)=.881), income and overturning support (B=-.129, Exp(B)=.879), and particularly with Christian religiosity and *Roe* overturning support (B=-1.435, Exp(B)=.238). Conversely, relationships that indicated both a significant increase in logits per one additional unit increase in the independent variable, as well as a complementary rise in their odds ratio, were found with marital status (B=.329, Exp(B)=1.389) and most notably with partisan lean (B=1.979, Exp(B)=7.234).

Limitations

Though the value of this study is not to be diminished by the following section, it must be understood that there were several limitations to this study that may inhibit representativeness. First, the data itself was taken from a cross-sectional study. The nature of it as a study in respondent opinion at a single point in time makes it difficult to establish true causality, since there is only one frame of reference. Second, by the Pew Research Center's own admission, its sampling for the American Trends Panel has historically been overly representative of higher

educated individuals, as well as under-representative of respondents within the 18-29 category (Pew Research Center 2019). The Pew Research Center also warns about issues in data collection that can arise from variability in interpretation arising from question wording, errors associated with random sampling (which can never guarantee true representativeness) and reporting inaccuracy (Pew Research Center 2019).

Discussion

To begin, these results suggest that general American opinions of abortion leading up to the *Dobbs* ruling did not lean towards overturning *Roe*, or further restricting abortion laws in general. The means for the dependent variables shown within the descriptives table (Table 1) can be interpreted to prove this. A mean of .284 within the “support for overturning *Roe*” dependent measure demonstrates that approximately 71.6% of respondents within Wave 52 were in favor of not overturning *Roe v. Wade*. Additionally, the mean for the second dependent variable, which measured the extent to which respondents believed abortion should be legal, was 2.233 on a 1-4 scale, indicating that the majority of participants believed in looser abortion restrictions. These findings are consistent with the many polls conducted in prior research (Jackson et al. 2023; Qamar 2022; Murray 2022) as suggestive of an identified continuing gradual shift in public sentiment in favor of increasing abortion access (The Gallup Organization 2023).

The next question, then, is to consider whether or not the Supreme Court is ineffective at truly reflecting American abortion sentiments and therefore acting dysfunctional. Previous literature suggests that the disconnect between SCOTUS and the court of public opinion is real (Murray 2022; Ziegler 2023; Zillis and Blandau 2021) and is additionally having observably detrimental consequences, particularly after the *Dobbs* decision (Orrel 2022; Orris, Harker, and Lukens 2022; Hunter et al. 2022, Cohen, Donley, and Rebouché 2023).

With the opinion polls conducted both shortly before and thereafter following the *Dobbs* decision agreeing across the board that the United States at large believes in higher abortion access, it is hard to disprove that this is a widely shared American value. Despite this, the means of achieving this value (the Supreme Court and various levels of government or legislative bodies) are currently not operating in a way that allows said achievement. Merton's theories on strain and deviance (Merton 1938) would argue that this very phenomenon is the key ingredient to causing deviance, and that this is typically derivative of some form of societal dysfunction. Therefore, it is a reasonable conclusion that the Supreme Court, by virtue of its recent decisions that are both incongruent with American beliefs and harmful towards public welfare as outlined above, is not properly functioning.

To explore the Court further within Robert Merton's work on social structure (Merton 1968), it is beyond the scope of this paper to assign a label of "manifest" or "latent" dysfunction to it. The applicability and appropriateness of these labels when used to specifically describe the nature of the Supreme Court's societal shortcomings requires further research, which this paper heartily recommends the implementation of.

It is so far established that the dysfunction of the Supreme Court represents an incongruence between itself and American abortion opinion, as well as an instance of malpractice in the realm of maintaining public welfare. With this in mind, it is abundantly clear that adjustments need to be made to SCOTUS itself. Specific recommendations for changes to constitutional law or Court membership exist beyond the breadth of this research; however, this paper suggests that more research within the fields of law, political science, and other applicable disciplines be dedicated to the subject. In addition to reevaluating the Supreme Court, remedial policy initiatives targeting the adverse effects of overturning *Roe v. Wade* should be instituted.

The suggestions outlined within this paper from previous literature are meant to inform future efforts to realize these initiatives, they should not be taken as prescriptions.

The final major contribution of this paper to current research is its findings on how popular American opinions of abortion breakdown across various determinant factors. Due to the historical prevalence of religion as a strong influencing factor on abortion beliefs (Harris and Mills 1985) and the nature of abortion as a major plank on political party platforms, it should be no surprise that the two most significant predictors across the tests were Christian religiosity and partisan lean. A far less studied trend, and potentially one of the most important findings of this study, is the significance of marital status on abortion disposition. In both tests, the variable was found to be significant at the 0.01 level, and single respondents were associated with higher abortion access.

