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A SHADOW REPORT  
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# WOMEN 2000: GENDER, EQUALITY, DEVELOPMENT AND PEACE FOR THE TWENTY-FIRST CENTURY

THE HOLY SEE AND THE FOURTH WORLD CONFERENCE ON WOMEN REVISITED

## CATHOLICS FOR A FREE CHOICE

Catholics for a Free Choice has prepared three documents for Women 2000: Gender, Equality, Development and Peace for the Twenty-First Century, the five-year review of the Fourth World Conference on Women.

*The Holy See and Women's Rights: A Shadow Report on the Beijing Platform for Action* provides a review of the Holy See's activities regarding the implementation of the Beijing Platform for Action. Catholics for a Free Choice collected representative samples of Vatican activity since the 1995 Beijing conference and uses these examples, as well as the Holy See's own objectives and reservations regarding the Platform for Action, to critique the Holy See's progress regarding women's rights.

*Catholic Voices on Beijing: A Call for Social Justice for Women* is a review by Catholic Voices of the Platform for Action, Catholic social teaching and feminist critique. To repudiate the Holy See's contention that the Platform for Action is not representative of Catholic thinking and teaching regarding women, it discusses common ground between the platform and key areas of Catholic social teaching, including women and poverty, women and education, women and health, women and violence, women and decision making, human rights of women and the girl-child, and women and the environment. Catholic Voices is an international forum on the issues of population and development convened by Catholics for a Free Choice. It pro-

vides an opportunity for progressive Catholic leaders to influence and participate in international discourse on women's human rights, sexuality and reproductive health.

*Women and Roman Catholic Christianity* traces the development of the Catholic church's attitudes toward women since the time of Christ. It examines the complicated roles of gender and celibacy within the church, the ongoing conflict over women's place in Christianity, the church's gradual acceptance of some new roles for women and the historical and theological precedents for its continued resistance to full equality for women. The paper was authored by Rosemary Radford Ruether, one of the world's leading Catholic feminist theologians. She teaches at the Garrett Theological Seminary and is the author or editor of more than twenty-five books, including *Gaia and God: An Ecofeminist Theology of Earth Healing*.

Catholics for a Free Choice shapes and advances sexual and reproductive ethics that are based on justice, reflect a commitment to women's well-being and respect and affirm the moral capacity of women and men to make sound decisions about their lives. Through discourse, education, and advocacy, CFFC works in the United States and internationally to infuse these values into public policy, community life, feminist analysis and Catholic social thinking and teaching.

1. Religion  
2. Derechos de la  
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3. Igualdad de género  
4. Salud de la  
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## EXECUTIVE SUMMARY: THE HOLY SEE AND WOMEN'S RIGHTS

"PROGRAMA UNIVERSITARIO DE  
ESTUDIOS DE GÉNERO" - U.N.A.M.

The Holy See and Women's Rights: A Shadow Report on the Beijing Platform for Action, was prepared by Catholics for a Free Choice (CFFC) as a contribution to the five-year review process of the Beijing Platform for Action. CFFC felt it was important to evaluate the Holy See in the same manner that UN member nations are evaluated by NGOs because the Holy See claims the privileges of a United Nation's member nation at UN conferences and was active in the negotiations that led to the Platform for Action.

The Holy See, however, is not a country but the central government of a religion. As a result, it has no permanent citizenry and none of the usual governance mechanisms. And as we discuss in this report, its participation in the UN as a Non-member State Permanent Observer is an accident of history. As a result, it is extremely difficult to complete a Shadow Report on the Holy See referencing its treatment of its own citizenry. We focus therefore on the women who are impacted by the Holy See's policies—Catholic women and women around the world.

Despite the claims of the Holy See that it promotes women's rights, we illustrate a host of areas in which it actually obstructs women's rights and takes actions and positions contrary to the Platform for Action. We show that in some instances its goals are substitutes for more progressive Platform for Action goals. In other instances, the Holy See has allowed its view of the so-called essential nature of women to lead it to espouse policies that limit women's opportunities and threaten their health and reproductive freedom.

In its preparatory report for the Fourth World Conference on Women, the Holy See put forth seven strategic objectives. In this report, CFFC analyzes each objective and offers representative samples of Vatican activity since the Beijing conference.

- 1) To strengthen awareness of the dignity of the person and the person's inalienable rights.

Holy See language regarding the "dignity of the person" is a substitute for language guaranteeing the "human rights of women." The Holy See uses this language to deny the full expression of human rights for women, particularly reproductive rights. From failing to ratify the Convention on Elimination of All Forms of Discrimination Against Women to denying the right of women who have been raped as an

act of war to use emergency contraception, the Holy See does not truly support the rights of women as fully equal, competent moral agents.

- 2) To enable women to put their abilities to use in order to participate in their own development and in that of society.

Sexual discrimination within the Catholic church frustrates the desire of many women to use their abilities within the church. And the church has a history of dealing harshly with those who in word and deed disagree with it, particularly on issues of sexuality. The church silenced Brazilian nun and theologian Ivone Gebara because she advocated the legalization of abortion, and ordered two American religious, a nun and a priest, to end their association with a ministry for homosexuals.

- 3) To ensure a fair balance of workforces in society, by recognizing the importance of family work.

While the church says it supports women in the workforce, its emphasis on motherhood as the primary role for women undercuts this support and causes its leaders to take positions that hinder the ability of women to participate fully in the workforce. Members of the Catholic hierarchy have decried daycare and supported legislative measures designed to keep women at home.

- 4) To promote the access of women to positions of responsibility in every sphere of life, including politics.

Support for women in positions of influence is relatively new to the Catholic church; it still essentially defines women in terms of being helpmates who complement men. This view is reflected in the lack of women in positions of influence within the church. Even on councils that advise the pope on matters of sexuality and the family, women are underrepresented.

- 5) To continue the struggle against all forms of poverty, and in particular against unemployment and the marginalization which follows from it.

