

American Public Opinion Regarding Late-Term Abortion



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INTRODUCTION

The following brief report considers public opinion in the United States as it relates to the legality of abortion, taking into account both the timing and circumstances of abortion. All the polls reported here are national probability polls of American adults or registered voters, and thus are representative of all persons in those categories in our country. The polls have been conducted by major pollsters and generally have a margin of error between three and four percent.

The polls themselves come from two major sources. The first is the Roper Center for Public Opinion Research at the University of Connecticut, Storrs, Connecticut. This organization archives polls sent to it by pollsters across the country. The second major source is the online service, The Polling Report, which may be accessed at www.pollingreport.com/abortion.htm.

All responses to poll questions are reported as percentages. Due to space considerations, responses such as "don't know," "no opinion," "refused," and "it depends" have been omitted. These typically amount to five percent or less of the responses to any individual question.

THE U.S. SUPREME COURT vs. the PUBLIC on ABORTION POLICY

The Supreme Court's 1973 *Roe v. Wade* and *Doe v. Bolton* decisions established basic public policy on abortion in the United States. It is an extremely permissive policy permitting abortion throughout the nine months of pregnancy for virtually any reason.

The Court's rulings specifically state that abortion cannot be prohibited prior to viability, and that after viability, the State "may, if it chooses" (i.e., it need not) "regulate and even proscribe abortion except where it is necessary, in appropriate medical judgment, for the preservation of the life or health of the mother" (*Roe v. Wade*, pp. 183-184). In its companion case, *Doe v. Bolton*, the Court effectively disallowed the prohibition of abortion even after viability, as long as the pregnant woman and her abortionist maintain that the pregnancy adversely affects her health. Moreover, it defined "health" in extremely broad terms, stating, "...medical judgment may be exercised in the light of all factors-physical, emotional, psychological, familial, and the woman's age-relevant to the well-being of the patient. All these factors may relate to health" (p.212). Thus, for all practical purposes, the Court gave us abortion on demand throughout the nine months of pregnancy.

Most polls show that a large majority of the American public takes a much more restrictive stance toward the timing and availability of abortion. Indeed, if valid and sufficiently detailed questions are asked, the polls demonstrate that a majority of the public has never agreed with the Supreme Court's abortion policy. We shall divide our brief review into earlier and more recent polls. These polls reflect rather consistent public opinion over time.

PART ONE: THE PUBLIC'S VIEW of LATE-TERM ABORTION

Earlier Polls

In 1977 and 1979 Gallup asked two comprehensive questions dealing with both the timing and circumstances of legal abortion. (See Tables 1 and 2). As we may see in Table 1, Gallup posed the question, "Do you think abortions should be legal under any circumstance, legal under only certain circumstances, or illegal in all circumstances?" In each poll, 22% said legal under any circumstance, 54-55% legal under only certain circumstances, and 19% illegal in all circumstances. (The remainder had no opinion). Gallup then asked the middle majority (those who had responded, "legal under only certain circumstances") to consider six possible circumstances in each trimester of pregnancy. (See Table 2).

These data indicate that the only justification the middle majority considers legitimate for abortions beyond the first trimester is "when the woman's life is endangered." Even when we add the 22% of respondents in each year who said abortion should be legal under any circumstance, majority approval is attained in only two additional cells of Table 2. Thus, 52% and 53% approve of legal abortion in the second trimester "when the woman may suffer severe physical health damage". Cook et al.'s (1992) work suggests that even some of the 22% who responded "legal under any circumstance" would take a less permissive stance if presented with more specific items outlining the six circumstances in each trimester.

A Harris poll in May 1975 found that only 20% of the public favored "legalizing abortions when a woman is three to six months pregnant." A 1991 poll by Gallup for Americans United for Life asked voting-age Americans if they mostly favored or mostly opposed "not allowing abortions after the third month of pregnancy, unless it is required to save a woman's life." Seventy-three percent said they mostly favored such a proposal. The latter poll also asked a series of items introduced by the statement, "I am going to read you some situations where a woman might consider an abortion. For [each situation], I want you to tell me whether you personally feel an abortion would be acceptable or unacceptable." Of eleven situations posed (including rape, incest, and fetal deformity), the only one eliciting majority support for abortion beyond the first trimester was, "if the woman's life is endangered by the pregnancy."

