

WHEN WILL THE CATHOLIC CHURCH IN AMERICA STOP GENUFLECTING TO THE REPUBLICAN RIGHT? (April 21, 2005)

Besides prompting a funeral of truly global proportions and making way for the election of a pope who humbly prides himself on the inflexibility of his doctrine, the death of Pope John Paul II taught a powerful lesson in the art of ending one's life with dignity and grace. Like Terry Schiavo, who died shortly before him, the Pope was nourished by a feeding tube when he was no longer able to eat and drink in the normal way. But unlike Ms. Schiavo, the Pope was never placed on a life support system. By his own wish, he was not even taken to a hospital. Like Christ Himself, he freely accepted death. Exercising his right to die, his canonical right to decline "burdensome, dangerous, extraordinary" or "overzealous" medical treatments that might have prolonged his life, he died—we are told—in serenity and contentment. Requiescat in pace.

According to her husband's attorney, Terry Schiavo likewise died in a state of perfect serenity, but only after fifteen years of truly extraordinary treatments designed to keep her minimally alive, culminating in a spectacular battle of legislative and judicial powers that involved, among others, the Catholic church. In asking one court after another to order the re-insertion of her feeding tube, her parents' attorney argued that she could not decline nutrition—nor be judged to have wished that it be withdrawn--without violating the laws of her Catholic faith. Other parties to the battle with the courts cited the Pope's own statement that we have a moral obligation to furnish food and water to anyone who needs it.

But the Holy Father never revoked rule 2278 of the Catechism, which explicitly legitimates the discontinuance of medical procedures that are "extraordinary or disproportionate to the expected outcome." Surely that fits Ms. Schiavo's case. If anyone had put food or water into her mouth, she would have

choked or drowned on it. By any reasonable definition of the terms “ordinary” and “extraordinary,” the provision of nutrition by means of a tube surgically inserted into the abdomen is an extraordinary procedure. It was also grossly disproportionate to the outcome expected by every reputable neurologist who examined Ms. Schiavo, and who foresaw no more for her than still more years of vegetative existence. As a Catholic, Ms. Schiavo believed that death is not the end of life but the gateway to eternal life. As a Catholic, she would not have wished to see that gateway blocked by a vegetative existence. And as a human being, she would certainly never have wished to be used as a tool by would-be champions of life who regularly pursue policies that lead to death. President George Bush, who flew back from Texas to sign the bill that made federal courts reconsider the already over-adjudicated case of Ms. Schiavo, also led us into a war that was totally unjustified by any threat to our national security and that was firmly opposed by the Holy Father. House majority leader Tom Delay, who led the fight to pass the Schiavo law, did so right after cutting fourteen billion dollars from Medicaid, the critical lifeline for families who cannot afford to pay for their own medical care.

The Schiavo case thus gave the Catholic Church a perfect opportunity to explain its teaching about life and death, and to say why Ms. Schiavo should have been allowed to end her life on earth as peacefully and serenely as the Pope ended his. Instead, the Church allowed itself and its teachings to be grossly misused by the Republican right.

None of this should surprise anyone who has lately been following the news. In the world of politics, the Roman Catholic church has genuflected so long to the Republican right that it has all but forgotten how to stand on its own legs.

Ever since he was first elected to the White House, the president and the Republican right have courted the Roman Catholic vote by strongly opposing abortion and homosexuality. By the terms of a bargain implicitly struck, church authorities have agreed to support the Republican right so long as it does

everything possible to ban gay marriage and re-criminalize abortion. But in trading its political influence for these highly questionable ends, the church loses far more than it gains.

Take first the idea of a Constitutional amendment banning gay marriage. When advocates of such an amendment claim that gay marriage threatens the institution of marriage itself, how do they explain why an institution strong enough to withstand a divorce rate of fifty percent can be destroyed by the mere *availability* of marriage—or even civil unions—for gays? Since the church already teaches that divorce is mortally sinful, and since we know that it does real harm to thousands or even millions of people—especially children—every year, why are the bishops of America not demanding a Constitutional ban on that? Is it because divorce is somehow less sinful than homosexuality, or because gays are a much smaller and politically more vulnerable target than divorcees? I am not proposing that the church reverse its course, and start demanding civil rights for gays. But I am questioning the wisdom and the justice of its open opposition to those rights.

In seeking to re-criminalize abortion, the Catholic church has surrendered all wisdom to the authority of the Republican right. By this I do not mean that Catholic prelates have ever openly and directly urged Catholics to vote Republican. Instead, they have adopted the signature tactics of the Republican right, which promotes its candidates chiefly by attacking their opponents. This is precisely what a group of Catholic bishops did in Colorado last fall. Warmly supported by the Bush campaign, the bishops declared that because John Kerry opposes the re-criminalization of abortion, any Catholic who voted for him would be committing a mortal sin.

