

THE NEWSJOURNAL OF CATHOLIC OPINION

CONSCIENCE

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Playing Hardball against Women's Rights

The Holy See at the UN

JOANNE OMANG

Keeping it All in the Family Europe's Antichoice Movement

NEIL DATTA

Fatwas are Opinions

MARIEME HELIE LUCAS

At the Back of the Bus Ultra-Orthodox Judaism and Women

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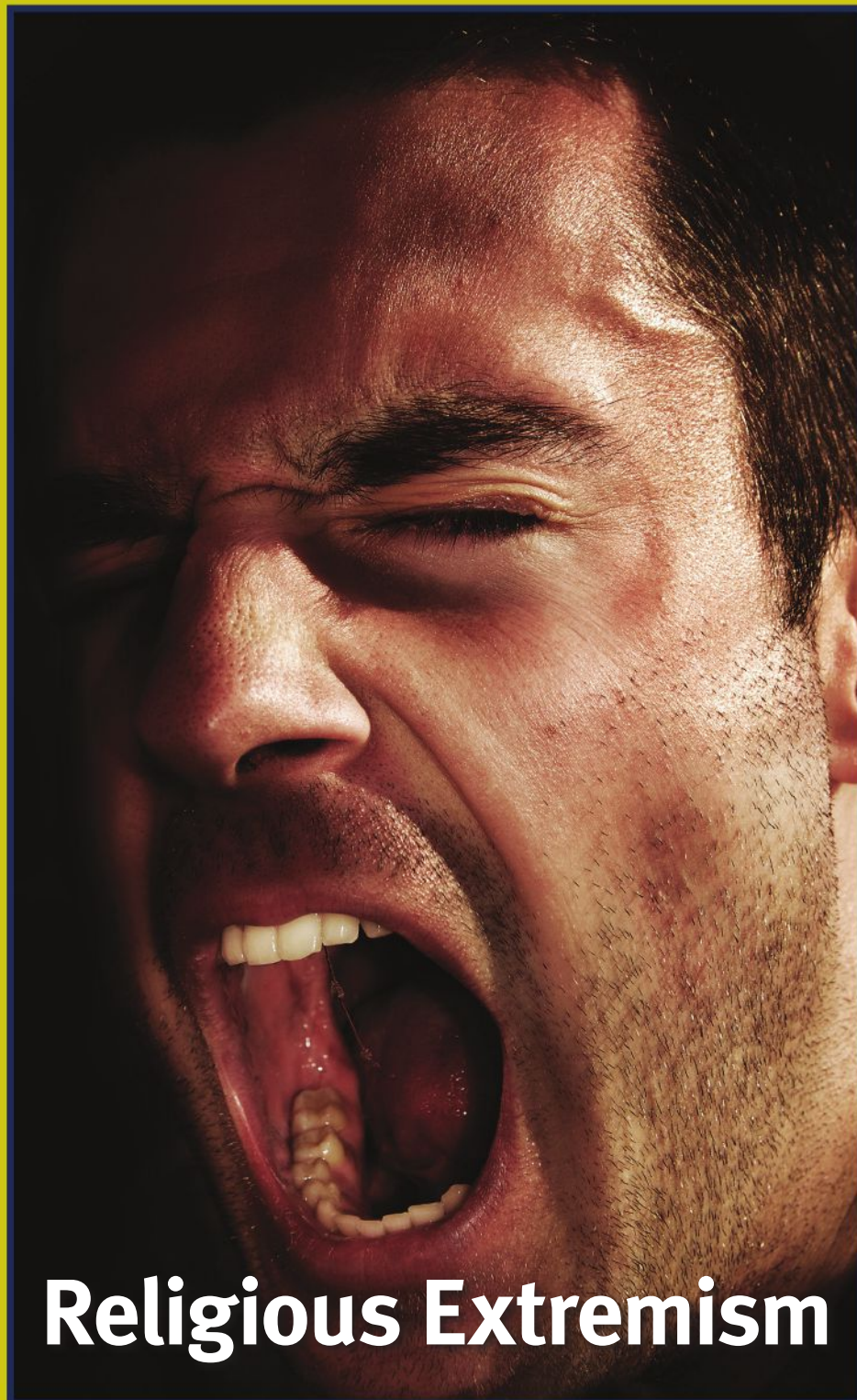
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Religious Extremism

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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

RELIGION IS NOT THE BARRIER TO PROGRESS AT THE UNITED NATIONS or in parliaments around the world. Religious extremism, on the other hand, is. Religious extremism ignores the moderate views of most religious people and those with no religion, and it has the potential to do serious damage to the health and well-being of anybody in its path.

Many religious people work for the greater good. Religious extremists, however, have an immoderate, uncompromising approach to politics and, given the chance, they would deny basic rights and require fundamental changes to the way most people want to live.

In this issue of *Conscience*, we examine how religious extremists seek to shape the world to their worldview.

Earlier this year at the United Nations-sponsored Commission on the Status of Women, the Holy See used its elevated status to try to derail a declaration condemning violence against women. This opposition to women's rights is business as usual for the Holy See at the UN. Noted journalist Joanne Omang examines the history of the Holy See and considers what might be in store under Pope Francis.

We then move to Europe, where Neil Datta has done significant research into the activities of various members of the European antichoice lobby. He illustrates how the attempts to organize a coherent and effective opposition to reproductive health services are still at the birthing stage, despite having impressive resources at their disposal.

We are very fortunate to be able to draw on the expertise of Marieme Helie Lucas, a leading advocate with the organization Women Living Under Muslim Laws, who explains what fatwas are, and more importantly, what they are not. She discusses the role the media has played in popularizing misunderstandings about fatwas, thereby strengthening fundamentalists' agendas while downplaying other Muslim points of view.

Finally, Slate's Dahlia Lithwick, currently working in Israel, examines the worrying influence of ultra-Orthodox Jews on the lives of women, as in both Israel and the US, they are seeking to curtail women's rights. Does the religious freedom of ultra-Orthodox communities trump women's right to ride at the front of the bus?

As always, our letters page is open for your comments.



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, or call us at (202) 986 6093.

“...it has been common practice for right-wing clerics to try and enforce antiwomen cultural practices by bringing in the sanction of Islam.”

—MARIEME HELIE LUCAS, p28

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: © ISTOCKPHOTO/GREGORY OLSEN, 2008

ABOVE: A RADICAL RUSSIAN ORTHODOX BELIEVER (R) THROWS AN EGG AT GAY RIGHTS ACTIVISTS
PROTESTING A PROPOSED LAW THAT WOULD BAN HOMOSEXUAL "PROPAGANDA."
© REUTERS/MAXIM SHEMETOV, 2013

Closer to Home: Improving Abortion Access for the Women in New Zealand

NEW ZEALAND ISN'T A particularly religious—or Catholic—country, but as Margaret Sparrow suggested in her article “Creaking at the Seams” (*Vol. XXXIV, No. 1*), the Catholic church plays an outsize role in ensuring that abortion in New Zealand remains governed by criminal statute, as well as in campaigning against improving the services we do have.

This role is nothing new. In researching my own book about the recent history of abortion politics in New Zealand (*Fighting to Choose: The Abortion Rights Struggle in New Zealand*), I found the Catholic church was perhaps the key player in New Zealand's failure to liberalize its laws in the 1960s and '70s when countries like the US, the UK and parts of Australia were doing so. Then, around 15 percent of New Zealanders considered themselves Catholic; today it's just under 13 percent.

In that research, I came across an interesting quote from a professor of psychology at a local university, who observed in 1977 (when our current law was

Letters may be edited for clarity and length.

passed), that the main factors determining the content of abortion law outside the Communist countries were “the strength of the Roman Catholic political lobby and the emergence of an educated and politically articulate women's lobby.” Though other denominations have grown more conservative on abortion since the '70s, the battle over the new abortion service in Invercargill, described in Sparrow's article, shows that his analysis still holds a lot of truth.

What was most distressing about the particular struggle Sparrow wrote about—the establishment of an abortion service in the southern city of Invercargill—was that this once-a-week clinic has nothing to do with changing the law to ease *legal* access; it is simply providing a service closer to home so women no longer have to make a three-hour car trip (each way) to a hospital in Dunedin.

It's unlikely this will have much impact on the number of abortions in the region, but it will make the process less stressful for the women involved (well, except for their having to pass by the weekly picketers). Which makes one wonder just what the campaign was all

about: preventing abortions, or punishing women who have them.

ALISON MCCULLOCH, PH.D.
Tauranga, New Zealand

Spain's Health Reform and Immigrant Women's Reproductive Health

IN “TRYING TO TURN BACK the Clock on Abortion Rights in Spain” (*Vol. XXXIV, No. 1*), María R. Sahuquillo mentioned the threat to abortion access posed by Spain's current administration. Some women in the country have already lost access to reproductive health-care. One consequence of the health system reform implemented by Ana Mato, Spain's Minister of Health, Social Services and Equality, has been the denial of public healthcare to undocumented immigrants. As a result of the reform, among this population only pregnant women and those facing a health emergency are now eligible to receive free healthcare. In all other circumstances, undocumented immigrants must pay the government for the services provided or visit a private clinic.

Furthermore, no female undocumented immigrant will be able to prevent an unwanted pregnancy, at least not at the reduced cost enjoyed by those covered under the public health system, who have access to contraceptives such as birth control pills and the IUD. If these women are denied the ability to obtain a prescription, they will not be able to fully realize their rights.

The Spanish NGO *Médicos del Mundo* has estimated that

between 150,000–900,000 immigrants living in Spain have been left uninsured. The new policy endangers the poorest of the poor and is entirely inequitable because women's healthcare options are determined by the area in which she lives and the instructions issued by her local department of health. These women are also at the mercy of the law concerning conscientious objection, which protects providers who do not want to perform a service but not those whose conscience would have them perform a service not covered by the prevailing rules. The health law includes penalties for those who provide care outside of the current statutes, and given today's economic uncertainty, many providers sympathetic to patients' plights are loath to place their jobs at risk.

If a woman seeks an abortion, she has two options. The first, for those with the necessary financial resources, is to seek treatment at a private clinic, where the cost of the procedure ranges from 350 to 600 euros, depending on the phase of gestation, the type of anesthesia used and whether it is a medical or surgical abortion. Out of desperation, some women seek out dangerous methods such as pills that are distributed illegally via the Internet, demonstrating what the World Health Organization has repeatedly stated: restricting access to free termination of pregnancy is harmful to women.

Luckily, there remains

one other legal option, according to the *Asociación de Clínicas Acreditadas para la Interrupción Voluntaria del Embarazo* (ACAI—Association of Accredited Clinics for the Voluntary Interruption of Pregnancy): obtain an insurance card as a pregnant woman and then choose to terminate the pregnancy. According to ACAI, even in cases in which immigrants are reluctant to enter into the state's files due to fear of being deported, there are doctors who are willing to treat them equally and at no cost.

FILOMENA RUGGIERO
Federación de Planificación Familiar Estatal Madrid, Spain

Contraception Should Be a Non-Issue

JEANNE DE SOCIO'S ARTICLE (*Vol. XXXIV, No. 1*) on her inhumane treatment by the hierarchy was a heart-wrenching testimonial from someone living the illogical ban on birth control. Her story illustrates the insanity of the hierarchy's stance on contraception, which has put millions of women's lives at risk throughout the world for decades. It also portrays an institutional church more interested in man-made rules than compassionate pastoral care. Women's lives and health were put at risk by instituting this policy, rather than affirming that, at the end of the day, conscience must always be our guide. If women were priests and/or bishops, contraception would not only be a non-issue, but women would be

seen as decision-makers, free moral agents and equal images of God.

According to a 2012 *Newsweek* interview with Catholic Melinda Gates, 100,000 women annually die in childbirth after unintended pregnancies and 600,000 babies born as a result of unintended pregnancies die in the first month of life. Sadly, there are too many women in the Global South whose health and well-being are threatened by the church's callous teaching banning contraception. How can a church that claims to be prolife promote a teaching that causes such suffering, death and destruction? Catholics must, therefore, get involved in feeding the hungry as well as providing condoms and contraceptives to save lives. I believe that Christ's love fills our hearts with compassion and our minds with knowledge and wisdom to act for justice.

BRIDGET MARY MEEHAN
Association of Roman Catholic Womenpriests (ARCWP) Sarasota, Florida

Denying Women's Autonomy

MY HEART BROKE AS I READ Jeanne DeSocio's article, "The Lesser of Two Evils" (*Vol. XXXIV, No. 1*). Ms. DeSocio was told by her priest and bishop that she was not to use contraception despite her physical and emotional complications from prior pregnancies, and then she was denied a hysterectomy for uterine tumors in a Catholic hospital. Her story dramati-

cally illustrates the grave psychological and physical harm that is done when women are effectively denied their right to make their own decisions about their reproductive health. Her story is a vivid reminder that too many women are still being spiritually violated by those who, instead, should be offering comfort and support.

Although as a Unitarian minister I am ordained in a recognized tradition that supports family planning (among more than a dozen others), I recognize that many Roman Catholic clergy feel they must continue to toe the Vatican line on contraception. Yet surely Catholic teachings also mean that priests can uphold their commitment to individual freedom of conscience and allow a woman or a couple the room to intentionally create healthy families. Surely priests, too, have the ability to compassionately and competently address the individual needs of their

congregants as they make their own decisions about their health, their family size, contraception and sexual relationships.

No woman should be coerced by her religious leaders into childbearing, or be denied essential medical services because of the faith of her provider or medical institution. No one. It's past time to make this religious teaching.

REV. DEBRA W. HAFFNER
President, Religious Institute, Inc. Westport, Connecticut

Reforming Ireland's Abortion Laws Step by Step

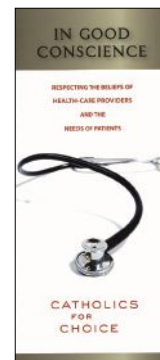
THE IRISH GOVERNMENT IS drafting legislation to allow abortion in cases of risk to a woman's life. In the 1992 *X* case, the Supreme Court made clear the need for legislation to establish when doctors can terminate pregnancies to save the lives of women and girls. The court ruled in *X* that, because the wording of the Irish Constitution gives the fetus equal rights to life as the pregnant

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woman, a woman could only qualify for a legal abortion where the pregnancy posed a real and substantial risk to her life. It has taken 21 years and a further case brought to the European Court of Human Rights (ECHR) to produce legislation clarifying when legal abortions may be carried out. The ECHR ruled in 2010 that the Irish state is obliged to provide effective and accessible procedures to establish a woman's right to an abortion. At last, we will now see such a framework put in place to safeguard women's lives.

In November 2012 we learned the true cost of legislative inaction with the tragic death of Savita Halappanavar after she was denied an abortion. That case illustrates why doctors require clear instructions as to when the performance of necessary procedures, including abortion, may be carried out to save the lives of pregnant women. Ireland is in urgent need of this clarity because the current state of our law is placing women's lives at risk. Once we have legislated for the most urgent cases, as a prochoice politician I believe that we should then examine how to make more fundamental changes in Ireland's abortion law. It would require a constitutional amendment to ensure that the needs of the thousands of Irish women who access abortion in England every year on grounds other than risk to life may be met.

IVANA BACIK
*Senate of Ireland
Dublin*

Greater Clarity on Savita Case, Ireland's Abortion Law

BRENDAN O'NEILL'S "BEYOND Savita" (*Vol. XXXIV, No. 1*) is right in saying that this is the moment in which Ireland's abortion law could change. Her death has galvanized the prochoice majority to demand—not only legislation to allow lifesaving abortions, but changes in the law that would also take account of the thousands of Irish abortions that happen every year in England.

Antiabortionists have tried to smear Kitty Holland, the *Irish Times* journalist who broke the story, as having "muddled" the facts. Brendan should know better than to believe them. She did say that Savita's husband, Praveen, may have "muddled" some of the details about the point at which Savita was given painkillers, but there is no question that the Halappanavars asked for, and were refused, a life-saving abortion.

The details in Holland's initial report were fully confirmed at the inquest held in Galway in April. The inquest heard expert evidence to the effect that "the law killed Savita." Shortly afterwards, the government published an outline of the "Protection of Life During Pregnancy Bill," which is so restrictive that doctors say it may not prevent another death like Savita's.

Prochoice activists continue to push for a new referendum to remove Article 40.3.3, the anti-abortion amendment, from the Constitution. Without this

change, a more liberal abortion law would not be possible.

Prochoice groups have sprung up all over Ireland over the last few months. Even the most traditionally conservative rural areas of Kerry, Mayo and Donegal now have active prochoice groups. This means a referendum campaign in 2013 would be very different to the one 30 years ago when the constitution was amended.

GORETTI HORGAN
*Alliance for Choice
Ireland*

Abortion Laws in Latin America: Some Progress, But More to Be Done

IN RECENT WEEKS, THE world met "Beatriz," a 22-year-old who could have faced death because of El Salvador's stringent abortion laws. Only last year, a similar case in the Dominican Republic resulted in the death of a pregnant teenager who was forced to forgo life-saving chemotherapy because of the country's rigid laws.

Both cases—and many more that go unreported—speak to the degree that the world still devalues women and girls. They also speak to the consequences of allowing ideology to trump public health, consequences that result in the needless deaths of more than 1,000 women annually in Latin America and the Caribbean, as well as the hospitalization and injury of at least another million.

Yet even in Latin America and the Caribbean—a

region with some of the most restrictive abortion laws in the world—there is hope. Building on hard-won victories in Mexico and Colombia, in 2012 we saw progress in Uruguay, Brazil and Argentina.

These victories are part of a changing political tide in Latin America, yet we must not forget the efforts of countless women in the region who work under the radar to run safe abortion hotlines and provide safe abortions, particularly in countries like Chile and Venezuela.

Like so many women before them, they endanger their lives providing information, referrals and safe services that should be an integral part of health systems everywhere. Similarly, women risk their lives to seek the services they need, want and deserve—and for doing so, more than 600 women have been imprisoned in El Salvador since 1998 under charges of "aggravated murder."

Beyond being a blatant violation of women's rights, these restrictions cost governments billions of dollars each year, costs that could easily be averted in these uncertain economic times. Until the right of all women to make decisions about their bodies is upheld, we will continue to fight on behalf of women like Beatriz and the countless others who are denied this basic and necessary health service.

VICENTE DÍAZ SÁNCHEZ
*Deputy Director
IPPF/WHR
New York, NY*

40 Years of *Roe*

By Rep. Brendan F. Boyle

FORTY YEARS AGO, THE US Supreme Court legalized abortion in its *Roe v. Wade* decision. In the decades since, abortion has clearly been the most controversial and emotional public policy debate.

Much of the public debate on abortion has been a rights-based argument, but this has obscured what should be an important factor in this debate. What would criminalizing abortion look like? Would criminalizing abortion actually work? Would it eliminate or even reduce abortions?

For these answers, we can look at other countries and their experience with abortion. What we find is rather astounding (at least it was to me). According to statistics compiled by the United Nations, in countries where abortion is illegal, the rate of abortion is roughly the same as in those countries where it is legal. That's right—banning abortions did not make them go away. It didn't even reduce their numbers.

While there is no difference in the abortion rate regardless of a country's abortion laws, there is a difference when it comes to

women's health. In countries where abortion is illegal, women suffer significantly higher mortality rates from abortion.

Women in these countries still have abortions; they just do so in underground and often unsanitary conditions, putting their own lives and health at risk. This should alarm anyone of any camp.

Remarkably, of the five countries with the lowest abortion rates, four of them are countries where abortion is *legal*. So if it's not the law that dictates a lower abortion rate, then what does? Looking at these countries that have succeeded in reducing abortions can be instructive.

Germany is the country with the lowest abortion rate on the planet. In Germany they actually offer support for pregnant women and for families once the child is born. (Imagine that.) The

same is true for the Netherlands, the country with the second lowest abortion rate. Like Germany, abortion is legal in the Netherlands. Also like Germany, support for pregnant women and families with young children in the Netherlands is extensive.

By contrast, in the United States we offer very little support for pregnant women

It is quite obvious that *Roe v. Wade* is settled law. The law is 40 years old and has repeatedly been reaffirmed by subsequent Supreme Court decisions, even by a court on which seven of the nine members were Republican appointees. Furthermore, recent polling shows more than 60 percent of the American people oppose overturning *Roe*.



"Contemplation of Justice" sculpture at the front steps of the US Supreme Court Building

© WIKIMEDIA COMMONS/SMALLBONES, 2013

and even fewer resources for women with infant children. Why don't we have the same support system in the US that has been proven to reduce abortion? Because despite how much Republicans like to boast about their "strong commitment to life," in the end they are unwilling to fund programs proven to work. It is finally time to expose the hypocrisy of "prolife" Republicans on this issue.

Rather than prolonging a highly divisive debate on abortion's legality, isn't it time to instead refocus the debate on those things that have been proven to work: providing support for pregnant women and young families? This is an area where people of good conscience on both sides could come together and support an agenda that is truly both prowomen and profamily. ■

BRENDAN F. BOYLE is a Democratic member of the Pennsylvania House of Representatives.

The New Pope

AFTER A CONCLAVE OF only two days, Cardinal Jorge Mario Bergoglio of Buenos Aires, Argentina, was chosen to be the next pope. The new Pope Francis is the first Jesuit pope, the first Latin American pontiff and also the first non-European to be chosen for the role in more than 1,200 years. The new pope has also broken ground with his choice of name—he is the first Francis, after St. Francis of Assisi, reportedly a reflection of the former Cardinal Bergoglio's devotion to the poor in Buenos Aires' slums.

