



**STATEMENT OF LOUISIANA'S CATHOLIC BISHOPS ON  
ABORTION FUNDING LEGISLATION  
1994**

A recent mandate concerning Medicaid funding was issued by the federal government requiring abortions for rape and incest victims. This mandate was followed by the threat of cutting off all Medicaid funding to states which do not conform to the mandate. Because of this threat, legislation is now being considered which would allow for the funding of abortions in the case of rape or incest victims which, as proposed, would become effective only if and when the state is notified by the federal government that Medicaid funding will be withheld unless the state conforms to the federal mandate.

At the same time, suits asking the courts to strike down, in their entirety, state laws that prohibit the use of public funds to pay for abortion except to save the life of the mother, have been filed in Louisiana and several other states. Colorado's abortion funding laws were ruled entirely unconstitutional in May as a result of one of these suits.

Louisiana, at present, may find itself in the same position as Colorado because the Louisiana statute unqualifiedly prohibits all funding of all abortions, except to save the life of the mother. Without the rape and incest exceptions being made severable, the state's statute also might be declared entirely unconstitutional, and Louisiana would be left with no valid law prohibiting the funding of any abortion for any reason from any source, state or federal.

Therefore, there is a need to amend that statute now in the event the court accepts the argument being put forth. Present law is not clearly severable, and the court could very well declare it entirely invalid, thereby potentially opening the door to funding of all abortions of the indigent.

The Bishops therefore support legislation which would amend the existing law to make it clear that the prohibition against funding of abortions in the case of rape or incest is severable from the remainder of the law prohibiting such funding in all other cases, except to save the life of the mother.

The Catholic Bishops of Louisiana cannot, however, support legislation which would allow funding of abortions for cases of rape or incest simply to avoid the possibility that the federal government may attempt to censure Louisiana through the withholding of Medicaid payments for the indigent.

As we stated in our 1991 statement, this position is taken because:

"We must unite, in the name of life, to protect as many unborn children as possible while continuing, through the legislative process and in the courts where necessary, to win, ultimately, the right to life for every child."

"We pledge ourselves to work to that end as we reaffirm our total commitment to the dignity of the human person and the sovereignty of God as the Lord of all life. We pledge further to work on behalf of life to change those cultural values and structures which attack this gift of life, with which 'all men are endowed by their Creator.'" (Statement of Louisiana Catholic Bishops, Anti-Abortion Legislation, 1991")

We believe it is imperative that the Louisiana Legislature at this special session address, in the most appropriate manner, the problem which has been foisted on the states by an administrative edict of the federal government so as to preserve existing prohibitions against abortion funding to the greatest extent possible.

Archbishop Francis B. Schulte  
Bishop William B. Friend  
Bishop Jude Speyrer  
Bishop Sam Jacobs

Bishop Michael Jarrell  
Bishop Alfred C. Hughes  
Auxiliary Bishop Robert W. Muench  
Auxiliary Bishop Dominic Carmon