



SOUTH DAKOTA CATHOLIC CONFERENCE

Bearing the Face of Jesus

A Pastoral Letter from the Bishops of South Dakota
on Protecting the Human Dignity of Preborn Children

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Solemnity of the Nativity of Saint John the Baptist

***“For behold, when the voice of your greeting came to my ears,
the babe in my womb leaped for joy.”*** (Luke 1:44)

Dear Brothers and Sisters in Christ:

On this occasion of the first anniversary of the U.S. Supreme Court’s decision in *Dobbs v. Jackson Women’s Health Organization*, we write to exhort the Catholic faithful and all persons of good will to reflect on our shared responsibility to protect all vulnerable human life, most especially our preborn brothers and sisters.

The *Dobbs* decision, as we stated one year ago, represents a “giant leap forward toward the ultimate goal of protecting each and every life from the beginning of its existence.”¹ The Supreme Court, by overturning the *Roe v. Wade* decision of 1973, has finally allowed South Dakota and other states to implement public policies to safeguard preborn children and their mothers from the violence of abortion.

Today we celebrate the fact that South Dakota protects women and children with some of the most life-affirming laws of any political jurisdiction in the world. However, we are also sobered by the awareness that a political campaign has been launched to pass a state constitutional amendment that would strike down most of South Dakota’s protective laws and impose a legal regime of unlimited abortion-on-demand in our state.

It is estimated that during the nearly 50 years that *Roe* was in effect, abortions claimed the lives of more than 46,000 preborn girls and boys in South Dakota.² Each one of these precious children was willed into existence by God and deserved to be embraced by our society and protected by our laws. The loss of these thousands of children over the course of five decades is a moral calamity that is difficult to fully comprehend.

This dark chapter from our recent past now threatens to become part of our future if a pro-abortion amendment is added to the South Dakota constitution. Our state is at a moral crossroads, and the Church has a duty to boldly proclaim what we know to be true about the dignity of human life and the urgent need to protect it.

The Scriptures Proclaim: Choose life!

In the Book of Sirach (15:16-17), we read how God has granted us free will to choose good or evil: “He has placed before you fire and water: stretch out your hand for whichever you wish. Before a man are life and death, and whichever he chooses will be given to him.”

The Church from its very beginning has taught the faithful to choose life. In the *Didache*, a first century teaching document that elucidates Christian moral precepts, we hear echoes of Sirach in the condemnation of abortion:

“There are two Ways, one of Life and one of Death, and there is a great difference between the two Ways...the second commandment of the teaching is this: Thou shalt do no murder...thou shalt not procure abortion, nor commit infanticide...”³

The Church's rejection of abortion is often mischaracterized as some sort of punitive restriction on human freedom. Yet the Church's "no" to abortion emanates from our ardent "yes" to the truth about the inestimable dignity of each human being, which is the necessary foundation for a truly authentic and lasting human freedom. We reaffirm what the U.S. bishops have previously stated: "Real freedom rests on the inviolability of every person as a child of God. The inherent value of human life, at every stage and in every circumstance, is not a sectarian issue any more than the Declaration of Independence is a sectarian creed."⁴

This God-given dignity of human beings is beautifully expressed by Pope St. John Paul II:

"Human life is sacred and inviolable at every moment of existence, including the initial phase which precedes birth. All human beings, from their mothers' womb, belong to God who searches them and knows them, who forms them and knits them together with his own hands, who gazes on them when they are tiny shapeless embryos and already sees in them the adults of tomorrow whose days are numbered and whose vocation is even now written in the 'book of life' (cf. Ps 139: 1, 13-16). There too, when they are still in their mothers' womb—as many passages of the Bible bear witness—they are the personal objects of God's loving and fatherly providence."⁵

Fittingly, the first anniversary of the *Dobbs* decision (June 24, 2023) coincides with the Church's celebration of the Nativity of St. John the Baptist, calling to mind the roles played by two preborn babies in salvation history. In the Gospel of Luke, we read of the angel Gabriel appearing to Zechariah, announcing that he and his wife Elizabeth will have a son who will be "filled with the Holy Spirit, even from his mother's womb." (Luke 1:15). Later, when Mary visits Elizabeth, the evangelist writes of the profound encounter:

"When Elizabeth heard the greeting of Mary, the babe leaped in her womb; and Elizabeth was filled with the Holy Spirit and she exclaimed with a loud cry, 'Blessed are you among women, and blessed is the fruit of your womb! And why is this granted me, that the mother of my Lord should come to me? For behold, when the voice of your greeting came to my ears, the babe in my womb leaped for joy.'" (Luke 1:41-44).

