



Statement of

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Chairman**

**Committee for Pro-Life Activities
National Conference of Catholic Bishops
before the**

**Subcommittee on Civil and Constitutional Rights
of the
House Committee on the Judiciary**

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I am Terence Cardinal Cooke of New York, Chairman of the Catholic Bishops' Committee for Pro-Life Activities. I join Archbishop Bernardin in thanking the Subcommittee for this opportunity to testify.

Let me begin by expressing respect for those who in good faith oppose the conviction which we have concerning the evil of abortion. It is not my intention to question their sincerity. Indeed, I share the concern of many of them for the poor and the under-privileged, for those who feel the stab of hunger's pain, for those ravaged by war, for those who will never see the inside of a school or explore the wonders in the pages of a book. With you and with all my fellow Americans, I dream of a better world and I wish to share in building it. But I am convinced that the road of abortion is not the path to this better world.

Today, I see the two hundred year history of our beloved nation as a witness to our respect for life--as a testimony to that unalienable right that an innocent human person has to keep on living.

On a sad day in the history of the United States, the Supreme Court rendered the terrible *Dred Scott* decision. The Court was convinced that it had thus

once and for all resolved the question of human slavery in the United States of America. A score of years, a bloody Civil War and a Constitutional Amendment later, the question of slavery was indeed resolved, but in a way completely different from the mistaken and ill-considered decision of the Supreme Court. On January 22, 1973, another decision of like importance and, I feel, of equal disregard for human life was rendered on the question of abortion. It is our hope and prayer--and our determination--that it will not take another score of years--and millions more of these innocent lives snuffed out--before this terrible decision is reversed. We come to testify before you because we are convinced that this issue must be faced. The question of the evil of abortion will not go away.

For the past three years, abortion on demand has been a fact throughout the United States. In view of this situation, a situation brought about not by legislation but by constant and unprecedented judicial fiat--it is appropriate to ask how Americans really feel about abortion on demand.

I think it is important to underscore this point. The Supreme Court did not legalize abortion in just a few exceptional cases; it legalized abortion on demand. The two hundred year old tradition of the history of the American people--and the Judeo-Christian principles on which this nation was established--is clearly opposed to abortion on demand--and the American people today are opposed to abortion on demand. Furthermore, there is evidence that the more informed people become about the facts of abortion, the more opposed to it they become. Yet, because of the Supreme Court's decisions, the American people are denied access to the ordinary remedies for such a situation. The only way to correct the tragic error of the Supreme Court's decision--the only way to bring the situation in our country in line with the wishes of most Americans, is to amend the Constitution.

The Catholic Conference has not supported any specific formulation for a Constitutional Amendment. Our position, rather, has been and remains that, whatever the formulation of an amendment to protect unborn human life, it should embody certain principles. The principles in question express moral values consistently affirmed in the United States and respect the constitutional bases of our legal tradition. These principles can be stated in the following four points which express goals we hold to be necessary and desirable. Two years ago we stated the same points in testimony before the Senate Subcommittee on Constitutional Amendments.

--The Amendment should establish that the unborn child is a person under the law in the terms of the Constitution from conception on.

--The Constitution should express a commitment to the preservation of life to the maximum degree possible. The protection resulting therefrom should be universal.

--The Amendment should give the states the power to enact enabling legislation, and to provide for ancillary matters, such as record keeping, etc.

--The right to life is described in the Declaration of Independence as "unalienable" and as a right with which all human beings are endowed by their creator. The Amendment should restore to the unborn child the basic constitutional protection of this "unalienable" right. The Supreme Court's decision has alienated this right from the unborn by a sweeping and unprecedented action.

We are committed to the democratic process. It is precisely that commitment which has brought us here today. As Archbishop Bernardin has clearly pointed out, neither we nor any other advocates of remedial action to correct the Court's calamitous decision are attempting to impose on the nation "our" religious doctrine or "our" morality. We ask instead that Congress take action to right an appalling wrong and remove this terrible violation of human rights which does violence to the principles upon which our Nation is founded.

Today abortion is advocated by some as a solution--indeed, the solution--to such problems as poverty, the denial of women's rights and child abuse. As is typical of panaceas, however, abortion promises what it cannot deliver and delivers what society neither wants nor needs. Abortion does not remove the cause of these or other social problems. If we wish to eradicate poverty, let us destroy the causes of poverty--not destroy the life of the poor and defenseless unborn child. If we wish to correct violations of women's rights, let us do so--not violate the right of the unborn child to continue living. If we wish to halt child abuse, let us do so by finding and treating its causes--not by abusing and killing innocent unborn children through abortion.

Today in the United States, unborn human life is being destroyed on a vast scale. Is there the slightest shred of evidence that this massive killing has

made ours a happier, more just society or made us a people more closely united in dedication to the ideals which underlie our nation? I know of none. But, I do know that in our country with the approval of law, abortion destroys a million human lives each year. This horrible condition can and must be corrected by an Amendment to the Constitution.

We have faith that the American people will want to protect the life of the unborn child in its mother's womb, and we urge that the Congress give the citizens of this nation the opportunity of correcting the present intolerable situation through the passage of a Constitutional Amendment. Let the people be heard!

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