

## ABSTRACT

### Unintended Consequences of Overturning *Roe v. Wade*

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The Republican Party should not be celebrating the reversal of *Roe v. Wade*. Instead, they should be planning ways to prevent a potential Democratic resurgence, which could employ a playbook that Republicans themselves crafted. In 1973, *Roe* afforded the Republican Party an issue in which the GOP could encourage social conservatives to start voting Republican. The GOP strategically used the issue of abortion to form the modern New Right and to win elections for the next 50 years. This can be explained through the framework of issue evolution, which allows political parties to capitalize on a salient issue with a cross-partisan majority. In 2022, the Supreme Court overturned *Roe* in *Dobbs v. Jackson Women's Health*. Does that ruling create a similar issue evolution possibility for the contemporary Democratic Party? Will the Democratic Party let the abortion issue fester in the states, promoting a crisis at the voting booth that may bring about historic voter shifts? If so, then *Dobbs*' long-term effect, ironically, might be to expand the ability to obtain an abortion.

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UNINTENDED CONSEQUENCES OF OVERTURNING *ROE V. WADE*

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## INTRODUCTION

Time stood still when *Dobbs v. Jackson Women's Health Organization* was released. Liberals were worried but so were conservatives. They knew that this Supreme Court ruling had the potential to alter future electoral outcomes. These potential ramifications can be studied through the framework of issue evolution, "a theory of normal partisan change—the gradual transformation of the party system caused by evolving issues and effected through population replacement."<sup>1</sup> Such a process has been observed at several key points in American politics. I discuss two examples, race-related issues during the mid-1960s, and abortion in the aftermath of *Roe v. Wade*. Importantly, issue evolution can only be determined to have occurred after the fact. Instead of viewing an issue evolution as an inevitable success, it should be viewed as an opportunity. Not all issues end with realignment. To take advantage of these opportunities, political parties must act.<sup>2</sup> For instance, it took intentional strategizing and campaigning to form the modern New Right, thereby folding Catholics and Evangelicals into a coalition with economic conservatives. Following the reversal of *Roe* and the changed values of the electorate between 1973 and 2022, the Democratic Party may be afforded a similar opportunity. I explore this potential through data collected from every state in the United States from 1990-2022. I then highlight the shifting significance of different variables

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<sup>1</sup> Carmines, Edward G., and James A. Stimson. "Issue Evolution, Population Replacement, and Normal Partisan Change." *The American Political Science Review* 75, no. 1 (1981), 117.

<sup>2</sup> Mayhew, David R. *Congress: The Electoral Connection*. Yale Studies in Political Science. New Haven: Yale University Press, 1974.

such as the percentage of women and the abortion policy within a state. I conclude by discussing different avenues a party can take to gain electoral support from an important issue. Where *Roe* benefitted the Republicans, I argue that *Dobbs* can similarly benefit the Democrats.

## CHAPTER ONE

### Literature Analysis

The opportunity for issue evolution arises when an issue is both salient and there is a cross-partisan majority. Salience is observed when an issue is important enough to be discussed by elites and acted on by masses, and a cross-partisan majority provides a powerful opportunity for this majority group to collectively choose to follow their stance on an issue. This does not mean that all issues that are salient with cross-partisan majorities produce issue evolutions, nor do all “culture war” issues produce issue evolutions.<sup>3</sup> Rather, a specific and gradual process must unfold for such an event to take place. Successful issue evolutions occur through a two-stage process. First, elites must form distinctive partisan opinions that are clear and available to the public. This can be done through “policy proposals, conventions, speeches, campaign ads, public demonstrations, letters to the editor, talk shows and so on.”<sup>4</sup> These signals are primarily developed by members of Congress as they are “arguably the most consistently important and recognizable source of partisan cues.”<sup>5</sup> Second, masses must respond to the elite positioning. This is seen as masses shift partisan stances to “mirror elite opinions trends.”<sup>6</sup> Ultimately, an issue evolution has occurred if the elites have taken distinct

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<sup>3</sup> Lindaman, Kara, and Donald P. Haider-Markel. “Issue Evolution, Political Parties, and the Culture Wars.” *Political Research Quarterly* 55, no. 1 (2002), 91.

<sup>4</sup> Adams, Greg D. “Abortion: Evidence of an Issue Evolution.” *American Journal of Political Science* 41, no. 3 (1997), 720.

<sup>5</sup> Ibid, 720.

<sup>6</sup> Lindaman and Haider-Markel, 94.



positions, provided clarity to the public on these issues, incorporated the parties and other policy to reflect these stances, and the mass has aligned to reflect these shifts.