Pope Francis has made statements about abortion that rest firmly upon those made by his predecessor. In

May, Francis met participants in the “March for Life” in Rome with the greeting, “I invite you to keep everyone’s attention alive on such an important theme as respect for human life from the moment of conception,” according to the UK’s *Tablet*. The pope also mentioned the One of Us initiative, a European-wide campaign that opposes abortion and embryo research, which Francis characterized as “aimed at guaranteeing juridical protection of the embryo, protecting every human being from the moment of its existence.”

In April, the pope wrote a letter to the Argentine Assembly of Bishops instructing them to follow

the standards set in the Aparecida document, in which Pope Benedict instructed bishops in Latin America and the Caribbean to deny communion to legislators who support abortion rights. Many bishops, such as Ireland’s Archbishop Diarmuid Martin, have spoken out against communion bans for fear that the altar rail would “become a place of debate.”

The Church and Abuse

German Bishops Dissolve Agreement with Sexual Abuse Investigation

IN EARLY JANUARY, THE German Bishops’ Conference backed out of a partnership with an independent research team charged to examine alleged cases of clergy sex abuse. The inves-

tigation sprang from a wave of sexual abuse allegations within the German Catholic church that began in 2010 with revelations of abuse in church-run schools and institutions and the transfer of priest known to have abused children.

The original agreement made in 2011 with the Criminological Research Institute (KFN) was that the researchers would have full access to personnel files in every German diocese dating back to 2000. But that same year, the Network of Catholic Priests, a group of approximately 500 conservative clerics, began demanding that the conference withdraw from the study because they claimed it was violating priests’ rights. At the time, the German Bishops’ Conference sided with KFN, assuring that lead investigator Christian Pfeiffer would explain the various safeguards in place to protect priests’ anonymity, just like any academic research study.

By January 2013, Bishop Ackermann conveyed that the conference had lost confidence in KFN, stating, “We will have to find a new partner,” according to Reuters. KFN countered with the claim that several dioceses refused to share documents, some of which had been apparently destroyed, and that the bishops’ conference was suddenly asserting a final veto over published reports while invoking canon law to prevent certain files from being shared.

Pfeiffer, for his part, praised Bishop Ackermann’s



Pope Francis washes the foot of a prisoner at Casal del Marmo youth prison in Rome on Holy Thursday.

commitment to clearing up abuse but pointed to forces within the church that “obviously” did not want to confront the problem, and cited “censorship.” This sentiment was echoed by some members of the clergy and the government. Sabine Leutheusser-Schnarrenberger, Germany’s justice minister, said that the breakdown in the study process reflected badly on the church: “It gives the impression that ultimately [the Catholic bishops] did not want everything to be independently studied.” Fr. Klaus Mertes, the priest who helped expose the systemic sexual abuse at one of Germany’s Catholic-run schools, shared his reaction to the news with the *Basische Zeitung* newspaper: “What disturbs is that the debate is concentrated on Mr. Pfeiffer, the bishops’ conference and the church’s image, when in reality the interests of the victims should be foremost.”

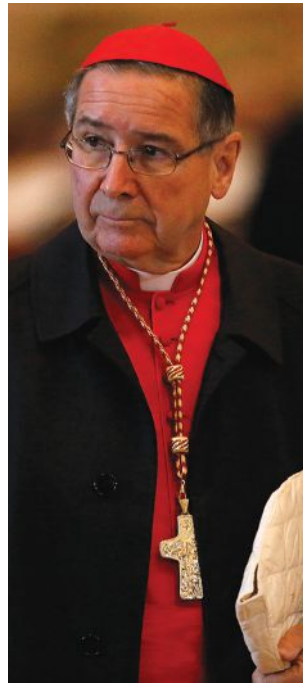
Cardinal Mahony Publicly Reprimanded for Role in Abuse Cover Up

ARCHBISHOP JOSE GOMEZ OF Los Angeles relieved his predecessor, retired Cardinal Roger Mahony, of his administrative duties in January, right after the archdiocese opened thousands of pages of church documents on sexual abuse to public scrutiny. After more than 500 abuse victims were awarded a record \$660 million settlement with the archdiocese in 2007, a judge ordered that diocesan personnel files be released to the public, but the Archdio-

cese of Los Angeles fought first against the release of the files, and then to redact names and identifying details. After a court order, 122 of the 128 files were released with names.

The files reveal a pattern in the Los Angeles archdiocesan administration during the 1980s, in which Cardinal Mahony, Bishop Thomas Curry and others kept evidence of child sexual abuse from law enforcement and protected priests known to be abusers so they would not be prosecuted for their crimes by transferring them away from California and its mandatory reporting requirements for therapists. In 1986, for example, Mahony corresponded with an out-of-state treatment center housing Msgr. Peter Garcia, a priest who had formerly served in Los Angeles, writing, “I believe that if Monsignor Garcia were to reappear here within the archdiocese we might very well have some type of legal action filed in both the criminal and civil sectors.”

Calling the trove of approximately 30,000 documents “brutal and painful reading,” Gomez included along with his apology to the victims the announcement that Mahony would no longer have any administrative role. Some have pointed out that little has changed for Mahony, who remains a priest in good standing and may continue to celebrate the sacraments, though he will “reduce his public appearances,” according to the Associated Press. As the Survivors Network of those



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Cardinal Roger Mahony at a Mass in St. Peter’s Basilica at the Vatican before the conclave. Because of Mahony’s recently publicized involvement with clergy abuse coverups, some had encouraged the cardinal not to attend, but he did go to Rome to vote in the conclave.

Abused by Priests (SNAP) said, Gomez himself had access to the files for “716 days” but had done nothing for almost two years with the information about abuse and those who covered it up.

Cardinal Mahony took Gomez to task in an open letter posted to his blog on February 1. He wrote, “Nothing in my own background or education equipped me to deal with this grave problem” of sexual abuse, which he claims was absent even from the curriculum of his master’s program in social work. Gomez, he pointed out, also did not mention any concerns about Mahony’s performance at any time since Gomez took over as

archbishop in 2011. About his own actions Mahony stated that he had already apologized for the decisions made early in his tenure.

New Round of Abuse Convictions May Impact Philadelphia Archdiocese

IN JANUARY, A PHILADELPHIA court convicted Rev. Charles Engelhardt and Bernard Shero, a former Catholic school teacher, on several counts of molesting a 10-year-old boy more than 10 years ago, according to the *New York Times*. Both men had been named in a 2011 grand jury report that charged the Archdiocese of Philadelphia with covering up many known abuse cases over a period of years.

According to the *Philadelphia Inquirer*, the convictions may have paved the way for a civil suit that will lead to the doorstep of the archdiocese once again, as did the trial that convicted Msgr. William J. Lynn, former clergy secretary in the Archdiocese of Philadelphia, in 2012. Paul Lauricella, one of the attorneys representing the now-24-year-old abuse survivor known as “Billy Doe,” said that Bishops Edward P. Cullen and Joseph R. Cistone were “the most troubling aspect of this whole case” because of their allegedly participating in the shredding of incriminating church documents.

R. Seth Williams, the prosecutor in the cases against Engelhardt and Shero, said he was “overjoyed” with the outcome. “[The verdict] sends a message to archdiocese

organizations across the country: Don't protect pedophiles," Williams said to the *Times*.

UN Committee Criticizes US Response to Clergy Abuse of Children

THE UN COMMITTEE ON THE Rights of the Child expressed "deep concern" in February about the many publicized clerical sexual abuse cases in the United States, as well as the "lack of measures ... to properly investigate cases and prosecute them," Reuters reported.

The Catholic church is not named in the document, which only refers to "certain faith-based organizations and religious institutions," but it does use strong language to describe the extent of the abuse problem, which is "on a massive and long-term scale amounting to sexual slavery or servitude of children." The committee based its report upon a review of US compliance with the Convention on the Rights of the Child, to which the United States and the Holy See are both party. The US is also faulted for not enlisting religious leaders' collaboration to fight the abuse problem.

No official US response to the UN report has been recorded. Interestingly, the *Los Angeles Times* reports that other allegations from the committee—these about the number of children who had died in US military maneuvers overseas—were immediately refuted by the US military as "categorically unfounded."



Cardinal Keith O'Brien sits in a room in his home in Edinburgh, Scotland, shortly after his resignation under a cloud of accusations of long-term and coercive relationships with other priests.

© REUTERS/DAVID MOIR, 2013.

British Cardinal Steps Down amidst Allegations of "Inappropriate Acts" with Priests

CARDINAL KEITH O'BRIEN of the United Kingdom resigned his post on February 11 because of accusations that he had committed "inappropriate acts" with three priests and one former priest, including a long-term relationship in one case, according to the UK's *Observer*. The former priest stated that he resigned when he heard that O'Brien had been named cardinal because it made him feel the senior cleric "would always have power over me."

The UK's *Independent* newspaper reported that Peter Kearney, a representative for the Scottish Catholic Church, announced that "Cardinal O'Brien contests these claims and is taking legal advice." The news did

not reach the public until almost two weeks after the Vatican accepted his resignation.

In mid-February—after he'd tendered his resignation but days before it was made public—Cardinal O'Brien told the BBC that he believes priests should be able to marry. He specifically described allowing a priest to marry a woman with whom he could raise a family, although O'Brien had been "too busy" to consider such an option for himself.

As the *New York Times* reported, O'Brien's stance on homosexuality has varied through the years, starting off with an affirmation that gay and lesbian teachers should be allowed in Catholic schools, but becoming more conservative in recent years with statements that homosexuality is immoral. Recently, O'Brien had

become known as an outspoken critic of the UK's pending same-sex marriage legislation.

In his resignation statement O'Brien said, "For any failures, I apologize to all whom I have offended."

In May, Scotland's *Catholic Herald* reported that O'Brien was exiled from Scotland for "several months" of penance, a move that was instigated by Archbishop of Glasgow Philip Tartaglia and several other clerics who appealed to the Vatican after O'Brien announced his plans to retire within the country.

The Church and Contraception

Pope Should Take Graceful Exit from Contraception Stalemate, Cardinal Says

CARDINAL CORMAC MURPHY-O'Connor, the UK's former

Archbishop of Westminster, said on BBC radio that the new pope should move away from a “we condemn this, we condemn that” mentality, and specifically “with regard to contraception, I think the Pope won’t say that the church has been wrong the whole time. He’ll be saying there are ways....”

His comment offered a way out of the current complete ban on all forms of modern contraception. Instead, Murphy-O’Connor says the church should focus on the positive aspects of marriage and family life, and that the pope should assume a “listening” attitude.

Rape Victim Turned away from German Catholic Hospitals Prompts Cardinal to Affirm Use of Morning-after Pill

TWO CATHOLIC HOSPITALS IN the German city of Cologne refused to treat a 25-year-old woman who said she had been raped in December. Dr. Ingard Maiworm performed the first evaluation of the woman at an emergency center, which led her to believe that the patient may have been drugged and sexually assaulted, according to Spiegel Online. Maiworm informed the police, wrote a prescription for emergency contraception and referred her for a gynecological exam at a nearby Catholic hospital, St. Vincent’s, only to be told that the hospital would not perform the exam.

A local newspaper, *Kölner Stadt-Anzeiger*, found out about the story in January, reporting that the doctor at St. Vincent’s said that both

the hospital ethics department and Cardinal Joachim Meisner had prohibited performing examinations after sexual assaults so that they would not have to deal with an unwanted pregnancy, i.e., a woman who wanted an abortion. Another doctor working with Maiworm received similar information at another area hospital run by the same Catholic entity, the Foundation of the Cellites of St. Mary.

A week later, the Associated Press reported that Cardinal Meisner was “deeply ashamed by this incident because it goes against our Christian mission” of treatment at Catholic hospitals. Meisner did qualify that mission by stating that the hospital would not have performed any action that would have prevented a pregnancy. Annegret Laakmann, spokesperson for Frauenwürde (Women’s Dignity), responded that “refusing to administer the morning-after pill to women who have been raped constitutes failure to render assistance” which is tantamount to saying “the official church is discriminating against raped women.”

Meisner subsequently clarified through a spokes-

person that “if, after a rape, a supplement is used with the inten[t] of preventing fertilization, that is in my view justifiable,” according to *Deutsche Welle*. Cardinal Meisner then released another statement justifying his decision, saying that he had simply “applied the Church’s moral-theological principles to a new situation made possible by new preparations which came under the name of the ‘morning-after pill.’”

Cardinal Meisner’s decision was later supported by Bishop Ignacio Carrasco de Paula, president of the Pontifical Academy for Life. In an unusual move, Carrasco left the decision about which emergency contraception method has a “preventative and not an abortifacient effect” to be made by “doctors and scientists.”

Swiss Bishops Consider Sanctioning Emergency Contraception for Rape Victims

CLOSE ON THE HEELS OF THE announcement from Germany, the Swiss Catholic Bishops’ Conference is discussing whether to condone the use of emergency contraception (EC) by women who have been

raped, according to the Swiss Info website. As in Germany, the spokesperson for the Swiss bishops, Walter Müller, stated that EC would be allowed when it acted as a contraceptive, not if it “induces an abortion.” Müller acknowledged that the distinction is difficult to make and, similar to the decision of Bishop Ignacio Carrasco de Paula of the Pontifical Academy for Life, left the determination in the hands of doctors and pharmacists.

After the news that the Swiss bishops had indeed approved EC in cases of rape was reported in several media outlets in early March, the bishops’ conference website featured a correction stating that the policy is to be determined by a pending report from the conference’s Bioethics Commission.

The Church and the State

“Life Choices” of UK Catholic School Employees Now Grounds for Termination

EMPLOYEES OF CATHOLIC schools in England and Wales are subject to a newly restrictive code of conduct

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that extends into their personal lives, according to the UK magazine the *Tablet*. Msgr. Marcus Stock, general secretary of the Bishops' Conference of England and Wales, warns in the handbook "Christ at the Centre: Why the Church Provides Catholic Schools" that senior staff members risk being fired or disciplined if certain "substantive life choices" are not in line with church teachings, especially "being in a non-chaste relationship." Other punishable choices include cohabitation, same-sex unions, remarrying after divorce and marrying outside of a Catholic ceremony. All staff in Catholic schools are told to expect similar scrutiny.

While Stock cautions that disciplinary action should take place with "charity and compassion," not everyone would use those words to characterize the publication. The *Catholic Herald* (UK)

reports that National Secular Society spokesperson Stephen Evans expressed surprise that "the Catholic church is able to use taxpayers' money to practice this sort of crude discrimination" and further suggested that employers should have no reach into an employee's private behavior.

California Diocese Steps Back from Contractually Obligating Schoolteachers to Reject Abortion, Contraception, Same-Sex Marriage

IN SANTA ROSA, CALIFORNIA, a diocesan policy that would have required instructors at Catholic schools to sign a morality clause as part of their contracts has been shelved for the time being. Bishop Robert Vasa had expected instructors to agree to follow a "model of Catholic living," which included signing a statement that contraception, abortion, euthanasia, masturbation,

premarital sex and same-sex marriage are "modern errors" that "gravely offend human dignity," according to the Sonoma County *Press Democrat*.

The Catholic school system's 200 teachers, both Catholic and non-Catholic, faced losing their positions for the upcoming school year if they did not sign. Graham Rutherford, principal of Cardinal Newman High School in Santa Rosa, said that if teachers refuse to sign the declaration and lost their jobs as a result, "That's not firing them."

After protests from parents and students, as well as teachers' misgivings voiced on condition of anonymity to the press, Vasa rescinded the morality clause for the next two years. In a letter to the diocese, the bishop said his focus on promoting church teachings in the schools caused him to "overlook a series of very significant considerations"—namely, consulting principals, teachers and pastors, according to the *Press Democrat*.

Although Vasa still plans to have some morality agreement included in teacher contracts by spring 2015, he acknowledged in his letter that "I do have a duty to be vigilant but recognize that this can be done better through teaching than by way of decree." The announcement was greeted by a mixed reception from parents, teachers and students. As one teacher stated, "The ultimate goal is still to filter out those who aren't followers."

Germany's Catholic-run Institutions Like 'State within a State'

A RECENT REPORT IN SPIEGEL Online revealed that Germany's social services are dominated by the Catholic church, which, as the second-largest employer in the country, has employment policies that are anything but liberal. The situation highlights the contrast between Catholic institutions and the fact that the majority of Germans consider themselves to be "liberal" on social issues, according to a 2011 poll conducted by the *Guardian*.

The Spiegel article revealed that there are approximately 420 Catholic-run hospitals where certain treatment options are precluded for doctrinal reasons—including, until recently, emergency contraception for rape victims. At these same facilities, 165,000 workers at all levels are subject to a code set by bishops and ethics committees, according to which these employees' jobs are at risk if they get divorced; if they are gay, lesbian or even express support for LGBT people; or if they or their spouses make use of IVF or other assisted reproductive methods. The same is true of church-run education institutions and nursing homes. These social programs receive between 90 and 100 percent of their funding from the government because of Germany's gradual transfer of its social welfare system to private organizations.

"Catholic facilities are increasingly sealing them-

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selves off, often behaving as if they were part of a state within a state,” writes Spiegel. A 2010 decision by the European Court of Human Rights had previously stipulated that church-run institutions do not have unlimited rights to fire because of perceived infractions against Catholic teachings, but there has also been public backlash. When a kindergarten teacher in Königswinter was dismissed for getting a divorce, public protest got the woman reinstated and the kindergarten placed under a non-Catholic administration.

Irish Government Issues Official Apology to Survivors of Magdalene Laundries

THE 10,000 WOMEN DETAINED over seven decades to work in laundry facilities mostly run by nuns “cast a long shadow over Irish life, over our sense of who we are,” Ireland’s Prime Minister, Enda Kenny, stated in February according to the *Guardian*. The apology was accompanied by the announcement of a compensation package for around 800 surviving women.

Kenny’s speech came about two weeks after the Labour Party nearly staged a walkout to protest the Taoiseach’s failure to issue an apology, according to the Irish *Independent*. A report more than 1,000 pages long was released at that time, documenting the mistreatment women and girls endured in the laundries, which were administered by church personnel but



A still from the 2002 film *The Magdalene Sisters*.

received approximately 26 percent of recruits from state sources. Labour Junior Health Minister Kathleen Lynch was said to have had a pointed exchange with Kenny just days before, in which she told him, “There will be an apology.” Kenny had expressed concern over “the financial consequences of an apology.”

Amnesty International’s director for Northern Ireland, Patrick Corrigan, signaled the injustice inherent in the decision by authorities in Northern Ireland only to investigate children who had been abused, which precludes compensation for the adult women who worked in Magdalene Laundries in Northern Ireland.

Ex-Pontifical University’s Theology Department Receives Disapproval and Support from Vatican

VATICAN OFFICIALS ARE taking sides in the still-unresolved matter of the former Pontifical University

of Peru (PUCP). The *Tablet* reported in early February that Cardinal Gerhard Ludwig Müller, prefect of the Congregation for the Doctrine of the Faith (CDF), had sent a letter questioning the actions of Cardinal Juan Luis Cipriani, Archbishop of Lima, who had tried to block the school’s theology professors from teaching. The row is a continuation of the struggle over the Peruvian school’s name and Catholic identity, both of which were removed according to papal decree in 2012.

In his letter, Müller asked Cipriani to provide information justifying the action against the instructors at the ex-PUCP. The correspondence also made it clear that the final decision on the theology faculty’s fate would be made by the CDF, according to Peru’s *La Prensa*.

Later in the month, the same newspaper reported that Cardinal Tarcisio Bertone, the Vatican Secretary of State, stepped in to

overrule the motion by Müller. Bertone convened a meeting of top Vatican officials whose decision invalidated Müller’s letter as a personal gesture, and not one that followed official protocol—it was transmitted by fax, not the Apostolic Nuncio. The university has been left without a theology department indefinitely because its canonical license was not renewed.

The *Tablet* reported that the ex-PUCP’s theology faculty felt Cipriani’s decision to shutter the theology department was “unjust” because it was not based upon a formal investigation, while an unpublished canonical visitation by Cardinal Peter Erdo from 2011 had been favorable. When university administrators received Cipriani’s decision in December, they said that “the university will adopt the means necessary” so that theology courses, which are required for undergraduates, will still be offered, according to Zenit.

The Church and Abortion

Report Establishes Sequence of Events Leading to Savita's Death

IN FEBRUARY THE IRISH Health Ministry released a summary of the definitive report on Savita Halappanavar's death, showing that the 21-year-old pregnant woman died of a massive infection seven days after being admitted to University Hospital Galway in October 2012, according to the *Irish Herald*. The Indian national's condition was not diagnosed until three days after admittance because test results were not followed up by staff and routine vital signs checks were not performed. According to the ministry report, the hospital not only had a duty to provide an abortion when Mr. and Mrs. Halappanavar requested it, but medical staff should have suggested the procedure as a way to combat the spreading infection since the fetus was unlikely to survive. Instead, the doctors said that because of Ireland's restrictive abortion laws their "hands were tied."

Now that the complete medical history is available, the extent to which Ireland's abortion law played a role in Savita's death has the country grappling with legislation to provide direction for doctors faced with similar situations. The Irish hierarchy opposes any change in the law, however.

Irish Abortion Legislation Advancing with Public Approval, despite Hierarchy's Complaints

PUBLIC OPINION IN IRELAND is squarely behind liberalizing the abortion law, with the majority backing legislation that will allow abortion under a wide set of circumstances, according to the Associated Press. The survey of 1,002 participants across Ireland showed that only 8 percent want the current no-exceptions constitutional ban on abortion to remain in place. Instead, a full 35 percent support making abortion available in cases that threaten the life of the woman, including suicide, while 29 percent of respondents want abortion available upon request. The remaining 26 percent want suicide to be excluded from approved reasons. A separate poll conducted by the *Irish Times*/Ipsos MRBI in February had similar results.

