



Catholic Diocese of Sioux Falls

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Statement Regarding The Abortion Ban Petition Drive The Most Rev. Paul J. Swain

A petition drive has begun with the goal to place on the November election ballot a proposed law that would prohibit abortions except in the cases of rape, incest and certain dangers to the health of the mother. This is in response to the failure to pass the Women's Health and Human Life Protection Act in 2006.

As brothers and sisters gifted by God with life we should all feel sincere compassion and empathy for those who become pregnant as a result of the horrible violence of rape or incest. We should always be concerned about the health of the mother, not only during her pregnancy but beyond as well. Motivated by this compassion and concern, the Church through caring ministers and supportive ministries reaches out to them in love. I encourage anyone contemplating an abortion or who is suffering from the aftermath of an abortion to contact my office and the diocese will provide whatever assistance and support we can to help and to heal. Motivated by this same compassion and concern, we must also do all we can to protect those who have no voice, the unborn, now unprotected in civil law.

There are various reasons offered to support or oppose this proposed law based on political or legal arguments. It is not for me as bishop to speculate about legal theories or political strategies. Rather it is my responsibility to assure that the teachings of the Church are known with clarity and to encourage that they be applied in appropriately moral ways by those who seek to protect human life in the political sphere.

The core teaching of the Church on the sanctity of all human life from conception to natural death, which flows from the natural law, is clear. Last November the Bishops of the United States summarized this teaching in the document Forming Consciences for Faithful Citizenship: "Human life is sacred. The dignity of the human person is the foundation of a moral vision for society. Direct attacks on innocent persons are never morally acceptable, at any stage or in any condition. In our society, human life is especially under attack from abortion. Other direct threats to the sanctity of human life include euthanasia, human cloning, and the destruction of human embryos for research." (44)

Because attacks against life have been sanctioned in civil law, many have courageously and sacrificially worked and prayed for the restoration in law of the moral principle of the sacredness of all human life. We are grateful for those who have labored so hard for the restoration of the Culture of Life in our country and in our state.

These efforts were also noted by the bishops in the document cited above, "Sometimes morally flawed laws already exist. In this situation, the process of framing legislation to protect life is subject to prudential judgment and 'the art of the possible.' At times this process may restore justice only partially or gradually. For example, Pope John Paul II taught that when a government official who fully opposes abortion cannot succeed in completely overturning a pro-abortion law, he or she may work to improve

protection for unborn human life, ‘limiting the harm done by such a law,’ and lessening its negative impact as much as possible (Evangelium Vitae, no. 73). Such incremental improvements in the law are acceptable as steps toward the full restoration of justice. However, Catholics must never abandon the moral requirement to seek full protection for all human life from the moment of conception until natural death.” (32)

This principle of gradualism may be exercised by public officials and voters. Thus, in the context of the present petition drive, the question arises, “Is it permissible for a Catholic public official or voter to support this referendum by circulating or signing the petition and/or voting for it?” In response I offer the following observations:

1. All Catholics are called to the fullness of the Church’s teaching that all life is sacred and that the taking of life in abortion is a grave evil. No exceptions can be endorsed as a good in themselves. Everyone should make every effort to end abortions.
2. A Catholic may, after prayer and sufficiently informing his or her conscience, support this referendum under the principle of gradualism as long as he or she does not accept exceptions as a good and, and as Pope John Paul II taught “never abandon the moral requirement to seek full protection for all human life.” One’s intention would be to reduce the numbers of abortions as much as possible and to eliminate the exceptions when this is possible.
3. A Catholic may also, after prayer and sufficiently informing his or her conscience, abstain from or oppose this referendum because it does not reflect the fullness of the Church’s teaching on the sanctity of all human life.
4. As Catholics prayerfully consider this complex issue, we should also pray for humility and charity. We must all support the sanctity of human life from conception to natural death. We may differ on occasion about how to enshrine that truth into secular law. We are called when we differ in opinion to respect one another.

Petitions may be made available in parishes to assure that those who desire the opportunity to sign may do so. Pastors may use their prudential judgment as to when and how petitions will be available in the parish. The circulation of petitions on this subject or any other subject, indeed of all election related materials, should never interfere with the reverence due sacred space or create an unwelcoming or divisive atmosphere.

Regardless of one’s position on this referendum, we all must recommit ever more fully to work together to do what we can to assure respect for all human life. As I said in my homily at the Mass for Life January 2007: “One lesson we should learn from this (the 2006 defeat) is the fragility of civil law and how quickly it can be changed . . . the ultimate and continuing assurance will come only from conversion; the changing of hearts to accept the reality that God is the giver of life, to Him alone is the power of life and of death, regardless of what the law is.”

Know of my prayers and support for each of you. May Mary, the mother of Life, and St. Joseph our patron, be with you all as you pray, inform your conscience and determine your role in this election year.