Catholic Bishops vs. Women’s Rights

Catholic bishops are pressuring the Obama administration to retreat on issues of women’s reproductive rights and with the election year looming, they appear to be making progress, as NOW President Terry O’Neill described in an interview with Dennis Bernstein.

By Dennis J. Bernstein

The National Organization for Women is calling on the Obama administration to stand up for women and not give in to demands from the U.S. Conference of Catholic Bishops that would deny birth control coverage for millions of women.

The bishops have been lobbying the administration to expand a religious exemption that would allow a broad range of religiously affiliated organizations, such as colleges and hospitals, to take contraception coverage away from women who rely on those organizations for health insurance.

I spoke about this and other important issues pertaining to women with Terry O’Neill, President of the National Organization for Women.

DB: It is sort of ironic that Secretary of State Hillary Clinton is spearheading a sort of quiet revolution in progressive foreign policy, trying to empower women but her administration here at home and her boss in the White House apparently is betraying a lot of women. You want to talk about this?

TO: Yes, and let me start by quoting Hillary Clinton [as] she gave an amazing, powerful, inspired speech at the United Nations in honor of International Human Rights Day. And here is part of what she said, “All human beings are born free and equal, in dignity and rights, it does not matter what country we live in, who our leaders are or even who we are. Because we are human we, therefore, have rights. And because we have rights governments are bound to protect them.”

Now, in that speech she was talking about lesbians, gays, bisexuals and transgender persons. But clearly it applies to all human beings, including women. And if only, President Obama and Secretary of Health and Human Services, Kathleen Sebelius would take those words to heart and understand that a woman’s fundamental right to birth control is a human right. They need to recognize it. They don’t give it to us, we have it. They need to recognize it.

DB: Well, what exactly has the Obama administration done, or say they are going to do that will endanger, I think you are saying, perhaps hundreds of thousands, millions of women?
TO: So we have two threats, actually right now. One Secretary Sebelius in an unprecedented move we tried at the NOW office we tried to find any time in the history of this country that the HHS has overruled a scientific evidenced-based decision of the FDA [Food and Drug Administration] and we thought we had found something involving cranberries from 1959 but apparently that wasn’t a case of overruling.

This is the first time, and what the secretary did was to overrule the FDA’s decision that Plan B, a particular kind of emergency contraception is safe and effective for all women, no matter what their age and should be available over the counter. That is scientific and evidenced-based decision and Kathleen Sebelius overruled it purely on political grounds. It is not acceptable.

The women’s movement is mounting a massive on-line effort to convince President Obama to overrule this decision notwithstanding that he has very shamefully hidden behind his daughters, to support this kind of a decision.

DB: What do you mean by that?

TO: So what he said was that it wasn’t his decision it was only Secretary Sebelius’s decision but he thought it was a good decision because, you know, younger girls now, is that, emergency contraception is available over the counter for women 17 years old and older, but not under seventeen. And so what he said was that, well, you know the cognitive development of younger teenage girls is not where it needs to be, and therefore, we need to withhold access to contraception from them. That makes that makes no sense. And then he has the unmitigated gall to say “I’m sure most parents would agree with that.”

I am the mother of a 21-year-old young woman, and she is safe, and healthy, and wonderful and perfect. And I intend to keep her perfect and no sir, it is not the case that other parents think it is okay to play politics with the lives of teenage girls and that is exactly what the Obama administration is doing.

DB: Well, and let’s throw this into the mix, it is interesting that the CDC [Center for Disease Control], a recent study there shows a declining rates of teen pregnancy and teen birth due to increased contraceptive use. I guess Obama didn’t pay attention to the CDC.

TO: Exactly. He didn’t pay attention to the CDC. Candidate Obama promised his voters that he was going to be guided by science, by evidence. He was not going to follow in the footsteps of the Bush administration which politicized these decisions about contraception. In fact, it was under the Bush administration the FDA, dragged its heels and dragged its heels, and dragged its heels, about recognizing whether over the counter emergency contraception was safe and
effective. That’s the FDA’s job: Determine if it’s safe and effective.

Finally they did, but then they put this age restriction on it and a federal court heard a complaint about it and told the FDA that age restriction is purely political and sent it back to the FDA, told the FDA to apply scientific and public health and medical standards. And when they finally did that and Margaret Hamburg of the FDA is quoted in the newspapers as saying, We had made the decision that this is safe and effective, should not have any age restriction. Then the Obama administration swoops in and overrules the FDA. Not acceptable.

