

# CONSCIENCE

THE NEWSJOURNAL OF CATHOLIC OPINION

VOL. XXXI—NO. 3 2010

## A Victory for Condom Sense and Reason

JON O'BRIEN

## Seeing Is Believing

How and Why Faith-Based HIV & AIDS Care Does Not Meet the Needs of Those Who Need It

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## Evangelium Vitae Today

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## In Good Conscience

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# CONSCIENCE

THE NEWSJOURNAL OF CATHOLIC OPINION

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Catholics for Choice shapes and advances sexual and reproductive ethics that are based on justice, reflect a commitment to women's well-being and respect and affirm the capacity of women and men to make moral decisions about their lives.

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## EDITOR'S NOTE

**P**OPE BENEDICT'S ACKNOWLEDGMENT THAT CONDOMS HAVE A ROLE to play in the global fight against the spread of HIV was rightly seen as a bombshell. It was a timely change in the Vatican's longtime opposition to all condom use, coming as it did just a few days before World AIDS Day. The pope's statement is a game-changer. There is now no excuse. All those who provide services to people living with HIV, or those who are at risk of contracting the virus, should provide and promote condoms as a means to prevent the spread of the disease. Our statement on the matter is on page 5.

In "Seeing Is Believing," a special report in this issue, investigative reporter Kathryn Joyce casts her eye over the lack of transparency that surrounds the enormous sums that are spent in the battle against HIV and AIDS. We know that international development agencies, healthcare providers and private foundations have poured billions into a variety of initiatives that seek cures and promote prevention.

Joyce shows, for example, that it is often incredibly difficult to find out how much taxpayer money goes to organizations working on HIV and AIDS. Similarly, it can be difficult to determine the criteria by which funders judge whether an organization is eligible to receive funds for its HIV and AIDS work and, importantly, whether special considerations are made for faith-based organizations. Finally, and perhaps most importantly, we know that some faith-based healthcare providers do not offer the full range of services because of their religious beliefs, not providing condoms for example, or denying services to gay men or sex workers.

As the economic crisis continues to bite, we can expect that this funding will be cut and that there will be bitter battles over where and to whom that money goes. That means it is especially important now to cast light on how the money is spent and by whom. Her report is an important one, and deserving of your attention.



DAVID J. NOLAN  
Editor

*Conscience* is a unique magazine, and one we would like to get as wide an audience as possible. So, I have a favor to ask. Think for a moment. Ask yourself, do I know other people who I want to be as well-informed as I am? I'm sure you do, because inquisitive people always know other inquisitive people.

So, please consider buying them a subscription as well. To purchase, please visit our website, [www.CatholicsForChoice.org](http://www.CatholicsForChoice.org), or call us at (202) 986 6093.

*"We just know point-blank that people are not getting all the services and information that they need to protect themselves against HIV. That is the horror story that is square on the shoulders of Congress," said Ellen Marshall.*

— KATHRYN JOYCE, p12

Conscience offers in-depth, cutting-edge coverage of vital contemporary issues, including reproductive rights, sexuality and gender, feminism, the religious right, church and state issues and US politics. Our readership includes national and international opinion leaders and policymakers, members of the press and leaders in the fields of theology, ethics and women's studies.

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COVER: POPE BENEDICT XVI (L), FLANKED BY VATICAN SECRETARY OF STATE TARCISIO BERTONE, TALKS TO JOURNALISTS DURING A FLIGHT FROM ROME TO SANTIAGO DE COMPOSTELA.

© REUTERS/STEFANO RELLANDINI, NOVEMBER 2010

ABOVE: PRESIDENT BARACK OBAMA AND RICK WARREN, OF THE SADDLEBACK CHURCH, SPEAK AT THE 2006 GLOBAL SUMMIT ON AIDS. © REUTERS/MARK AVERY 2006

# Population

**I WANT TO COMMEND** Catholics for Choice for taking on the chronically thorny issue of population, which, as the diverse articles in the last edition so aptly demonstrated, has bedeviled for centuries those of us who care about both reproductive rights and the natural environment. You tackled the issues head on, allowing space for and shedding light on extremist positions and language (see, for example, “The Return of the Mad Malthusian Scaremongers” and “family planning budgets drop(ping) like a rock”), while allowing a more reasoned, rational and shared perspective to shine through.

*Letters may be edited for clarity and length.*

Common ground, anyone? We can agree that:

Yes, those of us in the industrialized world who produce and consume at abhorrently high and inequitable rates, are primarily responsible for the greenhouse gases polluting our shared atmosphere.

Yes, urbanization and sprawl are causing tremendous environmental damage and cultural changes around the world.

Yes, millions of women want, but do not have access to, modern methods of birth control.

Feminists and environmentalists alike—who often, as Laurie Mazur and others showed us, share space in the same body—can address all of these issues at once, with-

out concern for offending the other.

In other words, yes, as your issue showed, we can advance a woman’s ability to control her own fertility while also protecting the environment. Let’s stop accusing and attacking each other and work together toward our shared goals.

SUZANNE PETRONI  
Washington, DC

*The writer has worked on and written about population, reproductive health and environment issues while at the US State Department, the Summit Foundation, the George Washington University and the Public Health Institute, a nonprofit organization at which she currently serves as Vice President for Global Health.*

BRENDAN O’NEILL’S ATTACK on neo-Malthusians hit the nail on the head. It is one thing to be prochoice and demand that women have

control over their fertility, something I support 100 per cent. It is another thing to use the issue of access to fertility control in the service of an outlook which sees humanity itself as a problem. By suggesting that there are too many people enjoying too high a standard of living, those who agree with Malthus will ultimately help to deny men and women the life chances that prosperity offers, no matter how many condoms and pills get dished out. What’s ‘prochoice’ about that?

JUSTINE BRIAN  
London, United Kingdom

Conscience, you have (again) surpassed yourselves. A fascinating and forthright issue that both challenged and confirmed my prejudices in equal measure—keep up the good work.

JAMES FENTON  
Hyattsville, Md.

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# A Victory for Condom Sense and Reason

By Jon O'Brien

POPE BENEDICT XVI'S ACCEPTANCE OF the fact that condoms can play a role in the campaign to prevent the spread of HIV is groundbreaking and could help save

many lives. It contrasts sharply with his comments just 18 short months ago that they could "increase the problem."

The pope's statement that condom use to prevent the transmission of HIV is "a first step in a movement toward a different way, a more humane sexuality" is the Catholic hierarchy's own first step in addressing the realities about sex and sexuality.

We know that condoms are not a panacea to the AIDS crisis. But the fact that the pope acknowledges their importance will have a significant impact on many people involved in HIV and AIDS prevention. Catholic charities and the people who work for them can move forward knowing that those who have been providing condoms secretly can be more open about it. Those who have not can now start to do so. Catholics the world over need no longer be

ashamed that the Vatican's teachings on condoms are so out of the mainstream as to be ridiculed.

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**We know that condoms are not a panacea to the AIDS crisis. But the fact that the pope acknowledges their importance will have a significant impact on many people involved in HIV and AIDS prevention.**

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Immediately, and unsurprisingly, conservative spin doctors at the Vatican and elsewhere sought to contain and suppress the importance of this announcement. They have a long track record in picking and choosing which parts of a pope's statements that they agree with. Occasionally, they go even further. Many times in church history they have forced the church to take positions that defy logic and reason.

In the 1960s they convinced Pope John XXIII to remove any discussion of

contraception from the deliberations of the second Vatican Council in case the Vatican's blanket opposition to family planning was overturned. Subsequently, when the Vatican-appointed Birth Control Commission made it clear that there was no impediment to changing the teachings, conservatives convinced Pope Paul VI to accept the views of a tiny minority and overrule his own panel.

These conservative activists are hellbent on preserving the status quo. They want to pretend that all the teachings they agree with are set in stone. Happily that is not the case.

Many Catholics, including Bishop Kevin Dowling of Rustenburg, South Africa, have been arguing in favor of condoms for many years. Dowling's flock includes those living in the shantytowns in South Africa—where the rates of those with HIV or AIDS are among the highest in the world. The pope has never censured him, and has now taken on board what he and other experts have been saying about condoms.

Catholics need the pope to stand firmly behind this

new policy and in solidarity with the millions living with HIV and AIDS. Catholics also need the church to continue this path towards a more compassionate and realistic position on condoms. We are faced with a health crisis of great enormity in places like Africa where this virus has had a devastating impact, leaving children without mothers and fathers, schools without teachers and threatening entire communities.

However, while this is a game-changing statement, we acknowledge that there is still a long way to go before the Vatican's teachings on condoms meet the needs of Catholics around the world—for contraception as well as for HIV and AIDS prevention.

Governments and politicians and especially international aid agencies can now play their part by ensuring that funding for HIV and AIDS prevention and care covers the distribution and promotion of condoms. This is not always the case and it can be incredibly difficult to find out whether or not taxpayer money is used correctly.

We don't always know the criteria by which funders judge whether an organization is eligible to receive funds and whether they offer the full range of services, providing condoms for example, or services to gay men or sex workers. This ambiguity and lack of clarity must stop now, and funders have been shown the way forward by none other than the pope. ■

---

**JON O'BRIEN** is president of *Catholics for Choice*.

# The Church and Family Planning

## New Reproductive Health Bill Proposed in the Philippines

THE PHILIPPINES WILL likely consider several new reproductive health bills, as members of the Catholic hierarchy continue to lead



Edcel Lagman

the opposition. Several forms of the new reproductive health guidelines have been proposed over the past decade. The latest version includes House Bill 96, which allows for freedom of informed choice for parents, couples and women to choose natural or artificial family planning methods. Government proponents of the new laws have condemned Catholic leaders for threatening those who support the bill. Retired Archbishop Oscar Cruz was quoted as threatening supporters of both the bill and legalized

abortion with excommunication. Rep. Walden Bello called Cruz's threats "medieval thinking." Cruz later claimed he was misquoted.

House Minority leader Edcel Lagman was first to file a bill for the 15th Congress, a move that he has long been pursuing.

As of Oct. 4, the lower House has received five other versions of the bill: from Iloilo 1st District Rep. Janette Garin, Akbayan Reps. Kaka Bag-ao and Walden Bello, Muntinlupa Rep. Rodolfo Biazon, Iloilo 2nd District Rep. Augusto Syjuco and Gabriela Rep. Luzviminda Ilagan.

## Wisconsin Diocese Offers Contraception Insurance; Will Fire Employees Who Use It

A NEW WISCONSIN STATE law requires employers, including the diocese of Madison, to offer its employees insurance coverage for birth control. However, the diocese's response was to threaten to fire any employee who takes advantage of those benefits. The law, which took effect on Jan. 1, requires all commercial insurance policies with drug benefits to cover birth control pills. Self-insured policies do not have to comply with the law. The diocese has instructed

its employees to "employ their conscience" and not use the birth control coverage, said diocese spokesman Brent King. If an employee refuses to "get in line" with the diocese's guidelines after counseling, King said, she or he could be terminated. Diocesan employees sign a "morals clause" upon hiring, saying they will abide by Catholic teaching. However, King noted that the diocese has no way of knowing an employee used the coverage unless she offered the information herself.

St. Mary's Hospital in Madison, a Catholic-based hospital, became self-insured this year to avoid the law, but will switch back to commercial insurance in 2011 because of cost and a lack of specialty medical care for employees, said hospital president Frank Byrne. Planned Parenthood of Wisconsin officials noted they were disappointed in organizations trying to work around the law. Ninety-eight percent of sexually active Catholic women use a method of birth control banned by the Vatican at some point in their lives.

## Tennessee Priest Calls for Pope to Apologize about Contraception Teaching

FATHER JOSEPH PATRICK Breen, a priest in Tennessee, asked Pope Benedict XVI to apologize for the hierarchy's teaching on contraception. Father Breen says that he and other Catholics respect the pope, but owe no obedience to anyone except their conscience. "We're not

able to wait for this pope or the next pope to wait another hundred years to say, 'We made a mistake on birth control,' or the fact that we do allow women to be at least deacons in the church," he said. Breen later withdrew his statement, after Bishop David Choby of Nashville told him he must apologize and retract his statements or face being removed from his church.

## The Church and HIV & AIDS

### Swiss Churches Distribute Condoms to Teens

IN AN EFFORT TO REACH young people in their communities, several Catholic churches in Lucerne, Switzerland, are distributing condoms with the phrase "Protect thy neighbor as thyself" to teenagers. The program, which began in October, targets teens aged 14 and older, and includes condom distribution and school classes on the effects of AIDS and HIV in Africa, organizers say.

The Basel diocese, which includes Lucerne, would not comment on the distribution, but neighboring dioceses' spokespeople call the move a "mistake" that "sends the wrong signal." However, Florian Flohr, a distribution organizer, believes teaching young people about HIV and AIDS will help them make choices that protect themselves and others—and may in fact draw young people into the church. "People who are far removed from the church may need a different





Archbishop of Mechelen-Brussels André-Joseph Léonard claimed AIDS was a “self-inflicted” punishment.

message than those who go to church every Sunday,” Flohr added.

### Belgian Bishop Calls AIDS ‘Immanent Justice’ for Homosexuality

ARCHBISHOP OF MECHELEN-Brussels André-Joseph Léonard has angered national leaders and Catholics in his country by saying people with HIV and AIDS are receiving “a kind of immanent justice” for “a loose lifestyle.” Léonard’s statements, published in a book of interviews recently released, have sparked national outrage in Belgium. Even conservatives and local members of the clergy have stepped forward to refute his statements, which included the claim that AIDS is not punishment from God, but rather “self-inflicted.” Léonard also has told reporters he thinks gay

people are “abnormal.” The statements come at a time when the Belgian hierarchy already faces sharp criticism as hundreds of sexual abuse allegations against priests are made public.

Parliamentarian Mia De Schamphelaere said Léonard’s words “strike me speechless. For Jesus there were no justified illnesses.” Léonard’s spokesperson, Jürgen Mettepenningen, resigned, calling the archbishop a “loose cannon.”

## The Church and Abortion

### Hierarchy ‘Respects’ New Kenyan Constitution

KENYA HAS RATIFIED A NEW constitution that makes abortion legal when, in the “opinion of a trained health professional, there is need for emergency treatment,

or the life or health of the mother is in danger, or if permitted by any other written law.” Members of the Catholic hierarchy say they will support the new laws, despite protesting them in the months leading up to the referendum.

Sixty-eight percent of voters approved the new constitution on Aug. 5, after months of back-and-forth between politicians and church leaders. Along with loosening restrictions on abortion, the constitution allows for Muslim courts and limits freedom of worship, which Catholic leaders also opposed. The hierarchy has vowed to continue its opposition to those elements. “Truth and right are not about numbers,” the Kenyan Conference of Catholic Bishops noted in a release. “We therefore, as the shepherds placed to give

moral guidance to our people, still reiterate the need to address the flawed moral issues in this proposed constitution.”

### Reproductive Rights Laws Falter in Argentina

AS ARGENTINA HAS EARNED accolades for being the first Latin American country to legalize same-sex marriage, it has garnered criticism for backtracking on women’s health and reproductive rights. A Human Rights Watch report issued in August cited women’s struggle to get access to birth control and safe, legal abortions as major setbacks for Argentine women. A 2002 law was supposed to ensure women’s access to birth control, but many women say they find it hard to obtain. Also, many doctors do not offer legal abortions, the report added. Unsafe abortions are a leading cause of maternal mortality in Argentina. Abortion has become more stigmatized since Cristina Fernández de Kirchner was elected president in 2007, replacing her husband, Nestor, who died in 2010. Health Minister Juan Luis Manzur has declared that the government is “against abortion.”

### Brazil Elects First Female President

BRAZILIANS HAVE ELECTED their first woman president, despite the Catholic hierarchy seeking to undermine her candidacy by calling her a “murderer” and the “anti-Christ” during the campaign. Dilma Rousseff was elected in October, and

will likely continue the progressive social and economic policies of her predecessor, Luiz Inácio Lula da Silva. Rousseff is not overtly prochoice, but she has called abortion a “public health concern” that ought to be examined and decriminalized.

That phrasing was enough to attract the attention of members of the Catholic hierarchy and local parishes alike, who, with support from the Vatican, lead a smear campaign against Rousseff, calling her a rabid abortion supporter who wanted to legalize abortion up to the ninth month of pregnancy. Abortion is illegal in Brazil except in cases of rape or immediate danger to a woman’s life. Neither Rousseff nor her opponent said they supported abortion rights, but rumors still spread, traced back to Brazilian bishops. Brazilian voters, however, weren’t swayed by the hierarchy’s “red herring”—Rousseff won with 56 percent of the vote.

### **Irish Advocates Organize Prochoice Meeting, Bishops Protest**

DURING THE FIRST-EVER All-Ireland Conference on Abortion and Clinical Practice, held in October in County Down in Northern Ireland, Catholic bishops expressed outrage, saying they “deplore and oppose” the event. The conference, sponsored by the Irish Family Planning Association and FPA (formerly the Family Planning Association in the United Kingdom), was designed to bring health

workers up-to-date information on abortion provision and how to help women from Ireland who need to travel to other countries for abortions. The bishops, however, suggested that the event would undermine “the consistently prolife position of the majority of people on this island.” Recent opinion polls have suggested that the bishops are somewhat behind the times in their understanding of where Irish people stand on the issue.

Abortion in Ireland is illegal except when the pregnancy threatens the life of the woman. Some 1,200 women in Northern Ireland spent more than £1 million on going to England to have abortions in 2009, and individually must find up to £2,000 in expenses, according to the FPA. More than 4,500 travel to England annually from the Republic of Ireland.



Brazil's President-elect Dilma Rousseff (l) succeeds President Luiz Inácio Lula da Silva and will take office on Jan. 1, 2011.

© REUTERS/JESSEI MARCELINO

## **The Sex Abuse Scandal and the Church**

### **Vatican's Report on Child Rights Is 13 Years Overdue**

UNITED NATIONS OFFICIALS say they have received no word from the Vatican on why it has failed to turn in a report on child rights that is 13 years overdue. All countries that have signed the 1989 Convention on the Rights of the Child—including the Vatican—must complete regular reports on what they are doing to protect children’s rights. The UN Committee on the Rights of the Child, however, says the 1997 deadline for the Holy See’s report came and went, with no explanation about why the report hasn’t been turned in. Silvano Tomasi, the Vatican’s envoy to the UN, had

no comment on the report in July. In 2009, a Vatican representative told the UN the report was being “finalized as we speak.” Two subsequent reports also are overdue.

The Holy See’s failure to turn in the reports comes at the same time it has come under fire for how it has handled child sex abuse allegations against clergy. However, Vatican spokesman Hubertus Matheus Van Megen told the UN’s Human Rights Council that critics of the hierarchy have “misrepresented the situation” as one of pedophilia among priests. Instead, he says, the issue is homosexual priests having relationships with adolescent boys. Only five nations—the Cook Islands, Nauru, Niue, Tuvalu and Tonga—have not turned in any reports.

## Vatican Officials Fear Resignation 'Domino Effect'

VATICAN OBSERVERS

believe Pope Benedict XVI's decision not to accept the resignation of two Irish auxiliary bishops is a sign the Holy See is trying to protect itself from losing more clergy in light of worldwide sex abuse scandals. The resignations of Bishops Eamonn Walsh and Raymond Field were offered in December 2009, but were subsequently not accepted. *Irish Times* commentator Paddy Agnew suggested two reasons for the rejection: The Holy See does not want to appear to be dismissing bishops under media and public pressure, and officials are worried about a possible "domino effect" with other Irish clergy. Observers describe the plan as differentiating between "sins of omission" and "sins of commission" with regard to clerical sex abuse. While bishops who have admitted to sexually assaulting children must resign or be removed from their positions in the church, those who have covered up the scandal have a lower level of "culpability," the Holy See argued.

However, Irish hierarchy leaders, including Diarmuid Martin, the archbishop of Dublin, say they believe not handling the scandal seriously is damaging to victims and the Irish faithful. Martin said he has high hopes that the hierarchy will work toward offering compassion to victims of priestly abuse, rather than

working to cover up or dismiss allegations. "You cannot sound-bite your way out of a catastrophe," he added. "It has to be underlined without any ambiguity that the scandal of the sex abuse of children by priests and religious in Ireland truly is a scandal and not an invention of the media."

