



# Abortion And The Constitution

**Neal Devins**



## **Abortion And The Constitution:**

**Constitutional Amendments Relating to Abortion** United States. Congress. Senate. Committee on the Judiciary. Subcommittee on the Constitution,1983      **Constitutional Amendments Relating to Abortion** United States. Congress. Senate. Committee on the Judiciary. Subcommittee on the Constitution,1983      **Abortion** Stephen M. Krason,1984-10-18 A comprehensive in depth study of Roe v Wade and Doe v Bolton the 1973 U S Supreme Court decisions which legalized abortion The author closely analyzes the opinions and contends that the Court made significant errors in its understanding of the many aspects surrounding abortion      *Abortion and the Constitution* Dennis J. Horan,Edward R. Grant,Paige Comstock Cunningham,1987 This is a compilation of articles supporting the reversal of Roe v Wade Its contents include the background and perspectives on abortion historical evaluations of Roe and abortion strategies for reversal of Roe v Wade and more

Proposed Constitutional Amendments on Abortion United States. Congress. House. Committee on the Judiciary. Subcommittee on Civil and Constitutional Rights,1976      Abortion Carol Hand,2014-07-15 While there are some Americans who are inclined to evaluate the moral ethical and medical legitimacy of abortion on a case by case basis many others are strictly unwaveringly pro choice favoring abortion rights or pro life antiabortion Over the last few decades whether abortions should be legal at all under any circumstances has created a deep political rift across the United States This book which charts the shifts in interpretation of the U S Constitution on this matter is a must read for anyone hoping to understand where the nation and its laws have stood on the issue its current state of play and what the future of the abortion rights vs right to life struggle may hold      *Abortion* United States. Congress. Senate. Committee on the Judiciary. Subcommittee on Constitutional Amendments,1976      **Abortion Under State Constitutions** Paul Benjamin Linton,2008 Whether a state constitution protects a right to abortion is significant for two reasons First it may determine whether the State has the authority to enact and enforce laws regulating abortion e g laws mandating informed consent or requiring parental notice or consent within current federal constitutional limits Second and more important it will determine whether the State would have the authority to enact and enforce laws prohibiting abortion if the Supreme Court overrules Roe v Wade and returns the issue of abortion to the States Abortion under State Constitutions is the first full length treatment of the subject to appear in print For each State the author considers possible sources of a right to abortion in the state constitution privacy due process of law equality of rights equal protection privileges and immunities as well as other provisions state court decisions interpreting those provisions the relevant state constitutional history pre Roe prohibitions of abortion and their interpretation by state courts post Roe regulations of abortion and what rights state law has conferred upon unborn children outside the context of abortion Based upon the foregoing analysis arranged topically within each State for ease of reference the author concludes that thirteen state constitutions protect or would be interpreted to protect a state right to abortion that is independent of the right to abortion recognized in Roe v Wade while the supreme courts of the other thirty seven States

