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Wednesday, July 1, 1992

Abortion decision surprises legal scholars



By Dale Green

Monday's U.S. Supreme Court decision affirming the constitu-tional right to abortion represents a surprising search for balance on an issue that has deeply polarized the nation, a UK law professor

Although the decision opens the door for more state regulation of abortions, Carolyn Bratt said many legal scholars had expected for pro-choice advocates.

The court had been expected to use the case - which involved a restrictive Pennsylvania abortion law -- to overturn Roe vs. Wade, a landmark 1973 ruling that legalized most abortions.

"The important thing to re-See ABORTION, Page 3



At a pro-choice rally Monday at Lexington's Triangle Park, Mary Ann Haney, a physical therapy junior at LCC, told a crowd of about 100 to fight for abortion rights.

Lexington celebrates independence

By Kelly Whittington Contributing Writer

As the United States celebrates its independence this weekend, Lexington will be bustling with activities that include musical performances, arts and crafts, a road race and, of course, fire-

Lexington's Independence Day festivities also include a week of entertainment and activities in celebration of Kentucky's bicen-

Noon concerts will be held downtown in Phoenix and Triangle parks today, and various activities are scheduled Friday from 4:30 to 7:30 p.m. in Gratz Park, W. Second Street. Chalk street painting, a patriotic parade and face painting are some of the

planned activities.

The Bluegrass 10,000 road race will get the celebration off and running early on July 4. Following the race, which begins at 8 a.m., there will be food, chil-

See JULY 4, Page 2

Lexmark donates equipment to library

By Lara Berdine Contributing Writer

Lexmark International Inc. announced Thursday a donation of \$500,000 in state-of-the-art computer equipment for a new central library at UK.

UK President Charles Wethington said the donation will help the University meet its goal of building a library to serve the entire

"We have promised that the new library will be one to serve not only UK students, staff and

leges, elementary and secondary schools and public libraries across the state," Wethington

"The technology presented in this generous gift will allow us to do just that."

The donation is composed of about 160 Personal Typing System computers, 20 typewriters and 45 laser printers, all of which are manufactured at Lexmark's plant on New Circle Road.

The equipment will enable stu-

See LIBRARY, Page 3

THE RULING

- •Reaffirmed a woman's abortion before the fetus is able to live outside the womb
- •Substantially weakened the right as defined by the landmark Roe vs. Wade decision
- •Upheld most restrictions of the Pennsylvania law, including reguirements that a woman be informed of abortion alternatives and then wait 24 hours before seeking an abortion
- ·Also upheld state requirement that an unmarried female who is younger than 18 and not supporting herself must obtain permission from a parent or judge before having an abortion
- Overturned requirement her husband before seeking an abortion

NSIDE:

DIVERSIONS:"A League of Their Own" drives its story home with laughter and grace. Review, Page 5.

SPORTS: UK Lady Kats golfer Laurie Goodlett dominates Wom-en's State Amateur Golf Tournament Story, Page 4.

VIEWPOINT:

The latest abortion ruling has both pro-choice and anti-abortion activists in an Analysis, Page 6.

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News

July 4

Continued from Page 1 dren's activities and musical entertainment throughout the day.

Arts, crafts and food fair vendors will line Vine Street all day. More than 150 exhibitors will display various artworks including wood furniture, flower arrange paintings, photography and T-shirts.

Musical entertainment ranging from country, bluegrass and rock to blues and classical will be per-

BRIEFS Fire in UK lab causes \$50,000 in damage formed, and the parade begins downtown at 2:30 p.m. Three years worth of plant research was destroyed Wednesday night when a fire roared through a lab in the Agri-Science Building, 1100 S. Limestone St. UK spokesman Ralph Derickson said the official cause of the fire has not been determined, but alcohol

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used to sterilize research equipment might have leaked and caught fire.

No one was injured in the blaze, which was extinguished around midnight, but a considerable amount of the plant pathology lab and some adjacent labs were damaged by fire and smoke. The exact amount of the damage has not been determined, but Derickson said repairs might cost as much as \$50,000.

Memorial service to be held for Kirwan A memorial service for Elizabeth H. Kirwan will be held 2 p.m. Sunday, July 19 at the Second Presbyterian Church, 460 E. Main St. Kirwan, who died last week, was the wife of the late Albert D. Kirwan, UK's seventh president, and the mother of William English Kirwan II, president of the University of Maryland College Park.

- Compiled by Editor in Chief Kyle Foster



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Abortion

Continued from Page 1

member is that it was assumed Roe vs. Wade was going to be reversed," said Bratt, who chaired a UK task force on the status of women. "This decision doesn't do that. It allows states more control in the early part of pregnancy than they had, but it is not in my estimation, such a terrible inroad on a woman's right to choose as to be labeled a disaster."