## Belgian Bishop Resigns Years after Abusing Minor

A BELGIAN BISHOP HAS

resigned after admitting to sexual abusing a boy while he was a priest.

Pope Benedict XVI accepted Bishop Roger Joseph Vangheluwe's resignation in April. Vangheluwe announced his resignation during a press conference, in which he said he repeatedly apologized to the victim for decades, but his apologies did not pacify the victim or himself.

"I profoundly regret what I did and offer my most sincere apologies to the victim, to his family, to all the Catholic community and to society in general," he said.

A report released by the Belgian hierarchy shows priests abused more than 500 people over the last 50 years, driving at least 13 victims to suicide. The *New York Times* calls the report's findings "the latest blow to a church reeling from a sexual scandal" that's become worse since Vangheluwe resigned. His resignation prompted more than 200 people to file complaints of priest abuse going back for decades. The report covers each victim's story, many that document illness and depression years

and decades after the abuse ended. It is the final step that the Belgian hierarchy's committee will present in its investigation of priestly abuse in the country. Legal investigation continues; however, Belgian law only allows investigation into claims that are less than 10 years old.

## Scandal-Plagued Legionaries Gets New Overseer

VATICAN ARCHBISHOP

Valasio De Paolis has been named the papal delegate for the Legionaries of Christ, the order that has faced scandal since it was revealed that its founder, Rev. Marcial Maciel, sexually abused an unknown number of seminarians and fathered at least one child.

The Vatican announced its decision after an investigation revealed that the Legionaries needed to be "deeply re-evaluated and purified to survive." Pope Benedict XVI also ordered a full investigation into the Legionaries' lay group, Regnum Christi, a women's group that dictates everything from its members' daily schedules to how to eat a piece of bread. While its members say extreme obedience is both voluntary and necessary to "create uniformity and foster spirituality," former members and detractors say Regnum Christi preys on young women's naiveté and can remove them from the order at any time, without the skills necessary to survive in the world.

The investigation and placement of De Paolis with

the Legionaries is a step in the Vatican's restructuring of the order, which was built on a "system of power" and obedience under Maciel and Pope John Paul II. The hierarchy remains under fire because many victims claim that their accusations were long ignored by bishops and then-Cardinal Joseph Ratzinger.

## Supreme Court Decision Removes Vatican's Immunity

WHEN THE US SUPREME Court denied attorneys' writ of judicial review and allowed the Holy See to be sued as a defendant in a sexual abuse case, the door was opened for questioning the Vatican's sovereignty. In June, the Supreme Court ruled that *John V. Doe v. Holy See* could move forward, because the Holy See acted as the employer of Andrew Ronan, who Doe (under a pseudonym) says abused him in the 1960s. The Vatican has argued that it is not the employer of any priest because it does not pay a salary or benefits to priests, nor does it have day-to-day control over their activities. The Holy See also tried to invoke the Foreign Sovereign Immunities Act of 1976, but it was not allowed to by the Supreme Court. The Vatican's status as a sovereign nation is at issue. While it is a non-member state permanent observer of the United Nations, many organizations have called that status into question, arguing that it does not meet the criteria necessary to be considered a state and





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Austrian churches, like St. Peter's church (Peterskirche) in Vienna, here, are seeing a decline in attendees as the sexual abuse scandal continues to rock the hierarchy.

should be treated as other religions are at the UN.

## The Church and Sex Education

### Sex Education in Jeopardy in Philippines

A UNITED NATIONS-FUNDED sex education program in the Philippines could be thwarted with the appointment of the nation's new education secretary. Armin Luistro, a priest and president of De La Salle University, has accepted President Benigno Aquino III's offer to take leadership of the country's education department. That has created doubt that the planned sex education program for elementary and secondary schools, designed to reduce teenage pregnancies, will be put into place. The Catholic hierarchy in the Philippines has opposed the program. Catholic parents in Quezon

City also have asked their regional court system to stop the proposed sex education program. Elizabeth Angsioco, chair of the Democratic Socialist Women of the Philippines, says the program's fate lies with the president's administration. "If (Aquino) is serious in his pro-responsible parenthood position, he should see sex education as a way for young people to develop into future responsible parents," she said.

### Prague Education Ministry Withdraws First Sex-Ed Guide

JUST A FEW MONTHS AFTER its publication, the Prague Education Ministry has rescinded its sex education guide after receiving criticism from a parents group. "Sex Education: Selected Topics" was released in April, when it fell under criticism from the Catholic hierarchy and the Committee for Protection of

Parental Rights. The Czech bishops conference has called the guide "criminal in nature" for "posing a moral threat to youth by failing to teach children responsible sexual behavior." The parents group objected to the guide's assertion that everyone deserves information about sex, whether or not their parents approve, as well as other items within the guide. The most controversial part of the guide, according to the *Prague Post*, is a chapter called "Didactic Schemes," which teaches children about sex through games including having students practice putting a condom on a figurine.

## End Notes

### Austrian Church in Turmoil

TENS OF THOUSANDS OF Catholics are leaving the church in Austria in response to the sex-abuse scandal as significant numbers of

priests question core teachings. Within the first six months of the year, 57,000 left, more than the 53,216 who left in all of 2009. About two-thirds of Austrians describe themselves as Catholic. Hundreds of child sexual abuse cases have been made public in Austria, prompted by the resignation of an arch-abbot in Salzburg who admitted to sexually abusing a child more than 40 years ago.

As fewer Austrians identify as Catholic, fewer Austrian men are joining the priesthood and Austrian priests' opinions on the hierarchy have changed as well. Most Roman Catholic priests in Austria would like to see mandatory celibacy ended, a new survey shows. Research institute GfK Austria has released a report that shows 80 percent of the 500 Austrian priests surveyed support abandoning the hierarchy's celibacy rule. The survey's statistics



indicate priests are moving away from the traditional rules set forth by the Holy See. For instance, 51 percent of those polled say women should be allowed to become priests, and 64 percent say the Austrian church should “get up to date with the modern world.” It appears that younger priests are more conservative than older priests. The poll also showed that 79 percent of Austrian priests think the Vatican has not done all it could to deal with sexual abuse cases in the church, and 74 percent agree that the ideas of the hierarchy and Catholics do not overlap.

#### **Polish Bishops Threaten Lawmakers over IVF Vote**

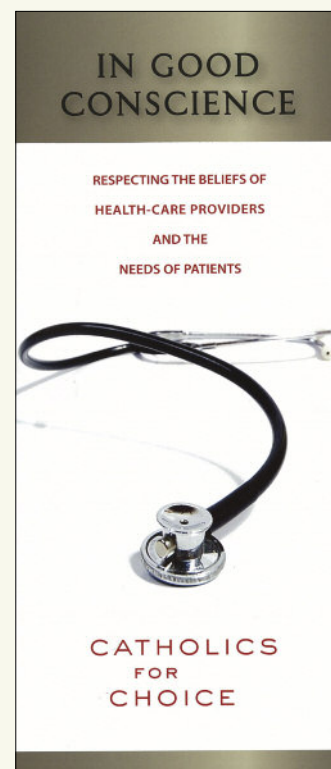
IN VITRO FERTILIZATION IS legal in Poland, and when Prime Minister Donald Tusk was elected in 2007, he promised to provide funding for it. However, in this predominantly Catholic country, bishops and conservative legislators have held up funding. Currently, Tusk’s party has two bills awaiting approval—one making IVF available only to married couples and the other to unmarried couples as well. The Polish bishops conference argued in a letter to legislators that for every life created by IVF, many more lives are destroyed. Archbishop Henryk Hoser has threatened to excommunicate any lawmaker who supports IVF—a threat that does not appear to be merited under any reasonable understanding of canon law.

#### **Knights of Columbus, usccb Fund Political Ad**

THE CONSEQUENCES OF a 2008 agreement between the conservative Knights of Columbus and United States Conference of Catholic Bishops that sought to influence voters across the country have become more apparent. In the 2008 agreement, the Knights agreed to fund the bishops’ anti-marriage-equality campaigns, while Grand Knight Carl Anderson sits as a consultant to the bishops’ ad hoc committee on the same topic. Since then, the Knights have contributed millions of dollars in tax-exempt donations not to the needy, but to political campaigns restricting same-sex marriage in states across the country. Most recently, the Knights and usccb teamed up with Archbishop John Nienstedt of the St. Paul and Minneapolis archdiocese to create a video and press release, given to Catholics in Minnesota, about their “most important civil right”—defeating marriage equality in the state. While not explicitly violating tax-exempt status by donating money to the National Organization for Marriage and political ads (which do not name specific politicians), *National Catholic Reporter* columnist Nicole Sotelo remarked in a recent column, “I can only hope that the Knights do not let Carl Anderson change their mission from knights who serve the church to knights who serve the political right.” ■

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Then-Senator Barack Obama speaks during the 2006 Global Summit on AIDS and the Church at Saddleback Church in Lake Forest, Calif.

# Seeing Is Believing

FOR MANY YEARS, FAITH-BASED health providers have received enormous sums of money from both state-based and private entities to provide healthcare services. More recently, that healthcare has included treatment for people living with HIV and AIDS. Unfortunately, many of these providers do not provide a full range of preventative care, especially advice on the use of and access to condoms to prevent the spread of HIV. Too few people have questioned whether the faith-based groups' use of those funds is as effective as it might be. This report raises some of those questions and provides some proposals for how we might move forward towards more transparency.

## HOW AND WHY FAITH-BASED HIV & AIDS CARE DOES NOT MEET THE NEEDS OF THOSE WHO NEED IT

By Kathryn Joyce

**I**N THE EARLY YEARS OF THE AIDS EPIDEMIC, RECALLS Calle Almedal, a longtime HIV and AIDS advocate, Catholic hospitals and other institutions which were mainly staffed by nuns were the only ones that would treat patients dying of AIDS. From New York City to Uganda, as people living with AIDS were shunned by hospitals and left to die at home, often the only institutions that would take them in were Catholic.

It reminds Almedal, a gay man and a Catholic who has worked at the intersection of faith-based organizations and AIDS for more than a decade, of an encounter in 1986 with an Irish nun who worked in a Catholic hospital. "She looked at me with her very blue eyes and said, 'Mr. Almedal, do you think that condoms are the only solution?' I said no, and she looked at me and said, 'Nor do I.' The nun and her staff were distributing condoms. And they were talking about abstinence."

This disconnect between talk and action that stands out in Almedal's mind has long characterized faith-based work on

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HIV and AIDS, as religious groups working in the field part ways with the strictures of their traditions and hierarchies, and in recent years the mandates of conservative American funders, in order to deliver potentially life-saving resources to populations most vulnerable to the disease.

“The doctrine is there, but then you have the pastoral care, which is about the reality that people live in,” Almedal says. “And that’s where those nuns were—out there in reality, and they gave realistic advice to people.”

But the principled duplicity of these private acts of resistance seems, in recent years, to have hardened into a new status quo when it comes to partnerships between US and even international funding organizations—meant to be part of the “evidence-based community”—and the conservative FBOs that proudly are not. After six years of billions of dollars

**With rising HIV rates, the global AIDS community might be witnessing a new phase of the old equation: that silence, even silent dissent, can equal death.**

of conditional HIV and AIDS funding from the US PEPFAR program, the landscape for FBOs and HIV is incontrovertibly altered, and not all for the good. With rising HIV rates—thanks to abstinence-only education in Africa—the global AIDS community might be witnessing a new phase of the old equation: that silence, even silent dissent, can equal death.

## FAITH-BASED AID

This July, before the 18th International AIDS Conference, a biannual confab hosted by a roster of international bodies, including the United Nations Program on HIV and AIDS (UNAIDS), a coalition of religious groups and representatives gathered to discuss the role of faith-based groups in confronting the epidemic. If the meeting resembled its last iteration, what that role is remains a very fraught question.

In 2008, nearly 500 faith-based delegates, mostly from Christian nonprofits, gathered in Mexico City for a faith-based pre-meeting to AIDS 2008. The pre-conference, “Faith in Action Now!,” organized by the international Christian group Ecumenical Advocacy Alliance, featured a number of heavyweights in Christian AIDS work, including Saddleback Church, the Vatican-based UNAIDS partner CARITAS Internationalis, and the massive US evangelical charity World

Vision. Besides the star power of Saddleback pastor Rick Warren and his wife Kay, who led American evangelicals in embracing AIDS activism, the meeting exposed several divides in today’s faith-based HIV movement: between mainline Christians and evangelicals, between Christians and the underrepresented non-Christians, but mostly, between the abiding camps of the culture wars.

“It was probably the biggest conference we’ve had,” says the Rev. Jape Mokgethi-Heath, an Anglican priest in South Africa, “but a number of cracks were beginning to emerge in showing how the faith-based sector doesn’t necessarily come from the same background. There were groups that felt if we spoke about prevention, as faith-based organizations, we have to give prevention messages for everybody. And there were people very uncomfortable talking about providing prevention for sex workers, men who have sex with men, and injecting drug users.”

“No one wanted to talk about prevention. ‘That’s not what we’re here for,’ they said,” recalls Catholics for Choice president Jon O’Brien. Much of the opposition centered, predictably, around objections to condoms, which religious conservatives view as condoning and enabling lifestyles they disapprove of. Indeed, faith-based advocacy during the main conference, which drew tens of thousands, focused on travel restrictions, workplace discrimination, children’s access to treatment and generic anti-retroviral drugs. Noticeably absent from the list was anything concerning prevention.

Subsequent faith-based meetings in Istanbul and New York, as the UN Population Fund sought opinions on how best to partner with FBOs, revealed the same quiet struggle, as many groups refused to discuss issues like condoms, prevention and vulnerable populations like sex workers. In the end, UNFPA declared the topics of collaboration would be the relatively uncontroversial goals of ending violence against women and lowering maternal mortality.

These debates are familiar to anyone who’s paid attention to the evolution of the President’s Emergency Provision for AIDS Relief, or PEPFAR, since former president George W. Bush launched the \$15 billion plan in 2003. Key to the massive outlay of government funds was the administration’s insistence that one-third of all prevention funds be used for abstinence-only education, and their practice of privileging startup conservative evangelical nonprofits that had the correct ideology but often little or no experience in development or AIDS work. What’s less clear is the effect had by international bodies like UNAIDS or UNFPA doing outreach to faith-based groups, including groups pushing a conservative sexual agenda, and how much the UN may have reinforced PEPFAR’s problematic restrictions. But what is apparent is what problems have been identified at the UN level point back to the manner in which US funds influences the UN agenda.



## PEPFAR

Although FBOS were among the first to work on HIV and AIDS, the Jubilee 2000 movement for global debt relief, tied to the Catholic celebration of the millennium, started the popular drive for a faith-based response to HIV and AIDS. While the early movement was dominated by progressive faith groups, they sought the broad support of a big tent, and pushed the Bush administration to address AIDS. Paul Zeitz, the co-founder and executive director of the Global AIDS Alliance, says that when they did, Bush's existing efforts to fund conservative faith-based initiatives influenced how PEPFAR money would be spent.

"As PEPFAR was being designed, there was a premeditated plan to make sure that faith groups sharing the administration's ideological perspective would benefit. It was a well thought-out plan," Zeitz says. One year in, Bush launched the New Partners Initiative, which called for applications from groups with scant experience working with government grants.

"What it meant was the old partners, the public health people who distributed condoms, were disdained," explains Jodi Jacobson, the founder and former executive director of the Center for Health and Gender Equity. "The new partners, many of whom had never stepped foot in Africa, were suddenly getting millions of dollars to go there. As far as we were concerned, it was a slush fund for the far right."

As reports of PEPFAR spending came in, programmatic horror stories abounded: evangelical grantees who counseled women to stay with abusive husbands, or avoid domestic violence by dressing differently; a Ugandan pastor famously praying over a box of burning condoms; a Cameroonian peer education project that required HIV-positive female volunteers to not have any more children and a Nigerian abstinence-only project targeted at sex workers. More broadly, partners like World Vision, which received more than \$750 million between 2006 and 2008 alone, have been blunt in faith-based hiring preferences, stating, "There's no encouragement for a career here if you're not a Christian." And an investigation conducted by the Center for Public Integrity found that evangelical agencies independently determined unfit for funding nonetheless received support thanks to their ties to the Bush White House.

Ellen Marshall, a public policy consultant for the International Women's Health Coalition, says that such stories pale beside the overarching reality that PEPFAR grantees are allowed to refuse certain services within US law. "They're not horror stories when we just know point-blank that people are not getting all the services and information that they need to protect themselves against HIV. That is the horror story that is square on the shoulders of Congress."

Additional PEPFAR conditions prohibited needle exchange programs, banned family planning services in Prevention of Mother-to-Child Transmission Clinics, required grantees

to sign an anti-prostitution loyalty pledge, even if they served sex workers, and allowed broad refusal clauses that could permit grantees to refuse service to anyone based on moral objections.

Although there has been hope that the Obama administration will correct PEPFAR's ideologically-driven culture to again promote evidence-based work, just this February the ACLU filed a lawsuit against the US Agency for International Development (USAID), the agency responsible for distributing most PEPFAR funds, for refusing to comply with two Freedom of Information Act requests pertaining to a 2009 audit by the US Inspector General. The audit revealed that USAID had directly funded religious training materials that included Bible stories and proselytism through its "Abstinence and Behavior Change for Youth" program, and that the agency faces "recurring questions about the applicability of the Establishment Clause overseas."

"What the [Inspector General's] report didn't indicate is what happened next," says ACLU Senior Staff Attorney Brigitte Amiri, and whether the curriculum has since been withdrawn. "We're concerned that they haven't issued that

**"We just know point-blank that people are not getting all the services and information that they need to protect themselves against HIV. That is the horror story that is square on the shoulders of Congress."**

mandate, because they seem to be unconcerned with these violations of church and state."

Paul Zeitz says the conflict seems to be an inevitable consequence of progressive AIDS activists partnering with politically powerful conservative evangelicals, who were able to help PEPFAR bring about a sea change in the global AIDS field, but who brought their own demands to the table. At the time, Zeitz says, the conflicting camps agreed that, beyond all ideological differences, they wanted more money spent on AIDS, and quickly. "Our view is that we want to see billions spent on health equity and to advance human rights," Zeitz says. "We'd rather have a huge battle about where the

money should be going rather than have a huge battle without any money.”

The huge battle came, and conservative titans like Focus on the Family countered progressive criticism by attacking groups that promoted condoms, and successfully pushing to defund two major AIDS coalitions.

There were individual casualties as well. The Rev. Mokgethi-Heath’s organization INERELA+, a network for clergy affected by HIV and AIDS, was denied PEPFAR funding because part of its program included needle exchange, and PEPFAR didn’t allow selective funding for groups that transgressed any of its regulations. In lobbying PEPFAR’s authors in the US Congress, Mokgethi-Heath found that there were baffling systemic cultural problems built into the program that conflicted with all previous standards for effective HIV and AIDS work. “I remember going to various staffers in Washington,” he says, “trying to advocate for a greater response in terms of openness and to show how some of the policies around PEPFAR were increasing stigma instead of overcoming it. On one occasion when we walked into the office of a staffer for a Republican senator, this lady said to me, ‘Why would you want to do away with stigma? I think stigma is a very good thing. I think stigma helps to moderate people’s behavior.’”

## THE UN AND PEPFAR

While Zeitz saw pragmatic reasons to secure PEPFAR funding quickly before beginning the long debate over how it would be spent, he was troubled by the silence of international groups like UNAIDS on the flaws of PEPFAR. “For those of us in the beltway fighting the PEPFAR policy voraciously, we were troubled that the international normative agencies were pretty mute about the flaws of the policy they were promulgating. Of course, the World Health Organization (WHO) got US money. And UNAIDS—a third of their money came from the government.”

From the early years of PEPFAR, Zeitz and others charged that PEPFAR’s restrictions were tying the hands of local advocates. But they found many expected allies missing from the fight. Then-UNAIDS Executive Director Peter Piot, “never spoke out about PEPFAR prevention policies,” says Zeitz. “And he was a scientist and knew better. They left it to a few small organizations to fight back, and I think we failed. They argued that we were the outside voice and they were doing inside/outside, and trying to mitigate the negative impact [from within the system]. Did we strike the right balance? I don’t know.”

