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Women's Alliance for Theology, Ethics, and Ritual

To: House Committee
From: Mary E. Hunt, Ph.D.
Re: Religious exemptions
October 31, 2011

Below is the letter to HHS Secretary Sebelius that I drafted and signed along with a dozen Roman Catholic theologians. We believe that health care is the right and responsibility of each person such that no religious exemptions are necessary or good when it comes to reproductive health care. Ours is a thoroughly grounded Catholic opinion shared by millions of American Catholics.

Thank you for considering my faith-based view on this important matter.

Mary E. Hunt, Ph.D.
Co-director, Women's Alliance for Theology, Ethics and Ritual (WATER)

September 14, 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 health care 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, the *sensus fidelium*—the graced and experience-fed wisdom of the faithful which has always been one of the sources of truth in the Catholic tradition—among American Catholics is clear on the matter of contraception, the only area that is covered by the exemptions. The overwhelming majority of Catholics favor contraception and use it. 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 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 Catholic 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 that would allow religious institutions to dictate the medical care of their employees encroach on 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 reproductive health care, is a Catholic value. We are gratified that the U.S. 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 health care. Just as HIV testing and mammograms are part of women’s health care, 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 health care 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, health care 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,

Mary E. Hunt