

“IMPACT ON UN SUSTAINABLE DEVELOPMENT GOALS’ ACHEIVEMENT POST REVOCATION OF ROE V WADE RULING BY US SUPREME COURT”

Opinion Paper

Malini Nair-Rai, Swiss School of Business Management Geneva, Genève, Switzerland,
malini@ssbm.ch

Dr. Anna Provodnikova, Swiss School of Business Management Geneva, Genève,
Switzerland, anna@ssbm.ch

Abstract

This Opinion paper discusses impact on achievement of United Nation’s (UN) 2030 Sustainable Development Goals (SDGs) post revocation of Roe v Wade ruling by the Supreme Court of the United States of America (USA) defying International Human Rights Law. Of the 17 UN SDGs proposed, achievement of SDG 3- Good Health and Well-being and SDG 5- Gender Equality may experience negative impact. Restrictive abortion access can not only impact women’s health but according to previous studies, it also impacts their financial empowerment. WHO report recently showed that abortion ban does not reduce abortions but rather increases health risks due to illegal abortions. The ruling also puts a spanner in the corporates’ goals of offering gender equity and equality in workplace as women resorting to illegal abortions cannot avail health insurance for post abortive-care. Scope of future research in this matter have also been suggested while discussing the ethical dilemma of abortion.

Keywords: *Abortion, UN SDG, Human Rights, WHO, Roe v Wade, Dobbs v Jackson women’s health*

Introduction

The recent June, 2022 verdict by America’s (US) Supreme Court in the Dobbs v Jackson Women’s health case (Dobbs) that has nullified the previous ruling of the apex court in Roe v Wade case, that allowed protection to women’s reproductive rights as well as right to privacy in the US, stands in clear violation of International Human Rights Law (Doyle, 2022) and goes against some targets mentioned under the United Nation’s Sustainable Development Goals 2030 (SGDs). In specific achievement of some targets under SDGs 3 and 5 will be impacted. Owing to the Dobbs ruling, US states are now free to create state-level laws on access to abortion, birth-control measures as well as all abortion related services within their

Abbreviations:

UN SGD/s- United Nations Sustainable Development Goal/s

US- United States of America

Dobbs- Dobbs v Jackson Women’s health

own jurisdiction. This may impact women's participation in and contribution to socio-economic growth (SDG Tracker, 2015) (Miller *et al.*, 2020), the US government's as well as Corporates' efforts to achieve their SDG targets and consequently also impact their contribution to the global SDGs targets in times to come. Further the failure to achieve SDG 3 and 5 will also contribute towards failure in part towards achieving other SDGs namely SDG 4, 8, 10 and 16.

SDG 3 (targets 3.1, 3.7, 3.8) aims at reducing global maternal mortality rate to 70 per 100,000 live births, ensure global access to sexual and reproductive healthcare services extending to family planning and incorporating reproductive health into the national strategy and plans, provide global health coverage including financial risk protection, access to quality essential healthcare services and access to safe, effective, quality and affordable essential medicines and vaccines for all. In addition, SDG 5 (targets 5.1, 5.6, 5.6, 5.6 c) aims at eradicating all forms of discrimination against all women and girls everywhere, ensure global access to sexual and reproductive health and reproductive rights and adopt and strengthen sound policies and enforceable legislation for the promotion of gender equality and the empowerment of all women and girls. SDG 4 focuses on providing good quality education for all; SDG 8 focuses on creating lucrative employment and work opportunities for all; SDG 10 is aimed at reducing inequality within and amongst nations; SDG 16 aims towards creating peaceful societies, making justice accessible to all and building responsible and inclusive institutions to cater to people's needs (SDG Tracker, 2015).

