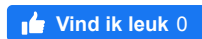




Q&A with Sarah Weddington: ‘I don’t think they’re ever gonna overturn Roe’



By [Jordan Gass-Pooré - Spring 2015](#) Jan 23, 2015



Click on photo to enlarge or download: Retired Texas lawyer Sarah Weddington represented “Jane Roe” in the landmark Supreme Court case *Roe v. Wade*. The Supreme Court’s 7-2 decision made abortion legal up to the 24th week of pregnancy. Photo courtesy of Sarah Weddington

Every Thursday in the late 1960s there was a flight out of Dallas Love Field airport that would take women to California for legal abortions.

The procedure was done on Friday and they would return home in time for church.

Retired Texas lawyer and former state legislature representative Sarah Weddington, who argued for women's abortion rights in front of the Supreme Court in the monumental case *Roe v. Wade*, said California and New York were the only states that had legalized abortion at this time. Then-California Gov. Ronald Reagan signed a law to legalize abortion as fellow Republican New York Assemblywoman Constance Cook pushed legislation through there.

If a woman didn't have the money to travel to those states, she could find a doctor in Texas or Mexico who would perform the procedure illegally.

Weddington, 69, said people nationwide paid particular attention to the costs to women's health that anti-abortion laws posed.

Contraceptives were also difficult to come by in Texas.

The University of Texas health centers had a policy, Weddington said, that women couldn't have access to contraceptives unless they could certify that they were getting married within six weeks. Predictably, this resulted in unplanned pregnancies.

In Austin, Texas, where Weddington continues to live, a counseling center was established by mostly UT science graduate students who provided information to women on how to prevent conception and about contraception – and where to get an illegal abortion.

In the midst of all this talk about abortion, the women who were providing the counseling service became concerned that they might be criminally liable for providing this advice, Weddington said.

That's how Weddington became involved with pro-abortion rights legislation.

Judy Smith, who worked with the counseling service, contacted Weddington and asked if the

Texas abortion law could be challenged in federal court.

Weddington agreed to conduct the lawsuit for free, and that was the beginning of *Roe v. Wade*.

In 1973, the Texas lawyer had 30 minutes to convince nine male Supreme Court justices that a law in her state that banned abortion violated a woman's right to privacy.

She was 27 years old when the Supreme Court handed down its 7-2 decision on Jan. 22, 1973, becoming the youngest person to ever win a Supreme Court case.

"The medical community was very much in our favor," Weddington said of the Texas doctors that provided firsthand testimony of the consequences of illegal abortion during the lawsuit.

Weddington said about a decade after *Roe v. Wade*, anti-abortion activists began to march, put pressure on legislators and only elect people who wanted to overturn the lawsuit.

"I don't think they're ever gonna overturn *Roe*," Weddington said. "But they can certainly weaken it and make abortion much harder to have access to."

This interview has been edited for clarity and length.

Jordan Gass-Pooré: It seems like the Republican Party has moved from one side of the abortion debate to the other. And I know there were a few Republicans that did help during *Roe v. Wade*. I'm curious why things have changed over the last couple of decades on the party's opinion on abortion.

Sarah Weddington: They've put a lot more effort into electing people who are anti-choice and supporting their campaigns and providing volunteers, but they also have become more active generally. So you look at the leadership of Texas

now, the governor is Republican, the lieutenant governor is Republican, the speaker of the house is Republican; statewide elected officials are all Republican. So you would say that those involved with the Republican Party have become much more active and much more determined to win, and that's one of the issues that has motivated them, but there are certainly others.

JGP: How do you think that Texas Gov. Greg Abbott's stance on abortion is going to affect Texas women?

SW: Well, there were a few people, according to the Austin paper, who went to his inauguration and made comments to the reporters that part of the reason they had supported him so strongly was because they did not want abortion to continue to be legal in Texas. But there were other people who supported him for all kinds of reasons. I certainly don't think that was even necessarily the majority of people.

He did not emphasize what his position on abortion was. He emphasized that his wife would be the first Hispanic first lady of Texas. He emphasized education. I mean, there were other things that were his primary focus for his campaign.

Now, what he said in small groups, where he knew almost everybody, was anti-choice. He may have focused on it there, but in terms of what I saw in general newspapers, TV interviews, things that were put out by his campaign in his favor, that certainly was not what he emphasized.

JGP: You were 27 years old when the decision was made for *Roe v. Wade*. Did you have any idea at 27 that 42 years later you would still be talking about *Roe v. Wade*?

SW: No. I guess as I look back, I had assumed, wrongly as it turns out, that it would be more like the 1965 case that made contraception legal (*Griswold v. Connecticut*). There was some

opposition soon after the decision, but then it has become something that everyone, well, with some exceptions, but most people believe that people ought to have access to contraception.

So I thought the abortion issue would be more like that, that there would be opposition for a relatively short period of time and then it would become accepted that it should not be the government's decision, and so there would be other issues that would take front and center. But this one has certainly had a long lifespan.

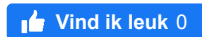
This story has been updated. It said erroneously that New York Assemblywoman Constance Cook was governor when she sponsored legislation to make abortion legal.

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About Jordan Gass-Pooré - Spring 2015

Jordan Gass-Pooré is a Spring 2015 reporter for the SHFWire from Texas State University.



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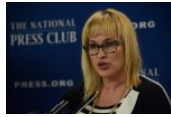
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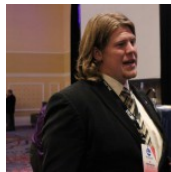
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