INTRODUCTION

The sequence of topics touched on by these notes is as follows:

1) issues of the dispute between the official leadership of the Catholic Church in the Philippines (henceforth referred to, briefly though not very accurately, as "Church leaders") and the government of the Republic of the Philippines (henceforth referred to as "the government")

2) whether or not the government uses abortion in its health and population programs

3) use of contraceptives by the government in its health and population programs

4) whether or not the sex education activities of the government abet immorality

5) developments in relation to the International Conference on Population and Development (ICPD) (Cairo, 5-13 September 1994) (the "Cairo conference")

1. The cut-off date of this essay is 23 August 1994, two weeks before the Third International Conference on Population and Development (ICPD) (Cairo, 5-13 September 1994), on the activities and outcome of which was focused much of the dispute between the official leadership of the Catholic Church in the Philippines and the government of the Republic of the Philippines. Nevertheless this article is useful because the issues raised in this dispute have not yet been resolved to the satisfaction of the two sides. Moreover, some important lessons, positive as well as negative, of both technical and ethical nature, can be drawn from the pronouncements and moves of the Church and the government in the course of this dispute. The author of this article hopes to write a sequel thereto, covering the period from the Cairo ICPD to after the Fourth World Congress on Women (at Beijing) from 4 to 15 September.
6) some adverse effects of mutual distrust and miscommunication
7) what are at stake for the Church and for the government
8) some recommendations

A. ISSUES OF THE DISPUTE

The dispute between the Church leaders and the government on birth regulation, population policy and sex education is not just about issues of such specific and concrete nature as whether or not the government uses abortion in its health and population programs. In the background is the difference in what the parties consider to be the underlying framework of the dispute — what we may call the "root issues." A grasp of what each side considers to be the "root issues" helps much in understanding the positions taken by the parties in the dispute in relation to specific issues.

1. WHAT THE PARTIES CONSIDER TO BE THE ROOT ISSUES

a) VIEWPOINT OF CHURCH LEADERS

Church leaders consider the present dispute as one between contrasting theories of development and of the lifestyle and behavior worthy of human beings. This issue could be summarized in the question "What is 'the good life' from an ethical point of view?" Christians approach this question from a worldview which is convinced that there is an objective moral order which in principle can be known by and is binding on all human beings as such. Church leaders are made apprehensive by their perception that in this dispute the government in effect holds a secularist "post-religious" worldview which is individualistic and relativistic in relation to moral questions.

Church leaders see another root issue in the present dispute. They see the resistance of patriotic and morally vigilant elements

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2. Henceforth, unless specified otherwise, "Church" refers to the Catholic Church.

3. In this article the term "birth regulation" is often used instead of the more familiar "family planning," because the latter term has become suspect among Church leaders, as being linked with the promotion of contraception and abortion.
in poor countries against the imposition of a contraceptive and pro-abortion mentality, and of libertinism, by the morally individualistic and materialistic socioeconomic elite of wealthy countries. This imposition is perceived as part of an effort to maintain the economic, political and cultural domination of wealthy but demographically declining countries over poor but demographically vigorous countries.

b) VIEWPOINT OF THE GOVERNMENT

On its part, the government conveys the impression that its underlying concerns are pragmatic in nature, having to do with tangible goals, such as poverty alleviation, national development

4. Seven U.S. bishops — James Cardinal Hickey (Archbishop of Washington), Joseph Cardinal Bernardin (Archbishop of Chicago), Bernard Cardinal Law (Archbishop of Boston), John Cardinal O'Connor (Archbishop of New York), Anthony Cardinal Bevilacqua (Archbishop of Philadelphia), Roger Cardinal Mahoney (Archbishop of Los Angeles), and Most Rev. William H. Keeler, Archbishop of Baltimore and President of the National Conference of Catholic Bishops (in the U.S.A.) — sent a letter dated 28 May to U.S. President William J. Clinton regarding the then forthcoming International Conference on Population and Development (ICDP) (in Cairo). The letter says in part: “Mr. President, we urge you to shun the advice of those who would apply pressure on developing nations to mandate abortion as a condition for receiving aid from other countries. Do not allow our country to participate in trampling the rights and religious values of people around the world. . . . Sadly it appears that the United States is urging developing countries to adopt population control programmes that will interfere with the rights of couples to make responsible and moral decisions. . . . What will help poor nations develop their full potential is not pressure from the First World for population control but rather a greater commitment on the part of wealthy nations to foster sustainable economic growth in Third World countries.” (L'Osservatore Romano, 15 June 1994, p. 2)

