

That Anniversary Again

First of two articles

By Liz Schevtuk
NC News Service

When the Supreme Court ruled Jan. 22, 1973, that abortion is legal — in many circumstances throughout nine months of pregnancy — it incited a bitter national controversy pitting pro-life groups against pro-choice organizations, people against politicians, legislative proposal against legislative proposal.

It spawned a host of subsequent lower court decisions on abortion issues — including whether would-be fathers have rights in deciding whether their pregnant spouses can have abortions, what part parents can play in minor daughters' decisions about abortion, and what states and localities can do to set limits on abortions.

Before the court's ruling, states had various abortion laws on the books — some rather restrictive, such as a Minnesota law saying abortions could be performed only to save the mother's life; others more lenient, such as New York's law, which was described in the Catholic press as "permissive" and allowed 100,000 abortions to occur within the first nine months after it went into effect in mid-1970.

Ruling in 1973 on two closely-related cases, *Roe vs. Wade* and *Doe vs. Bolton*, the Supreme Court opened the door to what critics came to call abortion-on-demand and what supporters described as a choice women needed to have available. In essence, it said states cannot interfere with first trimester abortions, can place stipulations on second trimester abortions in regard to the woman's health and can further restrict third trimester abortions because of an interest in the fetus.

The court stated in *Roe vs. Wade*:

"State criminal abortion statute of the current Texas type that excepts from criminality only a life-saving procedure on behalf of the mother, without regard to pregnancy stage and without recognition of the interests involved, is violative of the due process clause of the 14th Amendment . . .

"For the stage prior to approximately the end of the first trimester, the abortion decision and its effectuation must be left to the medical judgment of the pregnant woman's at-



tending physician," the court said. "For the stage subsequent to approximately the end of the first trimester, the state, in promoting its interest in the health of the mother, may, if it chooses, regulate the abortion procedure in ways that are reasonably related to maternal health. For the stage subsequent to viability the state, in promoting its interest in the potentiality of human life, may if it chooses, regulate and even proscribe, abortion except where it is necessary, in appropriate medical judgment, for the preservation of the life or health of the mother."

In *Doe vs. Bolton*, the court said that such restrictions as Georgia's requiring the approval of a hospital abortion committee before abortions are "violative of the 14th Amendment."

That 1973 decision was followed by other Supreme Court rulings on abortion and by other action at the local level. For instance:

1976 — The Supreme Court ruled that husbands cannot prevent their wives from obtaining abortions and that parents cannot overrule minor daughters' decisions to have abortions.

1979 — The Supreme Court struck down a Pennsylvania law prohibiting doctors from performing abortions in cases where the fetus "may be" viable. The court said the law was too vague.

1980 — The court ruled that the Hyde Amendment is constitutional. The amendment is a rider (named after Rep. Henry Hyde of Illinois), first passed in 1976, saying that federal funds cannot be used to pay for abortions except in cases where the mother's life is at stake (or as later added, also in cases of incest or rape, promptly reported). The court said that although it had ruled in 1973 that women have the right to have abortions, their right does not mean government must pay for abortions. Some states continued to offer welfare funding for abortions.

1982 — The Supreme Court heard arguments on more abortion restriction laws in Missouri, Virginia and Akron, Ohio. Its ruling is expected this year. The cases involve 1. restrictions in Akron providing that any girl under age 15 must have the consent of one parent or a judge before obtaining an abortion, that doctors inform abortion patients of the risks of the procedure and tell them that "a fetus is a

And the Controversy Continues

human life from the moment of conception," that fetuses be disposed of in a "humane way," that there be a 24-hour waiting period before an abortion can be performed; 2. a Virginia law requiring that all second trimester abortions be performed in a hospital; 3. a Missouri law requiring that abortions after the first trimester be performed in a hospital and mandating parental consent for abortions on girls under age 18.

Meanwhile, pressures also have mounted for legislative bodies, such as Congress, to outlaw abortion. Counter-pressure from pro-choice organizations marked efforts to keep abortion legal.

Some of the more prominent national measures:

Hyde Amendment — Successfully attached yearly to federal money bills after its initial passage six years ago. The Hyde Amendment limits most use of federal money for abortion.

Human Life Bill or Human Life Statute — Through one version of this bill, sponsored by Sen. Jesse Helms of North Carolina, Congress could have declared "that the life of each human being begins at conception" and that the 14th Amendment "protects all human life." Helms' proposal went through several revisions in the 97th Congress before being tabled by the Senate in September 1982.

Hatch Amendment — Sponsored by Sen. Orrin Hatch of Utah, this proposed constitutional amendment, backed by the National Conference of Catholic Bishops and many pro-life groups but opposed by others, states that "right to abortion is not secured by this constitution" and that Congress and the states "shall have the concurrent power to restrict and prohibit abortions." The Hatch Amendment was approved in the Senate Judicial Committee in 1982 but withdrawn from Senate floor action in September 1982. It is expected to be reintroduced and slated for further action this Spring.

In President Reagan, anti-abortion forces found an ally — at least in some cases. He has reiterated his opposition to abortion and, for example, telephoned senators to urge them to call off a filibuster against Helms' bill in September 1982. But some pro-lifers said they feel he has not done enough to promote the anti-abortion cause from the White House.

NEXT WEEK — Society struggles with the issue.

Family Life: 'True Ministry'

This is the first in a series of three articles examining Pope John Paul II's "Apostolic Exhortation on the Family" ("Familiaris Consortio"). The series also will report on the relationship between this document and the Family Ministry Task Force Report, the result of the local diocesan effort in listening to families. The series was prepared by Sue Staropoli, co-director of the Family Life Office.

