Women & Children First?

By Fr. Peter R. Beaulieu
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A decade ago, the release of the movie “Titanic” prompted an article in *The New Yorker* magazine that highlighted the seismic change in the public morality of America, between the early twentieth century and our own. After the doomed unsinkable ship had struck an iceberg and the capacity of the lifeboats was deemed insufficient for all the passengers on board, the agreed-upon moral standard of the day, as to who should be saved was “women and children first.” The author of that article did not believe such a standard would offer guidance in any modern disaster of similar scope and proportions because of fundamental changes in society’s moral perspectives.

Today, expanding choice and deflecting threats to increasing the scope of the choices that Americans can make has great appeal and, now, serves as the means of judging how we should live in a pluralistic society. Yet, merely choosing is not a significant moral quality; people may choose a course of action which adversely affects someone else’s ability to choose.

The Freedom of Choice Act (or FOCA) traffics in the appeal that choice has to the contemporary way American way of thinking and living. The choices that FOCA seeks to create as legal rights will not only prove to be morally reprehensible, but its implication could be so disastrous for Catholic hospitals that passage of this bill by Congress or executive action might be the beginning of the end of the Church’s involvement with and/or sponsorship of acute care hospitals.

While subject to legal interpretation, FOCA seeks an unassailable status for the so-called right to choose, a word which is a euphemism for abortion. Thus, any and all restrictions on access to abortion would be dismantled by this legislation: restrictions on government funding, parental notification laws, mandatory information on alternatives to abortion, the national ban on partial-birth abortion, and so on—in sum, any constraint on access to abortion would be illegal.

The Catholic Church has from time immemorial rejected all direct attacks against innocent human life and, since *Roe v. Wade* her clear and unwavering moral position has been recognized by law, which are usually labeled conscience laws. There are federal and state laws that guarantee that Catholic hospitals are not required to provide certain medical procedures deemed morally abhorrent by the Church’s teaching authority. Many legal experts have determined that conscience laws, for Catholic hospitals and for individual physicians, would be overturned by FOCA’s broad scope, namely, anything and any institution or individual claim that restricts access to abortion would not be left standing after its passage.
The long-standing mission that women’s religious congregations have provided to this nation through the hospitals that were founded a century or more ago by their sacrifices might be crippled by this law; one or two of the nation’s bishops have even ventured to say that FOCA would force Catholic hospitals to close and, due to the heinous nature of abortion, their sale to other-than-Catholic entities would not be possible, since that would involve the Church or the sponsoring-religious congregation in formal cooperation with the moral evil of abortion. It’s ironic that under the banner of choice, proponents of FOCA would deny hundreds of Catholic hospitals and hundreds of thousands of Catholic physicians and nurses their choice to live their lives and practice the healing arts squarely based upon the sanctity of life and, to do so in a morally upright manner — as stewards of the lives God has entrusted to us and not as life’s owners. It should still be women and children first, because life is a gift—not a choice—the forced choice envisioned by this legislation is tyranny, not freedom.

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