

State Laws Do Make a Difference

Incidence of Abortion Declines among American Youth

By Michael J. New, Ph.D.

During the 1990s pro-lifers cheered the substantial decline in America's abortion rate. Indeed, among states consistently reporting data, the number of abortions declined by an impressive 18% between 1990 and 1999.

However, during this time, the abortion rate among children has been declining at an even faster rate. In 1985 there were 13.5 abortions for every thousand females between the ages of 13 and 17. In 1999 that number fell to 6.5. This means that teenagers today are half as likely to have abortions as their predecessors were 15 years ago.

What is the cause for this decline? There are many reasons. Numerous studies indicate that young people are more likely to abstain from sex or to delay sexual activity until later in life. This has undoubtedly played a role in the abortion decline among teens. However, another major factor that cannot be overlooked is the positive

impact of state-level pro-life legislation.

The Supreme Court's 1992 *Casey* decision, combined with the increased success of pro-life candidates in state legislative races, gave state-level pro-life activists more opportunities to use legislation to protect the unborn. Indeed, during the 1990s, 27 states passed bans on partial-birth abortions. Additionally, 20 states enacted informed consent bills. These laws give women seeking abortions information about the development of their unborn children, public and private sources of support for mothers with young children, and health risks involved with having an abortion.

However, most relevant to the decrease in abortions performed on teens is that the number of states with parental involvement laws increased from 20 to 32 during the 1990s. Parental involvement laws require minors seeking abortions to either notify or receive permission from their parents before having an abortion.

Not surprisingly, these laws have a large impact on the decisions that minors make. My research indicates that these laws reduce the number of abortions performed on minors by around 15%. Furthermore, the results indicate that restrictions of Medicaid funding of abortions also substantially reduce the number of abortions performed on minors.

More evidence of the impact of these parental involvement laws can be found by comparing those laws that were nullified by judges to laws that actually took effect. Nullified laws have only a negligible impact on the number of abortions performed on minors while enforced laws result in substantial declines. This provides further evidence that parental involvement laws are actually causing these abortion declines and not changes in values or mores that happen to be correlated with the passage of these laws.

The progress made in the 1990s has continued into the current decade. Since

2000 Texas, Colorado, Florida, and Oklahoma have all passed parental involvement laws. Additionally, Georgia passed a women's right to know bill this past spring.

Minnesota Governor Tim Pawlenty recently signed legislation that would provide state funding for crisis pregnancy centers in his state. Mississippi has gained nationwide attention for the quantity of protective legislation it has passed in recent years.

Now, good data has not yet become available on the impact of all of these laws. However, my research provides solid evidence that state legislation has certainly been effective at protecting women, minors, and their unborn children.

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