The National Conference of Catholic Bishops (of the U.S.A.), meeting at San Diego, California, unanimously approved a statement regarding the ICDP on 26 June 1994. The statement says, “As religious leaders, and as US citizens, we are outraged that our Government is leading the effort to foster global acceptance of abortion . . . The US Department of State . . . has urged other delegations to accept abortion . . . [as] an appropriate method of family planning.” The U.S. bishops urged the U.S. government to “reverse its efforts in this regard.” Otherwise it “risks reducing less developed nations to mere objects of the ideological policies of richer nations.” (L'Osservatore Romano, 29 June 1994, p. 2)

5. Pope John Paul II had this to say in relation to the Draft Programme of Action of the Cairo conference: “Indeed, reading this document — which, granted, is only a draft — leaves the troubling impression of something being imposed: namely a life-style typical of certain fringes within developed societies, societies
and maternal and child health. The government situates its promotion of family planning, population policy and sex education within the context of the pursuit of the above-mentioned pragmatic concerns.

In this connection the government is prepared to use all contraceptive methods it considers safe from a biological viewpoint, as long as the users freely give consent. The government stops short of what it considers to be abortion.

The government considers it unacceptable to limit the conceptual framework and the concrete means in relation to birth regulation, population policy and sex education to the framework and means approved or tolerated by Church leaders. This attitude of the government is based on its affirmation of the secular and pluralist character of the Republic of the Philippines.

2. SPECIFIC ISSUES

Specific issues in the dispute include the following: (a) whether or not the government uses abortion in its health and population programs; (b) use of contraceptives by the government in its health and population programs; (c) whether or not the sex education activities of the government abet immorality; (d) developments in relation to the “Cairo conference.”

B. WHETHER OR NOT THE GOVERNMENT USES ABORTION IN ITS HEALTH AND POPULATION PROGRAMS

The declared purposes of the family planning program of the government are the promotion of maternal and child health and the control of population growth in order to facilitate national development. One issue here is whether the methods for birth regulation taught and used by the government, especially the Department of Health (DOH), are purely contraceptive, or also abortifacient.

are considered by Church leaders to be abortifacient. This judgment is based on a combination of two main criteria.

First, the magisterium of the Catholic Church has made a practical judgment that human life is to be considered to begin at conception, the latter understood to mean at the time of fertilization.8

Secondly, Church leaders believe that at least sometimes (especially depending on size and timing of doses) these methods prevent the implantation of the embryo or cause the sloughing off of the implanted embryo.

Examples of these methods considered by Church leaders to be abortifacient are:

— intrauterine contraceptive devices (IUCD or IUD)
— low level combination oral contraceptives
  (Anteovin, Femenal, Logynon, Marvelon 28, Microgynon 30, Micropil, Nordette, Nordiol, Ologyn 21+7, Rigevidon 21 + 7, Trinordiol)
— mini-pill or nonstop progestin oral contraceptives
— depot injectable progestins (Depo-Provera and Noristerat)

Some persons, including DOH personnel, do not consider any of the above methods as abortifacient, for one or the other or both of the following reasons.

First, they hold that aside from the IUCD or IUD, the other methods mentioned above practically always succeed in prevent-

6. For a century now, in the pronouncements of the magisterium of the Catholic Church regarding abortion there can be found the assumption that human life begins at fertilization. The magisterium as such does not take a position as to when the spiritual soul is infused into the product of conception in order to make it a human person. Thus the “Declaration on Procured Abortion” issued by the Sacred Congregation for the Doctrine of the Faith on 18 November 1974 explicitly stated in its footnote no. 19: “This declaration expressly leaves aside the question of the moment when the spiritual soul is infused. There is not a unanimous tradition on this point and authors are as yet in disagreement.” However, the magisterium unequivocally insists that from the time of conception human life should be respected with all the respect due to a person, probably because even if a doubt existed concerning whether the fruit of conception is already a human person, it is objectively a grave sin to dare risk killing an innocent human person; the latter would be tantamount to murder. (For the latter, see the above-mentioned “Declaration on Procured Abortion,” no. 13.) This is reflected in Gaudium et spes, no. 51: “Life must be protected with the utmost care from the moment [sic] of conception: abortion and infanticide are abominable crimes.”
ing ovulation or fertilization, thus precluding the coming to be of human life.

Second, because in any case they define abortion differently from the way the magisterium understands it. According to this other definition, abortion is the expulsion of the product of conception after the completion of implantation (14 days after fertilization), when the conceptus is fully individuated.

