

## RESEARCH ARTICLE

# Abortion Laws in Democracies:

## Revisiting the Political Development Aspect of Modernization

*Senem ERTAN*

*Social Sciences University of Ankara*

*Seval YAMAN*

*Social Sciences University of Ankara*

### Abstract

It is assumed that civil liberties are well-established in democratic societies. Women's bodily rights are among these liberties, as feminist scholars argue that a woman's right to decide about her own body is a fundamental human right. However, we still observe a wide range of variations in abortion laws in democratic countries that warrant serious inquiry. Since 1994, with the exceptions of the US and Poland's regression in abortion laws, democratic countries have generally opted to liberalize their abortion laws (Center for Reproductive Rights, 2024). Despite a consensus on ensuring access to safe and legal abortions, the extent of liberalization and the grounds on which abortion is permitted vary widely. The main aim of this study is to identify the political determinants of abortion legislation in democratic countries by employing the analytical framework of modernization as a shared point of experience. This study includes a statistical analysis of 63 countries listed as "free" in the Freedom in the World Report 2024, aiming to contribute to the literature by providing a large-N comparative analysis of democratic societies. The findings suggest that abortion laws in democratic societies are shaped by religious organizations' power over policy-makers, as well as the EU as a supranational legislative power, and the quality of democracy.

**Keywords:** Abortion; Democracies; Politics of reproduction; Modernization; Quantitative analysis

### Introduction

Liberalization of abortion is one of the most controversial topics of the modern world, which has also resulted in polarization in almost all societies. On the one hand, the data demonstrates that an overwhelming degree of liberalization of abortion laws has taken place in the world since the 1990s (Center for Reproductive Rights, 2024). On the other hand, a few countries, such as the US, Nicaragua, El Salvador, and Poland, have some regressions in their abortion laws (Center for Reproductive Rights, 2024). Thus, for some countries, including democratic ones, the development path in the liberalization of abortion rights can be explained as "two steps forward, one step back". Although Boland and Katzive (2008) claim that the trend toward liberalization of abortion laws should be hard to reverse, Boyle et al. (2015) demonstrate a shift towards less liberal abortion policies.

When studying the determinants affecting abortion rights, it must first be recognized that it is an extremely complex topic. It is associated with a multitude of macro-level political, economic, social, cultural, religious, and international determinants of abortion policies. Considering all these differences across cultures and countries, in this study, we seek to

**CONTACT** Senem Ertan, [senem.ertan@asbu.edu.tr](mailto:senem.ertan@asbu.edu.tr), at the Political Science and Public Administration Department, Social Sciences University of Ankara, Türkiye

identify some of the common political factors that influence abortion rights in democratic societies.

In democratic countries, abortion is recognized as an extension of women's universal and fundamental right to their bodies as a requirement of the principles of self-ownership, including human dignity, bodily autonomy, and self-determination. However, it must be acknowledged that in practice, there are major differences in the interpretation of this principle, which is also reflected in the variance in abortion laws in democratic countries. Freedom House (2024a) lists 83 countries as democratic countries, in six<sup>1</sup> of which abortion is illegal, whereas 40 countries allow abortion on request (Center for Reproductive Rights, 2024). In other democratic countries, there is a variation of abortion restrictions on the grounds of rape, incest, certain fetal diagnoses, to preserve mental health, or to save the mother's life. These law differences stemmed from the fact that abortion is not seen as an individual right related to women's private choice; instead, it is understood in terms of societal values, medical issues, or political discussions. Societal values and political debates particularly have the power to shape public opinion and justify abortion laws. For example, while in the US or Europe, women's bodily autonomy is a very important justification for abortion rights, in Japan, it is not an accepted argument, but family planning and economic arguments are well accepted by the society (Ginsburg & Rapp, 1991). In France, during the insertion of abortion into the constitution, the political actors were mobilized around the idea that abortion is a civilizational imperative and personal freedom rather than a woman's right (Atay & Levrier, 2025). Thus, when explaining the variation of abortion laws in democratic countries, one should move one step further than the feminist arguments on women's bodily rights and question the role of other factors interplaying within the sphere of abortion politics.

One can argue that while the differences between democratic and non-democratic countries are predictable, the differences among democratic countries are also striking. When analyzing abortion policies among democracies, it is inevitable to situate the discussion within the broader historical context of modernization. Although some scholars contend that modernization has come to an end or evolved into a new phase, the aim of this study is not to trace its historical trajectory. Rather, the focus is on examining the political outcomes of modernization processes. Another reason for adopting the modernization framework is that this research focuses exclusively on democratic countries, which, despite their differences, have all undergone broadly similar modernization processes. However, as a limitation of this study, we neither examine historical changes of abortion laws in democratic societies nor the socio-economic structures. In this study, we narrow the scope to focus solely on the current state of abortion policies and the political factors influencing them, as recent literature emphasizes that abortion is a highly political issue (Miguel, 2012; Brysk, 2025; Sutton & Vacarezza, 2021). Accordingly, the main research question is how political factors interact to shape the trajectory of abortion policies in contemporary democracies. In examining this, we accommodate the political development pillar of modernization theory as an analytical framework focusing on secularity, democratic quality, and internationalization.

When discussing modernization, it is inevitable to situate it within a specific historical context. In this understanding, while some argue that modernization has come to an end or has transformed into a new form, the aim of this study is not to trace its historical trajectory. Rather, the focus is on examining the political factors currently influencing abortion rights, particularly the outcomes of modernization processes such as secularization, quality of

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<sup>1</sup> These are; Andorra, Jamaica, Palau, Suriname, Tonga and the United States. The United States is included in this groups because after the U.S. Supreme Court overturned *Roe v. Wade* in 2022, abortion became illegal in 13 states.

democracy, and internationalization. Another reason for adopting the modernization framework is that this research focuses exclusively on democratic countries, which, despite their differences, have all undergone broadly similar modernization processes. Accordingly, our research aims to identify which of the factors highlighted in the literature are the most influential political determinants of abortion laws in democracies. This framework also allows us to adopt Brysk's (2025) suggestion: "if the personal is political and global, to see the full picture of abortion rights anywhere, we must compare the political dynamics across states as well as global and local levels- combining comparative politics and international studies" (p. 3).