Some of the most important identifying demographics did not play a significant role in predicting abortion support. Neither race nor ethnicity were found to be significant at even the .05 level in either regression test, and age was found to be nearly entirely insignificant within the binary logistic regression model. Additionally, within the initial correlation matrix (see Appendix A), sex was found to be unrelated to either dependent variable, despite some previous literature purporting that a gender gap existed in the realm of abortion opinion (Zenike 2022). Finally, the measures for income and education were both related and predictive of abortion support after being found to be statistically significant factors in both the OLS and binary logistic models. The two variables themselves were unsurprisingly strongly correlated, however, and so this paper recommends future research into distinguishing the two measures and determining if they are individually predictive of abortion support or simply manifesting issues of multicollinearity that cannot be fully examined through correlation matrices alone.

Conclusion

The purpose of this study was primarily to determine if there existed an inequality between general adult American abortion disposition and the majority ruling of the Supreme Court to overturn *Roe v. Wade* in the case *Dobbs v. Jackson Women's Health Clinic*. From there, this study aimed to understand the aforementioned national disposition on a more empirical level by analyzing key determinant factors and their individual associations with abortion support. According to this research, the majority of public opinion preceding the *Dobbs* ruling was in favor of keeping *Roe v. Wade* intact, contrary to SCOTUS' decision. Additionally, the most predictive factors for this opinion polling were partisan leaning (with Republicans being associated with abortion opposition), Christian religiosity (where non-Christians were found to be more likely to support abortion legality), family income (higher income was related to lower restrictions on abortion), education (higher-educated respondents tended to support less stringent abortion regulations), and marital status (single respondents were associated with less abortion opposition).

The above results indicate that the Supreme Court's ruling did not match up with national sentiments as it is intended to. This analysis, in tandem with the previous literature, is both informative on the nature of the Court as a dysfunctional entity and revealing of the many harmful consequences associated with one of its manifestations of this dysfunction: its ruling in *Dobbs v. Jackson Women's Health Clinic*. With that in mind, future research should be directed towards further understanding the Court's dysfunctional operation within society. These findings should also be used to inform the implementation of policy initiatives both suggested within this paper and otherwise.

References

- Appelrouth, Scott and Laura Desfor Edles. 2021. "Robert K. Merton (1910–2003): A Biographical Sketch." Pp. 725-761 in *Classical and Contemporary Sociological Theory: Text and Readings*. Los Angeles, California: SAGE Publishing.
- Cohen, David S., Greer Donley, and Rachel Rebouché. 2023. "The New Abortion Battleground." *Columbia Law Review* 123(1).
- Davis, Martha. F. 2022. "The state of abortion rights in the US". *International Journal of Gynaecology and Obstetrics: The Official Organ of the International Federation of Gynaecology and Obstetrics*, 159(1):324-329.
- Doherty, Carol and Jocelyn Kiley. 2022. "Public's Views of Supreme Court Turned More Negative Before News of Breyer's Retirement." *Pew Research Center - U.S. Politics & Policy*. Retrieved February 8, 2023
(<https://www.pewresearch.org/politics/2022/02/02/publics-views-of-supreme-court-turned-more-negative-before-news-of-breyers-retirement/>)
- Doyle, Kieran. 2022. "Regional Overview: United States and Canada 23 April-6 May 2022. Armed Conflict Location & Event Data Project. WI: JSTOR. Retrieved February 1, 2023.
(<https://www.jstor.org/stable/resrep41298>)
- Gallagher, Chris. 2022. "Reactions to the Supreme Court Overturning Roe v. Wade" edited by H. Goller. *Reuters*. Retrieved October 13, 2022
(<https://www.reuters.com/world/us/reactions-us-supreme-court-overturning-roe-v-wade-abortion-landmark-2022-06-24/>)

- Harris, Richard J. and Edgar W. Mills. 1985. "Religion, Values and Attitudes Toward Abortion." *Journal for the Scientific Study of Religion* 24(2):137–54.
- Hunter, Kyleanne M., Sarah O. Meadows, Rebecca L. Collins, and Isabelle González. 2022. *How the Dobbs Decision Could Affect U.S. National Security*. RAND Corporation. Santa Monica, CA: JSTOR. Retrieved January 27, 2023 (<https://www.jstor.org/stable/resrep43018>)
- Jackson, Chris, Mallory Newall, Bernard Mendez, Charlie Rollason. 2023. "Nearly 7 in 10 Support State-Level Ballot Measures on Abortion." *Ipsos; News and Events: News*. Retrieved February 2, 2023 (<https://www.ipsos.com/en-us/nearly-7-10-support-state-level-ballot-measures-abortion>)
- Jerman, Jenna, Rachel K. Jones, Tsuyoshi Onda. 2016. *Characteristics of U.S. Abortion Patients in 2014 and Changes Since 2008*. New York: Guttmacher Institute. Retrieved April 13th (www.guttmacher.org/report/characteristics-us-abortion-patients-2014)
- Killian, Mitchell and Clyde Wilcox. 2008. "Do Abortion Attitudes Lead to Party Switching?" *Political Research Quarterly* 61(4):561–73.
- Merton, Robert. 1968. "Manifest and Latent Functions." Pp. 73–139 in *Social Theory and Social Structure*. New York City, New York: The Free Press.
- Merton, Robert K. 1938. "Social Structure and Anomie." *American Sociological Review* 3(5):672–82.
- Mills, C. Wright. 1975. *The Power Elite*. London, England: Oxford University Press.

