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The year is 1971, two years before *Roe v. Wade* is decided. Regardless of which camp you are in, if a doctor may perform an abortion “to preserve the **psychological well-being**” of the woman, wasn’t this fight over before it began? Food for thought.

**United States v. Vuitch (1971)...5/4.**

Really, this is the 1<sup>st</sup> case about abortion to reach the Supreme Court. A doctor challenged the constitutionality of a District of Columbia abortion statute permitting abortion only to preserve the life “or health” of the woman, contending the term “health” was vague.

**Held:** “Health” is not a vague term and should be understood to include **psychological as well as physical well-being**. The Court also held that the burden of proving an abortion was not performed to preserve the “life or health” of the woman and that, therefore, the defendant was guilty, was upon the prosecution. In other words, a doctor did not have to prove his decision was “to preserve life or health of the woman” — the State had to prove it was not to do so.

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