

Court parallels horrific

Supreme Court Justice Antonin Scalia is to be honored by the St. Thomas More Society of Maryland Oct. 21 in Annapolis. The following is adapted from the homily given by Monsignor James P. Farmer, pastor of St. John Westminster and St. Ursula Parkville, at the group's 2008 Red Mass.

When the law of God and the law of man are in conflict, the law of God is going to prevail. We live in an era when the assertion of rights has taken great prominence. No one has the right to do something which is wrong.

There are two horrific examples in American history where the law of God and the law of man have been in conflict. In each case, practices which are clearly wrong were legalized. The first was slavery. The second is abortion.

The issue of abortion is the most divisive issue in our country since slavery, which divided the country along geographical lines. Abortion has divided the country along moral and philosophical lines. The two issues are amazingly parallel in their legal development and in their moral turpitude. In each, the Supreme Court legalized a horrendous practice.

In the first reading from the prophet Jeremiah we are told to "Do what is right and just ... do not shed innocent blood."

There is nothing right or just about slavery, or abortion. A tremendous amount of innocent blood was shed during slavery. A tremendous amount of innocent blood continues to be shed by abortion. Those who support abortion allege that because abortion is legal, debate is a moot point. Parallels to slavery reveal the weakness of this argument.

The Missouri Compromise of 1820 created a divided country, allowing slavery in the southern half and prohibiting it in the northern half. That situation existed until 1857, and the infamous Dred Scott decision, in which the Supreme Court held that the Declaration of Independence does not include slaves as people.

The Dred Scott decision did not end the slavery debate, as it paved the way for the

Civil War. Slavery was legal, but it would never be moral. In 1868, the 14th Amendment ended the slavery question, stating, "No state shall abridge the privileges or immunities of citizens of the United States, nor shall any state deprive any person of life, liberty, or property ... " In 1973, the Supreme Court, in *Roe v. Wade*, held that pre-born people are not included in the definition of person as used in the 14th Amendment, and that the right to privacy encompasses a woman's decision whether or not to terminate a pregnancy.

Nowhere in the constitution does the word privacy exist.

Almost 53 million babies have been legally aborted in the United States since 1973. We abort 4,000 babies a day. Approximately one-third of all children conceived in the United States are aborted, strange for a country that guarantees equal protection under the law for all persons.

Unfortunately, because of *Roe v. Wade*, abortion is legal. As in slavery, however, it is not moral, and it never will be.

In each case, the Supreme Court committed the same mistake, allowing false persuasions to abrogate the fundamental rights of entire classes of people. In *Dred Scott*, the court allowed the interests of slave owners to dominate black people. In *Roe v. Wade*, the court allowed the interests of abortionists to dominate pre-born people.

In the encyclical "*Evangelium Vitae*," Pope John Paul II says that laws which authorize and promote abortion and euthanasia are completely lacking in judicial authority, that there is no obligation in conscience to obey such laws, instead there is a clear obligation to oppose them by conscientious objection.

Abortion denies the unalienable right to life. Slavery denies the unalienable right to liberty. Both deny the pursuit of happiness.

There is no possibility of compromise between life and death. There is no possibility of compromise between liberty and slavery. Slavery is against the law of God, violating the Seventh Commandment, "Thou shall not steal," as it steals a person's liberty, humanity and dignity. Abortion is also against the law of God, violating the

Fifth Commandment, "Thou shall not kill."

The words from the book of Deuteronomy are most appropriate, "I set before you life and death, a blessing and a curse, choose life."

The truth will set us free.