Studies have shown that restrictive abortion laws may hinder women's education attainment goals (Jones and Pineda-Torres, 2022), compromise employment opportunities (Kirkman *et al.*, 2009), increase financial burden (Myers, 2021; Upadhyay *et al.*, 2022), negatively impact their mental and physical health (Berer, 2004; Biggs and Rocca, 2022), change their life course (Boden, Fergusson and John Horwood, 2008; Upadhyay, Biggs and Foster, 2015) and diminish gender equality (Siegel, 2006) and increase discrimination (Doyle, 2022) within the US. Further it has been seen that abortion restrictions do not reduce the number of abortions but instead increases usage of unsafe methods to terminate pregnancy (Bearak *et al.*, 2020). Women are an essential part of any country's growth and development. Studies in the past have shown that women with choice to abort have a positive impact on the GDP (Bloom *et al.*, 2009). Post Dobbs ruling, women may be forced out of socio-economic contributions which could impact the overall growth of US as a nation.

This will severely impinge on corporate's goals to have equal women representation in jobs across the board. Offering abortion insurance in states with strict abortion laws may create legal and compliance burdens for businesses. Further, studies have also suggested that denying or allowing abortion can also have an effect on the socio-economic future prospects of the offspring (Ananat *et al.*, 2009; Lin and Pantano, 2014).

This paper will provide evidence based on past published papers and reports to create a high-level view of the issues that may hinder the achievement of and contribution towards SDGs in the US in coming years owing to Dobbs ruling, which allows states to form their own laws consequently compromising women's reproductive rights and right to privacy, in particular to do with abortion.

1 DISCUSSION

2 Abortion regulations- Impact on women's mortality

Globally 61% of all unwanted pregnancies, and 29% of all pregnancies, result in induced abortion (Bearak *et al.*, 2020). It has been found that global abortion mortality ratio is higher in world regions with strict abortion laws (Bearak *et al.*, 2020). Whilst these trends are largely seen in developing countries, post Dobbs ruling the US may see some similar challenges. A recent study also showed soon after the leaked US Supreme Court draft pertaining to Dobbs ruling, was made public, there was an increase above 160%, in Google searches associated with abortion in the US (Poliak *et al.*, 2022), indicating enhanced interest in seeking abortions outside of the health and medical system. Further there is increased concern that restrictive abortion laws could lead to expulsion of abortion and post abortive care training from medical and nursing training curricula and a decline in funding for reproductive health related research (Doyle, 2022) in US states with strict laws on abortion. A recent predictive model has also claimed that within one year of the Dobbs ruling maternal mortality rate will show 7% rise and further jump to 21% in subsequent period. This percentage is surprising specially because this study does not even account for number of mortalities related to unsafe, and attempted abortions (Stevenson, 2021). A comparative study for 162 nations has also shown that maternal mortality rates descend by 45 deaths per 100,000 live births when abortion regulations are less restrictive (Latt, Milner and Kavanagh, 2019). Given this the achievement of parts of SDG 3 (3.1, 3.7, 3.8) (SDG Tracker, 2015) for US may be problematic in times to come.

3 Abortion regulations- Impact on women's mental health

In order to achieve SDG 5 it is vital that women and girls have full access to safe, dignified, non-discriminatory and evidence-based abortion care (Iacobucci, 2022; WHO, 2022). Absence of access to abortion care puts physical, mental and social well-being of women and girls at great risk (Berer, 2004; Biggs and Rocca, 2022; Iacobucci, 2022; WHO, 2022). A longitudinal study of around 1000 women (Biggs, Gould and Foster, 2013; Upadhyay, Biggs and Foster, 2015; Biggs *et al.*, 2017; Foster *et al.*, 2022) has shown that women who were denied abortion suffered mental health issues like increased stress levels, poor self-esteem and anxiety (Biggs, Gould and Foster, 2013; Upadhyay, Biggs and Foster, 2015; Biggs *et al.*, 2017, 2018), regret and anger (Rocca *et al.*, 2013). Interestingly women that were able to seek abortion did not report any mental health issues like suicidal attitudes (Biggs *et al.*, 2018), substance abuse (Roberts *et al.*, 2018), post-traumatic stress disorder, depression or anxiety, post abortion (Rocca *et al.*, 2013; Biggs *et al.*, 2018; Biggs and Rocca, 2022) and instead 95% of them expressed feeling of positivity and relief (Rocca *et al.*, 2013) stating abortion to be the correct decision (Rocca *et al.*, 2015, 2020) for them soon after abortion and even five years post (Rocca *et al.*, 2020). Other past studies have shown that feelings of positivity and negativity about abortion co-exist (Söderberg *et al.*, 1998; Kero and Lalos, 2000; Major *et al.*, 2000; Coleman *et al.*, 2009). In a study it was found that almost half the sample had feelings of guilt due to abortion disagreeing with their ethical values and a majority of women felt relieved while simultaneously experiencing feelings of grief or emptiness post abortion (Kero