- Murray, Patrick. 2022. "Public Disagrees with SCOTUS on Guns." *Monmouth University Polling Institute*. Retrieved February 2, 2023 (https://www.monmouth.edu/polling-institute/reports/monmouthpoll_us_063022/)
- Orris, Allison, Laura Harker, and Gideon Lukens. 2022. *Failure to Close Coverage Gap Would Leave Millions Uninsured and Facing Worse Health Outcomes*. Center on Budget and Policy Priorities. Washington, DC: JSTOR. Retrieved January 29, 2023 (<https://www.jstor.org/stable/resrep43103>)
- Orrel, Brent. 2022. *Life After Roe: Supporting Women and Families Facing Unexpected Pregnancies*. American Enterprise Institute. Washington, DC: JSTOR. Retrieved February 3, 2023 (<https://www.jstor.org/stable/resrep42743>)
- Pew Research Center. 2021. "What Is the American Trends Panel (ATP)?" *The American Trends Panel*. Retrieved February 3, 2023 (<https://www.pewresearch.org/our-methods/u-s-surveys/the-american-trends-panel/>).
- Pew Research Center. 2019. Pew Research Center: American Trends Panel Wave 52. Cornell University, Ithaca, NY: Roper Center for Public Opinion Research. (<https://doi.org/10.25940/ROPER-31116680>).
- Phelps, Wesley G. 2023. "CONCLUSION: Lawrence v. Texas Reconsidered." Pp. 211–222 in *Before Lawrence v. Texas: The Making of a Queer Social Movement*. Austin, Texas: University of Texas Press.
- Qamar, Zoha. 2022. "Americans' Views On Abortion Are Pretty Stagnant. Their Views On The Supreme Court Are Not." *FiveThirtyEight*. Retrieved February 2, 2023

(<https://fivethirtyeight.com/features/americans-views-on-abortion-are-pretty-stagnant-their-views-on-the-supreme-court-are-not/>)

Roe v. Wade, 410 U.S. (1973).

The Gallup Organization. 2023. “Abortion.” *Gallup.com*. Retrieved April 10, 2023

(<https://news.gallup.com/poll/1576/abortion.aspx>).

Treisman, Rachel. 2022. “States with the Toughest Abortion Laws Have the Weakest Maternal Supports, Data Shows.” *NPR*. Retrieved February 13, 2023

(<https://www.npr.org/2022/08/18/1111344810/abortion-ban-states-social-safety-net-health-outcomes>).

Zernike, Kate. 2022. “The Gender Gap in the Abortion Debate.” *The New York Times*. Retrieved April 13, 2023 (<https://www.nytimes.com/2022/11/07/us/abortion-midterms-voters-men.html>).

Ziegler, Mary. 2022. “Conclusion: Democracy in a Post-Roe America.” Pp. 197–212 in *Dollars for Life: The Anti-Abortion Movement and the Fall of the Republican Establishment*. New Haven, Connecticut: Yale University Press.

Ziegler, Mary. 2023. “Epilogue: Roe After the Overruling.” Pp. 150–158 in *Roe: The History of a National Obsession*. New Haven, Connecticut: Yale University Press.

Zilis, Michael and Rachael Blandau. 2021. “Judicial Legitimacy, Political Polarization, and How the Public Views the Supreme Court.” *Oxford Research Encyclopedia of Politics*.

Appendix A. Correlation Matrix for Dependent Measures and Variables of Interest

Variables		1	2	3	4	5	6	7	8	9	10	11
Age	1	1										
Sex	2	-.032*	1									
Ethnicity	3	.202**	.005	1								
Race	4	.180**	-.015	.151**	1							
Education	5	.024	-.022	.172**	.079**	1						
Income	6	.105**	.121**	.148**	.177**	.454**	1					
Marital Status	7	.150**	.022	.027	.147**	.114**	.355**	1				
Religiosity	8	-.219**	.129**	.044**	-.048**	.060**	.003	-.097**	1			
Partisan Lean	9	.135**	.066**	.176**	.285**	-.072**	.095**	.120**	-.247**	1		
Overtake Roe	10	.078**	.032*	.050**	.072**	-.124**	-.068**	.072**	-.296**	.416**	1	
Abortion Law	11	.131**	.002	.009	.118**	-.137**	-.050**	.096**	-.369**	.438**	.587**	1

Associations in this table were based on Pearson's r.

** . Correlation is significant at the 0.01 level (two-tailed).

* . Correlation is significant at the 0.05 level (two-tailed).