The Vatican fails to acknowledge the connection between poverty and lack of reproductive empowerment for women. The Holy See has consistently opposed family planning programs in poor countries and failed to acknowledge the role of poverty in contributing to abortion.

6) To do everything possible to eliminate illiteracy.

While the Catholic church has worked to provide educational opportunities for women, documented instances of sexual discrimination within Catholic educational institutions undercuts this support. For instance, in Zambia the Catholic church opposed a measure that would allow unmarried pregnant girls to continue their education.

7) To guarantee at every age a family-life education which includes education in responsible parenthood.

The Holy See only recognizes the need for sexuality education within the limits of monogamous, heterosexual marriage, impeding the development of much-needed programs for women at all stages of life and in varying personal contexts. The Catholic hierarchy has opposed sexuality education programs in Africa even as the AIDS epidemic explodes and has condemned sexual education programs designed to reduce teen pregnancy and STD rates.



## THE HOLY SEE AND WOMEN'S RIGHTS: A SHADOW REPORT ON THE BEIJING PLATFORM FOR ACTION

### INTRODUCTION

The Holy See and Women's Rights: A Shadow Report on the Beijing Platform for Action, provides a review of the Holy See's activities regarding the implementation of the Beijing Platform for Action. This report was prepared as part of the five-year review process of the Platform for Action for Women 2000: Gender, Equality, Development and Peace for the Twenty-First Century (Beijing +5). Because the Holy See claims the privileges of a United Nation's member nation at UN conferences and because it was active in the negotiations that led to the Platform for Action, Catholics for a Free Choice felt that it was important that the Holy See face the same kind of scrutiny that UN member nations face from NGOs.

Compiling a shadow report on the Holy See has unique challenges. Firstly, the Holy See is not a member nation of the United Nations in the traditional sense. It is a Non-member State Permanent Observer, a "shadow" status it shares only with Switzerland. This quasi-member status allows the Holy See to participate in the UN process when it suits its purposes, but remove itself from the full accountability expected of member nations. UN member states were invited to prepare national action plans for implementing the Platform for Action. Although Switzerland submitted a national action plan, the Holy See did not.

Furthermore, the Holy See is not a country, but the central government of a religion. As such it does not have geographically defined citizenry in the traditional sense, but has a constituency numbering some 1 billion Catholics around the world and plays a role in the policy-making processes of numerous countries, both officially and unofficially.<sup>1</sup> As a result, any review of the Holy See's efforts regarding the Platform for Action must look beyond geography and to the Catholic church's presence and influence in the world at large.

Despite these challenges, Catholics for a Free Choice (CFFC) is uniquely suited to prepare this report. CFFC monitors Vatican activity extensively and has a deep understanding of the issues involving the Platform for Action and the theology and practice of the Catholic church. For this report, CFFC collected representative samples of Vatican activity since the 1995 Beijing conference. This, together with the Vatican's own objectives emanating from the conference and its objections to the final conference declaration, provides a snapshot of the Holy See's activity regarding women's rights around the globe.

### HISTORY

It is important for the purposes of this report to understand the relationship of the Holy See and the UN. The Holy See's participation in the UN is an accident of history. Early in its formation, the UN invited the Universal Postal Union and the International Telecommunication Union to attend UN sessions on an ad hoc basis. Because Vatican City operated both a radio station and a postal service, it began attending the General Assembly, the World Health Organization, and the UN Educational, Scientific, and Cultural Organization in 1951 as an observer. In 1956, the Holy See was elected a member of the UN Economic and Social Council (ECOSOC). In 1964, Pope Paul VI named a permanent observer to the UN, following Switzerland's precedent, and UN Secretary-General U Thant accepted the designation, which allows the Holy See a voice and a vote at conferences like the Fourth World Conference on Women in Beijing. It is the only religion in the world to hold such an influential position.<sup>2</sup>

### WHAT IS THE HOLY SEE?

An understanding of the structure of the Holy See is critical to an understanding of its ability, or lack thereof, to promote the interests of women. The Holy See consists of the pope, the Roman Curia, and the College of Cardinals together. Two of the three—the pope and the College of Cardinals—are by definition all male. The Roman Curia—which is the center of administration for the Roman Catholic church and includes all agencies and departments of the church—has a very limited female presence, mostly as lay advisors on certain bodies. Vatican City is the temporal residence of the Holy See and under control of the all-male church hierarchy. It is the smallest city-state in the world (0.44 square kilometers). In addition to the offices and administrative services of the Catholic church, it houses mostly tourist attractions and various archives of the Roman Catholic church—Vatican Palace, St. Peter's Basilica, museums, art galleries, gardens, libraries, and an astronomical observatory. It was recognized as a sovereign entity under the rule of the pope by Italy in 1929 under the Lateran Agreement as compensation for the bulk of its lands, which Italy annexed in 1870. Its population numbers approximately 1,000, primarily priests and male church officials as well as several hundred lay employees. The legal system is based on Roman Catholic Canon Law and the sovereign head of state is the pope. Pope John Paul II was elected as current pope on Oct. 16, 1978. The administration of affairs for Vatican City is handled by the Pontifical Commission for the State of Vatican City, appointed by the pope.<sup>3</sup>

## THE HOLY SEE AND THE PLATFORM FOR ACTION

The problems implicit in completing a shadow report on the Holy See's implementation (or lack thereof) of the Platform for Action are obvious. Shadow reports are traditionally compiled on any given country's record regarding its own citizens. However, the geographic entity of the Holy See—Vatican City—has an extremely limited female citizenry and is not a real nation in any sense of the word—it has no elections or civic structure, few families, no schools except those for training priests and employees, or other public accommodations. At the same time, the Roman Catholic church has a constituency of approximately 1 billion Catholics around the world, in countries large and small, approximately half of whom are women. Any report attempting to comment on the Holy See and the Platform for Action must discuss the church's efforts regarding Catholic women around the world. And, in many of its pronouncements and formal UN policymaking statements, the church purports to speak to the nature of all women—not just Catholic women. Particularly in its role at the UN, the Holy See works to influence policies that apply to all women, regardless of their faiths, based on its interpretation of Catholic doctrine. For example, in the apostolic letter *Mulieris Dignitatem* (On the Dignity and Vocation of Women), Pope John Paul II discusses the universal nature of all women:

