

Questions related to Byron White's Dissent in *Roe v. Wade*

1. Did the Texas statute at issue in the case, which was typical of abortion laws that had been in effect in a majority of the states for about a century, prohibit abortion even to save the life of the mother?
2. As a result of the U.S. Supreme Court's decision in *Roe v. Wade*, would a woman have to give a reason for wanting an abortion?
3. What are the two competing rights when it comes to the abortion issue?
4. According to White, on what does the Supreme Court base this "new constitutional right for pregnant mothers"?
5. How does White characterize the Court's decision in *Roe v. Wade*?
6. Does White believe that reasonable people may differ over the abortion issue?
(According to his biographer, Dennis J. Hutchinson, White told several law clerks late in his career that if he had been a legislator he would have been "pro-choice.")
7. Whom does White believe should be left to decide the abortion issue?
8. Many readers of White's dissent in *Roe v. Wade* have felt that it comes across as quite callous toward pregnant women who find themselves in truly difficult circumstances. Do you agree? Why or why not?