probably would not recognize a state right to abortion. Likely to become a standard reference work on the subject. Abortion under State Constitutions should be of interest not only to lawyers who litigate state abortion rights claims and judges who decide those cases but to anyone on either side of the abortion debate who wants to have a better understanding of the status of abortion under state constitutions. After an admirably incisive outline of federal constitutional law on abortion, Linton clarifies the law of each State in its own individual chapter, greatly facilitating the work of legislators, litigators, and lay activists concerned primarily about the law of their own particular State. Although the author states that his work is meant to be predictive of future state supreme court decisions, he bases his estimations on close analysis of legal doctrine, not on uncertain guesswork about the political considerations of future courts and possible judicial activism. Abortion under State Constitutions is sure to become the standard reference work for those concerned to resist or to promote a right to abortion founded on U.S. state constitutions. Richard Stith, Professor of Law, Valparaiso University School of Law. Paul Benjamin Linton is one of the most thoughtful, insightful, and thorough legal authorities writing about biomedical ethics and law. Among his past masterpieces are influential law review articles analyzing suicide, euthanasia, same-sex marriage, equal rights, state abortion regulations, and abortion decisions of the U.S. Supreme Court. Now Linton examines how abortion regulations have fared and would fare under state constitutions. Abortion under State Constitutions is a convincing explanation of the growing importance of state constitutional jurisprudence in controlling the regulation of abortion. The book is an invaluable, timely resource for lawmakers, judges, legal scholars, students, and anyone else interested in the constitutional, legal, policy, and social strategies concerning the regulation of elective abortion in America. Lynn D. Wardle, Bruce C. Hafen Professor of Law, J. Reuben Clark Law School, Brigham Young University. Scholars, advocates, and activists involved in the abortion debate owe a debt of gratitude to Paul Linton for sharing his meticulous research. A comprehensive guide to the status of abortion under each state's constitution, this book is a necessary tool for anyone seeking to predict the consequences of a United States Supreme Court decision overruling *Roe v. Wade*. As Mr. Linton carefully documents, abortion would remain legal in a minority of states due to state court decisions protecting the procedure under the respective state constitutions. The majority of states probably could enforce abortion prohibitions but that would require new legislation in most of those states. Abortion under State Constitutions guides the reader through the differing law among the states. This book will be of particular value to state lawmakers seeking to craft sound public policy in this volatile area. Whether the objective is to protect a woman's right to choose or an unborn child's right to life, attentive readers will benefit from Mr. Linton's expert analysis of the development of state law. His description of the relationship between various state laws and constitutions reflects his decades of experience in advancing and defending state laws in this area. Regardless of readers' political views, Abortion under State Constitutions promises to inform, intrigue, and inspire those who care about the issue of abortion. Teresa S. Collett, Professor of Law, University of St. Thomas School of Law. This is an important book for both sides. Time Magazine Online      **Rethinking**

**Abortion** Mark Graber, 1999-03-23 Mark Graber looks at the history of abortion law in action to argue that the only defensible constitutional approach to the issue is to afford all women equal choice abortion should remain legal or bans should be strictly enforced Steering away from metaphysical critiques of privacy Graber compares the philosophical constitutional and democratic merits of the two systems of abortion regulation witnessed in the twentieth century pre Roe v Wade statutory prohibitions on abortion and Roe's ban on significant state interference with the market for safe abortion services He demonstrates that before Roe pro life measures were selectively and erratically administered thereby subverting our constitutional commitment to equal justice Claiming that these measures would be similarly administered if reinstated the author seeks to increase support for keeping abortion legal even among those who have reservations about its morality Abortion should remain legal Graber argues because statutory bans on abortion have a history of being enforced in ways that intentionally discriminate against poor persons and persons of color In the years before Roe the same law enforcement officials who routinely ignored and sometimes assisted those physicians seeking to terminate pregnancies for their private patients too often prevented competent abortionists from offering the same services to the general public This double standard violated the fundamental human and constitutional right of equal justice under law a right that remains a major concern of the equal protection clause of the Fourteenth Amendment *Shaping Constitutional Values* Neal Devins, 1996 In the more than twenty years since Roe v Wade the executive and legislative branches of government have pursued a staggering number of initiatives relating to abortion In this groundbreaking study legal scholar Neal Devins shows how the Supreme Court elected government and private citizens together help to shape what the Constitution means Central to his study is the question of how the Court and elected government influence each other In addition to the abortion debate Devins examines conflicts over federalism race religion and separation of powers These constitutional disputes Devins contends can be as constructive as they are inevitable Without an ongoing dynamic that allows each side to win some of the time Devins concludes the Constitution would be less enduring

## **Abortion And The Constitution** Book Review: Unveiling the Power of Words

In some sort of driven by information and connectivity, the ability of words has are more evident than ever. They have the capacity to inspire, provoke, and ignite change. Such could be the essence of the book **Abortion And The Constitution**, a literary masterpiece that delves deep into the significance of words and their impact on our lives. Compiled by a renowned author, this captivating work takes readers on a transformative journey, unraveling the secrets and potential behind every word. In this review, we shall explore the book is key themes, examine its writing style, and analyze its overall affect readers.

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