This applies to every human being, whether man or woman, who live it...in accordance with the special qualities proper to each. Within the framework of the present mediation on the dignities and vocation of women, this truth about being human constitutes the *indispensable point of departure*. Already in the Book of Genesis we can discern...the spousal character of the relationship between persons, which will serve as the basis for the subsequent development of the truth about motherhood, and about virginity, as two particular dimensions of the vocation of women in the light of the divine revelation.<sup>4</sup>

The Vatican's beliefs about the so-called essential and proper nature of women direct its efforts to limit the availability of reproductive health services for all women. It is important to note that these efforts have a particularly strong impact in Third World nations and that many of these nations have relatively small Catholic populations. For instance, Catholics account for only 15 percent of the population in Africa and only three percent of the population in Asia.<sup>5</sup> Therefore, while the Holy See's efforts toward the Platform for Action in relation to its own female citizenry can be partially instructive,

the larger issues are its policies and practices toward Catholic women around the world and to women in general, especially in countries where the Catholic church has extensive political influence.

A second problem with any discussion of the Holy See and the Platform for Action is that the Vatican did not join the consensus of the 189 nations that adopted it, and in fact submitted numerous reservations to the document (See Appendix A.) Officially, it only "partly joined the consensus," and it completely rejected the entire section on women's health.<sup>6</sup> Among those reservations was the belief that the document pays inordinate attention to sexual and reproductive health and that it fosters an "exaggerated individualism" that is antithetical to the well-being of women. To quote Mary Ann Glendon, head of the Holy See delegation at Beijing: "Surely we can do better than to address the health needs of girls and women by paying disproportionate attention to sexual and reproductive health."<sup>7</sup> These reservations are problematic and dangerous because they directly challenge the achievements that have been gained for women's reproductive and sexual health and they undermine the international consensus that has been created around women's rights, making constructive criticism of the Vatican's actions in these areas extremely difficult.

## LETTER TO WOMEN

The Vatican's attitudes towards women and the underlying context they provide for this report can be further discerned in the "Letter to Women" that Pope John Paul II issued on July 10, 1995, in preparation for the Beijing conference. The statement was unprecedented in that the pope apologized for the past discrimination against and oppression of women in the church and also acknowledged the valuable contribution the women's movement has made to society. However, the pope primarily discusses the particular "genius of women" as mothers, helpmates to men and in service roles such as health and education. The pope goes on to say that women are "pre-disposed" to "this miraculous gift" of motherhood.<sup>8</sup> Although on the surface it appears that the pope is praising women, this interpretation of women's social and cultural value is narrow and limiting and ignores the myriad of ways in which women express themselves and contribute to society.

However problematic, Pope John Paul II's "Letter to Women" is useful in analyzing the Holy See's post-Beijing objectives because it places those objectives within a broader institutional framework and also acknowledges the progress the church has made in its views of women.

## THE HOLY SEE'S STRATEGIC OBJECTIVES

In its "Report of the Holy See in Preparation for the Fourth World Conference on Women," the Holy See put forth the following strategic actions and objectives:

1. To strengthen awareness of the dignity of the person and the person's inalienable rights.
2. To enable women to put their abilities to use in order to participate in their own development and in that of society.
3. To ensure a fair balance of workforces in society, by recognizing the importance of family work.
4. To promote the access of women to positions of responsibility in every sphere of life, including politics.
5. To continue the struggle against all forms of poverty, and in particular against unemployment and the marginalization which follows from it.
6. To do everything possible to eliminate illiteracy.
7. To guarantee at every age a family-life education which includes education in responsible parenthood.<sup>9</sup>

This shadow report will analyze these objectives, looking at specific examples of how the Holy See has addressed its goals and the ways in which these goals counter or promote the Platform for Action. We will also examine in a broader context how the actions and philosophy of the Holy See have advanced or retarded the realization of the goals outlined in the Platform for Action.

## THE HOLY SEE'S STRATEGIC OBJECTIVES AND CORRESPONDING PLATFORM FOR ACTION STATEMENTS

In analyzing the Holy See's objectives and roughly corresponding strategic objectives outlined in the Platform for Action, two observations become immediately apparent. The first is that there is no mention of women's health, including reproductive and sexual health, in the goals of the Holy See. And although the lack of women's access to health services is highlighted in the Holy See's preparatory report, they provide no strategies to address this need, a prime example of how the Vatican's exaggerated and unwarranted fear of reproductive health services causes it to slight overall health care for women, such as the goal in the Platform for Action to reduce maternal mortality by at least 50 percent of the 1990 levels by the year 2000.

The second observation is that women are largely regarded within the boundaries of how the church chooses to validate

them, namely as mothers and guardians of life. Visions of empowered women who exert their independence are completely absent from the language of the Vatican. This is significant because it underscores a limited view of women, hampering the full realization of their rights.

### HOLY SEE STRATEGIC OBJECTIVE NO. 1

*To strengthen awareness of the dignity of the person and the person's inalienable rights.*

*PLATFORM FOR ACTION Strategic objective I.1: Promote and protect the human rights of women, through the full implementation of all human rights instruments, especially the Convention on the Elimination of All Forms of Discrimination against Women.*

When the Holy See talks about promoting the "dignity of the person"—versus the conference language of "human rights of women"—it substitutes its own limited language for language generally agreed to by those in the international community who promote the well-being of women. Consequently, the Holy See holds itself to a much lower, self-defined standard of human rights. For the Catholic church hierarchy, women's "dignity" is linked to their reproductive capacity, while men are normative persons. This tactic of defining women as being less than fully human is one of the primary rhetorical tools the church uses to justify its continued discrimination against women, both internally and externally. In its very first reservation to the Platform for Action, the Holy See objected to the definition of equality between men and women and instead called for an affirmation of "the dignity and worth of women and the equal rights of men and women."<sup>10</sup> Similarly, in its preparatory report it noted that the "Holy See considers women and men as being of equal dignity in all areas of life, but without this always implying equality of roles and functions."<sup>11</sup> As long as the church continues to insist upon language that fails to recognize the full humanity of women, it cannot promote the full human rights of women.