She said the court's 5-4 vote reflected public opinion, which is divided but favors the availability of abortions with some restric-

"I think it's an attempt to find a balance between an unrestricted right to abortion at any time in the pregnancy and total restrictions on abortions no matter when." said Bratt, who hasn't seen the

Continued from Page 1

dents and faculty across the state

to have on-line access to informa-

tion stored in the library and with-

"This state-of-the art equipment

will help make a state-of-the-art library for UK," said Marvin L. Mann, Lexmark's president and

in data banks around the world.

Library

court opinion and based her comments on initial media reports

The decision was controlled by Sandra Day O'Connor, Anthony Kennedy and David Souter, who co-authored the court's main opinion. The three joined with Harry Blackmun and John Paul Stevens in rejecting the Bush Administration's call to abandon the 1973 ruling and let states outlaw most of the 1.5 million abortions performed nationwide each year.

Four court members — Chief Justice William H. Rehnquist and Justices Byron R. White, Antonin Scalia and Clarence Thomas said abortion should not be a constitutional right.

Although the majority opinion upheld the right to abortion, a separate 7-2 coalition of justices substantially weakened the right when it upheld most provisions of the Pennsylvania abortion law.

O'Connor, Kennedy and Sout-

"In addition, the library will become an integral part of the Commonwealth's economic de-velopment efforts."

chief executive officer.

The gift brings to \$16.7 million the amount of private funds raised in the library campaign. UK officials hope to raise \$20 million in private donations to fund endowments for the library and supplement state construcer joined those four in upholding most of the law's provisions over dissenting votes by Blackmun and Stevens.

In doing so, the court fashioned a new "undue burden" test for judging whether state abortion regulations are valid. Under the test, an abortion regulation that imposes an "absolute obstacle or severe limitation on the abortion decision" would be subjected to the highest judicial scrutiny.

Bratt said she expects most states now will move to restrict abortions based on this criterion.

"I think what will happen is each state will attempt to regulate abortion ... as long as it doesn't cause an undue burden on the right to choose to have an abortion. We already know some things, like requiring spousal consent would be an undue bur-

She said, however, that the

tion bonds for the proposed \$58 million facility

UK has been interviewing architectural firms from across the country and is expected to choose a firm within the next two weeks Although state funding has yet to be approved, officials say they hope construction can begin in the spring or summer of 1994. Kentucky General Assembly probably won't "test the outer limits of how much you can regu-late abortion" unless its leadership changes substantially.

The court's decision left advocates on both sides of the abortion issue feeling slighted.

James Bopp, general counsel for the National Right to Life Committee, called the ruling "a major defeat. Under this ruling, there's no outlawing of abortion

at all, and for so many that's the big one. We lost 95 percent to-

But Kathryn Kolbert, the Center for Reproductive Law lawyer who argued the Pennsylvania case in behalf of Planned Parent-hood, said, "We are much worse than we have been in the past.'

Information for this story also was gathered by The Associated



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Sports

Goodlett's game heats up with summer season

By Mark Sonka Staff Writer

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Laurie Goodlett and tournament

victories just seem to go hand in hand in the summertime.

She won the Cynthiana-based Burley Belles last summer first tournament win — and fol-

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· AUDI • ISUZU • MAZDA • NISSAN • HUNDAI lowed a week later with a victory in the Frankfort Capital Classic

So when the UK golfer dominated last week's Women's State Amateur Golf Tournament in Independence, Ky., it was no big deal to her, right?

Wrong.

"It was a shock, really," said Goodlett, a fifth-year senior from Lawrenceburg, Ky. "It's the best tournament in the state. I thought would finish toward the top, but I really didn't know that I'd win

"You never know with match play. It's tough."

She could have fooled her opponents.

Of her five matches, only one a 1-up decision over top seed Laura Schild — went all 18 holes. Two matches were shortened to just 12 holes, while her championship match Friday against Marsha Bordas lasted only 14.

"It took me about five holes to get settled down," Goodlett said of her title-clinching 5 and 4 vic-tory. "It gives me some confidence going into my other tourna-

GOODLETT

Those tournaments include two title defenses, which are both in the next two weeks, and another stop in Lexington.

However, with her State Am trophy — "it's really tall," she said — Goodlett may not have room for another one. Her most recent piece of hardware includes the names of every State Am champion since 1923.
"It's kind of eerie, in a way,"

So is the fact that she won it on only her fifth try. Bordas, who competed in her first State Am before Goodlett was born, has come up empty 26 times.

"I don't know if it will ever sink in," Goodlett said.

Considering her busy schedule. which involves two semesters of golf at UK beginning this fall, Goodlett won't have much time to relish any personal victories.

What does she do, anyway? Play year-round?