More Recent Polls

More recent polls confirm the fact that while a majority of Americans would permit abortion in the first trimester, a majority does not think second and third trimester abortions should be permitted or legal. Indeed, the majority would like our abortion policy to be changed, so that it is less permissive than it is now. This is evident in the polls presented in Tables 3 through 8.

Table 3 presents the results of polls taken between 1996 and 2005 which indicate the percentage of respondents who believe abortions should be legal by trimester. (See Table 3). Approximately two out of three respondents do not think abortion should be legal (permitted) beyond the first trimester.

In June of 2000, the Los Angeles Times asked this question concerning just the second trimester: "Generally speaking, do you think abortion should be legal in the second trimester or not?" Sixty-five percent of the 2,071 respondents said abortion should not be legal in the second trimester. A January, 2003 ABC News/Washington Post poll asked the following question about the end of the second trimester: "Do you think abortion should be legal when the woman is in the sixth month of pregnancy or later?" Eighty-six percent of the 1,133 respondents thought abortion should be illegal in this case.

PART TWO: THE PUBLIC'S VIEW OF CURRENT LAW

Another question also demonstrates that the public is much more restrictive than the Supreme Court regarding our abortion policy. As noted above, the Court permits abortion for virtually any reason (as long as the woman and the abortionist agree that it adversely affects her health as broadly defined by the Court) throughout the nine months of pregnancy. (See Table 4).

Variouly worded other questions regarding the availability of abortion also indicate the public disagrees with the Court, and would like to see stricter limits imposed on abortion. These results may be seen in Tables 5-8. The polls in Table 5 were all conducted by CBS News/New York Times.

Once again, the polls in Table 5 indicate that approximately two out of three Americans wish to see a less permissive abortion policy than the one we have now.

In Tables 6 and 7, the pollsters added a fourth category to the above question, with a different fourth category in the two polls. (See Tables 6 and 7). All the polls in Table 5 were conducted by CBS News/New York Times. When CBS News conducted four additional polls by itself, using the same wording, it obtained very similar results, with an average of 61.3 percent of the respondents indicating they wanted a less permissive abortion policy. The latter four polls were conducted between January, 2003 and March, 2005.

The responses in Table 7 indicate that up to seven out of ten Americans desire a less permissive abortion policy than we now have.

The most recent poll regarding the timing and circumstances under which abortion should be legal was conducted in May, 2009 by the Polling Company, which asked a national sample of 800 respondents, "Which of the following statements most closely describes your own position on the issue of abortion?" The responses to this question may be seen in Table 8. The responses indicate that 55 percent of the public (the first three categories combined) want much more protection for unborn human beings, and that an additional 26 percent would not allow legal abortions to take place beyond the first trimester. These categories combined constitute 81 percent of the public.

It is clear from these polls and several others that the American public does not agree with the Supreme Court's current policy of abortion on demand for virtually any reason throughout the nine months of pregnancy.

According to the latest Abortion Surveillance report from the U.S. Centers for Disease Control, some 11.6 percent of abortions in the United States occur after the first trimester. Data from the Alan Guttmacher Institute indicate that currently, some 1,206,200 annual legal abortions occur in this country. Eleven point six percent of that number equals 139,919 abortions per year, or 383 per day taking place after the first trimester. Thus, late-term abortion is hardly a rare event.

