

The Importance of Protecting Abortion Rights in a Patriarchal Society

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Introduction

In 1973, the Supreme Court was presented with the case of *Roe v. Wade*. In this case, Jane Roe, a pseudonym used by Norma McCorvey, sued Dallas district attorney, Henry Wade. Prior to the decision of this case, the deliberate expulsion of an embryo or fetus during pregnancy, known as abortion, was prohibited in Texas. Texas argued that they held control of fetal life from the time of conception (Moretto, 2014). McCorvey, who was pregnant at the time, felt she was not capable of raising a child and argued that women should be allowed a safe and legal way to terminate their pregnancy.

On a 7-2 decision ruling, the Supreme Court judged in McCorvey's favor. They determined it was a constitutional right for women to have the freedom to seek termination of their pregnancy without excess government restrictions (Moretto, 2014). This marked a monumental turning point for women's rights. However, the conclusion of *Roe v. Wade* still evokes fierce debate and movements to overturn this ruling have been in the background ever since.

The oppositions to this verdict rapidly reached the forefront after the Supreme Court nomination of Judge Amy Coney Barret. Barret's confirmation on October 26th, 2020 shifted the majority of those serving on Supreme Court towards those with more conservative beliefs. Suddenly, many legislators and state representatives began implementing abortion restrictions in an attempt to bring the case of *Roe v. Wade* back to the Supreme Court as it is believed that there is a possibility of reversing this verdict.

One's opinion regarding the legality of abortion falls into one of two categories; "Pro-Life" or "Pro-Choice." Those who identify as Pro-Life seek to outlaw abortion while those who

identify as Pro-Choice strive to provide abortion as a safe and accessible option should a woman wish to terminate her pregnancy.

The Pro-Life narrative rejects feminism and works towards reinforcing a patriarchal society where a woman's primary role is as a mother, even if it is unchosen motherhood. In contrast, the Pro-Choice narrative supports feminism and a woman's right to make decisions regarding her body and her future. American journalist and Pulitzer Prize winner, Susan Faludi, explained that history will move in two directions, forward to full feminism or backward to the old patriarchy (Leach, 2020).

The continued efforts to ultimately overturn *Roe v. Wade* only negatively affect our nation. The reversal of *Roe v. Wade* would take the lives of seeking to terminate their pregnancy as they would face horrific deaths from back-alley abortions and abstain from seeking medical attention in fear of getting caught (Rosenbaum 2019). Poverty (Oberman, 2018) and crime (Levitt, 2004; David, 2011) would increase and the current racial gap would grow (Oberman, 2018). Overall, women and the children they are forced to raise would endure a decreased quality of life (Herd, Higgins, Sicinski, & Merkurieva 2016).

Through the close examination of scholarly evidence, this capstone project will document the negative impact banning abortion will have upon women and society and expose the deception behind the Pro-Life movement, in an effort to challenge the dominant Pro-Life narrative and convince the reader why abortion rights must be protected.

Literature Review

The Pro-Life Movement

The Pro-Life movement first emerged after the verdict of *Roe v. Wade* and slowly transformed over time. In *Journal of Women, Politics & Policy*, Melody Rose, PhD, gives a detailed background about the reshaping of the Pro-Life narrative in her article, “Pro-Life, Pro-Woman? Frame Extension in the American Antiabortion Movement.” She illustrates that the Pro-Life movement first began as an anti-abortion and fetus-focused movement. The protests taken place in the 1980s revolved around the idea that abortion was cruel to the fetus. However, these efforts did not lead to any abortion reform and after seeing the success of the Pro-Choice movement that focused on the wellbeing of women, the anti-abortion movement pivoted towards a Pro-Woman narrative as well (Rose, 2011). Rose described this as “Political Framing” and a benchmark of Pro-Life’s manipulative tactics.

Amy Bryant, MD, and Jonas Swartz, MD, article, “Why Crisis Pregnancy Centers Are Legal but Unethical,” published in *The American Medical Association Journal of Ethics* investigated one outcome of this new narrative called Crisis Pregnancy Centers. These centers were funded by religious and anti-abortion organization and gave the illusion of licensed medical clinics meant to help women make informed decisions about pregnancy and abortion. Volunteers wore white coats and met women in rooms resembling exam rooms, though they had no medical training or credibility (Bryant & Swartz 2018).

