



Diocese of Belleville **Office of the Bishop**

The Catholic Church and New House Bills Expanding Abortion “Rights”

by
The Most Reverend Edward K. Braxton, Ph.D., S.T.D.
Bishop of Belleville
February 17, 2019

Dear People of God

May the Peace of Jesus Christ be with you!

The Catholic Church in the United States stands at a critical crossroad. On the one hand, the Church is facing the greatest crisis in its history with the unspeakable sin, scandal and crime of members of the clergy abusing children and concealing that abuse. On the other hand, the Church, has long been a powerful moral voice proclaiming the truth of Christian morality and the dignity and worth of every human life by opposing injustices, the violence of war, unjust penal systems, euthanasia, abortion, racial, ethnic, and religious prejudice, the destruction of the environment in our common home and forms of oppression causing great harm to the most vulnerable, especially young children. The abuse crisis has caused more and more people to close their ears to the voice of the Church which, in their view, no longer has credibility. At this crossroad, some Catholics, including leaders of the Church, may feel compelled to withdraw from the Public Square and remain silent in the face of so many cross currents.

However, as followers of Jesus Christ, we are not free to do that. We believe in the mercy and forgiveness of God. We believe that we should truly repent for our sins, seek forgiveness from those we have sinned against, pray for the strength we need to be faithful to our repentance over and over again. Then, as redeemed sinners, we must humbly take our place in the Public Square proclaiming the dignity and worth of every human person.

It is from this vantage point that I write to you today.

In mid-February, new Bills were introduced in Illinois which significantly expand abortion “rights” in the state. House Bill 2495, The Reproductive Health Act, and House Bill 2467, Repeal of the Parental Notice of Abortion Act, following recent legislation in New York, Rhode Island and Virginia, expand the “right” to abortion in the state of Illinois. This new legislation is seemingly intended to preserve the “right” to an abortion in the event that the 1973 Supreme

Court decision (Roe v. Wade) should be overturned. This new legislation makes access to an abortion a fundamental right. House Bill 2495 repeals the infant born alive bill as well as the law requiring parental notification before a minor can obtain an abortion. The Bill also forces insurance companies that provide maternity care to now also cover abortion with no co-pay. Ultimately, this Bill presumes to give a legal answer to the philosophical and theological question which has long been debated. Namely: Is developing fetal life in the womb human life or is it simply “tissue”? And if it is not human, at what stage in gestation does this developing fetal life become human? Not even Roe v. Wade presumed to answer this question, focusing instead on the mother’s “right to privacy.” But, this Bill states *“that a fertilized egg, embryo, or a fetus does not have independent rights under the law of this state.”*

The Catholic Church, members of other faiths, and many thoughtful people who do not observe any religious tradition find this legislation abhorrent. This statement recalls the Supreme Court’s infamous 1857 Dredd Scott decision which argued that African people living in America had no standing before the court because they were not, strictly speaking, human beings!

The Teaching of the Church Concerning Abortion

The Catechism of the Catholic Church provides a helpful summary of the Church’s teachings on this question about which we must all acknowledge is a source of great division and countless arguments among Americans and even some Catholics. Please study these passages and then refer to more extensive treatment of the question in authentic Catholic documents.

2270 Human life must be respected and protected absolutely from the moment of conception. From the first moment of existence, a human being must be recognized as having the rights of a person -- among which is the inviolable right of every innocent being to life.

2271 Since the first century, the Church has affirmed the moral evil of every procured abortion. This teaching has not changed and remains unchangeable. Direct abortion, that is to say, abortion willed either as an end or a means, is gravely contrary to the moral law:

You shall not kill the embryo by abortion and shall not cause the newborn to perish... Life must be protected with the utmost care from the moment of conception: abortion and infanticide are abominable crimes.

2272 Formal co-operation in an abortion constitutes a grave offence. The Church attaches the canonical penalty of excommunication to this crime against human life. 'A person who procures a completed abortion incurs excommunication...by the very commission of the offence'. The Church does not, thereby, intend to restrict the scope of mercy. Rather, she makes clear the gravity of the crime committed, the irreparable harm done to the innocent who is put to death, as well as to the parents and the whole of society.

