

## Letter of Congratulations

Norm Coleman

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NORM COLEMAN  
MINNESOTA



**United States Senate**  
WASHINGTON, D.C. 20510

May 23, 2007

Dear UST Journal of Law and Public Policy,

Please allow me to extend my congratulations and support to your noble endeavor.

In my capacity as the senior United States Senator for the great state of Minnesota, I have found that the key to good policy is dialogue, the free exchange and discussion of ideas. We policymakers rely a great deal on scholars and reformers for the development of new ideas. Your journal is a welcome addition to this marketplace of ideas and will undoubtedly provide a unique and scholarly forum to engage and explore the important and pressing issues of our day.

The University of St. Thomas School of Law is dedicated in its mission to integrating faith and reason in the search for truth through a focus on morality and social justice. It makes sense that the students at St. Thomas would create a journal in line with this mission, and this journal has the potential to be a tremendous resource for those who believe in this mission and the betterment of society.

I am proud to be a strong supporter of the University of St. Thomas School of Law, and I am likewise proud to express my support to the students and faculty of St. Thomas who have made this journal a reality. It is my hope that your good work will help lay the foundations for developing a more just and moral society.

I wish the University of St. Thomas Journal of Law and Public Policy the best of fortune and my fond appreciation for your efforts.

Sincerely,

A handwritten signature in black ink that reads "Norm Coleman". The signature is written in a cursive, flowing style.

Norm Coleman  
United States Senate

*Editors Note:*

This conversation between Hadley Arkes and David Forte took place on December 1, 2006 while the Supreme Court was considering *Gonzales v. Carhart*. The Court released its decision on this case on April 18, 2007. As Professor Arkes presciently speculated, the majority opinion was written by Justice Kennedy and was exceedingly narrow: Kennedy would reject facial challenges to the law, but preserve the possibility of “preenforcement challenges” to the law “as applied.” Justice Thomas played his hand as predicted, by refusing to be the “useful idiot.” As Justice Thomas noted in his concurrence, “whether the Act constitutes a permissible exercise of Congress’ power under the Commerce Clause is not before the Court. The parties did not raise or brief that issue; it is outside the question presented...” This, of course, does not answer the question of what Justice Thomas would do if the question of the commerce clause were presented to the Court. As noted below, this would create a significant conundrum for Justice Thomas and nothing in this opinion forecloses a move such as Professor Arkes suggests.