These Crisis Pregnancy Centers can still be found today, and their false medical claims are still distributed. When searching “Abortion Risks” via Google, the first page link to a website funded by an organization called “The Foundations of Life.” This website states that abortion can lead to serious injury such as permeant damage to the cervix and internal organs, as well as

infertility, increased risk of breast cancer, mental illness, suicide, and more (Foundations of Life, 2016). However, these so called “risks” have been refuted by organizations such as The American Congress of Obstetricians and Gynecologists (Traister, 2017).

A website funded by the Guttmacher Institute, a non-profit research institute based in New York City, provides helpful records of abortion policies and statistics. Their website headline states, “Good reproductive health policy starts with credible research.” On the contrary, The Foundation of Life website makes statements such as, “93% of all abortions are based on social decisions and being unaware of their options,” then cites ‘AbortionNo.org’ (Foundations of Life, 2016).

American author and columnist, Rebecca Traister, wrote about how these false medical claims eventually found their way into law in her article published in *New York Magazine*, “Fake News, Fake Science and Why Doctors Lie About Abortion.” Many states have implemented bills that required doctors to read a script when giving consultations to women considering abortion. These scripts include similar false medical risks as stated above.

Deaths

Many scholarly articles that focus on the consequences of outlawing abortion ground their theories beginning with one key belief: outlawing abortion will simply stop abortion. This belief is not based on assumptions but rather created by drawing conclusions from examining life prior to *Roe v. Wade*.

In 2019 *The New England Journal of Medicine* published an article titled, “Perilous Politics — Morbidity and Mortality in the Pre-Roe Era.” In this article, Lisa Rosenbaum, M.D., provided a first-hand testimony of some of the harrowing events that took place prior to *Roe v.*

Wade by interviewing forensic pathologist, Michael Baden. During his time as a forensic pathologist, Baden witnessed the ramifications of abortion restrictions as he concluded for multiple women that their cause of death was botched back-alley abortions. This often occurred as a result of unsterile instruments inserted into the vagina and uterine cavity (Rosenbaum, 2019).

The New England Journal of Medicine published a separate article edited by multiple professional healthcare groups that compared previous abortion death data to current data and expressed that deaths due to abortion have been essentially eliminated. Currently abortion risk is now less than one tenth of that associated with carrying a pregnancy to term (“The Dangerous Threat,” 2019).

Elizabeth Raymond, MD, MPH, and David Grimes, MD, discussed similar risk comparisons between pregnancy and abortion in their article published in *The Journal of Obstetrics & Gynecology*. They specified that health risks associated with childbirth is fourteen times higher than with abortion (Raymond & Grimes, 2012). Outlawing abortion would increase the deaths associated with abortion as well as increase unwanted pregnancies carried to term, ultimately leading to a second factor associated with an increase in woman’s death.

Poverty

Whereas limited quantitative data is available when researching the deaths prior to *Roe v. Wade*, other consequences can be determined by combining both qualitative and quantitative data. In 2018, the American Medical Organization published a 5-year longitudinal observational study that compared the lives of 328 women, 146 of which had a child due to being denied an abortion, while the other 182 women voluntarily had their children. One finding from this study

was that those denied abortions were twice as likely to raise their child in a low-income household (Foster, et al., 2018).

Michelle Oberman's article, "Motherhood, Abortion, and the Medicalization of Poverty," provides further investigation on the correlation between poverty and abortion, reporting that 76% of abortions occur in women below the poverty line. Oberman hypothesized this as the result of these women not having access to affordable birth control. Continued research highlights the possibility that abortion restrictions may result in reductions in full-time employment and greater reliance on public assistance (Foster, et al., 2018).

Many arguments that dispute the justification of legalizing abortion for economic reasons advocate that should a woman be economically incapable of raising a child, they should give their child up for adoption. However, this would likely end in an influx of children in foster care system. The Adoption Exchange Association reported that there are currently over 400,000 children in foster care in the United States (AdoptUSKids, n.d.).

