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Sex, Drugs, and Theology: *Emergency Contraception and the Separation of Church and State*

By Emily Taplin, Intern

In 2005, Rep. Betty Boyd (D-Lakewood) sponsored a bill that would have required hospitals to notify rape victims of the availability of emergency contraception (EC). Catholic hospitals fought the bill, claiming that it violated the separation of church and state. Governor Owens, himself a Catholic, subsequently vetoed the bill.

On March 15th, Boyd and Sen. Jennifer Veiga (D-Denver) sponsored another emergency contraception bill (HB 1212), which would allow pharmacies to dispense EC. This was approved by a state senate committee and is now in line for review by the full senate.

The type of EC under debate is the Plan B pill, a safe form of the “morning after” pill that a panel of expert scientists from the Food and Drug Administration recommended be made available over the counter in 2003.

Yet, the Bush administration has delayed a federal decision on the availability of EC and states such as Colorado are entering the fight. According to the Rocky Mountain News (March 1st, 2006), over 60 bills related to Plan B have been introduced in several state legislatures. Some of this legislation either outlaws Plan B or severely limits its availability, while other measures follow the FDA advisory panel’s recommendation to make it easily accessible.

According to the FDA, Plan B works similarly to other birth control pills. The FDA’s website (www.fda.gov) reads, “Plan B acts primarily by stopping the release of an egg from the ovary (ovulation). It may prevent the union of sperm and egg (fertilization). If fertilization does occur, Plan B may prevent a fertilized egg from attaching to the womb (implantation). If a fertilized egg is implanted prior to taking Plan B, Plan B will not work.”

Yet, while the FDA compares Plan B to regular birth control pills, the tangle over EC rages on, seemingly based on ideological principles. Critics of abortion and emergency contraception argue that each ends human life. Many in the conservative religious right have pushed to make conception, defined as when sperm and egg meet, the beginning of human life.

Basing legislation on this definition, however, is inherently contradictory to what is supposedly one of our nation’s most steadfast principles: the separation of church and state. Freedom Watch spoke with several Colorado Springs religious leaders and found that when human life begins is in fact a theological issue. And by no means do all denominations agree on an answer:

Rev. Don Armstrong of Grace Church says, “Life begins at conception, or when the sperm and egg meet.”

Arshad Yousufi of the Islamic Society of Colorado Springs echoes this view. From a Muslim perspective, says Yousufi, “Conception is the only event that truly marks the beginning of life. Every living person, every person reading this, started life at conception, even if in a test tube.”

Other denominations, however, do not grant “human life” status at conception. According to Rabbi Anat Moskowitz of Temple Shalom, life does not begin until just before birth.

“Life begins when the fetus comes through the birth canal. That’s when all the laws of human life

apply.”

As for emergency contraception, “I don’t know of any denominational position on EC. But birth control is allowed and I would approve of EC as a conservative rabbi,” says Moskowitz.

According to Matthew Johnson-Doyle, minister at the High Plains Church — Unitarian Universal in Colorado Springs, “Unitarian Universalists don’t have a denominational position on when human life begins.”

“I can speak for myself,” says Johnson-Doyle. “Life does not ‘begin’ at a certain point, it develops. The decision a woman makes to continue or end a pregnancy is her decision. Unitarian Universalists, as a denomination, have affirmed this right, including emergency contraception, many times since the early ‘60s.”

Benjamin Broadbent, chair of the Colorado Springs group Voices of Faith for Choice and senior minister at First Congregational Church, United Church of Christ (UCC), says, “There is no official denominational position on when life begins. Any position of UCC has more to do with a woman being able to decide when she wants to terminate a pregnancy.”

In the UCC, says Broadbent, “There is a recognition that it’s not a given that life begins at conception. It’s not a question of when life begins but when personhood begins. ‘Life’ may even begin before conception, when two people are eyeing each other, life being the biological potential of what can become a person. Yet the pregnant woman’s personhood is fully realized whereas the fetus’s is not. The fetus hasn’t breathed open air, lived in society, etc. The woman’s personhood, then, shall take precedence over the personhood of the fetus.”

Thus the question of when life begins is a muddy issue; attempts to legislate based on issues that are, in fact, theological in nature bring church and state perilously close to each other. In a pluralistic democracy, religious viewpoints will never fully reconcile the definition of when we truly become human. If the United States is to uphold the separation of church and state, religious viewpoints on this definition cannot drive legislation.

