

Oral Testimony of Archbishop John Roach

On November 5, 1981, Archbishop John Roach and Terence Cardinal Cooke testified before the Senate Subcommittee on the Constitution in support of S.J. Res. 110 (Hatch Amendment). Archbishop Roach is President of the National Conference of Catholic Bishops. Cardinal Cooke is Chairman of the NCCB Committee for Pro-Life Activities.

In addition to the oral presentations by Archbishop Roach and Cardinal Cooke to the Senate Judiciary Committee's Subcommittee on the Constitution, the National Conference of Catholic Bishops submitted a written statement presenting the case for a Human Life Amendment.

On December 16, 1981, the Subcommittee on the Constitution passed the amendment with a 4-0 vote. On March 10, 1982, the amendment was passed by the full Senate Judiciary Committee with a 10-7 vote.

I am Archbishop John Roach of St. Paul and Minneapolis. I appear before this subcommittee today in my capacity as president of the National Conference of Catholic Bishops and U.S. Catholic Conference. With me is Cardinal Terence Cooke of New York, chairman of the Committee for Pro-Life Activities for the bishops' conference. We are very grateful to you for this opportunity to speak to a matter of urgent concern to us and many Americans: the reality of permissive, legalized abortion in the United States and the pressing need for a constitutional remedy for this national scandal.

Twice before the Catholic bishops of the United States have testified before committees of Congress on this matter. I ask permission to submit for the record our testimony on those occasions as well as our longer written statement to this subcommittee, which reviews recent developments and updates the record on several matters.

I commend and I thank you for your decision to hold these hearings. Certainly the time is at hand—and indeed long overdue—for congressional action to correct the situ-

ation which has existed since the Supreme Court's abortion decisions of 1973. We are hopeful that these hearings will mark a major step toward early enactment and ratification of a constitutional amendment to remedy the court's tragic and repeated error in this matter.

I realize that I have used strong language in referring to the situation: "national scandal," "tragic error." But I do not use these terms casually or for rhetorical effect. The rate of legalized, permissive abortion in the United States is now approximately 1.5 million a year—nearly 30,000 a week, more than 4,100 a day. Destruction of human life on that scale boggles the mind, and the fact that it occurs under the mantle of law calls into question our status as a civilized nation. In cold fact, 1.5 million legal abortions a year can be understood, though never justified, only as symptoms of a kind of disease of the national spirit eroding respect for life and hardening hearts against the most elementary claims of compassion.

I think it is valid to question the right of a religious leader to say that we are speaking here of "human life." Is this not a question

for science to settle? I readily concede this, for science has long since settled it—and done so in favor of the unborn. The scientific data fully support the common-sense claim that each human individual comes into existence at conception, and all subsequent states of development are simply that—phases of growth and development in the life cycle of an individual already in existence.

It is true that some scientific and medical professionals misinterpret what is at issue here. But, I submit, it is they who attempt to introduce subjective ideology and myth into the debate. Having concluded on the basis of their private value systems that life before birth is either valueless or has less value than the social benefits of legal abortion, some reason backward and seek to reject the evidence for the humanity of the unborn without being able to disprove or even seriously to question it. This is what it means to substitute subjective beliefs for scientific facts.

Plainly, the implications of the abortion decisions reach far beyond the abortion issue and impinge upon the legal status and rights of human beings who are handicapped or de-

pendent on others, or who in any way fall below the standard of what some court or legislature may consider "meaningful life." They affect the very nature and purpose of law in relation to human rights. So the debate is not between science and religion, nor between one view of morality and pluralism, nor between competing interpretations of scientific data. Ultimately it is between the conviction that all human beings are inherently equal in rights and dignity, and the idea that the inherent dignity of all members of the human race is in fact irrelevant from the viewpoint of law.

It would be a happy thing if the Supreme Court, acknowledging that the bad arguments propping up its decisions have had disastrous consequences, would reverse itself. Unfortunately there is no reason to think it will in the foreseeable future. Hence the need, which we have urged from the very beginning, for a constitutional remedy.

We have considered amendments proposed during this Congress in light of the same concerns which prompted the bishops to

testify before this body in 1974. Now, as then, we wish Congress to give its support to an amendment which effectively reverses the Supreme Court's abortion decisions, allows for effective and universal protection of unborn children against abortion, and has good prospects for ratification. In light of these criteria we support Sen. Hatch's proposal, embodied in S.J. Res. 110.

There should be no misinterpretation about our own position on the abortion issue. We are committed to full legal recognition of the right to life of the unborn child and will not rest in our efforts until society respects the inherent worth and dignity of every member of the human race. When a constitutional amendment is ratified and hearings are held on a national abortion law, we shall again request permission to testify in order to urge Congress to enact laws protecting the unborn child to the maximum degree possible.

We realize that other groups and individuals will put forward other views on this matter. But our

understanding of national attitudes and our commitment to the democratic process convince us that this strategy for returning the abortion controversy to the legislative arena has the great merit of being an achievable solution to the present situation of abortion on demand. We cannot in conscience tolerate the continued destruction of unborn human lives at the rate of 1.5 million a year on the hypothetical grounds that some day another, theoretically ideal constitutional solution might be found.

Mr. Chairman, Cardinal Cooke will present further reflections on these questions. In conclusion, I thank you again for the opportunity to testify on behalf of S.J. Res. 110. Acknowledging that other approaches have their merits, we nevertheless stand prepared—should this committee give its endorsement to S.J. Res. 110—to use all our efforts to urge support among our people and adoption by the appropriate legislative bodies.

Thank you again.