



Roe Reality Check #3

myth: Most Americans favor U.S. abortion law.

fact: Most Americans actually oppose it.

A recent Harris Interactive poll claims 52% of Americans favor *Roe v. Wade* and 47% oppose it.¹ But the poll describes *Roe* as "the U.S. Supreme Court decision making abortions up to three months of pregnancy legal."

That's wrong.

The fact is, *Roe* made abortion legal through all 9 months of pregnancy.²

In the same poll, 72% of Americans said abortion should be *illegal* in the second three months of pregnancy, and 86% said abortion should be *illegal* in the last three months of pregnancy.

Even support for abortion in the first three months is open to question. In a 2004 Zogby International poll, 61% of Americans said abortion should not be permitted after the fetal heartbeat has begun.³ This occurs in the first month.⁴

So why do 52% of Americans say they favor *Roe v. Wade*?

Because they don't really know what *Roe* did.

¹ *The Harris Poll #18*, March 3, 2005.

² In *Roe v. Wade* the Supreme Court ruled that abortion may not be restricted at all in the first trimester, may be regulated only for the mother's health in the second trimester, and must be allowed even after viability if necessary to preserve the mother's "health." *Roe v. Wade*, 410 U.S. 113, 164-65 (1973). *Roe's* companion case, *Doe v. Bolton*, defined maternal "health" as "all factors -- physical, emotional, psychological, familial, and the woman's age -- relevant to the well-being of the patient." *Doe v. Bolton*, 410 U.S. 179, 192 (1973). In *Planned Parenthood v. Casey*, the Court abandoned the trimester framework but reaffirmed the legality of abortion "subsequent to viability" for the "preservation of the ... health of the mother." 505 U.S. 833, 879 (1992).

³ *Zogby International Poll*, April 15-17, 2004.

⁴ Moore and Persaud, *The Developing Human*, 7th ed. (Saunders 2003), 330.

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