



THE HUMAN FAMILY RESEARCH CENTER

*Every Human Being
Leaves a Fingerprint on the Universe*

The Roe Poll: What Americans Really Think About Roe v. Wade

In holding that the unborn child is not protected under the Constitution, the Court in *Roe v. Wade* effectively said that states are not required to protect an unborn child even after viability and in fact, many do not. Since *Roe*, more than 58 million abortions have occurred in the United States.

What do the American people think of *Roe*? Do they want it to stay the law or not? Is it an unassailable precedent? Previously, polls seemed to show that Americans want *Roe* to remain the law – by a margin of 7 to 3ⁱ. These poll results have been used extensively in the media to defend *Roe*. But are these polls correct? These results seem particularly odd when you consider that a majority of Americans oppose many of the abortions *Roe* allows.ⁱⁱ It is also strange that polls claiming a 70% approval rating for *Roe* do not explain what *Roe* did before asking people if they thought it should remain the law.

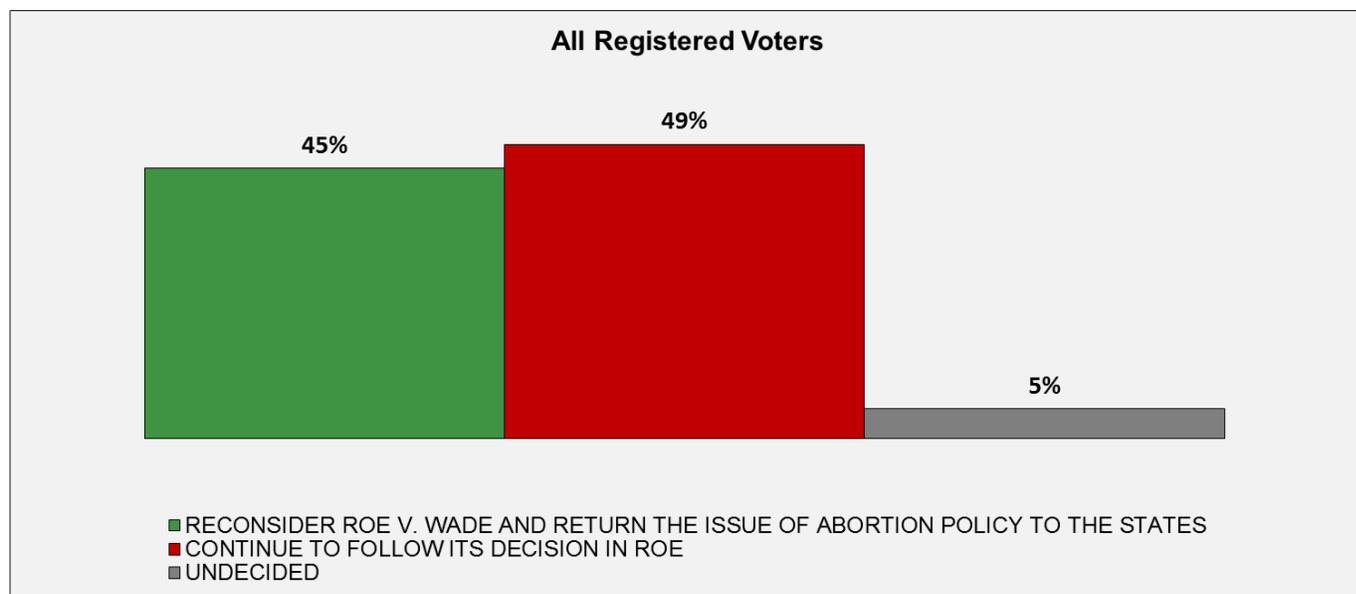
Now there is a new national poll, completed by **the polling co. inc. Womantrend** during February of this year (2017) for The Human Family Research Center. These new poll results paint a far different picture of the public's attitude about this contentious Supreme Court decision. Unlike prior polls, the HFRC poll did explain what *Roe* actually said before asking questions of participants, all registered voters.

It turns out that our country is far more evenly split on *Roe* than is thought. (See chart below.) This is particularly the case when Americans find out that, when *Roe* is overruled by the United States Supreme Court, each state would have the power to decide what abortions should be permitted, instead of resulting in a simple black and white ruling; legalizing or outlawing abortion outright.ⁱⁱⁱ (See attached chart) In the Human Family Research Center poll, after being told this, the numbers shifted in favor of pro-life forces and fewer than half of poll participants supported *Roe*, while the number of those demanding change increased substantially.

Even after forty-four years, *Roe* remains a highly controversial decision, with, as noted above, the public almost evenly divided on whether the case should be reconsidered and the authority to regulate abortion returned to the States. That the American public has not accepted *Roe* after 44 years is evidenced by the scores of bills introduced in Congress and the States by the people's representatives to prohibit or regulate abortions. (338 pieces of legislation enacted just since 2010, with 50 alone enacted in 18 states in 2016.^{iv})

The American people do not want *Roe v. Wade*. Legal scholars, both those for and against legal abortion, have agreed that the decision was not grounded in the text and history of the Constitution. The last time it was upheld, in the 1992 *Planned Parenthood v. Casey* case, the Supreme Court based a large part of its support for *Roe* on the length of time it's been the law, not on sound constitutional grounds.^v It is time for the United States Supreme Court to overrule it. Let the people speak.

Q8. If the Supreme Court decided to overrule *Roe v. Wade*, abortion would not become illegal across the nation. Rather, deciding abortion policy would return to state legislators, who represent the people. In view of this, do you think that the Court should...



ⁱ 2017 PEW poll <http://www.pewresearch.org/fact-tank/2017/01/03/about-seven-in-ten-americans-oppose-overturning-roe-v-wade/>

ⁱⁱ <http://www.kofc.org/en/news/polls/opose-taxpayer-funding.html>; The survey found that more than 8 in 10 Americans (81 percent), including women (82 percent) and nearly two-thirds of pro-choice supporters (66 percent), would restrict abortion to — at most — the first three months of pregnancy. The answer to this question has been approximately 8 in 10 since the survey was launched in 2008. Six in 10 Americans (60 percent), including 61 percent of women, say abortion is “morally wrong.” One-third of pro-choice Americans agree (33 percent).

ⁱⁱⁱ Prior to *Roe*, a majority of Americans had decided that abortion, which ends the life of a child, should be against the law. On January 22, 1973, the United States Supreme Court, in its *Roe v. Wade* decision, declared that the American people were wrong and that pregnant women must be allowed to obtain an abortion for any reason up to viability (about 24 weeks)

^{iv} <https://www.gutmacher.org/article/2017/01/policy-trends-states-2016>

^v “... for two decades of economic and social developments, people have organized intimate relationships and made choices that define their views of themselves and their places in society, in reliance on the availability of abortion in the event that contraception should fail.” (from Joint Opinion, *Planned Parenthood v. Casey* (505 U.S. 833 1992).