



Testimony of
His Eminence John Cardinal Cody
Archbishop of Chicago
before the
Subcommittee on Constitutional Amendments
of the
Senate Committee on the Judiciary

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Mr. Chairman:

I am Cardinal John Cody. Some of the technical and legal aspects of the abortion issue have been covered by my colleagues. In concluding our joint presentation I wish to touch on certain long-range implications of the Supreme Court's abortion decisions and of the current practice of abortion in this country.

One aspect of the Supreme Court's action which has received relatively little attention, and yet deserves the most serious and profound reflection, is the criterion it adopted in evaluating unborn human life. The unborn child, according to the court majority, is to be considered viable when he or she is "capable of meaningful life" outside the mother's womb. Furthermore, even the viable child prior to birth is, in the eyes of the court, not a person "in the whole sense."

What precisely does this mean? The very vagueness of the language, as of the thinking, makes it difficult to say with certainty. And it is exactly its subjective vagueness which makes this line of thought so dangerous. At the very least it appears that the Supreme Court has taken the position that there are no clear and objective criteria to guide our approach to human life. Instead, human life is to be respected only to the extent that it meets shifting interpretations of "meaninglessness" which government, society or an individual may choose to apply.

This represents a radical threat to the dignity and sanctity of all human life. I do not suggest a moral "domino theory," as if abuses against the value of human life in one area lead inevitably to abuses in others. But readiness to destroy some human lives because they fail to measure up to ill-defined, subjective standards of "meaningfulness" can infect society's attitude toward life in general and lead to abuses which were originally unforeseen.

This has begun to happen in our country. I will not recount in detail the incidents which have already come to light in recent months -- of sterilization of public welfare recipients and of handicapped infants allowed to die. Apparently the cruel standard of "meaningfulness" has already begun to take its toll on other lives besides those of the unborn. Where does the process end? Who among us feels confident that he or she knows?

My point is this: unless America is prepared to protect unborn human lives, it cannot with confidence guarantee protection to any life. A threat to any innocent life is implicitly a threat to all.

Society is obliged to protect and enhance human lives -- all human lives. Our concern should not be limited to the unborn but should extend to women experiencing problems in pregnancy and to their families. A wide range of medical and social services must be available to all who need them. A truly humane and compassionate approach will employ measures such as these, not abortion.

Mr. Chairman, I am sure that you and the other members of this Subcommittee have heard a great deal from concerned Americans who wish the speedy enactment of a constitutional amendment to protect the unborn. So have we. The public demonstrations which occurred on the grounds of the U.S. Capitol and in many communities around the country on the first anniversary of the abortion decisions were visible testimony to the deeply held desire of millions of Americans for action to protect the unborn. These are Americans of many different creeds and races. A Jewish doctor, writing in the letters column of the February 23 issue of *Time*, had this to say:

“As a Jew, I hold the right to life of an innocent just as sacred as any Catholic may. It is true that Catholics are particularly mobilized against abortion. Why shouldn't they be? Are not Jews particularly mobilized against genocide -- or is that wrong? How is it possible that a line of distinction can be drawn between kinds of human life?”

That is a question which all Americans might well ponder as we confront the tragedy of abortion in our country today. "How is it possible that a line of distinction can be drawn between kinds of human life?"

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