



## 2018 Midterm Elections: Mixed Outcomes for Abortion Ballot Initiatives

While Americans are focused on the legislative and gubernatorial outcomes of Tuesday's midterm elections, there are some notable ballot initiatives that have not garnered much attention, specifically those related to abortion. Both West Virginia and Alabama adopted initiatives that restrict abortions, the [Daily Caller reports](#), while Oregon voters rejected a proposal that would have cut public funding to abortions.

In West Virginia, voters adopted Amendment 1, which adds the following provision to the state's constitution: "Nothing in this Constitution secures or protects a right to abortion or requires the funding of abortion."

West Virginia has a law that restricts Medicaid funding for abortion, but it is not currently in effect as a result of federal and state court rulings that found it unconstitutional. CNN reports that the amendment prohibits use of Medicaid funds to pay for abortions.

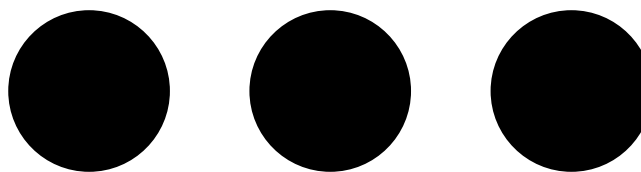
West Virginia's amendment passed by a vote of 51.7 percent to 48.3 percent.

It's worth mentioning that self-professed "pro-life" Democratic Senator Joe Manchin retained his seat in Tuesday's elections. But despite claiming to be pro-life, Manchin was opposed to the ballot initiative that passed. He argued that his opposition rested with the fact that it did not carve out exceptions in cases of rape, incest, or endangerment of the life of the mother. LifeSite News criticized Manchin's reasoning, however, noting, "Manchin's litmus test is a curious one, as the amendment doesn't ban any abortions for any reason, and in fact doesn't even challenge *Roe v. Wade*; it simply declares that the state constitution leaves the question to the voters and the legislature."

Alabama voters adopted Statewide Amendment 2, which is similar to West Virginia's Amendment 1. Amendment 2 affirms "It is the public policy of this state to recognize and support the sanctity of unborn life and the rights of unborn children, most importantly the right to life in all manners and measures appropriate and lawful."

Like West Virginia's Amendment 1, Alabama's Amendment 2 declares that "the constitution of this state does not protect the right to abortion or require the funding of an abortion."

Alabama's ballot initiative passed by a more significant margin, 59.8 percent to 40.5 percent, the *New*





Written by [Raven Clabough](#) on November 7, 2018

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*York Times* reports. Interestingly, the state's Republican Governor Kay Ivey retained her seat by nearly the exact same margins.

Voters in Alabama also supported a measure that would allow displays of the Ten Commandments in schools and on public property, though it prohibits the use of public funds to defend the displays when legal challenges arise. That measure passed 71.6 percent to 28.4 percent, the *New York Times* reports.

As noted by the *Daily Caller*, the amendments are significant in that they would become effective in the event that *Roe v. Wade* is overturned. The Guttmacher Institute reports that Alabama, Arizona, Arkansas, Michigan, Mississippi, New Mexico, West Virginia, and Oklahoma also have laws that ban abortion if *Roe v. Wade* was overturned. Louisiana, North and South Dakota, and Mississippi have constitutional statutes that would also make abortion illegal if ever *Roe v. Wade* was overturned.

But while West Virginia and Alabama celebrate pro-life victories, residents in Oregon rejected a measure that would have barred public funding for abortion. The measure carved out exceptions only in cases of rape, incest, or when the mother's life is in danger. It also sought to prevent public employees from receiving abortion coverage under their health-insurance plans. That measure failed 64.2 percent to 35.8 percent.

According to Oregon Public Broadcasting (OPB), opponents of the measure launched a "well-funded campaign — largely financed by Planned Parenthood affiliates from around the country — that argued that Measure 106 was a backdoor effort to deny access to abortion for low-income women."

Oregon's largest anti-abortion group, Oregon Right to Life, steered clear of the Yes on 106 campaign and did not provide funding, noting that voters have rejected similar measures in 1978 and 1986. The group felt it was a better use of funding to focus instead on legislative races, OPB wrote.

Oregon has long been regarded as a "bastion" of abortion rights in the United States. Just last year, the state's Democratic Governor Kate Brown, who won reelection on Tuesday night, signed a law that requires health insurers to provide abortion services to patients at no charge.

OPB reports that in the last year, approximately 3,600 women in Oregon had abortions paid for by the state, costing Oregon taxpayers \$2 million.



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