2273 The inalienable right to life of every innocent human individual is a constitutive element of a civil society and its legislation:

'The moment a positive law deprives a category of human beings of the protection which civil legislation ought to accord them, the state is denying the equality of all before the law. When the state does not place its power at the service of the

rights of each citizen, and in particular of the more vulnerable, the very foundations of a state, based on law, are undermined. . . As a consequence of the respect and protection which must be ensured for the unborn child from the moment of conception, the law must provide appropriate penal sanctions for every deliberate violation of the child's rights.'

2274 Since it must be treated from conception as a person, the embryo must be defended in its integrity, cared for, and healed, as far as possible, like any other human being.

The Reproductive Health Act: House Bill 2495

On February 13, 2019, Illinois Democrats introduced two legislations that will, if signed by the Governor, expand access to abortion in the state by removing a parental notification requirement and a ban on late-term abortions. One Bill would repeal the state's parental notice law which requires minors to notify a legal guardian before having an abortion. The other Bill would remove restrictions on late-term abortions, require private insurance companies in the state to cover abortions, and allow advanced-practice nurses to perform the procedures.

The following is a synopsis of The Reproductive Health Act, word for word, as introduced by Rep. Kelly M. Cassidy, in the 101st General Assembly of the State of Illinois.

Creates the Reproductive Health Act. Provides that every individual has a fundamental right to make autonomous decisions about one's own reproductive health. Provides that every individual who becomes pregnant has a fundamental right to continue the pregnancy and give birth or to have an abortion, and to make autonomous decisions about how to exercise that right. Provides that a fertilized egg, embryo, or fetus does not have independent rights under the law of this State. Provides prohibited State actions. Provides that a party aggrieved by a violation of the Act may bring a civil lawsuit.

Provides that a health care professional shall report each abortion performed to the Department of Public Health. Limits home rule powers. Repeals provisions regarding abortion in the Ambulatory Surgical Treatment Center Act, the Sexual Assault Survivors Emergency Treatment Act, and the Injunction Article of the Code of Civil Procedure. Repeals the Illinois Abortion Law of 1975, the Partial-birth Abortion Ban Act, and the Abortion Performance Refusal Act. Makes corresponding changes in the Children and Family Services Act, the Counties Code, the Medical Practice Act of 1987, the Vital Records Act, the Criminal Code of 2012, and the Rights of Married Persons Act.

Amends the Freedom of Information Act. Provides that information and records held by the Department collected under the Reproductive Health Act are exempt from inspection and copying. Amends the Ambulatory Surgical Treatment Center Act. Provides that the term "ambulatory surgical treatment center" does not include any facility in which the performance of abortion procedures is limited to those performed without general, epidural, or spinal anesthesia. Amends the Illinois Insurance Code. Provides insurance requirements for the coverage of abortion. Makes corresponding changes in the State Employees Group Insurance Act, the Health Maintenance Organization Act, and the Voluntary Health Services Plans Act. Amends the Nurse Practice Act.

Provides that operative surgery does not include abortions performed without general, epidural, or spinal anesthesia, and other gynecological procedures related to abortions. Amends the Environmental Act. Provides that tissue and products from an abortion or miscarriage may be buried, entombed, or cremated. Effective immediately.

I urge you to read the entire House Bills. Study the Bills not only with those with whom you agree, but also with those with whom you disagree.

Some of the serious consequences of House Bill 2495 include:

It seeks to define abortion as health care and a fundamental right.

It removes abortion clinics from a regulatory framework designed for significant medical procedures.

It attacks a carefully constructed agreement in law on how hospitals care for the victims of sexual assault.

It repeals the ban on partial birth abortions.

It repeals legal protections for doctors and hospitals who decline to participate in abortion.

It requires private health insurance in Illinois to fully cover the cost of abortion.

It removes the requirement that only doctors can perform abortions.

The many changes proposed in this Bill implicitly argue that the moral issues surrounding abortion are to be completely ignored, or relegated to the individual mother's subjective, personal, moral and religious beliefs. Contrary to the flawed arguments of some politicians in the past that abortions should be "safe, legal and rare", this Bill argues that an abortion is a personal medical procedure no different than a mammogram, an appendectomy or the removal of a benign tumor. It is simply a "right" that any mother has with no moral consequences because the fetal life that is aborted is "only tissue".

