

Roe v. Wade 410 U.S. 113 (1973) - Exploring the 50 Most Cited Cases

The Supreme Court case Roe v. Wade, decided on January 22, 1973, is not only one of the most well-known cases in U.S. history but also one of the most influential. With its groundbreaking decision on the issue of abortion, it continues to shape the legal landscape and spark debates even after almost five decades. In this article, we will delve into the origins, significance, and ongoing impact of Roe v. Wade, exploring why it ranks among the 50 most cited cases in legal literature.

The Origins of Roe v. Wade

Roe v. Wade originated from a lawsuit filed in Texas by a woman identified as Jane Roe, whose real name was Norma McCorvey. At the time, Texas law criminalized abortions except to save the life of the mother. McCorvey, a young pregnant woman, sought an abortion but was denied under the state's restrictive laws. Along with her lawyers, she decided to challenge the constitutionality of the Texas abortion laws.

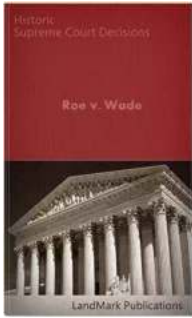
When the case reached the Supreme Court, it attracted nationwide attention as it raised fundamental questions about a woman's right to privacy, bodily autonomy, and reproductive freedom. Beyond the individual rights at stake, Roe v. Wade also became a symbol of the larger struggle for women's equality and control over their bodies.

Roe v. Wade, 410 U.S. 113 (1973) (50 Most Cited Cases)

by LandMark Publications(Kindle Edition)

★★★★★ 5 out of 5

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Enhanced typesetting	: Enabled
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The Historical Decision

In a 7-2 decision, the Supreme Court ruled in favor of Roe. The Court recognized that a woman's right to choose to have an abortion was protected under the Due Process Clause of the Fourteenth Amendment, which guarantees certain fundamental liberties. This landmark decision established that the right to privacy encompasses a woman's decision to terminate her pregnancy.

The Court's opinion, written by Justice Harry Blackmun, acknowledged that the right to abortion is not absolute and must be balanced against the state's interest in protecting the potentiality of human life. The Court outlined a framework that divided a pregnancy into three trimesters, granting different levels of protection to the woman's rights and the state's interests as the pregnancy progresses.

The Impact and Ongoing Debates

Since its ruling in 1973, Roe v. Wade has had a profound impact on American society, politics, and law. It has often been a flashpoint in political and ideological debates, shaping the discourse on reproductive rights and personal autonomy.

The case has been extensively cited in legal literature, making it one of the 50 most cited cases in the history of the Supreme Court. Its citation frequency speaks to its continued relevance and the ongoing legal battles surrounding abortion rights. Scholars, policymakers, and lawyers frequently reference *Roe v. Wade* to support or challenge various abortion-related laws and regulations.

The Controversies and Challenges

However, *Roe v. Wade* has faced numerous challenges over the years. Critics argue that the decision went beyond the Constitution and encroached on states' rights to regulate abortions. This criticism has led to continuous efforts to limit or overturn the ruling, with proponents of stricter abortion regulations advocating for more conservative appointments to the Supreme Court in hopes of shifting its stance.

Various states have passed laws imposing restrictions on abortion, such as mandatory waiting periods, ultrasounds, and parental consent for minors seeking abortions. These measures often challenge the boundaries set by *Roe v. Wade* and serve as litmus tests for its enduring legal authority.

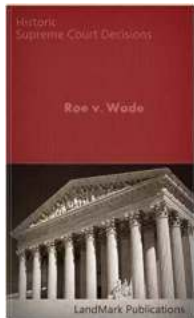
The Future of *Roe v. Wade*

The future of *Roe v. Wade* remains uncertain, especially with the recent appointment of conservative justices to the Supreme Court. Proponents of reproductive rights fear that the Court could gradually erode or even overturn the decision, leading to a potential rollback of abortion access.

To ensure its longevity, proponents of reproductive freedom advocate for legislation that codifies the principles established in *Roe v. Wade* into federal law. Such legislative measures aim to safeguard a woman's right to

choose, regardless of any potential changes to the Supreme Court's composition.

Roe v. Wade, the landmark Supreme Court case of 1973, continues to be a highly influential and frequently cited case in legal literature. Its recognition of a woman's right to choose remains a contentious issue, shaping political debates and the ongoing struggles for reproductive freedom in the United States. Regardless of its future, Roe v. Wade will always be seen as a pivotal moment in the fight for women's rights and a testament to the power of judicial decisions in shaping our society.



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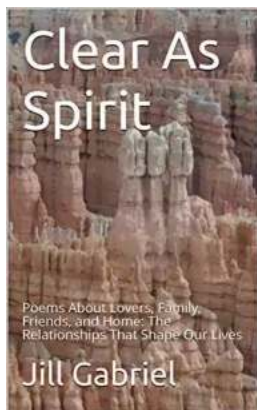
Roe v. Wade is the second most cited US Supreme Court opinion. Brown v. Board of Education is first.

This ebook contains the full text of the Roe v. Wade decision. The court ruled on a woman's right to privacy in questions affecting a pregnancy. It held that the Fourteenth Amendment protects the right to privacy against

state action, including a woman's qualified right to terminate her pregnancy. State criminal abortion laws that except from criminality only a life-saving procedure on the mother's behalf without regard to the stage of her pregnancy, and other interests involved, violate a constitutional right.

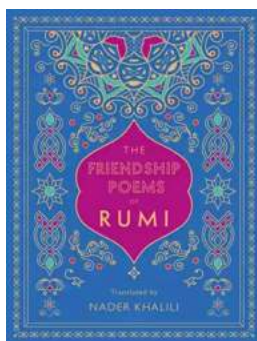
For the stage prior to approximately the end of the first trimester, the abortion decision and its effectuation must be left to the medical judgment of the pregnant woman's attending physician.

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