Tánaiste Eamon Gilmore responded via the *Irish Examiner* that he disagreed with the pope's disapproval of Ireland's plans to legislate for abortion because Irish women merit "more than mercy and understanding." Gilmore stated that the government would continue to work with the legislature, medical and legal professionals and religious representatives towards a law clarifying and protecting doctors' roles in the case of abortion. The Irish legislature is moving forward with its plans to change the abortion law.

Discussions of how abortion access will be made a

reality under some limited circumstances have advanced to the extent that the reactions from Ireland's hierarchy and extreme antichoice activists are escalating. Member of Parliament Regina Doherty has said she received threatening messages over her support of new abortion legislation. Archbishop Eamon Martin told the *Irish Sunday Times* that "any legislator who clearly and publicly states

Rights Council (UNCHR) in late 2012 evaluated Ireland's treatment of human rights defenders, including those working to advance reproductive rights and abortion access, according to the *Irish Times*. The special rapporteur, Margaret Sekaggya, said that Ireland's 1995 Regulation of Information Act is not designed for easily disseminating information about abortion. Not only must doctors



UN Special Rapporteur Margaret Sekaggya, the author of a report on Ireland's treatment of human rights defenders, speaks during a news conference held in Tunis in 2012.

[support for legal abortion access] should not approach looking for communion."

However, Cardinal Séan Brady told RTE Radio that "There would be a great reluctance to politicize the Eucharist" among the clergy," and Archbishop Diarmuid Martin echoed this view that communion "should not become a place of debate and contrast and be used for publicity reasons by anybody."

UN Issues Human Rights Report Critical of Ireland's Abortion Policies

A REPORT ISSUED BY THE United Nations Human

and counselors not "advocate or promote" abortion, but the counseling sessions must take place face-to-face, which may prove a hardship for vulnerable women, including the young and those living in isolated areas.

The rapporteur also reported "a smear campaign and stigmatization of defenders and activists working on abortion issues." Sekaggya gave the example of a prominent reproductive health provider who, in October and November 2012, was the subject of newspaper articles alleging

that the individual was providing illegal services and “putting the lives of women at risk.” The report concluded that the stigma surrounding reproductive health may lead to an even more stringent enforcement of Ireland’s already restrictive statutes than actually required by law.

Brazilian Authorities Release Teen to Mother Charged with Covering up the Girl’s Abortion

A 15-YEAR-OLD GIRL WHO HAD been held in a Brazilian state-run girls’ home because she had an abortion last year was released into the custody of her mother, Portuguese singer Adelaide Ferreira. The daughter had been removed from home because Ferreira and her boyfriend were under suspicion of having helped the girl obtain the abortion. Abortion is decriminalized in Brazil under a narrow set of circumstances—if a woman’s life is in danger, in cases of rape or if the fetus has a specific fatal abnormality. This is the legal reality, although a widely cited government-funded study revealed that one in five Brazilian women of child-bearing age has had an abortion.

The mother’s case is ongoing. Adelaide Ferreira is accused of covering up her daughter’s abortion, which was discovered when she brought the girl to the hospital with complications from ingesting abortion pills. The Portuguese website Noticias ao Minuto reported that the daughter will prob-

ably have to participate in an educational program.

First Abortion Clinic Opens Doors in Colombia

ALTHOUGH A 2006 DECISION by Colombia’s Constitutional Court stipulated that abortion was legal in cases where the pregnancy posed a threat to the woman’s life or health, the first abortion clinic only opened in December 2012. In an interview with Colombia’s *La Semana* magazine, Secretary of Health Guillermo Alfonso Jaramillo referred to women’s legal “right to terminate a pregnancy in cases of rape, fetal malformation or threat to the woman’s health” and recognized that this right had previously been difficult for women to exercise. Jaramillo named el Hospital de Centro Oriente in Bogota as a location that would offer abortion care in these circumstances.

However, in March of this year, the Consejo de Estado, a government body that rules on conflicts between the state and citizens as well as between different branches of the government, annulled a decree that had been issued by the Ministry of Health and had established regulations for abortion in Colombia. While the decision does not impact the 2006 ruling in which the Constitutional Court decriminalized abortion, healthcare professionals now lack any regulatory guidelines for providing abortion care, although the provision of abortion is included in the

mandatory plan of health services.

The ramifications of the decision in the Consejo de Estado are unclear, but Colombia’s abortion laws may undergo further changes. According to the newspaper *El Espectador*, some legislators have expressed support for the decriminalization of abortion, rather than confining its availability to certain cases. In March, the Constitutional Court published a further ruling on conscientious objection to the provision of abortion. While affirming individual doctors’ right to refuse to perform an abortion, the court specified that “conscientious objection is not a right attributable to legal entities or the State.” In other words, a hospital or clinic cannot invoke a corporate conscience to avoid providing abortions.

The Church and Reform

Priest Leading Austrian Reform Movement Banned from Giving Sermon

FR. HELMUT SCHÜLLER, founder of the Austrian Priests’ Initiative (API), has been banned by two bishops from delivering a sermon in Nuremberg. Msgr. George Kestel, vicar general of the Bamberg Archdiocese, dismissed Schüller as “a church critic who preaches against the position of bishops” and the Austrian reform movement as “supported by noisy media

accompaniment.” By contrast, Bamberg said, “a preacher should provide spiritual nourishment and strengthen the faith.”

The API is responsible for the “Call to Disobedience,” an open letter in support of more liberal church policies towards homosexuality, priestly celibacy and divorce endorsed by the more than 500 priests who are members.

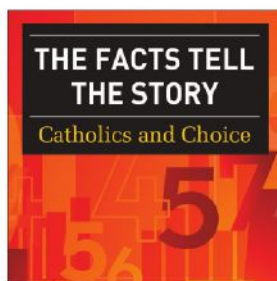
Vatican Official’s Statements Represent Steps Forwards, Back for the Church and Homosexuality

ARCHBISHOP VINCENZO Paglia, head of the Pontifical Council for the Family, said in a press conference in February that there are multiple “cohabitation forms that do not constitute a family” and that “private law solutions” could be made available by the state “to prevent injustice and make their life easier.” Paglia also said efforts to decriminalize homosexuality deserved church support. Though he went on to reaffirm the institutional church’s opposition to same-sex marriage, the archbishop’s acknowledgment of the growing number of nontraditional couples and their rights was unusual coming from the Vatican.

Just three days later, however, Paglia appeared to recant via Vatican Radio, stating that “not only were the words not understood ... but in truth, and perhaps knowingly, they were, as it were, derailed.”

Another statement supporting some recognition for same-sex couples was

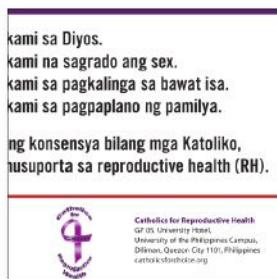
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IN CATHOLIC CIRCLES

allowed to stand for about a month. In April, Cardinal Christoph Schönborn, the archbishop of Vienna, said to a London audience “there can be same-sex partnerships and they need respect, and even civil law protection,” according to CathNews, and though he was careful to distinguish these unions from marriage, the cardinal’s spokesperson told the National Catholic Register in May that the remarks were only meant to apply “in irregular situations.”

Francis DeBernardo of New Ways Ministry, an organization for gay and lesbian Catholics, wrote in a blog post that “Paglia’s comments may not have gone as far as many of us would have liked, but they certainly are a step in the right direction.” Marianne Duddy-Burke, executive director of Dignity USA, another lay group for LGBT Catholics, found Paglia’s follow-up “disheartening” according to the Religion News Service, and indicated the growing support for same-sex marriage among the faithful as the most likely impetus for change within the church.

End Notes
Sex Education Demonized by Croatian Catholic Hierarchy

SEX EDUCATION HAS ONLY been a part of the Croatian school curriculum since 2012, but bishops have called the program a slippery slope to “pornography, promiscuity and homosexuality,” according to Agence

France Press (AFP) news service.

The instruction amounts to a mere three hours devoted to topics like sexually transmitted diseases, masturbation and gender equality each year, but Zagreb archbishop Josip Bozanic has termed the curriculum “destructive and dangerous.” Bishop Valentin Pozaic felt the threat posed by the program to be so dire that the left-leaning government that approved it was a “communist” regime that must be overthrown. “One should not forget that Nazis (also) came to power through democratic elections,” Bishop Pozaic said.

In Croatia, where approximately 86 percent of the population is Catholic, a survey of 1,300 adults found that 56 percent were for sexuality education and against the hierarchy’s petition campaign to stop the program. As a 15-year-old student named Laura told AFP, “It is much ado about nothing” and religious leaders “should not interfere in schools.”

Italian Bishops Welcome Wrong Candidate to Papacy

ITALIAN CARDINAL ANGELO Scola was one of the favorite picks to be Pope Benedict XVI’s replacement. The Italian Bishops’ Conference was so confident he would win they extended congratulations to Scola after the conclave announced a candidate had been chosen. The e-mail mistakenly sent congratulations to Cardinal Scola but was soon corrected by a message to Cardinal Bergoglio, the new Pope Francis. ■

Catholics for Choice Remembers Cory L. Richards, Executive Vice President and Vice President for Public Policy at Guttmacher



CATHOLICS FOR CHOICE joins the Guttmacher Institute in mourning the loss of distinguished and beloved colleague Cory L. Richards, who died of pancreatic cancer on April 4th at age 64. After almost 40 years, including 25 as part of Guttmacher's senior leadership, Cory leaves a profound mark on the reproductive health movement and on those who were fortunate enough to work with him. The passion and vision he brought to his work, as well as his wit, confidence and courage, will be missed sorely by his family, friends and colleagues.

Born and raised in Omaha, Nebraska, Cory attended Yale, graduating in 1970. Following a position with Rep. Peter N. Kyros (D-ME) on Capitol Hill, through which he first became involved in public health issues, Cory joined the Guttmacher Institute as a policy analyst in 1975. He was appointed vice president

for public policy in 1988, senior vice president in 2000 and executive vice president in 2008.

As executive vice president, Cory inspired and nurtured the Institute's evolution into a leading think tank on issues related to sexual and reproductive health and rights both in the United States and globally. A brilliant thinker and gifted communicator, he was a driving force behind the translation of Guttmacher's research, public education, policy analysis and advocacy expertise into an influential and widely respected public voice that has shaped policy at the state, federal and international levels.

Cory also provided visionary leadership as vice president for public policy and head of Guttmacher's Washington, DC, office. He was the intellectual architect of crucial policy changes that continue to benefit millions of US

women and families. He spearheaded the development of Guttmacher's 1994 report, *Uneven and Unequal*, which propelled the severe gaps in insurance coverage for contraceptives into the public debate. The report, along with Guttmacher's strategic and sustained advocacy efforts, launched a drive that led to contraceptive coverage guarantees in 28 states. Ultimately, this drive culminated in the 2010 Affordable Care Act's requirement—which started to take effect last year—that most women with private insurance receive coverage of contraceptive services without additional out-of-pocket costs. Cory celebrated this as a “game changer” for American women.

Another key part of Cory's legacy is the *Guttmacher Policy Review*, which he founded in 1998. For the past 16 years, journal articles written by Guttmacher policy staff and shaped and edited by Cory have not only informed the work of policymakers, media, advocates and others, but have also been cited in US Supreme Court decisions and have been entered into the Congressional Record.

Tellingly, the issue about which he was perhaps most passionate was the Hyde Amendment, which prevents federal health insurance programs for the poorest and most vulnerable US women from including coverage for abortion care. Cory had already been at Guttmacher for five years when the US Supreme

Court's 1980 *Harris v. McRae* decision upheld the constitutionality of the Hyde Amendment. He never got over what he felt to be a cruel policy, emblematic of reproductive injustice. The repeal of the Hyde Amendment was an elusive goal that he worked tirelessly toward and hoped—but, realist that he was, didn't expect—to see achieved in his lifetime.

Beyond Guttmacher, Cory held volunteer leadership positions with a number of prominent organizations in the field, including the American Public Health Association, Global Campaign for Microbicides, NARAL Pro-Choice America, National Abortion Federation, National Family Planning and Reproductive Health Association and Sexuality Information and Education Council of the US (SIECUS).

Cory is survived by husband Douglas Mitchell, partner of 23 years whom he married in 2013; his mother and stepfather, Vicki L. and Monty Bergman; and his brother, Scott Richards. Among those who preceded him in death were his aunt, author and activist Tillie Olsen; his previous partner, Peter A. Ryan; and his sister, Sandy R. Daniels.

Cory leaves a void that will be difficult to fill. He will be acutely missed by his family, his friends, his colleagues at Guttmacher and at Catholics for Choice, as well as by the sexual and reproductive health community he served with such dedication and skill. ■





Playing Hardball against Women's Rights

THE HOLY SEE AT THE UN

By Joanne Omang

DURING THE VATICAN CONCLAVE in March, while pundits in Rome spotlighted Pope Francis's new-era penchant for buses and informal speechmaking, the old-era Vatican was hard at work at the United Nations, trying once again to take women's rights out of the global dialogue. It failed, but was this a last attempt? Pope Francis, with his genial manner and his preference for the poor, has raised flutters of optimism among many Catholics hoping for a less arrogant and more modern church. That can't happen too soon at the UN, where the Holy See has played serious hardball against women's human rights for nearly 50 years.

The *New York Times* called the latest example of the Holy See's interference at the 53rd meeting of the UN Commission on the Status of Women an "unholy alliance." Working with Iran, Russia and others, Holy See representatives tried to delete document language asserting that religion, custom and tradition are no excuse for allowing violence against women. The commission ultimately rejected this effort

JOANNE OMANG is a novelist and former Washington Post reporter and editor.

and the final document stands as a precedent against invoking any of these reasons to justify human rights abuse.

The Holy See's *modus operandi* has been to impose its conservative social ideology at the UN via relentless pressure—evident ever since it gained semi-official standing there in 1964. Pope Paul VI spelled out his privileged position at the UN the following year: his dual status as head of a church and head of state for the Holy See, he said, left him “independent of every worldly sovereignty” and made him the “bearer of a message for all mankind.”

Nearly half a century later, the Roman Catholic church has global influence via the UN that is unique among the world's



Fr. Philip J. Bene, the Holy See's legal attaché at the United Nations, at Rio+20.

but impossible to negotiate with someone who claims to be voicing divine will.

“They have their eyes on the prize, which is getting reproductive health off the global agenda,” said Alex Marshall, chief of UNFPA's Services Branch, about his experience with the Holy See's rep-

to decision-making rights for adolescents. Pseudoscientific claims appear repeatedly in Holy See statements. Adrienne Germain, former president of the International Women's Health Coalition, recalled in 2008 that the Holy See refused to endorse the use of condoms to prevent HIV at a 1999 gathering on the grounds that they are ineffective at blocking the virus. “I remember when people literally gasped” at that assertion, she said.

In 1995, at the Fourth World Conference on Women in Beijing, Holy See delegates objected to the word “gender” as code for “a broad feminist rights strategy that includes abortion.” Other false assertions include statements that women are victimized by rights-based reproductive healthcare, or that studies show abortion harms a wom-

As many who have dealt with the Holy See know to their frustration, it's all but impossible to negotiate with someone who claims to be voicing divine will.

religions. Only the Holy See and Palestine (since November 2012) hold Non-member State Permanent Observer status at the UN and most of its agencies. They have the right to speak, reply and circulate documents in the General Assembly, as well as take part in international conferences with “all the privileges of a state,” including the right to vote.

That means real power. Other religions or nongovernmental organizations must collar delegates in hallways and restrooms to make their points.

Further, UN conferences operate by consensus. Every word, every punctuation mark of meeting “outcome documents” is negotiated among delegates from up to 180 countries in closed-door sessions—often acrimonious, agonizing gatherings that go late into the night. And, as many who have dealt with the Holy See know to their frustration, it's all

representatives. “They never stop, and they never give up.”

Holy See delegates are legendary for their tireless attention to detail at UN conferences, resulting in long-term reverberations. Because they prolonged negotiations to such an extent that the closure of the 1994 International Conference on Population and Development (ICPD) was delayed by five days, the definition of reproductive healthcare in the outcome document omitted abortion services. The European Union later endorsed the ICPD Programme of Action wholesale, without amendments, so that including abortion services in resulting programs now requires the reinsertion of abortion services every time. Score a few for the pope.

Vatican emissaries routinely try to substitute women's “dignity” for women's “human rights” and to erase any reference

an's mental health. More recently, the falsehood that “as a matter of scientific fact, a new human life begins at conception” was entered in the minutes of a 2011 General Assembly session.

Other Vatican tactics are less subtle. Marshall recalled that in 1994, a Bolivian delegate to an ICPD preparatory meeting who was deemed insufficiently supportive of Vatican positions was “replaced with someone more compliant overnight, at the behest of the country's nuncio”—the Holy See's diplomatic representative to Bolivia. The conference chair refused to seat the replacement, but again, the failure didn't faze the Holy See. Before the ICPD gathering, its secretary-general, Nafis Sadik, had an audience with Pope John Paul II, who “berated her for her unwillingness to steer the process in the right direction, as he saw it,” Marshall recalled in a 2010 *Conscience* article.

Of course, all NGOs and governments are expected to press their views on others in order to win consensus. "There'd be absolutely no problem if the church was lobbying like other religions and other pressure groups," said Jon O'Brien, president of Catholics for Choice. "But their privileged position gives them an ear of governments that they shouldn't be able to have."

To states in which Catholic votes are critical such lobbying can be very persuasive. In 1994, the Vatican called in ambassadors from predominantly Catholic countries and lectured them on the proper positions on contraception and abortion to take at ICPD. John Paul II wrote to every head of state asserting that the ICPD draft would be a "serious setback for humanity" that would "condemn marriage to obsolescence." His speeches called it "the snare of the devil."

"The church is very influential in Latin America, and things like that indicate 'We're not going to support you in the next election,'" said Serra Sippel, director of the Center for Health and Gender Equity (CHANGE) and a veteran of many battles over UN documents.

The pressure can backfire, however, Sippel said. At 2004 conferences in Puerto Rico and Chile, Latin American delegates who had some reservations about reproductive health language "stepped up and owned it anyway because they were so annoyed" by Holy See pressure. "They said 'Hey, we agreed to the ICPD and you're not going to come down here and tell us what positions to take on this,'" she recalled.

Bene Madunagu, chair of the executive board at the Girls' Power Initiative in Nigeria, was just as indignant. Bishops in Nigeria, she said, promote the status quo, "where talk about sex is taboo and talk about preventing unplanned pregnancies and sexually transmitted diseases is forbidden." In a statement to support Catholics for Choice's initiative, The "See Change" Campaign, in 2000, she was blunt: "The role that the Roman Catholic church has played as an obstacle to AIDS education in Africa calls into

question its moral right to a high status at the United Nations."

At the same time, Amparo Claro, director of the Latin American and Caribbean Women's Health Network, called it "entirely unacceptable that UN negotiations are influenced by exclusive and dogmatic ideologies and moralities permanently imposed on other members by a unique and privileged member."

The old-era Holy See ignores such protests and continues to tell governments what positions to take. Guate-

Action did not express universal values but spoke only for disgruntled radical Western feminists. They have helped block efforts to extend human rights references to gays and lesbians, and at the 2012 Rio + 20 Conference on Sustainable Development fell in line behind the Holy See to exclude "sexual and reproductive" healthcare from areas of healthcare deserving particular attention in the outcome document.

Some of the work opposing sexual and reproductive rights is accomplished by



At the 2012 United Nations Conference on Sustainable Development held in Rio de Janeiro, Holy See Permanent Observer Archbishop Francis Chullikatt (left) consults with Paul Kelly, the delegate from Nicaragua, on Section V of the Rio+20 draft text, which included language on reproductive health.

mala, Honduras, Ireland, Malta and Poland are reliable Vatican allies, among others. As early as 1994, special Vatican envoys went to Tehran and Tripoli to enlist their support—to "sup with the devil," as *Washington Post* columnist Jim Hoagland put it—and alliances since then have included Iran and Libya as well as Syria, Egypt and other countries that do not support full human rights for women.

These countries got behind the Holy See's efforts to exclude "forced pregnancy" from a list of war crimes proposed during the 1998 debate over setting up the International Criminal Court. They agreed that the Beijing Platform for

UN allies, with the Holy See preferring to remain behind the scenes. Conservative religious NGOs disrupted March 2000 preparatory meetings for Beijing + 5, surrounding opponents to pray over them, according to a 2001 *Conscience* article. At the ICPD, unofficial Arabic translations of draft documents were circulated that insinuated the phrase "sexual health" was equivalent to promiscuity. Vatican representatives "don't need to put out documents when their allies do a lot of that work," Sippel said.

Marshall asserted that the new era for the Vatican may look very much like the old. "The new pope isn't going to change that," he said. ■

Keeping It All in the Family

EUROPE'S ANTICHOICE MOVEMENT

By Neil Datta

IN THE AUTUMN OF 2004, conservative antichoice Christians in Europe were dealt a public and humiliating blow when Rocco Buttiglione, a nominee for the European commission, was withdrawn under pressure from the European Parliament because of views deemed incompatible with the office of the EU Commissioner on Justice. This landmark decision in European politics was also a rejection of the Vatican's attempts to influence politics. But for antichoice conservative Christians, Rocco Buttiglione's rejection was a call to arms—as it was for Rocco Buttiglione himself, who promised in an interview shortly after his humiliating withdrawal that this would not be the last we would hear of him nor his belief system. Europe's ultraconservatives stepped up to make good on Buttiglione's promise and began building an antichoice advocacy infrastructure intended to overtake Europe's political institutions

NEIL DATTA is Secretary of the European Parliamentary Forum on Population and Development (EPF). EPF (www.epfweb.org) is a network of members of parliaments from across Europe who are committed to protecting the sexual and reproductive health of the world's most vulnerable people, both at home and overseas.