This voter mobilization takes effort. Indeed, political parties cannot just expect the electorate to align with their party's stance on an issue if they never discuss it. Put differently, the political parties must use the issue to attract voters. This is done by sending a consistent partywide message, maintaining the presence of the issue on the agenda, campaigning on it both logically and emotionally, and focusing on areas in which the voters' beliefs align with the position of the party. If successful, issue evolutions may produce the same result as an electoral shift, although the process for issue evolution unfolds more gradually.<sup>7</sup> This is because "it takes time for the parties to establish a reputation on the issue and for the masses to perceive a difference between the two parties."<sup>8</sup> Two dominant groups influence this transition: elites and public masses. While political parties play a crucial role, they "serve as the intermediary institution, used by elites to frame the issue for the masses, and by the public as a means to hold their elected officials accountable."<sup>9</sup> The elites have an active role in shaping the parties' outlook and reputation, and the masses are primarily reactive, assimilating party cues and the context of their personal party affiliations. Both groups must act for the shift in voting behavior to occur.

Racial politics is an important example of this phenomenon. Throughout the 1950s and 1960s, "racial issues were not defined in partisan terms. Both northern

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<sup>7</sup> Adams, 719.

<sup>8</sup> Ibid, 721.

<sup>9</sup> Lindaman, and Haider-Markel, 91.

Democrats and Republicans took moderate stands on race.”<sup>10</sup> However, this shifted as race became increasingly salient with the prominence of *Brown v. Board of Education*, Martin Luther King Junior, the Civil Rights Act and Voting Rights Act, and the Montgomery bus boycott over discriminatory busing policy. During the mid-1960s, both political parties took a clear partisan stance on race: “the Democratic party gradually became the home of racial liberalism”<sup>11</sup> while the Republican party sought to maintain states’ rights.<sup>12</sup> During 1964, Barry Goldwater aligned with the position of the Republican Party, opposing the Civil Right Act of 1964.<sup>13</sup> Goldwater also opposed social welfare programs and criticized the Supreme Court’s action with *Brown*. This trend continued as “racial issues gradually became aligned with other issues on the policy agenda.”<sup>14</sup> For instance, Nixon’s “law and order” campaigning signaled an appeal towards racist beliefs without being directly discriminatory.<sup>15</sup> Additionally, Republican consultant Lee Atwater is infamous for his comments about how the Republican Party could capitalize on the racist vote without being racist themselves.<sup>16</sup> Voters were not only influenced by signals sent by members of congress and Presidents, but also by Supreme

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<sup>10</sup> Carmines, Edward G. and James A. Stimson. *Issue Evolution: Race and the Transformation of American Politics*. Princeton University Press, 1989, 116.

<sup>11</sup> Ibid, 116.

<sup>12</sup> Lee Atwater, Kotlowski, Dog Whistle Politics

<sup>13</sup> “Goldwater, Barry M. | The Martin Luther King, Jr. Research and Education Institute.”

<sup>14</sup> Carmines and Stimson. *Issue Evolution: Race and the Transformation of American Politics*, 117.

<sup>15</sup> Mason, Robert. “‘I Was Going to Build a New Republican Party and a New Majority’: Richard Nixon as Party Leader, 1969-73.” *Journal of American Studies* 39, no. 3 (2005): 463–83.

<sup>16</sup> Equal Justice Initiative. “How Segregation Survived.” SEGREGATION IN AMERICA. Equal Justice Initiative, 2018.

Court rulings such as *Swann v. Charlotte-Mecklenburg Board of Education*. White Northerners were angered by the new busing requirements and the Republican Party blamed these shifts on the Democratic Party.<sup>17</sup> The Republican Party's commitment to local governance aligned with the South's racist and historic commitment to states' rights as well as Catholics' belief in subsidiarity and neighborhood schools. This alignment provided the opportunity for an electoral shift to occur on the basis of race. Ever since, race has remained a divisive component of elections and political behavior. Just as race altered the political atmosphere, abortion may shift voting behavior.

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<sup>17</sup> Schwartz, Bernard. *Swann's Way: The School Busing Case and the Supreme Court*. Oxford University Press, 1986.