I cannot imagine a more drastic confusion of the fundamental distinction between sin and crime. In the very first amendment to the U.S. Constitution, the founding fathers of this country gave all of us the right to worship anything or anyone we choose, including the devil himself. Does this mean that the founding fathers supported devil worship? Of course not. They simply believed that

decisions about whom or what to worship should be left to the individual conscience, not dictated or regulated by law. Likewise, John Kerry believes that the decision to terminate a pregnancy should be left to the conscience of the woman involved rather than pre-empted by the government. Though he has never *advocated* abortion, he believes—as the overwhelming majority of Americans do—that motherhood should be a labor of love, not a labor of law. In a religiously pluralistic society, we simply cannot turn every sin into a crime.

Anytime we propose a change in the laws, no matter how well intentioned, we must consider its practical effect. If we believe in criminalizing abortion, do we also believe that every woman who has an abortion should be prosecuted and jailed for doing so? If not, can we justly prosecute those who perform abortions without prosecuting those who request them? And can any law that would criminalize abortion under all circumstances pass the test of Constitutionality?

Given the virtual impossibility of passing such a law and making it stick, should the Catholic church spend its political capital in an endless struggle to pass it, or seek other ways to combat abortion—such as supporting candidates who believe that all pregnant women should have access to good pre-natal and post-natal care, regardless of their ability to pay? This is precisely the position taken by John Kerry. Since one of every five women who choose abortion does so because she doesn't think she can afford to raise a child, this kind of help could substantially reduce abortions. It might also turn the clenched fist of confrontation into the open hand of constructive action. If this administration really cared about reducing abortions, it would make sure that every young pregnant woman who wished to have a child got the care she needed.

To judge from his actions as distinct from his gestures and words, President Bush cares at least as much about promoting death as he does about cherishing life. This past March, just about the time he flew into Washington to sign the Schiavo bill, a six

month old boy named Sun Hudson died after a Texas hospital removed his feeding tube because his mother could not pay for it. The Texas Futile Care Law, which gives health care providers the right to overrule indigent family members in deciding when to end a life, was signed by Governor George Bush. During his six years as Governor, George Bush also compiled a record of executions unmatched by any other governor in modern American history. Rejecting all but one of the appeals for clemency that came to his desk, he approved the executions of 150 men and two women, including a mentally retarded man and a born-again Christian named Karla Faye Tucker Brown, who had made herself an inspiration to her fellow inmates. He mocked her appeal for clemency and did not even bother to read many of the others.

Did the thought of these executions ever cross the mind of the president as he knelt at the bier of the first pope in history who unequivocally rejected capital punishment? In 1997, thanks to the persevering efforts of Sister Helen Prejean, John Paul II revised the Catholic catechism to make it oppose capital punishment under all conditions, no matter how grave the crime. And just last month, the Catholic bishops of America launched a vigorous campaign to end the death penalty once and for all.

I fervently hope this move signals the bishops' determination to declare their political independence of the Republican right. For the death penalty is just one of many reasons why the Catholic Church in America needs to stand on its own political feet. Ever since 9/11, the government of this country has tried to fight terrorism with torture. In Guantanamo Bay, Cuba, to take just one example, more than 550 detainees remain directly under American control and subject to interrogation techniques that the Red Cross has called "tantamount to torture." According to FBI documents, Guantanamo prisoners have been beaten, strangled, burned in the ear with lit cigarettes, and chained by hand and foot to the floor with no food, water, or access to a toilet for 24 hours or more. The FBI documents also indicate that authorization for these practices came from Defense Secretary

Donald Rumsfeld, who is warmly supported by the president that American Catholic bishops helped to re-elect. Now that American bishops have said that capital punishment is never justified, when will they say the same about torture?

A host of practices and policies beloved by the Republican right cry out for repudiation by any church that truly cares about the plight of the poor and the powerless and the fate of this God-created earth, which has lately caused even the National Association of Evangelicals to demand that Republican politicians pay more attention to “creation care.” Seventy years ago, the Catholic bishops of America pressed Franklin Roosevelt to create Social Security. Now that our current president seeks to dismantle it under the heading of “privatization” and drastically to reduce government support for affordable housing and Medicare, where is the voice of the church?

If it wants to be heard and heeded, it must stop singing in Karl Rove’s choir, stop genuflecting to the Republican right, and stop doing everything possible to support a political agenda distinguished chiefly for its hypocrisy. Though the election of an ultra-conservative pope promises no change in Catholic policy at the top, Catholics who know the difference between hypocrisy and true Christian values can only hope that the American bishops’ new campaign against capital punishment marks the beginning of a new political independence for the American Catholic church.