



Bigelow v. Virginia (1975) - Justice Blackmun - 7/2.

The Bigelow v. Virginia Court

[The same Court as *Roe & Doe.*]

Majority (7): Blackmun, Burger, Douglas, Brennan, Stewart, Marshall and Powell.

Minority (2): White and Rehnquist.

Issue: The managing editor of a newspaper published in Virginia, as the result of publishing a New York City organization's advertisement announcing that it would arrange low-cost placements for women with unwanted pregnancies in accredited hospitals and clinics in New York (where abortions were legal and there were no residency requirements), was convicted of violating a Virginia statute making it a misdemeanor, by the sale or circulation of any publication, to encourage or prompt the processing of an abortion. Is this Constitutional?

Held: The statute as applied to the editor infringed constitutionally protected speech under the First Amendment.