"Pretty much, yeah," Goodlett said. "I usually play in five or six tournaments in the summer. And I sometimes play in the winter, if there's no snow on the ground."

She hasn't added a snow wedge to her assemblage of clubs, yet.

All joking aside, though, Goodlett is serious about one thing — helping the golf team reach nationals for the thirdstraight year.

"I'd just like to be toward the top of the (team's five-woman cup) and help the team do well," she said.

"My short game has really improved. And my wedge play was much better this tournament."

Does that also mean Laurie is thinking of a State Am repeat al-

"It may have just been my week," a modest Goodlett said. "I'd always like to get another one but having this one is great. Anything else is just a bonus

'92 Olympic dream ends for Whelan

Staff Reports

Bob Whelan's dreams to make the U.S. Olympic Team ended when he finished 10th out of 12 runners in Friday's 1,500-meter

Whelan, a 23-year-old UK graduate from Tennessee, trained for the Olympic Trials with Saïd Aouita in hopes of making the

Jim Spivey, 32, Glen Ellyn, Ill.; Steve Holman, 22, Washington and Terrance Herrington, 25, Central, S. C. will represent the U.S. Team in Barcelona.



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Diversions

Sisters score hit in 'League of Their Own'

By John Dyer Fort Arts Editor

I was 13 years old when I finally out-muscled my 17-year-old sister. While arguing one day, I hit her in the arm and made her tear up. By the shocked look on her face, I knew: my sister's 12-year reign of terror was over and I was free.

"A League of Their Own" is not a baseball movie. It's not a "women's" movie, either. It's the story of two sisters — and, as anyone with sisters knows, there is a strange and beautiful bond only they (imperfectly) understand.

"League" leads us to the ultimate baseball finale: the bottom of the ninth inning in the last game of the All-American Women's League World Series.

Last-minute baseball clinches make great games, but not great movies — unless, there's a human dimension to it.

A story of two sisters struggling from youthful competitiveness to womanhood, "League" takes us beyond team loyalties, score cards and winners and losers. The film is played where human wills and fateful circumstances meet in a ninth-inning

It's 1943. The war is on and the draft is threatening to halt the major leagues. When team owners decide to start a professional women's league, two softball-playing sisters from rural Oregon go to Chicago for tryouts. Each has their different reasons for going.

rather wait on her parents' dairy farm for the war to end and her husband to come home. But, her younger sister Kit (Lori Petty) sees the league as her ticket off the farm. Tired of living under

Dottie (Geena Davis) would

the shadow of her beautiful, talented older sister, Kit is barely noticed by anyone except Dottie.

The problem is Kit can't go unless Dottie goes. It's a classic love-hate sistership.

Part fiction and part fact,

"League" is a nostalgic and moving story of pre-World War II American innocence. In real life, the All-American league lasted from 1943-56.

Geena Davis is wonderful the perfect mix of gangly beauty, toughness and sensitivity. Lori Petty and Tom Hanks, as a washed up former all-star turned coach, fit this film like old-time soft-leather baseball gloves: comfortable and reassuring.

"League" is funny and heartbreaking at the same time. Director Penny Marshall portrays sibling love with humorous vitality — a quality that made a childlike adult in "Big" the perfect response to a jaded world. The private society of two sisters comes alive in "League": The stubborn resentments, the encouragement, the "you'll-have-to-do-me-one-better" competitiveness and the silent sacrifices.

Unable to agree, unable to stay mad, Dottie calls Kit a "Mule!," followed by Kit's "Nag!" to Dottie. It's a fight-ending ritual that makes them both crack stubborn smiles.

"A League of Their Own" drives its story home with laughter and grace. This fan left his seat quite satisfied.

"A League of Their Own," rated PG, starts today at South Park and Man O' War Cinemas.



Rival sisters leave home for professional baseball in "A League of Their Own," starring Geena Davis, Lori Petty and Tom Hanks.

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Viewpoint

SGA can help school by sharing its wealth

Departments across the University are reeling from two re-cent budget cuts, but at least one campus organization has re-ceived a financial windfall.

UK's Student Government Association interim senate last month passed an interim budget that was up about 27 percent from the previous year — a \$30,000 increase.

In past years, students and campus media have griped that SGA is more concerned with fulfilling selfish motives than in meeting the needs of the UK

But SGA provides many valuable services, from free tutoring and tax advice to the Student Es cort Service.

Now, the organization finds itself in a position to serve UK during a time of fiscal crisis. UK has cut \$26.4 million from its operating budgets during the past six months, affecting every sector of the University from the admissions office to WUKY-FM, the school's public radio station.

SGA, however, is raking in money thanks to an increase in student fees partly engineered by former SGA President Scott Cros-

an ironic twist becoming P.J. O'Rourke: SGA and the students who pay fees now have the means to help bail out their struggling, (supposedly) supported school.