Rocco Buttiglione, once the designate for EU Commissioner for Justice, watches EU leaders arrive for the signing ceremony of the EU Constitution in Rome in 2004.

© REUTERS/ALESSANDRO BIANCHI, 2004.

with their own legislative agendas. While the antichoice forces invested a great deal of time and effort, this call to arms has been heard by few and heeded by even fewer.

Parliamentarians have registered the raised voices from the far right, prompting the European Parliamentary Forum on Population and Development (EPF) to investigate. Our research found that the opposition groups were all religiously inspired—specifically Christian. In the course of our investigation we also discovered that the “families” of antichoice

organizations operating in Europe number not one, but three.

- The first is an old network, Catholic in inspiration, closely aligned with the Vatican and active in most of continental Europe. It has centers of power in Italy, Germany, Spain and France (to a lesser extent) and can be referred to as the “**Vatican-oriented Antichoice**” family.
- There is a second, newer, network that appears to be an alliance of traditionalist Protestants, Catholics from North

European countries and, occasionally, Orthodox Christians. It is associated with minoritarian right-wing Christian political parties and can be referred to as the “**Ecumenical Traditionalists.**”

- A third family is relatively heterogeneous but shares a Catholic background and some degree of hostility towards the Vatican, specifically the Vatican II approach to social issues. This family of “**Ultras**” includes traditionalist Catholic movements, both in good or poor standing with the Vatican, along with their political expressions, which tend to be extreme right-wing political parties.

While these three antichoice families are distinct players, each occasionally collaborates with—and influences—each

issues—abortion, reproduction and sexuality, as well as gender norms.

The longest-standing actors within this family are the “prolife” NGO networks that exist in 11 countries. In many cases created in the 1980s and early 1990s in reaction to social changes, these networks have become part of the established civil society landscape, where they have tended to focus on abortion. In those countries where antichoice ideology gained traction—for example in Poland, Ireland and, to a lesser extent, Italy and Spain—these organizations have tended to remain inwardly and domestic-focused. In countries where the antichoice movement had fewer prospects—such as in France, Germany and Belgium—the antichoice energy in the country seems to have been spent at the European level.

undermining equality legislation, often through conscience clauses, and then when these objections are denied, terming this discrimination).

One new-generation antichoice NGO is the European Centre for Law and Justice (ECLJ) based in Strasbourg, France—also the seat of the European Parliament, the Council of Europe and the European Court of Human Rights (ECHR). The ECLJ, which is the European offshoot of the American Centre for Law and Justice, is utilized by the Holy See as its legal and political lobbying arm in Europe.

The ECLJ specializes in litigation at the ECHR, where it attempts to limit the court’s recognition of LGBT and reproductive rights and intervenes in cases where there is perceived and actual religious

A hardline group is starting to emerge that the media has labeled as the European version of the US Tea Party.

other, and all work with non-European antichoice groups, including those from the United States and Latin America. However, each family has its own infrastructure and strategies with which it seeks to influence European politics.

THE VATICAN’S HAND IN EUROPEAN DECISION-MAKING

“Vatican-oriented Antichoice” is the largest of the three families and the primary antichoice movement in all European countries that have had a traditional Catholic majority population and where Catholicism was the main or state religion. This extensive network is composed of antichoice NGOs and NGO federations, specialized advocacy and legal organizations, think tanks, educational facilities, academic institutions and even some political parties with seats in parliaments. Compared to other antichoice families, the Vatican-allied group represents the *status quo ante* of Western Europe in the 1950s to 1970s on social

Since the late 1990s and gaining speed since 2000, a new generation of Vatican-oriented antichoice activity has emerged. These organizations tend to be more professional, as they are able to specialize in legal and political lobbying, in building a pseudo-medico-scientific basis for religious ideals and in adopting modern NGO advocacy techniques. Importantly, the new generation of anti-reproductive rights groups has understood the power shift in Europe that has increasingly concentrated political decision-making in the EU institutions, and has therefore adapted by building an advocacy infrastructure to influence decision-making in the EU arena. Their strategy, deployed equally at national and European levels, is threefold: 1) protection of life (from the moment of conception to natural death); 2) protection of the family (which this group defines as the “natural” heterosexual family with the father as its head); and 3) religious freedom (i.e.,

discrimination. Since 2008, director Gregor Puppincx and a handful of antichoice parliamentarians have been active at the Parliamentary Assembly of the Council of Europe where they 1) failed to prevent the adoption of a progressive report on the right to abortion in 2008, despite presenting over 100 last-minute amendments; 2) campaigned against a report on conscientious objection in 2010; and 3) launched several failed initiatives on Europe’s “demographic decline,” sex-selective abortion and abortion in the case of fetal abnormality, which they compared to “eugenics.”

Within the Vatican-oriented civil society, a hardline group is starting to emerge that the media has labeled, on occasion, as the European version of the US Tea Party. An example is a new group called European Dignity Watch (EDW) that pushes its hard-right agenda on the EU level through activities like its 2012 advocacy academy to train religious lobbyists for the European Parliament.

A good example of another hard-right antichoice group, this time acting at national level but with ambitions to expand abroad, is the Spanish antichoice organization Hazte Oir (Speak Up). Hazte Oir stands out in the Spanish landscape because of its modern and innovative use of social media, which allows it to mobilize thousands of supporters like few other antichoice organizations in Europe. Over the past decade, Hazte Oir has grown from an annual budget of approximately €300,000 to just over €1,200,000 in 2011 and plans to expand to Latin America as well as open an EU lobbying office in Brussels.

Any advocacy movement needs a solid evidence base grounded in science in order to be convincing to a mainstream audience, which can be challenging

ethanasia, among others. Altogether, agenda-driven medical groups with links to the Vatican exist in at least seven countries in Europe.

The Vatican-oriented Antichoice family influences European politics through a series of small political parties that work in tandem with the antichoice civil society organizations referred to above. These political parties tend to position themselves in the center of the political spectrum (i.e., they support the welfare state and are generally pro-EU) but are deeply socially conservative. These parties are often affiliated with the much broader center-right political family of the European People's Party (EPP), and it is this wider center-right, conservative political family that the antichoice lobby seeks to influence. In a

the European People's Party. This means that all positions on international development made by the EP's largest party, such as whether to support international SRHR, are decided by an antichoice politician.

At the Parliamentary Assembly of the Council of Europe, Italian UDC MP Luca Volontè was elected chairperson of the assembly's EPP delegation thanks, in part, to a letter of support addressed to party members from the Apostolic Nuncio to France. In 2012, Volontè launched an initiative in partnership with the ECLJ to limit abortion in cases of fetal abnormality by labeling it a form of "eugenics," which originally gathered the support of much of the EPP delegation to the assembly. However, when parliamentarians discovered that the

From a bird's eye view of European institutions, it becomes very clear that the Vatican has developed entry points of influence in the past decade.

when the lobbying group's motivation is a narrowly defined, ultraconservative interpretation of a religious ideology. For this reason, a specialized subgroup of organizations has emerged to provide a medical or scientific basis for the antichoice movement's philosophical positions. The leading example is the French Fondation Jérôme Lejeune, whose founder was a close personal friend and ally of Pope John Paul II. In 2011, the Fondation Lejeune launched a campaign to force the French minister for education to resign when it was decided that schools would have to teach gender equality (rather than the complementarity of men and women).

Another biased medical group is the European Institute of Bioethics (EIB), established in Brussels within walking distance of the European Parliament, which provides advice in several languages to medical practitioners on issues such as "post-abortion trauma" and the supposed dangers of contraception and

number of cases, the border between politician and antichoice NGO is hard to distinguish, as a number of antichoice politicians are also the founders and/or leaders of a number of antichoice NGOs. Likewise, some antichoice leaders have founded their own political parties.

While representing a very small component of the mainstream center right, the Vatican-oriented political parties often seek to achieve positions of influence within the EPP and from there, channel the whole party's energy towards their socially conservative agenda. For example, MEP Anna Zaborska of Slovakia became chair of the European Parliament's Women's Rights and Gender Equality Committee from 2004 to 2009, where she effectively blocked progress on women's rights for five years. Also in the European Parliament, Irish MEP Gay Mitchell, co-founder of the European Parliament Working Group on Human Dignity, secured a position as spokesperson on international development for

genuine intent behind the motion was to limit access to abortion, over 80 parliamentarians took the unprecedented step of signing a letter calling for a withdrawal of the motion. Volontè lost his recent bid for re-election to the Italian parliament, but in his final week at the Council of Europe he tried to subvert a document intended to address violence directed at religious communities. Volontè submitted a draft that focused on religious exemptions that could be applied to healthcare and education. A coalition formed to dispute this version, and other members of the assembly produced a final document that was in line with the original priorities, rather than those of Volontè.

From a bird's eye view of European institutions it becomes clear that the Vatican has developed entry points of influence in the past decade. This handful of MPs can count on support from the Apostolic Nuncio to their country for key votes. The Holy See rep-

resentation to the Council of Europe organizes quarterly meetings of the coalition of Catholic-inspired NGOs, which is composed of well-intentioned faith-based organizations alongside reactionary ideologues. The Holy See also regularly accredits the ECLJ to serve on its delegation to various Council of Europe governmental bodies on matters ranging from human rights, LGBT issues to reform of the European Court of Human Rights.

Members of the Vatican-oriented Anti-choice family are engaging in more professional forms of advocacy that require a mix of grassroots organization and specialized knowledge in the fields of EU politics and law. They are also becoming more bold. The “One of Us” initiative calls on the EU to stop all funding related to the destruction of human embryos in scientific research as well as development aid, specifically by halting all funds to improving maternal health because it may in some cases cover abortion. The effort to

collect the requisite million signatures enlisted help from across Europe, but when leaders met on March 20, 2013, they reported that by that point only 283,000 signatures had been gathered. Representatives also complained of a lack of mainstream media interest and expressed concern over how to portray their take on abortion, admitting that it often led to being labeled a “religious zealot.”

THE ECUMENICAL-TRADITIONALIST ALLIANCE

In Eastern Europe, including the former Soviet Union, anti-choice groups are rela-

tively new. In the Russian Federation, 16 of the identified anti-choice groups were created within the past 10 years. In countries where the prevalent religion had been a Protestant Christian creed, the anti-choice landscape tends to be much smaller and less well-developed than in their traditionally Catholic neighbors. In these areas there is usually only one or a few main anti-choice NGOs, which tend to be small and isolated, often because they

building a new political family in Europe in the form of the European Christian Political Movement along with a parliamentary infrastructure on “human dignity” (as defined by them).

Because of their small numbers, anti-choice groups from this family are particularly receptive to external support and influence—for example, from US anti-choice groups, which have innovative anti-choice material to share. An



Pope Francis shakes hands with European Commission President Jose Manuel Barroso (2nd L) and European Parliament President Martin Schulz at his Vatican inauguration.

are at odds with the mainstream religious currents of their own faith and society at large. Together, these groups have emerged as part of the newest of the three anti-choice families, which is composed of traditionalist Protestants from the Netherlands, Switzerland, the UK and some East European countries; Catholics from North European countries such as the UK and Ireland; and some Orthodox groups. Some members of this “Ecumenical-traditionalist Alliance” are united by their faith’s minority status, either as a political force or in the country’s demographics. The Ecumenical Traditionalists’ strategy has focused on

example is the US-based Center for Bio-ethic Reform (CBR) which opened a satellite office in Bratislava, Slovakia, in 2007 and has since reached out to and coordinated efforts with anti-choice organizations in eight countries (Czech Republic, Finland, Norway, Poland, Russian Federation, Slovakia, Sweden and the UK). CBR specializes in producing gory material for photo exhibitions that compare abortion with the Holocaust as part of their “Genocide Awareness Project,” which was shown in public squares in several Eastern European cities and in the European Parliament.

The Traditionalist-ecumenical network is still small and somewhat incestuous. While this new network has consolidated its structure and funding base, it has had surprisingly little advocacy impact in opposing reproductive rights. However, the formerly small and isolated groups no doubt find comfort in having their own structured network where they can meet with others who share the same reactionary views and exchange ideas on new ways to advance their traditionalist agenda.

THE “ULTRAS”—RELICS OF EUROPE’S FASCIST PAST

The third antichoice family, the “Ultras,” is a heterogeneous group whose members share political and economic views incompatible with parliamentary democracy. Politically, they are often branded as far-right, and religiously their views often predate the Second Vatican Council. The Ultras’ perceptions of democracy, autocracy, secularism and ecumenism, and occasional tendency towards historical revisionism, force them outside polite society to exist on the margins of politics. The Ultra family is naturally drawn to the far-right political parties and political think tanks that often are the modern-day descendants of the various fascist movements that existed in every European country in the early 20th century. The Ultras tend to espouse political views that would undo three of the West’s formative revolutions: the sexual revolution of the 1960s and ’70s, the Protestant Reformation and the French Revolution, a concept which they term “the counter-revolution.”

Some Ultra groups include the Society of Saint Pius X (SSPX), begun by French Archbishop Marcel Lefebvre, as well as traditionalist Catholic communities and surviving religious-military orders. The best example of an Ultra

entity is the constellation of 50-plus organizations that form part of Tradition, Family and Property (TFP).

TFP was established in the 1960s by a Brazilian Catholic landowner and politician, Plinio Côrrea da Oliveira, and has spread to most Latin American and European countries as well as the US.



Bishop Aldo Giodano, permanent observer for the Holy See at the Council of Europe in Strasbourg, France, after a 2011 ruling that crucifixes are to be allowed in public school classrooms.

© AP PHOTO/CHRISTIAN LUTZ, 2011.

TFP has found its niche as a wealthy, conservative social movement aimed at defeating communism (and therefore protecting the private property of large land owners in Latin America) and liberation theology. The group combines religious and cult-like elements with a platform for political engagement and a medieval chivalry aesthetic that could best be described as an adult version of the teenage “goth” style.

The Ultras, and specifically TFP, play three principal roles in the antichoice movement. First, they act as a bridge between the respectable center-right/social conservatism and the extreme right/post-fascist elements that still exist in some European political landscapes. Consider the 2008 opening of the EU-liaison office of the “Federation Pro-Europa Christiana” (a TFP front) in Brussels, which Christian Democrats from Slovakia such as MEP Anna Zaborska attended alongside Alexandra Coenen, a neo-fascist Belgian politician

of the far-right Vlaams Belang (Flemish Interest) political party. Secondly, the Ultras act as a watchdog, pressing for political action to match the Vatican’s religious stances. For example, Marc Balistreiri, the head of Droit de Naître, one of France’s TFP fronts, launched an initiative during the 2004 US presidential election to have Senator John Kerry excommunicated because of his pro-choice views. In 2005, the TFP front in Italy tried the same with Prime Minister Romano Prodi. Neither attempt was successful, and the episodes seem to have embarrassed the Holy See.

Third, they have been experimenting with social mobilization. Italy’s first “March for Life” was organized by Luigi Coda Nunziante, a Neapolitan marquis and his daughter, Lady Virginia, who head several organizations that are TFP fronts. Among the

thousand-plus marchers there were several far-right skinhead gangs and anti-European youth thug groups. In February 2013, the organizers of the Brussels March for Life announced their intention to team up with FPEC, a TFP front at the EU level, to organize a “pan-European” march.

A characteristic of the TFP movement is that, unlike other antichoice families that attempt to influence mainstream society, the TFP tries to infiltrate and influence Catholic and antichoice groups as well as conservative political parties to bring them closer to their more extreme agenda. Massimo Introvigne, who created Alleanza Cattolica, the TFP front in Italy, runs an online library devoted to the writings of TFP founder and other works on the “counter-revolution.” In 2010, Introvigne was appointed Rapporteur on Intolerance and Discrimination against Christians at the Organization for Security and Cooperation in Europe.

MORE MODERN, BUT NOT MORE MAINSTREAM

In his resignation speech earlier this year, Benedict XVI referred to deep internal divisions within the Catholic church. These divisions are reflected in the European antichoice landscape, which has demonstrated its inability to form a coherent movement. However, when provoked, the antichoice sector has shown the capacity to react, reorganize and modernize.

It is true that in 2012, antichoice groups were able to field more than 20 amendments in the European Parliament aiming to remove millions of Euros in overseas aid for SRHR from the European Union's 2013 general budget. That same year, the antichoice movement launched a continent-wide petition known as a European Citizens' Initiative based on the EU's Lisbon Treaty, with the goal of collecting one million signatures in favor of halting all future EU funding to maternal health worldwide

because it may indirectly cover abortion. Antiabortion marches took place in Brussels, Berlin, Paris, Rome and tens of other cities across Europe, whereas a decade earlier, such marches mainly took place on the other side of the Atlantic.

The intensity of antichoice initiatives certainly seems to have increased, but should this worry the SRHR community? By the end of 2012, most of the legislative initiatives mentioned above had failed. This suggests that the opposition to SRHR may not be getting stronger, but it does suggest that it is louder and better coordinated than previously assumed.

Despite what is an indisputable professionalization and modernization of the antichoice community over the past few years, we can draw comfort that this is not the same as antichoice ideas gaining traction among average Europeans or in European politics. The antichoice network in Europe is highly dependent upon a very few movers and

shakers, perhaps as few as 30 individuals. Many of these are more representative of Europe's past than the average European of the 21st century.

While they may be louder and better coordinated, the European antichoice movement has also been forced to package its objectives within wider, more acceptable frameworks, such as "human dignity" (as defined by them) and religious tolerance (a tolerance only extended to their own religious beliefs). This in itself is a sign of their fragility. Regardless of how they gild their intentions with more attractive language, the true mission of these antichoice groups is simply no more acceptable to mainstream Europeans today than was Rocco Buttiglione in 2004.

The "One of Us" organizers have until November 2013 to meet their target of a million signatures. Perhaps by then they will have solved their dilemma of how one can be a religious zealot without looking like one. ■

Who should conscience clauses protect?

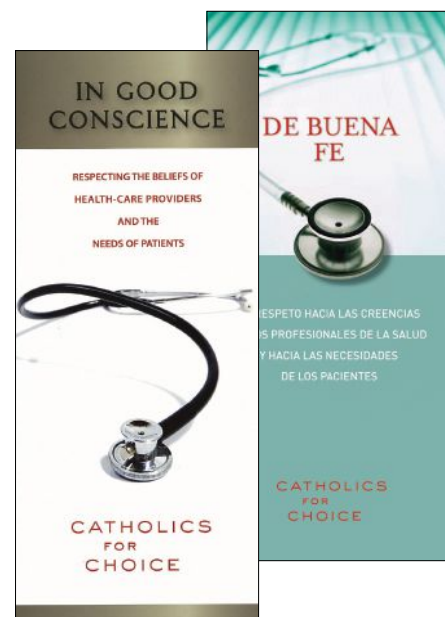
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Iranian girls walk in front of a billboard featuring Ayatollah Khomeiny in 1999 on the 10th anniversary of his death. The occasion marked the reaffirmation of the Ayatollah's death order for blasphemy against British author Salman Rushdie.

Fatwas are Opinions

By Marieme Helie Lucas

A FATWA IS AN OPINION BY A Muslim cleric, or a well-read believer, whose knowledge of religion is recognized and appreciated by the commu-

MARIEME HELIE LUCAS is an Algerian sociologist and psychotherapist. She founded the *Women Living Under Muslim Laws international solidarity network* in 1984, as well as the *Secularism Is A Women's Issue international network* in 2005.

nity in which he lives or is known. In other words, it is the opinion—on religious issues, or issues that can be related to religion—of someone you know and whose knowledge you trust. Any scholar of Islam, any well-read believer, can give a fatwa, i.e., his opinion based on religious knowledge. Although progressive scholars of Islam agree that women should also be scholars, could become imams and could give fatwas, most Muslim countries do

not allow women to study religion further than first year in university; women are struggling to assert their rights in accessing religious studies, but they often have to go to Europe and North America to fulfill their desire; fatwas, it follows suit, are to this date virtually exclusively offered by men.

Is that all? Yes, that is all there is to it.

You can decide to follow the opinion of the cleric or not. Or to seek another

opinion. Your decision about how to react to the fatwa is between you and your conscience, you and your God. A fatwa is not a law—and it is not legally enforceable in democracies.

Not unlike the role traditionally played by pastors in the Catholic church, Muslim believers would go to their nearest religious scholar and ask for his opinion on everyday matters in their lives related to religious practice: whether they could do this or that without committing a sin; how to practice their religion when they traveled; how to behave vis-à-vis a neighbor in a specific circumstance. Alternatively, if Catholics today find that there is no one they trust nearby, they can get a response about religious questions in a more modern and anonymous way online. For decades in many Muslim countries, daily papers have been full of such questions, and an appointed cleric answers them via his column in the news-

exist within Catholicism. For instance, the opinion of someone affiliated with Opus Dei is likely to be in opposition to that of someone who stands with liberation theology. While one Catholic perspective might say—metaphorically at least—that the adulteress should be stoned, the other would ask: but who will cast the first stone? One would excommunicate a woman for using contraception, the other would support her attempt to survive with already too many children to feed. One would ban condoms, while the other will advocate for their use in order to prevent the spread of the AIDS epidemic.

What is much more commonly accepted when it comes to Catholicism—i.e., that there are different *political* trends within the church and among believers as well—is often so difficult to grasp when it comes to Islam. The *other* is seen as totally monolithic.