Table 1
Percent of Respondents Approving of Legal Abortions in Various Circumstances, by Year

| Year | N | Legal Under Any Circumstances | Legal Under Only Certain Circumstances | Illegal in All Circumstances | No Opinion |
|------|-------|-------------------------------|--|------------------------------|------------|
| 1977 | 1,518 | 22 | 55 | 19 | 4 |
| 1979 | 1,534 | 22 | 54 | 19 | 5 |

Source – Gallup Opinion Index 1978, 1979. N’s provided by the Roper Center

Table 2
Percent of those Responding “Legal under Only Certain Circumstances” Who Think Abortion Should Be Available by Circumstance, Trimester, and Year

| Trimester | Life Endangered | Rape/Incest | Health Damage | Baby Deformed | Mental Health | Can’t Afford |
|-----------|-----------------|-------------|---------------|---------------|---------------|--------------|
| First: | | | | | | |
| 1977 | 77 | 65 | 54 | 45 | 42 | 16 |
| 1979 | 78 | 59 | 52 | 44 | 42 | 15 |
| Second: | | | | | | |
| 1977 | 64 | 38 | 46 | 39 | 31 | 9 |
| 1979 | 66 | 32 | 46 | 37 | 31 | 6 |
| Third: | | | | | | |
| 1977 | 60 | 24 | 34 | 28 | 24 | 6 |
| 1979 | 59 | 19 | 33 | 28 | 22 | 4 |

Sources. – Gallup Opinion Index 1978, 1979. N’s provided by the Roper Center.

Note. – For 1977, N = 831; for 1979, N = 833.

Table 3
Percent of Public Saying Abortion Should Be Permitted or Legal, by Trimester

Typical Question: “Do you think abortion should generally be legal (permitted) or generally be illegal (not permitted) during each of the following stages of pregnancy?”

Those saying it should be legal:

| Pollster: | Gallup | CBS/NY Times | Harris | Gallup | NYTimes/Wirthlin | Gallup/CNN/USA Today | Harris |
|------------|--------|--------------|--------|--------|------------------|----------------------|--------|
| Date: | 1/96 | 1/98 | 1/98 | 4/00 | 2000 | 1/03 | 2/05 |
| N: | 1,008 | 1,001 | 1,000 | 998 | NA | 1,002 | 1,012 |
| Trimester: | | | | | | | |
| First | 64 | 61 | 63 | 65 | 61 | 66 | 60 |
| Second | 26 | 15 | 26 | 24 | 15 | 25 | 26 |
| Third | 13 | 7 | 13 | 8 | 7 | 10 | 12 |

Table 4
Percent of the Public Agreeing with the Supreme Court that Abortion Should Be Legal at Any Time During Pregnancy for Any Reason

Typical Question: “Which of the following statements most closely describes your own position on the issue of abortion?” Percent choosing “Legal for any reason at any time during pregnancy”:

| Pollster | Date | N | Percent |
|---------------------|-------------|-------|---------|
| Wirthlin Worldwide | Jan., 2003 | NA | 10 |
| Zogby International | April, 2004 | 1,209 | 13 |
| Wirthlin Worldwide | Nov., 2004 | 1,002 | 9 |
| The Polling Company | April, 2006 | NA | 12 |
| Harris | Dec., 2008 | 2,341 | 9 |
| The Polling Company | May, 2009 | 800 | 7 |

Table 5
Public Views of Stricter Limits on Abortion Part I

CBS News/New York Times Poll Question: “Which of these comes closest to your view – Abortion should be generally available to those who want it, or abortion should be available but under stricter limits than it is now, or abortion should not permitted?”

| Date | N | Generally Available | Stricter Limits (SL) | Not Permitted (NP) | SL and NP Combined |
|-----------|-------|---------------------|----------------------|--------------------|--------------------|
| Feb 2000 | 1,225 | 34 | 41 | 23 | 64 |
| May 2000 | 947 | 37 | 39 | 22 | 61 |
| July 2000 | 954 | 28 | 48 | 21 | 69 |
| Sept 2000 | 1,050 | 35 | 42 | 21 | 63 |
| Oct 2000 | 1,462 | 32 | 44 | 21 | 65 |
| Mar 2001 | 1,105 | 33 | 43 | 23 | 66 |
| May 2002 | 1,172 | 31 | 37 | 30 | 67 |
| Jan 2003 | 814 | 39 | 38 | 22 | 60 |
| July 2003 | 3,092 | 35 | 38 | 25 | 63 |
| July 2004 | NA | 34 | 42 | 22 | 64 |
| Nov 2004 | 885 | 34 | 44 | 21 | 65 |
| Jan 2005 | 1,118 | 36 | 35 | 26 | 61 |
| Feb 2005 | 1,111 | 35 | 40 | 23 | 63 |
| Dec 2005 | 1,115 | 38 | 39 | 20 | 59 |