In 2019 *Journalist*, Vaidya Gullapalli, studied and surveyed those in the foster care system and found that children are often subjected to multiple moves which frequently results in psychological and psychosocial problems. Gullapalli also found that multiple moves during a child's stay in foster care leaves children at a great risk of becoming incarcerated (Gullapalli, 2019). Further studies have validated similar correlations between abortion restrictions, crime, and incarceration.

Crime

Economist and author of *Freakonomics*, Steven D. Levitt, wrote about the link between abortion and crime rates in his article published in *The Journal of Economic Perspectives*. Levitt

explained that the evidence was quite clear. Between 1985 and 1997, homicide, violent crime, and property crime decreased by 25.9% in states with high abortion rates and increased 4.1% in states with low abortion rates (Levitt, 2004).

Similar to the research published by the American Medical Organization, the Prague Study was a longitudinal study taken place over 35 years. This study was funded at various points by organizations such as the U.S. National Institute of Child Health and Human Development, The United Nations Fund for Population Activities, the World Federation for Mental Health Committee on Responsible Parenthood, and many more (David, 2011). It followed 220 children born between 1961 and 1963 in Czech Republic that were the result of women twice denied an abortion for the same unwanted pregnancy. These children were then matched at age 9 with 220 children born from wanted pregnancies to provide comparison. Follow ups were run at ages 9, 14–16, 21–23, 28–31, and 32–35 years (David, 2011).

The Prague Study provided a plethora of knowledge and findings that is continually analyzed by scholars. Most relevant to Gullapalli and Levitt’s analysis, results showed that twice as many children in the unwanted pregnancy participants pool had been sentenced to prison when compared to the wanted pregnancy participants (David, 2011). Combined, these three investigations create an irrefutable connection between denied abortions and increased risk of crime and incarceration.

Race

Racial bias has always been present in the American judicial system. In her article, “Motherhood, Abortion, and the Medicalization of Poverty,” Michelle Oberman touches on racial statistics surrounding abortion. She found black women are almost five times more likely

to have an abortion than white women (Oberman, 2018). The National Association for the Advancement of Colored People reports that African Americans have an incarceration rate that is also over five times that of white Americans (NAACP, 2020). One can conclude that an increase in crime rates would have a greater impact on African Americans.

A study published in University of Michigan Law School Scholarship Repository found that African Americans are also more likely to be wrongfully convicted than white Americans (Gross, Possley, & Stephens 2017). With various anti-abortion legislations currently underway, such as that of Texas' state Representative, Bryan Slaton, which is attempting abortion a criminal charge that would affect both the woman and her physician (Najmabadi, 2021), pregnant women, especially African American pregnant women, would be more vulnerable to criminal investigation for pregnancy complications such as miscarriages that occurred naturally.

Life Satisfaction

Similar to The Prague Study, many comparative studies have been conducive to observe the life of unwanted children by comparing them to others. *The American Journal of Public Health*, researchers found a significant and persistent relationship between unintended pregnancies and poorer later in life mental health outcomes when compared to planned pregnancies around the same time (Herd, Higgins, Sicinski, & Merkurieva 2016).

Similar results were published in a medical journal titled *Quality of Life*, where they found that women who were denied an abortion reported lower self-esteem and life satisfaction than those who obtained an abortion (Biggs, Upadhyay, Steinberg, & Foster, 2014). This study also showed that women denied abortions often had poor maternal bonding with their child which can affect long term physical and psychological development. This poor bonded also

resulted in a decreased likelihood to be breastfed. Breastfeeding is extremely beneficial to a newborn's development and can have both short-term and long-term benefits (Binns, Lee, & Low 2016).

Analysis

The Pro-Life Movement

The Pro-Life narrative utilizes manipulative tactics, widespread false information, and political framing to persuade others to adhere to their cause. Brittany R. Leach, PhD, explained the objective of the Pro-Life movement is “to eradicate the desire for abortion so completely that women do not even fantasize about it, much less attempt it” (Leach, 2020).