### The Impact of Modernization

In the West, modernization brought radical changes in political, social, and economic structure, including secularization, democratization, liberalization, mobilization, urbanization, economic development, etc. Considering all these developments together, one can argue that the development of women's rights is the result of a chain reaction of all these factors. In the context of gender politics, modernization theory provides fruitful discussion on how modernization led to the transformation of societies on gender equality, sexual liberalization, and patriarchal attitudes. Inglehart and Norris' (2003) well-known argument is that the modernization process experienced by advanced industrial societies transformed people's values from the patriarchal understanding of gender roles towards a rising tide of support for sexual liberalization and equality between men and women because modernization provides a suitable environment for mass mobilization in supporting public policies on women's rights. Although we are aware of these broader discussions, this study focuses solely on the political development dimension of modernization, as addressing all the social, cultural, and economic changes brought about by modernization would be too ambitious.

The political development pillar of modernization was unpacked in the following subsections by focusing on three aspects—secularization, quality of democracy, and internationalization—because these have been shown in the literature to be strongly related to abortion laws. In the context of modernization, while secularization can create a more favorable environment for policies like the legalization of abortion, as moral debates are reframed in terms of individual rights rather than religious doctrines, high quality of democracy shows more participatory policymaking process in the light of human rights principles, often resulting in greater protection of individual freedoms, including reproductive rights. Moreover, parallel to economic, social, and technological developments, modernization often brings internationalization by encouraging states to integrate into global politics by adopting global norms and participating in treaties and agreements, such as CEDAW, the UN, and the European Court of Human Rights. These external pressures and commitments can act as catalysts for legal reforms by pushing governments to liberalize abortion laws.

The formation of modern states and the process of nation-state building necessitated the development of institutional arrangements, which led to the expansion of state policies into increasingly diverse areas of social life, including family structures, gender relations, parental rights, and the protection of property rights within marriage. These areas, previously organized by religious institutions, now came under the control of the modern state. This shift also changed family and fertility patterns and reshaped women's cultural and religious ties, which resulted in, for example, marrying later, having their first child later, or having fewer children overall. Beyond the regulatory role of the state in both public and private spheres, the concept of inclusive citizenship has also influenced and shaped women's position in society. The citizen became "the one who is entitled to participate in

the life of the political community” (Pierson, 2004, p. 21). Citizenship brought equality before the law and changed the dynamics of societies that were previously dependent on privileges. In this sense, at least formally, citizenship is not based on gender rather on formal equality of men and women in enjoying politics and joining the labor force. This had an impact on women’s participation in larger organizational networks like business associations and trade unions, where they are most likely to be exposed to politics (Stockemer & Byrne, 2012) increasing their bargaining power which grants them property rights (Cherif, 2015) and increasing their inclination to express political demands (Matland, 1998). Thus, although there are some feminist critiques of the male-dominated or patriarchal nature of the modern state (Mackinnon, 1991), modernization and the formation of the modern state offer a useful framework for analyzing the evolution of women’s rights.

### *Influence of Secularization*

One of the most important pillars of modernization theory is secularization. To provide conceptual clarity, the difference between secularization as a theory and secularization as a historical process needs to be explained. *Secularization Theory* focuses on people’s demand for religion and predicts that religion will decline as societies develop (Dhima & Golder, 2021). This theory simply affirms that with the development of science and technology, religion would play a marginal role in determining politics, society, and individual lives. This theory is commonly used to explain the “connection between modernity and the decline of the religion” (Ozzano & Giorgi, 2023, p. 310). However, from the end of the 20th century onwards, this theory began to be questioned and even falsified or refuted by some scholars. For example, Casanova (1994) argues that in the 1980s, religion entered the “public sphere” again and began to gain attention because the religious movements and the religious institutions refused to restrict themselves to the care of the individual soul. He understood this process as a reverse movement. This argument challenged the modernization claim of public-private sphere separation, in which religion should be seen as a private issue. Riesebrodt and Konieczny (2005) take this argument one step further and claim that religion re-emerged as a public force, as a marker of ethnic identities, as a shaper of modern subjects and their ways of life in different societies. Moreover, Piacentini, Molteni, and Maraffi (2024) claim that based on the relationship between the rise of right-wing parties across Europe and the role of religiosity, religion has reemerged in the political sphere, but in a transformed and more complex form, moving beyond the traditional, one-dimensional focus on religious attendance. Instead, they adopt a multidimensional approach to capture the varying expressions of religiosity. This includes distinctions such as “nominal Catholics” who identify with Catholicism primarily due to cultural or contextual factors rather than personal belief, and “cultural Catholics” who view religion as a source of tradition and values (Piacentini et al., 2024).

Against the dominant view on the critics of secularization, some scholars argued that secularization did not directly decrease the power of religion; instead, it resulted in the diversity of religious beliefs (Brown, 2022; Casanova, 1994; Humphrey, 2024). While the rise of secular populations has supported broader acceptance of diverse beliefs and expanded women’s rights in some areas, it is difficult to conclude that greater secularism automatically leads to more rights and political freedoms for women (Humphrey, 2024). Abortion is one of those controversial women’s rights issues that is an old practice but a modern right, has become the sharpest issue in almost all societies.

