

## **Free teaching resources**

Worksheet based on 'Sister of mercy' by Michael Sean Winters  
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Charlotte Vardy, 2011

## Sister of mercy

By Michael Sean Winters (5 June 2010)



Catholics in America are divided over the formal excommunication of a nun who authorised an abortion to save a mother's life. It is the latest case to highlight the bitter divisions within the American Church

Most controversies within the Catholic Church do not get their own Wikipedia entry, at least not so soon. But the 14 May decision of Bishop Thomas J. Olmsted of Phoenix, Arizona, to state that Sr Margaret Mary McBride had formally cooperated in the procurement of an abortion and, by that act, had excommunicated herself from the Catholic Church, is no ordinary controversy.

Sr Margaret was vice president of mission integration at the St Joseph's Hospital and Medical Center in Phoenix when, late last year, a mother of three, pregnant with another child, was deemed unable to continue her pregnancy because of pulmonary hypertension. The condition is a rare disorder that weakens the heart and lungs. For pregnant women suffering from severe pulmonary hypertension, the mortality rate is high.

The Ethics Board at the hospital was convened. The doctors asserted that only an abortion could save the mother's life and that failure to perform the procedure would result in the death of both the mother and the unborn child. The Ethics Board, on which Sr Margaret sat, agreed to permit the abortion. A statement from the hospital's administrators said: "If there had been a way to save the pregnancy and still prevent the death of the mother, we would have done it. We are convinced there was not."

Upon learning of the abortion at the Catholic hospital, Bishop Olmsted ordered Sr Margaret to be reassigned and pronounced the formal excommunication, writing in his statement: "An unborn child is not a disease. While medical professionals should certainly try to save a pregnant mother's life, the means by which they do it can never be by directly killing her unborn child. The end does not justify the means." The bishop quoted from Pope John Paul II's encyclical *Evangelium Vitae*, and from the fifth edition of "Ethical and Religious Directives for Catholic Health-care Services" issued at the end of last year by the United States Conference of Catholic Bishops, in support of his decision.

All are agreed that Sr Margaret is an outstanding Christian soul. A doctor at the Phoenix hospital described her as "a kind, soft-spoken, humble, caring, spiritual woman whose spot in Heaven was reserved years ago". Others make similar claims for Bishop Olmsted. "He is not a crazy bomb-thrower," I was told by a priest who knew Olmsted when he worked at the Vatican. "He is the sweetest man, a man who loves God."

In most dioceses, priests are given faculties to absolve a person who has been involved in the procurement of an abortion and to reinstate them into full communion. But when a formal pronouncement has been made, only the bishop can restore a person to full communion. Fr Ladislav Orsy SJ, of Georgetown University, said such decrees of excommunication are "exceedingly rare". Canonists have expressed a wide range of opinions about Bishop Olmsted's decree.

What is not murky is the response from the pews, where the Phoenix case has quickly become another battleground in the culture wars. Conservative Christians have largely applauded the bishop's decision. The American Life League invited Catholics to sign a letter of support to Bishop Olmsted: "The individuals signing this letter pledge their support for Bishop Olmsted's faithful defence of church teaching to accomplish his primary task – the salvation of souls in his diocese – which includes the souls of Sr Margaret McBride, the pre-born child whose death Sr Margaret authorised, the child's parents, and any other individual involved."

On EWTN – the Eternal Word Television Network founded in the US in 1981 as a cable channel to present Catholic-themed programming – Fr Robert Sirico, head of the Acton Institute, applauded Bishop Olmsted's decision and the host, Raymond Arroyo, linked Sr Margaret's role in permitting the abortion to the advocacy for health-care reform by other Religious women, whom he accused of "dissent" and "disloyalty".

From the Left come two arguments. The first is that the Catholic Church is wrong to allow "religious dogma" to interfere with a patient's decisions, as put on National Public Radio by University of Virginia Ethics Professor Lois Shepherd: "We live in a country where these decisions are made by the patients themselves – not by religious dogma. Can hospitals run by the Catholic Church continue to survive if they allow their strict adherence to doctrine to interfere with the basic standards of life-and-death care?"

The argument is a weak one, not least because it ignores the fact that Catholics believe there were two patients involved, and no one procured the consent of the unborn child to the procedure. More importantly, Catholic hospitals grew out of the gospel mandate to care for the afflicted, and those same Gospels are the basis of the Church's opposition to abortion. The second argument is slightly different and, ironically, mirrors some of the complaints from the Right. In an op-ed piece in *The New York Times*, it was put thus by Nicholas Kristof: "We finally have a case where the Roman Catholic Church hierarchy is responding forcefully and speedily to allegations of wrongdoing. But the target isn't a paedophile priest. Rather, it's a nun who helped save a woman's life. Doctors describe her as saintly."

The article ran around the Catholic blogosphere at the speed of light. Where some conservatives see the Phoenix case as another instance of dissent by Religious women, who are appropriately being investigated by the Vatican, some liberals see the case as another example of the hierarchy's heavy-handed treatment of Religious women who have given their lives to the Church.

More thoughtful commentary has emerged on both sides as well. In the conservative journal *First Things*, Michael Liccione questioned the role of Sr Margaret's subjective intent. He noted that the Church permits abortions that are not intended, for example when a woman has an ectopic pregnancy, requiring the removal of her fallopian tube. This will result in the death of the unborn child, but that is not the intended object of the surgery. Liccione argues that this "law of double effect" may have animated Sr Margaret's decision, in which case, her moral culpability is diminished.