Piot, who says he no longer talks to the press about his UNAIDS work since leaving the agency, has come under criticism from other progressive HIV and AIDS advocates as well. Jodi Jacobson says that under Piot’s leadership, UNAIDS

had close ties with PEPFAR authorities, in part because the US was putting such large funds into global AIDS and the money pressured UNAIDS and WHO to “be in line with the US ideological agenda.” In 2004, Piot co-authored an op-ed with PEPFAR head Ambassador Randall Tobias, a conservative abstinence promoter who said condoms “really have not been very effective” and who campaigned against prostitution until his involvement in a 2007 prostitution scandal forced his resignation. (Prior to leaving, Tobias, together with US Global AIDS Coordinator Mark Dybul, hosted a cocktail reception for Piot to celebrate his leadership on AIDS.) And in 2007, Piot appeared at Saddleback Church’s Global AIDS Summit to praise the work of religious leaders on HIV and AIDS and the US for its PEPFAR funding.

The result of these friendly relations, Jacobson says, was that partnering more indiscriminately with FBOs became a hallmark of the global AIDS movement. “There’s a tendency towards fads in the UN agencies, and the faith-based groups became the fad then, and everybody had to work with them.”

“My feeling is that international agencies like UNAIDS rushed, like the Bush administration” to partner with faith-based groups, says Jacobson, “because they pandered all the time to what the Bush administration wanted to do and lost their objectivity about who should be getting money, and didn’t ask who and what for. It’s not that we hadn’t worked with [FBOs] before, but they had had to work on human rights and effectiveness standards. When the Bush administration came in, they didn’t have to anymore.”

Jacobson, whose criticisms of the close ties she saw between PEPFAR and international groups like UNAIDS and the Global Fund to Fight AIDS, Tuberculosis and Malaria, resulted in her being uninvited to various discussion lists, recalls that groups like the Global Coalition on Women and AIDS, a UNAIDS partner, would tour the US and never speak a word of criticism about the controversial PEPFAR program, leading to an impression in the HIV advocacy community that “UNAIDS was pretty much in the pocket of the Bush administration.”

“If the US holds the purse strings for UNAIDS, then you need someone to stand up. And we had a wet noodle in Peter Piot,” says Jacobson.

## THE UN AND RELIGION

Azza Karam, senior culture adviser at the UNAIDS, which does HIV and AIDS work related to the sexual health agenda, explained the shift at the organization in recent years, following the vision of executive director Thoraya Ahmed Obaid, to focus more on cultural components of the disease. While under the complicated division of labor between UN agencies, “culture” has long been the province of the UN

Educational, Scientific and Cultural Organization (UNESCO) alone, the host of taboo topics like sexuality that swirl around HIV and AIDS necessitated more engagement with cultural questions. “HIV and AIDS has been the domain where all the issues we couldn’t touch in development communities we had to touch,” says Karam.

“The mandate was, we can talk about cultural mandates to change and identify them,” says Karam, “but there are so many agents of change and perhaps the strongest are in the

wouldn’t have been traditional development partners—transsexuals, MSM, sex workers: the groups you need to target to spread awareness and medicine—but then you realize that you have to reach out to groups that are marginalizing HIV and AIDS sufferers and stigmatizing them. The ones saying ‘don’t do condoms, don’t do family planning.’ A culturally sensitive approach means you have to see that group, and the group that is marginalizing that group. It’s prioritizing human capital above all.”

The outreach to those doing the marginalizing was intended, Karam says, to bring multiple groups together: existing faith-based partners that either publicly or privately supported the UN’s human-rights agenda as well as FBOS opposed to that agenda, so that UNAIDS’s friends in religious communities could be mobilized to take on opponents. “The UN cannot do the religious preaching,” says Karam. “What we can do is facilitate. We can convene them, identify the ones who believe and behave along human rights lines, and get them to understand their power. Then they can be the front lines with the detractors. About what God intended, how the prophet lived.

“We’re not doing outreach to the tough guys—at least not directly. The people who work with us, who are our partners, are having themselves to confront some of that traditionalism.”



© REUTERS/JASON REED

Protesters seeking increased funding for AIDS research heckle President Obama during a Democratic Party fundraiser in New York.

faith-based sector.” Part of the UNAIDS decision to emphasize culture meant mapping out the variety of faith-based actors and confronting problems like the opposition of local leaders to condom access through culturally sensitive solutions, like devising means for condom distribution through traditional authorities and religious institutions. An agency-wide UNAIDS survey revealed that the clear majority of its 112 worldwide offices already had strong relationships with faith-based groups, and with good reason, as FBOS are often the longest-serving and most trusted organizations on the ground in developing nations.

“We’d been making partnerships over the years, but suddenly it became mainstream,” says Karam. “What that translated into was two things: active outreach to groups who

Part of the identification process Karam described in finding out which FBOS are “friends” included separating religious rhetoric from FBOS’ actions on the ground. The Achilles heel of the development world, according to Karam, is its consistent self-marginalization by dismissing opponents as fundamentalists. Rather, development workers should listen to religious rhetoric—such as some bishops’ continued opposition to the use of condoms, despite what Pope Benedict has said—and then look at who’s on the ground, at the Catholic nuns providing condoms or referring people to places where they can obtain them. “You realize this community is there and they’ve been there for ages, and we’ve dismissed them because of what some of their leaders tell us.”

A recent *New York Times* op-ed by Nicholas Kristof sounded a similar note, praising FBOS like World Vision for

## TALK VERSUS ACTION



expanding the evangelical agenda and deflecting criticism about their enduring sexual concerns by noting the quiet resistance of Catholic nuns and priests who distribute condoms to AIDS patients. It's a common refrain, and not without merit. Many international HIV and AIDS advocates share the impression that FBO workers privately dissent, either to official church doctrines or funding conditionalities, through their actions in the field.

"In some ways," says Kevin Osborne, Senior HIV Advisor for International Planned Parenthood, the disconnect between talk and action is "a good thing, because people on the ground are responding to realities. The bad thing is that it allows dogma to continue, and it allows people to think that everybody is bad. All people get tarnished with a brush that [FBOs are] all bad. And that's too bad, because there are a lot of good—Catholic in particular—groups doing amazing work in a very progressive manner. At the coal face, people are saying we have to provide condoms, not moralize, and

**"When Bush came and brought PEPFAR, they channeled money to those hyper-conservative groups and reawakened them. I think it will take years and years until the chilling and reawakening forces will be done."**

treat everyone who comes in—gay men, people using drugs—because that's what our role is."

Among the groups Osborne mentions is Catholic Relief Services, which he says has done amazing work not just around orphans and vulnerable children, but also under-the-radar sexuality education. "I think that these groups are more prevalent than you think they are. But on the international level, nobody tackles the bigger issue, because everyone thinks they are toeing the line."

What it also leads to, says the Rev. Kapya Kaoma, a Zambian Anglican priest and a researcher for progressive think tank Political Research Associates, is the incidence of nonprofits shaping their proposals to the strictures of funders, even when they know that abstinence education is ineffective. As one Ugandan doctor memorably told Kaoma, abstinence education works in one regard alone: to raise funds from international organizations.

Zeitz describes a sense in Africa in the 1990s that hyper-conservative groups were being reined in by evidence-based policies. Among FBOs, there was a culture of open dissent to some aspects of religious dogma, with Catholic groups in Zambia secretly but widely distributing condoms. But this ethos was reversed by the influx of Bush-era American money. When Zeitz returned in 2006 with a representative from World Vision, his inquiries about condoms were met with incredulity. "They looked at me like I was speaking Chinese," he says. Part of the response might be understandable local wariness that the abstinence-promoting World Vision is checking up on FBOs' compliance with regulations, but part of it, Zeitz suspects, is a cultural shift. "When Bush came and brought PEPFAR, they channeled money to those hyper-conservative groups and reawakened them. I think it will take years and years until the chilling and reawakening forces will be done."

## FBOs AND AFRICAN HOMOPHOBIA

The effect of tailoring programs to funding isn't necessarily limited to small organizations. Uganda's President Museveni, who championed condom distribution during the early days of the country's "ABC" prevention program, later disavowed them, and his wife Janet became an abstinence crusader. "People all over Africa thought his shift in policy to promoting abstinence, which led to an increase in HIV, was part of a political strategy to get him a third term with US help," says Zeitz.

The turnaround in Uganda's approach to HIV and AIDS, and its possible motivation in US coffers, had another effect as well. In late 2009, much of the world was outraged by news of Uganda's anti-homosexuality bill, which called for the death penalty for some acts of gay sex, and created a pogrom-like atmosphere with a provision to punish people who don't inform on citizens they know to be gay.

The Rev. Kaoma conducted a yearlong investigation into the relationship between conservative clergy in Africa and the US. Focusing on Uganda, Nigeria and Kenya, Kaoma documented a clear trend of the US Christian conservatives fighting a proxy culture war in African countries, helping exacerbate anti-gay hysteria and leaving the fate of African sexual minorities as collateral damage in their effort to shore up global south support against mainline US denominations.

While US conservatives' ultimate goals may be domestic, the result they've had in Africa has been dramatic, reviving a culture of vicious repression of gay rights through the involvement of evangelical figures ranging from the powerful Rick Warren to fringe homophobes like Scott Lively, who testified to the Ugandan parliament in the months before Uganda's anti-gay bill was written that homosexuality was tied to the Holocaust and the Rwandan genocide.



Part of the effectiveness of American missionaries-cum-political advisors stirring African homophobia has been their savvy appeal to postcolonial pride, declaring homosexuality a decadent Western imposition. Similar sentiments have been on display from Catholic officials as well. This October, the African Synod at the Vatican—representing 300 bishops and cardinals from dioceses that have received tens of millions of dollars in PEPFAR funding—declared that progressive Western nonprofits were engaged in a deliberate neo-colonial “anti-family” campaign to corrupt African values through the promotion of condoms and moral relativism. Ghanaian Archbishop Charles Palmer-Buckle went so far as to suggest that Western NGO workers “hang around boys in order to introduce them to homosexual relationships” through condom education.

The irony of the charges of colonialism, notes the Rev. Mokgethi-Heath is that African rhetoric about “throwing off the shackles of colonialism” ignores the colonial origins of conservative evangelicalism in Africa. The Rev. Kaoma agrees, incredulous that Africa’s historical acceptance of sexualities counter to conservative mores, including homosexuality, premarital sex and polygamy, has been dismissed.

“The same argument against homosexuality is used against condoms: that this is Africa, and we have to defend our morals,” says Kaoma. “There’s nothing African about abstinence.” But Kaoma says that the outsized credibility visiting white pastors receive in Africa is to blame, with even renegades like Lively, shunned by US evangelicals, ranking an audience with Uganda’s leadership.

The results, even before last fall’s anti-gay bill, have been horrific. Pastor Martin Ssempe of Uganda’s Makerere University Community Church, a PEPFAR fundee and early ally of both the Museveni (he was named “special representative of the First Lady’s Task Force on AIDS in Uganda”) and Rick Warren, went beyond burning condoms to help lead the country’s anti-gay movement, declaring homosexuals should have no rights and no place in the country’s HIV and AIDS framework; publishing the names and addresses of LGBT rights activists; and, most recently, screening gay pornography to his Kampala congregation and asking, “Is this what Obama wants to bring to Africa?”

Although Ssempe may have lost his powerful friends—the Warrens distanced themselves in 2007 after criticism against Ssempe—he is not alone. In 2007, the International Gay and Lesbian Human Rights Commission discovered that the Uganda Muslim Tablighi Women’s Desk, another PEPFAR grantee, was likely connected to a planned “Anti-Gay Squad,” which Tablighi Organization senior cleric Sheikh Multah Bukunya said would “wipe out all abnormal practices like homosexuality in our society.”

Compounding the rhetoric of American interlopers like Scott Lively, Emmanuel Kolini, Archbishop of the Anglican

Church of Rwanda, also a PEPFAR grantee in a country considering its own anti-gay bill, and a partner with Warren in making Rwanda the first “Purpose-Driven Nation,” has dealt in similar insinuations, calling homosexuality a form of “moral genocide”—a deadly accusation in a country with Rwanda’s history. And the Church of Uganda, a PEPFAR-recipient under the leadership of the virulently anti-gay Archbishop Henry Luke Orombi, has made equivocating statements about the anti-gay bill—suggesting that life imprisonment is a better sentence than death—that demonstrate how reactionary discourse about gay rights, and its inherent links to HIV and

**“What pains me most is that they’re using Africa as a testing board, a guinea pig for these ideologies.”**

AIDS work, has become in the country.

Victor Mukasa, a research and policy associate for the International Gay and Lesbian Human Rights Commission (IGLHRC), describes the sanctions against media outlets and development officials who have spoken about HIV and homosexuality, which included a public warning, published in a newspaper, to a UNAIDS representative who met with LGBT groups, asking him to leave the country. “It shows what power these people have, and how horribly they have affected the fight against HIV and AIDS in Uganda,” he says, noting the increase in infection rates in recent years. With options for prevention information or care often limited to groups like Ssempe’s church or even the Church of Uganda, Mukasa asks, “Who wants to go there for an HIV test or treatment? Who wants to go and die there or get arrested there? Who wants to go to Makerere church if they’re gay? No one! People are going to remain in their closets and continue having high-risk sex activities with each other without a condom, without protection or education because nobody will educate them about what to use. And what will be the end? It will be devastating.” Mukasa, who is from Uganda, says IGLHRC has noted similar welcomes for US conservative evangelicals in Nigeria, Rwanda and Ethiopia.

“There’s a neo-colonialist attitude that’s driving our conservative class,” says Kaoma, referring to the importation of American-born solutions to AIDS like the Warrens’ Purpose-Driven plans in Rwanda and Uganda. “What pains me most is that they’re using Africa as a testing board, a guinea pig for these ideologies. And when they backfire,” he says, noting that HIV rates are on the rise again in Africa, “they’ll jump out again.”

## DIVISION OF LABOR

Part of the solution to divisions in the HIV movement could be dividing funding and work into appropriate sectors. For Catholic groups that traditionally cared for the dying, mitigating the impact of AIDS on sufferers, Mokgethi-Heath says, a continued focus on treatment is an uncontroversial choice. And indeed, South African bishops created a celebrated large-scale treatment program that delivers huge amounts of ARV medications to poor patients.

A guiding compromise at the level of groups like the Global AIDS Alliance has been partnering with conservative faith-based groups where they're willing to work—on care, with orphans—and leaving prevention and condom distribution to groups that embrace comprehensive sex ed.

**“The fact is that we are dealing with 99.9 percent recurring people who are not Catholics. I think it’s a matter of conscience for me that we don’t offload on them the restrictions required by official Catholic teachings.”**

“Our approach is to create strategic alignments based on the policy content that we’re trying to advance,” says Zeitz, “so when we’re working on prevention, we work with the evidence-based crowd, and when we work with orphans, we work with Rick Warren and Kay.”

Ellen Marshall hopes that the Office of the US Global AIDS Coordinator will slowly try to formalize this approach and find a way out of some of the abuses of the early PEPFAR years—developing a “graceful and legal way” to shift faith-based groups opposed to prevention to work solely on treatment. “Undoing this takes forever, and it takes a different reason to undo it than, ‘you’re not providing the full range of services,’ because they’re legally protected in doing that.”

However, says Kevin Osborne, sectorizing HIV work in this way is no longer simple in the age of life-extending treatments that allow HIV positive people to continue having active sexual lives. “I think there has been a push for them to do that, to get [conservative FBOS] away on principle from the trickiness of prevention, i.e. abstinence. But now what we’ve learned about HIV is that the dividing line isn’t that

simple anymore. That’s going to be another challenge for faith communities—because they don’t have to worry too much about them dying, because people are getting well—but how do I deal with people’s vibrant sexuality? As we’ve acknowledged globally, prevention and care are not even two sides of the same coin, but [part of] a continuum and it’s seamless. And it’s [on] that seamless continuum that a lot of battles have to be fought.”

Part of those battles will concern criminalization of HIV transmission: a trend Osborne sees as in keeping with the current anti-gay movements in Africa, or campaigns against sex workers elsewhere—all related responses to HIV that eschew the human rights orientation that development work should support. “The fight against gays, that’s the topic of the moment, but tomorrow it will be something else,” Osborne says. “It’s just the culture of selective human rights.”

## REAL DISSENT

Not all FBOS practice dissent silently, either against PEPFAR conditionality or the broader prohibitions of their faiths. In the ongoing debate over abstinence and condoms, Bishop Kevin Dowling of the Catholic Diocese of Rustenberg, South Africa, is the preeminent example of principled disobedience against the Vatican and doctrine. Dowling, who has worked on HIV and AIDS in South Africa for nearly 20 years, starting community-level home healthcare projects in townships and mining settlements, has received PEPFAR money in recent years to participate in South Africa’s highly successful ARV program, which has treated approximately 70,000 people through 17 Catholic hospitals and clinics since 2004. However, the work Dowling became famous for, and for which he has been sharply censured by his church and colleagues, is publicly distributing condoms throughout South Africa’s shack settlements.

Dowling, who began his prevention work with women performing survival sex work on the outskirts of South African mining camps, says promotion of condoms is an issue of being fully prolife. “The fact is that we are dealing with 99.9 percent recurring people who are not Catholics. I think it’s a matter of conscience for me that we don’t offload on them the restrictions required by official Catholic teachings. I can’t understand the argument that goes, ‘If you are going to have sex anyway and you’re HIV positive, and you’ve decided not to abstain or be faithful, then in terms of Catholic teaching you’re breaking the Sixth Commandment: thou shall not commit adultery.’ Now it makes no sense to me to say, ‘Go ahead now and break the Fifth—thou shall not kill—because it’s illicit to use a condom to prevent the transmission of a death-giving virus.’”

Dowling is often alone in his stance though, isolated from his colleagues and accused of sowing confusion in the church

body. Next to this example, the fact that UNAIDS has a memorandum of understanding with Caritas Internationalis, a mammoth Catholic coalition working in more than 200 countries that upholds Catholic doctrine on prevention issues, reinforces fears that UN efforts to bring religious leaders to the table have outweighed guiding principles on human rights and evidence-based work.

“The price we paid at the ecumenical meeting [before the 2008 AIDS meeting],” says Jon O’Brien, “is that there was no discussion of prevention, or the difficulty of working with men who have sex with men if you see it as a sin.”



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Pope Benedict XVI waves as he arrives to celebrate Mass at the main stadium in Cameroon's capital Yaounde, March 19, 2009. Benedict was criticized during his visit to Cameroon for comments he made about condoms “aggravating” the spread of AIDS. (See p5.)

In a 2003 interview with Vatican Radio, marking the reauthorization of a partnership agreement between Caritas Internationalis and UNAIDS, Calle Almedal, who conducted faith-based outreach for UNAIDS and now consults on the issue for the World Council of Churches, noted the stark differences between the groups over condom use. He said that UNAIDS recognized it has been “a bit too simplistic in our approach to condoms,” and had not been “sensitive enough to the issue of abstinence and being faithful,” envisioning a technical solution to the disease. (However, while Almedal says that faith-based organizations should become more involved in fighting AIDS, he takes the unorthodox position for an FBO outreach advisor that they shouldn’t do so with public money, but should finance themselves by tapping considerable church assets.)

Almedal says, “I got snapped over my head when I brought [comprehensive sexuality education] up in UNAIDS.” But he qualifies this by saying not just FBOs, but “the world has taken prevention off the table.”

Some FBOs are doing more than quiet resistance, but are leading the way towards better AIDS care, as African Anglican churches declared AIDS stigma a sin, South African congregations declare themselves “AIDS friendly,” and some Malawian FBOs have led secular organizations in breaking taboos on discussing sexuality.

But, as the Rev. Mokgethi-Heath says, not enough do.

“I think the difficult thing to do, but the important thing to do, is to operate from the integrity of your position,” he says. “If we have identified certain challenges in dealing with HIV, we can’t change our message to suit a funder. And that will mean, from time to time, that organizations doing really good work will go under because their messages aren’t very popular. If enough people do it, it absolutely will change the funders. But not enough do.”

Asked whether private dissent is enough, Bishop Kevin Dowling pauses.

“I can’t demand of people to take the road I did. It’s very difficult and you feel great isolation and stress and you just feel alone in a very threatening world.