and Lalos, 2000). In another study it was found that more than half the women sampled (56%) used both negative and positive words prior when describing their upcoming abortion. 33% used only negative words while only 11% used only positive words prior to their abortion (Kero and Lalos, 2000; Kero, Högberg and Lalos, 2004) (Kero and Lalos, 2000). These studies however included both men and women in study sample. Additionally other studies found an association between abortion and increased risk of mental health disorders (Fergusson, Horwood and Boden, 2008; Coleman *et al.*, 2009, 2010). Women who chose to abort exhibited 30% rates of mental health disorder and exposure to abortion accounted for 1.5-5.5% of overall rate of mental health disorders (Fergusson, Horwood and Boden, 2008) and 65% of American women sampled exhibited heightened negative reaction to abortion experiences compared to culturally different Russian women (Rue *et al.*, 2004). Women with childhood trauma exhibited increased post-traumatic symptoms.

A review also found that use of contraception does not result in depression/depressive symptoms and further also stated that abortion did not lead to mental health problems in women. Contrarily women who bore children from unintended pregnancies were found to be more prone to postpartum depression (Steinberg and Rubin, 2014). However others state that at least a few women experience mental health problems caused by coercive abortion, or by women opting for abortion ignoring their own maternal instincts and moral beliefs, which leads to internal conflict in them between their choice to abort and their personal identity and beliefs (Reardon, 2018).

4 Abortion regulations- Impact on Abortion Insurance coverage

There is ample evidence that several US states, even prior to the 1973 Roe v Wade ruling lacked on both providing access to abortive care physically as well as financially. Even in the present, there are several states that have few and far spread out abortion facilities, which make it rather problematic for women to access abortive care (March of Dimes, 2020) as they have to travel far to seek abortion (Myers, 2021).

Further, research suggests that even though there has been an increase in the number of women in the US that have health insurance, the numbers are still abysmal (KFF, 2019). The 1973 Hyde Amendment, inhibits usage of federal government sponsored public health insurance like Medicaid to pay for elective abortion (Fried, 2000) excepting in cases of rape, incest and threat to life of pregnant woman (Salganicoff, Sobel and Ramaswamy, 2019). The said amendment allows states to use federal health funds as per their state laws and several states with restrictive abortion laws exclude abortion care under health insurance (Guttchmacar, 2022). This poses a challenge to providing healthcare insurance despite Medicaid provisions to women seeking elective abortion. State level decision on providing or limiting abortion insurance coverage can determine an individual's health and future (NWLC, 2021).

Some states also impose further limits on using private insurance route to pay for abortion services. Research studies have compared states across the US and also found that state imposed limits on Medicaid are correlated to diminished abortion rates in states that have stricter abortion restrictions (Blank, George and London, 1996; Chevrette and Abenheim, 2015; Rodgers *et al.*, 2021), and are partially responsible for individuals' ill-affordability to seek abortion services (Ely *et al.*, 2017). Restrictive access to abortion insurance can increase a woman's out-of-pocket expenses when seeking abortion (Upadhyay *et al.*, 2022).

Several corporates do provide their employees with abortion care insurance of their own accord however studies have shown that although almost 60 million women between the age of 19-64 received insurance from their employers in 2020 (KFF, 2019), the percentage of women that receive insurance through their jobs stands at 38%, as compared to 48% for men. Women mostly get covered as dependent (KFF, 2019). Post Dobbs ruling there will be several issues corporates will need to deal with. Firstly there may be a challenge to protect health information of employees that avail/seek abortion care insurance (Pestaina, 2022) as employee claims regards these services will need to be held as record at employer end. These records could be used to penalise both the employee and the employer in states that criminalize these services. Also several corporates have decided to provide employee sponsored abortion care (Minemyer, 2022; Pestaina, 2022) but it might become more difficult for these companies to continue providing abortion insurance without getting embroiled in legal problems (Wiessner, 2022). These may severely compromise corporates' and nation's ability to meet SDGs 3, 5 and 10.