The influence of religion on abortion policies was mostly studied, focusing on the individual level of religiosity and church membership. Adamczyk, Kim, and Dillon (2020) show that religion is by far the most popular statistically significant predictor when examining abortion attitudes in the US. The religious affiliation is the strongest factor when

compared to other religious variables such as religious attendance, religiosity, frequency of prayer, service attendance, Jesus's teaching, and closeness to God (Adamczyk et al., 2020). One of the most commonly cited determinants of abortion policies is the affiliation with the Catholic or Protestant Church. Many studies (E.g. Cherif, 2015; Fernández, 2020; Field, 1979; Htun & Weldon, 2018; Jelen et al., 1993; Levels, Sluiter & Need, 2014; Medoff, 2002; Trent & Hoskin, 1999) find that there is a correlation between the proportion of a country's Catholic population and the strictness of its abortion law in the context of Western Europe. According to these studies, the countries with the most restrictive laws have large Catholic majorities. For example, Latin American countries, despite the increasing strength of feminist movements advocating for reproductive rights, have largely maintained restrictive abortion laws because of the resistance stems from the Roman Catholic Church and anti-abortion groups (Htun, 2003).

Abortion politics is also shaped by institutional-level secularity molded in local power relations between religious authorities and the state. In democratic countries, the existence of secular politics, democratic public space, and the principle of plurality lead religious organizations to "play the rules of democracy" (Amuchástegui et al., 2010, p. 989). Thus, the power of religious authorities over the policy-makers usually identifies the direction, conditions, and debate of the abortion policy and implementation of those policies after the adoption of the laws. This brings the idea of alliances between the state and the religious actors. When the state uses its authority to privilege particular religious actors at the expense of others, the result is a deterioration of pluralism and the ascendancy of certain religious ideologies, often characterized by patriarchal norms (Htun & Weldon, 2018). Their analysis demonstrates that the state's support for specific religious doctrines strengthens religious authority and shapes debates on women's rights and reproduction that leading to more discriminatory family laws, particularly in societies where religiosity is widespread (Htun & Weldon, 2018). For example, the Polish Catholic Church is historically prestigious and powerful in domestic politics. Thus, although politicians were aware of the women's demands for abortion rights, they avoided contradicting the pro-life stand of the Catholic Church (Heinen & Portet, 2010). The church even overpowered the power of the EU, leading to the acceptance of the cultural preservation demand of the Polish government (Heinen & Portet, 2010). In Türkiye, although abortion on request is legal, secular-religious tension led to the de facto abortion ban in public hospitals (Yurdakul et al., 2019). O'Connor and Berkman (1995) also analyze the direct and indirect impact of the church on abortion politics. Catholics have unified leadership, a hierarchical and cohesive structure, which has brought them a lobbying effect and political force that represents direct impact. However, Protestants had an indirect impact through public opinion. Similarly, in Italy, the Catholic Church led an active campaign after the liberalization of abortion in 1978 (Mazur, 2002). This led to doctors' objections to performing abortions, and mid-level administrators and locally elected councils remained powerless to intervene with the implementation of the policy (Mazur, 2002). On the contrary, at around the same time in Norway, the state-run Protestant church played a positive role when the church leaders convinced the priests who had a pro-life stance to support the liberalization of abortion (Mazur, 2002). Thus, when the religion is under the control of the state, the power relations might work in favor of pro-choice arguments.

Another important argument emphasizes the importance of the alliances between conservative right-wing parties and religious authorities. For example, in France, the Catholic Church established a strong opposition alliance with extreme right-wing parties and brought about the debate on putting some abortion restrictions in the 1970s (Robinson, 2001). A more recent example is the US's overturning of Roe in 2022, where the strategic alliance between the anti-abortion movement, Evangelicalism, and Republicanism was

extremely instrumental (Bridges & Wulff, 2024). One should also consider that the secular-religious divide does not have a definitive impact on abortion politics, as other political factors might be more influential in abortion politics. For example, the Irish conservative government, with a long tradition of religious influence and representation, formulated inclusive and liberal legislation on abortion and followed a democratic and secular path of referendum in 2018 (Bridges & Wulff, 2024).

To test the impact of religion on abortion politics, we tested the following literature-driven hypothesis:<sup>2</sup>

*H1: The higher the impact of religion on policymakers, the more likely a country is to impose restrictions on abortion.*

### *The Quality of Democracy*

Although there are some sine qua non requirements for a democratic ruling, such as free, fair, and inclusive elections and protection of civil and political rights (Dahl, 1971), one should not ignore the variation among democracies regarding the quality of democracy. As many international democracy measurements —e.g., V-Dem Institute, Polity IV, Freedom House, EIU's Democracy Index— demonstrate, respect for fundamental political and civil rights also varies within democratic countries. The quality of a democracy can be comprehensively measured by examining various indicators, including “freedom, the rule of law, vertical accountability, responsiveness, equality, participation, competition, and horizontal accountability” (Diamond & Morlino, 2004, p. 20). In reflecting on the qualities of democracy, scholars such as Schedler (1998) have spent immense efforts to specify different forms of democracy, such as electoral democracy, liberal democracy, and advanced democracy. Schedler (1998) argues that electoral democracies are semi-democracies in which free and fair elections are held, but fail to provide some political and civil liberties. Liberal democracies also provide sufficient political and civil freedoms, whereas advanced democracies are consolidated, exhibiting additional positive characteristics beyond these rights, such as institutional depth and democratic political culture (Schedler, 1998). V-Dem Institute (2025) also differentiates between liberal democracies and electoral democracies. While electoral democracies requires the characteristics such as free, fair and reoccurring elections, de facto political power for elected officials, universal suffrage, free and competitive political party formation and a reasonably level of speech, media and civil society freedoms, liberal democracies includes all these traits but further posit checks and balances between the executive, the legislature and the judiciary, and strong rule of law guaranteeing respect for civil liberties” (V-Dem Institute, 2025). Thus, when examining abortion rights in democracies, one should not treat all countries as homogenous entities having similar levels of democratic quality. Here, the main argument is that the variation in the protection of political rights and civil liberties, including women's civil society participation and women's political representation, translates into a variation in how restrictive abortion laws and policies are. Accordingly, we include three indicators of the quality of democracy in this study: political rights, women's civil society participation, and women's political participation.

