



Timeline of Abortion Laws in the United States

Timeline of Abortion Laws in the United States

- At first, according to common law tradition carried over in the United States from England, abortion before “quickening,” (or when the fetus’s movements could be felt) was not a crime.
- 1821: Connecticut adopted a portion of a British law and passed the first US law banning abortion after quickening.
- 1868: Twenty states (out of thirty-seven) restricted abortion.
- 1950: Almost every state banned all abortions except when necessary to save the woman’s life.
- 1967: With the Women’s Rights movement, ideas about abortion start to change. Beginning in Colorado, thirteen states opened access to abortion.
- 1971: A Texas woman, using the name Jane Roe, challenged her state law and her case eventually went to the Supreme Court.
- January 22, 1973: In *Roe v. Wade*, the U.S. Supreme Court, in a 7-2 decision, affirms the legality of a woman's right to have an abortion under the Fourteenth amendment to the Constitution. The ruling allows for legal abortions during the entire pregnancy, but set up conditions to allow states to regulate abortion during the second and third trimesters. The Court held that a woman's right to an abortion fell within the right to privacy, recognized in *Griswold v. Connecticut*.
- 1973 Until Today: The decision in *Roe v. Wade* continues to be one of the most controversial the Court has ever issued. Demonstrations are held on the anniversary of the decision. Protesters have argued that abortion should be restricted to minors, in later stages of the pregnancy, when the mother’s life is not in danger, when the baby is able to feel pain, etc.

Question

In his dissent, Justice White wrote, “The Court apparently values the convenience of the pregnant mother more than the continued existence and development of the life or potential life that she carries. ... I find no constitutional warrant for imposing such an order of priorities on the people and legislatures of the States.” Do you agree? Why or why not?