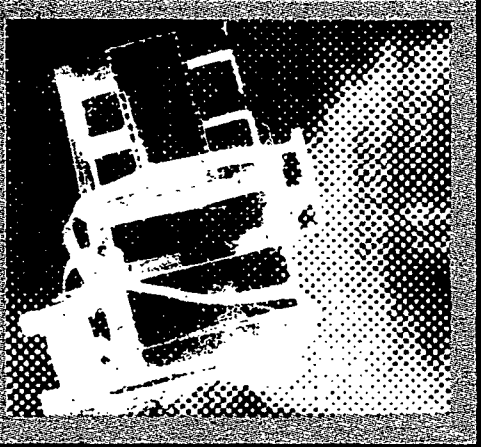


Death penalty's demise
 Despite oppositions that the state legislature would consider Governor Cuomo's death penalty bill, the legislature passed it without an override vote. Page 8



Abortion case fragments court

Justices uphold law restricting abortions

WASHINGTON (CNS) — In its 5-4 ruling July 3 upholding Missouri abortion restrictions, the deeply divided U.S. Supreme Court refused to overturn *Roe vs. Wade* — its 1973 decision legalizing abortion — but many observers and some of the justices themselves viewed the decision as a first step in that direction. Others, including Justice Antonin Scalia, acknowledged that the decision shifts the abortion controversy from the national to the state level.

Catholic officials and others who oppose legalized abortion have hailed the decision as a victory for pro-life forces. Backers of legalized abortion sharply criticized it.

Provisions struck down as unconstitutional by lower federal courts but upheld by the Supreme Court:

- Declared that life begins at conception.
- Required physicians to perform various viability tests on fetuses apparently 20 weeks old or older.
- Prohibited public hospitals and personnel from performing any abortion not required to save a woman's life.
- Banned the use of public funds to encourage or counsel a woman to have an abortion not required to save her life.

Writing the majority decision for the court, Chief Justice William H. Rehnquist declared that the appeals court

Continued on page 6



Ruling spurs praise, protests by activists

By Richard A. Kiley
 Staff writer

ROCHESTER — Pro-life activists here hailed the U.S. Supreme Court's 5-4 ruling July 3 upholding Missouri abortion restrictions as a step in the right direction, while some pro-choice demonstrators resorted to burning the flag to protest the long-awaited decision.

David E. Long, the executive director of Project Life of Rochester and one of the leaders of local rescue missions during the past year, welcomed the court's decision. The court action, he said, "makes it clear that the right to kill one's unborn child at any time for any reason never was and never will be constitutionally guaranteed."

Long conducted a news conference in front of Genesee Hospital, 224 Alexander St., Rochester, shortly after the decision came down on Monday, July 3. Pro-life activists have conducted weekly demonstrations in front of the Rochester hospital for nearly three years.

Surrounded by about a dozen pro-choice supporters who came out to protest against the ruling, Long also said that he was "disappointed that (the decision) wasn't more, but happy that it is the beginning of a process."

"We have a very tough road ahead of us," he said. "The split of America is not unlike the pre-Civil War days. We're a deeply divided country."

In a prepared statement released by the diocese, Bishop Matthew H. Clark said he was "heartened by (Monday's) Supreme Court decision."

"By upholding Missouri's abortion regulations the Court has unmistakably affirmed the authority of the states to recognize and protect unborn human life," he said. "In particular, by upholding legislative efforts to protect viable unborn children and to prohibit the use of public funds to encourage or counsel for abortions, the court has made possible a legislative policy that protects unborn human life. Keeping in mind the physical and psychological harm abortion can do to women, I believe such legislation will also help to protect women."