As discussed, civil society is a crucial element of liberal democracies. It functions as a mechanism for a check and balance system, active citizenship and political participation, and pressure for political reforms. Democratic systems are advantageous for women mainly because they provide opportunities for mobilization, enabling them to bring women's issues

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<sup>2</sup> We also tested the right-wing party government argument; however, it was not statistically significant. Thus, we did not include it in the statistical Model.

to the political agenda (Lovenduski, 2019). Consolidation of democratic politics prepares a political environment in which civil society actors can put pressure on political actors that translates into changes in abortion laws (Htun & Weldon, 2018). However, although democracy enables improvements in the legal status of abortion, the scope of laws and the extent of restrictive measures still vary, creating different conditions for accessing abortion rights (Sutton & Vacarezza, 2021).

In democratic societies, civil society organizations in the field of women's rights have diverse characteristics, both in terms of their membership size and strength of their organizational capacity. Accordingly, studies on the impact of women's civil society organizations on abortion policy-making draw contradictory conclusions. Medaff (2002) demonstrates that in the US, a state's abortion law is influenced by the size of its advocacy group membership, such as the National Abortion Rights Action League, and the proportion of women state legislators. Stetson (2001) suggests that the women's movement played a crucial role in abortion politics in Western democracies and reached their demands on abortion policy by "opening up the process to women's participation" (p. 281). Particularly in Austria and Great Britain, the women's movements were extremely successful in shaping all debates on the abortion issue from the 70s to the 90s, and also in Canada, France, and the United States, they were very effective on if not all the most all the debates (Stetson, 2001). Levels et al. (2014) examined 20 Western European countries and showed that feminist groups were instrumental in mobilizing public awareness of abortion issues and influencing the political dynamics surrounding legal reforms. In the Netherlands, not only the NGOs within the women's movement but also a supporting women's NGO, Women on Waves (WoW), which is located outside the movement fostered the impact of the movement by having activities such as capacity building, introducing innovative methods to access abortion or providing strategic advice and advocacy (Dubel, 2025). In Latin American countries such as Uruguay or Chile, abortion rights movements became stronger with democratization, and their demands for liberalization of abortion resulted in some victories (Sutton & Vacarezza, 2021). Yishai (1993) in her comparative analysis of Sweden, Ireland, the U.S., and Israel, concluded that women's associations have failed to shape abortion policy and they have had only a marginal impact not due to a lack of organizational resources, but because their path to influence was obstructed by public ideas to which they held ambivalent commitments. Not the interest groups, but the predominant political ideology and public ideas shaped the abortion policies because public idea is the main determinant in understanding the attitudes toward women's social roles in society. However, in the formation of public ideas, the role of women's associations should be taken into consideration. According to Htun and Weldon (2018), feminist movements have frequently succeeded in bringing overlooked dimensions of gender equality into mainstream political discourse, reframing longstanding issues that had not previously been recognized as marginalizing women. Similarly, in Brazil, neither the Catholic legacy nor undemocratic practices such as blockage of public debate in the media was the reasons of the reluctance of bringing abortion rights into public discourse in Brazil, but it was more about women's movement's inability to fight for the issue of abortion rights (Miguel, 2012).

Abortion is far from being a phenomenon that "all women are for" and "all men are against". The anti-abortion movement is also popular among women (Crane, 1994; Oakley, 2003; Zacharenko, 2020). The anti-abortion movement emerged in Western countries with international influence following the liberalization of abortion policies in the United Kingdom (1967), the United States (1970–1973), and across Europe in the mid-1970s (Crane, 1994). More recently in the 21st century, the anti-abortion trends have become very influential among democratic countries, leading to backlash in abortion policies in many countries such as the US, Poland, or Brazil (Brysk, 2025). The contradicting ideas around

abortion rights lead to divisions within both women's civil society organizations and women politicians. The moral discussions on whether to protect women's self-determination rights, so-called "pro-choice" arguments, versus to protect the right of the unborn, so-called "pro-life" arguments, shape the political debates in almost all societies. This argumentative variation also makes it difficult to conclude a definitive positive or negative stand for women's civil society organizations or women in politics on the issue of abortion rights. For example, Maria Colette Caulfield, a high-level female politician and the Minister of State for Health in the U.K. until 2024, was a member of the "pro-life" group. Similarly, Roberta Metsola, who has served as the president of the European Parliament, voted against parliamentary resolutions that defend the right to abortion. This issue was also brought to the political agenda by Heidi Hautala, former Vice President of the European Parliament, warning the public about the "growing number of attempts and campaigns to reverse the progress made on enhancing women's reproductive choices" (Zacharenko, 2020, p. 4). Similarly, in the US, mass abortion attitudes were very effective in the adoption of more restrictive abortion policies as elected officials eventually had to respond to the pro-life demands of the public after 80s (Camobreco & Barnello, 2008).

