

**TESTIMONY OF LUCILLE BUFFALINO, CELEBRATE LIFE
COMMITTEE, LONG ISLAND, N.Y.**

Mrs. BUFFALINO. Honorable Chairman, honorable Senate committee members, my name is Lucille Buffalino and I represent the Long Island Celebrate Life Committee.

Many people in this country feel that abortion is at the head of their list of injustices in the world. The Rabbinical Council of America and various other faiths have also echoed their sentiments along this line.

This viewpoint has been embodied for many years in laws passed by State legislation. These laws regard the unborn child as a living human being, whose life is sacred, and entitled to the law's protection.

In recent years, attacks have been launched against laws which protect unborn life. Although at first these attacks in State legislatures were successful, of late they have been consistently defeated, as the great majority of the American people have asserted their sentiments that these laws should be preserved.

But those seeking to overturn laws protecting defenseless life have opened a second line of attack on laws protecting the unborn. They have filed lawsuits seeking to declare laws protecting the lives of unborn children "unconstitutional."

Normally a minority group seeks to preserve statutes giving it equal protection, but one of the largest minorities in the United States—its unborn children—cannot do so because they cannot speak. Our group has asked me to come here to ask you, the members of the Senate Judiciary Committee, and the Members of the U.S. Senate, to speak for the unborn and to preserve their lives.

This can be done by appointing to the U.S. Supreme Court men who will uphold the longstanding laws of the various States which protect the lives of innocent unborn children. No one has the right to destroy innocent, unborn life—not even a Justice of the U.S. Supreme Court—who may be disposed to reach for the label "unconstitutional" in order to strike down statutes to which he may, as a personal matter of philosophy, disagree.

We oppose the nomination of any man to the U.S. Supreme Court whom inquiry discloses is ready to substitute his own personal philosophy for the majority will of Americans, expressed for many years in statutes which regard unborn children as human beings whose lives are protected by law. If inquiry discloses that any of the present nominees are disposed to reach for the label "unconstitutional" to strike down laws protecting the unborn, or to weaken them by loose interpretations, we ask that such nominees be rejected.

TESTIMONY OF MARGARET DEVLIN, WANTAGH, N.Y.

Mrs. DEVLIN. Mr. Chairman and distinguished members of the committee:

My name is Margaret Devlin. I am from Wantagh, N.Y.

It is certainly not necessary to remind you that our Nation's founding fathers held as self-evident truths that all men are created equal and that they are endowed by their creator with certain unalienable rights, among which are liberty, the pursuit of happiness, and life it-

self. Nevertheless, it is out of concern for the continuing recognition of these rights that I address myself to your attention.

The fundamental human rights reorganized and guaranteed by the Constitution of the United States are the fruits of a culture nourished and made possible by the contributions of many traditions—most notably, the Hellenic, the Jewish, and the Christian. Through the influence of these traditions occidental man recognized the responsible exercise of freedom as a necessary aspect of its full development of human personality. As a result of the Judeo-Christian influence, he came to understand the unique dignity of human life in which each person bears the “image and likeness of his or her Creator.”

If the capacity to exercise freedom with responsibility is part of the grandeur and nobility of human life there, nevertheless, can be no guarantee concerning the intentions or goals with and for which it is exercised. Among the conditions of freedom are the possibilities of its denial and misuse. Men have traded human freedom—and life itself—for money, power, pleasure, and even for mere convenience. Tyranny still plagues men, as it has in the past—and as it will at least attempt to do in the future.

Tyranny in our century, however, promises to be different from anything known in the past—and the reason, Senators, is the vast increase of power—understood as controllable energy—made possible by advances in science and technology. The enormous power that is now in the hands of man can be used for public utilities or for destroying cities. Research in biochemistry can be directed to restoring men to health—or it can be directed toward the control of human behavior.

The great controversies of the latter part of the 20th century will concern the challenges to our traditional recognition of the rights of life and liberty by those who would sacrifice those rights in order to exercise power efficiently. There will undoubtedly be great problems and dilemmas arising from demographic and socioeconomic factors—but the fact remains that the justices who will sit on the Supreme Court of our Nation in the coming years will be called upon to render decisions regarding the relation of power and human life which will effectively preserve or destroy the fundamental precepts of our Judeo-Christian heritage.

In recent years attempts to enact legislation permitting abortion on demand, euthanasia, and mandatory sterilization, have emerged from fiction to become fact. There is little doubt that before very long the list of such legislation will include bills authorizing genetic and behavioral control.

Forty years ago, Bertrand Russell wrote a book called *The Scientific Outlook* in which he indicated the anticipated conflict between “Christian ethics” and what he referred to as the new scientific ethic. In that work he said, “The new ethic * * * will be prepared to make individuals suffer for the public good without inventing reasons purporting to show that they deserve to suffer.”

In recent months, proponents of the “new ethic” have expressed themselves more freely than ever in books, editorials and public statements. One especially—an editorial appearing in *California Medicine*, September 1970—comes to mind as being especially worthy of being brought to your attention at this time.

The editorial notes that "it will become necessary and acceptable to place relative rather than absolute values on such things as human lives." As an example of the emergence of the new ethic, the editorial cites the changing attitude toward the abortion of unborn human babies and notes that "the result has been a curious avoidance of the scientific fact * * * that human life begins at conception and is continuous * * * until death." It later acknowledges that "one may anticipate further development of these roles as the problems of birth control and birth selection are extended inevitably to death selection and death control whether by the individual or by society."

Senators, I beseech you to make it a point in your inquiry, and in any subsequent inquiries concerning approval of nominees to the Supreme Court, to request the nominees to clearly state their positions and sympathies regarding the rights of all people regardless of color, religion, health, or age—including stage of fetal development—in the face of proposals to exercise a power which would effectively deny those rights. I, furthermore, beseech you to recommend strenuous disapproval of any candidate who is not determined to recognize and protect the inalienable right of all human beings enjoying the protection of our judicial system.

Thank you.

TESTIMONY OF IMELDA JENSEN, OLD BETHPAGE, N.Y.

Mrs. JENSEN. Mr. Chairman and distinguished members of this committee:

My name is Imelda Jensen. I represent Celebrate Life of Long Island, a nonsectarian organization dedicated to protecting the rights of millions of persons who cannot speak for themselves, the unborn, the aged, and the infirm.

The Supreme Court of the United States will be called upon in its next session and in the next decade to rule upon cases involving the right and authority of State and local legislatures to authorize the indiscriminate slaughter of prebirth children, overage adults, and socially unacceptable human beings generally on the twisted theory that permissive abortion and euthanasia are socially and morally desirable goals, instead of pernicious totalitarianism at its most ruthless.

I suggest that nominees for the very high office of Associate Justice of the Supreme Court should be closely questioned regarding their views of such legislation.

I come from a State whose legislature has made it the abortion capital of the United States. In the past 16 months hundreds of thousands of unborn children have been killed in our hospitals and clinics with the benign assurance of many of our States leaders that such mass homicide is, in reality, a zealous protection of the rights of women.

In Florida, some enlightened gentlemen in the State legislature have advocated laws giving the State the right to put to death those persons who no longer conform to the State's behavioral concepts for the aged and infirm.

I submit that the Senate of the United States must know the attitudes of the present nominees on the constitutionality of these legislative aberrations.