## CHAPTER TWO

### *Roe v. Wade* and the Republican Party

Abortion has already shifted electoral coalitions. The first significant fight concerning abortion was observed with the 1977 Hyde Amendment. Here, Senate Liberals would not acquiesce the exceptions laid out in the amendment, asking the House to re-vote.<sup>18</sup> However, this attempt was unsuccessful because the concessions were rejected 164-252 with Republicans voting 29-113. The conservatives saw a major victory in this debate as the House raised the qualifications for abortion rather than lower them. These House's actions resulted in increasingly clear signals to the electorate and the establishment of abortion as a partisan issue.<sup>19</sup> Put differently, the Republican Party was officially established as the pro-life party after elites signaled their position through Congressional voting patterns. The issue evolution process appears to have been completed. Importantly, "the new alignment of issues and party is the final result of the process of issue evolution, and the one that justifies the importance of all the others."<sup>20</sup> In the wake of the Court's ruling in *Roe v. Wade*, the Republican Party saw an opportunity to capitalize on the controversy around legalized abortion with a pro-life position.

The formation of the New Right was essential for the Republican Party's success campaigning on abortion. It is important to note that this group would likely not have

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<sup>18</sup> CQ Almanac. "Abortion Agreement Ends Funding Deadlock," 1977.

<sup>19</sup> Carmines and Stimson. *Issue Evolution: Race and the Transformation of American Politics*, 723.

<sup>20</sup> Ibid, 167.

formed without *Roe v. Wade*. Initially, the Supreme Court ruling was unpopular to the point of being nonmajoritarian. Most Americans seemed to dislike elective abortions (68 percent disapproved in 1973).<sup>21</sup> However, opposition to increasing abortion access did not stop there. There was also significant resistance to liberalizing abortion policy. Specifically, Catholics met the idea of “liberalizing access to abortion” with “energetic opposition.”<sup>22</sup> Along with Southern Democrats, this faction diverged on liberal abortion orthodoxy. Liberal Democrats displayed a pro-choice stance while these traditionalist Democrats, trended pro-life. The Republican Party took advantage of this divide within the Democratic Party and won over the traditionalist voters.

The GOP did this purposively. Republican candidates campaigned on abortion in hopes of attracting conservative voters. Preceding *Roe*, Catholic voters began to demonstrate “single-issue interest in abortion” by mobilizing “state by state and on a national basis.”<sup>23</sup> This provided a unique opportunity for the Republican Party to win over these voters. The key would be campaigning on abortion and clearly demonstrating a pro-life stance, which aligned with the Catholic perspective. The new Republican strategy emerged in 1972 with Nixon’s presidential race. The Republican party encouraged Nixon to utilize abortion “as a way (1) to attract Catholic voters from their historic alignment with the Democratic Party and (2) to attract social conservatives, by tarring George McGovern.”<sup>24</sup> Although Nixon won the election, the key issue in 1968

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<sup>21</sup> Blake, Judith. “The Supreme Court’s Abortion Decisions and Public Opinion in the United States.” *Population and Development Review* 3, no. 1/2 (1977), 49.

<sup>22</sup> Greenhouse, Linda, and Reva B. Siegel. “Before (and After) *Roe v. Wade*: New Questions About Backlash.” *The Yale Law Journal* 120, no. 8 (2011), 2032.

<sup>23</sup> *Ibid*, 2046.

<sup>24</sup> *Ibid*, 2033.

and 1972 was law and order. Nevertheless, the GOP had claimed the pro-life mantle, which would pay dividends in future elections.

Immediately after the Court's decision in *Roe* was released, congressional Republicans began to act. From the Hyde Amendment, which blocks Medicaid funding for some abortion services,<sup>25</sup> to heightening restrictions on the timing of abortion, Republicans sought to combat *Roe* through multiple avenues. However, such attacks were not merely due to the party's opposition to the Court's ruling. Indeed, "post-*Roe* attacks were part of a larger effort to use Court rulings to split the New Deal coalition along a new cleavage line, and to build a new, Republican, majority coalition."<sup>26</sup> With this goal in mind, the Republican Party purposefully structured their arguments to align with both the conservative position of the Southern Democrats and the religious position of the Catholic Democrats. These efforts were largely successful.

The Catholic church made their first big step in 1976 by encouraging pro-life candidates to run, and to be vocal about abortion. The National Conference of Catholic Bishops implemented the "right-to-life" movement and intended it to be "a political action machine to influence national and local elections."<sup>27</sup> These actions captured the attention of the modern New Right. Indeed, the "'right-to-life' movement became for the New Right a *model* for building a mass base."<sup>28</sup> To do this, Catholics had to unite,

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<sup>25</sup> Edward C. Liu and Wen W. Shen. "The Hyde Amendment: An Overview." *Congressional Research Service*, July 20, 2020, 1.