The church also uses rhetorical constructs to completely exclude certain categories of women. In its second objection to the Platform for Action, the Holy See stressed that "the family is the basic unit of society and is based on marriage as an equal partnership between husband and wife, to which the transmission of life is entrusted."<sup>12</sup> The Holy See objects to a more comprehensive definition of family that recognizes various forms of family, due to cultural, political and social systems (i.e., childless couples, widowers with children, same-gender couples). Thirdly, the Holy See defined terms such as "women's right to control their sexuality" and "women's right to control...their fertility" as being applicable only

within marriage, again nullifying their meaning for women outside of traditional marriages and at different points in the life cycle.<sup>13</sup>

The Holy See's objection to the entire section on human rights, "with the exception of quotations or restatements of already existing human rights instruments," citing a concern with "excessive individualism," is instructive of its fear that new avenues are being created that take women out of the patriarchal control of the church.

In addition, the Holy See lodged an objection to the entirety of Section C, which deals with health, because it said it "devotes a totally unbalanced attention to sexual and reproductive health in comparison to women's other health needs."<sup>14</sup> Access to basic reproductive health services such as abortion and contraception, as well as counseling about the availability of preventative services, such as the use of condoms to prevent AIDS, is a basic human right for all women. Efforts on behalf of the Holy See to limit reproductive health services for women is therefore a direct violation of women's rights.

Despite the Holy See's claim that it supports the rights of women, there have been numerous examples over the last few years where the Holy See has actually thwarted women's health by denying women access to the reproductive health services they seek and by condemning those women who, out of necessity, choose procedures such as abortion for their physical and psychological well-being.

- In 1999, the Vatican released a statement saying that providing women who had been raped in Kosovo with emergency contraception was equivalent to promoting abortion.<sup>15</sup> Previously, in reference to women raped in Bosnia, the pope went so far as to say that raped women should "accept the enemy" and make him "flesh of their own flesh."<sup>16</sup>
- In 1998, when an abortion was sought for a ten-year-old girl who had been repeatedly raped by two neighbors in Sao Paulo, Brazil, Catholic priests joined antiabortion activists in trying to block the abortion. Though in the end the young girl won the legal fight to have the abortion, the fact that the Catholic priests would try to stop a young girl who had become pregnant as a result of rape from having an abortion is a clear violation of that girl's human rights.<sup>17</sup>
- In 1996, the local Roman Catholic church in Tegucigalpa, Honduras, prevented the distribution of one million con-

doms by health and election officials at polling stations during a primary election. Honduras has the highest incidence of AIDS in Central America.<sup>18</sup>

- In 1996, in Nairobi, Kenya, where the AIDS epidemic is exploding among young women, Cardinal Maurice Otunga, Kenya's leading Roman Catholic church official, burned boxes of condoms and safe sexual literature.<sup>19</sup>
- At the policy level, the Holy See has only ratified three of 18 UN Human Rights Conventions. As of April 20, 1999 these are: ICERD, the International Convention on the Elimination of all Forms of Racial Discrimination; CRC, the Convention of the Rights of the Child, and CRSR, the Convention Relating to the Status of Refugees. The convention that specifically addresses the needs and rights of women, namely the CEDAW, the Convention on Elimination of All Forms of Discrimination Against Women, remains unratified by the Holy See.<sup>20</sup> Without full legal backing for the rights of women, the Holy See's support for women's advancement becomes superficial.

## HOLY SEE STRATEGIC OBJECTIVE NO. 2

*To enable women to put their abilities to use in order to participate in their own development and in that of society.*

*NOTE: There is no Platform for Action objective that correlates to this objective.*

The sexual discrimination that exists within the Catholic church itself thwarts the vocation and calling of many women. Even for positions that do not require being a priest, women are consistently underrepresented. A study by Catholics for a Free Choice found that in 1988 among chancery positions in the church, only 12 percent were held by women. In 1993, on the diocesan tribunals that deal with annulments, CFFC found that only four percent of judges were women. Similarly in 1993, 92 percent of all director of finance and administration positions in dioceses were held by men.<sup>21</sup> It is clear that the Holy See has not implemented any mechanisms to enable Catholic women to seek fulfilling work within the context of the Catholic church. In fact, it has obstructed such progress. In addition, the Catholic church hierarchy has refused to democratize the Catholic church, particularly by allowing women to obtain decision-making positions in the hierarchy.

In addition, the Holy See is remarkably undemocratic when it comes to dealing with Catholics who disagree with official teachings and positions. Instead of fostering open, healthy debate that would enable women to put their talents and

skills to use, the Holy See uses totalitarian tactics to silence those who dare disagree—especially with its teachings on women and matters of sexuality and reproduction.

- In 1995, Cardinal Joseph Ratzinger of the Vatican's Congregation for the Doctrine of the Faith pressured Brazilian theologian Ivone Gebara's religious superiors to silence her for her views. Gebara, who is considered to be one of Latin America's leading feminist theologians, advocated the legalization of abortion in Brazil: "For me, as a Christian, to defend the decriminalization and legal regulation of abortion is not to deny the traditional teachings of the gospel of Jesus and the church... Rather, it is to welcome them within the paradoxical reality of human history and to aid in diminishing violence against life." Gebara's superiors conceded to the demands of the Vatican, which included a two-year ban on Gebara from public teaching, speaking and writing.<sup>22</sup>
- On July 13, 1999, the Holy See's Congregation on the Doctrine of the Faith notified Sr. Jeannine Gramick and Fr. Robert Nugent that they were to immediately end their association with the "New Ways Ministry" for homosexuals. The two clerics were censored for their questioning of "central elements" of the church's teaching on homosexuality and because they "explicitly criticized the documents of the Church's Magisterium" on the issue.<sup>23</sup>
- In January of 2000, Lavinia Byrne, an English nun who is a prominent proponent of ordination for women, quit her order, complaining of "bullying" by the Vatican. The Vatican had pressured her to make a public statement in support of *Humanae Vitae*, the encyclical prohibiting contraception, and an apostolic letter by Pope John Paul II proclaiming that the church has no authority to ordain women.<sup>24</sup>