According to Yousufi, “Those who claim to be followers of a religion should follow their religion’s rules respecting human life, if they are sincere. However, this brings up the question of whether a religious majority in a democracy like the United States can impose its rules on the non-religious or on other religions.”

Traditional American Values

by Kristy Milligan, Intern

Implicit in the expression “traditional American values” is the notion that we, as Americans, share a set of values that are deeply entrenched in our national tradition. If you are familiar with Citizens Project, you know that preserving traditional values is a fundamental part of our mission. What are traditional values, and why are they so important?

In a society that is characterized by its diversity, it seems inevitable that individuals and groups within the United States would interpret traditional American values in diverse ways. However, there are values that transcend religious, political, and individual boundaries. How can we, as Americans, best recognize these shared values and honor our differences?

Traditional Values and Religion

The Traditional Values Coalition (TVC), a national lobbying organization, interprets traditional values as being “based upon biblical foundations and upon the principles outlined in our Declaration of Independence, our Constitution, and the writings of the Founding Fathers, and upon the writings of great political and religious thinkers throughout the ages.”

The American Civil Liberties Union (ACLU) also celebrates values derived from founding documents like the Declaration of Independence, the Constitution, and the Bill of Rights. However, the ACLU differs from many faith organizations like TVC by emphasizing the separation of church and state as a fundamental American value.

Bill Hochman, Professor Emeritus at Colorado College and Issues Chair of the Colorado Springs Chapter of the ACLU, says that absolute positions on issues are perilous to the idea of comity, the idea that everyone is a part of the party politic. “They [absolute positions] have interfered with comity and reason,” says Hochman. “That sense of biblical inerrancy introduces discordance into the democratic process.”

Rev. Matthew Johnson-Doyle of the High Plains Church—Unitarian Universalist also cites the potential dangers of narrow moral values. “When government starts enforcing narrow moral values of one group on everybody else, it is doing the opposite of its job to protect liberty: it is attacking liberty,” Johnson-Doyle says. Values derived from theology, according to Johnson-Doyle, may be enforced within one’s church, but do not extend beyond it.

Traditional Values and Politics

Sometimes it seems that political leaders can agree on very little when it comes to values. Although polarization of issues has contributed to a sense of public disunity, individuals and political actors do largely share goals and values. However, common goals are often obscured by disparities in preferred methods of attaining them. The means to achieving these goals differ considerably, but the desired ends are similar. A good example of this lies in comparing the objectives of political parties in the United States.

In 2004, Republicans developed a five-part platform which focused on: “winning the war on terror; ushering in an ownership era; building an innovative, globally competitive economy; strengthening our communities; and protecting our families.” The 2004 Democratic platform, on the other hand, consisted of four goals: “a strong, respected America; a strong, growing economy; strong, healthy families; and a strong American community.”

The smaller political parties also share values to a degree. In 2004, four areas of concentration were outlined in the Libertarian party platform: “individual rights and civil order, trade and the economy, domestic ills, and foreign affairs.” The 2004 Green party platform also presented four focus points: “democracy, social justice, environmental sustainability, and economic sustainability.”

While strategy preferences among participants in the democratic process differ, most of the core principles remain the same. The underlying values of most political parties resonate with the unalienable rights outlined in the Declaration of Independence: “Life, Liberty and the pursuit of Happiness.”

Traditional Values and American History

A thorough examination of values as our forebears intended them would include attention to the historical context out of which our nation was born. As early as the late 16th century, hundreds of Europeans traveled to what is now the United States of America. Many of these immigrants were fleeing from oppression, tyranny, and religious persecution; all of them were seeking a better life. As a result, the nation’s founders strove to create a government that protected personal liberties. Their emphasis on religious pluralism — the recognition and affirmation of religious diversity within American society — was inextricably tied not only to their history, but to the ideological values of the times.

