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Victim

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Personal politics

The bill's sponsor was Sen. Serphin Maltese, a Queens Republican and a former assistant district attorney.

"The death of an unborn child is as devastating as the loss of any family member," the senator said in a statement issued after the bill passed. "This legislation will close a loophole in our law by providing that those who kill or injure an unborn child may be held criminally responsible for their actions. It provides unborn children with a measure of protection afforded to everyone by our criminal justice system."

The senator's office worked on the legislation with such pro-life advocates as the Catholic conference and Project VOICE—Voice Of Innocent Children Empowered. Rev. Jeffrey Broadnax, a Worldwide Church of God minister, and his wife, Karen, co-founded Project VOICE to advocate for unborn victims of violence after losing their unborn child in 1994.

At 3 a.m. on Sept. 25, 1994, Karen Broadnax experienced severe maternal hemorrhaging. She required an immediate Caesarean section, but the Rev. Broadnax said the doctor delayed the surgery for 45 minutes. Ultimately the baby was delivered dead, the Rev. Broadnax said during a phone interview from his home in Mahopac, N.Y. When he asked the physician why he hadn't operated sooner, the doctor allegedly told him: "Even if we had resuscitated her, she would have been brain damaged, and you wouldn't want a brain-damaged baby."

"That man decided for us that our baby was to die," the Rev. Broadnax said.

Saying he was bound by state law, which did not recognize their unborn daughter



as a person with legal rights, a New York State Supreme Court justice dismissed the couple's case against the doctor a year ago.

"I can donate my daughter's organs because she's a person who could die, but I can't hold anyone responsible for killing her," the minister said. A pro-life supporter, he added that he believes New York is bound by an archaic sense of what a person is because state law emphasizes that he or she must be alive outside the womb.

"If we can do surgery and repair the spinal column of a spina bifida baby in the womb, who are we operating on, a tissue mass?" the Rev. Broadnax asked, rhetorically.

Wading into Roe

After New York's Senate passed the Unborn Victims of Violence Act, Gallagher added in her statement that: "Surely, this legislation is something on which abortion advocates and opponents should be able to find common ground. The Supreme Court, in Roe v. Wade, made abortion the law of the land, and this law would not change that. In fact, it specifically does not apply to legal abortions."

That notion was seconded by Armantrout, and, in fact, some pro-choice

senators did vote for the Senate bill, according to Vicki Vittimo, chief of staff for Sen. Maltese.

"It's not an abortion issue," she said of the bill. "It has to do with murder of children in utero who are wanted."

The U.S. public agrees, according to a CNN/USA Today/Gallup poll conducted in 2001. When asked if a criminal should face additional charges for harming an unborn child as well as the woman carrying it, 93 percent of those surveyed said "yes." And when "fetus" was substituted for "unborn child" in the question, 86 percent still supported additional charges for assailants.

Yet such pro-choice advocates as Planned Parenthood and the American Civil Liberties Union are aggressively fighting unborn victims legislation on both the state and national levels. Currently, 26 states have some sort of statute equating fetal homicide with homicides of persons. Meanwhile, the House of Representatives passed a bill last year that, if also adopted by the Senate, would make fetal homicide in the course of an assault on or murder of a pregnant woman a federal crime.

"The ACLU fully supports efforts to punish acts of violence against women that harm or terminate a wanted pregnancy," the group stated in a memorandum opposing the House bill. "This bill is an inappropriate method of imposing such punishment, however, because it dangerously seeks to separate the woman from her fetus in the eyes of the law. Such separation is merely the first step toward eroding a woman's right to determine the fate of her own pregnancy and to direct the course of her own care."

Pro-choice groups like the ACLU say they support enhanced penalties for assault cases in which a pregnant woman loses her baby — as long as such laws don't recognize the unborn child as a separate

victim. Supporters of unborn-victims legislation counter that such legal measures are not only inadequate, but also insulting to the parents of unborn victims.

"If all you want is a certain penalty figure, then that argument makes sense," said Cathleen Cleaver, pro-life spokeswoman for the U.S. Conference of Catholic Bishops in Washington, D.C. "If you would ask the woman or the husband or the boyfriend whether it makes any difference, I suspect the answer would be different."

