

## Abortion law expert says it's hard to define what's 'human,' what's not

By Gene Gentrup

One of the United States' leading scholars, a foremost expert on abortion laws, told a UNL audience Friday night that "There is no kind of human behavior that, because of its nature, should not be made into a legal duty by responding to a legal right."

John Noonan, a University of California at Berkeley professor, spoke at the College of Law to a crowd of about 250 people on abortion issues and laws related to them.

Noonan said he thinks the most transcending point of the abortion issue is taken by the U.S. Supreme Court.

"The state court is the source of our rights," he said. "We don't have the rights unless they are appointed by some agency of government."

Noonan said the reason for giving such a "sweeping statement" is that the state now appears to be the only authorized agency that determines who is a person with rights and who is a person with rights that can be protected.

"To put it succinctly," he said, "that's the whole ball game."

Noonan frequently cited the words of Hans Kelsen and the purist theory, and supported the view that "a person is simply a construct of law."

Noonan said it is hard to differentiate between what is considered human and what is considered inhuman.

"I can't see where you draw the line once you have that unique genetic material," he said. "Eleven weeks is very young, but the same being is there as was before — the same brains are there, the same arms and legs. There just isn't any clear point to say 'well, this is not human.' That's my position."

Noonan said he believes it is the specific physical characteristics that mark a human as a new individual. These physical characteristics make up the "personality" in the womb.

"The unique individuality is decided by the genetic differences," he said.

Noonan said DNA is like a tape recorder. "It just needs to be played in order for the reality to be heard," he said. "You don't think of the tape recorder as pure potential. It's not waiting to be a tape recorder. It is a tape recorder."

"If you had the only tape recorder with all of Mozart's works and somebody came into your room and trampled on them, they would say 'I didn't destroy Mozart, only his potential.' These unique chromosomes may be Mozart's, or they may be murderer's. You just don't know. But they are more than just potential. They are going to develop."

Noonan, a graduate of Harvard Law College, is the author of two books, "Morality and Abortion" and "Private Choice." His talk was sponsored by the Christian Legal Society.

## Off The Wire

National and international news from the Reuter News Report

### Reagan ends visit, pledges U.S. support

SEOUL, South Korea — President Reagan left for Washington today at the end of a three-day visit to South Korea. A joint statement issued by Reagan and South Korean President Chun Doo Hwan at the close of Reagan's visit contained a pledge from Reagan to strengthen the capabilities of the 40,000 U.S. servicemen in Korea. In the statement, Reagan described the security of South Korea as a key to peace in Northeast Asia and in the United States.

The statement followed Reagan's visit Sunday to the demilitarized zone between North and South Korea. Reagan was the first U.S. president to visit the 2.5-mile-wide DMZ.

### Gemayel visit postponed

BEIRUT — a visit by Lebanese President Amin Gemayel to Damascus, scheduled for today, was postponed Sunday because of the sudden illness of Syrian President Hafez al-Assad, Lebanese officials said. They said Syrian Foreign Minister Abdel-Halim Khaddam would visit Beirut Thursday to prepare for Gemayel's visit to Damascus at an unspecified date when the Syrian president recovers.

Gemayel's visit to Damascus, the major backer of his opponents, would have been his first since his election in September 1982. The visit was seen as signaling a thaw in frosty relations between the two governments. State-run Beirut radio did not identify Assad's illness.

### Streets cold for python

TOULOUSE, France — Firemen Sunday rescued a four-foot python, evidently dying of cold and hunger, from a busy street and took it to a zoo where it was given a bath and warm milk. The reptile, brought from Lebanon, escaped from its owner's house in this Southern French city after the owner returned to Beirut several days ago. Police said the python is recovering in the zoo.

### British plan protest

LONDON — A spokesman for Britain's anti-nuclear war movement said Sunday that the movement will mount nationwide protests when the first American cruise missiles are flown in Tuesday. James Hinton said President Reagan and British Prime Minister Margaret Thatcher will be deluged with protest telegrams from 250,000 active supporters of the Campaign for Nuclear Disarmament. Hinton said campaign members had learned that the missiles, the first of 572 that NATO is deploying in Western Europe, will arrive Tuesday at Greenham Common Air Base, 50 miles west of London.

The first 16 cruise missiles had not been expected in Britain until about Nov. 21.

### Deadly year for climbers

KATMANDU, Nepal — The death toll from climbing accidents rose to 21 Sunday in the worst climbing season in the Nepalese Himalayas since the area was opened to foreigners in 1949. The tourism ministry announced the death of the 21st victim, Japanese climber Chikhiro Chin. The previous record number of climbers perishing in a single season was 19 in 1972.

### Shultz on rights

SEOUL, South Korea — Secretary of State George Shultz said Sunday South Korean President Chun Doo Hwan had made progress in improving human rights and was expected to continue his liberalization program "in a very positive direction." Shultz objected to reporters' suggestions at a press conference that the human rights situation in South Korea was poor and that President Reagan did not care. Meanwhile, police arrested 10 people during an attempted rally by 400 demonstrators at a church in central Seoul.



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