Deism, an influential philosophy in the 18th century, stressed rationality, morality, and an impersonal creator who designed the universe to run without intervention. Although deism never

gained the popularity in America that it had in Europe, several of our nation's founders were deists, including Thomas Jefferson, Benjamin Franklin, and John Adams. Deists were proponents of the separation of church and state, and they were not the only ones. Many Christians also opposed the union of religion and politics because they had seen the impact of the integration of the two. (Sources: Library of Congress, Dictionary of American History)

The U.S.'s founders, children of the Age of Enlightenment, also believed in natural law, reason, and progress, and out of those concepts they derived the idea of natural rights, the principles of which are stated in classic terms in the Declaration of Independence:
"We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness. —That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed ..."

Also evident in the Declaration of Independence is the belief in the concept of popular sovereignty, or the notion that political and legislative power resides with the citizens. "In accordance with the principles of the founding fathers," Hochman says, "the purpose of government is to protect rights and pursue the happiness of the people." Some historians contend that the Declaration of Independence was an articulation of the collective values of a developing national identity. The Constitution, then, was designed as a plan to integrate and implement those values.

"The framers [of the Constitution] also gave us ... a sense of public purpose other than private concerns," says Hochman. Despite the personal interests of the participants in the Constitutional Convention, they sought to promote the greater good for all society rather than to pursue their individual concerns. The ultimate aims of the Constitution are offered in the preamble:
"We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defense, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America."

Unity. Justice. Peace. Defense. Welfare. Freedom. Sustainability. Although we may differ in our perspectives, these concepts are at the root of all traditional American values.

Agreeing on Traditional American Values

Even if Americans can agree on the fundamental values that are derived from history and tradition, we must realize logically that no single collection of values will capture the exact sentiments of every individual. How, then, can we begin to recognize our common ground and celebrate our diversity?

According to Rev. Johnson-Doyle, the answer is tolerance. "Tolerance is a religion value ... because we are not God. We are human beings, finite and limited. We have great capacity to reason, to love, to show kindness, to work for justice, but we are not omnipotent or omniscient." Understanding these limitations and accepting individual differences is crucial, says Johnson-Doyle.

Bill Hochman suggests encouraging comity as a method of achieving a common ground. "We must have debate, mutual respect, and compromise," says Hochman. It is important, he says, to treat everyone as fellow citizens, even perceived opponents. It is equally important, then, to be involved in the democratic process, because it is through this process that we can achieve a better society.

In the end, perhaps Thomas Jefferson said it best in his 1801 inaugural address:
"Let us, then, fellow-citizens, unite with one heart and one mind. Let us restore to social intercourse that harmony and affection without which liberty and even life itself are but dreary things."

For more information on the founding of our nation, please visit: www.archives.gov, www.loc.gov, en.wikipedia.org, or www.theology.edu (Journal, Volume 2, Number 2)

32 Silent Voices -- My Caucus Experience

by Joe Jenkins, Freedom Watch Editorial Committee member

Tuesday, March 21, 2006. Margi Duncombe and I walk through the doors of Stratmoor Hill Elementary School. We're here to participate in our precinct caucus. Just inside the door we see six or seven friendly folks. They welcome us, and direct us to the auditorium, where there are quite a few others already milling about and talking.

I see a sign that says "Democrats Library." One of the greeters sees me reading the sign and says with a chuckle, "So you're one of them?" "You bet!" I say as I walk through their gantlet and head to the library. "Not me," says Margi. She turns right and enters the auditorium.

Flash back to February 17, 2006; at the Freedom Watch planning meeting I propose to write about my experiences attending, for the first time, a precinct caucus. Someone asks why I'd never been to one before. I always seem to have conflicting priorities. Tuesday night is bridge night. The FW committee likes the idea but decides it would be important to write about experiences from both sides of the political fence. As it turns out, my neighbor and good friend Margi Duncombe, Citizens Project Advisory Council member, is a Republican.

Flash forward to Sunday March 19. I've still not let Margi in on this story idea. We're sitting around after watching a movie and I finally say, "Margi, I need your help on a little project for Freedom Watch." "What is it?" she asks, and I explain the idea. "But I'm only registered as a Republican" she says. "It's the only way I feel I can have any impact on politics in this town." She agrees to do the story. "Great! We're going to the caucus," I think; as that little voice says quietly, "What do you really think you're going to get out of this?"

