

The roe v. wade abortion issue

Law



The Roe v. Wade case originated in the state of Texas in 1970 at the suggestion of Sarah Weddington an Austin attorney. Norma McCorvey otherwise known as Jane Roe was an unmarried pregnant woman seeking to overturn the anti-abortion law in the state of Texas. The lawsuit claimed that the statute was unconstitutionally vague and abridged privacy rights of pregnant women guaranteed by the first, fourth, fifth, ninth, and fourteenth amendments to the constitution.

The Roe decision sparked nationwide protest, including a massive letter-writing campaign to the Supreme Court. Many Americans, including many Catholics and evangelical Protestants, believe that abortion is morally equivalent to infanticide. Others believe that life begins upon conception, and thus the right to life of the fetus trumps any other rights. Widespread protest over the decision resulted in the creation of the pro-life Movement, which organized large protest rallies outside the Supreme Court. Pro-life protesters frequently picket abortion clinics, distribute literature and other forms of persuasion to women considering abortion, and have promoted adoption efforts to steer women away from abortion. More extreme variants of the movement have also developed; abortion doctors have been the targets of harassment and even murder by individuals who claim that by taking the life of an abortion doctor they are actually saving the lives of many fetuses. However, anti-abortion activists who advocate or practice violence are consistently denounced by virtually all prominent pro-life groups. Some abortion opponents have claimed that there exists a link between abortion and breast cancer, and Texas has enacted a law requiring literature advancing this theory be distributed to women considering

abortion; more credibly, abortion has been linked to persistent guilt feelings and other psychological problems, and to a higher risk of future infertility. Every year on the anniversary of the decision, protesters continue to demonstrate outside the Supreme Court Building in Washington, D. C.

On January 22, 1973 the court issued its opinion with a 7-2 majority voting to strike down the Texas law. State laws outlawing abortion were set aside by the court, permitting abortions during the first three months of pregnancy and setting standards for regulations after that time to safeguard the women's health. The Supreme Court declared all but the least restrictive state statutes unconstitutional. Noting that early abortions had become safer than childbirth and reasoning that the word person "in the constitution does not include the unborn. " The Court did determine that a " right of privacy," which included " a woman's decision whether or not to terminate her pregnancy," was implied by the rights granted in the Constitutional Amendments, the Court also noted that " arguments that Texas either has no valid interest at all in regulating the abortion decision, or no interest strong enough to support any limitation upon the woman's sole determination, are unpersuasive." The Court declared, " We, therefore, conclude that the right of personal privacy includes the abortion decision, but that this right is not unqualified and must be considered against important state interests in regulation."

The court also noted that if a fetus was defined as a person "for purposes of the fourteenth amendment then the fetus would have a specific right to life under the amendment. The original intent of the constitution up to the enactment of the fourteenth amendment in 1868 did not include the unborn.

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(http://en.wikipedia.org/wiki/Roe_v._Wade) In an interesting turn of events, “Jane Roe,” whose real name is Norma McCorvey, became a member of the pro-life movement following her conversion to Christianity, and now fights to make abortion illegal. In a press conference held on January 18, 2005, McCorvey claimed that she was the “pawn” of the ambitious Weddington, who was looking for a plaintiff to challenge the Texas state law prohibiting abortion. Using her prerogative as a party to the original litigation, she sought to reopen the case in a U. S. District Court in Texas and have it overturned. Her new stance is based on claims made since the decision, including evidence of emotional and other harm suffered by many women who have had abortions, increased resources for the care of unwanted children, and additional evidence of the humanity of the fetus. On June 19, 2003, Judge David Godbey ruled that the motion was not made within a “reasonable time.” On February 22, 2005, the Supreme Court refused to grant a writ of certiorari, ending McCorvey’s appeal.

When it comes to Roe v. Wade it has affected all women and all men in many ways. It has separated our country in those who are pro-lif and those who are pro-choic. I as a single woman feel that it is my right to choose what happens with my body. I do not believe that a man or another woman should have the right to say what happens to my body or to anyone els™s. I also believe that the religious right has blown this argument way out of context. They believe that it’s a matter of character and of sin, where as I am a believer that no woman should be told what she can do with her body. I believe that if Roe v. Wade were to be overturned, America would suffer many deaths due to illegal back door abortions. It will also cause a flood of unwanted children

being put up for adoption as if their aren't enough as it is. So instead of just having an unborn fetus you will surely have the mothers die too.