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Church credibility harmed by 'hasty' excommunication

Carol Glatz Catholic News Service | Mar. 16, 2009

VATICAN CITY -- A 9-year-old Brazilian girl and the doctors who performed the girl's abortion needed the Catholic Church's care and concern, not its condemnation, said a leading Vatican official.

Archbishop Rino Fisichella, president of the Pontifical Academy for Life, criticized what he called a "hasty" public declaration of the excommunication of the girl's mother and the doctors who aborted the girl's twins.

The girl "in the first place should have been defended, hugged and held tenderly to help her feel that we were all on her side" he wrote in the Vatican newspaper, *L'Osservatore Romano*, March 15.

"Before thinking about excommunication, it was necessary and urgent to protect her innocent life and bring her back to a level of humanity of which we men of the church should be expert witnesses and teachers," he said.

"Unfortunately, this is not what happened and it has impacted the credibility of our teaching, which appears in the eyes of many as insensitive, incomprehensible and devoid of mercy," he said.

Doctors at a hospital in Recife, Brazil, performed an abortion March 4 on the girl, who weighed a little more than 66 pounds and reportedly had been raped repeatedly by her stepfather from the time she was 6 years old. Abortion in Brazil is illegal except in cases of rape or if the mother's life is in danger.

After the abortion, Archbishop Jose Cardoso Sobrinho of Olinda and Recife said it was "a crime in the eyes of the church" and that human laws can never override the laws of God.

He told a Brazilian newspaper that, while it was true the child ran health risks if she continued the pregnancy, "the end does not justify the means. The good aim of saving her life cannot justify the killing of two other lives."

The Vatican's prefect of the Congregation for Bishops, Cardinal Giovanni Battista Re, said excommunication against those responsible for the abortion was legitimate.

In an interview with the Italian newspaper *La Stampa* March 7, the cardinal underlined that according to canon law anyone who procures an abortion incurs automatic excommunication, meaning there is no need for an official decree from church authorities.

However, canon law indicates several conditions -- for example, not yet having turned 17 years old -- that would render an individual exempt from the penalty of excommunication.

The church officials' statements puzzled Brazilian Catholics and were criticized in the media. Many priests were called upon by their parishioners to explain the church's position. Nongovernmental organizations criticized the fact that the stepfather would not be excommunicated.

Fisichella criticized the way Archbishop Sobrinho handled the situation.

"Only because the archbishop of Olinda and Recife hastily declared the excommunication of the doctors" did this story of despicable, yet all too common, violence against girls and women make newspaper headlines, he said.

Fisichella said that because of the Brazilian girl's young age and her "precarious state of health her life was in serious danger" by continuing the pregnancy.

"How should one act in these cases?" he asked, underlining that the girl's case represented an "arduous decision for doctors and moral law itself."

Doctors deserve respect for the difficult decisions they must often grapple with, he said, adding that no one nonchalantly makes life-and-death decisions and to even suggest it "is unjust and offensive."

He said the Catholic principle that upholds the sanctity of life is unshakeable and "abortion has always been condemned by moral law as an intrinsically evil act."

However, because excommunication is incurred automatically at the moment a direct abortion is carried out, "there was no need to declare with such urgency and publicity a fact that occurred automatically," he said.

Fisichella said the church can still be firm with its moral principles and at the same time reach out and show mercy toward others.

He told the young girl in his written article: "We are on your side. We feel your suffering and we would like to do everything that would help you restore the dignity that you have been deprived of and the love that you will still need.

"There are others who deserve excommunication and our forgiveness, not those who have allowed you to live and who will help you regain hope and trust despite the presence of evil and the wickedness of many people," he said.

At a press conference at the Brazilian bishops' conference headquarters in Brasilia March 12, church officials seemed to backpedal on Archbishop Sobrinho's comments.

Sobrinho "did not excommunicate anyone," but simply cited the norms that exist in canon law, said Auxiliary Bishop Dimas Lara Barbosa of Rio de Janeiro, secretary-general of the Brazilian bishops' conference.

Archbishop Geraldo Lyrio Rocha of Mariana, president of the bishops' conference, said to reduce the issue to a simple question of excommunication was to push to the back burner the issue of violence against children, which needs to be discussed by the country. This year the bishops' annual Lenten fraternity campaign, "Fraternity and Public Security," addresses domestic violence as a source of insecurity among Brazilian women and children.

At the press conference, Archbishop Rocha said: "Rape is such a repugnant act that the church does not need to call attention to it. Abortion, however, is not seen as such by some, and that is the reason for excommunication: not only to punish but to show those who practiced the act the gravity of their deeds."

(Contributing to this story was Lise Alves in Brazil.)

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