<sup>26</sup> Bridge, Dave, and Curt Nichols. "Congressional Attacks on the Supreme Court: A Mechanism to Maintain, Build, and Consolidate." *Law & Social Inquiry* 41, no. 1 (2016), 100.

<sup>27</sup> Petchesky, Rosalind Pollack. "Antiabortion, Antifeminism, and the Rise of the New Right." *Feminist Studies* 7, no. 2 (1981), 213.

<sup>28</sup> *Ibid*, 215.

politically, with Evangelicals. For this, New Right activists were essential. Indeed, it was not until the late 1970s that Evangelicals made the first step towards supporting a consolidated Christian pro-life movement. Once led and encouraged by Catholic conservative activists, Paul Weyrich and Richard Viguerie expanded the message to capture other social conservatives who cared about other non-abortion issues.<sup>29</sup> Following this union, the Republican Party transformed the New Right into a partisan unit by capitalizing on many relevant issues, one of the most significant being abortion. From here, the New Right had one last group to bring into the coalition, the social conservatives. To achieve this, the New Right formed a new coalition that supported “four main planks: ‘prolife,’ ‘profamily,’ ‘promoral,’ and ‘pro-American.’”<sup>30</sup> This attracted a disparate group, including: antifeminists (especially women such as Phyllis Schlafly), those who lobbied for religion and prayer in public schools, anti-communists, and those opposed to emerging ideas on the rights of homosexuals.<sup>31</sup> In short, abortion was the pole for which conservative activists could construct a broad socially conservative coalition. The GOP then transformed a lobby group into a reliable block of voters.

In 1980, Ronald Reagan to fully unite the two types of conservative groups. Rather than present these groups at odds with one another as they affiliated with different political parties, Reagan presented an alternative option:

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<sup>29</sup> Greenhouse and Siegel, 2011-2012.

<sup>30</sup> Petchesky, Rosalind Pollack, 215.

<sup>31</sup> Kalman, Laura. *Right Star Rising: A New Politics, 1974-1980*. W. W. Norton & Company, 2010.; Williams, Daniel K. *The Politics of the Cross: A Christian Alternative to Partisanship*. Wm. B. Eerdmans Publishing, 2021.

The so-called social issues—law and order, abortion, busing, quota systems—are usually associated with the blue collar, ethnic, and religious groups [that] are traditionally associated with the Democratic Party. The economic issues—inflation, deficit spending, and big government—are usually associated with the Republican Party...The time has come to see if it is possible to present a program of action based on political principle that can attract those interested in the so called ‘social’ issues and those interested in the ‘economic’ issues. In short, isn’t it possible to combine the two major segments of contemporary American conservatism into one political effective whole?<sup>32</sup>

This message was essential to the electoral success of the Republican Party. His later speeches emphasized traditional values and lumped those with conservative social views together with conservative positions on other issues. The foundation created by the New Right then incorporated into the Republican Party. But it was *Roe* that provided the Republican Party with the means to create a New Right powerhouse coalition of Evangelicals and Catholics. Put differently, the Court’s ruling resulted in a social conservative movement that enabled the Republican Party to play their cards in such a fashion as to dramatically affect American elections. But has this dynamic now been reversed?

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<sup>32</sup> Reagan, Ronald. *The Last Best Hope: The Greatest Speeches of Ronald Reagan*. Humanix Books, 2016, 48-49.



## CHAPTER THREE

### Data Analysis

The Republican Party may have made a mistake by viewing *Dobbs* as a political victory. Rather, the Court's ruling stands to hinder the GOP. A majority of Americans are pro-choice. Indeed, "a 61% majority of U.S. adults say abortion should be legal in all or most cases."<sup>33</sup> The proportion of the pro-choice electorate also differs by age and gender. In fact, 74 percent of young voters are pro-choice as compared to only 54 percent of those 65 or older.<sup>34</sup> While the majority of men and women support legal abortion, women are more supportive than men (63 percent compared to 58 percent).<sup>35</sup> This suggests that the Republican party will not continue to benefit with from a pro-life agenda. Instead, the Democratic Party appears to be uniquely positioned to benefit electorally following *Dobbs*, particularly if they successfully capture new pro-choice voters and women. This opportunity is further supported by historic and predicted electoral data.

Following the reversal of *Roe*, it is essential to turn to the states to determine the impact of abortion policy. Put differently, states were chosen as the unit of analysis because they make abortion policy. Pro-choice voters in Idaho and Alabama will likely act differently than pro-choice voters in California and New York. Thus, the percentage of the Republican Party's vote in a state race was selected as the dependent variable. For

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<sup>33</sup> Hartig, Hannah. "About Six-in-Ten Americans Say Abortion Should Be Legal in All or Most Cases." *Pew Research Center*.

