

Literature review: the impact of legalized abortion



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The publication of the controversial paper on legalised abortion and its affect on the rate of crime by Levitt and Donohue (2001) has resulted in widespread condemnation from a variety of sources, for example, Joseph Scheidler, executive direction of the Pro-Life Action league, described the paper as “ so fraught with stupidity that I hardly know where to start refuting it”

Crime fell sharply in the United States in the 1990s, in all categories of crime and all parts of the nation. Homicide rates plunged 43 percent from the peak in 1991 to 2001, reaching the lowest levels in 35 years. The Federal Bureau of Investigation’s (FBI) violent and property crime indexes fell 34 and 29 percent, respectively, over that same period. (Levitt, 2004)

In his journal ‘ The impact of Legalized abortion on crime’ Levitt attempts to offer evidence that the legalization of abortion in 1973 was the chief contributor to the recent crime reductions of the 1990’s.

Levitt’s hypothesis is that legalized abortion may lead to reduced crime either through reductions in cohort sizes or through lower per capita offending rates for affected cohorts. The smaller cohort that results from abortion legalization means that when that cohort reaches the late teens and twenties, there will be fewer young males in their peak crime years, and thus less crime. He argues that the decision in Roe v Wade constitutes an abrupt legal development that can possibly have an abrupt influence 15-20 years later when the cohorts born in the wake of liberalized abortion would start reaching their peak crime years. In essence, Levitt puts forward the theory that unwanted children are more likely to become troubled adolescents,

prone to crime and drug use, than wanted children are. As abortion is legalized, a whole generation of unwanted births are averted leading to a drop in crime two decades later when this phantom generation would have grown up. To back up this point, Levitt makes use of a platform from previous work such as (Levine et al 1996) and (Comanor and Phillips 1999) who suggest that women who have abortions are those most likely to give birth to children who would engage in criminal activity. He also builds on earlier work from (Loeber and Stouthamer-Loeber 1986) who concludes that an adverse family environment is strongly linked to future criminality.

Although keen not to be encroach into the moral and ethical implications of abortion, Levitt, through mainly empirical evidence is able to back up his hypothesis by concluding that a negative relationship between abortion and crime does in fact exist, showing that an increase of 100 abortions per 1000 live births reduces a cohort's crime by roughly 10 per cent and states in his conclusion that legalized abortion is a primary explanation for the large drops in crime seen in the 1990's.

One of the criticisms that can be levied against this study is its failure to take into consideration the effect other factors may have had in influencing crime rates during the 1980's and 1990's, such as the crack wave. Accounting for this factor, the abortion effect may have been mitigated slightly. Also Levitt's empirical work failed to take into account the greater number of abortions by African Americans – who he distinguishes as the race which commit the most amount of violent crime, and his evidence fails to identify whether the drop in crime was due to there being a relative drop in the number of African Americans.

The list of possible explanations for the sudden and sharp decrease in crime during the 1990's doesn't stop at Levitt's abortion/crime theory and Levitt himself in his 2004 paper identifies three other factors that have played a critical role.

The first is the rising prison population that was seen over the same time period, and (Kuziemko and Levitt, 2003) attribute this to a sharp rise in incarceration for drug related offences, increased parole revocation and longer sentences handed out for those convicted of crimes, although there is the possibility of a substitution effect taking place - where punishment increases for one crime, potential criminals may choose to commit alternative crimes instead.

There are two ways that increasing the number of person incarcerated could have an influence on crime rates. Physically removing offenders from the community will mean the avoidance of any future crime they may plausibly commit during the time they are in prison - known as the incapacitation affect. Also there is the deterrence effect, through raising the expected punishment cost potential criminals will be less inclined to commit a crime. As criminals face bounded rationality, expected utility gained from crime will have an effect on the amount of time spent devoted to crime. (Becker, 1968).

A study conducted by Spelman (2000) examined the affect the incarceration rate would have on the rate of crime and finds the relationship to have an elasticity measure of -0.4 which means that an increase in the levels of incarceration of one percent will lead to a drop in crime of 0.4%.

In Economic models of crime such as Becker (1968), improvements in the legitimate labor market make crime less attractive as the return earned from legitimate work increases. Using this model, the sustained economic growth that was seen in the 1990's (Real GDP per capita grew by almost 30% between 1991 and 2001 and unemployment over the same period fell from 6.8 to 4.8 percent) could be seen as a contributing factor to the drop in crime witnessed and many scholars (such as) have come to that conclusion. However, the improved macroeconomic performance of the 90's is more likely to be relevant in terms of crimes that have financial gains such as burglary and auto theft and does not explain the sharp decrease seen in homicide rates. Also, the large increase in crime seen in the 1960's coincided with a decade of improving economic growth, further corroborating 'the weak link between macroeconomics and crime' (Levitt, 2004).

One other explanation for the drop in crime and the most commonly cited reason can be seen in the growing use of police innovation, and an adoption of 'community policing'. The idea stemmed from the 'broken window' theory, which argues that minor nuisances, if left unchecked, turn into major nuisances (Freakonomics)

The main problem with the policing explanation is that innovative police practices had been implemented after the crime rate had already begun declining, and perhaps more importantly, the rate of crime dropped in cities that had not experienced any major changes in policing (Ouimet, 2004).