

[Thesis: The Dynamic Landscape of Abortion Law in the United States](#) ^[1]

By: Higginbotham, Victoria Keywords: [Abortion Laws](#) ^[2] [History of Abortion Laws](#) ^[3]

Editor's note:

Victoria Higginbotham defended her thesis titled "The Dynamic Landscape of Abortion Law in the United States" in May 2018 in front of committee members Jane Maienschein, Carolina Abboud, and Alexis Abboud, earning her a Bachelor's degree from Barrett, the Honors College. <https://repository.asu.edu/items/48020> ^[4]

Abstract:

The Dynamic Landscape of Abortion Law in the United States explores the ways [abortion](#) ^[5] laws have changed in the United States over the course of US history. Abortion laws in the US have historically been fluid, changing in ways both big and small. Those changes can occur after advances in science, changes in understanding, or changes in public opinion. And there have been various periods in the history of the US where tolerance [abortion](#) ^[5] waxed or waned, and common law reflected those attitudes.

[Roe v. Wade](#) ^[6] was a pivotal moment in the history of [abortion](#) ^[5] law that accomplished much in the way of broadening women's access to abortions. But [Roe v. Wade](#) ^[6] was not the beginning or the end of the fight for [abortion](#) ^[5] rights in the US. There were legal abortions prior to [Roe v. Wade](#) ^[6] and illegal abortions after. [Roe v. Wade](#) ^[6] granted that women had a constitutional right to have an [abortion](#) ^[5] but the ruling left the boundaries of that right somewhat undefined and most courtroom battles over [abortion](#) ^[5] laws are fought over where a woman's right to an [abortion](#) ^[5] ends and a States right to regulate and protect fetal life begin.

Much change has occurred in [abortion](#) ^[5] laws over the past 50 years, this thesis tracks those changes principally through Supreme Court Cases, such as [United States v. Milan Vuitch](#), [Roe v. Wade](#) ^[6], and [Gonzales v. Planned Parenthood](#) among others. The landscape of [abortion](#) ^[5] law in the US continues to shift today, as recently as 2017 with [Plowman v. FMCH](#) cases were being heard in courts that wrought subtle yet important changes in [abortion](#) ^[5] law.

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