

THE BISHOPS LOVE YOU UNTIL YOU'RE BORN

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I recall seeing a bumper sticker somewhere on one of my travels that said: *Bishops love you...Until you're born.* The recent debacle in the Diocese of Phoenix echoes this statement, especially if you put it into the wider context of the hierarchy's consistent response to the clergy sexual abuse scandal.

The twenty-seven year old mother of four was, no doubt, a devout Catholic who dutifully followed the official policy on birth control. According to the fact sheet published by Catholic Healthcare West, she was afflicted with a very serious, but at the time controlled, heart condition called *pulmonary hypertension*. By November, when she was eleven weeks pregnant, her risk of death was close to 100% if she continued the pregnancy. The person at the center of this soul-twisting drama, a Sister of Mercy, led the woman's predicament and the possible courses of action through a thorough process of consultation that included several physicians, nurses and medical ethicists. Their frame of reference was number 47 of the Ethical and Religious Directives for Catholic Health Care Services, published by the U.S. Catholic Bishops' Conference. This directive seems to be pretty clear even to those of us not schooled in either medicine or ethics: *Operations, treatments, and medications that have as their direct purpose the cure of a proportionately serious pathological condition of a pregnant woman are permitted when they cannot be safely postponed until the unborn child is viable, even if they will result in the death of the unborn child.*

The mother concurred with the decision of the consultation team and the procedure was performed. One of the attending nurses revealed what had happened to an outsider, which was a clear violation of the HIPAA provisions which protect the confidentiality of patients. It wasn't long before the local bishop got wind of this and went into action. He summoned the sister and the hospital CEO to a meeting which they mistakenly thought would be their opportunity to explain what had happened. Instead the bishop hit them with "you did an abortion." The sister asked him what he would have done under the circumstances and he responded that the proper course was an induction of labor. Keep in mind that this bishop neither is a physician or a nurse nor is he a credentialed canonist, moral theologian or medical ethicist. He is however, a bishop which apparently gives him the authority to pronounce on issues about which he has no expertise. An induction of labor for an eleven week old fetus is medical lunacy and would have spelled certain death for the fetus *and* the mother. The end result: by following the rules as they are interpreted by the Bishop of Phoenix, an unborn life would have been protected but only while still in the mother's womb. Her impending death would have ended the Church's responsibility for protecting the unborn life of the fetus. It also would have left a good man a widower and most tragic, four pre-teen children motherless. On balance the Church's official sex rules would have ended up killing the mother and the baby in the womb and robbing the other half of the marriage and four young children of the chance for a happy and healthy family life.

The bishop, in his zeal to protect the sanctity of life, declared that the religious sister in question had been automatically excommunicated in keeping with the norm of Canon Law. Although he didn't mention anyone else, according to the canonical rules, every other Catholic involved in the termination was also excommunicated, *including the mother*. What about the sanctity of the lives of the husband and the other children? No matter how you look at it the protection of the sanctity of life in this case would have left two people dead and five others without a wife and mother. So much for the sanctity of life, especially life outside the womb.

There are plenty of reasons to objectively question whether or not the sister or anyone else qualified for automatic excommunication. From all the information disseminated about the case it appears that the only ones who took a long, serious and deep look at all aspects of the case were the hospital personnel...and the mother. If the Q & A statement issued by the diocese is any indication, it appears that all the bishop did was concern himself with punishing everyone in range without considering if the punishment was even justified.

This very sad case and the bishop's harsh, insensitive and probably incorrect (at least from a canonical viewpoint) response could not have come at a worse time for the credibility of the Bishop of Phoenix and the Catholic hierarchy in general. The gross inequity of the canonical provision itself is scandalous. Abortion, deemed murder according to official Church teaching, is so serious that it justifies *automatic* excommunication for all directly involved and not just the mother and the person performing the procedure. On the other hand, murder, though a crime in canon law, results in automatic excommunication *only when the victim is a pope or a bishop*. Termination of the life of anyone else, no matter what the circumstances, results in the possibility of any number of punishments but not excommunication.

What of clerics who rape or otherwise sexually molest little children, adolescents or even adults? According to the canonical rules they are subject to a number of penalties including dismissal from the clerical state, *but not excommunication*. The real cause of the fury of many however is the historically proven fact that most such clerics got away with their crimes with nothing more than an admonition, followed by a quiet transfer, usually to greener pastures. The widespread rage following the Boston Revelations of January, 2002, has prompted the official Church to do something other than try to defend the indefensible. They have been secretly putting accused clerics through lengthy and sometimes interminable canonical trials, but no one has been kicked out of the Church and what's more inexplicable, every bishop himself credibly accused of sexual abuse of a minor has faced nothing more drastic than resignation and a guaranteed comfortable retirement.

To paraphrase Shakespeare, "*There's something rotten in the State of Denmark (or at least there was in his play) and there's definitely something rotten in the State of the Vatican*" especially when it comes to its lopsided value system on the sanctity of human life.

Do Catholic Bishops love you until you're born? It certainly seems so!