



Abuse of Discretion: The Inside Story of Roe v. Wade

Clarke D. Forsythe

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Based on 20 years of research, including an examination of the papers of eight of the nine Justices who voted in *Roe v. Wade* and *Doe v. Bolton*, *Abuse of Discretion* is a critical review of the behind-the-scenes deliberations that went into the Supreme Court's abortion decisions and how the mistakes made by the Justices in 1971-1973 have led to the turmoil we see today in legislation, politics, and public health.

The first half of the book looks at the mistakes made by the Justices, based on the case files, the oral arguments, and the Justices' papers. The second half of the book critically examines the unintended consequences of the abortion decisions in law, politics, and women's health.

Why do the abortion decisions remain so controversial after almost 40 years, despite more than 50,000,000 abortions, numerous presidential elections, and a complete turnover in the Justices? Why did such a sweeping decision—with such important consequences for public health, producing such prolonged political turmoil—come from the Supreme Court in 1973?

Answering those questions is the aim of this book. The controversy over the abortion decisions has hardly subsided, and the reasons why are to be found in the Justices' deliberations in 1971-1972 that resulted in the unprecedented decision they issued.

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