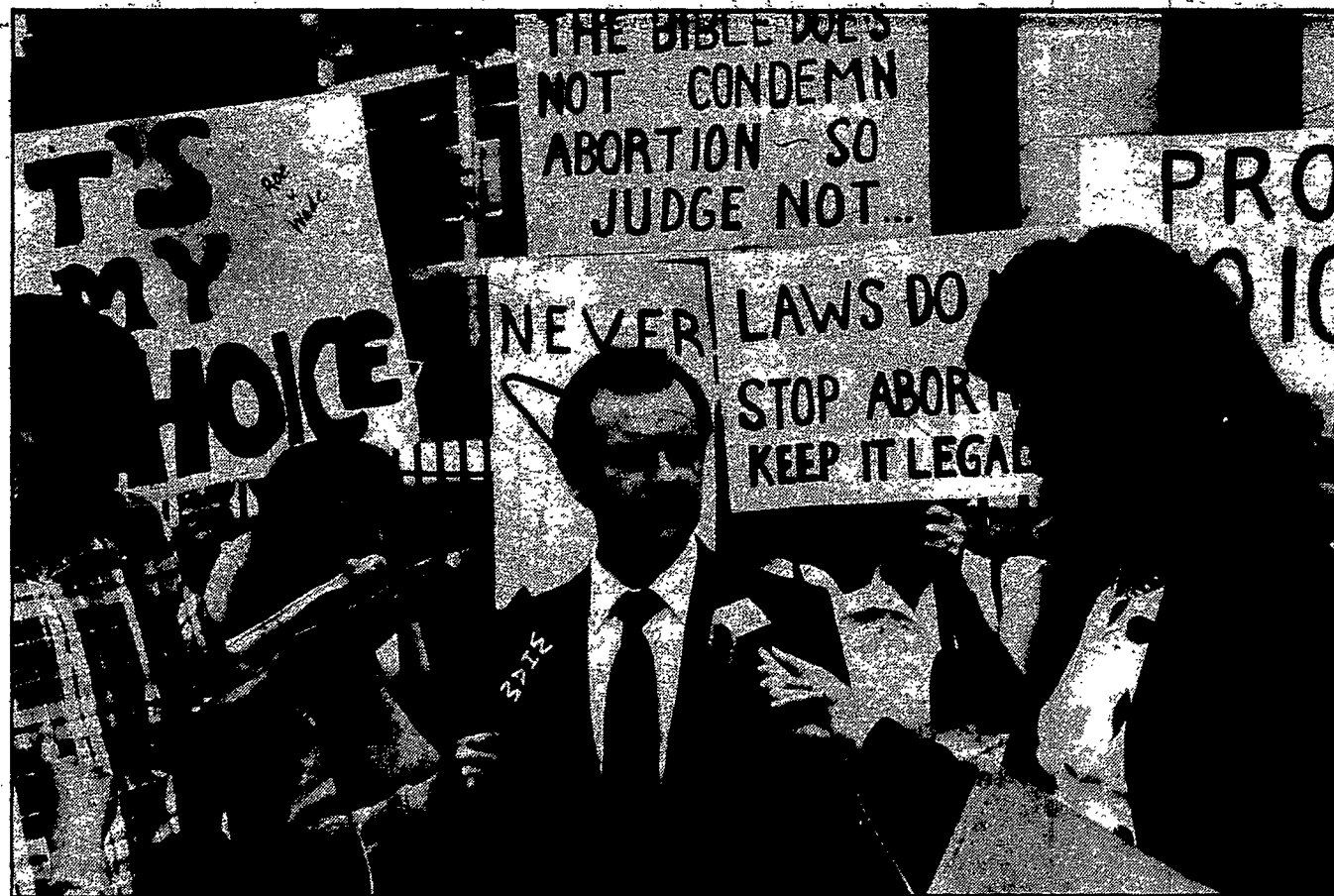
The bishop added that "by its action the court has begun to correct the gross imbalance imposed by *Roe v. Wade* on our legal system." *Roe vs. Wade* is the 1973 Supreme Court decision that legalized abortion.

"(The court) has indicated a new willingness to defer to legislatures' responsible efforts to protect unborn human life," the bishop said. "I encourage all Catholics and people of goodwill in our diocese to work actively for state legislative initiatives which affirm the humanity of the unborn child."

"Now is the time to recommit ourselves to continue working to create a society which will advocate for laws that will support both the pregnant woman and her unborn child, so that no woman need ever feel she must resort to abortion," the bishop concluded.

In its statement in response to the court's decision, the New York State Catholic Conference said it was "greatly encouraged by the direction the Supreme Court has taken" in the Webster case, but that "we believe the court should have taken its decision a step further and explicitly

Continued on page 5



Christopher Millette

Pro-life advocate David Long is surrounded by pro-choice protesters in front of Genesee Hospital during Project Life's press conference Monday, July 3, just after the Supreme Court issued its ruling.

Inside

- Calendar.....Page 11
- Centennial scrapbook Pages 9 & 24
- Columnists.....Pages 16 & 17
- Features.....Page 10
- Op-ed.....Page 18
- Sports.....Page 14
- World & Nation.....Pages 3-6
- Youth.....Page 12

Court adds another chapter to abortion rulings

By Liz Schvechuk
 Catholic News Service

WASHINGTON — When the U.S. Supreme Court ruled in *Webster vs. Reproductive Health Services Inc.*, it added another chapter to its 16-year history of decisions in abortion cases.

Highlights of the court's previous abortion-related actions are:

- Jan. 22, 1973: In twin 7-2 decisions — *Roe vs. Wade* and *Doe vs. Bolton* — the Supreme Court legalized abortion nationwide, stating that the right to privacy includes the right to an abortion.
- July 7, 1976: In *Planned Parenthood vs. Danforth* and two similar cases, the court declares that because the right to an abortion is fundamental, neither a woman's husband nor a minor girl's parents may veto an abortion.
- June 20, 1977: In *Maher vs. Roe* and two other cases dealing with public funding of abortions, the court determines in 6-3 decisions that its abortion rulings do not force states to pay for non-therapeutic abortions and do not force public hospitals to perform abortions.
- Jan. 9, 1979: Ruling 6-3 in *Coleman vs. Franklin*, the court strikes down as too vague a Pennsylvania law that re-

quired doctors to use care and diligence in preserving the life of a fetus in an abortion.

- July 2, 1979: Voting 8-1 in *Bellotti vs. Baird*, a Massachusetts case, the court strikes down a law requiring consent of a parent — or then a judge — before an unmarried minor could get an abortion. But the justices split 4-4 on the reasons why the law should be overturned. Four claim that the girl should be able to bypass her parents and go directly to a judge, while four others hold that even a judge should not have the power to forbid an abortion.

Continued on page 4