<sup>34</sup> *Ibid.*

<sup>35</sup> *Ibid.*

this variable, I collected the GOP's two-party share in every state from 1990 to 2022 for the percentage of the GOP vote in the gubernatorial election and the senatorial election. I also collected seven independent variables on the state level. Put differently, these variables are intended to obtain a consistent estimate of the causal relationship between the dependent and independent variables. The control variables include: the percentage of Black citizens, the percentage of Latino citizens, the percentage of women, the abortion policies in the state (formed through five distinct categories: mandated waiting period, gestational limits, hospital requirement, parental notification and consent, and funding), ideology, partisanship (measured through the percentage of the GOP in the state house), and the number of religious conservatives. The variables are explained as follows:

Variable	Operationalization	Relationship	Coefficient
Black	The percentage of Blacks in each state <sup>36</sup>	As the percentage increases, the GOP share of votes increases.	Positive
Latino	The percentage of Latinos in each state <sup>37</sup>	As the percentage increases, the GOP share of votes decreases.	Negative
Women	The percentage of women in each state <sup>38</sup>	As the percentage increases, the GOP share of votes decreases.	Negative
AbIndex	The abortion policy within each state. This is measured through gestational limits, hospital requirements, additional funding beyond Medicaid, parental notification and consent, and	1) State abortion policy could reflect conservatism and as policy becomes more pro-life, GOP two-party share increases; or, 2) pro-choice Republican voters might be more comfortable voting	Positive in first model Negative in second and third models

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<sup>36</sup> Bureau, US Census. "Race and Ethnicity in the United States: 2010 Census and 2020 Census." Census.gov.

<sup>37</sup> Bureau, US Census. "HISPANIC OR LATINO ORIGIN."; Bureau, US Census. "The Hispanic Population: 2010"; Bureau, US Census. "We the American...Hispanics," n.d.

<sup>38</sup> Blakeslee, Laura, Zoe Caplan, Julie A Meyer, Megan A Rabe, and Andrew W Roberts. "Age and Sex Composition: 2020"; Bureau, US Census. "Age and Sex Composition: 2010," n.d.

	mandated waiting period <sup>39</sup>	Republican if their home state protects abortion. Thus, liberal policy might actually predict a higher GOP vote share	
Ideology	Libertarianism (excluding abortion policies) <sup>40</sup>	For models one and three, the more libertarian a state, the higher the GOP vote share. For model two, the more libertarian a state, the lower the GOP vote share.	Positive in first and third models Negative in second model
Religious	Evangelicals, Mormons, and Catholics <sup>41</sup>	For models one and three, the more Evangelicals, Mormons, and Catholics within a state, the higher the GOP vote share. For model two, the more Evangelicals, Mormons, and Catholics within a state, the lower the GOP vote share.	Positive in first and third models Negative in second model
GOP_Senate_House	The percentage of Republicans in the lower chamber <sup>42</sup>	As the percentage increases, the GOP share of votes increases.	Positive

### *Defining the Models*

The first model uses data from 1990 to 2020 and captures the electoral patterns preceding *Dobbs v. Jackson Women's Health Organization*. This model allows us to determine how the selected independent variables influence the percentage of the GOP vote within a state. In doing so, this model provides insights about the mobilization level

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<sup>39</sup> Center for Reproductive Rights. "Abortion Laws by State."; KFF. "State Funding of Abortions Under Medicaid."; "TRAP Laws - Hospitalization Requirements."; William Ruger and Jason Sorens. "Freedom in the 50 States," 2021.

<sup>40</sup> William Ruger and Jason Sorens. "Freedom in the 50 States," 2021.

<sup>41</sup> "State Maps | US Religion."

<sup>42</sup> "State Partisan Composition."

of particular groups, demonstrating how some variables are more significant than others. This model determines, with 95 percent certainty, which of the independent variables were the influential in determining the share of the GOP vote.<sup>43</sup> The next two models capture predicted electoral behavior following the overturn of *Roe*. One looks at data coming from the first election following the *Dobbs* (i.e., 2022). The last model seeks to predict how the upcoming election (i.e., 2024) in each state will be impacted. To get this 2024 data, I used time series forecasting, which considers the historical values of one variable to predict what the next value in time will be. The most recent election, in this case 2022, is weighted the most for predicting the next value. I only extended the data to 2024 as there is increasing uncertainty as the predicted values get further away in time from the most recent data.<sup>44</sup>