### HOLY SEE STRATEGIC OBJECTIVE NO. 3

*To ensure a fair balance of workforces in society, by recognizing the importance of family work.*

*PLATFORM FOR ACTION Strategic objective F.6: Promote harmonization of work and family responsibilities for women and men.*

The Vatican has spoken consistently on the need for home and work lives to be better synchronized and for governments to support families in their home lives. In 1981, Pope John Paul II spoke on his view of the role of women in society:

There is no doubt that the equal dignity and responsibility of men and women fully justifies women's access to public

functions. On the other hand *the true advancement of women requires that clear recognition be given to the value of their maternal and family role* [emphasis added], by comparison with all other public roles and all other professions. Furthermore, these roles and professions should be harmoniously combined.<sup>25</sup>

In its preparatory report for the Beijing conference, the Vatican noted that "[t]he profound transformations which the revolution in technology is presently bringing about in the sphere of production and labor—as well as forms of restructuring involving job transfers, permanent recycling, the reduction of working hours, the development of part-time employment, more personalized and flexible jobs—can help in the search for a new balance between paid employment, family commitments, leisure time and volunteer work."<sup>26</sup>

However, the Vatican's overemphasis on role of the "mother" undermines decision-making possibilities for women. Women who do not have access to information and services to determine the number and spacing of their children have difficulty participating fully in the workforce. Furthermore, the Holy See suggests that women cannot be "good mothers" and be fully engaged members of economic society. The Vatican's logic is faulty. What is in question here is not so much the value of "motherhood" versus work, but the obstacles to a woman's ability to choose whether or not she wishes to have children, the number and spacing of those children, and how to balance the competing demands of being a mother and a woman who works outside the home—a concern the Vatican has not always been sensitive to. In 1992, a woman employee of the Vatican Bank sued the bank over its long-standing policy of forcing women who married to resign, apparently over "concerns about high costs of maternity leave and family benefits."<sup>27</sup>

And in the early 1990s, the bishops of Poland promoted a number of measures to keep women in the home. They failed to protest the closing of over 60 percent of the day care centers in the country and suggested that unemployment could be eased if women stayed home.<sup>28</sup> And one bishop urged a change of school curricula to promote traditional skills appropriate for wives and mothers for girls, while boys would pursue academic studies.<sup>29</sup>

The church hierarchy also displays a deep distrust of day care, which is necessary for women to participate in the workforce. Cardinal Thomas Winning of Glasgow said that the Scottish government should pay women to stay at home with their children as this was preferable to day care:



So keen are the Government on this [encouraging young mothers to go back to work] that they will pay substantial sums to cover child care to facilitate it. But while such support is laudable in certain circumstances, for most people a preferable option would be to pay the mums to look after their own children rather than bringing in outsiders.

Contrary to the views of the cardinal, the fact that the government in Scotland is able and willing to provide subsistence to women for child care is positive: it means that women are able to work and that they are receiving financial assistance when it is needed.

#### **HOLY SEE STRATEGIC OBJECTIVE NO. 4**

***To promote the access of women to positions of responsibility in every sphere of life, including politics.***

*PLATFORM FOR ACTION Strategic Objective G.1: Take measures to ensure women's equal access to and full participation in power structures and decision-making.*

In modern times the Catholic church has come around to supporting the full participation of women in civic life, and to a lesser degree, when necessary, in economic life. However, this recognition of women as worthy of all civil liberties granted to men was not always the case. In the 1930 encyclical *Casti Connubi* (Chastity in Marriage), Pope Pius XI warned against the "social, economic and physiological-psychological" emancipation of women, calling it "the debasing of the womanly character and the dignity of motherhood."<sup>31</sup> He said the emancipation of women was "a false liberty and unnatural equality with the husband...for if the woman descends from her truly regal throne to which she has been raised with the walls of the home by means of the Gospel, she will soon be reduced to the old state of slavery."<sup>32</sup>

This core belief that women are destined to reign in the home and are somehow debased by participation in public life still remains embedded in the psychology of the Catholic church and prevents the full incorporation of women to positions of responsibility in many countries. It can be seen in Pope John Paul II's "Letter to Women." While the pope thanks "women who work ... in every area of life—social, economic, cultural, artistic and political" (after thanking, firstly, women who are mothers, then women who are wives and then women who are daughters and sisters), he then goes on to define their contribution as uniquely female, that is bringing "feeling" to a culture of reason.<sup>33</sup>

While women can contribute to society and be integrated into the social, political and economic spheres, they are still

essentially defined in terms of being helpmates who complement men. Nowhere does the pope mention the need for women in positions of power or leadership, which is not surprising given the church's own record on this issue. For instance, it has failed to appoint a woman ambassador to any key country. It is in the lack of leadership roles or access to structures of power within the Catholic church itself that the church most severely fails to live up to its own stated goal of promoting the access of women to positions of responsibility. One only needs to look at the structure of the Holy See and the Vatican as described in the introduction to this report to realize that women are totally lacking from any serious positions of power within the church. The government of the Catholic church, the Holy See—comprised of the pope, the Roman Curia and the College of Cardinals—is overwhelmingly male and therefore it is difficult for the church to have any credibility in promoting women's access to structures of power. The primary reason for this absence of women is that most real leadership positions within the church with significant responsibility for doctrinal or political issues require ordination as a priest, which is denied to women. Again, in his "Letter to Women," the pope seeks to explain that this is not because women are lesser than men, but because they are different:

These role distinctions should not be viewed in accordance with the criteria of functionality typical in human societies. Rather, they must be understood according to the particular criteria of the sacramental economy, i.e., the economy of "signs" which God freely chooses in order to become present in the midst of humanity.<sup>34</sup>

Even in areas of the church where lay people are present, such as the Pontifical Councils, there is a notable absence of women, particularly in leadership roles:

- The Pontifical Council for the Family, which has among its responsibilities areas of great concern to women such as contraception and abortion, AIDS and sexual education, has as its leadership three men: Cardinal Alfonso Lopez Trujillo (president), Msgr. Francisco Gil Hellin (secretary) and Msgr. Francesco Di Felice (under-secretary). There are 19 lay couples who are members of the council, but no single women or men. This emphasis on married couples ensures that the voices of women at other life stages or who have made other life choices are not heard, and again conceptualizes the role of women in positions of responsibility within their roles as wives and mothers.<sup>35</sup>

- The Pontifical Academy for Social Sciences, which is comprised of academicians charged with advising the pope on economics, sociology, law and political science in contemporary society—the very structures the church claims women's access to should be fostered—has among its 34 members only four women as well as a male head.<sup>36</sup>
- The Pontifical Academy for Life, whose “objectives are the study, information and formation on the principal problems of biomedicine and of law, relative to the promotion and defense of life” and which clearly works on the abortion issue, has among its 46 regular members only five women and one woman among the leadership.<sup>37,38</sup>

The key difference between the Holy See's objective and the Platform for Action is the platform's insistence on full equality for women and the recognition that women must not only be able to participate in society, but must be able to participate at the highest level where institutions and cultural expectations are shaped. The Holy See's limited objective and own hierarchical and patriarchal structure codifies second class treatment for women even as it recognizes the reality of their participation in society.

#### **HOLY SEE STRATEGIC OBJECTIVE NO. 5**

*To continue the struggle against all forms of poverty, and in particular against unemployment and the marginalization which follows from it.*

*PLATFORM FOR ACTION Strategic objective A.1: Review, adopt and maintain macroeconomic policies and development strategies that address the needs and efforts of women in poverty.*

On the heels of the Beijing conference, a coalition of U.S. Catholic leaders comprised of national Catholic social justice and women's organizations created a “Post-Beijing Task Force” to respond to some of the concerns facing women that were raised during the conference. The coalition asked the synod of Bishops for the Americas to consider the issues of violence against women, the disproportionate impact of poverty on women, as well as the numerous forms of discrimination against girls and women in church and society at large.<sup>39</sup>

What is notably missing from the issues brought forth to the synod of bishops is the connection between the disproportionate impact of poverty on women and girls and their lack of access to reproductive health services and information. For instance, poor women have disproportionately high rates of child mortality—in Nigeria there are 87 infant deaths for

every 1,000 live births.<sup>40</sup> One also cannot escape the impact of unsafe abortions on poor women who lack access to safe and sanitary medical facilities.

Poverty is not only implicated in unsafe abortions, but is also often the direct cause of abortions. Almost half a million abortions are carried out annually in the Philippines even though the procedure is illegal. According to a study by the University of the Philippines Institute, 480,000 of these 500,000 abortions were procured by poor married women predominantly for economic reasons.<sup>41</sup>

The Holy See has consistently opposed family planning education programs in developing countries, despite the desire of many governments to raise the standard of living for their populations by encouraging them to plan and space their children. For years the Catholic church opposed government promotion or provision of contraceptives in the Philippines—opposition from the Catholic church forced former President Fidel Ramos to scale back a birth control program. The Manila-based Asian Development Bank declared in 1999 that population growth could stifle any economic expansion and the large population was in part responsible for the rates of poverty and unemployment in the Philippines. Faced with a population growing 2.32 percent each year, President Joseph Estrada defied the church and launched a government-sponsored family planning program.<sup>42</sup> In less than one year, contraceptive use increased from 46.5 percent to 49.3 percent among married women. Sixty-six percent of low-income women ages 20–24 said they used oral contraception.<sup>43</sup>

#### **HOLY SEE STRATEGIC OBJECTIVE NO. 6**

*To do everything possible to eliminate illiteracy.*

*PLATFORM FOR ACTION Strategic objective B.2: Eradicate illiteracy among women.*

The Holy See recognizes the critical link between literacy for women and improved health and education opportunities. Speaking in Brazil in 1985, the pope highlighted the importance of education and literacy in gaining health and empowerment:

Fostering literacy and basic education is a fundamental service to be rendered to the multitudes of marginalized people. A person who learns to read and then write is better able to understand the importance of hygiene, has greater possibilities of taking care of his health, knows his or her own rights and duties better, wants to participate, begins to have self-confidence, becomes aware of his own freedom... which is his by right.<sup>44</sup>

It is evident and important that the Vatican has taken note of the need for education and literacy for girls and women. And the Catholic church is a valuable source of education for many girls, especially in the developing world. The Catholic church works around the world to provide education and plays a particularly important role in providing education to girls who otherwise might not have access. There are some 86,500 Catholic elementary schools around the world serving 5.4 million students and 34,800 secondary schools serving 3.8 million students.<sup>45</sup>

At the same time, discrimination exists in some Catholic education institutions. In 1998, a parochial school teacher in New York State was asked to leave her position because she married a divorced Episcopalian. The local bishop declared her “unfit to teach.”<sup>46</sup>

In 1998, the local Catholic church in Zambia opposed a proposed regulation that would allow unmarried pregnant girls to continue school, claiming the regulation sanctioned immorality. The church said that only girls with potential should be allowed to continue their education and that pregnant unmarried girls did not have potential.<sup>47</sup>

#### **HOLY SEE STRATEGIC OBJECTIVE NO. 7**

*To guarantee at every age a family-life education which includes education in responsible parenthood.*

*PLATFORM FOR ACTION Strategic Objective C.2. Strengthen preventive programmes that promote women's health.*

For the Holy See, both family life education and responsible parenthood only include sex within a monogamous, heterosexual marriage. The Vatican's promotion of this objective has impeded the development and deployment of comprehensive reproductive health education programs for women, men and couples at all stages of life. This has real-life consequences for millions of people around the globe. The lack of reproductive health education leads directly to an increase in deaths from unsafe abortions and AIDS, and robs couples of the knowledge needed for them to plan their families with safe, reliable modern contraceptive methods, which also contributes to maternal mortality. It also deprives young people of the information they need to protect themselves from unwanted pregnancy and sexually transmitted diseases, including AIDS.

