

Life hangs in the balance in South Dakota

By Michael Pauley

Perhaps you've already seen them: activists standing outside the post office or grocery store, asking you to sign a petition that would amend South Dakota's Constitution. Many people are confused about what the issue is—and for good reason. At one signature-gathering location, a sign proclaimed: “Pro-Life, Pro-Family, Pro-Choice: Please sign the petition.”

But what does the petition actually propose? The official petition title—as written by the South Dakota Attorney General, not the sponsors—is “An Initiated Amendment Establishing a Right to Abortion in the State Constitution.” That's a far more candid description of what the sponsors intend to do.

This abortion amendment isn't pro-life or pro-family, and for many of South Dakota's most vulnerable residents, it isn't even “pro-choice.” Preborn girls and boys obviously don't get to “choose” whether their lives will be ended through abortion.

The group supporting the abortion initiative, which calls itself Dakotans for Health, says their goal is to “place a Roe v. Wade constitutional amendment on the ballot.” Yet the amendment, if adopted, would enshrine a right to abortion in the state constitution that is far more radical than what was imposed under Roe.

Although the U.S. Supreme Court's Roe decision was appalling in its cavalier treatment of preborn children, it nevertheless allowed states like South Dakota to enact and enforce certain regulations on abortion. For example, states were permitted to ban gruesome late-term abortions after the preborn child was viable, and they could require abortion facilities to maintain certain health standards. States could also enact common-sense regulations, such as requiring that women considering abortion be informed about the health risks of the procedure and about the availability of life-giving alternatives.

These sorts of common-sense abortion regulations that South Dakota had in place under Roe v. Wade would be totally blocked or severely curtailed under the proposed abortion amendment sponsored by Dakotans for Health. This is crucial to understand, because the claim that the amendment “puts Roe into the constitution” creates the misleading impression that South Dakota law would be returned back to where it was on June 23, 2022—the day before the U.S. Supreme Court overturned Roe with its decision in *Dobbs v. Jackson Women's Health Organization*. But, as South Dakota's attorney general has written, the amendment “would override existing laws and regulations concerning abortion”—including many laws and regulations that were in effect for many years under Roe.

Supporters of the abortion amendment began collecting petition signatures on Nov. 5, 2022. According to the constitution, their petition must be signed by “qualified voters equal in number to at least 10 percent of the total votes cast for governor in the last gubernatorial election.” (Article XXIII, Section 1). Based on the results of the Nov. 8, 2022, gubernatorial election, sponsors must collect just over 35,000 valid signatures. They are required to meet this threshold by Nov. 5, 2023. If they succeed, the amendment will appear on the ballot in South Dakota's statewide general election on Nov. 5, 2024.

How should Catholics respond to this development? To answer that question, it's useful to recall the adage: “politics is downstream from culture.”

We must work to build a pro-life culture if we are to sustain South Dakota's pro-life laws. When the *Dobbs* decision was handed down on June 24, 2022, South Dakota was permitted to immediately begin enforcing a law passed in 2005 that protects preborn children and their mothers from abortion. Today in South Dakota, abortion is not permitted except for the very rare cases when a pregnancy endangers the life of the mother. As South Dakota's bishops said when *Dobbs* was handed down, “. . . today we have taken a giant



leap forward toward the ultimate goal of protecting each and every life from the beginning of its existence.”

We must redouble our efforts to help mothers and families facing challenging pregnancies. You can help by donating or volunteering at one of the nonprofit pregnancy resource centers (PRCs) that help women in need. You can find the PRC closest to you by visiting www.sdrighntolife.org/general-6, which is sponsored by South Dakota Right to Life.

We must also work to educate our friends, family members, neighbors and co-workers about the radical nature of the petition that would codify a right to abortion in our state constitution. Please encourage your friends and neighbors to “decline to sign” this petition that jeopardizes the lives of preborn children. If every South Dakotan understood how extreme the abortion amendment really is, there is a good chance that proponents might fail to collect the legally required number of signatures.

The South Dakota Catholic Conference has set up a special webpage with resources to help you educate your neighbors about this proposed amendment: www.sdcatholicconference.org/abortion-amendment

As we work to share the truth about the abortion amendment, there will no doubt be some critics who complain that the Catholic Church should “stay out of politics.” But the Catechism of the Catholic Church (CCC) teaches us, “It is a part of the Church’s mission ‘to pass moral judgments even in matters related to politics, whenever the fundamental rights of man or the salvation of souls requires it’” (CCC 2246). Abortion is clearly an issue that implicates both human rights and the salvation of souls.

Don’t allow your voice to be silenced by those who mistakenly believe that “religious” values have no place in shap-

ing laws. In truth, all laws involve an imposition of some type of moral belief—whether informed by Christianity or some other ideological system.

In his landmark encyclical “*Evangelium Vitae*” (The Gospel of Life), St. John Paul II wrote,

“The Gospel of life is for the whole of human society. To be actively pro-life is to contribute to the renewal of society through the promotion of the common good. It is impossible to further the common good without acknowledging and defending the right to life, upon which all the other inalienable rights of individuals are founded and from which they develop. [...] Only respect for life can be the foundation and guarantee of the most precious and essential goods of society, such as democracy and peace.” (101)

Pro-life advocates are often disparaged as being obsessed with a “single issue,” but this criticism is unfair. As St. John Paul II points out, respect for the right to life is the foundational principle upon which everything else depends. If the right to life is not cherished and protected by law, all the other “precious and essential goods of society” are fragile because they’re resting on a foundation made of sand—easily eroded away based on shifting cultural winds.

The year 2023 will be the year that determines if the pro-abortion amendment in South Dakota moves forward or dies for lack of support. Life is literally hanging in the balance, and Catholics should embrace this opportunity to boldly advocate for the defense of preborn children. Many notable cultural leaders have expressed the truth that societies will be judged based on how they treat their most vulnerable citizens. How will we be judged?



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