DB: We’re talking about the Obama administration caving in to the U.S. Conference of Catholic Bishops. Taking actions that would deny probably millions of young women the kind of birth control and counseling that they need to continue the situation pointed out by the CDC study that there are declining rates of teen pregnancy because of the increased use of contraceptives.

Now let’s step back, this is, I guess it’s the Hyde Amendment turns 35 this year. Of course, that bans Medicaid coverage of abortion. The U.S. is currently experiencing the highest number of people living in poverty since the U.S. census began (keeping tallies) in ’59 and this is rather significant. Let’s take a look at what it looks like for women and if not, President Obama is sort of joining forces with the ghost of Henry Hyde.

TO: You know Dennis, he really is. The Catholic bishops want President Obama to expand a clause in the regulations implementing the Affordable Care Act. And these regulations have to do with preventive care. So under the Affordable Care Act insurance companies are going to be required to cover certain types of services. And the list of required services for prevention, where the insurance company has to cover it without charging an extra co-pay or an extra higher deductible among these preventive services includes birth control.

Now the Catholic bishops convinced Secretary Sebelius again to include this clause in that regulation that says, well, yeah, the insurance companies have to cover contraception but not for employers who are religiously affiliated. And we objected to that clause. We know that that clause is three times of unconstitutional. But the Catholic bishops are insisting, not only that the clause stay in but that it be expanded drastically.

Right now the clause applies basically to religiously affiliated associations like churches. Under the Catholic bishops proposal it would apply to Catholic colleges, Catholic hospitals, anything with any kind of religious, not just Catholic, but any kind of religious affiliation. You are talking about upwards of three million women would be denied birth control health insurance coverage under the Catholic bishops’ proposal.
We have been working night and day to stop the President from caving in to this proposal by the Catholic bishops. And we’re very worried. You know, about what he’s going to do.

DB: And there have been a few victories, I guess, Initiative 26 in Mississippi the so-called Personhood Amendment which would have defined a fertilized egg as a person; that was voted down. Was that a surprise?

TO: You know it was a real surprise. And it was a very pleasant surprise and I think this tells us where the country is. That Mississippi Initiative 26 would have criminalized many forms of birth control. In declaring that a fertilized egg as a human being, it would have criminalized invitro fertilization, would have criminalized many miscarriages, would have required a criminal investigation of a woman who had had the trauma of a miscarriage. It was an absolutely pernicious initiative. And the people of Mississippi voted it down.

And the reason they voted it down, honestly, was because a small number, initially a very small number of feminist activists at the local level in Mississippi started making a big noise about it. And I’m going to tell you the truth, six weeks out up here in Washington, we were saying to each other “Oh my God, this is probably going to pass because it’s Mississippi.” But the activists in Mississippi went to the radio stations, and they went to the college campuses, they went to the community colleges. They started getting the word out. Two weeks out we realized it was neck and neck.

On the day of the election, I mean I was on line to the Jackson, Mississippi, newspaper refreshing every 15 minutes. I couldn’t believe what I was seeing. On the day of [the election], we won that initiative vote by 58 percent to 42 percent. Which tells you, people in this country support birth control.

Yeah, abortion is controversial, there is no doubt about it, although most people think abortion should not be a crime. But people very strongly support birth control and so it’s really puzzling to me that the administration doesn’t understand that. In fact, there’s a lot of elected officials right here in Washington who don’t understand the deep pro-active support for birth control that’s throughout this country.

DB: Well, it's hard to imagine that the state of Mississippi is sort of ahead, apparently at least in this context, one step ahead of the President of the United States who is from Chicago and prides himself on being a progressive liberal and a pro-choice sort of guy. How are the women doing on the 35th anniversary of the Hyde Amendment?

TO: You know we are working very hard to… We want to repeal the Hyde Amendment
altogether. It’s a pernicious law that prohibits federal tax dollars going to fund abortion care. All the other forms of health care are funded through Medicaid but not abortion care. And that’s just plain sex discrimination. Abortion, one in three women will have an abortion in their lifetime. It is a common and necessary part of women’s reproductive health care so prohibiting federal dollars from … and heck, I don’t like war. So are we going to stop using federal dollars to prosecute war just because I don’t like it? No.

Some people don’t like abortion, my advice is don’t have one. But don’t stop other women from having the health care that they need.

Dennis Bernstein is host and executive producer of “Flashpoints,” an award-winning radio show heard over Pacifica radio and originating from KPFA, 94.1, in Berkeley California.