“I take the passage from the Gospel where Jesus was talking to the Pharisees as the heart of the issue here: ‘You’re the one who places impossible burdens on the shoulders of your people, but will you lift a finger to help them carry them?’ I think all of us as church leaders need to take those words very seriously. We have to do advocacy with both PEPFAR and church leadership all over sub-Saharan Africa. We need to sit down and very honestly look at the total situation of the human person in this epidemic and unpack that fully, and ask ourselves, do we as FBOs and our partners contribute to the solution, or are we continuing to be part of the problem?” ■





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# Evangelium Vitae Today

HOW CONSERVATIVE FORCES ARE USING THE 1995 PAPAL ENCYCLICAL TO RESHAPE PUBLIC POLICY IN LATIN AMERICA

By Juan Marco Vaggione



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Cardinal Norberto Rivera Carrera of Mexico (L) gives a plate with an image representing the Holy Family to Vatican Secretary of State Cardinal Tarcisio Bertone during the VI World Meeting of Families in Mexico City, Jan. 16, 2009.

**C**ONSERVATIVE CATHOLIC activists have historically played a central role in shaping public policy in most Latin American countries. In the last decade

or so, the manner in which these activists work has been transformed, pushed in large part by the Vatican. In large measure, this transformation has been developed to counter the successes that

women's rights and reproductive rights advocates have had in placing their demands on national and global public agendas. Far from retreating in the face of this onslaught, conservative religious activists have strategically adapted to the new context so as to continue influencing public policy and legislation. What's new is not the content of their beliefs, which continue to be strongly patriarchal and

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supportive of a very traditional social order, but rather the strategies and arguments they use.

The World Conference on Human Rights (Vienna, 1993), the International Conference on Population and Development (Cairo, 1994) and the Fourth World Conference on Women (Beijing, 1995) saw sexual and reproductive health issues become part of international human rights agendas. The conferences distilled years of activism and mobilization so that sexuality issues could enter the contemporary global language on human rights. As such, they were important moments in the development of these new forms of conservative Catholic activism since the legitimacy attached to sexual and reproductive rights required a new response. The old arguments and strategies were unlikely to continue to be effective. The primary purpose of this article is to consider these conferences as markers of a “new global grammar” to which the most dogmatic Catholic entities, particularly the Vatican, its representatives in the hierarchy and its colleagues like Opus Dei (see box), had to adapt and react. In so doing, they began to generate a new type of Catholic activism that continues to be strongly patriarchal and which also tries novel ways of influencing public discussions without becoming any more flexible with regard to the hierarchy’s dogma on sexuality.

#### ENCYCLICALS AS POLITICAL PROGRAM

Official hierarchal documents on the topics of family or sexuality are a combination of religious and political arguments. The boundaries are difficult to trace, but the encyclical “*Evangelium Vitae*” from March 1995 can be read as both a religious document that captures and reconstructs the official doctrine of the Catholic hierarchy with regard to issues such as abortion, and as a programmatic document that delineates the main political strategies proposed by the hierarchy for the new climate that was created by these international conferences. A central purpose of the encyclical was to reaffirm the official position of the hierarchy that abortion is both “serious and deplorable.” But

the encyclical also can be considered to be a political manifesto that laid out some of the key dimensions that constitute the new forms of Catholic activism pushed by the Vatican and which have had significant impact in regions like Latin America.

#### A “CULTURE OF DEATH”

A general theme of the encyclical, which permeates patriarchal Catholic activism, is to label the movement for sexual and reproductive health rights (never directly called that) as being part of a “culture of death.” The encyclical affirms that:



Pope John Paul II (L) and former Chilean dictator Augusto Pinochet look on in Antofagasta, Chile during a papal visit there in this April 1987 file photo.

This situation, with its lights and shadows, ought to make us all fully aware that we are facing an enormous and dramatic clash between good and evil, death and life, the “culture of death” and the “culture of life.” We find ourselves not only “faced with” but necessarily “in the midst of” this conflict: we are all involved and we all share in it, with the inescapable responsibility of choosing to be unconditionally pro-life.

The political and legal demands of feminism and the movement for sexual diversity are considered—by the hierarchy—to respond to a cultural ethos encompassed in the term “death.” The creation of this dichotomy between life and death gener-

ates a level of virulence that makes it impossible for these new Catholic movements to form a broad-based consensus on policies on sexuality. Simply stated, this is because “*Evangelium Vitae*” is not discussing a system of rights; rather, life as a value is what is at issue. The campaign for sexual and reproductive rights becomes part of this “culture of death,” making it nonnegotiable. Not only is abortion resisted, but any legal change that achieves or makes a distinction between sexuality and reproduction is considered to be a cultural change that must also be resisted. Thus, groups that favor sexual and reproductive rights, particularly feminists and sexual diversity movements, are considered to be bearers of an ideology, which makes their demands lack any legitimacy.

#### THE “NGO-IFICATION” OF RELIGIOUS MATTERS

Another interesting directive that the encyclical makes is to Catholics in general to defend the “culture of life.” The encyclical maintains that “What is urgently called for is a general mobilization of consciences and a united ethical effort to activate a great campaign in support of life. All together, we must build a new culture of life....” Faced with the advance of feminism and those who support sexual diversity, the Vatican calls on believers to take an active political role, taking up a central theme that was important during the Second Vatican Council (1962–1965). What is new is the centrality of sexual and reproductive rights to conceptualizing the public role of the faithful. The results are seen in official documents and public speeches by representatives of the Vatican and other members of the hierarchy calling on the faithful to actively mobilize.

In accordance with this call, Pope John Paul II organized a series of meetings under the name of World Meeting of Families, an international opportunity to coordinate agendas antithetical to sexual and reproductive rights and attended by the most conservative Catholic leaders and faithful. The first of these meetings took place in October 1994 in Rome, with subse-

quent ones every three years in different countries. (The latest was in Mexico in 2009 and the next will be in Milan in 2012.) In the opening speech for the first meeting, Pope John Paul II referred explicitly to the Cairo conference: "...a certain tendency could be seen at the recent Cairo conference on population and development as well as in other meetings held in past months. There have also been some attempts in parliaments to change the meaning of family, depriving it of its natural reference to marriage. They have shown how necessary the steps taken by the Church have been to defend the family and its indispensable mission in society."

Among the various impacts of this type of call, the "NGO-ification" of conservative Catholic activism stands out. The most integrationist sectors of Catholicism organize by seeking recognition as nongovernmental organizations, and in this way are able to play an important role for the hierarchy. At local, national and supranational levels they intervene in discussions on sexuality and reproduction as self-proclaimed "prolife" or "profamily" NGOs that spearhead opposition to sexual and reproductive health and rights. This phenomenon, which may have originated in large measure from the *Roe v. Wade* decision in the US, spread as a global strategy behind and has had a significant impact on Latin American countries.

#### EMERGENCY CONTRACEPTION AS AN ABORTIFACIENT

Another strategy of conservative Catholic activism is to attack contraception as being part of the "culture of death." The 1995 encyclical takes this line, affirming:

The close connection which exists, in mentality, between the practice of contraception and that of abortion is becoming increasingly obvious. It is being demonstrated in an alarming way by the development of chemical products, intrauterine devices and vaccines which, distributed with the same ease as contraceptives, really act as abortifacients in the

*(continued on page 28)*

## Opus Dei

*This is an excerpt from a forthcoming publication from Catholics for Choice on Opus Dei—one of the organizations that epitomizes the strategies outlined in Juan Marco Vaggione's article.*

#### TIMELINE

January 9, 1902—Josemaría Escrivá de Balaguer is born in the town of Barbastro, Spain.  
October 2, 1928—Escrivá de Balaguer founds Opus Dei.  
February 14, 1930—Escrivá de Balaguer creates the women's branch of Opus Dei.  
February 14, 1943—The Priestly Society of the Holy Cross, the branch of Opus Dei for priests, is founded.  
October 17, 1952—The Universidad de Navarra is founded by Escrivá de Balaguer.  
June 26, 1975—Escrivá de Balaguer dies in Rome.  
February 2, 1978—The process of canonizing Escrivá de Balaguer begins.  
August 5, 1982—Pope John Paul II recognizes Opus Dei as a personal prelature.  
May 17, 1992—Beatification of Escrivá de Balaguer.  
April 20, 1994—Pope John Paul II names Javier Echevarría as Prelate of Opus Dei.  
October 6, 2002—Escrivá de Balaguer is canonized in Rome.

Opus Dei (Latin for "the Work of God") is one of the most conservative orders in the Catholic church. Founded in Spain, Opus Dei is especially influential in Latin America because of the relationships it has cultivated in political and business circles. Members and sympathizers of Opus Dei hold high-level positions in various governments and it is one of the main forces supporting conservative activities in the region. It vehemently opposes the promotion and provision of a wide range of sexual and reproductive health services. Opus Dei not only rejects the concept that sexual and reproductive rights are individual freedoms, but calls people to actively fight against these ideas, something which Opus Dei members do daily in many countries around the world.

In just the last decade, people tied to Opus Dei participated in two right-wing coups d'état in Latin America—in Venezuela in 2002 and in Honduras in 2009. In addition, some of the leading personalities on the Latin American right were educated in Opus Dei schools or have ties to it either as members or sympathizers. Opus Dei's participation in the business world has also been significant. There, many of its members tend to display a degree of pragmatism that is not apparent in their approach to sexual and family relations, positions that have affected public policy in countries such as Mexico, Peru, Costa Rica, Colombia, Argentina and others.

According to official versions of Opus Dei's history, the organization was founded on October 2, 1928, in Madrid when Escrivá de Balaguer had a "divine inspiration." He described it as follows: "I was enlightened about all of the Work...I thanked the Lord...From that day this mangy ass realized the beautiful and heavy burden that the Lord, in His inexplicable goodness, had put upon his shoulders. That day the Lord founded the Work."

On February 14, 1930, almost two years after the founding of Opus Dei, Escrivá de Balaguer created a separate but connected organization for women.

Some analysts consider the founding of Opus Dei as one of the many attempts by conservative thinkers to "rechristianize" Spain in the face of the socialist, revolutionary and agnostic currents that prevailed in some sectors of that society at the time.

Given its ideological affinity for the fascist dictatorship of General Francisco Franco, Opus Dei flourished in Spain. Today, Opus Dei supporters tend to skim over this fact. They say, for example, that Escrivá de Balaguer saw Franco as a "lesser

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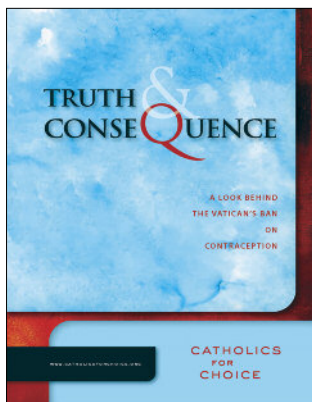
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very early stages of the development of the life of the new human being.

The impact of this strategy to designate contraceptives as abortifacient can be seen in several Latin American countries. In particular, a number of legal cases have been filed with the objective of prohibiting the sale and distribution of emergency contraception (EC), claiming that it acts as an abortifacient. (Legal cases have also been filed claiming that most methods of contraception in circulation are abortifacient). The first case began

#### CONSCIENTIOUS OBJECTION TO THE EFFECTIVENESS OF LAW

The encyclical also calls on the faithful to exercise conscientious objection at every opportunity, with the spurious argument that faithful Catholics are not required to obey laws that are contrary to religious principles. The encyclical affirms “abortion and euthanasia are thus crimes which no human law can claim to legitimize. There is no obligation in conscience to obey such laws; instead there is a grave and clear obligation to oppose them by conscientious objection. From the very beginnings of the Church, the apostolic

tive rights in the region, the expansion of claims around conscientious objection has become a new strategy to reduce the legitimacy and effectiveness of the regulations. Abuse of this strategy has led to an attempt to standardize conscientious objection in order to transform it from an individual right into an institutional right and, in some cases, to completely prevent health centers from providing abortion services, even in places or circumstances where it is legal. Conscientious objection is promoted among all types of personnel, from doctors and nurses to administrative staff who are directly or indirectly involved in the provision of legal abortion and even to government bureaucrats and administrative employees who may conduct civil unions or marriages between people of the same gender. This strategy has imposed new obstacles in the way of those who legitimately seek to exercise their rights to access legal services. (A series of three publications from Catholics for Choice, “In Good Conscience,” provide an overview of how conscience clauses have been used by antichoice activists in the US, Latin America and Europe. They also include a progressive Catholic perspective on conscience and the provision of reproductive healthcare services. They are available at [www.CatholicsForChoice.org](http://www.CatholicsForChoice.org).)



Josemaria Escrivá holds a catechetical meeting with women who are involved in the apostolate of Opus Dei in this undated photo.

in Argentina in 1998 and at least 14 similar cases have been filed against EC in Latin America since. (For more information on this subject, see the recent Catholics for Choice/International Consortium on Emergency Contraception briefing paper “Emergency Contraception: Catholics in Favor, Bishops Opposed,” available on both organizations’ websites.) These attacks on EC can be seen as a form of retaliation for the successes that those in favor of sexual and reproductive freedoms have had in raising the decriminalization of abortion as an urgent matter, among other issues.

preaching reminded Christians of their duty to obey legitimately constituted public authorities, but at the same time it firmly warned that “we must obey God rather than men.” This type of instruction is repeated in a series of official documents on diverse rights, such as sex education (“The Truth and Meaning of Human Sexuality,” 1995) or the recognition of rights for same-sex couples (“Considerations Regarding Proposals to Give Legal Recognition to Unions between Homosexual Persons,” 2003).

In the face of repeated advances by those who support sexual and reproduc-

#### THE SHIFT TOWARD SECULAR ARGUMENTS

While the Catholic hierarchy has a long tradition of using scientific arguments to justify doctrinal teachings, the incursion of sexual and reproductive rights into the discourse has in fact strengthened a strategy that defends a unique concept of family and sexuality. In this sense, the encyclical promotes the idea that preserving antichoice ideals is the task of intellectuals, to whom “a special task falls.... [They] are called to be present and active in the leading centres where culture is formed, in schools and universities, in places of scientific and technological research, of artistic creativity and of the study of man. Allowing their talents



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A tapestry at the Vatican displays the image of Josemaría Escrivá during his canonization ceremony.

and activity to be nourished by the living force of the Gospel, they ought to place themselves at the service of a new culture of life by offering serious and well documented contributions, capable of commanding general respect and interest by reason of their merit.” As part of this strategy, the same year the encyclical was introduced, Pope John Paul II created the Pontifical Academy for Life whose objectives are the “study, information and formation on the principal problems of biomedicine and of law, relative to the promotion and defense of life, above all in the direct relation that they have with Christian morality and the directives of the Church’s Magisterium.”

Without denying that religious arguments, reflections on sacred texts or the threat of excommunication continue to be part of the hierarchy’s strategy, neo-conservative Catholic movements increasingly and with greater intensity privilege scientific, legal and bioethical arguments. The importance that academic centers have is also growing, and some conservative Catholic universities have become

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evil” compared to the danger of a “communist government.” However, the founder did not have that attitude, as evidenced, for example, by a congratulatory letter he sent from Rome to Franco on May 23, 1958. A copy was published in the magazine *Razón Española* in January-February 2001.

In the letter, he sent his “most sincere congratulations” to the dictator because Franco (“the authorized voice of the Head of State”) had proclaimed that “the Spanish Nation considers it most honorable to observe the Law of God, in accordance with the doctrine of the one and only Holy Roman, Catholic and Apostolic Church, with Faith inseparable from the national conscience that will inspire its legislation.”

He concluded: “I ask God our Father to fill Your Excellency with all manner of good fortune and to give you abundant grace as you carry out the high mission entrusted to you. Receive, Your Excellency, testimony of my most distinguished personal consideration with assurances of my prayers for all of your family.”

On August 5, 1982, Pope John Paul II, who very much sympathized with the conservative tendencies of Opus Dei, established it as a personal prelature, or group that carries out specific pastoral activities and is supervised by the Vatican’s Congregation for Bishops.

The prelate is elected by an executive congress called for that purpose and holds the office for life. The first prelate was Escrivá de Balaguer. Upon his death in 1975, he was succeeded by Alvaro del Portillo (1914-1994), who Opus Dei wants to canonize. He in turn was succeeded by Javier Echevarría Rodríguez, the current prelate. Born in Madrid in 1932, the latter has belonged to Opus Dei since 1948. He holds a JUD, meaning that he has a doctorate in both canon and civil law. On April 9, 1997, during a visit to Sicily, he declared “A survey says that 90 percent of the physically and mentally handicapped are the children of parents who entered marriage in an impure state.”

Acting in lockstep with the Vatican, Opus Dei opposes *inter alia*, abortion, contraception, divorce and gay marriage. In particular, Opus Dei authors take pride in their opposition to divorce and their contempt for civil matrimony, as well as their radical opposition to contraceptives and homosexuality.

Escrivá’s writings tended towards describing and mandating an all-encompassing vision of how members of Opus Dei should lead their lives. It was later that the specifics emerged from other members as regards public policy mandates—especially around the family. He advised young members of Opus Dei to attain prestige in their professional careers in order to use it over time to benefit the political and religious plans of the group. In “The Forge,” he also prescribed that:

We have to stand out boldly against those ‘damning freedoms’—those daughters of license, granddaughters of evil passions, great granddaughters of original sin—which come down, as you can see, in a direct line from the devil.

Throughout its more than 80 years of existence, Opus Dei has demonstrated not only a great capacity to grow, but also greater stability than many other conservative Catholic groups such as the Legionaries of Christ.

So far the main criticisms of Opus Dei coming from former members and analysts of that group relate to what they describe as its authoritarianism, the rigidity of its standards, its interference in the personal lives of its members, misogyny and the manner in which it participates in business and politics.

According to some of its critics, the manner in which Opus Dei operates in the business world—where it has adopted a generally liberal and pragmatic approach—is in sharp contrast to its approach to sexuality, procreation and family life where it adheres to strictly conservative religious standards, which it considers in accord with so-called “natural law.”

María del Carmen Tapia, who belonged to Opus Dei for 18 years, concluded that it

(continued on page 30)



(continued from page 29)

“is the most conservative, retrograde and sectarian organization of the Roman Catholic church...a church within the church, with all the characteristics of a sect.”

### BY THE NUMBERS

Some 2,000 members of Opus Dei are priests who belong to the Priestly Society of the Holy Cross. In addition, more than 20 bishops around the world belong to Opus Dei, including Jose H. Gomez, coadjutor bishop of Los Angeles, California; John J. Myers of Newark, New Jersey; Robert W. Finn of Kansas City, Missouri; Nicholas DiMarzio of Brooklyn, New York; John O. Barres of Allentown, Pennsylvania; the cardinal of Lima, Juan Luis Cipriani Thorne; the bishop of Huanacavelica, Peru, Isidro Barrio Barrio; the archbishop of Cuzco, Peru, Juan Antonio Ugarte Perez; as well as Gabino Miranda Melgarejo, auxiliary bishop of Ayacucho, Peru; and the prelate of Juli, also in Peru, José María Ortega Trinidad.

In 1993, there were about 79,000 lay members of the prelature in 54 countries on five continents. In 2005 that figure was estimated to be about 90,000. According to the 2007 Pontifical Yearbook (“Anuario Pontificio”), Opus Dei had 1,956 priests worldwide and 84,349 lay members, for a total of 86,305 members. Fifty-five percent of all Opus Dei members are women and about 90 percent of them live in Europe and Latin America, while only about 3,000 live in the US.

Its assets in the US are calculated to be about \$344.4 million and \$2.8 billion worldwide according to figures from a 2008 study by investigator and journalist John L. Allen Jr. of the *National Catholic Reporter*.

Opus Dei owns 1,752 residences worldwide and has properties such as Murray Hill in New York City, a 17-floor skyscraper completed in 2001, which is now the headquarters for the vicar of Opus Dei in the US, as well as 60 resident numeraries, various offices and a conference center. It cost \$70 million, half of which came from one donation and the rest from 5,000 small contributions.

### LATIN AMERICA

Opus Dei is active in almost all Latin American countries, where approximately one-third of its members live.

It began its work in Mexico in 1949. Today Mexico is the country with the most Opus Dei members outside of Spain.

Opus Dei began activities in Chile and Argentina in 1950, Colombia and Venezuela (1951), Guatemala and Peru (1953), Ecuador (1954), Uruguay (1956), Brazil (1957), El Salvador (1958), Costa Rica (1959), Paraguay (1962), Bolivia (1978), Honduras (1980), the Dominican Republic (1988), Nicaragua (1992) and Panama (1996).

