

Abortion: Court decision removes legal uncertainty

"... the word person, as used in the 14th Amendment, does not include the unborn."

With these words Supreme Court Justice Harry A. Blackmun this week invalidated the anti-abortion laws of 31 states, required the rewriting of similar statutes in 15 other states and dashed the legal hopes of the right-to-life and anti-abortion forces.

The long awaited decision on cases from Georgia and Texas (SN: 1/29/72, p. 75) was a majority decision joined in by all but Justices Byron R. White and William H. Rehnquist. Only Alaska, Hawaii, New York and Washington, states that recently liberalized their abortion laws, will not be affected by the ruling.

Based on the legal decision that an unborn fetus is not a person and therefore not entitled to constitutional protection, the Supreme Court has set forth a new set of guidelines for all abortions. During the first three months of pregnancy the decision to have an abortion rests solely with the pregnant woman and her physician. The state, the Court says, has no right to inter-

fere. During the next six months of pregnancy the state may regulate the abortion procedure only in an attempt to protect maternal health. This regulation may include licensing persons and institutions involved in performing abortions. Only during the last 10 weeks of a pregnancy (when the fetus is considered to be capable of sustaining life outside the womb) may a state, if it wishes, prohibit an abortion. But even then, says the Supreme Court, an abortion may be performed if it is necessary to protect the life or health of the mother. Recent decisions in the District of Columbia indicate that this includes the mental and emotional health of the mother.

The relatively straightforward decision produced the expected reactions. Anti-abortion spokesmen (primarily the Roman Catholic Church) called the decision shocking, horrifying and tragic. Some even mentioned the possibility of working for a new constitutional amendment to protect the rights of the fetus. Pro-abortion factions called the decision historic, revolutionary and sensible. They mentioned especially a woman's right to privacy and self-determination and the economic and psychological factors of unwanted children and illegal abortions.

While the reactions to the ruling

were predictable, the results may not be. The most obvious effect of open abortion could be on the birth rate. According to statistics from New York, since abortion laws were liberalized there in 1970, one in every three pregnancies is terminated by abortion. But this figure may be misleading. In Romania, for example, anti-abortion laws were repealed in 1956. The birth rate began to fall so drastically that abortion was once again restricted in 1966. As expected, the birth rate took a big jump the following year but after that began to fall back to previous levels. Apparently the Romanians were caught off guard for one year but then went back to having illegal abortions as they had prior to 1956.

Because of illegal abortions, it is difficult to say exactly what will happen to the U.S. birth rate. The New York experience shows that there will be a tremendous expansion in abortions but many of these abortions might otherwise be performed illegally.

"This is really a revolutionary decision," stated the Population Reference Bureau in Washington, "particularly in view of recently escalated anti-abortion efforts." (Michigan and North Dakota residents recently voted against liberalized abortion laws. New York legislators have been trying for the past year to have that state's 19th-century abortion law reinstated.) But now some experts warn there is a real danger that with abortion readily available Americans may become careless about contraception and sex education. Some women, for example, might prefer to have an abortion every three months rather than take a pill every day. Few supporters of abortion consider it a satisfying means of fertility control. Says the PRB: "The campaign for improved contraception and population education must be intensified rather than relaxed in the light of the Supreme Court's decision." □

Protecting the kangaroo

Australia is a zoologist's paradise. But many of its unique animals, such as the kangaroo, have been in danger of extinction. Now they may be saved.

The Australian and U.S. Governments have acted to protect the kangaroo and other Australian animals in danger of extinction. Australia announced the export of the skins of all native Australian animals, including the kangaroo, will be prohibited. There will be severe penalties for killing or injuring Australian animals. At the same time, the U.S. Department of the Interior placed kangaroos on its list of endangered species. Such animals may not be imported into the United States or entered into interstate commerce. □

Space: A delay . . . go-ahead . . . launch . . . award

Skylab postponement

NASA announced last week that the Skylab launch would be delayed from April 30 to an undetermined launch day in May. NASA said the delay was due to testing of the modules, but other sources indicated it had more to do with the budget.

European space lab

The European Space Research Organization (ESRO) voted last week to authorize the establishment of a special project to develop a sortie laboratory to fly with the space shuttle (SN: 1/13/73, p. 25). The estimated cost of the laboratory is between \$250 million and \$300 million. The laboratory, as now conceived, would consist of two sections: an external platform and a pressurized manned module. The platform would be used to mount equipment such as telescopes. The manned module would house the experimental apparatus, data processing equipment and electrical power equipment. Up to six scientists and engineers would work in this area from one to four weeks. They would eat and sleep in the orbiter, however, which would remain attached to the laboratory.

Lunar mascons

Paul M. Muller and William L. Sjogren of the Jet Propulsion Laboratory have received a \$10,000 award from NASA for their discovery of the mass concentrations (mascons) of dense material beneath the moon's surface. NASA is one of the few Federal agencies permitted under law to give such awards. The two scientists were recommended by the Inventions and Contributions Board. "The 1968 mascon discovery and the imaginative interpretation of its results [such as perturbing the orbit of spacecraft] and implications . . . proved of significant value to the success of the Apollo program . . . and to future studies of earth and other planets," according to NASA.

Solar monitors

An Aerobee 200 rocket carrying instruments to map X-ray emissions from the sun was launched successfully last week from White Sands, N.M. Such instruments will be launched several times this year in support of the Orbiting Solar Observatory 7 (OSO) and the solar telescopes aboard Skylab. (Related story p. 60.)