By promoting its own severely limited version of sexual education, the Vatican imposes a substandard level of reproductive health promotion on populations—both Catholic and non-Catholic—in countries where it holds influence over the political process:

- In Kenya, even as the government belatedly declared that the AIDS epidemic was reaching crisis levels, Catholic Bishop John Njue propagated false scientific information by claiming that condoms are to blame for the spread of AIDS. This is particularly disingenuous in a culture where the many myths about HIV/AIDS make it difficult for serious health promotion programs to succeed and where the HIV infection rate is as high as 30 percent in some areas.<sup>48</sup> Shortly after AIDS was declared a national emergency in the country and the government officially embraced the use of condoms to curb the epidemic—over the loud objections of the Catholic church—a member of the Kenyan Parliament called the church “the greatest impediment in the fight against HIV/AIDS.”<sup>49</sup> The 11th International Conference on AIDS and STDs in Africa noted in September of 1999 that young women are increasingly at risk of AIDS in sub-Saharan Africa and specifically called for better education programs to prevent further spread of the disease.<sup>50</sup> The Catholic church has persistently opposed efforts to develop a comprehensive sexual education curriculum for schools in Kenya, despite the calls of proponents who argue that the lack of sexual education is a major contributor to AIDS and teenage pregnancy.<sup>51</sup>
- The New York Catholic Conference fought to block a condom-distribution and education program for New York City public school students because it did not give primacy to their message that abstinence is the only way for young adults to protect themselves from AIDS, even as AIDS rates for youth increased dramatically.<sup>52</sup>
- After Brazil launched an innovative AIDS prevention program that stressed the need for the use of condoms to prevent the spread of AIDS, Brazilian Roman Catholic officials criticized the program for not stressing abstinence. Cardinal Eugenio Sales of Rio de Janeiro said the campaign would stimulate sexual activity, thereby spreading AIDS.<sup>53</sup>
- In Poland, Catholic bishops put their full weight behind an effort to overturn that country's 1997 law establishing comprehensive sexual education programs for students. The bishops were successful in pressuring the lower house of the Polish Parliament to end the sexual education program and replace it with a “wider lesson promoting traditional Catholic values.”<sup>54</sup>
- In 1996, the Vatican issued new sexual education guidelines, “The Truth and Meaning of Human Sexuality:

Guidelines for Education within the Family," which attacks school-based sexual education and says parents should have the primary role in teaching their children about sexuality. It calls on parents to refute teachings about "safe sex" and condemns contraception. It also encourages parents not to give their children too much information—the "intimate details of genital relationships"—but to instead focus on indoctrinating them into the Catholic hierarchy's sexual value system.<sup>55</sup>

- Also in 1996, the Peruvian Bishops' Conference condemned a sexual education program developed for that country's schools, saying that the "program is centered only in providing biological information and is disconnected from any moral value or sense of responsibility."<sup>56</sup>
- When Scottish Health Minister Susan Deacon unveiled a new sexual education program to help cut the estimated 9,000 unplanned teen pregnancies and 4,000 resulting abortions in that country, Cardinal Thomas Winning, the head of the Scottish Catholic church, accused Deacon of "undermining family life." He further accused Deacon of "throwing condoms and pills at...vulnerable young people," but offered no concrete solutions for curbing the rising rates of teen sexual activity and teen STD infection.<sup>57</sup>

In January of 2000, the Holy See's Pontifical Council for the Pastoral Assistance to Health Care workers organized an international conference on the AIDS epidemic that included health care workers, AIDS experts and humanitarian organizations. Despite this hopeful sign that the church was ready to confront the AIDS epidemic, the conference focused only on "the education of safe and conscientious sexuality" to fight AIDS.<sup>58</sup> Cardinal Pio Laghi said that "scientific teachings are not the way forward" and reiterated the role of "moral education" in preventing the spread of AIDS.<sup>59</sup>

Despite the church's prohibition on the use of condoms to prevent the spread of AIDS, individual bishops and groups of bishops have spoken out in favor of a more compassionate position. At the Cario +5 review, the Rev. Martinus Muskens, the bishop of Breda, The Netherlands, acknowledged that while "the pope has ideas to maintain ...he should show understanding."<sup>60</sup> Similarly, French, Spanish and Austrian bishops said condom use under certain circumstances to prevent AIDS can be moral.<sup>61</sup>

Unlike the Platform for Action goal of strengthening programs that promote women's health, the Vatican works to substitute scientifically dubious "family life" programs based on its own understanding of sexuality as essentially reproductive in nature. And the Vatican has been all-too-successful in these efforts. These programs—and concomitant efforts to block the implementation of scientifically sound, comprehensive sexual education programs—contribute to maternal mortality, unplanned and unwanted pregnancy, abortion and abortion deaths, the spread of HIV infection and AIDS deaths and sexual ignorance among the young.

## CONCLUSION

It is clear from both the Holy See's stated objectives and its reservations to the Beijing consensus that it is not interested in working within the UN system to improve the status of women. The majority of its reservations are disagreements with the rhetoric of the international women's and human rights movement. The Holy See disagrees with the very definitions of words such as "reproductive health," "gender," and "sexual health." It refuses to endorse modern methods of contraception in any context, yet simultaneously condemns abortion. It disagrees with the health section in its entirety, yet makes no recommendations of its own or suggests how it could come into agreement with the section short of a wholesale gutting of the mention of any reproductive health issues. It refuses to acknowledge the need for the guarantee of human rights for women. In short, the Holy See has no intention of altering its stance on any issue that would force it to amend its patriarchal structure or norms, democratize its institutions or incorporate the promotion of women's reproductive health into its priorities.