The so-called “Pro-Life” movement began in 1973, following the landmark Supreme Court decision of *Roe v. Wade*. Supporters were anti-abortion and focused solely on the supposed injustice inflicted on the unborn fetuses and had little to no interest towards women and women's rights. Campaigners used gruesome fetal imagery and preachings of the Catholic church to back up their claims. In December of 1984, members of Congress were presented a film, *The Silent Scream*, which graphically depicted the destruction of a 12-week-old fetus. In this film, there was no acknowledgement or imagery of the women undergoing this hardship (Rose, 2011).

These anti-abortion and pro-fetus efforts did not lead to any abortion bans or restrictions. By observing the Pro-Choice narrative that focused on the wellbeing of the woman faced, the Pro-Life movement was inspired to shift their anti-abortion motivation towards one that was supposedly for the safety of women facing unwanted pregnancy. Melody Rose, PhD, described this as political framing that sought “to control the public understanding of the relevant issue,

and to persuade casual observers and elites alike to favor their interpretation of events” (Rose, 2011).

This marked the transformation of the anti-abortion movement into the “Pro-Life” and “Pro-Women” movement. They declared abortion was a risky “invasive surgery” that can cause many health complications. Melody Rose, continued, “The introduction of the argument that abortion could be damaging to women's health, be it physical or psychological, touched a nerve in the anti-abortion movement, setting in motion a shift in social movement organization, alongside the emergence of Pro-Life Crisis Pregnancy Centers and call-in hotlines, which also offer more woman-focused, antiabortion milieu” (Rose, 2011).

The surfacing of Crisis Pregnancy Centers introduced a direct way to spread misinformation to who the Pro-Life movement wanted to hear it most: those considering abortion. Crisis Pregnancy Centers were funded by religious and antiabortion organizations. These centers targeted vulnerable women with highway signs stating “Pregnant? Scared?” and presented themselves as licensed medical clinics, claiming to help those facing unintended pregnancies make informed decisions. Volunteers wore white coats and saw women in what seemed to be exam rooms, though these volunteers had no medical credibility or training (Bryant & Swartz 2018). These centers state fallacious abortion risks such as damage to the cervix and internal organs, infertility, increased risk of breast cancer, mental illness, suicide, and more (Foundations of Life, 2016).

This narrative found its way into law as politicians adopted this “pervasive anti-scientific attitude” (Traister, 2017). Multiple states such as Alaska, Kansas, Mississippi, Oklahoma, and Texas created bills that required doctors to read a script to women considering abortions that described the risks stated above (Guttmacher Institute, 2021.) However, the claims made in these

scripts have been refuted by organizations such as The American Congress of Obstetricians and Gynecologists. Head of the family-planning division at Mt. Sinai in New York, Adam Jacobs, explained, “I can’t think of any other form of medicine where we are told to make things up” (Traister, 2017). By lawfully forcing doctors to spread this information, it added a sense of validity to the Pro-Life movement’s otherwise erroneous claims.

All Pro-Life arguments share one overarching gap their narratives: what does a future where abortion is illegal look like? The Pro-Life movement does not give any evidence as to why a society without abortion would be a better society. Conversely, evidence shows that a society where abortion is outlawed would have devastatingly negative effects including an increase in death, poverty, crime, racial biases, and a decrease in overall life satisfaction.

The Pro-Life movement places no true value on the well-being of the mother as their Pro-Women claims come from a place of deception. Instead, the Pro-Life moment blindly places infinite value on the wellbeing of the fetus. Pro-Life marketing serves to scare the mother into subservience through a reckless disregard for the woman’s welfare and an obsession with ensuring a fetus remains viable and nurtured to birth.

Death

If the manipulative tactic of the Pro-Life movement led to a reversal of *Roe v. Wade*, this would not simply stop abortion. This conclusion can be drawn from the number of illegal abortions that occurred prior to *Roe v. Wade*. It is impossible to find precise statistics of the number of illegal abortions that occurred and the deaths and injuries that resulted. These procedures happened in secret and most women refused to seek medical attention in fear their illegal abortion would be discovered. Robert Bartlett, a surgical resident at Boston’s Peter Bent

Brigham Hospital during the era prior to *Roe v. Wade* explained in a recent interview that women in need of serious medical attention after self-induced abortions were “much more common than people realized. No one wanted to talk about it, of course” (Rosenbaum, 2019).