This is not the case, of course.

not give them equal love. Hence, they said, the Qur'an clearly indicated in this verse that polygyny was not something an ordinary man was able to practice while staying in conformity with the divine injunction.

If laws, based on different interpretations of the Qur'an, can differ to the point of reaching radically opposed conclusions, we can imagine the differences in opinion of the numerous Islamic scholars and learned believers all over the Arab World, Asia and Africa who live in different cultures, not to speak of those now living in the diaspora in Europe and North America, who have been exposed to many new ideas.

Coming back to our earlier examples, we can imagine the response of the scholar solicited for his opinion by the woman who is afraid of committing a sin if she maintains good relations with her neighbor who has a bad reputation. He

What is much more commonly accepted when it comes to Catholicism—i.e., that there are different political trends within the church and among believers as well—is often so difficult to grasp when it comes to Islam.

paper. And now one can also get a fatwa on the Internet.

The questions raised are often very down to earth and sometimes crude. A woman might ask whether it would be sinful for her to visit and get acquainted with a female neighbor whose reputation has been tarnished by gossip. A man might ask if a nocturnal emission during Ramadan forces him to go immediately for ablutions in the middle of the night, and whether or not it annuls his day of fasting (in which case he will have to continue fasting for one more day at the end of Ramadan).

Of course, opinions differ, depending on who holds them.

OPINIONS

Catholics for Choice is well placed to understand the diversity of opinions that

A good example is the difference between Algeria and Tunisia with regard to personal status laws on monogamous vs. polygynic marriages, with both countries claiming that their laws are rooted in Islam. Please note the dates marking each country's legal evolution on marriage; they are important and we will come back to them.

Algeria legalized polygyny in 1984 on the basis of the Qur'anic verse stating that "a man can have up to four wives." Tunisia in 1956 (nearly 30 years before Algeria passed its legislation) banned the practice and legalized monogamy on the basis of the second half of the verse "provided he treats them perfectly equally." Tunisian legislators argued that although a man could give the same amount of money, a house of similar value, equally costly jewelry, etc., to his wives, he could

might say that the best she can do is to go on behaving as a good neighbor and have compassion for the other woman. But another scholar may just as well express the view that the woman should cease to meet this bad neighbor who should be chased out of the building or the town because the devil is in her. Either way, the word will spread that this is the learned man's fatwa (read "opinion") and people will take action accordingly. On several occasions, the opinion that a city should be cleansed of its "bad Muslims" led to mobs attacking, stripping, burning, torturing and killing women or members of other Muslim sects.

Or in the case of the man with nocturnal emissions during Ramadan, a cleric can consider that he should go out in the middle of the night and he should fast an extra day. Another cleric might

determine that the man is tired, that additional fasting would not be appropriate as it would increase his fatigue, nor would it be appropriate to force him to go out of bed for ablutions. These opinions can either appease the fears and anguish of those who seek advice, or they can advocate punishment and stir violence.

MEDIATIC AND NON-MEDIATIC FATWAS

The fatwas that reach international attention through the media are usually those advocating punishment and violence, inspired by the most regressive interpretations of the religion. This definitely serves a political purpose, as it points at Islam as a religion of violence, in which one can be stoned to death for

performs marriage ceremonies for religious Muslim women who choose a Christian or a Jew for their life partner—you must realize that Muslim *men* can marry women from outside the “religion of the Book,” but Muslim women cannot marry outside Islam. But then again, the Mufti does not believe that God created men and women unequal, only that men pretend they are superior. Another example is the imam in a “difficult” suburb of Paris prone to communal conflicts who regularly opens the mosque he is responsible for to his Jewish neighbors for meetings.

Both of these religious leaders are of the *opinion* that what they do is perfectly compatible with their religion. (Try to say the same sentence, using a different word:

number of prominent Muslim scholars and learned Muslim believers around the world issued fatwas (their opinions) stating that Imam Khomeiny’s fatwa should not be followed. But they did not make it big in the media, to the point that relatively few people read their opinions.

I believe that opinions by progressive Muslim scholars are little known, whether inside or outside the Muslim world. Such scholars are persecuted by far-right regimes as well as fundamentalist nonstate actors who pretend to act in the name of Islam: often their books are burned and owning them is a punishable offense. And, alas, too often, they themselves are killed.

The question then arises: who chooses

In this political context it is not surprising that women become the first targets of fatwas. Like other far-right movements of the past, Muslim fundamentalists aim at sending women back to their assigned place....

sex outside marriage or beheaded for blasphemy.

It is not my purpose to defend here the idea that Islam is either this or that. It no more reasonable to argue that Islam is a religion of peace and tolerance than it is to say it is intrinsically violent. In sacred texts, one can read the God of war, the God of wrath, the God of terror, or one can read the God of peace, the God of freedom and the God of compassion.

“Islam does not speak,” argues Soheib Bencheikh, the Algerian-born former Great Mufti of Marseilles, France. It is what Muslims do in its name that gives different contents to this religion.

“Islam” per se is always and necessarily mediated through human believers, their thoughts and their actions: by definition Islam—like any religion—is represented by people who deem themselves Muslims, and who have different opinions about what Islam was, is and should be.

The former Great Mufti of Marseilles

“Their *fatwa* is that what they do is perfectly compatible with their religion.”)

To take it a step further, they even believe that what they do is commanded by their religion.

Both the imam and the Mufti can give you numerous religious arguments to justify their conclusions. And in Islam, at least in principle, there is nobody in between the believer and his God. No intermediary.

Have you heard of their fatwas? I suspect you have not. Or maybe you did know about what they were doing, but you did not consider that these were fatwas in their own right? They are.

The term fatwa first made it to the international media when a cleric from Iran expressed his opinion on the literary works of a British author of Indian origin. The opinion of Imam Khomeiny was that Salman Rushdie was to be put to death for having written a novel that the imam himself never read, but that—he was told—was blasphemous. A good

to popularize what, when and for what purpose ?

THE POLITICAL ROLE OF EXOTIC TERMINOLOGY

The mere fact of calling *opinions* anything other than “opinions” amounts to legitimizing and sacralizing them as the true expression of a dogma inherent to Islam. To brand them with exotic terms such as “fatwa” is a dangerous trend: how, then—especially when one does not know what it means—can one go against a fatwa, without going against Islam itself ?

Non-Muslims’ fear of being seen as anti-Islam has been shamelessly exploited by the Muslim religious right in Europe and North America. Claiming that they are the true representatives of Islam, these ultraconservatives give the impression that if one opposes any of their diktats and fatwas, one is necessarily branded “kafir” or “infidel” (which in their view is punishable by death) or “Islamophobic.” While if you translate the term

into a language you understand, what a relief: it was only an opinion. And only one opinion, at that.

If you have doubts about a fatwa, if you are not satisfied with it, you can just get another opinion from another scholar to counter the first one. It will be just as valid—or invalid—as the one you got in the beginning. Ultimately, the decision is a matter between you and God.

While journalists aim to attract readers' attention by using exotic terms, they play a very dangerous political role. In many instances, out of sheer ignorance of the Arabic language they inadvertently attribute to these foreign words the biased meaning that fundamentalists themselves are promoting.

Let me mention here that it is not just fatwas that are now passed off as laws instead of opinions, but concepts like “jihad,” or “sharia,” are frequently misconstrued.

A jihad is the internal combat that a believer launches against him/herself to become a better individual, to amend him/herself and subsequently to come closer to God. It is not a *real war* with weapons where people are killed, as is now currently understood the world over, thanks to fundamentalist interpretations or opinions being relayed by international media. By popularizing fundamentalists' terminology, we strengthen them politically.

Sharia is not, as you may have gathered from the media, a divine law that governs all Muslims. Sharia means the path, the road, the way to God—a highly individual and spiritual journey for believers. It has never meant any human law; it is not a legal corpus in existence in any so-called Muslim country.

If one compares the existing laws in different Muslim countries all across Asia, the Middle East and Africa—keeping in mind that all pretend they are in accordance with Islam—one can find the most extraordinary variations. Laws range from banning polygyny to making it legal; from declaring equal rights and duties for both spouses in marriage, to mandating the wife's obe-

dience to her husband; from secluding women, limiting their freedom of movement, requiring them to get permission from their “guardian” for work or travel, to sanctioning situations in which Muslim women can remain single if so they wish, become taxi drivers, imams, union leaders or heads of state; from promoting tolerance and freedom of opinion to imposing the death penalty for “un-Islamic” behavior or alleged blasphemy.



Soheib Bencheikh, the former Mufti of Marseille, speaks in 2000 at a press conference held after a meeting with French President Jacques Chirac.

Any decent Arabic scholar would confirm how to translate *jihad*, *sharia* or *fatwa*, as I did here. But using this terminology, rather than their exact equivalent in English, grants an air of objective reality to what is only ... the *opinion* of extreme right-wing political forces working within religion.

THE QUESTION OF FATWAS IS INTIMATELY LINKED TO THAT OF DEMOCRACY.

It has not always been the case in history, but there is no denying that most predominately Muslim countries, in this day and age, are governed by repressive

regimes using Islam as a way to silence people. Hence, a huge number of self-appointed representatives of Islam impose their opinions (fatwas) on others and raise enough support from fanatized crowds to have these opinions implemented, sometimes even regardless of the law of the land. As a result, we see so many cases of women and men stoned, lashed or amputated after some self-appointed representatives of God issued fatwas ordering these harsh punishments.

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but not in other parts of Africa.

Nevertheless, it has been common practice for right-wing clerics to try and enforce antiwomen cultural practices by bringing in the sanction of Islam.

It is not just diverse interpretations of Islam that justify different opinions, but also traditions that have no relation to religious beliefs. In these cases, issuers of fatwas are either ignorant (and thus should not be allowed to express religious opinions) or perversely manipulating the ignorance of their followers in order to bring about a backward societal project under the cover of religion.

In the past 20 to 30 years, the rise of what has been coined as Muslim fundamentalism, which is in fact a facet of the

religious far right, has become visible to all. The progressive interpretations of Islam—such as the 1956 Tunisian law on monogamy, which was welcomed and praised by Tunisian citizens and by many Muslim believers around the world—have been replaced by regressive interpretations in many countries. As we saw, Algeria legalized polygyny in 1984, 28 years after Tunisia outlawed it. Both did so in the name of Islam. The more recent of these precedents in these two neighboring nations clearly indicates the present political trend: backward religious opinions—never the progressive ones—are slowly but surely replacing the law of the land.

On the rise are theocracies that

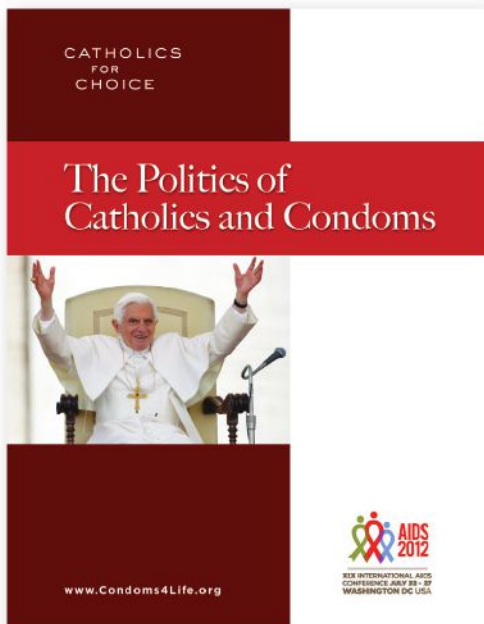
enforce a state-sanctioned interpretation of religion upon citizens. Unlike a democracy where laws are voted by citizens, in a theocracy laws are decreed by clerics, who act as interpreters of God. “Divine” laws eradicate democracy by taking decisions out of the reach of “one person one vote.”

In this political context it is not surprising that women become the first targets of fatwas. Like other far-right movements of the past, Muslim fundamentalists aim at sending women back to their assigned place: the church (in this case, the mosque), the kitchen and the cradle. The last few years have witnessed a flourishing of *opinions* supporting, for instance, early marriage of girls under nine years of age, beating one’s wife or female mutilations as Islamic. During the March 2013 session of the UN Commission on the Status of Women, devoted this year to violence against women, the Muslim Brotherhood issued a statement declaring that the UN Convention on the Elimination of All Forms of Discrimination against Women stands in opposition to Islam.

It is of crucial importance that those statements are taken for what they are: just opinions. And it is equally crucial to identify—not in religious terms but in political ones—those responsible for holding and publicizing such opinions. The debate is not whether those fatwas truly represent Islam, but which political brand of citizens voices them. It is the personal responsibility of people the world over, Muslims, non-Muslim believers and atheists alike, not to be intimidated by the fear of being labeled anti-Islamic, and to strongly condemn extreme right opinions passing themselves off as religious.

As the former Grand Mufti of Marseilles said to the Algerian newspaper *L’Expression* in March, his *opinion* about fatwas spreading through international media is: “They are irrelevant. But they cause immense damage. A fatwa does not clear one of his or her personal responsibility; it remains just an opinion.” *

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At the Back of the Bus

ULTRA-ORTHODOX JUDAISM AND WOMEN

By Dahlia Lithwick



© REUTERS/BAZ RATNER, 2011.

Ultra-Orthodox Jewish women sit on a bus in the West Bank as men are reflected in the bus window.

IN 2011 AN INTERNATIONAL SCANDAL erupted when ultra-Orthodox men in the Israeli city of Beit Shemesh spat on and harassed an eight-year-old Modern Orthodox girl walking

DAHLIA LITHWICK is a senior editor at Slate, and in that capacity writes the “Supreme Court Dispatches” and “Jurisprudence” columns. Her work has appeared in the New York Times, Harper’s, the New Yorker, the Washington Post and Commentary, among other places.

to her school in clothing they deemed immodest. That event was the capstone of other efforts by the ultra-Orthodox community to marginalize women and their voices in Israel. This includes a campaign to seat women in the backs of public buses, the vandalizing of posters or billboards featuring images of women, a group of ultra-Orthodox soldiers refusing to attend events at which a woman singer was featured, as well as the growing international attention directed

at the arrests of Jewish women attempting to sing and pray at the Western Wall.

All of this seems to have created a tipping point of sorts, suggesting that the longstanding Israeli view that the ultra-Orthodox, or Haredim, may do what they please so long as they do so in their own spaces, had gone too far when “their own spaces” began to encompass public spaces as well.

In Israel in recent years, we have seen an increase in legal restraints on what

women can wear, where they can go, and how they can behave in areas such as public sidewalks, supermarket checkout lines, playgrounds, waiting rooms and preschools. In some communities, married couples are even barred from walking together on the streets. And in extremely orthodox Jewish neighborhoods in the United States and elsewhere, this increasing conservatism is manifest through local governments and rogue groups, which have been able to marshal arguments about religious freedom to justify treating women as they do. Simply put, community leaders have been granted the political and legal authority to impose these decisions, and they are taking advantage of this power more and more.

But it hasn't always been this way:

matters of marriage, divorce and conversion—itsself a holdover from the Ottoman policy allocating religious authority in Palestine to the religious groups. Foundational questions of who is a Jew were also left to the Rabbinate.

Today, issues of family law, including custody and divorce, are still under the purview of the Rabbinate, regardless of one's personal religious affiliation. As the ultra-Orthodox birthrates boomed, this has come to mean that the religious representatives of almost a million people (or nearly ten percent of the general population) now exert control over fundamental issues that affect everyone, such as which rabbis may officiate what weddings and which marriages are valid. To be a valid marriage under Orthodox halacha—Jewish religious law—both

in part because Israel's Haredi population has systematically put itself into a profoundly untenable social and economic bind. They mainly live in isolated communities, cut off from the rest of society. They focus on teaching their children to study Torah, or Bible, and thus offer generally substandard curricula in math, science and other fields vital to career advancement. The ultra-Orthodox opt out of army service, so that the principal route of social and economic advancement open to secular Israeli youth is also closed to them. This also engenders bitter resentment on the part of the population that is willing to serve and even die in defense of Israel.

Perhaps most vitally, these ultra-Orthodox groups largely believe that men should study Torah in lieu of participation

The promise of gender equality guaranteed in Israel's constitution has been on a collision course with the ultra-Orthodox establishment for decades.

photos of even Orthodox Jews before the founding of the state of Israel show that women did not always cover their hair and men and women were much freer to mingle, even at holy sites including the Western Wall. But today, ultra-Orthodox women are being regulated, zoned and restricted with increasing fervor, and the only question is whether they will accede to it.

The situation in Israel has been complicated from the outset. With the founding of the state in 1948, secular Israeli leaders settled upon what are known as the "Status Quo" agreements, which essentially froze in amber the religious status of the times. For example, cities that had no public bus service on the Sabbath could not add it (Orthodox Jewish law prohibits driving on the Sabbath). The Rabbinate—a religious, as opposed to secular, political body—then had complete control of

parties must, among other things, be Jewish from matrilineal descent, a requirement that excludes many Russian, Ethiopian and other self-identified Israeli Jews. As a result, a significant number of secular Israelis now choose to marry in nearby Cyprus or via fax through a helpful rabbi in Peru.

On a deep level, then, the promise of gender equality guaranteed in Israel's constitution has been on a collision course with the ultra-Orthodox establishment for decades. It is vital to note, however, that the Haredim—Haredi literally means "trembling"—encompass huge swaths of religious sects and viewpoints, some of which are vehemently opposed to the types of segregation and isolationism described here.

Ironically enough, the pushback against religious gender bias in Israel appears to be happening as a consequence of democracy and demographics,

in the economy, such that only 38 percent take any part whatsoever in the national labor force, and many live on government welfare. With an average of six to eight children per family, and the political clout to demand that they be permanently subsidized, the Haredim have grown to be an abiding underclass that is supported by working Israelis. Thus, subsidies and army exclusions—offered at the founding of the state to what was seen as a dying minority of Haredim, about 1 percent of the population at the time—have become a financial obligation few hardworking Israelis wish to support with their already high taxes.

But Israel seems to be undergoing an almost seismic shift in recent months. That was confirmed by nothing so much as the surprising triumph of a centrist political party, called Yesh Atid ("There Is a Future"), which became the second-largest faction in the national elections.

Its charismatic leader, Yair Lapid, emerged from the woodwork with a plank promising to draft Haredim into the army, to promote civil marriage and to empower Reform and Conservative rabbis. Heralding his project of freeing Israel from the control of the ultra-Orthodox, last May Lapid warned that “Israel cannot be the only country in the Western world that has no freedom of religion for Jews.”

As a result of cooperation between Yesh Atid and a modern Orthodox party called Israeli Home, the coalition just formed under Prime Minister Benjamin Netanyahu this March contains no commitment to the ultra-Orthodox platform or parties. The coalition also includes a clutch of modern orthodox reformers intent on imposing the draft on the Haredim and reassessing the role of the Rabbinate in civil institutions. While it’s not easy to pinpoint the reasons Israelis have been so inspired by Lapid’s campaign message of “sharing the burden,” it’s clear that secular citizens have been increasingly horrified by the curtailment of women’s freedom.

Since there is photographic evidence of ultra-Orthodox women enjoying more social freedoms than many do today, the new gender restrictions represent a modern reaction more than a longstanding tradition. Indeed, there is some evidence that as Haredi women are pushed into the workforce, the male authorities clamp down ever harder on their movement and dress. And it may be that a repercussion to this sequence of events has stirred secular Israelis to object.

As Mickey Gitzin, director of Be Free Israel, a group that advocates for equality and religious pluralism, recently told the

New York Times, “People say, ‘Wait a minute, I don’t see myself as part of a society where women cannot sit in the front of the bus.’”

The situation in the United States has run a parallel course. Incidents in recent years have included a discrimination lawsuit filed against seven ultra-Orthodox businesses for posting signs commanding patrons to dress modestly, and demands for segregated public busing in ultra-Orthodox communities

and the United States describe themselves as the victims of religious persecution, zealotry and bigotry. Haredi Jews argue that they want simply to be left alone. The question remains whether the law permits them to be left alone to push their wives and daughters into an ever-smaller public sphere, or extend their customs to an even larger one.

The answer to that question may well come from women themselves. One of the great untold stories of recent decades



A woman prays on one side of a partition at Jerusalem’s Western Wall, which has been the site of struggles with Orthodox groups over women’s proper public role.

© REUTERS/BAZ RATNER, 2013.

in New York. The *New York Times* recently reported on shadowy “modesty committees” that terrorize the residents of their neighborhoods into dressing according to the stringent code of modest dress (thick stockings, long skirts). As is the case of Israeli incidents of harassments and threats, the conduct is invariably ascribed to a handful of bad actors and rarely condemned by the religious authorities. Segregated buses, both in Israel and the US, for instance, are described as voluntary, and episodes of violence and threats are written off as isolated and unauthorized.

Haredi communities both in Israel

is the extent to which ultra-Orthodox women have quietly carved out spaces for themselves in commerce and politics, in entertainment and in law. In so doing, they may have upset the legal and political status quo in their own communities in the short term, but in the long term they have also gained access to the levers of power and policy for the first time in modern history. More than any groundswell of political momentum in Israeli secular society, or any one lawsuit filed in America or Tel Aviv, that is why the voices of Haredi women will ultimately determine whether their place at the back of the bus is a permanent one. ★

Meet Some Religious Extremists

By Catholics for Choice

EXTREMISM IS COMMONLY THOUGHT TO BE ANOTHER FACE OF PATRIARCHY, BUT IN reality, there are plenty of women's faces mixed in with the male majority within fundamentalist movements. Women from a variety of faith traditions use religious ideology to override others' claims to basic rights, especially reproductive rights. Below is a sampling of these women, some of whom have government or academic posts.