The more persuasive criticism of Bishop Olmsted's decision is located here. In such dreadful circumstances, even if the actors make the "wrong" decision, heavy-handed punishment is ill-advised. Liccione writes that "the bishop's ability to make such a confident judgement in this case seems very unclear – to me and to many others. Moreover, the public outrage over the Phoenix case illustrates the dangers of making politically significant announcements on the basis of moral reasoning that not many people can follow and that even theologically well-educated Catholics disagree about."

This is also where one encounters the most persuasive arguments in favour of the bishop's decision. The child is dead, and it is precisely in such difficult decisions that strict adherence to the Church's moral teachings keeps good people from performing evil acts.

The Catholic bishops may regret that this situation has become another sideshow in the culture wars, but they are in part responsible for the Church's involvement in those culture wars. The bishops have given support to groups such as the American Life League and EWTN, both of which have turned on the bishops when the bishops have not followed their conservative positions.

There is a yet deeper concern, and one that has not been much commented upon in the Phoenix situation. Yes, the controversy can be seen as a part of the culture wars. But it is also an example of a deeper pathology in American religious experience – the way religion is reduced to ethics in American culture.

"It is a great temptation for the Church to reduce its mission to that of an ethical authority in order to gain access to the public forum," Mgr Lorenzo Albacete wrote in the Catholic quarterly *Communio* more than 15 years ago, and the warning remains true. Pope John Paul's and Pope Benedict's call for a "New Evangelisation" will be stillborn if the Church can't find ways to proclaim the Gospel effectively, and a main impediment to that proclamation is this reduction of religion to ethics.

Today, in America, the Catholic Left reduces the Church's mission to a social-justice ethic, and the Catholic Right reduces the Church's mission to its ethics on sexual morality. Bishop Olmsted's decision has encouraged partisans of both Left and Right to embrace a defensive posture in which it is difficult to even hear the transcendent call of the Crucified who Lives.

When a moralism of the Left or Right trumps mercy, the Gospel is not proclaimed. The most frightening thing about Bishop Olmsted's decision is, finally, not its justice or lack thereof. It is that, in his multi-paragraph statement announcing the excommunication, he did not even mention God. That is, if you will pardon the expression, damning.

### Test your Understanding

1. What did Sister Margaret Mary McBride do? (1)
2. What did Bishop Thomas J Olmsted do? (1)

3. What, according to the doctors, would have happened if the abortion had not been performed? (1)
4. What is the Catholic teaching on how ectopic pregnancy should be treated? (2)
5. What is the Principle of Double Effect? (2)
6. Why did Michael Liccione write that the Principle of Double Effect may have animated Sister Margaret McBride's decision? (2)
7. If the decision was animated by the Principle of Double Effect, what difference should that have made to Sister Margaret's treatment? (1)
8. What did Bishop Olmsted write, suggesting that he did not accept that this was a case of double effect? (1)
9. What did Fr Ladislav Orsy SJ, of Georgetown University say about the excommunication? (1)
10. What was University of Virginia Ethics Professor Lois Shepherd's objection? (1)
11. Why does the author dismiss Shepherd's argument? (2)
12. What was Nicholas Kristof's argument in the New York Times? (1)
13. What does the author consider to be the most persuasive argument in favour of the Bishop's decision? (1)
14. What did Mgr Lorenzo Albacete write in the Catholic quarterly *Communio* more than 15 years ago? (1)
15. What does the author consider to be damning about the Bishop's decision. (2)

### Develop your Understanding

1. Summarise and explain the Roman Catholic teaching on abortion in your own words. (8)
2. Do you think that Sister Margaret Mary McBride's decision could be justified through the principle of double effect? Show that you have considered both points of view. (12)
3. Do you think that the publicity that excommunication was likely to generate, with the damage that it might do to the Church's reputation on the treatment of women, should have been a factor in the Bishop's decision making process? (8)
4. Was there any other course of action that the Bishop could have taken? (6)
5. Consider the arguments in favour of the Bishop's action and against it. If you were the Bishop what would you have done and why? (14)
6. Is there any place for Roman Catholic hospitals in the modern world? (10)
7. Should the final decision about whether or not to continue a pregnancy be left to the woman? (12)
8. Do you agree with the author, that the Church is placed in danger by the very steps taken to try to make it seem relevant in the modern world, by making it all about ethics. Explain your answer. (10)

### Further Questions for Discussion

Have a look at the following sites.

- <http://www.philosophyexperiments.com/whosebody/Default.aspx>
- <http://bostonreview.net/BR20.3/thomson.html>

Judith Jarvis Thompson states that "*I do take issue with the encyclical (Evangelium Vitae). For according to the encyclical, the doctrine that the fetus has a right to life from the moment of conception "is based upon the natural law" as well as "upon the written Word of God." It says that the doctrine "is written in every human heart, knowable by reason itself..." But the claim that this doctrine is known by reason to be true simply will not do. There is nothing unreasonable or irrational in believing that the doctrine is false.*" Does she have a point? Is the Roman Catholic position based on a rational argument or, at root, on the pathetic fallacy?

Read 'Bill worth disputing' (David Albert Jones - 17 November 2007)

<http://www.thetablet.co.uk/article/10629>

Imagine you are drafting a new Human Fertilisation and Embryology Act. Discuss what regulations you would introduce to cover the issues of Artificial Reproduction, Embryology and Abortion and why. What reception is your legislation likely to receive from Roman Catholics, Feminists, Doctors and Children's charities?