Church leaders are not convinced by this kind of argumentation, and remain deeply opposed to the above-mentioned methods of birth regulation.\(^7\)

C. USE OF CONTRACEPTIVES BY THE GOVERNMENT
IN ITS HEALTH AND POPULATION PROGRAMS

Even if the methods of birth regulation used or promoted by the DOH were purely contraceptive (preventing ovulation, sperm production or fertilization), according to the magisterium’s definition these would still be objectionable to Church leaders.\(^8\)

The grounds of objection by Church leaders would be as follows:

First, contraception using “artificial means,”\(^9\) is a type of act which is “intrinsically evil.”\(^10\)

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8. It is worthwhile stating that the magisterium’s teaching on contraception is a contentious issue even among Catholics.

9. In some Catholic circles in the 1960s and 1970s, discourse regarding birth regulation used to distinguish between “means of contraception” which were “natural” and “artificial.” “Natural means,” allowed by the magisterium for proportionate reasons, referred to complete continence or to various kinds of periodic abstinence during the woman’s fertile periods. Nowadays Church leaders and pro-life activists routinely use “contraception” to mean “birth regulation by artificial means,” thus always giving “contraception” a pejorative meaning from the moral point of view. — Examples of “artificial means” of contraception include oral contraceptives, injectable depot contraceptives, intrauterine devices, condoms, diaphragms, and spermicidal preparations for intravaginal use.

10. Cf. par. 14 of Pope Paul VI’s encyclical *Humanae vitae*, issued 25 July 1968. By “intrinsically evil” is “meant morally unacceptable by the very physical or psychological structure of the act, regardless of the intentions of the moral agent and the circumstances related to the act.”
Second, the propagation of contraception brings about a contraceptive mentality, which inevitably leads to catastrophic demographic decline and an abortion mentality.

Church leaders point to some historical data to support the latter claim. For example, the average number of children in the lifetime of each married woman in Italy is about 1.3, far below replacement levels (which are about 2.1 to 2.2 children in the lifetime of each married woman). Contraceptives have been very widely used in Italy for some three decades now. In the United States of America, the universal availability of contraceptives has not been accompanied by a decrease in abortions, contrary to predictions by early advocates of contraception. On the contrary, there has been an explosive increase in the incidence of abortions. Moreover, most of these abortions are not of the “hard case” kind (rape, incest, danger to the mother’s health), but were either the primary choice of method for birth control or backup measures to failed contraception.

D. WHETHER OR NOT THE SEX EDUCATION ACTIVITIES OF THE GOVERNMENT ABET IMMORALITY

The main government agencies involved in sex education are the Department of Health (DOH) and the Department of Education, Culture and Sports (DECS).

1. SEX EDUCATION ACTIVITIES OF THE DOH

The sex education activities used by DOH have two main aims: disease prevention (especially of sexually transmitted diseases [STD], particularly acquired immune deficiency syndrome [AIDS]), and birth regulation for maternal and child health. These activities are at best relatively nondirective in terms of Christian and Muslim values such as chastity unto marriage.

The instruction material seems to reflect these main aims. Examining the comics published by DOH — supported or endorsed by nongovernmental organizations (such as Outreach and Kabalikat) involved in work for prevention of STD and AIDS, one notes that these comics are quite explicit and clinical in addressing prostitution and other types of risky sexual activity,
including homosexual types of the latter, but almost exclusively from the angle of disease prevention. There is not much effort to inculcate the preference for marriage and committed sex. The publishers defend this explicit, clinical and morally non-evaluative approach as being more effective, since they expect the target audience to remain sexually active in spite of appeals to sexual continence, and since they think that injecting moral content will turn off the target audience and make its members more prone to engage in risky sexual behavior.

2. SEX EDUCATION ACTIVITIES OF THE DECS

a) MAIN AIMS AND GENERAL IMPRESSION

The sex education activities used by DECS have three main aims. First, to promote responsible sexual behavior through information on sexual anatomy and physiology and through values clarification. Second, to prevent disease (STD and AIDS). Third, to effect birth regulation and control of population growth. The general impression one gets from the verified examples of sex education activities of the DECS is that these are relatively more directive than those of the DOH in terms of promoting such Christian and Muslim values as chastity unto marriage. Nevertheless there are deficiencies and inaccuracies in some of the material used in these activities. If this material is imparted in uncorrected form, especially to young audiences and by teachers who are unskilled or hostile to Christian and Muslim sexual ethics, there could result a distancing from Christianity and Islam. There could also result the propagation of the false notion that