### *Regression results*

	1990-2020	2022	2024
Partisanship	0.22 *	0.51 *	0.24 *
Ideology	6.89 *	-0.55	2.75
State Abortion Policy	0.65 *	-1.49	-0.14
Percentage of Blacks	0.07 *	0.28	0.25 *
Percentage of Latinos	-0.04	-0.01	-0.02
Percentage of Women	-1.54 *	-4.13 *	-4.09 *
Percentage of religious conservatives	0.02 *	-0.01	0.00
constant	105.81 *	235.10 *	238.38 *
n	937	72	100
R-squared	0.23	0.56	0.47

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<sup>43</sup> This model violates the time assumption for regression models. Put differently, the data is collected over time, resulting in dependence between the observed years. Because there are multiple values for each year and the number of observations in each year are not equivalent, the data cannot be converted into a time series regression. However, as the other statistical assumptions hold, the model will continue to be used.

<sup>44</sup> It is important to note that some of the predicted percentages of the GOP vote (our dependent variable) are for 2026 as some states will not have Gubernatorial or Senatorial elections in 2024. However, this model will treat all predicted variables as though they were predicted results for 2024. This purpose of this model is to determine if the change seen in the 2022 model will be expected to continue. In other words, the 2024 model will highlight the possibility of a long-term shift in electoral voting behavior, consistent with the findings of the 2022 model.

## *Findings*

The results are significant. While conclusions may be drawn from each of the independent variables,<sup>45</sup> three stand out. First, women voters appear to be highly mobilized. Second, conservative abortion policy is no longer being rewarded the same way it was before. Lastly, religious conservatives do not seem as mobilized to vote as they did after *Roe*. All three of these conclusions suggest that the Democratic Party has the opportunity to produce electoral shifts.

I found that a higher percentage of women led to less Republican votes in the state. In the pre-*Dobbs* model (1990-2020), the coefficient of -1.54 could be interpreted as follows: For every one percentage increase in the population of women in a state, the GOP vote would decrease by approximately 1.54 percent. The women variable continued to be significant in the 2022 and 2024 models. In fact, the coefficient in both models became three times more negative than it was in the earlier model (-4.13 in the 2022 model and -4.08 in the 2024 model). This means that increasing the percentage of women in a state by one percentage now results in a three times larger decrease in the GOP vote percentage. This is a drastic shift. While it does not necessarily mean that women are three times more likely to vote for Democratic candidates, it does mean that Democratic

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<sup>45</sup> I focus on overarching trends and the regression coefficients, describing the linear relationship between the dependent and independent variables. The partisanship measure for this data set is the percentage of Republicans in the State House. This variable remains significant for all three models. This is not surprising as partisanship is always the most powerful variable (Campbell, 1980). The Black coefficient seems surprising: it remained positive in all three models. This means that having more Black citizens in a state led to a higher percentage of GOP votes. However, the positive relationship was likely capturing the impact of the South as this geographical region has higher percentages of Black citizens and tends to vote more conservatively. The Latino coefficient remained negative in all three models. This means that increasing the percentage of Latinos in a state decreased the percentage of the GOP vote. The last variable that was also not surprising was ideology. Where it was significant in the 1990-2020 model, it is no longer so in 2022 or 2024. This may be because other variables became more important. However, this is mere speculation. The remainder of the findings will focus on the three variables of interest: Women, abortion index (AbIndex), and religion.

candidates in states with higher percentages of women will be at more of an advantage than they were before. Thus, the Democratic Party may be encouraged to spend more of their campaign funds and marquee speaking time in states such as Alabama and Georgia as they have higher percentages of women. While such efforts may only promote marginal change, this is sometimes enough to shift electoral outcomes, especially if the state is a swing state. It is also important to consider other variables that may make some states better choices than others to focus on. For instance, states with strong pro-life policies may see women more empowered to vote for Democratic candidates than states with pro-choice policies. As such, abortion policy is a crucial variable to analyze in the three models.

