

# **New Jersey Catholic bishops decry passage of expansive new abortion law**

TRENTON, N.J. (CNS) – In a joint statement Jan. 11, New Jersey’s Catholic bishops unequivocally condemned the Freedom of Reproductive Choice Act, an expansive abortion bill they said was passed with extraordinary haste by the state Senate and General Assembly a day earlier.

Democratic Gov. Phil Murphy, who is Catholic, signed the bill into law during a Jan. 13 ceremony in Teaneck.

A replacement for the rejected Reproductive Freedom Act of October 2020, the new measure was passed by the Senate 23-15 and by the Assembly 46-22 with eight abstentions.

Although abortion has long been legal and accessible in New Jersey, the new bill codifies it as constitutionally protected law, making any proposed law to limit or outlaw abortions null. The bill’s proponents have argued that it protects a legal right to abortion in the state if the Supreme Court were to overturn its 1973 ruling in *Roe v. Wade* that legalized abortion nationwide.

“Any law, rule, regulation, ordinance, or order, in effect on or adopted after the effective date of this act, that is determined to have the effect of limiting the constitutional right to freedom of reproductive choice and that does not conform with the provisions and the express or implied purposes of this act, shall be deemed invalid and shall have no force or effect,” the bill states.

In their letter, the bishops expressed their “profound disappointment and deep concern about the passage of (the bill), which codifies into state law an individual’s right to

an abortion, including late-term abortions. This law departs from the fundamental Catholic teaching that all life is sacred from conception to natural death.

“Even more distressing is that the legal and ethical calculus that underlies this new legislation absolutely and forthrightly extinguishes the human and moral identity of the unborn child,” the bishops’ statement continued. “Perhaps the legislators who rushed through this Act in the waning moments of their terms did not want citizens to understand fully its inhuman and lethal consequences.”

In the Diocese of Trenton, Bishop David M. O’Connell responded to the bill’s passage by immediately writing to Murphy urging him not to sign the bill.

“We are not talking about choice or even freedom here,” the bishop wrote. “Abortion is the direct and intentional taking of innocent human life. You and I both know that as do the sponsors of this legislation.”

Only five days had passed between the introduction of the companion bills in the Senate and Assembly, known as S. 49/A. 6260, and their passage – and yet the response of constituents was substantial.

Upon learning of the bill’s release out of committees, the New Jersey Catholic Conference, the public policy arm of the state’s bishops, immediately issued an action alert and information for parish announcements over the Jan. 8-9 weekend urging recipients to contact their legislative representatives to ask for a “no” vote.

The efforts prompted some 11,000 messages to legislators sent through the conference’s web portal, 3,777 of which were from Catholics in the Diocese of Trenton. The bishops lent their voices to the outcry via an earlier joint statement posted Jan. 7.

While some changes were made from the original Reproductive Freedom Act, James J. King, executive director of the New Jersey Catholic Conference, emphasized the new measure “differs little from the RFA and includes provisions that remove all barriers to abortion services.”

He also expressed concern over bill’s introduction and speed, saying: “We were left with little time to offer our input and feedback.”

The bill’s attempt to invalidate laws that would restrict a legal right to abortion – both laws in place and those that might be proposed – make its wide-sweeping reach of great concern to pro-life advocates.

Its restrictions include any future attempts to pass laws on parental notification, bans on late-term abortion and even laws currently upheld as valid by the U.S. Supreme Court.

The bishops in their Jan. 11 statement pointed to abortion alternatives already in place, through the support of Catholic and other social service agencies for all stages of life.

“For our part,” they said, “the Catholic Church is committed to broadening and increasing awareness about the abundant resources and programs we offer that include life-affirming health and prenatal care, emotional support, assistance (to a mother) in bearing and raising her child, and basic needs such as housing, food, and clothing to pregnant mothers seeking or considering alternatives to abortion.”

Although the original Reproductive Freedom Act did not pass in 2020, some state abortion restrictions have already been lifted and went into effect Dec. 6. The New Jersey State Board of Medical Examiners voted unanimously in October 2021 to allow non-physicians – including advanced practice nurses, physician assistants, certified nurse midwives and certified midwives – to provide first-trimester aspiration abortions.

Prior to that vote, New Jersey law required that abortions after 14 gestational weeks – a more complicated procedure – take place only in a licensed hospital setting. Those performing abortions after the 18th week were required to have admitting and surgical privileges at a nearby hospital.

The state law also had a ban enacted in 1997 that outlawed abortion procedures as early as 12 weeks. But a court held the ban was unconstitutional and issued a permanent injunction that prohibits its reinforcement. With the Freedom of Reproductive Choice Act in place, any ban on abortions at any stage would be obliterated.

“We have failed as a society when a response to any pregnancy is fear rather than joy,” the bishops’ joint letter stated. “Sadly, too often this fear is born out of the mother’s uncertainty (that) she will not be able to provide for herself and her child the resources necessary to live a flourishing life.

“We must do better. Therefore, we urge all Catholics and people of goodwill to actively participate in breaking down the economic, employment, social, racial, and emotional barriers that lead mothers into thinking that abortion is a better option than life.”

The Jan. 11 joint statement of the New Jersey Catholic bishops can be found in English and Spanish on the [website of the state Catholic conference](#). The bishops’ Jan. 7 statement also is posted on the site.

*Italia is a contributing editor at The Monitor, the news outlet of the Diocese of Trenton. Other Monitor staff members contributed to this report.*