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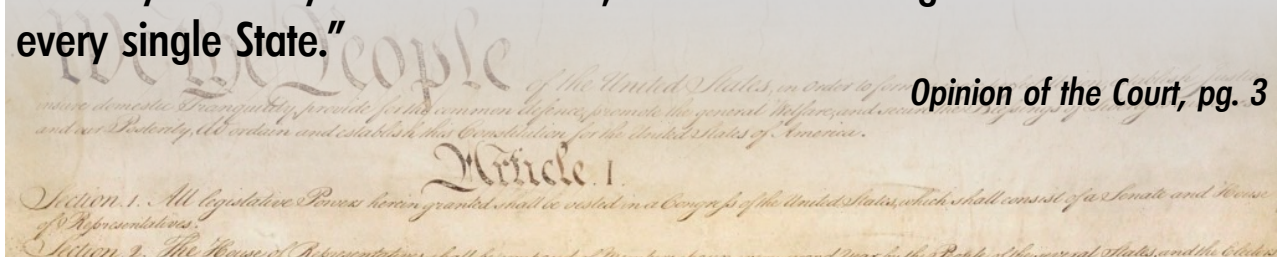
Fact Sheet:
Dobbs v. Jackson: Legacy of *Roe*

"In its January 22, 1973 split decisions which approved the killing of unborn babies, the U.S. Supreme Court cited ancient beliefs as to when life begins, but did not cite one modern medical book for its conclusion that life does not begin until the unborn can exist outside of its mother."

Phyllis Schlafly Column, February 28, 1975

"Until the latter part of the 20th century, there was no support in American law for a constitutional right to obtain an abortion. No state constitutional provision had recognized such a right. Until a few years before *Roe*, no federal or state court had recognized such a right. Nor had any scholarly treatise. Indeed, abortion had long been a crime in every single State."

Opinion of the Court, pg. 3



Although the United States has never had a federal ban, advances in medical science led to bans on abortion in every state of the Union by 1900.

"By the time of the adoption of the Fourteenth Amendment, three-quarters of the States had made abortion a crime at any stage of pregnancy, and the remaining States would soon follow. *Roe* either ignored or misstated this history, and *Casey* declined to reconsider *Roe's* faulty historical analysis. It is therefore important to set the record straight." ***Opinion of the Court, pg. 16***

Colorado was the first state to liberalize its abortion laws in 1967, but even then the state required the approval of a three-doctor panel before an abortion could be performed.

"The Court rightly overrules* Roe *and* Casey*—two of this Court's "most notoriously incorrect" substantive due process decisions after more than 63 million abortions have been performed. The harm caused by this Court's forays into substantive due process remains immeasurable.

Justice Clarence Thomas Concurring Opinion, pg. 6-7