5 Abortion Regulations- Impact on women's education and labour force participation

Regulating abortions can cause increase in cost of abortion and related services and can reduce overall demand for the same (Medoff, 2000, 2007, 2008, 2012). Interestingly making abortion and related services more accessible can lead to decrease in births and also a rise in women marrying post teen years (Bowmaker and Emerson, 2013). Also research has shown that making abortion legally accessible led to decreased childbirths and contributed to women's economic growth (Bailey, 2013). Abortion access played a stronger role than access to birth control pills on women's decision to delay marrying and bearing children (Myers, 2017).

Further studies have indicated that legalizing abortion is correlated to women's advancement in education as well as the labour market. Increased labour force participation of women in general and single black women in particular was seen when women were allowed to terminate unwanted pregnancies by legalizing abortion (Kalist, 2004). Targeted regulations of abortion providers (TRAP laws), which lead to clinic closures, limiting abortion access in states, increased teenage pregnancies and consequent child births by 3% in teenage black women, as compared to states with liberal access to abortion (Jones and Pineda-Torres, 2022). 1 to 3 percent under 18 black women that experienced abortion restrictions due to TRAP laws were found to be less likely to seek admission in or complete college education showing that restrictive abortion laws can impact women's endeavours to personal economic growth (Miller *et al.*, 2020) and are causal in continued racial inequality (Jones and Pineda-Torres, 2022). However the Turnaway longitudinal cohort study (Foster, 2021) that sampled 876 individuals and has published several papers, shows that likelihood of women who were denied abortion and gave birth, to attain school education was similar to those that were provided access to abortion. Only difference being women with children from abortion denial groups were likely to seek high school level diplomas as opposed to higher educational degrees (Ralph *et al.*, 2019) inferencing that childbirth from unintended pregnancy in abortion denied groups was not linked to women graduating or stopping their education.

Also compared to women who were provided access to abortion, women that were denied abortion due to restrictive state laws were found to be less likely to be in full time jobs, more

likely to be poor and dependent on public funding (Foster *et al.*, 2022). Another study has shown that legalizing abortion that leads to lower incidences of child births allows for larger supply of women in labour force and has a positive impact on the GDP growth (Bloom *et al.*, 2009).

A literature review stated that nearly all reviewed papers suggested that non-readiness for motherhood and unwillingness to disrupt education, employment as well as life plans were the main reasons for women to seek abortion of unintended pregnancy (Kirkman *et al.*, 2009). In the context of gender equality, right to abortion is imperative to enabling gender parity (Siegel, 2006) and failure to access the same can pose a hurdle in women achieving financial stability. Child birth as an outcome of intended and unintended pregnancy can be disruptive to women's life plans (Upadhyay, Biggs and Foster, 2015) and future outcomes (Boden, Fergusson and John Horwood, 2008).

The Turnaway longitudinal study (Foster, 2021) recently also found that, women that are denied abortion showed less likelihood of setting up aspirational one-year goals for themselves as compared to those that were allowed to abort (Upadhyay, Biggs and Foster, 2015), suggesting that women that were disallowed to abort compromised on their short-term aspirations as well as readjusted their long-term plans to accommodate child rearing responsibility. Employment and educational goals featured highly in all women's aspirational plans. This shows that achieving SDG 5 and SDG 10 will become more cumbersome in the US especially in case of women.