UGANDA



JANET MUSEVENI – Cabinet minister for Karamoja Affairs; Member of Parliament representing Ruhaama

County, Ntungamo District; First Lady of Uganda

Museveni:

- Is described in her official government profile: “Above all Janet Museveni is a professed and active Christian whose work and life is driven by faith”;
- Stated that the lack of a customary weekend in Uganda “has made the Ugandan families vulnerable and left room for children to be influenced by teachings and bad practices from abroad for example people advocating for homosexuality”;
- Spoke before a church audience and “urged the youth to invite God in their lives and become born-again believers and live a victorious Christian life free of the evils of promiscuity, homosexuality, alcohol and drug abuse and the many other pitfalls that await those insensitive to the Spirit of God”;
- Appeared at an Anglican cathedral and “criticized those who still call themselves Christians and yet continue to ... defile

children and advocate for abominable vices such as homosexuality....”;

- Said at a youth conference: “In God’s word, homosexuality attracts a curse, but now people are engaging in it and saying they are created that way. It is for money... The devil is stoking fires to destroy our nation”;
- Was described in a cable sent by Senior Presidential Adviser John Nagenda in the country’s own WikiLeaks scandal, who relayed to a US embassy political officer that President Museveni is “quite intemperate” about homosexuality, but the First Lady is a “very extreme woman” and the real motivation behind the Anti-Homosexuality Bill, according to Uganda’s *Daily Monitor*;
- Appointed Rev. Martin Ssempe, who has publicly burned condoms and published the names of alleged LGBT individuals in newspapers, as Special Representative to the First Lady of Uganda’s Task Force on AIDS; and
- Was a significant force behind the government’s downplaying of the “C” for Condoms in the ABC strategy for combating HIV & AIDS—according to Rubaramira Ruranga, the founder of an NGO for people living with HIV & AIDS, who said: “When you get the wife of the president and other senior people actually discouraging condoms, people listen. They think, ‘Who else knows better than them?’”

EL SALVADOR



JULIA REGINA DE CARDENAL – President and executive director of Sí a La Vida, which is a partner of Vida Humana

Internacional (the international arm of Human Life International)

De Cardenal:

- Opposes abortion as well as comprehensive sexuality education;
- Pointed to the case of Rosita, the nine-year-old Nicaraguan girl who had an abortion, saying that “the safest thing for her” would have been “to have the baby”;
- Believes that abortion is never necessary because “no case exists in which a woman’s life is in danger, now that technology has advanced so much”;
- Partnered with the Catholic hierarchy on a letter-writing campaign to the Legislative Assembly in 2002, asking it not to ratify legislation to protect women from discrimination because it “asks for the legalization of abortion, promotes promiscuity and asks for the recognition of homosexual unions”;
- Advanced a constitutional amendment in 2009 to define marriage as between a man and a woman and justified this

position: “Now there are countries in which they are asking [for the recognition of unions] in which men or women want to marry their pets!”;

- Believes “the UN has been infiltrated by gay organizations”; and
- Explains gender roles as innate: “Women are capable of staying at home and taking care of children, while men go crazy if they stay at home taking care of children, and that is part of Natural Law.”

PHILIPPINES



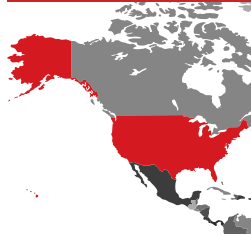
LIGAYA ACOSTA, PHD – Regional Director for Asia and Oceania, Human Life International

(HLI), a US-based antichoice organization that has been active in opposing the RH Bill

Acosta:

- Worked for the Philippines Department of Health for almost 30 years, where she supported the use of contraceptives and condoms;
- Began campaigning against contraception after a religious conversion experience in 2004 (“which she attributes in part to the reference materials HLI provided her,” according to the HLI website);
- Has said that contraceptives are “Class 1 carcinogens”;
- Told an audience that foreign NGOs are sending vaccines to developing nations to reduce their population by making children sterile;
- Promotes the idea that “the Filipino family is under siege by international death peddlers—among them USAID, UNFPA, IPPF and others which are pouring limitless funds into our country to annihilate the nation’s children”; and
- Advocates for therapy to change sexual orientation: “Homosexuality can and has been healed.”

USA



HELEN ALVARÉ – Associate Professor of Law at George Mason University School of

Law; former spokeswoman for the US Conference of Catholic Bishops’ Secretariat for Pro-life Activities; member of the Holy See delegation at the 57th session of the UN Commission on the Status of Women in 2013

Alvaré:

- Explained that the “erosion of the traditional family” is happening because “sex is not tennis. It is not something a man and woman might do for fun”;
- Is vehemently against contraception, leading journalist Sarah Posner to write a profile of her titled “Birth Control’s Worst Enemy”;
- Wrote in reaction to Sarah Posner’s description of her as “birth control’s worst enemy”, “The comments are as expected: I am the worst kind of self-loathing, woman-hating, celibate-male-mouthpiece prude, who wouldn’t know good sex if it slapped her across the face”;
- Delivered a speech at the UN Economic and Social Council meeting dedicated to the elimination of violence against women and girls in which she laid blame on women who had had abortions: “Abortion, in all its forms ... cannot but contribute to aggravating the spread and the pain of violence in our societies”;
- Opposes same-sex marriage because: “Every time same-sex marriage proponents tell people that marriage is utterly unrelated to children but strictly about a feeling, they are destroying the poor, the uneducated, and the formation of their family lives. Don’t tell me you’re in solidarity with them when your argument is destroying their lives”;
- Erroneously said that “the obstetrics textbooks used in the leading medical

schools in the country today assume that human lives begin at conception! This is not a theological teaching but a medical fact”;

- Decried the shortcomings of the United Nations’ efforts to advance women’s rights because “it seems there is a tendency to think rather of the woman and the girl as individual rights-bearers despite both women’s and girls’ aspirations to be in a family”;
- Testified before Congress that “there is emerging evidence ... that more easily available abortion is associated with women’s ‘immiseration’ and not their flourishing”; and
- Was described by Cardinal Tim Dolan of New York as “attractive, articulate, intelligent,” in an interview, during which he also said that hiring her to speak for the bishops on abortion-related issues was “the best thing we ever did.”

USA



JUDIE BROWN – President of the American Life League (ALL); has served three five-year terms as a

member of the Pontifical Academy for Life in Rome

Brown:

- Opposes “anybody, any law, any language or any argument that supports a single abortion for any reason”;
- Led ALL when it was one of the early proponents of aggressive and intimidating techniques such as sidewalk counseling, clinic blockades and the systematic targeting of patients and doctors, according to Right Wing Watch;
- Has repeatedly taken the bishops to task for not coming down more harshly on prochoice Catholics: “As the faithful watch the accelerated destruction of morality in America and the Henry the VIII-style tactics of the attempted destruction of Catholicism in America by Obama and his ‘Catholic’ drones, one

wonders where most of America’s bishops are... Why have these high-profile destructive Catholics not been publically rebuked?”;

- Has publicly criticized Cardinal Dolan for turning down an invitation to attend a dinner at which she would be present, yet choosing to dine with President Obama at the Al Smith dinner: “On the one hand, he found it problematic that I led and continue to lead a campaign to beseech Catholic bishops to obey canon 915 and deny Holy Communion to pro-abortion politicians. On the other hand, he finds it Christlike to dine with the most pro-abortion president in the history of this nation”;
- Embraces stratified gender roles—a 1979 *People* profile about her and her husband said that “her own mother ‘waited on my father hand and foot, and they were very happy. I am very proud to have someone I want to wait on. I love being married to a chauvinist”;
- Is against contraception because “contraception has ensnared women in more ways than one.... [They] suffer and even die because of it”—she recounts her own experience with taking birth control and wonders “how many silent abortions occurred in my body.”

SPAIN



MÓNICA LÓPEZ BARAHONA – Bioethicist; director of the Jérôme Lejeune Chair for Bioethics at Madrid’s Center

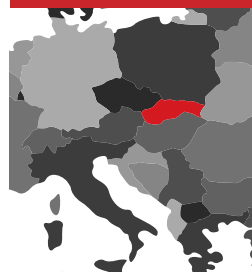
for Biosanitary Studies; member of the administrative council for the Pontifical Academy for Life; holds a doctorate in chemistry and a masters in philosophy

López Barahona:

- Said that “what we know about the origin of life makes clear that science is in line with the magisterium of the Catholic church”;

- Stated that “human life begins at the moment of fertilization. This is an objective, scientific fact, not a question of ideology, politics or religion”;
- Believes that the zygote “is a human life” and thus “is subject to the same rights as any other individual of the species”;
- Described Spain’s abortion law, liberalized in 2010: “[It offers] security, if by that you meant that it grants the security to commit a murder”;
- Rejects the need for legalized abortion because “no woman in her right mind” would choose it;
- Spoke out against same-sex marriage because “children have a right to a mother and a father”;
- Frequently speaks out in opposition to the morning-after pill, which she considers to have abortifacient properties;
- Called in vitro fertilization an act of “aggression” and says that IVF changes human reproduction from “a sublime act of love” to “a sublime act of technology, making the embryo pass through quality control”;
- Opposes generating stem cells for treatment purposes because this “values the life of a sick person more than the life of an embryo,” which, she says, is equivalent to Hitler’s statement “Since the Jews are going to die, we might as well experiment upon them.”

SLOVAKIA



ANNA ZABORSKA – Member of European Parliament, Slovakia; member of EP Committee on

Women’s Rights and Gender Equality and Committee on Development; physician specializing as an ENT

Zaborska:

- Opposes abortion even in rape cases, arguing that when “[the victim] ends her child’s life—the jolt from killing her own child is often bigger than the one

suffered by rape,” according to the *Guardian*;

- Belongs to the Familiokratos coalition, which points to the male-female marriage and the family as the basis for human rights and the fundamental unit of society, and believes we must “not to reinvent humanity along the lines of some artificial ideology: the first and last sign of the approach of totalitarianism is the collapse of the family”;
- Takes an essentialist view of gender roles, encouraging legislation that “truly promot[es] their intrinsic qualities... Since women are experts in relationships, networks, and the management and resolution of conflicts, they can promote peace; and that is the real revolution we all need today”;
- Is very sensitive about “gender” in policy language: “Gender mainstreaming constitutes a form of social and instrumental engineering which aims to change natural masculine and feminine identities and their expression in public and private life”;
- Made a motion to delete a resolution affirming that “all women have control over their sexual and reproductive rights, not least by having access to contraception and abortion....”;
- Said during a discussion about same-sex marriage and civil partnerships, “This debate demonstrates the way in which the argument of non-discrimination based on gender and sexual orientation is lumped together with the argument for free movement of workers, with a single aim: to force the Member States to make fundamental changes to their national traditions in the field of civil law, which governs the definition of the family”;
- Said, according to LifeSiteNews, while contesting her portrayal as anti-gay-rights by the media: “I was referring to a situation where images of people dancing naked in love parades in places like Berlin or Rome are broadcast on TV and watched by children. I was questioning myself if these people should be teachers of my kids.” ■

GISA: Global Interfaith & Secular Alliance

THE GLOBAL INTERFAITH AND Secular Alliance: Working for Reproductive and Sexual Health and Rights (GISA) is a group of faith-based and secular organizations from around the world working and strategizing collectively to counter religious extremist forces that seek to curtail global progress on guaranteeing reproductive and sexual rights. GISA was formed in October 2011 as a result of the Global Advocacy Planning Meeting on Religious Fundamentalisms in Yogyakarta, Indonesia, which was convened by the Asian-Pacific Resource and Research Centre for Women (ARROW) and Catholics for Choice (CFC). The alliance is structured to enhance partnerships between organizations based in the Global South and the Global North to counteract religious extremism when it threatens the sexual and reproductive rights agenda.

OUR RATIONALE

Almost two decades ago, the landmark international consensus documents of the International Conference on Population and Development in Cairo (1994) and the Fourth World Conference on Women in Beijing (1995) succeeded in securing a place for women's sexual and reproductive health and rights (SRHR) on the global development agenda. Since

that time, some have attempted to use conservative interpretations of religious and cultural beliefs to restrict the global political landscape for SRHR. This was evident at the 45th session of the UN Commission on Population and Development in 2011, the sessions of the UN Commission on the Status of Women in 2011 and 2012, and the Rio+20 Summit in June 2012, where vigorous efforts were made to block references to gender equality, access to services and comprehensive sexuality education by religious extremist groups and their allies using vague and inaccurate interpretations of religious teachings. As the world looks forward to the review and renewal processes for key documents and development frameworks in 2014-2015, GISA will leverage policies related to sexual and reproductive health and rights. The alliance will also create and present sound alternatives to religious extremism from a progressive, women-centered, values-based position that advances the international sexual and reproductive rights agenda while pushing for positive change at multiple levels.

OUR AGENDA

GISA's three-point strategic agenda is centered on the following actions:

1. **Creating knowledge and generating evidence** to define the negative trends of

religious extremism in key countries and its impact on SRHR, especially with regards to access to contraception, safe abortion services and comprehensive sexuality education. GISA allies collect and publish this evidence to raise awareness of religious extremism as a decisive threat to women's human rights and women's autonomy.

2. **Building the capacity of allies** to effectively counter religious opposition to SRHR by offering skills-building workshops in the Global South and the Global North to create a diverse, credible and truly global coalition of allies advocating for SRHR. This network will challenge the perceived monopoly enjoyed by some extremists when it comes to representing people of faith.
3. **Engaging in evidence-based advocacy** before key international arenas to push for a women-centred, rights-based sexual and reproductive health agenda. GISA allies will educate decision-makers to effectively and consistently combat the influence of religious extremist groups in the policy-making process.

OUR POSITION STATEMENT

Time and again, religious extremists have attempted to influence public policy to curtail access to reproductive and sexual health services and resources. They use

conservative interpretations of religious teachings to justify denying access to basic health services. As a result, many people—mostly women, mostly poor—suffer needlessly.

Adherence to these narrow interpretations of religious doctrine should not be given greater priority than ensuring life, health and well-being. Most people of faith—regardless of their religion—live their lives concerned with what is best for themselves, their families and communities rather than uncompromising adherence to religious ideology. People make choices according to these priorities and according to the dictates of their individual conscience.

People of faith are sometimes portrayed as unquestioning, and religious leaders are thought to represent all believers. When it comes to reproductive and sexual health and rights, nothing could be further from the truth: there is strong support for these rights among adherents of every religion.

Faith leaders are thought to represent all dimensions of their religion. Yet there are many disagreements among the clerics of every faith, and every religion bears internal inconsistencies and variations from one culture and context to another. Support for reproductive and sexual health and rights exists within the tenets of every faith.

When religious extremists set the public health agenda, they force their narrow interpretations upon everyone—believers and non-believers alike. These extremists seek to restrict access to modern methods of family planning and life-saving and therapeutic medicines and procedures; deny young people critical information about their health; deny those who are most vulnerable to HIV infection the means to protect themselves; and more.

The Global Interfaith and Secular Alliance is a groundbreaking global effort uniting people of different religions—and of no religion—in support of reproductive and sexual rights.

CONVENING PARTNERS

The Asian-Pacific Resource and Research Centre for Women (ARROW) is the leading regional women’s partnership NGO working on women’s sexual and reproductive health and rights in the Global South for the past 18 years. ARROW has systematically utilized strategic information dissemination, evidence generation, capacity building, advocacy and partnership building as strategies to achieve our objectives. They currently work with 26 regional partnerships across the Asian-Pacific region and have regional partnerships across the Global South.

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. CFC works in the United States and internationally to ensure that all people have access to safe and affordable reproductive healthcare services and to infuse our core values into public policy, community life and Catholic social thinking and teaching. Catholics for Choice is at the forefront of national and international debates on the intersection of faith, women’s health and reproductive justice. ■

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Unintentional Erotica and Intentional Repression: Church, State and Sex

By Bennett Elliott

Sex and Punishment: Four Thousand Years of Judging Desire

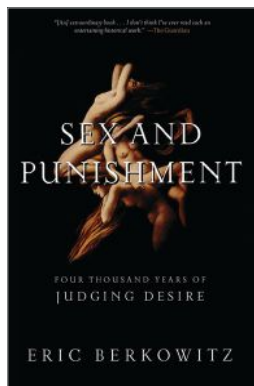
Eric Berkowitz

(Counterpoint, 2012, 352 pp)

978-1582437965, \$17.89

FROM THE ANCIENT SUMERIANS on to the Greeks and Romans all the way through to sodomy trials in Victorian England, Eric Berkowitz's *Sex and Punishment: Four Thousand Years of Judging Desire* charts the emergence and often-surreal mutations of laws governing sexual activities and attitudes. The product of Berkowitz's extensive scholarship is a well-written, disturbing, frequently entertaining and almost impossibly informative tome that masterfully disrupts the popular notion that there has been continuity in sexual legislation across the ages. It also undermines the oft-heard pleas for sexual mores to return to some ill-defined age of unblemished propriety. Above all else, the author conveys that, while laws governing sex have always been fluid, the propensity to punish those who would claim autonomy over their own bodies has been a constant. And as for those halcyon days of sexual freedom: despite Berkowitz's expert scholarship he is unable to locate precisely where this bygone era might reside in the written record.

BENNETT ELLIOTT is a freelance writer living in Washington, DC.



“All ancient civilizations,” affirms the opening chapter, “were intent on controlling people’s sex lives.” Going back to nearly 2100 BC, one of the first capital punishment laws recorded anywhere pertains to adultery: “Ur-Nammu’s Law No. 7 mandated that married women who seduced other men were to be killed; their lovers were to be let off scot-free.” Incest, prostitution, masturbation, adultery, pederasty, bestiality—these acts have always existed among humans, according to Berkowitz, though the attitudes about these behaviors have been anything but stable, even in the same geographic location and era.

Ancient Greece is frequently held up as an example of liberal sexual attitudes, a paradise of reason overflowing with parity between men and women, men and men, women and women—but the historical record indicates otherwise. While men often kept company with young boys (generally as some part of tutelage that contained components of social mobility), associations between two grown men were not always viewed in as favorable of a light, specifically for those males in the receptive role. Unless, of course, they were in a Spartan military unit, in which case all aspects of homosexual relationships were

lauded. Greek marriages were, by and large, open to adultery so long as discretion was practiced—given that you were not the woman in said pairing, in which case you could be stripped of your rights and beaten at will by your husband, with only the most slim chance of a divorce should this be proven.

Pagan Rome is often cast in a similar light as Greece when it comes to sexual attitudes—as an empire without physical restraint before the church rose to power and imposed a tyrannical attitude towards sex upon the whole of the Western world. The book debunks this characterization by citing an iteration of the cult of Bacchus that engaged in “decadent” sexual behavior with the sons and daughters of some of Rome’s most prestigious citizens. Originating as a female cult that later accepted male initiates, the Bacchanal was eventually accused of corrupting young men. In response, the Roman government undertook a campaign beginning in 186 BC that “unleashed a massive wave of terror that lasted two years and claimed about seven thousand lives throughout Italy.” Key senators claimed that sex-crazed antics such as those practiced by the cult would “crush the commonwealth.”

When Constantine came to power and pagan attitudes shifted to Christian practices upon his conversion, a change in sexual mores began to occur—though the contrast was not always as severe as is commonly thought. Before the fall of Rome, homosexuality was tolerated, though thought to be shameful. As Christianity became the state religion, homosexuality was outlawed, but these laws were loosely enforced. By 533 AD, all homosexual acts were labeled an “offense against God” and Emperor Justinian was regularly “executing homosexuals, especially those in the clergy.” However, as the Roman Empire crumbled and the church expanded, state and religious law began to part ways and such atrocious punishments as “death by castration”—though they are normally attributed to ecclesiastical authorities—

actually fell outside religious jurisdiction and were enacted by municipalities.

This divergence between the spiritual and secular enforcement of morals is most interestingly catalogued in Berkowitz's analysis of church penitentials—books that served as “the church's field guides for ranking good and bad sexual behavior” among other uses. If the church's views on sexuality can be said to have issued from St. Paul and St. Augustine, then the codification of what constitutes “good” and “bad” sexual behavior must surely issue from the apogee of church power, the Middle Ages. The author points out that penitentials were not a product of the church hierarchy, but instead were compiled

an exceedingly wealthy institution with a pronounced concern for what did and did not constitute moral behavior. Somewhere around the year 1200 it began very gradually to address sexual offenses, specifically prostitution, with something more than penance. However, even this shift was not as rigid in its parameters as compared to the modern hierarchy's standards of morality. “The church's involvement in prostitution was never hidden,” Berkowitz states flatly. Bishops provided exclusive municipal franchises to aristocratic families for brothels. The local abess for Avignon was responsible for revenue collection at the city brothel. In Perpignan, the Dominicans collected alms for the upkeep of the order's bor-

of who owns what be undone—should “logic” be fundamentally undermined by that “most primal of urges”—then, surely, society would collapse and humanity would degenerate into a feral shambles of equity.