Forensic pathologist, Michael Baden, worked in the New York City medical examiner’s office prior to *Roe v. Wade*. Baden personally witnessed the shocking and horrific deaths that occurred due to back-alley abortions. Methods most commonly used were inserting metal wire coat hangers, knitting needles, and slippery tree branches into the vagina and uterine cavity (Rosenbaum, 2019). This often caused infection and ultimately death as this untreated infection resulted in sepsis (Rosenbaum, 2019).

Now, almost five decades after the decision of *Roe v. Wade*, deaths due to abortion have been essentially eliminated and the abortion risk is now less than one tenth of that associated with carrying a pregnancy to term (New England Journal of Medicine, 2019). Reversing the decision made from *Roe v. Wade* would be a grave mistake and an inexcusable injustice for women and women’s health.

Further, even women who were forced into carrying their unwanted pregnancy to term would face health risks as death associated with childbirth is currently fourteen times higher than with abortion (Raymond & Grimes, 2012). There is a very simple way to prevent these unnecessary deaths and that is to keep abortion safe and accessible.

Should abortion rights be taken away, society will experience the painful and gruesome deaths of countless women, rather than the civil termination of a fetus in a safe and sterile hospital setting. Furthermore, woman who do carry to term despite their wish to terminate a pregnancy will face death rates much higher than those associated with abortion. This adds to the

evidence that a woman's life not valued by the Pro-Life movement while the viability of a fetus is valued above all else.

Poverty

Those financially unstable would suffer greater consequences if abortion were to be outlawed than those economically stable. Currently 76% of abortions occur in women near or below the poverty line (Oberman, 2018). This is most likely the result of not having access to affordable birth control (Oberman, 2018). Already, women are 38% more likely to live in poverty than men and the cost of a child as well as the health care associated with pregnancy would only create larger economic stress. Women at or below the poverty line who give birth to unwanted children that cannot be financially supported are more likely to face a life of poverty and ill health, along with their child. Childhood poverty is associated with lifelong hardship, ultimately affecting both the mother and child's quality of life (Oberman, 2018).

The Pro-Life argument that women in this situation should simply give their child up for adoption is null. Not only does this not acknowledge that these women would still face health care costs associated with pregnancy, but these children given up for adoption would likely end up in foster care. Currently more than 400,000 children are in foster care in the United States (AdoptUSKids, n.d.). Those in foster care, especially those subjected to multiple moves, are at a high risk of psychological and psychosocial problems, which also creates a high likelihood of ending up incarcerated (Gullapalli, 2019).

The Pro-Lifer argument has a sole focus is on the preservation of the fetus with reckless disregard for the welfare of the child once it is born. Given there is no evidence that the Pro-Life movement does anything to nurture the child after birth, one can only conclude that their myopic

objective of saving the fetus not only comes at the expense of the woman's wellbeing but at the expense of the child's welfare.

Crime

One of the most in-depth studies on the outcomes of children born as a result of a denied abortions is known as the Prague Study. This study began in the 1960s and followed unwanted children for over 40 years. One of many significant findings was that of the 220 individuals observed from birth to adulthood, when compared to 220 children born from wanted pregnancies, twice as many of the unwanted pregnancy study participants had been sentenced to prison (David, 2011).

This can be connected to economist, Steven D. Levitt, discovery where he observed a significant correlation between abortion and crime rates. A little over a decade after the ruling of *Roe v. Wade*, between 1985 and 1997, homicide, violent crime, and property crime decreased by 25.9% in states with high abortion rates and increased 4.1% in states with low abortion rates (Levitt, 2004). This further demonstrates that outlawing abortion wouldn't just negatively affect the mother and child, but society as a whole as the general public is now at a greater risk of crimes being committed against them.

Race

Abortion disapprovingly affects African Americans women and other minorities when compared to white women. Black women are almost five times more likely to have an abortion than white women (Oberman, 2018). Therefore, if abortion were outlawed, black women would be five times more vulnerable to raising unwanted children or facing death through back-alley

abortions than white women. When coupled with the fact that African Americans make up a larger amount of the poverty line, this would not only increase the number of black women subjected to poverty and economic hardship but create a sequence for future generations to suffer the same fate.