Cleaver said that pro-choice advocates want to avoid facing what unborn victims acts imply: that abortion is the ending of a person's life, as is the murder of a wanted child during the course of an assault. She added that pro-choice forces are even denying their own rhetoric, and cited numerous quotes from pro-choice advocates plainly admitting that abortion involves the taking of a human life. For example, she noted that former Planned Parenthood President Faye Wattleton made this statement in the May/June 1997 edition of *Ms.* magazine: "(A)ny pretense that abortion is not killing is a signal of our ambivalence, a signal that we cannot say yes, it kills a fetus but it is the woman's body, and therefore ultimately her choice."

Despite such frank acknowledgements, pro-choice advocates nevertheless will continue to fight unborn-victims legislation, Cleaver said during a phone interview from her Washington, D.C. office.

"They're going to do everything they can to avoid recognizing that there's another human being involved," she said.

The Rev. Broadnax, meanwhile, said he will continue fighting to make New York the next state to protect unborn victims of violence.

"A woman who has chosen to have a baby ought to be protected as much as someone who has chosen to have an abortion," he said.

Resignation

Continued from page 1

ment agreement and a 1980 letter from Archbishop Weakland to Marcoux.

It reported that, according to Marcoux, the archbishop "date raped" him after the two went for dinner and had a lot to drink.

The letter "suggests the two had an intense and emotional relationship," the *Journal Sentinel* reported. "In it, Weakland expresses his love for Marcoux and his angst over not being able to maintain a relationship with him," it said.

The *New York Times* said May 24 that various news outlets received copies of the archbishop's handwritten 1980 letter from Peter Isley, a Milwaukee representative of Survivors Network of those Abused by Priests, who has often publicly criticized Archbishop Weakland.

George Weakland was born April 2,

1927, in Patton, Pa. He joined the Benedictines of St. Vincent Archabbey, Latrobe, Pa., in 1945 and received the religious name Rembert four years later when he made his solemn profession of vows at Solesmes Abbey in France.

He was ordained a priest June 24, 1951, at Subiaco, Italy, birthplace of the Benedictine order. On Sept. 20, 1977, two days before his expected election to a third term as abbot primate of the worldwide Benedictine Federation, Pope Paul VI named him archbishop of Milwaukee.

Archbishop Weakland was a national leader in ecumenical relations, social justice and liturgical renewal and an outspoken advocate for greater lay roles in the church, especially for the advancement of women.

He advocated more inclusive language in the liturgy and was often a featured speaker on liturgy and on liturgical music. One of his last major projects before his retirement was the renovation of the Mil-

waukee cathedral.

When the U.S. bishops decided to write a pastoral letter on Christianity and capitalism in 1980, Archbishop Weakland was asked to chair the writing committee. Under his guidance the committee sharpened the focus to a critique of the U.S. economy from the perspective of Catholic social teaching. Issued by the bishops in 1986, the document, "Economic Justice for All: Catholic Social Teaching and the U.S. Economy," is regarded as a landmark pastoral statement. It and the 1983 pastoral on war and peace are often cited together as two of the most significant social statements ever produced by the U.S. bishops.

In 1981 he formed an archdiocesan task force on women. It submitted extensive recommendations for combating sexism and advancing the role of women in church and society. Archbishop Weakland then formed an archdiocesan women's commission to help him implement the recommendations.

In 1983, he signed an archdiocesan covenant with the Episcopal Diocese of Milwaukee and hosted the session of the national Catholic-Lutheran dialogue at which it completed its landmark statement on justification by faith.

As the U.S. bishops tried to write a pastoral letter on women in the early 1990s, he was an outspoken advocate for a document that would significantly advance women's roles in church and society.

In November 1992, before the bishops voted, he warned that if the proposed pastoral was approved as written, "we're going to lose another generation of very fine young women." The pastoral was defeated.

His 1990 decision to hold listening sessions on abortion and birth control drew strong Vatican ire. In January 1991 he said publicly that he would be willing to ask Vatican permission to ordain qualified married men if the priest shortage continued to worsen.

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