"Familiaris Consortio" contains a constant message from John Paul II: "Families, we need you. You are our hope." In a world full of hatred and injustice, John Paul II reflects: "As an educating community the family must help one to discern one's own vocation and to accept responsibility in the search for greater justice, educating from the beginning in interpersonal relationships, rich in justice and love."

John Paul II knows well that it is in the home that values are passed on, that ways of relating are learned, that patterns of behavior are developed, that belief in God, in oneself and in others takes root. It is in the home that individuals are "formed."

So often, family people associate "church" and "ministry" primarily as involvement in parish activity, outside the home. John Paul II reinforces over and over the primary "call," "vocation," "ministry" of family people — in their "church of the home," not in church buildings or meetings.

He expressed clearly the core of familial spirituality: "The Christian Family also builds up the kingdom of God in history through the everyday realities that concern and distinguish its state of life. . . . In and through the events, problems, difficulties and circumstances of everyday life, God comes to them, revealing and presenting the concrete 'demands' of their sharing in the love of Christ and his church in the particular family, social and ecclesial situation in which they find themselves."

In our local listening efforts (as recorded in the Family Ministry Task Force Report), family people are asking for affirmation from Church leadership — affirmation rooted in reality.

Being a Christian family does not imply perfection, lack of tension or lack of serious problems. Alcoholism, teen pregnancy, tensions between members, etc., etc., are signs not of "failure" in family life, but of honest reality — of pilgrim people striving to find meaning and the presence of God in the midst of "the events, problems, difficulties and circumstances of everyday life."

John Paul II, in his letter, offers the affirmation family people are seeking — helping family members to believe in themselves and their family, even with their imperfections, and to see the everyday realities of family life as moments of true "ministry" — calls to follow the Lord and make his presence alive in the world.

Background

In 1976, the national grassroots process of "Call to Action" expressed a concern of high priority in the area of family life.

In 1978, the U.S. bishops declared the 1980s as the "Decade of the Family" and published a "Pastoral Plan of Action for Family Ministry." Each diocese was then asked to develop its own listening process and plan to respond to needs expressed in the area of family life. The local study and reflection has culminated in the Family Ministry Task Force Report, which will be the topic of reflection and discussion in regional meetings with Bishop Matthew H. Clark in March.

As family life has surfaced from the U.S. grassroots as a major area of concern, so, too, it has emerged from the international Church hierarchy as a focus of attention and concern. In 1980, the International Synod of Bishops focused its study and reflection on family life. The fruit of that consultation was published by John Paul II in November 1981 in the form of the "Apostolic Exhortation on the Family" (Familiaris Consortio).

Birthright Guild Formed

Birthright, a service for women with unplanned or problem pregnancies, has formed a guild. president; Denise Gurnow, secretary, and Betty Pfeifer, treasurer.

According to a spokesman for the guild, Birthright is in constant need of maternity clothes, baby clothes, cribs, playpens, car seats, etc. The guild hopes to support Birthright by collecting clothing and furniture and by raising money to purchase necessary items and educate the community about the organization.

Birthright Guild officers for 1983 are Linda Travers, president; Ellen Lill, vice

The guild is seeking members, particularly individuals to help with publicity and special projects. Anyone interested should call Linda Travers at 458-1726.

The guild also is offering membership for a \$2 tax deductible donation. Checks should be made out to the Birthright Guild and mailed to Ms. Travers, 259 Avis St., Rochester, 14615. Contributors will receive a Birthright membership card and pin.

Pro-Lifers Plan Washington March

Geneva — The Geneva Area Right to Life Organization is sponsoring a bus trip to Washington, D.C. for the 10th annual March for

Life in conjunction of the Supreme Court decision on Jan. 22, 1973, liberalizing abortion.

The 47-seat bus will leave

St. Francis Church, 110 Exchange St., at 10 p.m., Friday, Jan. 21 and will return about midnight Saturday, Jan. 22.

The March for Life draws thousands of pro-lifers from the United States and other countries to protest the Supreme Court decision. The groups will meet with their congressmen in the morning and then gather at the Ellipse to begin the march past the

White House and down Pennsylvania Avenue to the Capitol. Sen. Alfonse D'Amato will host a reception for the New York contingent at 3 p.m. in the Dirksen Building.

For more information or reservations, Vada Holmes should be contacted at (716) 526-6834. Kathy Peters at (315) 539-8006, or the Geneva Right to Life organization, Box 432, Stanley, N.Y. 14561.

St. Boniface

The annual Winter Festival will take place from 1 to 4 p.m., Saturday, Jan. 22, at St. Boniface school on Gregory Street. It will be followed by a 5 p.m. Mass and square dancing at 8, with food and drink available from 6 p.m.

Highlights will include snow sculptures and sleigh rides (weather permitting), and movies. Chairman Paul Riordon said admission is \$2 for adults and \$1 for children at the door. The public is invited.

COURIER-
Pro
Washingt
be more diff
to approve r
abortion fun
of rules ad
of Represent
day of the 9
3.
But the
also quietly
proposed r
The
B
Kenr
Vatican
due proess
be in effec
Congregati
trine of t
prefect. (C
Josef Ratz
Speaking
meeting of
journalists
at the
Ratziner
congregati
plenary r
previous
proposals
German
regarding
theologial
holding v
formity v
teachings.
The p
confirmed
official, is
whose te
examined
defended t
hearings
congregati
The