

WORLD & NATION

Theologians justify some use of condoms

By John Norton
Catholic News Service

VATICAN CITY — The delicate discussion of whether the Catholic Church should tolerate the use of condoms as a "lesser evil" in fighting the spread of AIDS resurfaced at the Vatican in late September.

Some of the theologians closest to the Vatican, while emphasizing that contraception should never be accepted, told Catholic News Service there was still lively scholarly debate about whether and how condom use — in certain extreme circumstances — might be allowed.

A few even said that Catholic couples in which one spouse has AIDS could use a condom to defend the healthy partner from infection as long as they had no contraceptive intent.

"There is an ongoing debate among Catholic theologians," said Dominican Father Georges Cottier, Pope John Paul II's in-house theologian.

While disagreeing on some points, all the theologians who spoke to CNS said tolerance of condom use could only occur on a case-by-case basis and could never be advocated as a policy to fight AIDS.

They said their acceptance of condoms in certain circumstances should not be interpreted as general approval or as an exception to the church's contraception ban.

Instances where condoms might be allowed are "neither a norm nor an exception" to a norm, said Franciscan Father Maurizio Faggioni, a professor of moral theology at Rome's Alphonsianum university and a consultant to the Congregation for the Doctrine of the Faith.

"It is an application of moral principles to specific cases" that must be carefully examined individually, he said.

The theologians' long-standing discussion was brought into the public arena in September by two U.S. Jesuits who said a Vatican newspaper article signaled that top church officials tolerated condoms as a "lesser evil" in the fight against AIDS.

Writing in the New York-based Jesuit magazine *America*, Fathers Jon D. Fuller and James F. Keenan said that an April article by Msgr. Jacques Suaudeau, an official at the Pontifical Council for the Family, showed increasing Vatican public approval for church leaders to "support the distribution of prophylactics within an educational program that first underlines church teaching on sexuality."

In a statement of rebuttal, Msgr. Suaudeau said the two Jesuits had unjustly amplified one point of the article, which referred to condoms as a lesser evil in the case of Thai prostitutes. The overall thrust of the article was that condom use "could not be proposed as a model of humanization and development," he said.

Speaking to CNS Sept. 21, Msgr. Suaudeau said his use of the term "lesser evil" was not so unusual. He said that the phrase has been commonly used by moral theologians and church leaders like Cardinal Jean-Marie Lustiger of Paris to describe condom use in extreme cases like AIDS.

The Vatican official stressed that his use of the phrase did not signify an official Vatican endorsement and said that many moral theologians criticized the principle.

Among the critics of the "lesser evil" principle is Father Faggioni.

"Some moralists accept it, and it's also part of tradition," he told CNS, "but to me it doesn't seem a (moral principle) which helps. A Christian can never do evil, even the lesser evil."

Nonetheless, Father Faggioni, who is al-



CNS photo courtesy Jackson & Perkins

Our Lady of Guadalupe

A U.S. rose grower and the United Farm Workers have joined forces to produce a new rose named after Our Lady of Guadalupe. Proceeds from sales of the silvery-pink floribunda rose will go to the Hispanic College Fund.

so a medical doctor, said condom use to protect against AIDS can be tolerated on other grounds. Citing the example of prostitutes who show no immediate intention of leaving their profession, he said condom use might be seen as one step "in a progression of human liberation."

"A woman who understands that she cannot put her life or the life of another in danger is a woman who has grown morally, in comparison to a woman who has no consideration for her health or the health of others," he said.

"Only in this path of pastoral gradualism is it possible to tolerate — here, Catholic ethics does not approve, but tolerates — the use of a prophylactic," he said.

Legionary of Christ Father Gonzalo Miranda, secretary of the Bioethics Center at Rome's Sacred Heart Catholic University, said that using a condom in a situation involving prostitutes with AIDS could be described as a "lesser evil" if one meant it as a social or health evil and not a moral evil.

When faced with a prostitute who makes clear her intention to continue her work, he said, "Knowing concretely that she will not stop, I can say, all right, at least use (a condom) so the risk of infection is less."

An important aspect of the analysis, he said, is that the greater evil, death by AIDS, is much greater than the lesser evil of using a condom.

Father Cottier declined to detail for the record whether he thought the principle of a lesser evil applied to condoms and AIDS, but said: "I personally think that one must take into account the fact that the sexual act in these circumstances leads to death. The principle fully holds: Do not kill."

Even for Catholic couples, Father Faggioni said, condom use might be justified when one of the spouses has AIDS, as long as the "exclusive and primary" intent was to defend the healthy partner from infection and not to prevent pregnancy. Another important consideration, he said, was the risk of infection despite the use of the condom.

"This is a classic application" of the Catholic moral principle of "double effect," he said, in which one's good action has an unintended bad effect. But, he said, given the uniqueness of each case, priests could not advocate this sort of condom use from the pulpit.

"This is an answer to be given in an internal forum, case by case, where the priest must consider the conditions," he said.

Pro-lifers try to save twins

MANCHESTER, England (CNS) — British pro-lifers made a last-minute plea to the parents of Siamese twins not to consent to an operation that could save the life of one baby but would certainly kill the other.

The parents announced Sept. 28 that they would not contest a ruling by the Appeal Court in London giving permission for doctors to operate.

The twins — given the names Jodie and Mary in court to protect their identities — were born at St. Mary's Hospital, Manchester, Aug. 8. Their bodies are fused together at the base of their spines, with their legs splaying out sideways. Their circulatory systems are joined together, and only Jodie's heart and lungs are functioning. Their parents, Catholics from the Mediterranean island of Gozo, Malta, have opposed doctors' plans to separate the twins, saying that they could not support an action that would kill one of their daughters. Doctors have said that unless they operate, both girls are likely to die within months.

The Appeal Court in London supported an earlier High Court ruling in favor of separation.

The parents' lawyer, John Kitchingman, explained why the parents would not be taking the case to the House of Lords, Britain's highest court.

"The parents, having taken this case to two courts before four judges whose decision was unanimous, feel that they have done the best they can for both daughters and are unable to take this any further," he said in a statement.

Jack Scarisbrick, spokesman for the LIFE charity, said the group was making an offer of free care for the twins and accommodation for the parents at its children's hospice, Zoe's Place, in Liverpool.

He told Catholic News Service: "We have said to the official solicitor acting for Mary and to the solicitors acting for the parents that they can bring the girls to Zoe's Place, a unique hospital dedicated to looking after children with life-threatening illnesses.

"The hospital has a Catholic chapel within the building, with the sacraments available. It would be a safe haven. We will look after them all until the twins die.

"... We acknowledge that this is a terrible situation — but to kill Mary in the hope that Jodie will survive is wrong. You may not do a wrong action to achieve something good. This is an important principle of the moral law," he said.



Westside Podiatry Group is pleased to introduce Beth Renee Freeling, D.P.M.

Dr. Beth Freeling is the daughter of Dr. Ronald Freeling and will practice podiatric medicine and surgery with her father and the other members of the Westside Podiatry Group, Dr. Daniel Caiola and Dr. Domenick Calise.

Dr. Freeling received her Doctor of Podiatric Medicine degree from the Pennsylvania College of Podiatric Medicine at Temple University, and completed her residency at St. Barnabas Hospital in Livingston, NJ.

Dr. Beth's special areas of interest are in the treatment of the diabetic foot, including wound care, and the surgical and medical treatment of the deformed foot. She also has specialized in the management of acute and chronic foot pain.



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