

Ms. LAW. I think it is basically a matter of putting together the fact that he has, in the Harvard article and in other places, criticized *Roe v. Wade* with the fact that he—and you are quite correct that normally when he talks about natural law, he uses the example of slavery, which is a relatively less controversial example today. But it is basically, apart from Lehrman, putting together the fact that he is critical of *Roe v. Wade* with the fact that he is very enthusiastic and recommends to conservative audiences that we adopt a natural law approach to judicial decisionmaking in order to develop a way of approaching problems that conservatives will find attractive.

Now, I don't know what that means. Abolishing slavery is not an issue that is going to bring conservatives—or black people into the conservative fold or that is going to be attractive to conservatives particularly. So in terms of a concrete agenda, the place where natural law has been used in recent years has been primarily in relationship to the abortion debate, a debate about which he is very conservative.

Senator SPECTER. But what you have is the reference that *Roe v. Wade* is the subject of criticism by conservatives, and you have that single line referring to the Lehrman article, and that is all.

Ms. LAW. Senator Specter, that is why that letter a couple weeks ago didn't conclude by urging you to reject the nominee. The whole purpose of that letter was to say ask good questions because here are things that we find alarming. And you did ask good questions, but I don't think you got answers to suit your questions.

Senator SPECTER. Well, let me ask the question of you again, Professor Law. That is all there is. The one statement about being critical of *Roe v. Wade*, conservatives being critical, and the single line about a reference to Lehrman's article. That is the sole basis for your contention as to Judge Thomas' stand on abortion and natural law relating to abortion.

Ms. LAW. Actually, I think the major evidence now is the response he gave to you in these hearings. The fact that he was so forthcoming on so many subjects and so concrete and so detailed and so utterly unwilling to discuss abortion in response to good questioning on this committee.

Senator SPECTER. Well, I am familiar with what he said here. I am just trying to find the basis which is a long statement by you, Professor Law, and a fairly long statement by a number of people which is focusing virtually exclusively on the privacy issue, and I am just wondering if you have anything more to base it on other than those two statements. And I think I understand your position.

Thank you very much. Thank you, Mr. Chairman.

The CHAIRMAN. Before I yield to Senator Leahy, I am going to explain what is about to happen in terms of a vote. Momentarily, there will be a vote. As a matter of fact, I can hear it coming now with the beepers, so there will be a vote and it is on an amendment that as the chairman of the European Affairs Subcommittee, I have jurisdiction over, and I am going to be required to spend a little time on the floor after the vote.

Senator Simon has been gracious enough to agree to chair the hearing, or Senator Leahy if he is going to stay, whomever, and we will go to the next panel after this panel is completed, so we will