### SCHOOLS

Opus Dei promotes many activities—whether cooperatively or through its members, who act individually but with institutional consent—especially in providing schools for the elite. Many of the activists who work against reproductive rights and the secular state have graduated from these schools.

Among the schools that Opus Dei manages in Latin America are the Universidad de La Sabana, in Colombia; Instituto Panamericano de Alta Dirección de Empresas (IPADE) in Mexico; the Universidad Austral in Argentina; the Universidad de Piura in Peru; the Universidad de los Andes in Chile; and many other schools, from elementary schools to secondary schools, training centers, schools for hospitality, gastronomy and other areas, and centers for social assistance and community development, in rural and urban areas.

One of the main Opus Dei business schools in Latin America is IPADE, founded in 1967 with support of leading businessmen: Manuel Senderos Irigoyen, Gastón Azcárraga Tamayo, José María Basagoiti, Baltasar Márquez, Alejandro Álvarez Guerrero, Carlos Isoard, and Eneko Belausteguioita.



Leaflets containing information about Opus Dei outside the organization's building in New York.

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think tanks from which strategies are generated. In other articles, I have described these changes as “strategic secularism,” in order to capture the increasing centrality that non-religious arguments are having within conservative Catholic activism.

The clash between those with differing views over sexual diversity and access to reproductive healthcare services has generated new strategies, participants and arguments on both sides of the debate. We have seen many advances for women and men as a result of the struggles undertaken by those we label prochoice. However, these struggles have also led to the development of new strategies by a faction of conservative Catholic organizations that not only has established new obstacles, but has also rearticulated the boundaries between that which is religious and that which is secular in policies on sexuality. ■



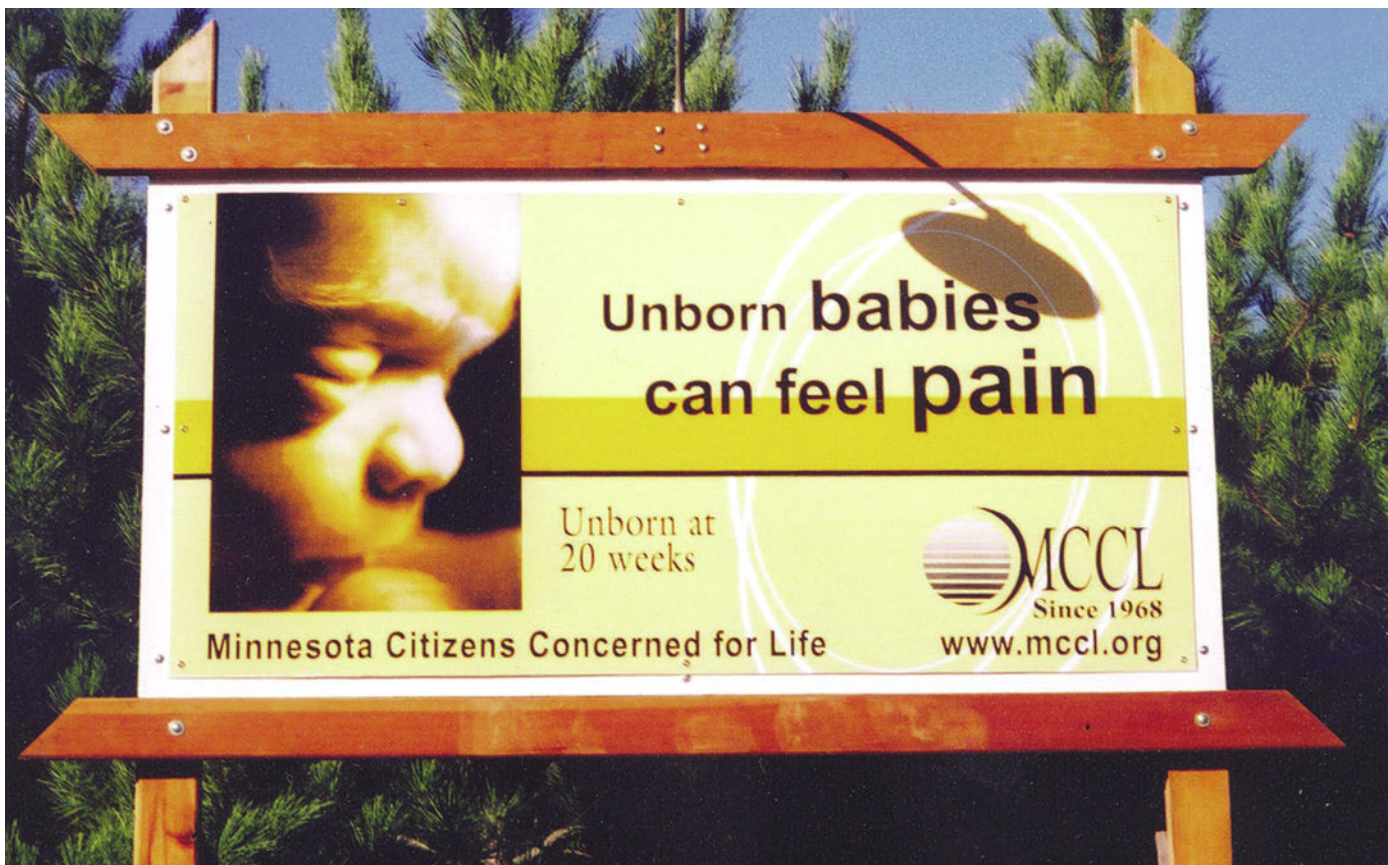
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Antichoice organizations have used the claim that fetuses can feel pain to back up their attempts to limit access to abortion.

# Fetal Pain?

By Stuart W.G. Derbyshire, Ph.D.

**N**EBRASKA RECENTLY PASSED a law to prevent abortion after 20 weeks gestation on the basis that maturing fetuses experience pain and therefore abortion after 20 weeks is cruel and should be banned. Many commentators have observed that the Nebraskan interest in preventing cruelty as a basis to prevent abortion goes beyond the state's legal interest in protecting viable life as a basis

to prevent abortion. The latter interest in viability was a key tenet of *Roe v. Wade*. There are at least two problems to untangle. The first relates to the nature of pain and how to decide whether the fetus can ever be said to feel pain. The second relates to the proper role of scientific investigations and discussions in deciding social policy.

## CAN A FETUS FEEL PAIN?

There are two related but separate ways to address whether the fetus feels pain. The first way is to ask what neural structures are necessary for pain and then to

ask when those structures develop. Pain is not possible before the necessary neural structures are in place. The second way is to ask, what the psychological content of pain is and then to ask when that psychology develops; pain is not possible before the necessary psychological content is in place.

Examining the development of neural pathways is an attractive approach because it provides substantive answers to the question that can be identified with physical measurements such as images of the brain. In contrast, psychological measures are less substantive. Psychology

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involves questions of subjectivity and meaning that cannot be identified with physical measurements. For this reason, most commentary on fetal pain has focused on measurements of neurobiology. Ultimately, however, both neurobiology and psychology have to be addressed together because it is not possible to decide what neural structures are necessary for pain without some conception of “the pain” for which they are necessary.

#### THE NEURAL BASIS FOR PAIN AND THE NEURAL DEVELOPMENT OF THE FETUS

Since the late 1980s it has been increasingly possible for neuroscientists to look directly at the working brain. Technolo-

gists to argue that cortical areas are necessary for pain.

The question of fetal pain can therefore be partially addressed by asking when cortical areas become functional in the fetal brain. Around eight weeks gestational age (GA), as the fetal period begins, the developing fetus is approximately 4 cm (1.5 in) long, has similar features to the later stage fetus and has begun to move. At this stage, touching around the mouth will result in movement away, indicating the presence of some early sensory detection. At eight weeks GA, however, the fetal brain is profoundly immature and there are no identifiable cortical areas. Cells in the skin that can detect tissue damage and are necessary for pain also

cortical areas. Clear evidence of cortical activity during auditory stimulation has been recorded from around 26 weeks GA. Cortical responses have also been recorded in premature neonates of 25 weeks GA following a noxious heel lance. By around 24-26 weeks GA, therefore, it can be assumed that tissue damage causes a cortical response and that the minimal necessary connections for pain are in place.

#### WHAT IS PAIN?

Typically people do not describe their pain with reference to the activity in cortical areas but with reference to the intensity of the pain and how unpleasant it feels. Pain has a psychological content

**The Nebraska law is deeply problematic, however, for a very different reason.**

**The Nebraska law uses science in an attempt to avoid a difficult social, moral and political question.**

gies such as positron emission tomography (PET) and functional magnetic resonance imaging (fMRI) provide structural and functional images of the human brain. That means neuroscientists can observe how the brain looks and also which brain areas are active when the volunteer performs an action, has a thought or feels a sensation such as pain. A series of studies has demonstrated that volunteers experiencing pain activate a large number of neural structures including the lower, subcortical, areas of the brain and the higher, cortical areas of the brain. Imaging studies inform us that these areas are *involved* in pain but not that they are *necessary* for pain. When the cortical areas of the brain are inactivated because of sleep, general anaesthetic or a coma state, however, pain is generally considered impossible. Although contentious, the combined results of imaging experiments and observations of what happens when activity in cortical areas is suppressed lead most neurosci-

entists to argue that cortical areas are necessary for pain.

After 10 weeks there is evidence of connections between the cells dedicated to detecting tissue damage and subcortical areas. Between 12 and 18 weeks there is the appearance of a developmental cortical structure called the subplate that receives connections from subcortical areas. Some commentators have suggested that this represents the minimally necessary connections for pain. The subplate, however, is a transient brain structure that serves a necessary maturational role. Neurons connect into the subplate and are then held for several weeks before they connect into the mature cortical areas that develop above the subplate. The subplate dissipates and vanishes as the cortical areas mature. Most neuroscientists believe that a maturational structure, such as the subplate, cannot perform a mature function, such as the delivery of pain sensation.

Between 24-32 weeks we can see the substantial growth of connections into

and is a subjective experience. The International Association for the Study of Pain has officially defined pain as “an unpleasant sensory and emotional experience associated with actual or potential tissue damage, or described in terms of such damage.... Pain is always subjective.”

The IASP definition indicates that pain does not have primacy over subjectivity, existing before and *in addition* to subjectivity, but is experienced *through* subjectivity. Pain is a part of knowledge and it is impossible to think of pain without taking account of the whole complex of traits by which we are characterized. By this definition pain is not something that will appear as soon as the required cortical areas are active because pain relies upon a higher cognitive functioning and self awareness that require a protracted period of psychological development. The IASP definition, therefore, appears to rule out the possibility of fetal pain at any gestational age.

There is considerable merit in the IASP definition of pain and in the broader idea

that pain is a form of knowledge but there is also a reasonable disquiet in denying a rawer, more primitive, form of pain. A useful distinction might be drawn between just being in pain and *knowing that* I am in pain. Both an older infant and the fetus might be said to be in pain but only the older infant can experience *that he or she is in pain* and explicitly share the condition with others as an acknowledged fact of being. When we experience something we know that it is we who are experiencing it. People do not disappear or drown in sensation but remain self-located within it; our intuition of ourselves as particular things with particular location and experience is opened up by, rather than collapsed into, our senses. It is because we remain ourselves within sensation that we can make choices about how to behave. We may choose to be stoic or protest, for example, when we are injured by others.

If the fetus feels pain then what is felt is something raw and immediate. The pain is, and it is, merely because it is; this simple immediacy constitutes the truth of its existence. If the fetus has any experience at all then it will live those experiences without explicit relationship to them. The experiences will not embed in any general understanding or knowledge system (because no such understanding or system yet exists). The fetus will not know what it is experiencing and with no self-intuition to be opened up by sensation, the fetus will collapse and disappear within sensation. The fetus cannot make choices about how to behave and cannot, for example, launch a protest against the surgeon or choose to be stoic.

It is very difficult to conceive of any feeling that is fully divorced from understanding or knowledge because our everyday sensory experience is always embedded in a context. A touch, for example, might be a warning or the prelude to an embrace or it might be an intrusion (and so a little frightening) or welcome (and so a little exciting) and so on. A touch is never *just* a touch; nobody can experience a touch that is pure and detached from the totality of their being

and circumstance. Similarly, nobody hears a pure sound, smells a pure smell or sees a pure object. There is a loss when any sensation or feeling is removed from the situation in which it is attached. What gets lost is the conception of sensation as a subjective experience along with more subtle and complex notions of how social factors and psychological development impinge on the experience. Subjectivity and knowledge contaminate everything that is felt. The fetus may feel something raw and immediate but older infants and adults feel something much more. And once the immediacy of sensation is lost there can be no recovery of innocence.

#### FETAL PAIN AND ABORTION

The necessary neural structures for pain are developed and functional from about 24–26 weeks GA. Although neural development is continuous and not absolute, based on this evidence fetal pain is not possible before 24 weeks GA. According to the IASP definition, pain requires subjectivity and higher cognitive functions that are not available to the fetus and so pain is not possible at any stage of gestation. Defining pain as something more immediate and raw might have some merit but that makes any fetal pain experience far removed from what is experienced in the older infant and adult.

Based on what is known regarding neural development and pain, the Nebraska law can be viewed as at least a reach both because the timing is off (banning abortion from 20 weeks GA) and because it is unreasonable to equate pain as we typically know it with what the fetus might experience. The Nebraska law is deeply problematic, however, for a very different reason. The Nebraska law uses science in an attempt to avoid a difficult social, moral and political question.

Traditionally the question of abortion has been addressed through arguments about bodily sovereignty and individual rights. At every stage of gestation the fetus is intimately bound up in the woman's physiology and is very much a part of her body. Proponents of abor-

tion argue that nobody should be allowed to force a woman to do something with her body that she does not want to do. On the other hand, opponents of abortion point to the fact that the fetus has the potential to go on and become an independent entity in its own right and nobody should be allowed to prevent that progress. Whether or not the fetus feels pain does not resolve these arguments. If the fetus feels pain then we may still support abortion in the interests of defending bodily sovereignty. Similarly, if the fetus does not feel pain we may still prevent abortion in the interests of defending future life.

The same problem also holds with respect to viability. Technological advances mean that the fetus can survive outside the womb at a slightly earlier age than before but that fact does not resolve the question of abortion. At every stage of pregnancy up to full term it is the case that viability is protected by the fetus remaining alive and inside the womb. When dealing with a wanted pregnancy it is precisely the point to facilitate viability by keeping the fetus inside the womb and deploying medical assistance whenever the baby is born. When dealing with an unwanted pregnancy it is precisely the point to stop viability by removing the fetus from the womb and deploying medical assistance to prevent a live birth whatever the stage of pregnancy.

The neural structures for pain are not available before 24 weeks GA and the psychological experience of pain as we experience it is never available to the fetus. People do not experience pure sensation because they have subjectivity, history and context that are only available postnatally. The fetus does not have subjectivity, history or context and so, if it experiences sensation at all, it must experience pure sensation that is alien to us and will be forever lost through development. None of this can help us decide what we should do with regards to unwanted pregnancy. The issue of unwanted pregnancy involves social, moral and political issues that cannot be resolved by science or technological advance. ■

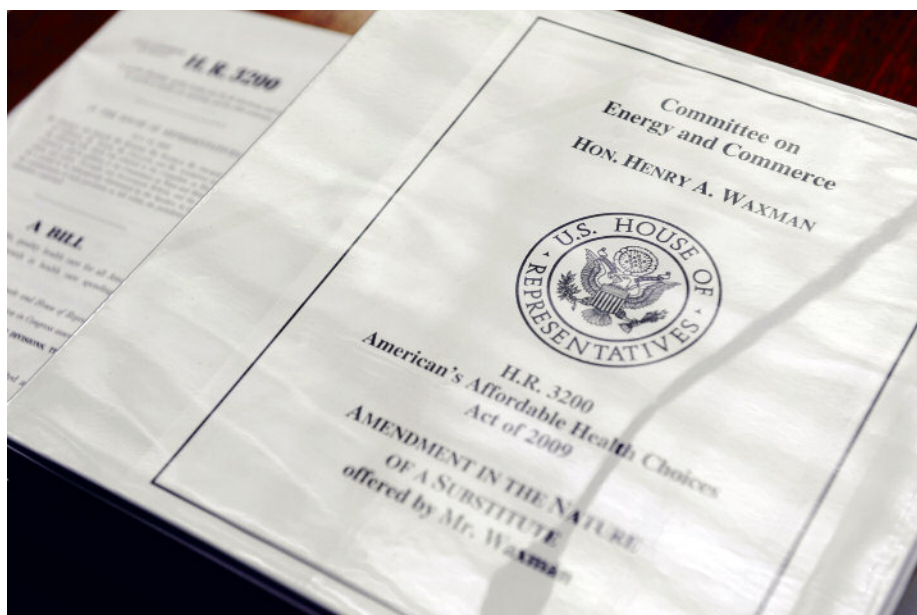
# In Good Conscience?

## EXAMINING THE ABUSE OF CONSCIENCE CLAUSES IN THE US

By Sara Hutchinson

**O**VER THE LAST FEW YEARS those opposed to reproductive freedom have become more creative in placing hurdles in front of women seeking safe and legal reproductive healthcare services. One of the more recent tactics involves significantly expanding the concept of refusal clauses (also known as exemption clauses or conscience clauses) beyond protecting the religious and moral beliefs of healthcare providers. Instead, they use them as a means to refuse some treatments and medications to all comers. Under the guise of protecting religious freedom, antichoice activists—with the backing of some members of the Catholic hierarchy—have aggressively used the political process to increase these obstacles through the expansion of refusal clauses. These clauses and the range of people who can invoke them expanded under then-President George W. Bush, and have not been rescinded, despite promises from the Obama administration that they would be. The expansions relate to the object of refusal (for example, contra-

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The Patient Protection and Affordable Care Act of 2010 expanded existing federal law on conscience for providers and included entire healthcare facilities—while not addressing the rights of patients to follow their consciences.

ception, sterilization and abortion), but also the subject who may claim it—expanding it from individuals to healthcare institutions and insurance providers.

The Catholic hierarchy—through the United States Conference of Catholic Bishops (USCCB) and individual bishops—has collaborated with antichoice organizations across the country to expand these exemptions for entire hospitals or other healthcare facilities. These sweeping refusal clauses restrict patients' access to critical healthcare services and direct the focus away from the conscience of patients and their individual healthcare providers. The result is that women and men seeking legal reproductive healthcare services are routinely denied access to or have great difficulty in accessing these services.

The bishops use their interpretation of Catholic teachings to support the imposition of ever-more restrictive refusal clauses. However, the reality is that these clauses contravene the Catholic tradition. Most often, these refusal clauses are promoted as a means of protecting the consciences of those healthcare providers who have a religious or moral objection to providing some or all reproductive health services. The Catholic teaching on conscience—one that stretches back to the earliest days of Christianity—is however, much more nuanced than the one that is usually presented in legal and policy debates.

Catholic teaching requires due deference to the conscience of others in making decisions—meaning that healthcare providers must not dismiss the con-

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science of the person seeking care. Catholics practitioners can respect the rights of their clients and do so ethically and morally within the Catholic tradition. Catholic principles respect the conscience of providers and of patients. When patients seek care, especially in institutions that receive government support, the end result must be that a hospital, pharmacy or clinic provides the care patients need, regardless of the religious affiliation of the sponsoring entity.

The goal of any reasonable conscience clause must be to strike the right balance between the right of healthcare professionals to opt out of providing some services, most usually abortion, and the right of patients to have access to the medical care they need. Institutions should not seek to impose an ideology and should instead defer to the individual conscience of the patient by respecting her or his right to comprehensive healthcare.

#### **A BRIEF HISTORY OF CONSCIENCE CLAUSES**

Conscience clauses have gone through many permutations since they first appeared after the 1973 *Roe v. Wade* decision that permitted abortion in the US. Traditionally, these clauses sought to protect healthcare workers who refused to participate in certain healthcare practices such as the provision of contraception, sterilization or abortion, claiming that participation in these services violated their consciences.