In addition, it is clear that the American judicial system disproportionately punishes African Americans, with an incarceration rate of over five times that of white Americans (NAACP, 2020). Combined with the US jail population rising more than 500% in the last 40 years (Paltrow, 2013), outlawing abortion and creating legal repercussions for those who attempt illegal abortions would expose African American women to a larger scale of unjust incarceration. Texas lawmaker, Bryan Slaton, filed a bill on March 9th, 2020, that would leave women who have abortions and the associated physician a risk of facing criminal charges that could carry the death penalty (Najmabadi, 2021). Further, African Americans are more likely to be wrongfully convicted than white Americans (Gross, Possley, & Stephens 2017). All pregnant women, especially black pregnant women, would be vulnerable to criminal investigation for suspicious miscarriages, even if their pregnancy was intentional.

With the Pro-Life movement's complete disregard of women and their wellbeing, it is fair to assume that they do not consider which groups of women may be affected by the overturning of *Roe v. Wade* than others. This further reveals the Pro-Life movement's inability to think beyond the fetus.

Life Satisfaction

By forcing women into motherhood, the resulting children are also forced into environments that are not nurturing. This cannot be said to be the fault of the mother as the

mother was denied the opportunity to not bring a child into such environment. Unwanted children are more likely to develop adverse psychological and psychosocial problems during their infancy (David, 2011). This is likely due to poor maternal bonding which is very common among mothers who were denied abortions (Biggs, Upadhyay, Steinberg, & Foster, 2014). Children born as a result of an unwanted pregnancy are also more likely to be breast fed for a shorter period of time or not at all. Breastfeeding provides both short-term and long-term benefits for newborns such as increased cognitive development and a decreased likelihood of childhood obesity as well as other chronic health conditions (Binns, Lee, & Low 2016). Thus, even in their first few years of life, unwanted children face a disadvantage to succeed later in life.

Unwanted children continue to face distress later in life and a significant amount do not continue their education past high school. Following adulthood, they also have less job satisfaction, more conflict with coworkers and supervisors, fewer and less fulfilling friendships, and more disappointments in love (David, 2011). This demonstrates that forcing children into unfortunate situations not only negatively affects the child and mother, but the nation as a whole as the child is much less likely to be a constructive member of society.

The mother also faces a significant disadvantage after the birth of an unwanted child in both the short-term and long-term. Separate long-term studies that followed mothers years after giving birth to an unwanted child found a significant and persistent relationship between unintended pregnancies and poorer later in life mental health outcomes (Herd, Higgins, Sicinski, & Merkurieva 2016). These women also reported lower self-esteem and life satisfaction than those who obtained an abortion (Biggs, Upadhyay, Steinberg, & Foster, 2014).

This evidence continues to build upon the negative impacts women and society would face should the verdict of *Roe v. Wade* be reversed. The Pro-Life movement does not think in the

long-term and only cares that a fetus is carried to birth, not that the mother and child have a substantial quality of life thereafter.

Conclusion & Recommendations for Further Research

With the current influx of abortion restriction laws and bills emerging, it is vital to publicize accurate information about the consequences of outlawing abortion so the public can make educated decisions on the movement they support. The Pro-Life movement uses manipulative tactics and political framing in order to persuade the public that abortion is wrong and can cause harm to the mother. This movement does not prioritize the woman's life and only supports fetuses yet withdraws support once the child is born.

Should abortion become outlawed, America would witness the gruesome deaths of women attempting back-alley abortions. Those who carry their child to term risk poverty and increase racial disadvantages while those who give their child up for adoption generates a higher probability of the children developing psychological and psychosocial problems and a greater likelihood of committing crimes.

While this capstone outlines the negative impacts of outlawing abortion, future research should also outline the positive impacts of protecting abortion rights such as reflecting on the opportunities given to women as a direct result of the *Roe v. Wade*. Examples include the increase in women completing high school and graduating from a four-year college and the ways in which this benefited society as a whole. The combination of this research would provide a full picture of why abortion rights need to be protected and further inform those ignorantly following a Pro-Life narrative.

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