A considerable number of studies show that countries with more women parliamentarians have more liberal abortion policies. Before discussing the related literature, it should be noted that, as a principle of democratic representation, issues related to women should be addressed in the platforms where women are represented adequately, whether they are pro-life or pro-choice supporters. All contemporary democracies claim to be in favor of equal political representation for men and women, but there is a certain degree of institutional resistance to the adaptation of effective measures for the inclusion of women (Lovenduski, 2019). Women's political representation is crucial for both developing arguments on women's interests and women's critical evaluation of the quality of decisions made within the elected political institutions (Celis & Childs, 2020). Otherwise, full political equality, which is a requirement for a representative democracy, cannot be reached. In democracies, there is a significant amount of variance in the level of women's political representation that will be taken as an indicator of democratic quality in this study.

Literature such as Boyle et al. (2015) suggests that "the presence of female policymakers increases the likelihood that decision-making bodies will address women's issues" (p. 906). Asal, Brown, and Figureoa (2008) or Hildebrant (2015) demonstrated that women's political representation is an important predictor of abortion laws. However, Weldon (2011) emphasized that although individual women can promote women-friendly policies, the percentage of women in the legislature does not significantly influence policy results about violence against women and women's reproductive rights. Complementing this study, Htun and Weldon (2018) demonstrate that the strength of the feminist movement has an impact on abortion laws only when acting together with women in parliament. This is a very important finding regarding the complementary role of the women's rights movement and women in politics.

Last but not least, the "idea of progress", one of the most important predictions of the Enlightenment and later modernization, faced a new challenge in the 21st century. The rise of populist nationalism has been seen as an impediment to both the quality of democracy and abortion rights. The growing emphasis on individual rights and equality clashed with traditional family and gender norms rooted in conservative and nationalist movements (Htun & Weldon, 2003). The idea of globalization also intensified national identity formation instead of promoting a sense of global citizenship due to recurring crises, inequality, democratic deficits, and precarious work (Moghadam & Kaftan, 2019). Especially right-wing populist movements tap into dissatisfaction with economic and political institutions, as well as cultural shifts, often triggering xenophobic and gendered backlash. Nationalists are



particularly eager to preserve their dominance by restricting individual freedoms and promoting traditional gender roles (Brysk, 2025). Among the key threats to these traditional gender roles — particularly those that define women primarily as mothers — is abortion, making the control of reproduction a central element of nationalist and populist agendas. The populist nationalist countries take a pro-natalist stand, aiming to strengthen the family, valorizing women's roles as mothers and thus "calling on women to have more children "for the sake of the nation" (Moghadam & Kaftan, 2019, p. 7). These ideas also shape citizens' attitudes and demands for more restrictive abortion laws, as Brysk & Yang (2023) demonstrate a strong relationship between ethnonational identities and distrust of foreigners and people's disapproval of abortion. Thus, in countries such as Poland and Brazil, where authoritarian populist nationalism is on the rise, we observe some regression of abortion laws (Brysk, 2025).

We derived the following hypothesis in light of the above literature discussion:

*H2: The higher the quality of democracy in a country, the less likely it is to impose restrictions on abortion.*

### *The Influence of Internationalization*

In analyzing the determinants of the restrictions on abortion in democratic countries, in some cases, it is observed that international institutions, international law, and international public pressure are more effective than national laws and national courts. World culture theory is a cultural interpretation of globalization, arguing that cultures spread, mix, and take a new form called global culture. Therefore, they become more alike and go beyond the economic explanations of globalization. Using this theoretical framework, Ramirez and McEneaney (1997) demonstrate that abortion laws are deeply influenced by world models of progress and justice, which are shaped by and transmitted through international organizations, social movements, and certified expertise. In this context, Cole (1993) explained that national isolationism is impossible "even on an issue as strongly felt as abortion" (p. 115). Levels et al (2014) address the policy diffusion of abortion laws by explaining how other countries' legal developments influence the lawmakers' decisions on abortion policies.

International treaties can influence domestic public policies by reshaping national policy agendas, providing grounds for litigation, and mobilizing citizens to demand their rights (Simmons, 2009). Thus, international legal frameworks can be used by feminist movements to put pressure on national governments (Weldon & Htun, 2013). National policies are strongly affected by transnational networks of supporters and opponents who engage in cross-border contests to influence national policies, even though global institutions promote rights through pushing for national laws and practices (Brysk, 2025). However, there is a risk of ineffective implementation and symbolic treaty ratification, particularly when the country lacks strong local feminist mobilization (Weldon & Htun, 2013). In addition, Simmons (2009) argues that the presence of a strongly religious government impedes the liberalizing impact of the main international legal framework, CEDAW, on reproductive policies. Including some risks, women's rights treaties have facilitated abortion reform through the establishment of cross-national policy learning platforms that enhance the political leverage of pro-choice advocates at the national level (Fernández, 2020). However, Brysk (2025) argues that although the development of global rights norms leads to improvement of abortion rights for 20th century, the 21st century faced challenges to global rights norms because, in less democratic contexts or during times of national insecurity, decentralization may be more appealing to the elites to shape collective identity and strengthen their grip on power. This argument stands in contrast to claims that national policy changes accelerate

once international norms become sufficiently widespread (Weldon & Htun, 2013). Even though the CEDAW reached its tipping point, there are some backward trends in abortion policies.

The literature usually tested the influence of international politics by analyzing the impact of CEDAW ratification (E.g., Asal et al., 2008; Boyle et al., 2015; Htun & Weldon, 2018). However, none of the studies could find any statistically significant impact of the ratification of CEDAW on the adoption of abortion policies. Htun and Weldon (2018) interpret this finding as a consequence of the lack of attention to the abortion issue in the text of CEDAW. Simmons (2009) contributes to the literature by arguing that the ratification of CEDAW leads to a substantial difference in access to reproductive policy only in secular states. Hunt and Gruszczynski (2019) also challenge the previous findings and question whether a more comprehensive multidimensional measurement of CEDAW, including indicators of reservation status and the Optional Protocol, would demonstrate an impact on abortion laws. They concluded that countries fully committed to the CEDAW tend to adopt more liberal abortion laws (Hunt & Gruszczynski, 2019).