The first refusal clause (passed in 1973) is known as the Church Amendment, after Senator Frank Church (R-Idaho). It stated that the receipt of federal funds does not require an individual or entity to provide abortion and/or sterilization if it “would be contrary to [the individual’s or entity’s] religious beliefs or moral convictions.” (42 USC § 300a-7(b))

More than two decades later, the Omnibus Consolidated Rescissions and Appropriations Act of 1996 banned state and local governments from discrimi-

nating against healthcare entities that refuse to provide abortion training, perform abortions or even provide referrals for abortions or abortion training. By refusing even to provide a referral, the act becomes an infringement on the conscience of the patient by denying her the means to obtain an abortion in a safe, convenient and timely manner.

Starting in 2005, the Weldon Amendment was attached to appropriations bills for the Departments of Labor, Health and Human Services and Education so that state and local governments could not deny federal funding to any healthcare entity—defined broadly to include health-insurance companies and HMOs as well as hospitals, clinics, etc.—that refuses to perform, pay for or refer for abortions.

Though refusal clauses claim to balance freedom of conscience for the provider and the patient, most do not provide protection for the freedom of conscience for the patient seeking contraception, abortion, sterilization or any other reproductive healthcare services.

Most recently, the Patient Protection and Affordable Care Act of 2010 (PPACA) reinforced existing federal law on conscience by expanding the protections allowed to providers and including healthcare facilities. As a part of the political concessions to opponents (backed by the USCCB) of the PPACA’s provisions on abortion, President Obama also issued Executive Order No. 13535 on March 24, 2010, which emphatically stated, “longstanding Federal laws to protect conscience ... remain intact and new protections prohibit discrimination against health care facilities and health care providers because of an unwillingness to provide, pay for, provide coverage of, or refer for abortions.” Though these existing and expanded protections were stipulated, the PPACA and subsequent Executive Order are both silent on the right of individuals to coverage, access or timely delivery of necessary reproductive healthcare services.

In addition to accentuating the current federal provisions for refusal clauses, the

PPACA also allowed for individual states to pass laws to prohibit all coverage for abortions in plans offered by states under the new PPACA Exchange. Existing refusal clauses in the individual states are often more expansive in who may refuse and what they may refuse.

As of October 2010, 46 states have passed some form of refusal clause for certain individual professionals and all but two of these states also have refusal clauses which allow some medical institutions to refuse to provide abortion services. Of those states, 17 protect individual providers who refuse to perform sterilizations and 14 allow some providers to refuse to provide contraception-related services. Currently there are laws in Arkansas, Georgia, Idaho, Mississippi and South Dakota that specifically protect pharmacists who choose not to dispense contraceptives. Colorado, Florida, Maine and Tennessee have more general refusal clause policies that don’t mention pharmacists but would likely protect them. Illinois and Washington have similar policies but also require all pharmacies to dispense all FDA-approved drugs, including contraceptives. Recently, Washington’s State Board of Pharmacy reopened consideration of these rules. In California, refusal is allowed if the pharmacist’s employer approves and the woman can still get the contraceptive in a timely manner. (Guttmacher Institute, “State Policies in Brief,” October 1, 2010) In addition, reports abound of doctors in general practice and independent pharmacists refusing to dispense regular contraceptives, a move that disproportionately affects women in rural communities who may not have any other medical providers nearby.

Both federal and state refusal clauses have been heavily supported by both the USCCB and the Catholic Health Association (CHA), the trade association of the Catholic health industry, representing the interests of Catholic healthcare institutions in the US Congress and in state legislatures. During the healthcare

reform debate and ensuing implementation of the final health-insurance reform law, both the USCCB and CHA lobbied for strong refusal clauses which protect both individual healthcare providers and institutions but ignore the needs of those seeking reproductive healthcare services and offer no protection to individuals' access to that care.

The Obama administration has suggested it would slow down the expansion of refusal clauses at the federal level but has thus far not done so. In December 2008, under former President George W. Bush, the US Department of Health and Human Services (HHS) issued a final regulation that expanded the refusal clause protections to a wide range of healthcare workers including

in April 2009, no decision on the rescission has been announced nor any further action taken.

#### **FUTURE OF CONSCIENCE CLAUSES**

There exists a sincere struggle for institutions to formulate policies that balance the needs of patients with the beliefs of providers. Yet, the pretext of religious freedom should not be used to create unreasonable barriers for women and men to access sexual and reproductive healthcare. Regardless of what allowances may be made for the individual conscience of a medical professional, individual providers and institutions should defer to the conscience of the patient by respecting her or his right to access comprehensive healthcare services.

For either the Catholic hierarchy or antichoice organizations to lay claim to be the arbiters of any person's good conscience is clearly disingenuous. When pharmacists refuse to fill prescriptions for contraception, or insurance companies refuse to cover the costs of reproductive health services, including abortion, they are negating the right to conscience of the woman, or man, standing in front of them. This does not fall under anybody's definition of what a good conscience is.

In seeking to protect individuals' rights to refuse, a thorough review of refusal clauses as they exist now and should exist in the future is necessary. Some are drafted in such a manner as to trample the rights of patients by denying them access

**Individual providers and institutions should defer to the conscience of the patient by respecting her or his right to access comprehensive healthcare services.**

volunteers, and those in activities such as admitting, billing and janitorial services. In issuing the rule, HHS claimed a need to balance the rights of patients seeking legal healthcare services against the rights of providers to refuse to participate in a service to which they have objections. The rule further claimed that any limitation of those rights to refusal would amount to discrimination. The final rule went into effect on January 20, 2009.

In February 2009, after President Obama took over as president, HHS issued a proposal to rescind the rule. The notice of the proposal to rescind the rule recognized that it may have prevented access to patient care and denied individuals access to services, especially those in rural areas or those who were otherwise underserved. HHS stated that questions raised during the original comment period (August 2008) warranted further careful consideration. Though the public comment period for the rescission closed

In light of Catholic teachings on the primacy of conscience, the public policy efforts of the hierarchy should take into account the experiences of individual Catholics as well as the beliefs of patients and healthcare providers of other faiths and no faith so that patients would not be refused any legal and medically appropriate treatment. Moreover, good practice should also compel the employer to make sure that the consciences of both the employee and the patient are accommodated by, for example, having policies in place that enable patients to receive whatever medications they are prescribed.

Today, most Catholics exercise their conscience against some of the pope's more well-known public policy pronouncements. For example, with respect to contraception, 75 percent of US Catholics believe that the church should allow contraception and 98 percent of sexually active Catholic women older than 18 have used some form of contraception banned by the hierarchy.

to medically appropriate treatment and comprehensive healthcare services. This is not in line with Catholic teachings on conscience, and should not be allowed in public policy. In the interests of providing the best possible care to women seeking reproductive healthcare services, it is sometimes appropriate that some providers are allowed to opt out of providing services, especially if their opposition to the service being provided would lead them to provide less-than-stellar care. This does not mean that entire institutions should be able to deny care, nor that the list of services that providers may opt out of be expanded ad infinitum. Doctors who oppose abortion should be allowed to opt out of providing them, but institutions receiving public funds must provide easy access to alternative services. Those who oppose modern methods of family planning have a less convincing case. The Obama administration needs to stop dragging its feet and act quickly to ensure that women can access the services they need, when they need them. ■

# Rosemary Radford Ruether



## FEARLESS LEADER AND CHANGEMAKER FOR PROGRESSIVE CATHOLIC FEMINISM

By Patti Miller

**F**EW PEOPLE HAVE MADE THEIR mark on modern Catholicism as decisively as feminist theologian Rosemary Radford Ruether. From her early days in the Civil Rights movement to her groundbreaking critique of the Catholic hierarchy's patriarchy and re-envisioning of Christian theology to her pioneering work in eco-feminism, Ruether has made unique contributions to progressive Catholicism. Her influential book "Sexism and God Talk," among many other major works, helped usher in modern Christian feminism.

*Conscience* sat down to talk with Ruether recently in Atlanta, where she was attending the American Academy of Religion conference, about her career and work with Catholics for Choice as she prepares to depart the CFC Board of Directors, which she has served on since the early 1980s. A career spanning nearly 50 years and the conclusion of her role on the CFC board notwithstanding, Ruether remains engaged

in the study of theology, enthusiastic about feminist scholarship and deeply committed to her vision of Catholicism. She was on four panels at the conference addressing topics as diverse as decolonial interpretations of Mary and Christian Zionism.

Ruether's life was imbued with the contradictions of Catholicism from the start. Her mother was Catholic and her father Episcopalian and she was raised, as she puts it, "Catholic in an ecumenical context." It was perhaps inevitable that she herself would become a scholar of the classics and church history and one of the hierarchy's most constructive critics. "My mother took seriously what she thought of as the high intellectual tradition of Catholicism but she was also critical of what she saw as superstitious, dogmatic Catholicism," notes Ruether.

After receiving her BA in philosophy and history from Scripps College and marrying political scientist Herman Ruether in 1957, she entered Claremont Graduate School, where she earned her MA in ancient history in 1960 and her PhD in classics and patristics—the study of the early church "fathers"—in 1965. Despite her academic interest in church history, reproductive rights were never far from her mind. In 1964, when the question of whether the Vatican would officially approve of contraception was on everyone's mind and she herself was a young mother balancing family and a career, she wrote a piece for the *Wash-*

*ington Post Magazine* entitled "Why a Catholic Mother Believes in Birth Control." It eventually cost Ruether her first teaching job at Immaculate Heart College in Los Angeles. "I had been hanging around with the Immaculate Heart Sisters because the priest I was working with on Greek stuff was out there. And they asked me to teach. But some trustees rose up in wrath and said 'you can't hire her' because of the *Washington Post* article," Ruether recalls. "I remember the mother superior coming to me at the end of the first year and saying 'I feel really terrible, but we are not going to be able to hire you for another year.'"

Ruether already had another job offer, teaching at the Howard University School of Religion, so it wasn't a major career setback. But it did teach her a valuable lesson. "It gave me the basic message: don't work for a Catholic institution," she says.

Teaching at the historically black Howard wouldn't seem like a natural fit for a white woman schooled in the classics. But like other young progressive activists in the early 1960s, Ruether had become involved in the Civil Rights movement. "The chaplains at Claremont Colleges were involved in civil rights, so I got involved though them," explains Ruether. "They developed a summer immersion program in Mississippi in 1965—the summer after the 'Freedom Summer' when those civil rights volun-

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teers were killed. I was there that summer with the Delta ministry.”

The experience would shape her work in profound ways. “I got involved in feminism though the Civil Rights critique of male dominance,” she notes. “What you experienced in Mississippi was looking at the United States from the southern black side. You see the white dominance and the racism. That has always been very important to me in terms of social justice: that you put yourself on the other side and you see things from the context of the oppressed. The feminism that I got involved in was rooted in social justice and in terms of seeing sex, race and class

tion. The Enlightenment was very misogynistic, too.” Her work would result in a series of groundbreaking feminist theological works, such as “New Woman/New Earth: Sexist Ideologies and Human Liberation” (1975), and “Mary—the Feminine Face of the Church” (1977), culminating in “Sexism and God Talk” in 1983. “Sexism and God Talk” offered a radical critique of traditional Christian theology from a feminist perspective—a reimagining of the Bible and Christianity from a woman’s point of view. “Sexism and God Talk” created what the *New York Times* called the first “full-fledged feminist theology” within a

was the biggest problem – it has the most explicit and enforced theology that really impeded abortion and reproductive rights,” says Ruether. It was around this time that she joined the board of Catholics for a Free Choice (now Catholics for Choice). She had been involved with the organization for a brief time after its founding in 1973 but CFFC had few formal programs to draw on the board’s expertise and Ruether became involved with other projects. When a much larger and better-financed organization reached out to her in the early 1980s, she eagerly rejoined

**“The feminism that I got involved in was rooted in social justice and in terms of seeing sex, race and class hierarchies, not the Betty Friedan kind of feminism.”**



© REUTERS

Ruether worked tirelessly throughout Latin America paving the way for contemporary feminists, such as those advocating for abortion law reform in Mexico City, above, on April 22, 1999.

hierarchies, not the Betty Friedan kind of feminism.”

In 1967 Ruether published one of her most famous works, “The Church against Itself,” in which she criticized the inability of the hierarchy to “delve deeply enough to create a viable theology of radical change” on issues like birth control, marriage and sexuality because of its irrational commitment to outdated doctrines from the past. “In retrospect it becomes much more evident,” says Ruether today, “that it wasn’t that the church wasn’t able to develop a theology of radical change but that the leadership was determined to prevent change.”

Ruether taught at Howard for 10 years, taking time in the early 1970s to teach courses about women and religion at Harvard Divinity School and Yale Divinity School. “It was in these two years from 1972 to 1974 that I was really developing my material. I didn’t think about Catholicism in an isolated way. I thought of it as the broad western philosophical tradi-

Christian context, influencing a generation of feminist theologians.

The book provided a feminist ethic to rectify the traditional male-centered bias of Christianity, which, Ruether said, led to subjugation and robbed women of their full humanity. It was this humanity, wrote Ruether, that she sought to restore with a new vision of Christian theology. She wrote that the “uniqueness of feminist theology lies not in its use of the criterion of experience but rather in its use of women’s experience, which has been almost entirely shut out of theological reflection in the past. The use of women’s experience in feminist theology, therefore, explodes as a critical force, exposing classical theology, including its codified traditions, as based on male experience rather than on universal human experience.”

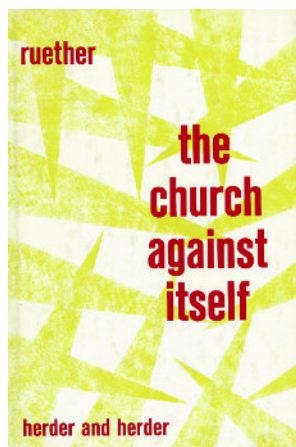
“I think the reason that feminist Catholic theology was important at that time was because the Catholic hierarchy

and quickly became vital to CFFC’s work of providing an alternative interpretation of Catholic theology and teaching. “We actually have theologians on the board who are contributing a critical alternative theology on key questions of sexuality and reproduction,” says Ruether. “This has allowed CFC to give intellectual respectability to an alternative vision. Otherwise the assumption is that women who critique the Vatican’s position are just deviant, immoral people.”

In addition to helping develop the theological bedrock of much of CFC’s work, Ruether has had a long and personal involvement in CFC’s Latin American work with its partner organization Católicas por el Derecho a Decidir (Catholics for the Right to Decide—CDD), traveling to Latin America to network and speak, and, as in the United States, providing a theological underpinning for the CDDs’ work.

Her interest in Latin America actually predated her work with CFC. “My mother was born in Mexico and I felt I had been robbed of a certain heritage, particularly the Spanish language. Somewhere in my thirties I started going to Mexico to do Spanish and became involved in Catholic liberation theology circles, so picking up the Latin American work with CFC and CDD was picking up a thread I had been working on.”

Ruether cites the growth of vibrant CDD organizations in Latin America as being among CFC’s most important



which envisions grassroots, feminist liturgical communities freed from patriarchal models. “The women’s ordination movement began in the 1970s,” notes Ruether, “but in the 1980s, through the influence of women like Mary Hunt, they began to reject the idea of women’s ordination as simply trying to duplicate clericalism, which I was sympathetic to. So we said what we need is Women-Church, not women priests—feminist based communities.”

As she wrote in her 1985 book “Women-Church,” “Christian feminists

of scholars from her teaching positions at Garrett-Evangelical Theological Seminary, where she taught from the mid-1970s until the early 2000s, and the Claremont School of Theology and Claremont Graduate University, where she teaches today, and numerous books and visiting professorships. Two generations of her doctoral students are assembling a collection of writings reflecting on her work from multiple feminist theological perspectives covering feminist theology, colonization and globalization, and eco-feminism, entitled “Voices of Feminist Liberation: Writings in Celebration of Rosemary Radford Ruether.”

Ruether, who will remain active with CFC as editorial advisor to *Conscience* and with other projects, continues to expand

**“To me Catholicism is a community of a billion people who represent a range of things, so I don’t identify with the pope.”**

contributions. “Today we have several generations of the Latin American program. They formed themselves and have done a very good job of that. These are very sophisticated programs. They really understand how to appropriate the theological and canon law discourse. In several places in Latin America, CDD is integrally related to the struggle for legal change regarding abortion law and reproductive rights.”

Ruether’s work evolved and broadened over the course of her career to include eco-feminist theology, which links the oppression of women and the domination of nature, themes which she explored in “Gaia and God: An Ecofeminist Theology of Earth Healing” (1994). “The goal of this quest is earth healing, a healed relationship between men and women, between classes and nations, and between humans and the earth,” wrote Ruether in what became a classic on the subject.

Another area that Ruether is passionate about—both as a scholar and a participant—is the Women-Church movement,

cannot wait for the institutional churches to reform themselves enough to provide the vehicles of faith and worship that women need at this time.” Catholic women, she wrote, “are beginning to recognize the need for autonomous bases for women’s theologizing and worship.”

“I have been part of the movement for a long time in terms of feminist liturgy,” says Ruether, who participates in a local group near her home in Claremont, Calif., although she notes the need to model grassroots, family liturgies for those who don’t just want to be a part of an all-woman group. And despite the many shortcomings of the institutional church, she remains upbeat about “her” Catholicism: “To me Catholicism is a community of a billion people who represent a range of things, so I don’t identify with the pope. My Catholicism is the progressive, feminist liberation theology wing of Catholicism. That is the Catholicism that I belong to, that I am connected to around the globe.”

Ruether has influenced generations

her horizons. Today her work is centered on transnational feminism. “The direction I am going in is not only ecumenical Christian but increasingly interested in gathering perspectives across ethnicities and religions. Claremont has one of the few programs that offer a PhD in women and religion and we just celebrated our 20th anniversary. We have Mormons doing feminist studies and trying to do feminism in a way that challenges that tradition and we have more and more Muslims who are doing feminism.”

Ruether has been challenging traditions herself for nearly 50 years. Yet for her it is a joyful journey. “I have had a happy life,” she says, in no small measure due to her determination to find ways to express her work and worship outside the confines of institutional Catholicism. “I seek to support and widen the space for that Catholicism,” she says, referring to her brand of global, progressive, feminist Catholicism, “and to create as many obstacles as possible for patriarchal Catholicism.” ■

# Barbie and Ken Catholic: “Made for Each Other”

By Mary E. Hunt

**W**HO KNEW THAT BARBIE and Ken were a Catholic married couple that mouth platitudes about their sexual relations?

Did you know that for Ken, “Every time we make love ... we’re making life ... giving life ... it’s not just sex ... I come alive, and there’s a sense of forever in it.” TMI, Ken. Unreported is what Barbie feels, but in traditional patriarchal Catholic theological terms her experience doesn’t really matter anyway. The Ad Hoc Committee for the Defense of Marriage of the United States Conference of Catholic Bishops has commissioned a video, “Made for Each Other,” which it calls “A Catechetical and Educational Aid on Sexual Difference and Complementarity.” Let’s just say it gives B movies a jump in the ratings. How bad is it? Let me count the ways.

Start with the video’s logo, a painting of Saints Joachim and Anne, the Blessed Virgin Mary’s mom and dad. Even though there is no mention of the pair in the canonical books of the bible, there is always a source for legends, this one being the “Protevangelium of James.”

**MARY E. HUNT** is a feminist theologian who is co-founder and co-director of the Women’s Alliance for Theology, Ethics and Ritual in Silver Spring, Md.



The United States Conference of Catholic Bishops paints all “good” Catholic couples with a generic brush—with results that are more plastic than real.

No harm in going beyond the canon for sources, but how convenient to make the pair look as ideally matched as Barbie and Ken when in fact there is neither scripture nor photo to back up the image.

I begin with this rather pedantic critique to indicate the shaky scholarly foundation of this movie that is prob-

ably now standard fare in pre-Can conferences. I bet the DVD is destined for the mailboxes of unsuspecting Catholics across the country since the bishops got another grant from the Knights of Columbus. They were the funders for Archbishop John Nienstedt of the Archdiocese of St. Paul and

© GETTY IMAGES/TIMM SCHAMBERGER/AFP



Minneapolis. He sent out a video recently to his flock calling for Catholic support for a constitutional amendment in Minnesota to ban same-sex marriage. Save your money, gentlemen. The acting alone is so pitiful as to render this flick a loser, but the theological underpinnings are skimpy at best.

