

# What the Bishops Won't Tell You

## An Open Letter to Kathleen Sebelius from Catholic Theologians

September 26, 2011

Dear Secretary Sebelius,

**We Catholic theologians** appreciate the provision of preventive services and the elimination of cost sharing in the Affordable Care Act of 2010. This is a major step toward the goal of affordable, accessible healthcare for all. We **respectfully request that you eliminate the proposed religious exemptions because they are unnecessary and unjust**. Instead, we suggest that you let citizens make their own choices about which medical services they use. In our opinion, **this is the best way to respect the variety of religious views within and among our faith traditions** and to live responsibly in a pluralistic democracy.

Let us clarify several Catholic dimensions of this discussion. First, among American Catholics **the *sensus fidelium***—the graced and experience-fed wisdom of the faithful that has always been one of the sources of truth in the Catholic tradition—**is clear on the matter of contraception**, the only area that is covered by the exemptions. **The overwhelming majority of Catholics favor and use contraception. The majority of Catholic moral theologians hold that artificial contraception is a moral option and, in some instances, even a moral mandate.**

We understand that the United States Conference of Catholic Bishops continues to hold a public position in opposition to most birth control methods. Catholic theologian Christine Gudorf notes that “when *Humane Vitae*, the papal encyclical retaining the ban on artificial contraception, was issued in 1968, the Episcopal conferences of 14 different nations issued pastoral letters assuring their laity that those who could not in good faith accept this teaching were not sinners.” While the more conservative bishops have every right to speak for themselves and to make their own medical choices, most rank and file Catholics simply disagree with them and make differing choices on this matter. No one is forced to use contraception, but all deserve access to it as part of regular medical care. To permit exemptions that adversely affect countless women based on the views of a tiny religious minority seems to us unfair and unwise.

Second, **Catholic teachings respect and encourage the exercise of conscience**. Thomas Aquinas wrote that conscience is “reason attempting to make right decisions.” The Second Vatican Council called conscience a person’s “most secret core and sanctuary.” We expect ourselves and our fellow Catholics to form our consciences in ways that are consistent with the Christian tradition. But we do not coerce one another, nor do we tolerate the coercion of others, whether Catholic or not.

**Regulations intended to allow religious institutions to dictate the medical care of their employees would encroach on this conscience.** We are especially concerned about regulations that would allow employers to penalize persons who make choices that go against certain debated religious teachings. **This is taking the conscience of another into one’s own hands, decidedly not a Catholic teaching.**

Third, **the well-being of women, including their reproductive healthcare, is a Catholic value.** We are gratified that the US Department of Health and Human Services recognizes “the need to take into account the unique health needs of women.” We trust that the guidelines developed by the Institute of Medicine reflect the best way to meet those needs. Consequently, **we see no medical or religious justification for exempting employers from paying for some necessary aspects of women’s healthcare.** Just as HIV testing and mammograms are part of women’s healthcare, so, too, is contraception recognized as an integral component by most other modern democratic societies.

Fourth, **workers’ rights are a sacred part of a Catholic commitment to justice.** These include the right to receive fair compensation. We would prefer that healthcare be available to all and not simply to those with jobs. But because the covered medical services in question are employer supported, medical coverage without exemptions is simply a fair labor practice. **There is no Catholic teaching to support selective fairness.**

Finally, **healthcare is conducive of the common good, a hallmark of Catholic social teaching.** We see the Affordable Care Act as a step in the right direction, one of many steps toward narrowing the wealth gap and equalizing opportunities for all Americans. **We strongly urge you to erase the asterisks that taint the proposed regulations with exemptions that will cost some women more to make healthy choices and will violate our covenant of “justice for all.”** That is both Catholic and catholic.

As Catholic theologians, we are pleased to partner with you in the creation of a just American society. We look forward to the new guidelines going into effect for everyone.

Sincerely,

**Sheila Briggs,**

School of Religion, University of Southern California

**Dr. Christine Gudorf,**

Florida International University, Department of Religious Studies

**Mary E. Hunt, Ph.D.,**

Co-director, Women’s Alliance for Theology, Ethics and Ritual (WATER)

**Paul F. Knitter,**

Paul Tillich Professor of Theology, World Religions and Culture, Union Theological Seminary

**Daniel C. Maguire,**

Professor of Moral Theology, Marquette University

**Rev. Dr. John J. McNeill**

**Kate M. Ott, Ph.D.,**

Assistant Professor of Christian Social Ethics, Drew Theological School

**Anthony T. Padovano, S.T.D.,**

Catholic theologian

**Rosemary Radford Ruether, Ph.D.,**

Carpenter Emerita Professor of Feminist Theology at Pacific School of Religion; Georgia Harkness Emerita Professor of Applied Theology at Garrett Evangelical Theological Seminary

**Todd Salzman,**

Professor of Theology

**Elisabeth Schüssler Fiorenza, Ph.D.,**

Krister Stendahl Professor, Harvard Divinity School

**Nancy E. Snow,**

Professor of Philosophy, Marquette University

CATHOLICS  
FOR  
CHOICE

Sponsored by:

Catholics for Choice, 1436 U Street NW, # 301, Washington DC 20009  
www.CatholicsForChoice.org ■ (202) 986-6093