# Church has much to offer newly elected

There is a peculiar time-warp surrounding this column, since I'm writing it just before the election and you'll be reading it just afterward. Like everyone else, I don't know who will be assuming office after Nov. 5th.

Since I'm sitting here in uncertainty about a matter that will be certainly determined shortly, I thought I would use this space to make some comments to those who were elected Tuesday.

I don't know what party they represent, I don't know what perspective they use to view the world. What I do know is something of the perspective that Catholic social teaching has cast upon the exercise of government. I think those who find themselves charged now with duties as elected officials would be well served if they considered what the church has to say - not to violate any boundaries between church and state, but just to dip into one of the most profound sources of "public wisdom" ever developed on this planet.

I would urge those recently elected to think, for example, of a question posed by



the moral life

By Patricia Schoelles, SSJ

Pope John Paul II on his last visit to our country: "America, have you grown cold?"

He posed this question as he stood in the shadow of the Statue of Liberty in New York City. He was referring to our attitude toward immigrants. As he moved from city to city, he never stopped pointing us to our own histories as immigrant people looking to make life better for our children in a new land. He never stopped expressing his concern and dismay over the fact that we seem to have grown resentful toward those who come here at great cost, often enduring great risk, to

Of those who parallel Pope John Paul on this issue, the Republican mayor of New York City has been most eloquent. Rudolph Giuliani has spoken forcefully about the contribution of immigrants to making his "the greatest city on earth."

Pope John Paul's question reiterated by this politician ought to accompany our legislators and haunt them just a little bit as they travel to their respective halls of government: "America, have you grown cold?"

Catholic social teaching, and our current pope, have also placed such great emphasis on our responsibility toward those who suffer from unemployment, poverty, marginalization, the gap that separates rich from poor. This gap in our own country seems lately not just to separate rich from poor, but to make those who are poor the enemies of those of us who have what we need to "make it."

Jesse Norman, an opera singer who is likely to have little exposure to Catholic social teaching, made a statement in an interview on NBC television recently as she responded to questions about what she expected from our elected officials. She commented: "There are people who can't pull themselves up by their bootstraps because they're not wearing any boots."

This election season has offered us a myriad of questions that have been labeled as "the issues." As I have tried to shape MY reflection according to what our church has consistently said are "the issues," I can't help thinking that the pope's question has given me more direction than the volumes of political rhetoric I've heard and read. And Jesse Norman's quick comment reflected centuries of church teaching on solidarity with the poor better than any debate or survey or poll I am aware of to date.

As our newly elected officials assume office, I urge them to recall the pope's haunting question, "America, have you grown cold?" and never to forget Jesse Norman's reminder that some of us aren't wearing any boots.

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## This is democracy?

A few weeks back, David Broder, the distinguished national political correspondent of the Washington Post and a regular on PBS's "Washington Week in Review," called with a provocative question: What issues being left unattended by the presidential campaign would weigh most heavily on the new president, whoever he is?

My immediate reaction was that virtually every issue of real consequence was being left unattended, so I asked Mr. Broder how many hours he had. We both laughed, and then I said, "It's the federal judiciary." Broder was puzzled. Then I explained: "President Clinton says he wants to 'build a bridge' to the 21st century. The most urgent question in American politics today is whether there's going to be any democracy left on the far side of that bridge."

Which may sound a bit apocalyptic, but

For the past 23 years, the federal courts have refused to permit the American people to deliberate democratically on the most agitated question in our public life: the abortion license, manufactured as a "privacy right" by the Supreme Court in Roe vs. Wade and reconfigured as a "liberty right" in Casey vs. Planned Parenthood. Indeed, in Casey, the "centrist" plurality on



the catholic difference

the court instructed the American people to stop arguing about the constitutionality of abortion. This is democracy?

In the past year, two federal appeals courts unearthed a constitutional "right" by which you may instruct your doctor to kill you. The cases that prompted this originated in Washington state and New York state. Washington had just held a referendum in which physician-assisted suicide was decisively rejected; in New York, a commission appointed by then-Governor Cuomo had recommended maintaining the laws against doctor assisted self-destruc-

The federal appellate bench paid not the slightest attention to the considered

judgment, democratically expressed, of the people of Washington and New York. This is democracy?

Then, last spring, the Supreme Court announced that classic Jewish and Christian morality in the matter of homosexual acts was an irrational "animus." Such bigotry would not only be denied the protection of the laws, the law could be deployed to reeducate scofflaws who continued to act on the conviction that homosexuality ought not be a protected civil rights category like race and religion.

In this unprecedented action, the court overturned a state constitutional amendment that had been adopted, after a full public debate, by a clear majority of the people of Colorado. This is democracy?

"Gay marriage" will soon be working its way through the federal judiciary. Anticipating another rights-mining expedition, some 30 states have passed laws indicating that they will only construe "marriage" as being between a man and a woman.

But given the Supreme Court's insistence that liberty in America today means radical personal autonomy, on what principled ground will the justices sustain these state statutes? And if the court declares that there is a constitutional liberty right (or, perhaps, an equal protection right) to "gay marriage," we shall have to ask again. This is democracy?

The question of federal judicial arrogance cuts particularly sharply for Catholics. In the encyclical Evangelium Vitae, Pope John Paul II explicitly taught that "laws which authorize and promote abortion and euthanasia are ... completely lacking in authentic juridical validity .... Consequently, a civil law authorizing abortion or euthanasia ceases by that very fact to be a true, morally binding civil law ... There is no obligation in conscience to obey such laws; instead, there is a grave and clear obligation to oppose them by conscientious objection (#72-73, emphasis in original).

I do not think it an exaggeration to suggest that, on John Paul II's reading of things, the American constitutional order, as presently interpreted by the Supreme Court, may be losing its moral claim to our allegiance. And that was the issue before the electorate in 1996. Is there still democracy in America, of the sort to which we, like the founders, can pledge our lives, fortunes and sacred honor?

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