It is this last observation that makes it clear to the reviewer why Berkowitz chose to stop at the end of the 19th century. *Sex and Punishment* rounds out with the rise of the Comstock Laws in the US—which prohibited sending “obscene materials,” as well as contraceptives, through the mail—and also the Oscar Wilde trial and the “Maiden Tribute of Modern Babylon” scandal. In the third of this trio the reader is confronted with a bizarre tale of journalism

While laws governing sex have always been fluid, the propensity to punish those who would claim autonomy over their own bodies has been a constant.

locally and “varied from parish to parish.” The result was a labyrinth of rules about sexual behaviors and their corresponding penances that were, by the author's account, some of the most pell-mell collections of unintentional erotica and intentional repression ever created. Covering a galaxy's worth of “lusts” and “indiscretions,” some penitentials asserted that “a man who had sex with a pig knew that he was being less offensive to God than he would be if he was having anal sex with his wife.” One thing these penitentials did not do, however, was prescribe torture or death as a punishment. By and large, until the onset of the Inquisition the church's focus was on penance, and while penance would take different forms (even for the same offense) from the laity to the clergy, the church was not in the business of torturing or killing homosexuals, adulterers, pederasts and bestialists. Secular authorities took responsibility—if they could be bothered—for worldly punishments.

The church was both the preeminent international organization in Europe and

dello. The author also makes it clear that conduct in nunneries was much more colorful than the majority of representations presented in textbooks or cinematic treatments of the subject—the situation often had to become bawdy in the extreme for the church to finally step in and shut it down.

The Inquisition; the Reformation; the Salem witch trials; male civil unions in late Medieval France; the rise of pornography; the Marquis de Sade; the sexual proclivities of pirates, aristocrats, bootblacks and kings; 19th century sex trafficking—Berkowitz's scope is impressive and rarely off target. While the reader may quibble a bit about which topics he chooses to spend more time with, a wide overview with only a few major points for in-depth analysis allows the book to illustrate his implicit thesis: that the overwhelming majority of sexual legislation was created, and to this day persists, as an extension of property law. Through numerous examples, *Sex and Punishment* exposes the foundation of fear upon which such restrictive thinking rests. Namely, that should the understanding

and child prostitution along with an underlying message: the legal framework for sexual morality in the “modern” world is a hangover from the late Victorian era. These three cases lay bare the striking similarity with which both eras approach sexual morality in the statehouse, religious institutions and the newsroom. If sexual legislation is implicitly an issue of property, then many of our lawmakers, church leaders and journalists are still grappling with the very Victorian notion that some people need to have their sexual agency denied in order to safeguard the common good of society. Their reasoning is that, while women and LGBT individuals together make up over 50 percent of both the Catholic church and the state, the sexual autonomy of this majority is a threat to their own safety. Those who value freedom in their most intimate acts have long been opposed by civil and religious authorities, and if neither side can point to an age of complete license or perfect propriety, there has been enough fluidity throughout the years to indicate room for change. ■

Left Foot Forward: Advancing Sexual Rights in Britain

By Roger Ingham

Sexual Politics: Sexuality, Family Planning and the British Left from the 1880s to the Present Day

Stephen Brooke

(Oxford University Press, 2011, 320 pp)
978-0-19-956254-1, \$125.00

SEXUAL POLITICS; SEXUALITY, Family Planning and the British Left from the 1880s to the Present Day is a fascinating yet ultimately frustrating book tracing the political history of reform and change in three domains related to sexuality—namely, birth control, abortion and gay rights.

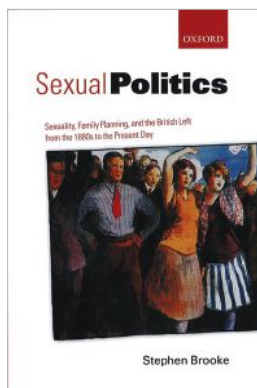
The author, Stephen Brooke, a historian based in Toronto, reports on the multiple forces driving change within, and fostered by, the Socialist and Labour and Trade Union movements.

The three main parts of the book trace key events during different historical periods—between the world wars; from the 1940s to 1967, the year of the Abortion Act; and then from 1967 to around 1997. A short final chapter brings the story up to date with the New Labour initiatives, although since the book took the best part of ten years to write, this last

ROGER INGHAM is professor of health and community psychology, and director of the Centre for Sexual Health Research at the University of Southampton, UK. He has researched many aspects of sexual health over the years and has been involved in various aspects of national and international policy development.

section is understandably rather short and comparatively superficial.

The early period was characterized by belief systems that we find quite unbelievable these days, such as that the success of true socialism required a eugenic approach. For example, the renowned statistician Maurice Kendall (a key feature of all first-year university statistics textbooks) regarded maternity as a method of “citizen-making,” necessary in order to bring about a socialist state where all could and would contribute equally. For him, and many others at the time, women’s



economic independence was necessary so that they could contribute to society, not because it was their entitlement.

A further source of frustration appears in this section. Marie Stopes, a pioneer of birth control clinics in the UK and a suffragette, shared these views on eugenics and even (according to some biographies) wrote poems for Hitler in support of his approach to building healthy and robust societies. But this aspect of Stopes’ involvement is not mentioned in the book; instead, she is described as a pioneer of clinics (in conjunction with Margaret Sanger, who has also been criticized for her views on

race), but the ideological background to her work is glossed over. A more penetrating analysis of the tensions that these viewpoints must have generated would have been fascinating to read.

Later calls from the left for a change in contraceptive policy emanated from a wish to reduce the numbers of children born in working class families so that the health of mothers and children could be preserved and improved. Again, this was not necessarily an appeal for women’s rights, but rather a pragmatic solution to poverty and ill-health with the idea that poor and unhealthy women could not serve the needs of their menfolk, the demands of home or industry or the good of their country. At around this time, women’s trade unions became actively involved with the family planning cause by organizing marches to London, direct lobbying and coalitions. However, as Brooke points out, the arguments in favor of birth control in this period worked against the push for a more general emancipation of women, since they did little to challenge the traditional, gender-stratified working-class family structure. Indeed, they perpetuated the status quo by trying to make the existing family configuration more bearable for women while leaving the men’s position untouched.

Among those working to change society there were also those in the British left who turned a reformist lens upon their own movement. Dora Russell and Naomi Mitchison, both feminists, authors and socialist activists, had visions of a British society that allowed for greater sexual freedom, reflected in their open discussion of sexual pleasure. Marie Stopes had earlier discussed sex as a pleasurable activity, but only if it was snuggled up safely within marriage. Russell, in comparison, frequented Bloomsbury—which, for the benefit of non-UK readers of this review, is an intellectual haven far from the grime and noise of the UK’s industrial hotbeds. In the cases of Russell, Mitchison and Stopes, demands for birth control access came from women of the left, but also developed

Bookshelf

Catholic Teaching Brothers: Their Life in the English-Speaking World, 1891-1965

Tom O'Donoghue (Palgrave Macmillan 2012, 226 pp)

This book is a dual history: of Catholic religious brothers and of Catholic religious education from the late 19th century until Vatican II. The writer was schooled by the Irish Christian Brothers and subsequently worked in a missionary school run by the same order. In O'Donoghue's view, women religious have historically sought recognition from the institutional church for their contributions, even before Vatican II, but religious brothers have not done the same, leading to a near-invisibility even among Catholics. *Catholic Teaching Brothers* paints a familiar portrait of the order, yet the author is not afraid to make critical statements, especially in the section on sexual abuse. Ranging from Ireland to other parts of the English-speaking world, this book provides compelling insight into the brothers, the third arm of the Catholic religious and one with ever-diminishing numbers.

The Logic of Desire: Aquinas on Emotion

Nicholas E. Lombardo (Catholic University of America Press 2010, 319 pp)

At the mention of the name Aquinas, the human faculty that comes to mind is reason. This book, however, examines Aquinas' rational approach to emotion and desire. His belief that God commands us *through* our God-given desires is a novel way of viewing the world through the eyes of this Doctor of the Church. Rather than assuming an attitude of denial like some of his contemporaries, Aquinas held that passion was essential to human flourishing—with the necessary guidance of reason, of course. Aquinas' classification system for passions is rather dry and technical, but that foundation leads to much more interesting sections about the way human affection compares to that of God and the angels, as well as an analysis of Christ's emotional experience and Passion. In the last segment the author attempts to apply Aquinas' science of the Passion to modern-day ailments like boredom—a pervasive phenomenon that has received little serious or compassionate attention from either modern psychology or the church.

Soldier of Christ: The Life of Pope Pius XII

Robert A. Ventresca (Belknap Press 2012, 432 pp)

Before he was Pope Pius XII, Eugenio Pacelli was papal nuncio to Germany for over a decade, which led to his reputation within the Vatican as someone with the best grasp of the German psyche. This impression was put to the test during his papal reign, which stretched from 1939 to 1958. The author does an admirable job creating a restrained, historical investigation of this controversial pope and the question that dogs his memory to this day—could he have mustered a better Vatican response to the atrocities of World War II? Or put another way, does attaining the office of pope wipe away any previously existing character traits?

Soldier of Christ provides ample and extremely readable documentation about the Vatican's diplomatic relations during the period in question, leaving it up to the reader to decide if Pius could have done more. Perhaps the most damning impression one walks away with is that of Vatican diplomacy itself and its limitations. Pius XII's single focus when dealing with Hitler over many years was the concordat between the Holy See and Germany. With the Vatican's temporal presence only recently restored in 1929 with the Lateran treaty, the pope had to be concerned with shoring up the Holy See's power and prestige with assurances like concordats, which may well have distracted him from addressing a human rights crisis of epic proportions as the spiritual leader of the Roman Catholic church.

(continued on page 45)

from completely different philosophies about women and sexuality.

As an aside, one of this reviewer's favorite quotes attributed to Dora Russell (which Brooke does not mention) is: "We want better reasons for having children than not knowing how to prevent them." The author does include an excerpt from a letter Dora Russell wrote to her husband, in which she said, "I hate the Labour Party and men are quite disgusting." It's a compelling phrase, but the reasons for, and impacts of, this apparent anger are not really explored or explained in the book.

A further glimpse of the rather strong emotions held by some activists came almost 50 years later. Member of Parliament Leo Abse was a strong advocate for reforming laws concerning homosexuality, but was not at all supportive of birth control or abortion. In his 1973 memoir Abse reportedly described abortion law reformer Stella Browne, who had died some 18 years earlier, as a "loud-mouthed filthy story-telling ragbag." Others associated with the abortion rights movement were merely called "intelligent shrill viragos."

As the book progresses it is enlightening to realize that the social causes now usually aligned under the general heading of "sexual and reproductive rights" developed through very different routes and originated from such different roots. The push for wider access to birth control and abortion served similar aims—population control was the most frequently cited goal for earlier reformers, but as this developed into a call for reproductive rights, this in turn became a part of an overarching demand for women's rights. On the other hand, the gay rights cause was seen as a middle class irrelevance for much of the 1900s until a few pioneers really started to become engaged with depicting gays and lesbians as a more universal constituency. Even then, some who were generally supportive of reforming the UK's criminal statutes on same-sex activity seemed to have been drawn in out of pity for the poor homosexual men who suffered from a "disability and a very real

Bookshelf (continued from page 44)

disability,” as MP Roy Jenkins called it in what Brooke termed a “benevolent condescension.” Even Leo Abse, who sponsored the early Sexual Offences Bill, arguably at great risk to his own career, did so for fear of “little boys growing up to be adult homosexuals.” This was a real hodgepodge of a bill, but it did start the ball rolling for greater recognition of the civil rights of gays and lesbians. Brooke describes this early legislation as “more about sexual diffidence than about difference.”

Sexual Politics traces these developments within leftist political movements in great detail and with great insight. In a number of places, however, it would have been helpful to have known a lot more about some of the people who appear but then disappear from the cast of characters—either as supporters or opponents of one movement or another. It would also be useful to read more about some of the differences between opposing sub-groups within the Socialist and Labour movements, as well as what specific factors seem to have catalyzed the substantive advances in abortion, contraception and LGBT rights during the periods in question.

The narrative would have benefited from the inclusion of more than just written sources, of which Brooke clearly consulted many (including biographies, minutes of meetings, official records of parliamentary proceedings, books and journal articles, contemporaneous newspapers and others). Although the period covered is vast, some of the figures from the relatively recent era are still available to be interviewed. History recounted in the words of those who lived it could well have provided more context to the political scene: the deals (if any) that were made behind doors to support certain legislation; the differences of opinion between reformers and how (if) they were resolved; how many legislators voted one way or another for fear of losing votes as opposed to genuine commitment to a cause; the covert and overt influence of faith groups; and so on. For example, some of the leading

Catholics in the American Century: Recasting Narratives of U.S. History

R. Scott Appleby and Kathleen Sprows Cummings, Editors

(Cornell University Press 2012, 224 pp)

This book is a collection of essays about America seen through a Catholic lens over the last century. One of the starting places is to compare John F. Kennedy’s pluralistic Catholicism with that of his contemporary, Jesuit John Courtney Murray. Murray had fallen afoul of the Vatican because he advocated for the US concept of religious freedom rather than a united church-state, but he often criticized American culture for its secularism and decadence. This ambivalence about Catholics being a part of the larger American society surfaces in several of the essays in the book.

One of the most interesting offerings is the chapter titled “Crossing the Catholic Divide: Gender, Sexuality and Historiography” because it complicates what is often a too-simple conflict between Catholics (as a monolith) versus reproductive health options. It recounts the story of Mary Steichen Calderone, a Quaker and influential sex educator who found allies, as well as enemies, among priests. Her intent was to promote a sex-affirming ethic that would resonate in people of all religions and she had some success. The overall impact of the book is a valuable one: in this day and age when the hierarchy is extremely vocal about its version of American Catholicism, in truth, Catholics have always had to forge their own vision of what it is to be Catholic in America—sometimes creating something entirely new, sometimes in sharp contrast to others of their same faith.

Beyond Obedience and Abandonment: Toward a Theory of Dissent in Catholic Education

Graham P. McDonough (McGill Queens University Press 2012, 307 pp)

At the beginning of the book the author recounts conversations he had about the project: he would ask people if they had ever avoided politics or religion among polite company. “The answer was always ‘yes,’ with a smile that uncovered the anticipation of a well-planned rejoinder,” he said. When it comes to Catholicism, there are many issues that tend to create the same guarded reaction—abortion, homosexuality and contraception are just a few of many subjects that are too hot to handle among polite company, much less within religious education. Yet that is precisely the aim of this volume: to create a “pedagogy of dissent” or a teaching method that allows room for students who take conscientious stances against certain Catholic teachings. One of the central points of *Beyond Obedience and Abandonment* is that “a systemic suppression of dissent within the church” has led to a severe underrepresentation of dissenting Catholic views for teachers to draw from. And, McDonough says, people are leaving the church in droves because they’re taught there’s only one way to be Catholic. This book is itself a step towards righting these wrongs with an intelligent and caring kind of dialogue.

Reproductive Health Psychology

Olga B. A. van den Akker (Wiley-Blackwell, 2012, 360 pp)

There are many useful resources for both psychologists and medical professionals in this handbook. For example, “Psychological Processes of Fertility” has a helpful summary of psychological disorders that can occur during and after pregnancy. Some may find that the book’s main advantage lies in its collection of scholarly citations. While it cannot aim to provide an exhaustive treatment of the wide span of topics it contains, the chapter on abortion doesn’t transcend the level of a list or bring the reader into the mind and experience of a woman in that situation. This may be due to the fact that the author, a professor of psychology, is directing her writing to others in the field, whose clinical experience has already exposed them to the complex realities of reproductive health.

parliamentarians such as David Steel and David Alton, as well as other key players like Peter Tatchell, Joyce (now Baroness) Gould, Dilys Cossey and others, are still very much with us and, in some cases, still very much involved.

Another point that deserves mention is Brooke's fairly frequent use of the term "pro-abortion" to describe the various groups that were lobbying for choice. Some recognition and/or discussion of the way that this term is often used by critics to attack (with varying degrees of subtlety and aggression) those who support a woman's right to choose would have served both completeness and accuracy—as would a mention of the way that "pro-life" is used to imply that those who argue for reproductive choice are somehow against life.

But no one volume can cover everything, and each reader will bring his or her own frustrations to bear when reading the book—and will likely learn a great deal from it. The approach of *Sexual Politics* is sound: including birth control, abortion and LGBT issues together in one volume illustrates the multiple and sometimes contradictory positions that eventually were woven into a more unified rights agenda. Out of this convoluted beginning was eventually born the legislation that advanced sexual and reproductive rights in Britain to where they stand today. On the other hand, the book addresses sexuality but not sexually transmitted diseases and their particular impact during war times—the emergence of HIV, for instance, is relevant to the discussion because it forced greater recognition of, and openness about, routes of transmission and sexual practices. Also overlooked was the way that Margaret Thatcher objected to—and delayed—the national sexual attitude and behavior survey (now NATSAL, and in its third decade of data-collection). While we do learn a great deal from this fascinating book, all of the abovementioned areas are important aspects of sexual and reproductive rights in the UK that remain to be explored. ■

To Restore Eden: The Paradox of Church Reform

By Henk Baars

Reassessing Reform—A Historical Investigation into Church Renewal

Christopher M. Bellitto and David Zachariah Flanagin, Editors
(Catholic University of America Press, 2012, 304 pp)

978-0813219998, \$69.95

THE CATHOLIC CHURCH IS celebrating the 50th anniversary of Vatican II, but there is another significant milestone in church reform that occurred around the same time—the publication of Gerhart Ladner's *The Idea of Reform: Its Impact on Christian Thought and Action in the Age of the Fathers*. In *Reassessing Reform* scholars build upon Ladner's work to understand where the urge for reform comes from, and how it relates to a broader social and historical context.

Gerhart Ladner was born in 1905 to a Jewish family in Vienna. He converted to Catholicism in the early 1930s and fled to London in 1938 upon Hitler's annexation of Austria. After the conclusion of the war, Ladner settled in the US, where he became one of the preeminent professors at the University of Notre Dame. Nevertheless, the émigré retained his European mentality—connecting him to a Europe that had disintegrated in the two World Wars—which made it difficult for his American students to identify with him.

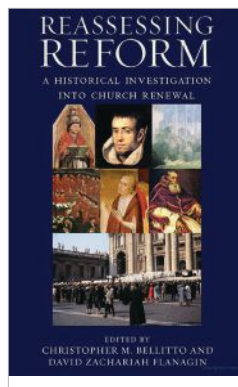
HENK BAARS is president of *Marienburgvereniging*, a movement of Catholics working for a changing church, as well as president of *Church and Peace*, the oldest peace movement in the Netherlands. A long-time European advisor for CFC, he is also manager of *Stek*, a Protestant social relief organization in The Hague.

After several professorships at various American universities and research institutions, in 1963 Ladner moved to the University of California, Los Angeles, where he became a popular professor specializing in medieval church history. It is

in this period of history that Ladner found the roots of a recurrent reform movement in the Catholic church. *Reassessing Reform* is essentially an homage to this original thinker compiled by representatives of the generation of students and scientists influenced by him.

Nowadays we often associate the word "reform" with the string of demands we continually, and rightfully,

place on the church leadership. This is the same list that is being presented now to Pope Francis: modify the church's moral teachings, allow women to play equal roles as men in the church and, above all, transform the church structure into something more transparent and democratic. We can gain insight into the pressing concerns of our time by looking at how the early church responded to the various movements emerging in the medieval period and thereafter. The book offers various case studies to support this view: Pope Gregory VII's strategies for managing change; shifts in governance within the Dominican order; and Biblical and church reform at the Council of Basel in 1433, which occurred in dialogue with the followers of Jan Hus, the Czech forerunner



of the Protestant Reformation. The chapter studying lay spirituality in the works of 15th century German theologian Nicholas of Cusa provides some interesting concepts, while the section on reflective orders of monks acting as advisors to lay elites at the eve of the Protestant Reformation is also very stimulating.

Each contributor enriches the reader with a different angle of the historical church, and the net effect is to compel a new look at the current renewal strategy being employed by Catholics critical of the church status quo. Then as now, it seems that all attempts at reform fail when they reach the gates of the Vatican. For many years the church has decayed from within because it refuses to adopt some of the innovative ideas that the rest of society utilizes.

in behavior change and set the wheels in motion for institutional reforms.

In other words, according to Ladner, the heart of the church does not lie in its structures, whether literal or figurative. For example, in cases where congregations are not able to maintain a church building for financial reasons, the faith community can sustain itself by continuing to congregate elsewhere. This arrangement is not only cost effective, but the ministers appointed from the congregation are able to thrive in positions for which they had been denied official authorization. There are many examples of Catholics in America and Europe who stay true to their faith by altering their form of worship. These pioneers pave the way for others. Today's innovative Catholics are well

new thinkers will never get to the genesis of what exactly sparks the metamorphosis to begin with.

The Holy Ghost is an elusive but essential force within in the church. This means that reformation can be deliberately chosen, with the major condition that it is a joint product of God and man. Reform is traditional, in that its ultimate intention is to restore what was lost in the Garden of Eden, a process that it is based in theology. But paradoxically, it always originates as a personal spiritual transformation—making it neither entirely new nor a replica of the past

One of the authors, M. Vargas, asserts that Ladner's basic ideas are too straightforward to explain the complex relationship between individuals and institutions. It may very well be too

Reform aims to restore what was lost in the Garden of Eden, but it always originates as a personal spiritual transformation—making it neither entirely new nor a replica of the past.

However, *ecclesia semper reformanda*—the church is always being reformed. This dictum—popular in both the Protestant Reformation and in the Vatican II era—reminds us that “reform” is not something that only happens at the institutional level. Individuals can examine the way transformation happens in their own lives, in their surroundings and their faith communities, and thus gain insight into why the Catholic church is still so large and dynamic. Basically, the only way for any organization to endure is to grow, and the church has certainly grown.

For instance, the early period of Ladner's work is characterized by the idea that church reform always begins on the level of personal piety. Church structure must ultimately adapt to what we call, in modern terms, individual spirituality. Perhaps this is the reason why few conform to the moral doctrine of the church *in toto*: unlike edicts about sexuality, devotions and spiritual movements result

within the tradition of St. Francis of Assisi and his poverty movement, which also began with personal conviction. Centuries later, the latest pope chose this name for himself.

