Mike Spinrad/AP Gov

Roe v Wade

The following questions are directed to the students:

1. What was the situation in Texas before the ruling. What was the Supreme Court ruling?
2. What would be moral reasons to agree with the ruling?
3. What would be moral reasons to disagree with the ruling?
4. Did the Supreme Court use these arguments? What was the Supreme Court ruling based on?

Here is a summary of the court’s ruling: https://www.oyez.org/cases/1971/70-18

The Court held (7-2) that a woman's right to an abortion fell within the right to privacy (recognized in Griswold v. Connecticut) protected by the Fourteenth Amendment. The decision gave a woman total autonomy over the pregnancy during the first trimester and defined different levels of state interest for the second and third trimesters. As a result, the laws of 46 states were affected by the Court's ruling.

Rehnquist, in dissent, argued that abortion is not a private act, privacy is not explicitly mentioned in the Constitution, and that strict scrutiny was inappropriately applied in this case.

**Task**: Take a position on right to privacy, either the majority view or Rehnquist’s view, and find a partner with the opposite view. Interview your partner, and tell the class why your partner disagrees with you. After you hear three of these summaries, you will right up “Roe and Right to Privacy” and turn it in.

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