To accede to any of the Holy See's primary demands in these areas would be to completely undermine the purpose of the Beijing declaration and the hard-won progress of 25 years of the international women's rights movements.

# FOOTNOTES

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## APPENDIX A

### RESERVATIONS AND STATEMENTS OF INTERPRETATION OF THE HOLY SEE

The Holy See, in conformity with its nature and particular mission, in partially joining the consensus on the Documents of the Fourth World Conference on Women, wishes to express its position regarding those Documents, and make reservations on some of the concepts used in them.

1. The Holy See wishes to reaffirm the dignity and worth of women and the equal rights of men and women and regrets the failure of the Platform for Action to explicitly reassert this concept.
2. The Holy See, in line with the Universal Declaration of Human Rights, stresses that the family is the basic unit of society and is based on marriage as an equal partnership between husband and wife, to which the transmission of life is entrusted. It regrets that in the Platform for Action references were not made to such a fundamental societal unit without banal qualifying language (cf. Strategic Objective L. 9).
3. The Holy See can only interpret such terms as "women's right to control their sexuality", "women's right to control ... their fertility", or "couples and individuals", as referring to the responsible use of sexuality within marriage. At the same time, the Holy See firmly condemns all forms of violence against and exploitation of women and girls.
4. The Holy See reaffirms the reservations it expressed at the conclusion of the International Conference on Population and Development, held in Cairo from 5 to 13 September 1994, which are included in the Report of the Conference, concerning the interpretation given to the terms "reproductive health," "sexual health," and "reproductive rights." In particular, the Holy See reiterates that it does not consider abortion or abortion services to be a dimension of reproductive health or reproductive health services. The Holy See does not endorse any form of legislation which gives legal recognition to abortion.
5. With regard to the terms "family planning" or "widest range of family planning services" and other terms concerning family-planning services or regulation of fertility, the Holy See's action during this Conference should in no way be interpreted as changing its well-known position concerning those family planning methods that the Catholic Church considers morally unacceptable or concerning family planning services that do not respect the liberty of spouses, the human dignity or the human rights of those concerned. The Holy See in no way endorses contraception or the use of condoms, either as a family planning measure or in HIV/AIDS prevention programmes.
6. The Holy See maintains that nothing in the Platform for Action or in other documents referenced therein is to be interpreted as requiring any health professional or health facility to perform, cooperate with, refer or arrange for services to which they have objections on the basis of religious belief or moral or ethical conviction.
7. The Holy See interprets all references to the term "forced pregnancy" as a specific instrument of armed conflict, in the context in which that term appears in the Vienna Declaration and Programme of Action, Part II, par. 38.
8. The Holy See interprets the term "Gender" as described in the statement annexed to these reservations.
9. The Holy See does not associate itself with the consensus in the entire Chapter IV Section C, concerning health; it wishes to place a general reservation on the entire section and it would ask that this general reservation be noted in the chapter. This section devotes a totally unbalanced attention to sexual and reproductive health in comparison to women's other health needs, including means to address maternal mortality and morbidity. Furthermore, the Holy See cannot accept ambiguous terminology concerning unqualified control over sexuality and fertility particularly as it could be interpreted as a societal endorsement of abortion or homosexuality. The reservation on this chapter does not, however, indicate any reduction in the Holy See's commitment towards the promotion of the health of women and the girl child.
10. The Holy See does not join the consensus and expresses a reservation on par. 232(f), with its reference to a text (par. 97) on the right of women to "control their sexuality". This ambiguous term could be understood as endorsing sexual relationships outside heterosexual marriage. It asks that this reservation be noted on the paragraph. On the other hand, however, the Holy See wishes to associate itself with the condemnation of violence against women asserted in par. 97, as well as with the importance of mutuality and shared responsibility, respect and free consent in conjugal relations as stated in that paragraph.

The Holy See, with regard to the entire section on human rights, with the exception of quotations from or restatements of already existing human rights instruments, expresses its concern about an excessive individualism in its treatment of human rights. The Holy See further recalls that the mandate of the Fourth World Conference on Women did not include the affirmation of new human rights.

11. With regard to the phrase "Women's Rights and Human Rights," the Holy See interprets this phrase to mean that women should have the full enjoyment of all Human Rights and Fundamental Freedoms.
12. With regard to all references to international agreements, the Holy See reserves its position in this regard, in particular on any existing international agreements mentioned in the Documents, consistent with its manner of acceptance or non-acceptance of them.
13. The Holy See requests that these reservations, together with the annexed statement of interpretation on the term "gender," be included in the report on the Conference.

Beijing, September 15, 1995.

## ***STATEMENT OF INTERPRETATION OF THE TERM "GENDER"***

### **BY THE HOLY SEE DELEGATION**

In accepting that the word "gender" in this document is to be understood according to ordinary usage in the United Nations context, the Holy See associates itself with the common meaning of that word, in languages where it exists.

The term "gender" is understood by the Holy See as grounded in biological sexual identity, male or female. Furthermore, the Platform for Action itself (cf. N. 193, c) clearly uses the term "both genders".

The Holy See thus excludes dubious interpretations based on world views which assert that sexual identity can be adapted indefinitely to suit new and different purposes.

It also dissociates itself from the biological determinist notion that all the roles and relations of the two sexes are fixed in a single, static pattern.

Pope John Paul insists on the distinctiveness and complementarity of women and men. At the same time, he has applauded the assumption of new roles by women, stressed the degree to which cultural conditioning has been an obstacle to women's progress, and exhorted men to assist in "the great process of women's liberation" (Letter to Women, 6).

In his recent Letter to Women, the Pope explained the Church's nuanced view in the following way: "One can also appreciate that the presence of a certain diversity of roles is in no way prejudicial to women, provided that this diversity is not the result of an arbitrary imposition, but is rather an expression of what is specific to being male and female" (11).

Beijing, September 15, 1995

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