| | | | | | |
|-----------|-------|----|----|----|----|
| Jan 2006 | 1,229 | 38 | 39 | 21 | 60 |
| Mar 2007 | NA | 34 | 41 | 23 | 64 |
| May 2007 | NA | 37 | 37 | 21 | 58 |
| July 2007 | 1,554 | 41 | 34 | 22 | 56 |
| Sept 2007 | NA | 34 | 39 | 25 | 64 |
| Dec 2007 | NA | 36 | 43 | 18 | 61 |
| Sept 2008 | NA | 37 | NA | NA | 61 |

Table 6
Public Views of Stricter Limits on Abortion Part II

Princeton survey Research Question for Pew Research Center: “Which comes closest to your view? Abortion should be generally available to those who want it. Abortion should be available but under stricter limits than it is now. Abortion should be against the law except in cases of rape, incest and to save the woman’s life. Abortion should not be permitted at all.”

| Date | N | Generally Available | Stricter Limits (SL) | Rape/Incest/Life (RIL) | Not (NP) Permitted | SL, RIL, NP Combined |
|-----------|-------|---------------------|----------------------|------------------------|--------------------|----------------------|
| July 2005 | 1,502 | 35 | 23 | 31 | 9 | 63 |
| Nov 2005 | 1,500 | 30 | 19 | 31 | 16 | 66 |
| Dec 2005 | 1,155 | 35 | 20 | 31 | 11 | 62 |
| July 2006 | 2,003 | 31 | 20 | 35 | 11 | 66 |

Table 7
Public Views of Stricter Limits on Abortion Part III

CBS News Question: “what is your personal feeling about abortion? It should be permitted in all cases. It should be permitted, but subject to greater restrictions than it is now. It should be permitted only in cases such as rape, incest and to save the woman’s life. Or, it should only be permitted to save the woman’s life.”

| Date | All Cases | Greater Restrictions | Rape/Incest/Woman’s Life | Life Only | Never | Last Four Combined |
|-----------|-----------|----------------------|--------------------------|-----------|-------|--------------------|
| July 2005 | 25 | 14 | 38 | 15 | 3 | 70 |
| Aug 2005 | 28 | 15 | 33 | 15 | 5 | 68 |
| Jan 2006 | 27 | 15 | 33 | 17 | 5 | 70 |
| Apr 2006 | 29 | 17 | 33 | 14 | 4 | 68 |
| Jan 2007 | 31 | 16 | 30 | 12 | 5 | 63 |
| Oct 2007 | 26 | 16 | 34 | 16 | 4 | 70 |

Table 8

Public Views of Stricter Limits on Abortion Part IV

The Polling Company Question for Americans United for Life: "Which of the following statements most closely describes your own position on the issue of abortion?"

| Responses | Percent |
|---|---------|
| Abortion should be prohibited in all circumstances. | 10 |
| Abortion should be legal only to save the life of the mother. | 16 |
| Abortion should be legal only in cases of rape, incest, or to save the life of the mother. | 29 |
| Abortion should be legal for any reason, but not after the first three months of pregnancy. | 26 |
| Abortion should be legal for any reason, but not after the first six months of pregnancy. | 8 |
| Abortion should be allowed at any time during a woman's pregnancy and for any reason. | 7 |

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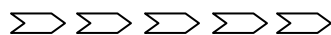
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The mission of the Human Family Research Center is to expose and reduce the causes and effects of the devaluation of human life and to reawaken the need to create a human community that understands the interconnectedness, value and importance of every member of the human family.

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