Ken (they call him Josh for that Everyman flavor) is a rather unsympathetic character. He is completely unconvincing when he says things virtually no human being has ever uttered to another, like "Making love and having children ... that depends on our difference." Barbie, AKA Carrie in this film, can parallel park, something Josh has never mastered. That is just to assure the fair viewer that not all differences are pre-assigned by gender. Just the important one, if you know what I mean. Wink.

kids just like you heterosexual people. Like you, we parent the best we can." But Kenny was so busy fixing his bike when he was not trying to get his wife excited that I was not persuaded he wanted to know anything outside of his narrow little view on the world in which he occupied the center.

If this video is the best they can do, the bishops are losing ground fast on the marriage front. Almost half of the 12-minute presentation is given over to a pottery lesson. Get it—God made us (for each other, don't forget) like a potter with clay makes a pot. So from the powder and water to the finished product we are treated to the various stages of creation. First you add the water; then you form the clay. More Barbie and Ken. Cut to throwing the pot on the wheel. More B+K, then some shaping of the pot. More

than assert it, back it up with facts and show how the contrary is impossible. Instead, they, too, live in a world where human sexual relations happen in a wide variety of ways, where children are produced via in-vitro fertilization as well as the old fashioned heterosexual way, where nobody has a corner on uniqueness in that all of us are unique in ourselves. It is hard to make a case when there isn't one. In the face of same-sex marriage in many countries and a few US states, the bishops are reduced to relying on fundamentalist readings of scripture and the endless rehearsal of church documents to persuade by repetition. It does not work.

Even the analogies offered in the movie are pitiful: men and women are like hydrogen and oxygen that combine to make water; a male and a female are like

**If this video is the best they can do, the bishops are losing ground fast on the marriage front.**

Barbie tends the plants to Ken's bicycle repairs. He shows how a man takes clothes from the dryer and forgets to close the dryer door. He remedies his own problem with a click of his foot as if she has said, "Honey, close it," a thousand times. You wouldn't want him to be too good at housework because maybe then they wouldn't be different enough to procreate.

The operative concept in "Made for Each Other" is sexual difference that translates roughly into "a penis for every vagina" or something like that. This viewer felt like sitting poor Ken down and explaining the facts of postmodern life: "It's like this, Ken. Surprising as it may seem to you, people with the same genitalia make love just fine and your wife might thank you if you knew a little more about how. Not to steal your thunder, pal, but we also make babies in our own ways and they are born like all the rest. Oh, and Ken, we foster and adopt

platitudes. Then, voila, when Barbie and Ken are finished babbling there is a pot. This is all done to the kind of simpy music that makes me long for a good rap tune. No danger of an Oscar here.

"Made for Each Other" is expensive catechesis for little return: DVD, two discussion guides, website and a lot of apologies for looking antigay but not really meaning it, honest. No, the bishops' strategy this time around is totally positive: marriage between a man and a woman is "unique for a reason" and that reason is both essential to marriage and locked into the natural order. They wish. Who would ever think they are homophobic, heterosexist, bigoted or just plain misinformed when it comes to any other relational options?

If it were the case that marriage required one male from column A and one female from column B, one would think the bishops could prove rather

a violinist and a cellist who play the same musical score. So this has what to do with gender difference? A male hydrogen and a female oxygen molecule, a female violinist and a male cellist? Not last time I checked, folks.

We are raising a video generation so the bishops are well-advised to use this medium for teaching. In fact, they promise a subsequent video in the same series that will deal with "Marriage in its service to human dignity and to the common good." Maybe in that one, they will get it right and include lesbian and gay couples, people of color, folks with disabilities, spouses whose age difference is significant, elderly folks who marry with zero interest in procreation—all the people who were left out of this film by design. Maybe they will continue to get it wrong, insisting on something that simply isn't true. In any case, hold the popcorn. ■

# Failing Grade

By James Wagoner

## Condom Nation: The US Government's Sex Education Campaign from World War I to the Internet

Alexandra M. Lord

(The Johns Hopkins University Press, 2010, 240pp)  
978-0801893803, \$40

**E**VER WONDER WHY AMERICA is so screwed up about sex? Why one of the wealthiest, best educated nations on earth has the highest STD rate among

developed nations with the exceptions of only Romania and the Russian Federation? Why the US has spent over \$1.5 billion on abstinence-only-until-marriage programs when 95 percent of Americans have sex prior to marriage? Or why advertisers are free to exploit sex to sell everything from laptops to Levis but condom advertising is still too “controversial” for prime-time television?

Many answers to these questions can be found in “Condom Nation,” Alexandra M. Lord’s richly detailed history of the US Public Health Service Commissioned Corps and its efforts to educate Americans about sex. Since its founding in 1798 as the nation’s Marine Hospital Service, the US Public Health Service has been attempting the societal equivalent of a “shotgun wedding”—reconciling a deeply conflicted and puritanical morality with the dictates of public health science. Throw in a heavy dose

of hypocrisy, racism and xenophobia and you pretty much have an explanation for the failure of the Public Health Service to establish sexual health literacy in America.



of hypocrisy, racism and xenophobia and you pretty much have an explanation for the failure of the Public Health Service to establish sexual health literacy in America.

Ms. Lord provides focus and context for all of these hapless efforts. From the “social hygiene” campaigns of the late 19th century to the People’s War against Venereal Disease in the 1920s, to the distribution of 50 million condoms a month to the troops during World War II, to the feeble attempts to harness the sexual revolution of the 1960s for social change, it’s déjà vu all over again. All of these campaigns failed for three fundamental reasons. First, the focus is always narrowly cast on disease rather than sexual health, which means the campaigns attempt to educate Americans on how to prevent STDs without really talking about sex! Viewed through a current cultural lens, the results make for a great comedy until one thinks about the cost in terms of human health and well-being.

During World War I, the film “Fit to Fight” told the story of five soldiers and their experiences with prostitutes. Billy Hale, the erstwhile hero of the

film, refuses to have anything to do with prostitutes. Kid McCarthy, the boxer from the wrong side of the tracks, engages but gets treatment. Two of their compatriots engage but don’t seek treatment and suffer the predictably dire consequences. Ms. Lord makes the point that, for its time, the film constituted a breakthrough because it educated troops about treatment for syphilis and other venereal diseases. The comic aspect comes into play when Billy Hale, mocked for his abstinence by fellow soldiers, proceeds to beat them to a pulp, winning the admiration and friendship of Kid McCarthy. All very uplifting I’m sure, but what does this hyper-masculine morality tale have to say about sex and how to experience it in a positive, healthy and responsible way? Not much, and that’s the problem.

One of the first rules of public health social marketing campaigns is that fear has limited reach. Behavior change entails agency and an ability to manage the positive as well as the negative aspects of human sexuality. One cannot terrorize someone into developing healthy attitudes and beliefs; they have to evolve naturally from within.

**O**NE OF THE ASPECTS OF “Condom Nation” that I enjoy the most is Ms. Lord’s ability to show how the fear-driven public health service campaign strategies often failed to keep up with the times. The materials aged rapidly and were kept on the shelves for far too long—all of which explains why, back in 1968, my junior high-school class burst into laughter watching one of these dated films. I guess ridicule is not an effective social marketing strategy either.

The second major reason for the failure of the public health service campaigns was a total lack of candor and pragmatism. Anything remotely “explicit” violated puritanical middle-class norms and had to be avoided at all cost. Describing the film “Keeping Fit,” the post-war sequel to “Fit to Fight,” Ms. Lord sums it up this way:

JAMES WAGONER is president of *Advocates for Youth*.

For the modern viewer of 'Keeping Fit,' the most striking aspect of the program is its almost complete failure to discuss reproduction or sexually transmitted diseases. In part this reticence to speak candidly stemmed from the belief that explicit discussions of sex were vulgar and characteristic of sexually degenerate cultures. In other words, simply by avoiding detail and frankness, 'Keeping Fit' endorsed and reflected the middle-class views of sexuality that its creators believed were central to preventing the spread of venereal disease.

In my view, Ms. Lord's analysis reminds us why we should be taking another look at Western Europe where public health campaigns embody a "radical pragmatism" in terms of straightforward content. Ms. Lord references the success of the Scandinavian public health model and the interest it held for some US public health officials. But her view that this model has

little to offer the US given the homogeneity and social coherence of Western European culture is outdated. These cultures are experiencing rapid change in terms of diversity and social norms, yet the model continues to produce sexual health outcomes far superior to those here in the US.

The third major reason for the dismal failure of US sex education efforts over the years was the absence of leadership. There are plenty of bad actors in this tale, from Anthony Comstock, the anti-contraception crusader of the 1870s, all the way to the Reagan administration and its shameful failure to act early in the AIDS crisis.

The heroes, unfortunately, are few and far between. However, those who do exist get their proper due.

Thomas Parren, President Franklin Delano Roosevelt's surgeon general, is rightfully praised for his efforts to introduce pragmatism and honesty into US education efforts. Ms. Lord does a superb

job analyzing the surprising contribution of Surgeon General C. Everett Koop to educating the American public about AIDS despite the early censorship of the Reagan administration. As someone who worked in the Senate at the time to oppose Koop's nomination, I now appreciate more fully how history can expose superficial judgments and knee-jerk opposition.

Ms. Lord also handles the Joycelyn Elders controversy with aplomb. Clearly, here was a woman with too much integrity and honesty for her president and her times. We need more like her now.

**I** HAVE FEW QUIBBLES WITH MS. Lord's book, particularly since it is a view of sex education through the prism of the public health service and not a cultural history of the US. But I do feel she cuts the public health service a bit too much slack when it comes to the "reflection of the times" argument. She rightfully focuses throughout her work on the negative public health effects of racism in America. From Tuskegee to the treatment of African-American surgeon generals, she highlights the corrosive stereotypes and insulting portrayals. However, the addition of historical context here felt less like analysis and a little too much like an excuse.

But in sum, this is an informative and enjoyable read. I really did relish Ms. Lord's use of quotations at the beginning of each chapter. My favorite is from Robert Finch, secretary of Health, Education and Welfare in 1969, who said, "We have played a hypocritical game for years." This quote goes well with the book's devastatingly accurate portrayal of the abstinence-only-until-marriage movement not to mention the recent actions of a congressman from Indiana who was captured on video singing the praises of abstinence while being interviewed by his mistress! Unfortunately for the history of sex education efforts in the US, it looks like Mr. Finch got it right. ■

## Bookshelf

### **Conscience and the Common Good: Reclaiming the Space between Person and State**

*Robert K. Fischer (Cambridge University Press, 2010, 316pp)*

Where does one's right to conscience end and the law begin? How can two people who disagree both be morally right? Robert K. Fischer explores the divide between law and conscience, and why he believes "the traditional, individual-versus-state conception of conscience is such an unhelpful template for solving today's conscience battles." "Conscience and the Common Good" explores what conscience clauses mean for public policy, and for conflicting individuals who believe they know what's "right."

### **A New Science: The Discovery of Religion in The Age of Reason**

*Guy G. Stroumsa (Harvard University Press, 2010, 223pp)*

Modern religion experts are too narrowly focused, and don't expand their studies to cover all world religions—and that's a problem, Guy Stroumsa argues in his book "A New Science: The Discovery of Religion in The Age of Reason." Divisive studies miss a major point, that "all religions reflected the unity of humankind." The comparative study of religion, Stroumsa contends, should be reintroduced. By looking at the history of many faith traditions, we can better understand where we get our modern ideas of religion.



# Dismantling Gender Stereotypes

By Susan Berke-Fogel

## Gender Stereotyping: Transnational Legal Perspectives

Rebecca Cook and Simone Cusack

(University of Pennsylvania Press, 2009, 288pp)

978-0812242140, \$49.95

IT'S NO SURPRISE THAT DISCRIMINATION against women is endemic worldwide. In response, national and international laws are tackling the pervasive devaluation of women by explicitly prohibiting gender-based discrimination. In their new book, "Gender Stereotyping: Transnational Legal Perspectives," Rebecca Cook and Simone Cusack argue that, while these laws are essential in order to effectively advance women's equality, we must understand and address the gender stereotypes that are implicitly built into laws, policies and regulations. More stringent enforcement of international law, in particular the United Nations Convention to Eliminate All Forms of Discrimination Against Women (CEDAW), is an important strategy for dismantling stereotypes that continue to deprive women of dignity and opportunity.

We stereotype for many reasons. Stereotypes help us understand complicated situations; they maximize predictability and they enable assigning difference in order to keep "others" out of a particular group—for example, reli-

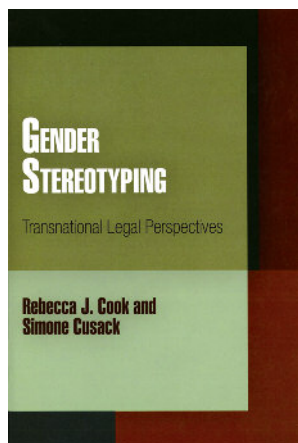
gious rules that limit the ability of women to become priests. Some laws based on stereotypes are protectionist, such as laws that limit the combat roles of women in the military. Others reinforce patriarchal systems of power and control, such as stereotypes of women as the property of their husbands that underlie laws that say it is not a crime for a husband to rape his wife, or that assign a woman's property and inheritance to her husband or her son.

Gender stereotypes are everywhere. They start early in life, and are resistant to change. Boys play with trucks; girls play with dolls. Things that are blue are for boys; things that are pink are for girls. The authors define a stereotype as a "generalized view or preconception concerning attributes, characteristics or roles of members of a particular social group." When stereotypes are then applied to individual members of the group, the person's particular characteristics are rendered invisible, with significant consequences for the individual, the group and civil society. The stereotype that girls "can't do math" may dissuade intelligent young women from pursuing a career that requires quantitative skills, and university science programs may be less hospitable to women generally. The stereotype that a woman who wears revealing clothing is implicitly con-

senting to sexual activity may result in rape, and young men may develop inappropriate ideas about consent.

Cook and Cusack point out the complexity of gender stereotypes. Stereotypes are not always statistically wrong as they apply to a group. For example, more women than men are the caretakers of their children. More men than women are fire fighters. The harm comes when they are applied to an individual—when a particular woman isn't allowed the opportunity to become a fire fighter because the job qualifications are based on a male model of competence. An example of how sexual stereotypes harm women is the Canadian case of *R. v. Ewanchuk*. "R" was sexually assaulted after a job interview by Steve Brian Ewanchuk. "R" repeatedly said "no" to his advances, but was afraid of greater physical violence. Ewanchuk claimed that "R" "implied" her consent and was acquitted of sexual assault by the trial court and the Alberta Court of Appeal. The Canadian Supreme Court overturned the acquittal holding that implied consent was not a defense to sexual assault. One of the judges explicitly criticized the lower courts for the gender stereotypes embedded in their decisions.

SOMETIMES LAWS ARE NEUTRAL on their face, or appear to be benign. But as Gandhi said about violence, "even when it appears to do good, the good is only temporary, but the evil is permanent." Laws that appear neutral (not apparently gender-based) often are based on stereotypes. Conscience clauses in healthcare may appear neutral but significantly undermine women's reproductive decision-making. Other laws purport to protect women. In the US, abortion restrictions are most often framed that way. State laws that require physicians to perform ultrasounds, or to give women biased information disguised as informed consent, or to impose waiting periods, all imply that women are unable to make good decisions about their reproductive options. The US Federal "Partial



**SUSAN BERKE-FOGEL** is director of the reproductive health projects at the National Health Law Program, a national public interest law firm that seeks to improve healthcare for working and unemployed poor, minorities, the elderly and people with disabilities.

Birth Abortion Ban” prohibits a vaguely described abortion procedure. The US Supreme Court decision upholding the ban is framed in protectionist language based on stereotypes of women who “would prefer not to hear all the details” about the medical procedure lest it increase their anxiety.

Through analysis of legal cases and decisions from around the world, Cook and Cusack illustrate how a legal structure founded on gender stereotypes perpetuates women’s subordinate roles, and also disadvantages men, by legally assigning and reinforcing patriarchal gender roles.

To rectify the situation, “Gender Stereotyping” proposes a straightforward approach. First, name and identify the gender stereotype. Second, understand the context in which the stereotype occurs. Last, ask if there is a social harm. When a gender stereo-

type is named and the harm is articulated, the authors propose that international law, in particular CEDAW, provides a remedy to address the inequalities perpetuated through gender stereotypes embedded in law. CEDAW specifically prohibits gender discrimination and Article 5(a) requires that states “modify social and cultural patterns of conduct with a view to the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women.” The UN Committee on the Elimination of Discrimination Against Women (Women’s Committee) has the authority and responsibility to monitor and enforce the implementation of CEDAW. Cook and Cusack provide detailed recommendations on actions the Women’s Committee can

take to dismantle gender stereotypes embedded in national laws.

IN THE UNITED STATES, CEDAW IS used as an advocacy tool for changing social policy, but it is not included in US law. The United States stands out as one of only seven UN member states, including Somalia, Sudan and Iran, that have not ratified CEDAW. Without CEDAW, there are mixed results in US courts on recognizing gender stereotyping as sex discrimination. Ann Hopkins was an “aggressive” senior manager who was denied partnership at Price Waterhouse, a large multinational financial firm, because she was did not meet stereotypes of femininity. One partner suggested that she should “walk more femininely, talk more femininely, dress more femininely, wear make-up, have her hair styled and wear jewelry.” Another suggested she go to “charm school.” The court, in *Price Waterhouse v. Hopkins* (1989) held that Title VII’s prohibition on sex discrimination included a ban on discrimination based on stereotypes. On the other hand, when Lilly Ledbetter sued her employer on the basis of sex discrimination because she was paid less than a man for the same work, *Ledbetter v. Goodyear Tire and Rubber* (2009), the Supreme Court denied her claim, setting a nearly impossible standard that requires women to bring suit soon after the discrimination begins. Like most women, Lilly Ledbetter experienced discrimination for many years before she inadvertently discovered it.

Despite the US’s failure to ratify CEDAW, reproductive justice advocates and others in the US have embraced the human rights framework emphasizing government’s obligations to respect, protect and fulfill women’s human rights, including sexual and reproductive rights. “Gender Stereotyping” puts forward a comprehensive blueprint for advocates across the globe to embrace human rights law and policy to advance women’s rights and dignity, and to dismantle the gender stereotypes that underlie gender discrimination. ■

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# Bringing the History of Birth to Life

By Miriam Yeung

## Get Me Out: A History of Childbirth from the Garden of Eden to the Sperm Bank

Randi Hutter Epstein

(WW Norton & Company, 2010, 302pp)

978-0393064582, \$24.95

**A**FTER READING “GET ME Out: A History of Childbirth” by Randi Hutter Epstein, it’s almost impossible not to share Epstein’s

sense of wonder, skepticism and curiosity about pregnancy and childbirth. With amazingly rich detail, Epstein gives a select history of the pivotal characters involved in developments (or devolutions, depending on the chapter) in pregnancy and childbirth from the medieval days of births attended by female “gossips, as in God sibs, as in siblings of Gods” to our current cast of players including strip-mall sonographers who happily sell you snapshots of your developing fetus. There are two central quests interwoven throughout the timeline. One revolves around the quest to make the process of childbirth more safe, predictable and comfortable. The other is a blow-by-blow account of the tug-of-war between pregnant women and their doctors for power over the process.

The journey towards safer childbirth is described graphically. For example, the cure for fistulas (tears between the

vagina and bladder or bowel) was perfected by Dr. J. Marion Sims’ repeated experimentation on black slave women who endured his operations without anesthesia. In the 1500s, greedy “man-midwives” in the Chamberlen family hid their secret forceps design to have an advantage over their competitors for two centuries before their secret was finally revealed. And though he was right in the end, Dr. Ignaz Semmelweis never lived to say “I told you so” to all his doctor colleagues in the mid 1800s when he was the lone zealous champion

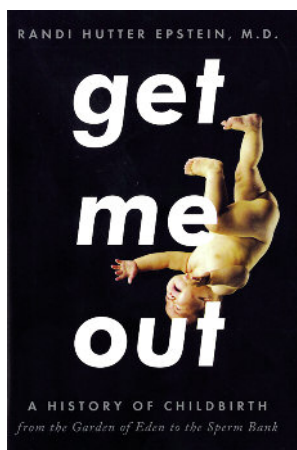
of hand washing as a way to prevent “childbed fever.” After hand washing became accepted but before antibiotics were invented, eight mothers died for every 1,000 births. This meant that many people knew someone or heard about someone who died in childbirth. While not many of us know of someone who died in childbirth today, globally, maternal mortality is still the leading cause of death for women and girls of reproductive age. Childbirth remains a dangerous process for women.

