

Trigger Ban to End Abortion

Human life must be respected and protected absolutely from the moment of conception. From the first moment of his 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. (*Catechism of the Catholic Church, 2270*)

Church teaching

- ★ The original and inalienable right to life is questioned or denied on the basis of parliamentary vote or the will of one part of the people—even if it is the majority...What we have here is only the tragic caricature of legality; the democratic ideal, which is only truly such when it acknowledges and safeguards the dignity of every human person, is betrayed in its very foundations. How is it still possible to speak of the dignity of every human person when the killing of the weakest and most innocent is permitted? (*Pope John Paul II, The Gospel of Life*)
- ★ Divine law and natural reason, therefore, exclude all right to the direct killing of an innocent man. However, if the reasons given to justify an abortion were always manifestly evil and valueless the problem would not be so dramatic. The gravity of the problem comes from the fact that in certain cases, perhaps in quite a considerable number of cases, by denying abortion one endangers important values to which it is normal to attach great value, and which may sometimes even seem to have priority. We do not deny these very great difficulties. It may be a serious question of health, sometimes of life or death, for the mother; it may be the burden represented by an additional child, especially if there are good reasons to fear that the child will be abnormal or retarded; it may be the importance attributed in different classes of society to considerations of honor or dishonor, of loss of social standing, and so forth. We proclaim only that none of these reasons can ever objectively confer the right to dispose of another's life, even when that life is only beginning. (*Congregation for the Doctrine of the Faith, Declaration on Procured Abortion*)
- ★ A freedom which claims to be absolute ends up treating the human body as raw datum, devoid of any meaning and moral values until freedom has shaped it in accordance with its design. (*Pope John Paul II, Splendor of Truth*)

Resources

- ★ **Texas Catholic Conference** Abortion page (www.TXcatholic.org/abortion.asp)
- ★ **US Conference of Catholic Bishops** Abortion page (www.USCCB.org/prolife/issues/abortion/)
- ★ **Second Look Project** (www.SecondLookProject.org)
- ★ **National Catholic Bioethics Center** (www.NCBCenter.org)
- ★ **Pontifical Academy for Life** (www.AcademiaVita.org)

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The Texas Catholic Conference supports trigger ban legislation which would stop the practice of abortions in Texas once *Roe v. Wade* is overturned.

Why a Trigger Ban?

The Supreme Court decision *Roe v. Wade* currently prohibits states from passing more stringent limitations on access to abortion than those conditions set forth in the ruling itself. In anticipation of the overturning of *Roe v. Wade*, several states have passed abortion trigger bans, legislation designed to ban or limit access to abortion once *Roe v. Wade* is overturned.

A trigger ban is especially crucial in Texas because the legislature only meets once every two years. Without a ban in place, there is a chance that *Roe v. Wade* would be overturned in a year when the legislature didn't meet, thereby prolonging the practice of abortion in Texas until the legislature could ban it.

Currently 15 states, including Arizona, Colorado, Massachusetts, Oklahoma, West Virginia, and Utah have abortion bans that are currently unconstitutional because of *Roe* but would regain constitutionality if *Roe v. Wade* was overturned. Four states, Louisiana, Mississippi, North Dakota, and South Dakota, have trigger bans in place.

Trigger Ban in Texasⁱ

A Trigger Ban bill (S.B. 186) was filed during the Texas 80th legislative session. The author's statement of intent on the Bill Analysis read:

Since the United States Supreme Court issued its decision *Roe v. Wade* in 1973, Texas' statutory ban on abortion has been dormant in the Texas Civil Statutes. Currently, there is no mechanism that allows for Texas' ban on abortions to be automatically revived upon a reversal of *Roe v. Wade*. This bill will avoid a potential special session or a conflict in federal jurisprudence with Texas' policy on abortion. As proposed, S.B. 186 provides for an automatic revival of Texas statutory ban on abortion upon a reversal of *Roe v. Wade*.

S.B. 186 was last referred to the State Affairs committee. An identical bill, H.B. 175, was filed in the House, and failed to receive an affirmative vote in committee.

ⁱ "Bill Analysis S.B. 186." 80th Regular Session, 16 Mar. 2007.
<<http://www.legis.state.tx.us/tlodocs/80r/analysis/html/sb00186i.htm>>.