This passage brings into focus the reality that God's plan for salvation was being effectuated even when the Christ child and His herald, John the Baptist, were still being formed in the womb. Christ, by taking on flesh in the womb of the Virgin Mary, reveals to us the dignity of every preborn child. Thus, we can declare that the human embryo, even in the earliest stages of development, is equal in dignity to a human person at any other stage of development. Pope Benedict XVI affirmed this truth when he stated:

"God's love does not differentiate between the newly conceived infant still in his or her mother's womb and the child or young person, or the adult and the elderly person. God does not distinguish between them because he sees an impression of his own image and likeness (Genesis 1:26) in each one."⁶

We are called, as Christians, to boldly proclaim and defend the dignity of all human persons, but especially the most vulnerable, as we recall the words of our Savior: "Truly, I say to you, as you

did it to one of the least of these my brethren, you did it to me.” (Matthew 25:40).

The Threat to Human Life in South Dakota

Pope Francis, in his apostolic exhortation *Evangelii Gaudium* (The Joy of the Gospel), stated:

“Among the vulnerable for whom the Church wishes to care with particular love and concern are unborn children, the most defenseless and innocent among us. Nowadays efforts are made to deny them their human dignity and to do with them whatever one pleases, taking their lives and passing laws preventing anyone from standing in the way of this.”⁷

The Holy Father’s words aptly describe the proposed amendment to create a right to abortion in the South Dakota constitution. The amendment would sanction the wholesale destruction of preborn children and prevent anyone from standing in the way. Neither the legislature, the governor, or the judiciary would be able to take any significant actions to protect the human rights of preborn girls and boys. The proposed amendment would permit late-term abortions of babies who are healthy and capable of living outside the womb. It would allow abortions on preborn children who are capable of feeling pain. It would even overturn South Dakota’s existing statute that prohibits “sex-selective abortion,” in which a healthy preborn child is aborted simply for having an undesired sex.

The abortion amendment is frequently described by its supporters as an attempt to “write *Roe v. Wade* into the state’s constitution.”⁸ This would be reason enough to oppose it. Yet the reality is the amendment would impose a legal regime on abortion that is far more extreme than what was in effect under *Roe*. The *Roe* decision at least permitted states to enact some common-sense protections to limit the evils associated with abortion. For example, South Dakota enacted a policy requiring that women considering abortion be counseled about the risks of the procedure and be informed about the availability of life-affirming alternatives to abortion. But the proposed abortion amendment would overturn or severely limit the state’s ability to enforce these protective policies. Should the abortion amendment be added to the state constitution, preborn children and abortion-vulnerable women would be in a far worse situation than they were during the nearly 50 years that *Roe v. Wade* was in effect.

South Dakota’s state constitution contains strong language affirming that all persons have “certain inherent rights, among which are those of enjoying and defending life and liberty...”⁹ The constitution also declares “No person shall be deprived of life, liberty, or property without due process of law.”¹⁰ The abortion amendment, if adopted, would turn the constitution into a self-contradictory document that undermines the very principles it was designed to protect. It would declare that an entire class of South Dakota’s most vulnerable citizens—preborn children—are “non-persons” who enjoy no protection under the law.

Our Calling to Build a Culture of Life

The issue of abortion presents every Christian with a choice: will we conform our lives to God’s revealed truth, or will we surrender to the fashionable ideologies of this troubled age?

The movement to promote legal abortion is undergirded by a worldview that embraces radical individualism, disregards what is owed to others, undermines the common good, and denies the sacredness of the family.

This ideology is incompatible with Christianity. Yet sadly, some who profess faith in Jesus Christ are indifferent to the moral evil of abortion. Worse yet, some make themselves complicit in it through various actions, including the support of political measures to legalize abortion. True charity requires us to lovingly correct such persons, reminding them that supporting a grave evil can have consequences not only for the salvation of their own souls, but also for others who may be misled by their poor example. Let us heed St. Paul's exhortation: "Do not be conformed to this world but be transformed by the renewal of your mind, that you may prove what is the will of God, what is good and acceptable and perfect." (Romans 12:2).