This controversy in literature led us to apply the internationalization argument to European countries, as they are highly affected by the policies of the European Union (EU). Although the level of restrictions varies from country to country, almost all European countries allow abortion within a certain number of weeks, ranging from 18-24 weeks of pregnancy (Center for Reproductive Rights, 2024). According to Fiala et al. (2022), the national differences in legislation continue to decrease in the EU and neighboring countries. This is due to two important powers that the EU imposes on the member governments: First, its power to regulate the member states' domestic economies, and second, the power to homogenize, converge, and integrate national political structures and laws (Walby, 2004). For example, Pullan and Gannon (2024) demonstrated that in a Catholic country like Italy, the influence of European policy norms on abortion legislation was significantly stronger than that of Catholic norms. From this point of view, the European Parliament has a unique legislative power over the national governments in comparison to other interregional parliaments (Cofelice & Stravridis, 2014). Regarding the EU's influence on abortion policies, it is also important to refer to the increasing role of the European Court of Human Rights (Bloomer et al., 2018; Fabbrini, 2011). As a very recent development on April 11, 2024, the right to abortion was included in the EU Charter of Fundamental Rights.

Based on the preceding discussion of the literature on internationalization of women's rights norms, we formulate the following hypothesis:

*H3: The more a country is committed to international women's rights norms, the less likely it is to impose restrictions on abortion.*

## Methods and Data

Initially, the sample of this study was 84 countries that are listed as free countries in the Freedom in the World Database (Freedom House, 2024a). However, because of missing data in our independent variables, we needed to drop 21 countries<sup>3</sup> from the sample. These countries are mostly the least populated in the world. Thus, in the end, 63 democratic countries are included in the analyses of this study.

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<sup>3</sup> These countries are: Andorra, Antigua and Barbuda, Belize, Dominica, Grenada, Kiribati, Liechtenstein, Marshall Islands, Micronesia, Monaco, Nauru, Northern Cyprus, Palau, Samoa, San Marino, St. Kitts and Nevis, St. Lucia, St. Vincent and the Grenadines, The Bahamas, Tonga, Tuvalu.

We used the most recent data to measure the dependent variable of this study from the Center for Reproductive Rights’ data on Abortion Laws (Center for Reproductive Rights, 2024). The measurement is an ordinal scale that ranges as follows;

- 0: Prohibited altogether/ varies state level
- 1: To save a person's life
- 2: To preserve health
- 3: Broad social or economic grounds
- 4: On request (Center for Reproductive Rights, 2024)

We run ordered logistic analysis to identify the statistically significant political factors in determining abortion laws in democratic countries because it is one of the most suitable types of statistical analysis used for predicting an ordinal dependent variable. The “rule of thumb” for including the maximum number of independent variables is around 10 to 20 cases per covariate to avoid an overfit model (Stoltzfus, 2011). Thus, we run three sets of models, one testing religion variables, one testing quality of democracy arguments, and one testing internationalization of women’s rights, each accommodating two to four independent variables due to the availability of 63 cases. After running these models, we run a final model that includes all statistically significant variables from the previous models to see the robustness of the results and to identify the magnitude of the effect between significant variables.

**Table 1. Data Sources and Range of the Variables.**

Variable	Data Source /Year	Min-Max
DV: Abortion laws	Center for Reproductive Rights/ 2024	0 - 4
Religious consultation	V-Dem / 2023	-456 - 2846
Catholic population	CIA Factbook/2024	.15 - 97.6
Political Rights Index	Freedom House/2024	28 - 40
CSO women’s participation	V-Dem / 2023	188 - 2592
Women’s representation	IPU/ 2024	2 - 50
Nationalism	The Economist's Nationalism and Corruption Data/2022	0 - 1
EU membership	Authors’ own/2024	0 - 1
CEDAW	WomanStats/2022	0 - 3

We gathered the most recent data from seven different international databases (See Table 1). There are eight variables included in our statistical models. First of all, to test the impact of religion on abortion laws, we used two indicators. First, the variable of religious consultation was gathered from the V-Dem Database for the latest available year, which is 2023 (Coppedge et al., 2024a). This variable was measured as an answer to the question that “Are major religious organizations routinely consulted by policymakers on policies relevant to their members? (Coppedge et. al., 2024b). It is an interval variable converted by the measurement model by the V-Dem, in which the higher numbers mean higher levels of consultation of policymakers with religious organizations. Second, the data on the percentage of the catholic population in a country was mostly gathered from the CIA World Factbook (CIA, 2024). Some of the data did not present the precise percentages for the catholic denomination; in these cases, we gathered the information from the Hierarchy of the Catholic Church (2024).<sup>4</sup>

<sup>4</sup> These countries are: Botswana, Bulgaria, Canada, Denmark, Estonia, Finland, Greece, Japan, Namibia, South Africa, Sweden, United Kingdom. The CIA Factbook did not have precise information on the percentage of the Catholic population

The second set of variables is used as indicators of democratic quality. We used the Political Rights Index of Freedom House to measure the level of political rights in democratic countries, including indicators on the electoral process, political pluralism, and participation and functioning of government (Freedom House, 2024b). This variable's scores range from 28 to 40 for 2024, as all of these countries are democratic countries (Freedom House, 2024a). The second variable measures women's civil society participation, and the data is gathered from the V-Dem Database. It is operationalized as a response to the question "Are women prevented from participating in civil society organizations (CSOs)?" (Coppedge et al., 2024b). It is an interval variable in which smaller numbers mean "almost always prevented" and higher numbers mean "almost never prevented" (Coppedge et al., 2024b). Third, women's political representation is measured as the percentage of women in parliaments for September 2024, gathered from the Inter-Parliamentary Union Database (IPU, 2024). Fourth, we used the Economist's Nationalism and Corruption Data (The Economist, 2023) to measure the government's reliance on nationalist ideology for legitimacy.<sup>5</sup> This data relies on information provided by experts and presents the percentage of experts who agreed that the ideology of the country is nationalist. The variable is a normalized interval variable ranging from "0": no experts coded this country as nationalist, to "1": all experts coded as nationalist.

