

Roe v. wade

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IMPACT OF ROE V WADE RULING ON WOMEN'S MOVEMENT Roe v Wade is a landmark ruling made by the supreme court of the United States regarding the legality of abortion. The court ruled that women had a right to privacy under the due process clause of the 14th amendment to a woman's decision to have abortion, but that the right must be balanced between the state's two legitimate interests in regulating abortion: protecting prenatal health and protecting women's health. Although the ruling did not have great influence on the pregnancy of Roe's pregnancy as it came after natural termination of her pregnancy, the ruling reshaped the course of American politics and that of Women's Movement.

To begin with, the ruling gave women the permission to have safe abortion on three grounds based on the stage of pregnancy. The ruling stated that during the first trimester of pregnancy, the decision to procure abortion remained with the pregnant woman's doctor. On the other hand, during the second trimester, states would regulate abortion procedures by promoting their interests in the health of the mother, while during the third trimester, states would promote their interests regarding the potentiality of human life, and would thus be able to prohibit abortion, lest the mother's life is in grave danger.

The ruling had massive implication on the rights of women in the United States. As Nation Unies (2001) observes on their article on Abortion Policies, the right-to-life movement which initially was dormant, got an immediate rejuvenation with the ruling. The movement thereafter began a campaign that whose aim was to create as many legal barriers to abortion as possible. On the other hand, the abortion rights movement mounted a massive campaign for safe and legal abortion.

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Unah (2010) notes that the Roe v Wade ruling did actually empower the American women. In addition, he notes that it helped fuel feminist movements across the country and significantly helped solidify the social standing of women across America. Furthermore, a number of scholars are of the agreement that banning of abortion would be contradicting the Thirteenth Amendment, and that this would subject women to involuntary pregnancies.

The ruling also stirred controversies between those who were pro-abortion and those who were against it. Faux (2001) notes that questions arose regarding the actual intention of the ruling, on why fetus at 28 weeks were considered more valuable than at 10 weeks, if the sole intention was to protect potential life. With the issue of viability still raging, feminists have been relentlessly fighting for a court ruling that will permanently secure the full right to abortion. On the contrary, the anti-abortionists have also kept their fight, although with minimal gains on Roe's ruling.

Over the years, a war has been raging between the pro-abortionists and the anti-abortionist with frequent court and political battles concerning the nature and meaning of the constitutional protection offered by the Roe v Wade ruling. That notwithstanding, the ruling offered a stepping stone for the advancement of the rights of women with regards to pregnancy.

References

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