The process is also painful. From antiquity, women were thought to deserve the pain and indeed, it was their duty to bear it, Epstein notes. “In 1591, Eufame Maclayne was burned at the

stake for asking for pain relief during the birth of her twins.” It took a woman of extraordinary means, Queen Victoria, in 1853, to ease the restrictions on medicinal pain management when she asked her male doctor for ether while birthing Prince Leopold. The rise in acceptance and use of pain medication meant that hospitals and maternity wards, under the watchful eyes of male doctors, were the places women had to go to give birth.

**D**URING THE 1910S, IT WAS considered a feminist victory by women of the upper class to be completely knocked out into “twilight sleep” during their labor through a potentially toxic combination of drugs that made you forget the pain even happened. The combination also had horrible side effects and led to many infant and maternal deaths, yet those “women considered the crusade for pain relief a campaign for equal rights,” even if it meant they gave away all control and consciousness to male doctors in the process. At the time, advocating for twilight sleep was considered a feminist act.

Then in the 1950s the “natural” birthing movement started to rise in the US at the same time that psychosomatic medicine became more popular. Birthing gurus like Dr. Grantly Dick-Read thought that the feelings during the childbirth experience were critical to the later development of the child and that “happy childbirth is the most vital factor for building a progressive, purposeful and considerate world.” At the same time some women were “no longer grateful just to survive; they wanted to enhance the experience” by being “awake and alert,” unlike the majority of mothers in the US at the time who birthed in hospitals with the help of drugs and stayed in bed for a few days before going home. Crusaders like Elisabeth Bing brought breathing techniques developed by French doctors Ferdinand Lamaze and Pierre Vellay to the US and founded Lamaze International to “empower women to make



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# Reports Worth Reading

## **Forsaken Lives:**

### **The Harmful Impact of the Philippine Criminal Abortion Act**

*Center for Reproductive Rights, 2010*

The Center for Reproductive Rights exposes human rights violations at the hands of the Philippines' ban on legal abortion. The report is based on women's accounts of surviving unsafe abortions in the country, and "exposes the failure of the government of the Philippines to protect and promote women's reproductive rights by not taking adequate steps" to reduce maternal death, as mandated by international law. The report also notes that not only are women denied adequate healthcare in the Philippines, those who seek it out are often threatened, harassed and intimidated.

## **Health Care Refusals: Undermining Quality Care for Women**

*National Health Law Program, 2010*

Real women's stories about being denied healthcare show how conscientious objections, or refusal clauses, affect people's lives. Examining the standards of care, quality of care and consequences of healthcare restrictions and refusals, the authors show just how intensely the healthcare system and refusal clauses are failing American women. "Health Care Refusals" delves into not just abortion and contraception, but also prescriptions and procedures women need, but may not receive due to a risk to the fetus, as well as the women who seek fertility treatments and are denied access to them.

## **Illusions of Care:**

### **Lack of Accountability for Reproductive Rights in Argentina**

*Human Rights Watch, 2010*

Human Rights Watch documents the suffering of Argentinean women because they are unable to access reproductive healthcare. From the "obstacle course" of trying to obtain contraception and abortion, to the lack of accountability at provider-, healthcare-service and even government levels, girls and women are being failed systematically. Not only does this affect their health, the report notes, "it also affects their access to education, employment and public life."

## **Unmasking Fake Clinics:**

### **The Truth about Crisis Pregnancy Centers in California**

*NARAL Pro-Choice California Foundation, 2010*

Crisis pregnancy centers, the antichoice organizations that portray themselves as actual women's health clinics, have been increasing in numbers around the country, including in California (91 percent of California counties have at least one CPC). NARAL's investigation of these organizations that provide false and misleading information about abortion and birth control to pregnant women shows these organizations do not provide options counseling or accurate information for the women who seek help there. CPCs target underserved populations—making it more likely that the women who most need reproductive care will not get it. Among the facts in NARAL's study, the organization found 85 percent of CPCs gave false information to women: for instance, presenting as fact the erroneous claim that abortion leads to mental health problems.

informed decisions" about childbirth and to wrest some power away from doctors. Of course, the debate about whether to get pain medication or not is as hotly contested today as it was at the height of the Lamaze movement.

**D**ESPITE, OR PERHAPS BECAUSE of, many medical advances over the last couple of decades, pregnancy and childbirth are even more dramatic and confusing today. Epstein takes us through a few more swings on the pendulum in the spectrum of more medicalization (caesarean sections, sonography and sperm banks) to complete demedicalization ("free birthers") but in the end, the main questions around finding the best path for all women remains unanswered. Like the children we're ultimately trying to create, it seems like the process to get there is just as unique and one-of-a-kind. At the very end of it all, after 249 pages of well-researched, entertaining and sometimes disturbing reading, we are more knowledgeable but no wiser about pregnancy and childbirth than we were before reading the book. As Epstein herself summarizes,

But amid the ever present confusion [about pregnancy and childbirth], four things are certain.

1. The explosion of choices will make the job of the parents-to-be increasingly challenging.
2. Our children and their children and their children's children will have increasingly clear pictures of their growing baby from zygote to newborn.
3. When all is said and done, no matter how much we fine-tune the process, we will still be trying to manage a situation that is not completely manageable. There will always be surprises, for better or for worse.
4. Pregnancy and childbirth—however you get there—is one of the few adventures you will ever embark on that when you finally get to the finish line, you've only just begun. ■

# Prayer and Public Life

By Francis DeBernardo

## Prayers of the Faithful: The Shifting Spiritual Life of American Catholics

James P. McCartin

(Harvard University Press, 2010, 240pp)

978-0674049130, \$25.95

**M**Y FAVORITE SPIRITUAL writer, Anne Lamott, observes that there are really only two authentic prayers that people have: “Help me, help me, help me!” and “Thank you, thank you, thank you!” This tongue-in-cheek observation highlights an assumption that many people have about prayer: when approaching the Divine, human beings do so in a way that is remarkably universal.

James McCartin’s new book, “Prayers of the Faithful: The Shifting Spiritual Life of American Catholics,” challenges this notion of the universality of prayer by providing an insightful examination of the many and varied ways that American Catholics have prayed over the course of the 20th century. McCartin, an assistant professor of history at Seton Hall University, probes two important causal streams: how social and cultural forces have influenced American Catholics’ prayer lives, and, more importantly, how the changes in prayer forms and styles have changed the relationship that American Catholics have to church structures and to the secular political world.

**FRANCIS DEBERNARDO** is executive director of New Ways Ministry in Maryland.

The ambition of such a project seems gargantuan. How can a history of prayer, an endeavor that strikes most people as highly personal and individualistic, possibly be written? McCartin capably handles this otherwise daunting task by sticking to public forms and practices of prayer. This book is a needed piece in the puzzle of how American Catholics developed into such an independent and socially active church. The cause, McCartin’s analysis suggests, was not some outside force, but the way that Catholic prayer practices developed people’s views of themselves, the world and God.

In examining prayer practices, we get a view of the Catholic faith, not from above, but from below—from the way in which people actually experienced and performed their religious belief. McCartin outlines five major phases of Catholic prayer life, which, according to his thesis, shift with the great sociological changes of the 20th century. The survey begins with the immigrant church of the early 1900s, and shows how rituals such as ethnic celebrations and prayers to patron saints helped foster a place of solace and refuge from anti-Catholic and anti-immigrant sentiment in American society.

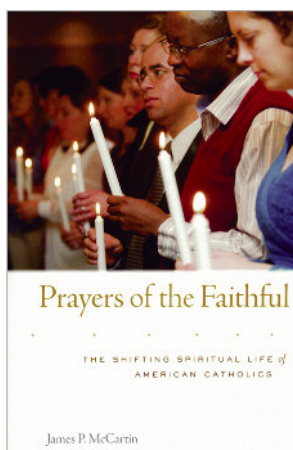
As American acceptance of Catholics developed, Catholics who prayed

emerged from a communal place of safety to a place of contemplation and personal prayer that emphasized the interior life of individuals. This is the world of parish missions and devotions to the Little Flower and Sacred Heart. It is the era when vocations multiply, sparked by people’s interest in contemplative prayer. It is the time when spiritual reading and prayer aids flourish for lay Catholics. And, significantly, it is the time when lay Catholics become more confident in approaching God on their own, rather than through the mediation of their priests.

The third phase is described in a chapter entitled “Prayer as a Crusade,” and it focuses primarily on Father Patrick Peyton’s rosary crusade. Readers will, I think, find interesting McCartin’s analysis of Peyton’s mission because he focuses not, as is usually done, on Peyton’s traditionalism, but on how Peyton’s crusade helped Catholics to see that “prayer was integrally related to public life.”

This social activism comes to full flower in the fourth chapter, where we learn how Catholics integrated their faith with the major social movements of the 1960s. This is the era of Vatican II, where new initiatives such as Mass in the vernacular, reformed architecture of church buildings and fasting as a means of social protest emphasized “each person’s responsibility in the spiritual life and further blurred the boundaries between sacred and secular.”

The final phase, which covers the concluding decades of the 20th century, examines how the independence that Catholics developed in their prayer lives made them evermore committed to social justice, and also evermore independent of church authorities and structures. This is the era of the charismatic prayer movement, which emphasized the Spirit giving authority to all people, not just those who are ordained. It is the era when faith-seeking justice will motivate all Catholics, whatever their views on reproductive health issues. It is the era when Catholics would “see



popes, bishops, and even priests as 'peripheral figures' in the spiritual life."

**M**CCARTIN'S STRENGTH LIES IN the fact that he takes prayer on its own terms. Rather than seeing prayer as a form of oppressive and dominating mind-control, McCartin emphasizes the liberating aspect that prayer has had on American Catholicism. Most enlightening, I think, to readers will be his notion that the independence of the Catholic laity did not begin with Vatican II, but much earlier

in the 20th century, when prayer life began to emphasize individualism and independence from communal structures. In effect, the story of prayer in this book is a story of freedom.

This book will appeal to those whose interest is in spirituality, but, more so, to those who are interested in the development and shape of American Catholic consciousness. This catalogue of spiritual practices and trends will intrigue those whose interests lie in the area of liturgy and prayer, but will also spark the interests of those who are more soci-

ologically-minded and want to understand why Catholics think and act the way they do. I think it will appeal most pointedly to those who are concerned about reform in the Catholic church because it offers not only the hopeful message that Catholics are moving on a trajectory towards a more justice-oriented church, but because in fact, so much reform has already taken place in our rich history. It is a wonderful reminder that even in something as seemingly stable and traditional as prayer, the only constant is change. ■

## Reclaiming Space for Dissent

By Marissa Valeri

**From the Pews in the Back:  
Young Women and Catholicism**  
*Kate Dugan and Jennifer Owens, editors*  
(Liturgical Press, 2009, 237pp)  
978-0814632581, \$19.95

**B**EING RAISED CATHOLIC, attending Catholic school and receiving the sacraments—these are unique experiences and ones that create instant bonds between strangers. Mention Catholic school uniforms, and women of any age will share stories of itchy jumpers, nuns with rulers determining if your skirt was too short and the constant search for a way to look cool while wearing a lot of plaid. A much younger version of me struggled so much with the blandness of our uniforms at St.

Catherine Labouré's in Wheaton, Md., that I would regularly hide two different neon-colored socks under my boring navy blue standard issue ones—neon because I was a complete child of the 1980s and two different colors in homage to my mismatching childhood hero, Cyndi Lauper.

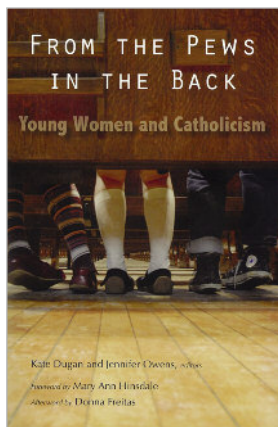
Like many people, my vision of self—of what makes me a Catholic and how I define my experience growing up Catholic—continues to evolve. It is not that my vision is unclear, perhaps just slightly clouded by time, but rather that hearing the

experiences of others who were born and raised in this faith tradition often triggers an avalanche of memories for

me. This was my experience in reading Kate Dugan and Jennifer Owen's book, "From the Back of the Pews."

There are very few resources like this book available for young Catholics, let alone young Catholic women. The spaces for young women to engage in reflecting on our shared experiences are few and far between, and a book like this reminds us all that we are not alone and our stories have value and weight. For many without access to supportive networks for progressive Catholic young adults like Call To Action's 20/30, "From the Back of the Pews" will be that support and that needed comfort. Too often we find ourselves alone in our experiences, and the essays within the book reflect the loneliness of that shared experience. They also provide an opportunity to reclaim our voices within the church at a time when many of the issues we care most about are politicized by the hierarchy, with dissent never being an option.

**T**HE COLLECTION OF ESSAYS IS organized in a thoughtful and reflective manner. Each group of essays covers key aspects of the experiences of young Catholic women—our experiences growing up, putting our faith into action, being a Catholic woman, finding our vocation and identity as Catholics. The authors preface each group of essays with their own experiences and a short summary. I enjoyed



**MARISSA VALERI** is senior associate in the domestic program at Catholics For Choice.



reading the authors' experiences in these critical areas, and found myself looking forward to their own stories just as much as the essays.

Some of the essays included in this anthology reflect memories similar to my own. Angela Batie's fantastic essay describing her First Communion and the dress that stood out from all the others made my stomach knot in sympathy for her. The recollection from Sarah Keller of the tension between kids like me who survived nine years of Catholic school versus the kids who attended public school but went to CCD rang especially true, and led me to wonder if this dynamic continues today in a time when enrollment in parochial schools is dropping significantly. Nancy Olivas' feelings on being Catholic and Mexican-American are powerful, and her statement that her religion is in her blood resonated deeply with me. I was drawn into the community of the Sisters of St. Joseph of Carondelet's community in Minnesota through Johanna Hatch's moving story. Kerry Egan draws connections between her faith and being a mother but, in doing so, honors both, and as a mother myself I appreciated her bringing the two together in a way that did not turn into an antichoice advertisement.

IT IS UNFORTUNATE, HOWEVER, that the voices present in the book are dominated by the academically privileged and made up almost entirely of theologians, women religious and women with advanced college degrees. It is only at the very end of the book that the authors acknowledge this, almost as an afterthought. It also is inferred within this afterthought that only those with advanced degrees can take on the pressing theological questions of our young adulthood seriously, which belittles those who take on these issues regardless of their academic pedigree. I was hopeful that given the inclusive title of this anthology the stories contained within would be a sampling of the vast diversity of young Catholic women in the church. In setting up a

hierarchy of voices, one in which those with Masters of Divinity are given space above the voices of those without such degrees, it feels as though the only voice of value is that of the academically privileged. While I am sure this is not the intent of the authors, both of whom themselves graduated from Harvard Divinity School, I am hopeful that future books of this type will lift up the expe-

riences of young women who do not come from their theological background—as their voices are to be valued as well.

“From the Back of the Pews” is a good first step in attempting to tell the story of our experiences as young Catholic women. I can only hope that the authors will tell the rest of our stories in the next step. ■

## Spanish-language resource further explores the authentically prochoice Catholic position on abortion



### Te Apoyamos

(*We Support You*) features a conversation between Latin American experts about the abortion decision, playing special attention to the medical, moral, ethical, legal and religious concerns they have encountered through their work.

This new resource is a follow-up to the telenovela-style *No Estás Sola* (*You Are Not Alone*) which

dramatizes and explores the experiences of Hispanic women and couples who face unintended pregnancy and consider abortion. Through a discussion between experts, *Te Apoyamos* further explores the dilemmas that may occur when women and men consider this important personal decision.

To order copies of *Te Apoyamos*, as well as *No Estás Sola*, please go to [www.noestassola.org](http://www.noestassola.org) or contact Catholics for Choice at [cfc@CatholicsForChoice.org](mailto:cfc@CatholicsForChoice.org) or +1 (202) 986-6093. The DVDs cost \$20 each.

*"We're not able to wait for this pope or the next pope to wait another hundred years to say, 'We made a mistake on birth control.... We respect the pope, but we owe no obedience as adults except to our conscience, to what we feel is the spirit of God.'"*

— Tennessee priest Father Joseph Patrick Breen, asking Pope Benedict XVI to apologize for the Vatican's teaching on contraception.<sup>1</sup>

*"The church's decision-making policies in recent years are certainly making it easier for me to say farewell."*

— Msgr. Josef Herowitsch, on his upcoming retirement. Herowitsch has criticized the Vatican for appointing bishops he believes are driving people out of the church.<sup>2</sup>

*"Many foreign observers still think that Ireland is a stronghold of traditional Catholicism. They are surprised to discover, as I was when I returned to Ireland [in 2004], that there are parishes in Dublin where Mass attendance on Sundays is less than 5 percent, or even as low as 2 percent in some cases."*

— Diarmuid Martin, Archbishop of Dublin, on the effects of the Irish Catholic church's sex abuse scandal.<sup>3</sup>

*"The more educated a woman becomes, the more alienated she becomes from the church. That's a recipe for disaster. The church can be run without men; it cannot be run without women."*

— Father Tom Reese, former editor of *America* magazine, on the hierarchy's failure to maintain its congregations.<sup>4</sup>

*"People for whom celibacy is humanly impossible should also have a chance to become a priest."*

— Bishop Patrick Hoogmartens, arguing for the right for married men to become priests, and vice versa.<sup>5</sup>

*"The fact is that historically, and continuing right now, Britain, and in particular London, has been and is the geopolitical epicenter of the culture of death."*

— Edmund Adamus, director of Pastoral Affairs for the Diocese of Westminster, on preparing for the pope's visit to London.<sup>6</sup>

*"When you arrive at Heathrow you think that you've landed in a Third World country ... [rife with] aggressive new atheism."*

— Cardinal Walter Kasper, describing Britain before a papal visit he was expected to make with Pope Benedict XVI. He withdrew from the trip.<sup>7</sup>

*"Any entity—no matter how many tentacles it has—has a soul."*

— Guy Consolmagno, Vatican astronomer and planetary scientist, on the possibility of finding and communicating with other intelligent life in the universe. He added that he would baptize an alien "only if they asked."<sup>8</sup>

*"The harder and less popular teachings are left largely unspoken, thereby implicitly giving tacit approval to erroneous or misleading theological opinions."*

— Bishop Robert Baker, on the "flattened" and "vague" messages coming from bishops conferences.<sup>9</sup>

*"Women's wombs must not be a bargaining chip in these elections."*

— Guacira César de Oliveira, director and founder of the Feminist Centre for Studies and Advisory Services, frustrated with conservative religious groups that use abortion as a bargaining chip during Brazilian elections.<sup>10</sup>

<sup>1</sup> "Tennessee priest: Pope should apologize for Catholic teaching on contraception," *Catholic Culture*, Aug. 6, 2010. <sup>2</sup> Christa Pongratz-Lippitt, "Priest vents anger at Vatican over appointments," *The Tablet*, Aug. 7, 2010. <sup>3</sup> Paddy Agnew, "Clerical sex abuse scandal 'not an invention of the media,'" *Irish Times*, Aug. 25, 2010. <sup>4</sup> Mary Clare Fleury, "The Outsider," *Washingtonian*, August 2010. <sup>5</sup> Raf Casert, "2 Belgian bishops want debate on priest celibacy," Associated Press, Sept. 20, 2010. <sup>6</sup> Genevieve Pollock, "England, the pope, and marriage," *Zenit*, August 23, 2010. <sup>7</sup> Nick Squires and Martin Beckford, "Cardinal calls Britain 'Third World country;' pulls out of visit," Canwest News Service, Sept. 16, 2010. <sup>8</sup> "Pope's astronomer would baptize aliens," Fox News, Sept. 21, 2010. <sup>9</sup> Patrick B. Craine, "Bishop Vasa: Individual bishops trump conference every time," LifeSite News, Sept. 22, 2010. <sup>10</sup> Fabiana Frayssinet, "Abortion politics hit Brazil elections," Al Jazeera, Oct. 20, 2010.

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CATHOLICS  
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Source: Catholics for Choice, “Catholics and Choice,” Forthcoming January 2011.