Understanding the language and images of change within the historical church without distortion requires an artful touch. Of course, there are various points of departure from which the phenomenon of reform can be viewed, and not all of the contributors share Ladner's viewpoint. Their research methods vary, as do their definitions of key concepts. Perhaps the most fundamental questions raised by *Reassessing Reform* are: who, and what, impels reform? Is it God who acts mercifully and intervenes in the human soul and that of the church? Or is it the human being who acknowledges and administers the reality of God in a novel way? Sadly for us, it may be that the examination of this transformative impulse inspiring the church's old and

simple to present the current crisis in the church as two opposites—good reformers versus conservative opponents. Does it not always come down to a struggle between those seeking the middle ground amid much ambivalence and conflicting forces? Would one rather not clarify this in the context of culture and time? Is the past relevant for a current definition of reform? Can a church leader speak of a false or a true trait of reform? Vargas' answer to all of these queries is no.

This more contextual framework is liberating, but as Ladner's work indicates, the history of the Catholic church is a sequence of unfinished narratives, ideas and thoughts. Although the late professor did not manage to completely synthesize these threads into a whole, the church nevertheless deserves to be examined in its totality, including all its loose ends, so that vital reforms can be implemented and institutionalized. ■

Finding Shelter Outside the Big Tent: Catholic Reform Movements

By Eileen Moran

The Underground Church: Nonviolent Resistance to the Vatican Empire

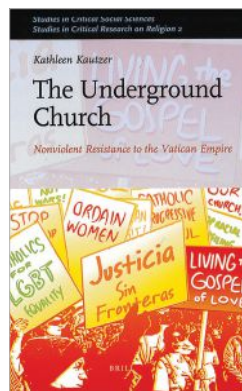
Kathleen Kautzer

(Brill Academic Publishers, 2012, 346 pp)

978-9004219380, \$136.99

THE UNDERGROUND CHURCH focuses on Catholic reform groups committed to changing the institutional church. In this thoughtful analysis Kathleen Kautzer distinguishes two waves of reform groups and assesses their respective evolving strategies to change the church—that is, to reduce the dominance of the hierarchy. Faced with increased hierarchical conservatism, some reformers move further to the margins, developing alternate liturgies. Others leave to form independent, underground churches staffed by resigned and women priests and schismatically free of Vatican rule. The author skillfully integrates the data she collects first hand with a comprehensive appreciation of others' scholarly contributions to measure the impact of reformers on the Catholic church, both on the level of the hierarchy and the faithful.

EILEEN GEIL MORAN serves on the Executive Council of the Professional Staff Congress, the union representing the faculty and staff of the City University of New York. A former member of the CFC Board of Directors, she is a political sociologist and committed advocate for reproductive rights.



Who are the reformers? Kautzer identifies both the common traits as well as the diversity among reform activists. They are overwhelmingly white, middle-aged or older, middle class, very well educated and professionally skilled, and a majority are women. Being Catholic is central to their personal identity and motivates both sets of reformers' largely volunteer efforts to change the church or openly resist or reject the decisions of church hierarchs. Reform groups may differ about church teachings on abortion, celibacy or women's ordination but agree that clerical power should be made more accountable and transparent—this is true for the more progressive Vatican II reformers or the more moderate activists organized later around clerical sexual abuse or church closures. Catholics' expectation to share decision-making is itself a legacy of Vatican II, the belief that collectively "We are the church."

The book provides a detailed picture of each of the major reform organizations, their origins, missions and agendas, including their overlapping networks and coalitions. The progressive Vatican II activists tend to focus on

social justice, inside and outside the church, seeking a liturgy that sustains them in building the city of God, not one that replicates sexism, homophobia and clerical elitism. Their exposure to diverse liberation and feminist theologies energizes their dissent, especially over sexuality and gender issues, where the elite, celibate hierarchy has been the most tone deaf. These groups include lay Catholics as well as nuns and priests, including married, resigned and women priests. Some remain anonymous in interviews to avoid sanctions because they are still directly employed in Catholic institutions or in local parishes.

In contrast, the groups that organized to oppose church closures or the bishops' handling of the sexual abuse of children, such as Voice of the Faithful (VOTF), are more moderate or conservative. VOTF carefully avoids challenging any official church teachings but was disturbed that bishops acted just like secular corporate elites to protect assets and each other; first vilifying and blaming victims and then attempting to buy them off with hush money. The clerical culture that put priests and bishops on a pedestal has been seriously undermined by the sexual abuse scandal and exacerbated by the response of church leaders, from the bishops to the popes.

Those mobilized to oppose bishops' unilateral decisions to close parish churches, ostensibly due to priest shortages, told Kautzer in interviews about the distrust that tends to grow without transparency. For instance, the interview participants suspected these decisions were really based upon more venal, self-interested considerations that led the bishops to remove popular Vatican II reformist pastors or free up valuable real estate, sometimes to pay off clerical abuse victims.

For Kautzer, clericalism, the culture of extreme deference given to priests and bishops, shaped reformers' initial preference for insider strategies. Naïve about organizational power, they appealed to hierarchs' good will

and reasonableness. Some of the Vatican II reformers, active for close to four decades, believed the promise of lay empowerment in spite of their actual encounters with bishops' intransigence.

The book points out that even before Popes John Paul II and Benedict XVI appointed more conservative bishops, US bishops had proven to be unyielding, and in some cases quite mean-spirited, in repressing dissent or criticism. In some dioceses, the most orthodox of critics, such as VOTF, were not allowed to meet on church property. The laity's anger and assertiveness over clerical abuse and cover-ups shocked bishops accustomed to polite deference. For

caring for the poor. Significantly, most reformers sought greater inclusion within the church, while CFC's priority was limiting the bishops' impact on public policy.

While reformers continue to apply pressure from within, some also break or bend the rules to sustain their vision of a more egalitarian, democratic church. Less confrontational are groups like DignityUSA (gay Catholic advocates), Women's Alliance for Theology, Ritual And Ethics (WATER) and other small faith communities and religious orders who find spiritual nourishment by developing and sharing their own rituals and liturgies, while distancing themselves from the institu-

author concludes that while these underground parishes could be viable, their low visibility and inability to offer religious education for children may make it more likely that lapsed or dissenting Catholics will move into other Christian denominations.

Overall, Kautzer depicts a big tent Catholicism with room for all, which has been replaced by a more conservative leadership using repressive strategies to roll back Vatican II liberalism. Benedict's goal of a leaner, more obedient church also has dim prospects, as it, too, leaves most of the young out. The American church is already far leaner and grayer than it used to be, with a dramatic decline in both voca-

Even before Popes John Paul II and Benedict XVI appointed more conservative bishops, US bishops had proven to be unyielding, and in some cases quite mean-spirited, in repressing dissent or criticism.

example, in response to bishops' resistance to their message, an "astonished VOTF member exclaimed, 'How do they expect us to respond to the rape of our children?'" In fact, hierarchs jealously guarded their power, responding harshly to all critics, whether from progressive Call to Action (CTA) or more orthodox VOTF members.

Kautzer notes that only Catholics for Choice (CFC) pursued a more directly confrontational, outsider strategy from its inception, utilizing the media effectively to provide an alternative, but still Catholic, view that championed the right of the individual conscience to challenge hierarchical hegemony. Most other groups were slower to learn the effectiveness of outsider strategies, discovering that the bishops were most accommodating when, as a last resort, they took their issues to the public through the media—whether addressing the sexual abuse of children, church closures or the harassment of nuns for prioritizing

tion's dictates.

Invisible to average Catholics are the examples Kautzer provides of the more radical and quite vibrant underground faith communities and parishes. The range includes feminist faith services and Masses for gay Catholics, as well as underground Catholic parishes where Masses are celebrated by women priests, Corps of Reserved Priests United for Service (CORPUS) or Vatican II pastors who were fired by conservative bishops unhappy with their liberal parish leadership. Others resigned rather than knuckle under.

However, these diverse Catholic reformers have not tended to recruit younger Catholics to the movement, not even their children or grandchildren. As older Catholics with minimal financial resources, their groups' sustainability is in doubt over the long term. Maintaining these organizations and alternative centers of worship is labor-intensive for activists with other full-time work responsibilities. The

tions and people in the pews that has left out well over 22.5 million lapsed Catholics.

Taken together, Catholic reformers are a small minority, but their strength lies in their liberal, democratic views, which are far more in tune with the views of American Catholics than those of the bishops. The author reports that the reform movements have been most successful at influencing the attitudes of fellow Catholics. And surely both reformers and the overwhelming majority of Catholics have felt a connection to the social changes in the larger society concerning women's and gay rights. Most Catholics, whether strongly identified with the institution or not, will find Kautzer's analysis of *The Underground Church* valuable and engaging, particularly going forward, as those who are still in the pews weigh their options within and outside the Catholic community. ■

Reports Worth Reading

Conflicts in Care for Obstetric Complications in Catholic Hospitals

Lori B. Freedman & Debra B. Stulberg, American Journal of Obstetrics and Gynecology, 2012

This qualitative report provides a useful follow up to an initial study about patient care conflicts in Catholic hospitals led by Debra Stulberg, also published by the *American Journal of Obstetrics and Gynecology* in 2012. This article relates three case studies in which ob-gyns with different attitudes towards abortion found themselves in conflict with ethics committees at a Catholic hospital.

In one case, a Catholic hospital determined that a woman with an aggressive form of cancer had to go to a local outpatient abortion clinic to have a termination before she could receive the surgery and chemotherapy she required. In other instances, women who were not allowed to receive treatment at a Catholic facility were transferred elsewhere, sometimes a great distance. Further, some physicians admitted that they routinely referred some women with high-risk pregnancies for care at other hospitals because “the last thing I want is for her to get here and not get the care she needs.”

Other respondents said they had ways to avoid conflicts with the hospital administration, such as by insinuating that a patient already had an infection, rather than admitting they wished to induce a miscarriage to prevent infection.

Fighting for the Future: Adult Survivors Work to Protect Children and End the Culture of Clergy Sexual Abuse

The Center for Constitutional Rights, submitted on behalf of the Survivors Network of Those Abused by Priests, February 2013

In October 2012, the Holy See issued with little fanfare its long-overdue second report to the Committee on the Convention on the Rights of the Child. In response to the Holy See’s document, the Survivors Network of Those Abused by Priests (SNAP) compiled its own report to reflect jurisprudence and advocacy on the clergy sexual abuse crisis in the Americas, Europe, Africa and Australia. Although the hierarchy has worked hard to depict the crisis as existing in the past, the Cloyne Commission in Ireland, for example, found that mandated notification procedures “were not fully or consistently implemented” from 1996 through 2009.

The information set forth in “Fighting for the Future” reflects that every investigation conducted “reached the

same inevitable conclusion: The primary concern of Church officials in these cases has been to protect the reputation of the Church and its priests—not the best interests of the child.” This stands in opposition to Article 3 of the Convention on the Rights of the Child (CRC). In addition, the report highlights other practices by which the Holy See violates the CRC, while relating the institutional failures to specific examples such as Cardinal Bernard Law and Cardinal Roger Mahony.

SNAP points to certain problematic practices identified by multiple inquiries, among them, that the Holy See refuses to accept that it is subject to any law other than church law and ensnares legal discussions in questions about the “universal church” versus Vatican City jurisdiction. Compared to the very general tenor of the Holy See’s report, submitted 15 years late, SNAP’s publication holds up a mirror to the sexual abuse crisis as it has affected an untold number of individuals worldwide. The list of six recommendations reflect victims’ need for justice and Catholics’ desire for transparency—things that shouldn’t have to be requested over and over again from the hierarchy.

Future Choices II: An Update on the Legal, Statutory and Policy Landscape of Assisted Reproductive Technologies

Jessica Arons and Elizabeth Chen, Center for American Progress, March 2013

This report revisits legal issues related to assisted reproductive technologies (ART) first examined in a 2007 publication from the Center for American Progress. The intervening six years have shown that the law is having a hard time keeping pace with the rapidly changing technology. For instance, most states have yet to determine how they will define what health benefits are “essential” and therefore, covered by the Affordable Care Act.

Legal precedents for a number of ethical issues are included, such as the 2012 *Dias v. Archdiocese of Cincinnati* decision, which upheld an employee’s right to sue the archdiocese for sex discrimination after an IT worker was fired for using in vitro fertilization. Other lawsuits deal with issues related to parentage and citizenship of children resulting from ART. The authors suggest that laws discriminating against children who were conceived through the help of ART should be eliminated, and that gray areas leaving such children without a legal parent or without citizenship should be addressed.

Redefining Religious Liberty: The Covert Campaign against Civil Rights

Jay Michaelson, Political Research Associates, March 2013
“Religious liberty” is increasingly the banner flown by the religious right as it carries out its campaigns against reproductive rights and LGBTQ rights, but what underlies this innocent-sounding term? This Political Research Associates publication debunks the idea that “religious liberty” belongs to any one sector of society, as well as the practice of using this pluralistic concept as an excuse to discriminate.

As Francis DeBernardo of New Ways Ministry writes in his forward, “The potency comes not from the truth or validity of this claim, but from the fact that such a claim puts progressives into a quandary.” Using both legal precedents and profiles of conservative organizations, “Redefining Religious Liberty” expertly unpacks the soundbites that have been employed in the USCCB’s “Fortnight for Freedom,” the fight against marriage equality and the demands for religious exemptions to the Affordable Care Act’s contraception policy.

As part of the effort to turn the right’s “inversion of the victim-oppressor dynamic” on its head, Michaelson advocates for a strong, cross-sector response from both prochoice and LGBTQ forces, and across faith and secular communities. The publication gives readers the tools they need to take back the concept of religious liberty, separating it from the coating of conservative religious values such ultra-right actors as the United States Conference of Catholic Bishops (USCCB) and the Becket Fund have layered it over with in recent years.

The Social and Economic Benefits of Women’s Ability to Determine Whether and When to Have Children

Adam Sonfield, Kinsey Hasstedt, Megan L. Kavanaugh and Ragnar Anderson, Guttmacher Institute, March 2013
This new Guttmacher Institute review of the scientific literature on the impact of contraceptive use finds data to support women’s reported reasons for using contraception. These reasons, culled from a 2011 survey of family planning clinic clients, range from taking better care of themselves or their families to educational and professional achievement.

By synthesizing the results from 66 studies over the past three decades, the reviewers found that these perceived benefits were indeed reflected in the lives of women and their families. Close birth spacing and larger families are linked to decreased investment in parenting, which can impede the children’s development and educational

achievement. In the relationship between parents, unplanned births can cause increased conflict and decreased satisfaction, while conversely, the consistent use of contraception can improve mental health outcomes by granting a greater degree of control over family size. Educational and workforce achievement were also boosted by contraceptive use.

Interestingly, these studies viewed the state-by-state disparities in contraceptive access as a “natural experiment” that proved the role contraception has played in women’s social achievement. This experiment illustrated how lower-income women’s well-being is affected by cuts in contraceptive access on the state level. For this reason, the unplanned pregnancy rates among women with incomes below the poverty level are five times that of higher income women.

Updated WHO Guidance on Safe Abortion: Health and Human Rights

Joanna N. Erdman, Teresa DePiñeres and Eszter Kismödi, International Journal of Gynecology and Obstetrics, 2013, p. 200-203.

This journal article summarizes the changes made by the World Health Organization (WHO) in the update to its staple publication on safe abortion, revised in July 2012. The changes to the original document on safe abortion, first published in 2003, are organized along three lines: an evidence-based approach, human rights standards and a pragmatic concept of safe and accessible abortion care.

The WHO now acknowledges that no single standard of care is possible because of local conditions, especially the lack of resources. Pragmatism can also be seen in the WHO’s recommendations for streamlining abortion care because burdensome regulations are often based on ideology rather than evidence. Similarly, looking to the effect rather than the intent of legal restrictions on abortion reveals that such laws do not reduce the abortion rate. Legal status affects the safety of abortion procedures, but not the likelihood of whether or not a woman will seek an abortion.

Significantly, the WHO’s new guidance does not contain gestational upper limits for safe abortion methods. Another important precedent is the recognition that a woman’s right to abortion access is not only based upon risks to her health or life. In addition, excessive bureaucracy set in the way of women seeking abortions constitutes a violation of the human rights of equality and nondiscrimination because they delay access—particularly for the vulnerable and marginalized. ■

“Sex is not tennis. It is not something a man and woman might do for fun.”¹

—Antichoice pundit Helen Alvaré, speaking to an audience at Georgetown University about the “erosion of the traditional family.”

“Rape victims are transferred to other facilities if the intention to take the ‘morning-after pill’ is evident.”²

—A spokesperson for Archbishop Joachim Meisner of Cologne, about the refusal by doctors at local church-run hospitals to accept patients who say they have been raped.

“Nothing in my own background or education equipped me to deal with this grave problem.”³

—Cardinal Roger Mahony, who holds a master’s degree in social work, writing in his blog about his mishandling of sexual abuse cases in the Archdiocese of Los Angeles.

“The point is that more and more women provoke, fall into arrogance, believe they are too independent and exacerbate tensions. They trigger the worst instincts, leading to violence and sexual abuse. They should consider self-examination and ask the question: did we ask for it?”⁴

—Fr. Piero Corsi of Lenci, Italy, relating Italy’s rise in “Stiletto murders,” or domestic homicides, to women wearing provocative clothing and neglecting ironing and other household chores.

“The homolobby represents the very centre of internal opposition against the Pope.”⁵

—Fr. Dariusz Oko of the Archdiocese of Krakow, Poland, writing about the “homomafia in the church,” which he describes as a group of “militant homosexuals in cassocks” who pursue a “homoideology.”

“Just think of the television, which is the true and great Moloch within our homes.”⁶

—Cardinal Gianfranco Ravasi, president of the Pontifical Council for Culture, speaking about popular culture on Vatican radio, comparing television to an ancient deity to whom children were sacrificed.

“Legislating for the right for people of the same sex to marry is like legalising male breastfeeding.”⁷

—Archbishop Salvatore Cordileone of San Francisco, cautioning that the term “gay marriage” should be used “only sparingly” because repeated usage might legitimize the concept.

“It’s practically impossible to get out of the Catholic Church.”⁸

—Sister Mary Ann Walsh, director of media relations for the United States Conference of Catholic Bishops.

“Campaigners for abortion rights like to describe Ireland’s restrictive abortion regime as dating from an 1861 law, the Offences Against the Person Act. That law is indeed still on the books. To invoke it makes opponents of abortion sound like fusty, obscurantist, retrograde lackeys of colonialism.”⁹

—Columnist Christopher Caldwell, alleging that the push to liberalize Ireland’s abortion law does not enjoy popular support.

¹ Zosia Dunn, “Conference Draws Pro-Life Advocates,” *Hoya* (Georgetown), January 29, 2013. ² Frank Hornig, Barbara Schmid, Fidelius Schmid and Peter Wensierski, “Church and State: Where Catholic Beliefs and Public Needs Collide,” *Der Spiegel Online*, January 24, 2013. ³ Cardinal Roger Mahony, “Historical Evolution of Dealing with the Sexual Abuse of Minors,” Cardinal Roger Mahony Blogs LA, February 1, 2013. ⁴ *La Repubblica Genova*, “Volantino shock Ecco il testo,” December 26, 2012, as translated in Barbie Laiza Nadeu, “Catholic Priest Blames Italy’s Stiletto Murders on Women,” *The Daily Beast*, December 28, 2012. ⁵ Dariusz Oko, “Z papieżem przeciw homoherezji,” *Frona* 63 (2012), pp. 128-160, as translated by LifeSiteNews, February 26, 2013. ⁶ Vatican Radio, “Cardinal Ravasi: The Believer ‘As a Baby Weaned,’” February 20, 2013. ⁷ Mary O’Regan, “All our detractors can do is call us names,” *Catholic Herald (UK)*, January 28, 2013. ⁸ Sister Mary Ann Walsh, “Here comes everybody: divorced, gays, sinners, a couple saints,” USCCBLOG, April 1, 2013. ⁹ Christopher Caldwell, “Irish Stew,” *Weekly Standard*, 18, No. 28, April 1, 2013.

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WOMEN JAILED
FOR ABORTIONS
IN **EL SALVADOR**
SINCE 1998^a



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Number of
countries in which
sexual activity
with someone of
the same gender
is illegal^b

14

NUMBER OF
COUNTRIES
WITH LAWS
PERMITTING
STONING^e



PHILIPPINES

Number of
countries
in which
divorce
is not
allowed^c



*Number of US
states in which
adultery is illegal^d*



Countries
with
blasphemy
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COUNTRIES WHERE **WOMEN ARE
NOT ALLOWED TO GET
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Saudi Arabia



1

^a Central American Women's Network, "Maternal Health, Reproductive Rights and the Criminalisation of Abortion," September 2012. ^b United Nations, "UN Issues First Report on Human Rights of Gay and Lesbian People," December 15, 2011. ^c GMA News (Philippines), "PHL Now Only Nation in the World without Divorce; Malta Gives In," May 29, 2011. ^d Tim Murphy, "Map: Is Adultery Illegal?" *Mother Jones*, November 29, 2011. ^e Women Living Under Muslim Laws, "WLUML: Petition to the United Nations Secretary General & the OHCHR: End Stoning Now," April 8, 2013. ^f *Telegraph*, "Saudi Women Launch Legal Fight against Driving Ban," February 6, 2012. ^g Pew Forum on Religion & Public Life, "Laws Penalizing Blasphemy, Apostasy and Defamation of Religion are Widespread," November 21, 2012.