At this decisive moment in our state's history, we call on Christians and all persons of good will to reject the proposed abortion amendment that would usher in a new "culture of death" in South Dakota. We exhort the faithful to provide practical assistance to the campaign that has been organized to defeat the amendment and to take responsibility for educating their family members, friends, and co-workers on the threat the amendment poses to South Dakota.

We implore all South Dakotans to help build a "culture of life" in our state by supporting the many organizations that help women who are facing difficult pregnancies. We embrace the challenge that Pope St. John Paul II expressed: "A radical solidarity with women requires that the underlying causes which make a child unwanted be addressed."¹¹

We seek to bring about a renewed spirit of solidarity in our state, that we would "bear one another's burdens and so fulfill the law of Christ." (Galatians 6:2). We hope to foster a community that sees the face of God in each person, especially those who are most vulnerable. Pope Francis tells us:

"Every child who, rather than being born, is condemned unjustly to being aborted, bears the face of Jesus Christ, bears the face of the Lord, who even before he was born, and then just after birth, experienced the world's rejection."¹²

Above all, let us pray for those who fail to see the profound dignity that is inherent in every child from the moment of conception. We pray that their minds would be opened, and their hearts softened, so that we might truly build a society where every child is welcomed in life and protected by law.

Sincerely in Christ,



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The Most Reverend Peter M. Muhich
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¹ “Statement of the Bishops of South Dakota on the U.S. Supreme Court’s Abortion Ruling,” June 24, 2022. <https://sdcatholicconference.org/bishopsstatementonabortionruling/>

² South Dakota Department of Health, Office of Health Statistics, Annual Reports of Induced Abortions <https://doh.sd.gov/statistics/>
Centers for Disease Control and Prevention, Abortion Surveillance System https://www.cdc.gov/reproductivehealth/data_stats/abortion.htm

³ *The Didache, Or Teaching of the Twelve Apostles*, Kirsopp Lake translation, Chapters 1 & 2. [https://en.wikisource.org/wiki/Didache_\(Lake_translation\)](https://en.wikisource.org/wiki/Didache_(Lake_translation))

⁴ U.S. Conference of Catholic Bishops, *Living the Gospel of Life: A Challenge to American Catholics* (1998), No. 6. <https://www.usccb.org/issues-and-action/human-life-and-dignity/abortion/living-the-gospel-of-life>

⁵ Pope John Paul II, *Evangelium Vitae* (1995), No. 61. https://www.vatican.va/content/john-paul-ii/en/encyclicals/documents/hf_jp-ii_enc_25031995_evangelium-vitae.html

⁶ Pope Benedict XVI, Address to the 12th General Assembly of the Pontifical Academy for Life, February 27, 2006. https://www.vatican.va/content/benedict-xvi/en/speeches/2006/february/documents/hf_ben-xvi_spe_20060227_embrione-umano.html

⁷ Pope Francis, *Evangelii Gaudium* (2013), No. 213. https://www.vatican.va/content/francesco/en/apost_exhortations/documents/papa-francesco_esortazione-ap_20131124_evangelii-gaudium.html

⁸ See, for example: “South Dakota: likely test case in the battle to write reproductive rights into state constitutions,” by Rick Weiland and Dr. Amy Kelly. Accessed 06-01-23 via the “Dakotans for Health” website: <https://www.dakotans4health.com/post/south-dakota-likely-test-case-in-the-battle-to-write-reproductive-rights-into-state-constitutions>

⁹ Constitution of the State of South Dakota, Article VI, Section 1. <https://sdsos.gov/general-information/about-state-south-dakota/docs/2019SouthDakotaConstitution20190107.pdf>

¹⁰ *Ibid.*, Article VI, Section 2.

¹¹ Pope St. John Paul II, Letter to the Secretary General of the Fourth World Conference on Women of the United Nations, No. 7. May 26, 1995. https://www.vatican.va/content/john-paul-ii/en/letters/1995/documents/hf_jp-ii_let_19950526_mongella-pechino.html

¹² Pope Francis, Address to the International Federation of Catholic Medical Associations, No. 2. September 20, 2013. https://www.vatican.va/content/francesco/en/speeches/2013/september/documents/papa-francesco_20130920_associazioni-medici-cattolici.html