Back to March 21; I walk into the school library. There sits John Morris, El Paso County Democratic Party Chair. "Hey, cool!" I think. I look around. It's surreal. Six precincts are supposed to meet here, among the big colorful books, toys, tiny chairs, and little tables for little kids. But it's just John and me. That's it. John's disappointment is palpable. We chat for no more than a minute when he says he just stopped by to drop off the caucus paperwork and asks me if I can lead the caucus. I say, "Uh, OK." "Oh, one more thing," he asks. "Can you fill out the precinct paperwork and drop it by Party headquarters later tonight?" "Uh, OK, sure" I say. And then there was ... me.

I look up at the bright yellow happy-face clock on the wall and see that there's still about 8 minutes until the official caucus start time. "Maybe some more folks will show up," I think to myself. 7:00 p.m., no one. I go through the paperwork, reading the instructions. "Fairly straightforward," I think. 7:10 p.m., still nobody; and then, hallelujah! One more good Democrat enters the library. It's a party!

I introduce myself; as does Sharon. I ask if she's ever done this before and she says no: "I just found out about this today when my friend — she's a Republican — said, 'let's go to the caucus tonight,' so I said OK."

I explain everything I learned in the last 10 minutes. I ask Sharon what precinct she lives in. I'm hoping it's mine: #194. She doesn't know. I search through four precinct packets looking for her name on lists of registered Democrats. I see there are literally hundreds in each precinct. Finally, we find her name in Precinct 235. Sharon looks at the paperwork, is a bit intimidated by it all, and asks if I'd fill it out for her. I say, "Sure."

We muddle through, following the instructions. I read the Caucus Rules. Item 1 says, call the meeting to order. Loudly, I say "Call to order." We laugh and I continue explaining the process as

I understand it. We elect ourselves delegates to Precincts 194 and 235. We're going to the county assembly.

Margi shows up about 7:45 p.m. I complete and organize all the paperwork by about 8:00 p.m. As Margi and I walk down the hallway to leave the school, she lets me in on her side of the story. "We started off with a prayer for our boys in Iraq and for our elected officials," she says. "And the Pledge of Allegiance," she adds. I wonder if I missed something in the instructions and ponder the fact that performing these simple acts of faith and patriotism never entered my thoughts.

I ask her how many people were there and she answers sixteen; and three more for another precinct. "Wow," I say, but I'm not surprised. "What'd you do?" "Mostly we begged each other to be delegates. The precinct chair reminded us we don't have much to do, at least not until the congressional and state assemblies. Joel Hefley will be a hard man to replace. Think how much he's done to protect Fort Carson." "Did you get elected as a delegate?" I ask. "No," she says. "One thing confused me, though. There was no discussion of who the delegates would support in the Hefley race." I respond cynically, "We listed ourselves as uncommitted, just in case someone comes along to actually vote on." Snow is falling as we walk out of the school and get into the car. I tell her I elected myself Precinct Committeeperson.

I drop Margi off and drive over to the Democratic headquarters. John Morris is there; but I know no one else. The mood is upbeat. I hand in paperwork for districts 194 and 235. I hand over four unused precinct packets. There were 34 potential delegates in those six precincts and we filled 2 spots. I see paperwork from other precincts, some with two, one with three signatures of folks who attended. Margi said she wants to have an impact on county politics. I can't help but think there were 32 silent voices that night at my precinct's caucus alone. How many more empty spots were there in El Paso County? Many say we have no voice. I want to scream "We don't use the voice we have!"

Postscript

Flash forward to April 8. I'm at the El Paso County Democrats Assembly. There is no comparison to the caucus. The room is filled with excited, noisy people. John Morris opens the meeting with the Pledge, happily acknowledges the large crowd, and then introduces the candidates running for state and county seats.

We meet candidates for governor, secretary of state, senate, house, and local races. I'm impressed. We break out into groups for meetings and conduct party business and elect county-level candidates to be on the ballot in November.

Next we elect delegates for the state assembly. El Paso County is allotted more delegates than attend today's assembly. Everyone can be a delegate; so I sign up and will go to Greeley in May.

I think back to the caucus. My initial steps took me to a meeting I had to run because there was no one else to do it. I was willing to see it through. I want to contribute. I want to participate. But after my precinct experience, I thought why bother. The total lack of apparent interest was overwhelming. Others I've spoken to report similar experiences.

Today my efforts paid off.

Joe Jenkins is an environmental manager supporting numerous organizations along the Front Range and a member of the Freedom Watch editorial committee.