The third set of variables is designed to measure the impact of the internationalization of women's rights. The variable of EU membership is coded as a dummy variable in which EU members are coded as "1" and all other countries are coded as "0". In the sample, 26 countries<sup>6</sup> are members of the EU. As the second indicator of internationalization, we used the scale of Formal Commitment to CEDAW, which was originally developed by Ertan (2016) but updated and extended for the Womanstats Database in 2022. The scale is based on three dimensions, including ratification of CEDAW, ratification of the Optional Protocol, and existence of reservations. It is a four-point ordinal measurement ranging from "0" Ratified CEDAW, no reservation, ratified the Optional Protocol to "3" Did not ratify CEDAW (Womanstats, 2022).

## Analysis and Discussion

Table 2 presents ordinal logistic regression analyses of the factors affecting abortion law restrictions in democratic countries. We also tested whether each of our models violated the multicollinearity assumption of the regression analysis. The mean VIF values for each model are smaller than 1.20, which is lower than the conservative VIF threshold score of 2.5. This result ensures that none of our models violates the multicollinearity assumption.

In Model 1, we tested the impact of two religion variables: religious consultation by policy makers and the percentage of the Catholic population. Religious consultation has a statistically significant negative coefficient, demonstrating that religious consultation is likely to increase restrictions on abortion in democracies. We could not confirm the previous empirical evidence about the impact of the catholic population on abortion laws (E.g., Cherif, 2015; Jelen et al., 1993; Medoff, 2002; Trent & Hoskin, 1999). Although the effect of the Catholic Church might be visible in previous single case studies or in some countries such as the US, the Catholic religion does not play an important role in determining abortion law restrictions when having a cross-national study of only democratic societies. This may lend

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for the cases of Israel (1.90%), Italy (80.80%), Luxembourg (70.60%), and Mongolia (1.30%). For these four countries, we used the percentage of the Christian population in the country.

<sup>5</sup> V-Dem's binary nationalism measurement was also tested as an alternative to this measurement but it also became statistically insignificant. Thus, we opted for this measurement due to its more complex design.

<sup>6</sup> Hungary is not included in the sample as it is not listed as a free country in Freedom in the World Database.

support to the literature suggesting that it is not religious denomination per se that determines abortion policy, but rather the integration of religious norms into politics - through mechanisms such as religious parties (Yurdakul et al., 2019), strategic alliances between religious organizations and conservative or right-wing parties (Bridges & Wulff, 2024; Robinson, 2001), the political lobbying power of the Catholic Church (O'Connor & Berkman, 1995), or governmental support for religious doctrine (Htun & Weldon, 2018). In this study, supporting this line of literature, we argue that secularity rather than Catholic denomination matters in shaping abortion politics. Although we know that there is a strict rejection of the decriminalization of abortion by the Catholic church, the impact of religious organizations on the state and how policymakers interact with religious leaders seems to be more compelling in our analyses. The effect of secularity is also robust in Model 4, supporting previous studies such as Minkenberg (2002), who also demonstrated a strong impact of the separation of church and state on abortion policy.

**Table 2. Ordinal Logistic Regression Models to Determine Abortion Laws in Democratic Countries.**

	<b>Model 1 Secularization</b>	<b>Model 2 Quality of Democracy</b>	<b>Model 3 Internationalizatio n</b>	<b>Model 4 All Significant Factors</b>
<b>Religious consultation</b>	-0.298** (-2.15)			-0.182* (-1.71)
<b>Catholic %</b>	0.088 (0.63)			
<b>Political rights</b>		0.447*** (3.21)		0.310*** (2.64)
<b>CSO women's participation</b>		-0.115 (-0.79)		
<b>Women's representation</b>		0.134 (1.04)		
<b>Nationalism</b>		-0.152 (-1.00)		
<b>EU membership</b>			0.569*** (3.20)	0.482*** (2.95)
<b>CEDAW</b>			-0.128 (-1.05)	
<b>N</b>	63	62	61	63
<b>Pseudo R-sq</b>	0.0336	0.1399	0.1422	0.2147

Note: Fully standardized coefficients, z statistics in parentheses, \*  $p < 0.10$ , \*\*  $p < 0.05$ , \*\*\*  $p < 0.01$

Model 2 tests the impact of different indicators of the quality of democracy on abortion laws in democracies. There is only one variable that has a statistically significant positive coefficient: Political rights. Higher levels of political rights are strongly associated with fewer restrictions on abortion, controlling for all other variables. This confirms our expectations that the variance in the quality of democracy would also translate into a variance in abortion laws, as only providing minimal requirements of democratic ruling is not a sufficient condition for liberalization of abortion laws. Instead, the consolidation of democratic ruling not only by expanding political freedoms but also by providing further democratic deepening seems to be very important for abortion laws in democracies.

In this study, we have some limitations in the measurement of women's movement as operationalized by the women's civil society participation, which was the only available data on women's movement cross-nationally. Although in Model 2, we did not find a statistically significant association between the variable of women's civil society participation and abortion laws, we are still cautious about completely rejecting the hypothesis on this issue. We argue that the pure existence or strength of women's civil society participation does not bring success in the liberalization of abortion law. The characteristics of the women's movement (Stetson, 2001), the level of unification around the issue, as well as the level of priority to the debate, are also important determinants of the success of the women's movement (Mazur, 2005). Moreover, the critical alliances that the women's movement builds with left parties and women's policy agencies are important factors (Mazur, 2005). Moreover, one should also keep in mind that there are very strong women's civil society organizations that are a part of the pro-life movement. Thus, future research aiming to focus on this issue might develop a more comprehensive cross-national measurement of the concept of women's movement, considering also the strengths of pro-life or pro-choice stands.