6 Abortion regulations-Impact on future of children

Legalization of abortion post the 1973 Roe v Wade ruling allowed for planned child births. Studies have shown that children born post abortion legalization had more likelihood of attaining at least graduation level education as well as be less dependent on welfare schemes or be single parents (Ananat *et al.*, 2009). Research has also shown that children born from unwanted pregnancies in homes in underprivileged communities with low-income are more prone to committing crime in adulthood (Donohue and Levitt, 2001). Increased rates of positive outcomes for children were due to wantedness. This essentially means that children born post abortion legalization were planned for and wanted by the parents and hence were able to access positive living conditions and educational opportunities. Another study found that legalization of abortion was causal in significant reduction in unwanted births, which in turn was linked to rise in education levels and earning abilities of children born post abortion was made legal in the US (Lin and Pantano, 2014). Liberalization of abortion led to rise in number of girls continuing schooling and education. Increased access to abortion services helped young girls continue their education instead of dropping out due to unwanted pregnancies (Azarnert, 2009).

There is evidence that legalizing abortion can lead to reduction in crime rates. Post 1973 ruling in Roe v Wade case, which legalized abortion in the US, crime rates fell in several states (Donohue and Levitt, 2001). The study suggested that this reduction happened because abortion legalization allowed women to terminate unwanted pregnancies and reduce the rates of unwanted child-births. Essentially children born due to planned pregnancies are at a lower risk of committing crimes as adults than those born due to denied abortion or abortion inaccessibility. Some studies have disputed these findings due to its study sample, the data

used on crime rates as well as assumptions made with regards to abortion rates prior to abortion legalization i.e. pre-1973 (LOTT and WHITLEY, 2007; Foote and Goetz, 2008). However in follow-up studies the authors clearly established a link between abortion legalization and its causal impact on crime rate reduction (III and Levitt, 2004; Donohue and Levitt, 2008). While this evidence may be true for the US, it is not generalizable, since similar legalization of abortion did not show linkage to crime rate reduction in Europe due to robust welfare policies and systems as well as family bonds which play a larger role than abortion legalization to reduce risk of exposure to crime in children (Buonanno *et al.*, 2011). This may lead to not only compromising nation's but also individual's capacity to meet SDGs 4, 5 and 10 and 16.

7 Conclusion

Although this paper is based on several current and past research, it has limitations. Firstly, it is a high-level view of the various impacts of Dobbs ruling on women, US as well as businesses and their contribution towards achievement of SDGs. Further evidence-based research is required using data and samples collected post- Dobbs ruling to understand the actual impacts. Secondly while this paper has attempted to discuss all impacts it is not comprehensive in approach. Political, religious and ideological leanings of the people, and institutions has not been covered in any detail. Further investigation is necessary to understand the overall impact of these factors at both a societal level as well as in context of women and girls in the US. Thirdly, this paper uses some papers from other regions of the world, that show cultural variation leads to different outcomes of abortion laws in different regions of the world. Further past papers that may not hold relevancy in the current cultural context of the US have been cited here, which weakens the generalizability of our comments in this paper. Fresh studies may be required to understand women's role and contribution to socio-economic growth of business and the nation. Fourthly this paper has largely focused on research studies centred around the US. Further comparative studies that weigh US abortion laws against those of other developed nations may be worthwhile to better understand where US stands globally. Also, moral and ethical dilemma to do with abortion has not been discussed in this paper. Given that the US is one of the largest democracies of the world, it has the ability to influence changes across the globe. Studying the influence/Impact of the US Dobbs ruling on laws like Human Rights specifically pertaining to women in other parts of the world may also be an area that merits further research.

The strength of the paper lies in the fact that it highlights a never before studied matter-impact of abortion laws on corporates' SDGs attainment among other issues. Given the Dobbs ruling, it may be an area worthy of detailed research. Further this paper makes a case for further investigation into how women's overall future will be impacted post Dobbs ruling. There is ample evidence at state-level as well as national level that shows that restrictive abortion laws have a severe negative impact on women. We have also shown that compromising women's Human rights and right to equality is a regressive step that can set-back women empowerment and autonomy. Studies identified for this paper have been well cited by other researchers and inferences have been validated by other researchers. The above lends both reliability and validity to this paper. This may have far-reaching effects on the overall global growth and measures to counter suppressive laws and policies going forward. Further longitudinal studies to measure impact of abortion laws in various areas of women's

life in the US and on the achievement of SDGs may help provide evidence-based knowledge on the subject.

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