



Protection of Conscience Project

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20 February, 2012

BC Catholic
150 Robson St.
Vancouver, B.C.

Dear Sir/Madam:

A correction and some qualifications are in order with respect to the article by Deborah Gyapong about the contraception insurance controversy in the United States (“A Canadian debate over contraception is unlikely,” *BC Catholic*, 20 February, 2012).

In the first place, Mr. Roche of the Catholic Health Association of Canada is mistaken in his assertion that Catholic hospitals in Canada cannot be compelled to do things contrary to Catholic teaching. In 2006, St. Elizabeth’s Hospital in Humboldt, Saskatchewan, operated by the Saskatchewan Catholic Health Association, decided to stop doing contraceptive sterilizations. Public protests resulted, and a woman denied a tubal ligation filed a human rights complaint. In June, 2007, St. Elizabeth’s was transferred to the Saskatoon Health Region and re-named the Humboldt District Hospital. Three months later, the Saskatchewan Catholic Health Corporation agreed to pay almost \$8,000.00 to the complainant in the human rights action to settle the case.¹ It would be most unwise to think that this kind of thing could not happen again.

Concerning the situation in the United States, it is true that the Catholic bishops, in a remarkable display of unanimity, have been vocal in protesting the demand to provide insurance coverage for surgical sterilization, contraceptives and potentially embryocidal or abortifacient drugs or devices. Many of them have said that they will refuse to comply with the law. It does not appear that they share Mr. Roche’s view that an emphasis on Catholic identity may be counterproductive with respect to the mission of Catholic health care. Nor do they seem to think that Catholic identity and Catholic mission are in conflict with each other, though they may well be in conflict with dominant social norms - as the example of what used to be St. Elizabeth’s Hospital demonstrates.

The prominence of the Catholic response notwithstanding, this is not a ‘Catholic’ issue. Strong protests have also been made by Jewish groups, Southern Baptists, Lutherans and Evangelical Christians. Colorado Christian University, a non-Catholic institution, filed suit months ago against the U.S.

federal government because of this mandate.² Two more lawsuits have just been filed by Southern Baptist and Reformed Presbyterian colleges.³ And former governor of Arkansas, Mike Huckabee, recently declared that the response to the Obama administration's mandate reminded him of President John F. Kennedy's statement to the people of Berlin after the erection of the Berlin Wall: "Ich bin ein Berliner" (*I am a Berliner*). Huckabee, a Baptist, said, "In many ways, thanks to President Obama, we're all Catholics now."⁴

Testifying before a committee of the U.S. House of Representatives, Rabbi Meir Soloveichik warned that "not only does the new regulation threaten religious liberty in the narrow sense, in requiring Catholic communities to violate their religious tenets, but also the administration impedes religious liberty by unilaterally redefining what it means to be religious."⁵

So this is not a 'Catholic' issue. Nor is it about women, or health, or birth control or contraception, as Dr. Laura Champion told the same committee. As the Director of Health Services at Calvin College in Michigan, she explained that the College has no objections to contraception, but she was emphatic that the morning after pill is not the same as cancer screening or vaccinations. "Pregnancy is not a disease," she said. "This is a premise that I reject both religiously and medically."⁶

Finally, the BC Catholic story states that the Catholic Health Association of the United States "decided on 'a cautious acceptance' of the compromise." However, the actual wording of the newly published regulation is exactly the same as the wording that launched the firestorm of protest in late January.⁷ The administration's promises have no legal significance, and, in any case, will not be fulfilled before the November presidential election. The description of the scheme as a 'compromise' thus seems premature.

Sincerely,

Sean Murphy, Administrator
Protection of Conscience Project

Notes

1. *CBC News*, 13 September, 2007, "Woman given settlement after being denied tubal ligation." (<http://www.cbc.ca/news/canada/saskatchewan/story/2007/09/13/tubal-ligation.html>) Accessed 2012-02-20
2. To see a graphic illustration of the resistance to the HHS mandate, see the interactive map at <http://consciencelaws.org/background/maps-charts/map-usa-001.aspx>.
3. Alliance Defence Fund news releases, 20 February, 2012 : ADF, Louisiana College challenge Obama Mandate (<http://www.alliancedefensefund.org/News/PRDetail/5341>); ADF, Geneva College to reveal lawsuit against Obama mandate Tuesday

(<http://www.alliancedefensefund.org/News/PRDetail/5340>) Accessed 2012-02-20

4. “Mike Huckabee’s Full Speech at CPAC 2012.” ABC News, 10 February, 2012
(http://abcnews.go.com/Politics/video/mike-huckabees-full-speech-cpac-2012-15555897?utm_source=LifeSiteNews.com+Daily+Newsletter&utm_campaign=7cb2d478ad-LifeSiteNews_com_Canada_Full_Text_02_16_2012&utm_medium=email) Accessed 2012-02-20

5. Lines Crossed: Separation of Church and State. Has the Obama Administration Trampled on Freedom of Religion and Freedom of Conscience? US House of Representatives Committee on Oversight and Government Reform, 16 February, 2012: Testimony of Rabbi Meir Soloveichik
(<http://www.consciencelaws.org/law/commentary/legal065-005-04.aspx>)

6. Lines Crossed: Separation of Church and State. Has the Obama Administration Trampled on Freedom of Religion and Freedom of Conscience? US House of Representatives Committee on Oversight and Government Reform, 16 February, 2012: Testimony of Laura Champion, MD.
(<http://www.consciencelaws.org/law/commentary/legal065-005-10.aspx>)

7. PART 147—Health Insurance Reform Requirements for the Group and Individual Health Insurance Markets § 147.130 Coverage of preventive health services.
(<http://www.consciencelaws.org/law/commentary/legal065-002.aspx>)