However, if you return to the clear teachings of the Catholic Church cited above, if you delve into the deepest realms of your conscience, you will see that an abortion is not a simple health care procedure. It is the deliberate termination of innocent and defenseless developing human life. More than that, provisions in law that permit doctors, nurses and their assistants to live and work in accordance with their sincerely-held moral and religious beliefs, in accord with their conscience, should not be branded by the state as unacceptable bad provisions. Freedom of religion and conscience protections are truly fundamental rights. They are enshrined in our state and federal constitutions. These rights should be respected and protected by the state.

House Bill 2467 seeks to repeal the Parental Notice of Abortion Act. This law, which has been in statute since 1995 and enforced since 2013, ensures parents are involved in profound medical decisions involving their children. Every other state bordering Illinois (Wisconsin, Indiana, Kentucky, Missouri and Iowa) requires at least parental notification. It is a broadly-supported, reasonable safeguard that allows parents to properly exercise love and care for their children. Our government should support families, not undermine them. Concerning these issues, Illinois Governor Jay Robert Pritzker said "On the anniversary of Roe v. Wade, I'm proud to declare under my administration, the State of Illinois will be the most progressive state in the nation when it comes to guaranteeing the right to choose (**to have an abortion**) for every single woman".

Listen! Learn! Think! Pray! Act!

As your Bishop, I urge you to give your serious attention to the profoundly challenging moral issues involved in these House Bills. You must do more than read a few headlines in a local newspaper or listen to a few passing comments on a television news program. You must make the time to become well informed. You must do more than offer a knee jerk reaction. You must read! Only by reading will you come to understand why so many serious minded people of good will aggressively oppose the Church's teachings that were once widely accepted throughout the country. As you surely know, American society has become more and more pluralistic. This pluralism is significantly shaped by "the Secular Age" in which we can no longer assume that people believe in God, embrace the Ten Commandments, accept the existence of the human soul, or "expect the resurrection of the dead and the life of the world to come".

In this Secular Age, it would be incorrect to presume that your neighbors, friends and relatives share your opinions about the challenging moral issues that surround the question of abortion. (Statistical evidence indicates that, while most Catholics believe abortion is wrong, all do not.) I urge you not to be fearful of sharing your views on these matters with others. Share your views honestly and with good will, without being judgmental. I know from pastoral experience that people of good will, integrity, deeply held moral convictions and authentic Christian faith can find themselves holding contradictory positions concerning vexing moral issues.

In your prayerful conversations always keep in mind that a particular human act may be legal. But, at the same time, it may still be wrong, that is, immoral. Conversely, a human action may be right and moral, even though it may be considered illegal by civil laws. Just as you may be ostracized and judged harshly for doing what is, in fact, right, by those who sincerely believe that what you are doing is, in fact, wrong. In a similar way, you may be embraced and highly praised for doing something that is, in fact, wrong. But the praise does not make it right.

We must always follow the dictates of our informed and well-formed consciences. We live with the paradox that individuals truly following their informed and well-formed consciences may reach opposing prudential decision. Prayerful discernment is not fool proof. Listen! Learn! Think! Pray! Act!

Independents, Democrats, Republicans, the politically indifferent, devout Catholics and those who see no value in faith can, at times, be of one mind in opposing Bills such as these. You need not be a staunchly pro-life Catholic to conclude that this new legislation is unacceptable to you. Opposition to these bills can be born of following the imperatives: Listen! Learn! Think! Pray! Act! Meditate on the dignity of every human person. Ponder the command of Jesus of Nazareth: "Love your neighbor as you love yourself." Let this deep love for every human person motivate you to write to your representatives in Springfield, even if you have never written to them before. Let them hear your voice before the Governor signs these Bills into law!

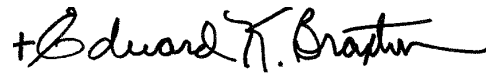
Let your voices be heard in opposition to these legislations before it is too late. Meanwhile, I ask you to join with me in prayer for the purification of our own hearts. Pray to the Holy Spirit for all of those who, in what they mistakenly see as good faith, support these laws which strike at the

foundation of our society. These laws ignore the law of love. Pray that the same Spirit will enkindle in us all the fire of Divine Love.

Strive to follow these imperatives in mind. **Listen! Learn! Think! Pray! Act!**

Our Lady of Good Counsel:
Pray for us!

Prayerfully yours in Christ,

A handwritten signature in black ink that reads "+Edward K. Braxton". The signature is written in a cursive style with a cross at the beginning.

The Most Reverend Edward K. Braxton, Ph.D., S.T.D.
Bishop of Belleville