Granted, \$30,000 is not a lot of money — especially in light of the magnitude of the budget cuts. But \$30,000 isn't small change. either. It can alleviate a lot of bud-get misery if allocated judicious-

Almost all of the SGA increase has been budgeted to the senate which can spend the money as it st year's SGA Senate was marred by infighting, grid-lock and political pettiness, but



there are promising signs that new leadership will be able to steer the legislative body in the right direction this fall.

The interim senate already has passed bills to purchase new flags for UK's budget-strapped

marching band and to co-sponsor Fall Orientation, a program for which UK is hard-pressed to pay

It is this kind of sharing spirit that will pull the University through the budget crisis — makthen at least a closer-knit institu

UK President Charles Wethington has said, we are all in this budget crunch together. We hope SGA will continue to

Abortion decision will affect poor women most

ANALYSIS

By James H. Rubin Associated Press

WASHINGTON - A woman's constitutional right to abortion is safe, for now, but the Supreme Court is giving states more leeway to impose restric tions that make it harder for women to end pregnancies.

The court recessed for the summer Monday after issuing its most controversial — and dra-matic — ruling of the 1991-92 court term. And neither side in the continuing national debate on abortion is satisfied.

Here, in question-and-answer form, is a look at the court's ruling on Pennsylvania's restrictive abortion law and the likely impact of that decision.

O: What did the court say about its 1973 ruling in Roe vs. Wade that established a constitutional right to abortion?

A: By a 5-4 vote, the justices said that right still exists. Justice David H. Souter, a co-author of the court's main opinion Mon-day, said overturning the 19year-old landmark would be "a surrender to political pressure" that "would subvert the court's

O: Who might be most affected by likely new laws limiting access to abortions?

A: Poor women, less-educated women and those in areas far from the nearest abortion clinic These women are most likely to be deterred and intimidated by additional hurdles states may

Q: Why then are abortion rights advocates so unhappy?

A: The court dismantled much

of the framework supporting the 1973 ruling, including the trimester approach that was an important underpinning.

That now-discarded standard

· A woman's decision to have an abortion during the first three months of her pregnancy must be left to her and her doctor.

•States may regulate abortion during the second trimester only to protect the woman's health.

·States may protect fetal life in the final three months of preg-

Monday's ruling "lets states

seriously nibble away and cut the right to abortion," said American University law professor Herman

Norma McCorvey, the "Jane Roe" of the 1973 decision, said in Los Angeles the court had is-sued a "death warrant" for teen-agers, indigent women and rural

O: What did the court put in place of the trimester approach?

A: Adopting a test first enunci-ated by Justice Sandra Day O'Connor nine years ago, the majority said abortion restric-tions will survive constitutional scrutiny if they do not place "an undue burden" on women. The test means states may not put bstantial obstacles in the way of a woman seeking an abortion before her fetus is capable of living outside the womb

Q: What is an undue burden, and what is not?

A: Ultimately, the votes of A: Offiniacly, the votes of five of the nine justices will decide. Justice Antonin Scalia, in a dissent, said "philosophical predilection and moral intuition" of unelected judges will decide what is lawful.

On Monday, the court used the

undue burden standard to uphold Pennsylvania abortion restrictions that impose a 24-hour waiting period for women and require doctors to keep detailed records on abortions they perform; and require that women seeking an abortion be told about fetal develtheir pregnancies.

But the justices struck down a provision that required wives in most cases to notify their husbands before getting an abortion.

Q: Why are abortion opponents unhappy with this outcome?

A: They anticipated a conservative court, one dominated by ap-pointees of Presidents Reagan and Bush, was on the verge of overturning Roe vs. Wade, Mon-day's decision "is an incredible betrayal," said Randall Terry, founder of the anti-abortion group Operation Rescue.

Q: What happens in state legislatures now?

A: About a dozen states now become the battleground for the next round of fighting over abortion. Some have laws akin to Pennsylvania's; others are far more restrictive.

Guam, Louisiana and Utah en-

acted statutes that seek to ban most abortions. Those laws are unlikely to survive court tests under the standard adopted Monday.

New battles can be expected to brew in states where the abortion issue is closely contested and anti-abortion lawmakers try to test the limits of the high court's

Q: What happens next in Con-

A: There is strong support for the so-called Freedom of Choice Act that would enact into federal law the holding of Roe vs. Wade. A veto by Bush is expected, and there do not appear to be enough votes in the Democratic-controlled Congress to override.

Q: Will the Supreme Court change its views on abortion any

A: Probably not until the current membership changes. But Harry A. Blackmun, author of the 1973 ruling, conceded that day cannot be put off indefinitely.

"I am 83 years old," he said. "I cannot remain on this court forever, and when I do step down, the confirmation process for my successor well may focus on the is-sue before us today."

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