In Model 2, we did not find any statistically significant impact on women's representation in parliaments, contradicting the findings of previous studies such as Asal et al. (2008) or Hildebrandt (2015). Although women's political participation might be important for women's human rights achievements, the issue of abortion is a more complex phenomenon where some women politicians also support the pro-life stand. Thus, we argue that women's descriptive representation alone does not lead to more liberal abortion laws in democratic countries. In the Model, we also tested the impact of nationalist ideology argued by some scholars (E.g., Brysk, 2025) as an important negative factor in determining recent anti-abortion trends in the world. We did not find any significant impact of nationalist ideology on abortion laws in democracies. Again, we are cautious about interpreting this finding as an absolute rejection of the nationalist/populist thesis because if a better and more comprehensive measurement of nationalist and populist tendencies is developed, different results can be obtained.

We tested the impact of internationalization on abortion laws in Model 3. We used two literature-driven variables: EU membership and formal commitment to CEDAW. Our findings lend some support to the studies of Asal et al. (2008), Boyle et al. (2015), and Htun and Weldon (2018), none of which found any significant impact of ratification of CEDAW on abortion laws. Although we used a comprehensive measurement of formal commitment to CEDAW as suggested by Hunt and Gruszczynski (2019), for democratic countries, we did not find any significant impact of CEDAW. Instead, membership in a unique supranational organization—the EU—which possesses significant legislative power over its members and is committed to gender equality and women's rights, appears to create favorable conditions for the liberalization of abortion rights in member states. Thus, we confirmed our hypothesis on internationalization only for the EU membership indicator.

Model 4 includes all the statistically significant independent variables from the previous models. This Model is important both to see the robustness of previous Models and to

identify the most important determinant of abortion laws. The model presents a statistically robust impact of all three factors: EU membership, religious consultation, and political rights. In comparison to other variables, secularity measured by religious consultation has the smallest coefficient, demonstrating that it has the lowest impact on abortion laws in democracies. The membership in the EU has the largest impact, as seen from the highly statistically significant coefficient value of 0.482. This result is well grounded as the European Parliament has a clear stand in favor of the bodily autonomy of women and full and universal access to reproduction rights. It is a very powerful supranational body that has a certain degree of legislative power over the member states. Lastly, we argue that democracies vary in their quality, identified by the implementation of political rights and civil liberties. Thus, the level of political rights as the main indicator of democratic quality, measured by their levels of electoral process, political pluralism, and participation and functioning of government, seems to be a second important predictor for a democratic country's adoption of less restrictive abortion laws.

### Conclusion

The main aim of this study is to analyze the political factors that explain variation in abortion laws across democratic countries, using the political development pillar of modernization theory as the basis for the analytical framework. The substantial body of literature focusing on the liberalization of abortion laws in democratic countries is designed as single case studies or small-N comparisons. Large-N cross-national empirical studies, including both democratic and undemocratic societies together, on determining abortion laws suggested the importance of different factors such as economic development, women's political representation, or the Catholic population. This study contributes to the literature by specifically examining the role of political development arguments within modernization theory in shaping abortion politics in democracies.

The empirical analyses of this study suggest that the political development of democratic societies—measured by indicators such as EU membership, stronger political rights, and lower levels of religious consultation—is a key determinant of abortion laws in democratic countries. Our first hypothesis focused on the impact of religion on policymakers. The substantial body of literature suggests that religion, particularly the Catholic denomination, has an important impact on abortion laws. However, our study concluded that instead of the Catholic denomination, the level of secularity identifies the adoption of more restrictive abortion laws. Since not only the Catholic Church but also other Christian denominations such as Orthodox, Evangelical, and Mormon groups, as well as other major religions like Judaism and Islam, oppose abortion on demand to varying degrees, the level of influence that religious organizations have on policymaking appears to be a more compelling explanation than religious denomination alone.

Second, we examined variations in the quality of democracy, acknowledging that not all democracies are equal in this regard. Among several indicators of democratic quality—such as women's participation in civil society, women's political representation, and nationalist-populist tendencies—only the level of political rights emerged as a significant factor. This finding highlights that not only guaranteeing the minimal requirements of democratic rule but also consolidating democratic norms is crucial for the liberalization of abortion laws. This finding supports arguments that view reproductive freedoms, including abortion, as both a predictor and a catalyst for democracy, as they are closely linked to individual liberties, personal safety, bodily autonomy, and equal treatment for all citizens (Brysk, 2025). Abortion legalization and access have been perceived as a democratic claim that can be linked to demands such as social justice and human rights (Sutton & Vacarezza, 2021). Thus,

one can argue that the quality of democratic rule and abortion rights have a mutually reinforcing relationship.

Questioning the countries' commitment to international women's rights norms, this study tested the impact of EU membership and formal commitment to CEDAW. While formal commitment to CEDAW did not appear to be a statistically important factor, the EU membership was the most important determinant of abortion laws in democracies. At the regional level, the EU applies its power to member governments using the means of both economic regulations and the processes of policy convergence and homogenization (Walby, 2004). As a result, we see a policy convergence on the policy issue of abortion among the EU countries, leading us to find a very significant impact of EU membership.

### ORCID

**Senem Ertan** 0000-0002-3299-1596

**Seval Yaman** 0000-0002-9451-3602

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