The regression output also highlights shifts in the reward given to states with conservative abortion policies. Where Republican candidates were electorally rewarded in states with pro-life policies from 1990-2020, they are no longer resulting in increased Republican votes. Put differently, the Republican Party is no longer gaining an electoral benefit from pushing pro-life policies. In fact, the abortion index variable is no longer significant in the 2022 or 2024 model. The regression coefficient also shifts in its sign. In the pre-*Dobbs* model, the abortion policy coefficient was positive with a value of 0.65. This means that states with more pro-life policies saw increased percentages of votes for the GOP candidate. The 2022 and 2024 models demonstrate that this is no longer the case. Rather, it now appears to have the opposite effect as the coefficients in both models are negative. Due to these findings, some might think that Democrats would then benefit in states with pro-choice policies. This is not necessarily the case. Rather, Democrats would appear to benefit in states with pro-life policies as they are no longer bolstering

electoral success for Republican candidates. At the very least, Republican candidates are not gaining any votes from touting pro-life stances. This is a major change from the last 50 years of electoral politics. A similar development is seen in the religious variable.

From 1990-2020, having a larger Evangelical, Mormon, and Catholic population resulted in more Republican votes. This makes sense. Indeed, this group was a substantial contributor to the formation of the New Right and the electoral success seen by the Republican Party after the *Roe v. Wade* ruling.<sup>46</sup> During this period, these religious groups were more likely to support candidates with pro-life stances. However, in 2022 and 2024 this group was no longer significant for shaping electoral outcomes. This might suggest that religious individuals are no longer as willing to vote for Republican candidates following the overturn of *Roe*. This idea is reflected in the increasing religious acceptance of abortion. For example, Hispanic Catholics and Black Protestants “grew more likely to support legal abortion in the latter half” of 2022, with Hispanic Catholics almost doubling in their percentage of support for legal abortion and Black Protestants increasing from 28 percent to 37 percent.<sup>47</sup> This suggests that religious groups may not respond as actively to *Dobbs* as they did under *Roe* when they were more opposed to legalizing abortion. Indeed, religious conservatives were more motivated by opposition than by retrospective rewards. Put differently, “anger, more than anxiety or enthusiasm, will mobilize” voters.<sup>48</sup> Thus, the Republican Party cannot count on religious individuals

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<sup>46</sup> Greenhouse and Siegel

<sup>47</sup> “Abortion Attitudes in a Post-Roe World: Findings From the 50-State 2022 American Values Atlas | PRRI.” PRRI | *At the Intersection of Religion, Values, and Public Life*. February 23, 2023.

<sup>48</sup> Valentino, Nicholas A., Ted Brader, Eric W. Groenendyk, Krysha Gregorowicz, and Vincent L. Hutchings. “Election Night’s Alright for Fighting: The Role of Emotions in Political Participation.” *The Journal of Politics* 73, no. 1 (2011), 156.

flooding the ballot box in support of pro-life policies. The three regression models provide three overarching takeaways: 1) women are very motivated voters; 2) pro-life policies are no longer rewarded; and 3) Evangelicals, Mormons, and Catholics do not seem as motivated to vote as they have historically. Such findings portray an existing opportunity for the Democratic Party to do with *Dobbs* what the Republican Party did with *Roe*. However, to fully capitalize on this electoral potential, the Democratic Party must take positive action. The next section explores how the Democratic Party should operate should it choose to use *Dobbs* to try to win voters.



## CHAPTER FOUR

### Opportunity for the Democratic Party

Following the Court’s ruling in *Dobbs*, the Democratic Party has been positioned with the necessary conditions to bring about a historic voter shift. A pro-choice cross-partisan majority exists, and it is not by slim margins. Indeed, “61% of U.S. adults... say abortion should be legal in ‘most’ or ‘all’ cases.”<sup>49</sup> While a majority of Republicans remain pro-life, 36 percent are pro-choice.<sup>50</sup> Abortion also remains a salient issue, one at the top of the minds of many voters. This was clearly seen during the 2022 midterm elections in which 56 percent of registered voters said “the issue of abortion will be very important in their midterm vote”— a dramatic increase from 43 percent in March 2022, prior to *Dobbs*.<sup>51</sup> Still, just because a cross-partisan majority exists on a salient issue does not mean that a political party will capitalize. To peel away pro-choice Republicans, Democrats will need to play their cards carefully. To make this happen, the Democratic Party must advertise their position and campaign strategically to attract pro-choice Republicans.

Although the Court’s decision to overturn *Roe v. Wade* was perceived as a Republican victory, it appears to have hindered the Republican Party’s electoral outcome

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<sup>49</sup> Pew Research Center. “America’s Abortion Quandary.” *Pew Research Center’s Religion & Public Life Project*. May 6, 2022.

<sup>50</sup> Monyell Sessoms, Nick Splendoria, and Samantha Martin. “Who Are ‘Pro-Choice’ Republicans and ‘Pro-Life’ Democrats and How Do They Differ From All Republicans and Democrats? | PRRI.” *PRRI | At the Intersection of Religion, Values, and Public Life*. April 26, 2023.

