

Contraception and Conscience

We, officers of Notre Dame's Right to Life club, students of the university under Our Lady's patronage, and Catholics committed to the teachings of the Catholic Church, would like to offer a response to Gary Caruso's viewpoint, "The government's not-so-insensible 'conscience clause'" (Sept 30).

In his article, Mr. Caruso condemns Fr. Jenkins' letter to HHS Secretary Kathleen Sebelius, asking that the definition of "religious employer" in the religious exemption clause of the new healthcare mandate be broadened to "ensure conscience protections" that will allow Notre Dame to continue its work as a Catholic university. Namely, the mandate "would compel Notre Dame to either pay for contraception and sterilization in violation of the Church's moral teaching, or to discontinue our employee and student health care plans."

In its current form, the HHS definition defines religious employer as an organization that primarily serves and employs "persons who share its religious tenets." Mr. Caruso argues that this definition is "sensible," and that the government is proceeding correctly in its approach. Both Fr. Jenkins and Mr. Caruso agree that Notre Dame would not qualify as a religious institution under such a definition, given that we employ and educate many who disagree with the teachings of the Church.

Regarding Mr. Caruso's various claims, we would like to offer a response: In his letter, Fr. Jenkins correctly denounces the claim that a Catholic university should offer contraceptive or sterilization services. As the Catechism states, the Catholic Church holds one position regarding such services, namely, "Every action which, whether in anticipation of the conjugal act, or in its accomplishment, or in the development of its natural consequences, proposes, whether as an end or as a means, to render procreation impossible' is intrinsically evil" (2370). Considering such "preventative services" as healthcare equates pregnancy with disease or sickness. One can understand how such reasoning will devalue the lives of the unborn. They become the result of failed medication. In sharp contrast, unborn children are the natural fruits of the sexual act. As such, any separation of the sexual act from procreation is contrary to human nature.

As a Catholic university, the University of Notre Dame has institutional 'social mores' that are informed by the teachings of the Catholic Church. We do not impose Catholicism on our students, but rather we ask that they respect the religious teachings of the Church that inform the mission of the University that they have freely chosen to enter into. Forcing Notre Dame to offer contraceptive services to students and staff is a violation of the religious and institutional freedom of the university and of the religious conscience that informs it. This mandate would force Notre Dame to either abandon its conscience, to cease providing health insurance, or to refuse entrance and employment to those who disagree with the Church's teachings.

We would like to praise Fr. Jenkins' many continued efforts to promote the dignity of the human person, and we especially commend his letter to Secretary Sebelius. We are young. We are Catholic. We are ND. We live in the continuity of a timeless Church and will seek what is true and just. As violations of human nature, contraceptive services are contrary to what is just, and forcing Notre Dame to offer such services is unjust. In the words of Martin Luther King, Jr, "An unjust law is a human law that is not rooted in eternal law and natural law," and "an unjust law is no law at all."

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