Catholic Faith to uphold Catholic doctrine, and by his oath as an elected representative of the People of the United States to uphold, defend and support the Constitution of the United States and the laws of the country.

First, it must be said that Catholic politicians have no obligation and no right to impose the teachings of the Catholic Church upon the nation. Their obligation and their right is to further, defend and uphold the Constitution of the United States. And it must be said at the outset that there is nothing in the Constitution of the United States and its valid interpretation that is contrary to Catholic teaching. If that were not so, no Catholic, in conscience, hold political office in this nation.

PART I: The crucible of the laws (5)

The constitutional question in Roe v. Wade has never been examined, and the issue of the unborn has never been studied as a constitutional question. It entered into the legal arena as a matter of personal freedom...the freedom of a woman to destroy the child in her womb. Yet, it was precisely the fate of the child in her womb that was the object and focus of every abortion law of history, from Hippocrates to English Common Law. In fact, enshrined by Blackstone as the heart and hub of the question is the clear and concise principle laid down in his "Commentaries": "Qui in utero est pro jarno habetur, qui pecunia suis possidet. (6) One in the womb is held as already born, whenever a question arises for its benefit." The change of focus in Roe v. Wade indicates a seismic change in American jurisprudence, comparable in its legal impact to the Dred Scott (7) decision a century before, and the Alien and Sedition Laws of 1798.

Legal studies take many forms, from the plodding monographs with mountains of footnotes found in the more scholarly reviews and legal journals to the crisp, essay-like opinions of Lord Mansfield and John Marshall, noted for their logical lucidity and sensitive humanity. Legal studies are as varied as the jurists themselves and that is why law and jurisprudence have become an absorbing and exciting business, their legal output even surpassing, in some cases, the political commentaries of the New York Times, Le Monde, and the Manchester Guardian. And so it is something of a puzzling mystery and historical oddity that no legal studies of any legal decisions have been made of the legal fabric and social dynamics of the Roe v. Wade decision.

Those of us who have grappled with the human problems facing what has now become a global village have wondered why the United States of America, with its enlightened doctrine of exceptionless rights, could authorize and sanction and declare legally justifiable the destruction of the unborn in the womb, contrary to every tenet of humanity that inspired this nation. Who would think, or do so, of the laws and people of obvious greatness who would sanction, legalize and authorize a form of national genocide in the name of the "Right to Privacy," under cover of which abortion related Dilation and Curettage, Dilation and Evacuation, and Dilation and Extraction pass as standard medical practice?

It is possible that the Catholic politician is totally unaware of the savagery of these "medical" procedures or of the laws and people of the Roe v. Wade decision. It is also possible that he has never studied the legal precedents and juridical principles that were ignored or discarded in the framing of that decision. Abraham Lincoln, in his Cooper Union Speech of February 27, 1860,13 with the fine scalpel of legal reasoning, dissected the flaws and falsehoods in the Dred Scott decision, which legalized chattel slavery in every state of the Union, abrogating the Missouri Compromise as well, in Lincoln's mind, the real intent of the framers of the Constitution. Roe v. Wade rests as well on just as shaky a legal foundation.

In a society without law, the strong destroy the weak, and the basic constitutional principle at work in the American judiciary is that there must be effective checks in the law to protect the weak and deter those who would use power unlawfully only for their own advantage. It makes no difference if the power is political, military, economic or brute physical force, the result is always the same: the weak are at the mercy of the strong, the strong using the law to cover their own lawlessness and using the cover of the law to conceal their destructive intent. The question of abortion is no different from issues that divided the country in the past: slavery, segregation, women's rights, child labor, and the condition of workers.

Those holding power, intent on their own private interests, commit violent acts under cover of property rights, contractual rights, state