<sup>51</sup> Pew Research Center. “Abortion Rises in Importance as a Voting Issue, Driven by Democrats.” *Pew Research Center - U.S. Politics & Policy*. August 23, 2022.

in the 2022 midterms.<sup>52</sup> Women and pro-choice electors were more likely to vote Democratic because of the Court's ruling. Indeed, 38 percent of "voters overall said that the Supreme Court decision ending the constitutional right to an abortion had a major impact on their decision about whether to vote in this year's election."<sup>53</sup> Ironically, this potential outcome is similar in kind to the response that followed the Court's ruling in *Roe*. The groups, of course, are reversed. Where religious groups, particularly Southern Evangelicals and Catholics, were inspired to change party affiliation after *Roe*, women seem motivated to do the same after *Dobbs*.<sup>54</sup> As a result, the Democratic Party performed better than expected in the 2022 midterm.

In fact, many Republicans voted for the Democratic Party in this midterm. For example, approximately one-fifth of the Republican voters in Pennsylvania and Arizona voted for the Democratic Senate candidate.<sup>55</sup> Similar trends were also seen in Georgia, Nevada, and Wisconsin. A short-term shift is undeniable. The question now is: is it durable? Will Democrats continue to push the issue and advertise themselves as the coalition that can fix the *Dobbs* problem? The opportunity exists. But, to put it unequivocally, long-term voting shifts are not a certainty.

One of the ironies of the politics and policy interactions is that a party has incentive to let problems fester. Thus, to take advantage of the abortion crisis, Democrats must step back from aiding state reform efforts. If the counter-majoritarian problem is

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<sup>52</sup> Balkin, Jack M. "Abortion, Partisan Entrenchment, and the Republican Party." SSRN Scholarly Paper. Rochester, NY, September 8, 2022, 1.

<sup>53</sup> Craig Palosky. n.d. "Analysis Reveals How Abortion Boosted Democratic Candidates in Tuesday's Midterm Election." *KFF*.

<sup>54</sup> *Ibid.*

<sup>55</sup> *Ibid.*

resolved now, Republican voters who support legalizing abortion will be less motivated to vote across party lines. Put differently, if the Democratic Party, pro-choice activists, or other groups rally and legalize abortion in a specific state, pro-choice Republicans within that state will likely continue to vote for Republican candidates.<sup>56</sup>

There are two paths that the Democratic Party may take to fully maximize its electoral prospects. Each path focuses on different groups of voters. First, the party can focus on mobilizing Democratic voters. A vast majority (approximately 80 percent) of Democratic voters agree with the Democratic Party's approach to abortion.<sup>57</sup> The Democratic Party also has the largest share of registered voters (38.78 percent as opposed to the 29.42 percent that are registered Republicans).<sup>58</sup> Thus, by promoting a pro-choice agenda and making abortion one of the most discussed issues during campaigning, voter turnout in the base may increase. The second way in which the Democratic Party could maximize potential votes is by convincing the median voter to vote for the Democratic candidate. Who is this median voter? First, the median voter could be relatively conservative but pro-choice Democrats. Second, the median voter could be pro-choice Republicans. Third, the median voter could be pro-choice independents or traditionally third-party voters. It is important to note that maximizing voter turnout among those who have not previously voted is difficult; however, it is possible with the right strategy.<sup>59</sup> By

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<sup>56</sup> Bridge, Dave

<sup>57</sup> Lipka, Michael. "A Closer Look at Republicans Who Favor Legal Abortion and Democrats Who Oppose It." *Pew Research Center*. 2022.

<sup>58</sup> Ballotpedia. "Partisan Affiliations of Registered Voters." 2022.

<sup>59</sup> Magalhães, Pedro C, John H Aldrich, and Rachel K Gibson. "New Forms of Mobilization, New People Mobilized? Evidence from the Comparative Study of Electoral Systems." *Party Politics* 26, no. 5 (September 1, 2020), 605.; Nichter, Simeon. "Vote Buying or Turnout Buying? Machine Politics and the Secret Ballot." *The American Political Science Review* 102, no. 1 (2008), 19.

swinging a percentage of these voters, the Democratic Party could see high levels of electoral success. Even with both strategies, the Democratic Party is not guaranteed to be successful. The Republican Party could shift their stance on abortion, surprise us by promoting pro-choice policies within the state, or emphasize other issues which might encourage party loyalty. Overall, if Democrats win on pro-choice stances and thereby pass pro-choice policies, then *Dobbs* may very well result in increased access to abortion.

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