11. There are claims by pro-life spokespersons, which the author of this article has been unable to verify, that the DECS was on the point of disseminating a sex education videotape with films like Blue Pigeon. The latter is a Japenese-made animated cartoon film showing an adolescent male having a “wet daydream” of heterosexual intercourse. This dreamt intercourse was spontaneous, without context of commitment or institutionalization (but then one should remember that what is being portrayed is an adolescent daydream). This video film caused much indignation among pro-life circles, including parents. It is still unclear to the author whether or not the DECS was at all aiming to disseminate the videotape, whether the videotape had actually already been received and used by the DECS, or had been intercepted en route by elements allied to the pro-life movement.
the main if not the only cause of the mass poverty in the Philippines is our rapid population growth, and the neglect of the fact that a major cause of our mass poverty is social injustice and misgovernment.

b) COMMENTS ON SOME PRINTED MODULES

Some of the printed modules used by the DECS were examined by an interdisciplinary team from Loyola House of Studies, Arrupe International Residence, Loyola School of Theology and Ateneo de Manila University. These were modules for three kinds of programs: Values Education, Health and Physical Education, and Home Economics. The team found no evidence that the material deliberately promotes selfishness and immorality, though its perspectives are often not sufficiently balanced. There are some deficiencies and questionable points in the material, briefly explained below.

The Values Education Program was lacking or unclear with regard to objective criteria for values clarification (Year One, Module 2, page 2, items 1, 2 and 3). One slogan goes thus: Sa pagpaplanong mamila / Ama't ina'y walang problema / Mga anak ay liligaya. This unduly focuses on family planning, leading one to think that family problems arise mainly because of the lack of family planning, and that the happiness of children can be ensured mainly by family planning; this is obviously simplistic (Year Two, Module 3). Rapid population growth is treated as a societal problem, but without sufficient advertence to other important factors significant to the issue of mass poverty, such as social injustice and misgovernment (Year Four, Module 1). One module betrays a misconception of the relationship between religion and politics, expressing hostility to the present trend in Christianity to discuss and act on political concerns and issues which have moral implications (Year Four, Module 2).

The Health and Physical Education Program is quite informative from the point of view of technical biological knowledge of reproduction, but hardly carries any value formation content. The

12. This team was coordinated by Rev. Eric G. Velandria, S.J., of the Loyola House of Studies, Loyola Heights, Quezon City.
program presents rapid growth of population as a big societal problem, for example, in terms of provision of health and medical services. However, it fails to mention other factors significant to the problem of shortage of health and medical services, such as social injustice and misgovernment (Year Two, Module 1).

The Home Economics Program has a module which fails to state that government (and not only the citizens) has a great responsibility to ease population density in certain areas, not only by zoning but by creating livelihood opportunities in the countryside, and similar measures (Year One, Module 2). Another module states that poverty in low income families is due to the presence of too many children, but it fails to cite other factors that account for poverty, such as unemployment, rural to urban migration, servicing of foreign debt, and graft and corruption in government (Year Two, Module 2).

E. DEVELOPMENTS IN RELATION TO THE THIRD INTERNATIONAL CONFERENCE ON POPULATION AND DEVELOPMENT ("CAIRO CONFERENCE")

1. PRELIMINARY REMARKS

The "Cairo conference," which was the focus of the dispute between Church and government in 1994, refers to the Third International Conference on Population and Development (ICPD), held in Cairo from 5 to 13 September 1994, under the auspices of the United Nations Organization (UNO).13

Even before the Conference itself, there were already misgivings on the part of the Church leaders regarding the Third Session of the Preparatory Committee for the Conference, held in New York from 4 to 22 April 1994. The Church leaders perceived the composition of the Philippine delegation to have been weighted, whether deliberately or not, in favor of personalities who oppose the stand of the Church leaders and pro-life14 groups against

13. The previous international conferences on population and development were held in Bucharest in 1974 and in Mexico City in 1984.
14. The term "pro-life" refers to those whose commitment to the defense and promotion of human life includes opposition to contraception. In fairness, however, it is important to remember that most persons who favor or tolerate con-
contraception, and who work for the depenalization of abortion in "hard cases."\textsuperscript{15}

The Draft Programme of Action of the Conference also elicited the objections and suspicions of Church leaders.

2. COMMENTS ON THE DRAFT PROGRAMME OF ACTION OF THE THIRD INTERNATIONAL CONFERENCE ON POPULATION AND DEVELOPMENT

a) GENERAL REMARKS

This draft programme covered two decades: from 1995 to 2015. There were two versions of the draft programme circulating in the Philippines: that of 24 January 1994 and that of 13 May 1994. The later version is less objectionable to mainstream Christian (and Muslim) values, but some points still remain which were considered objectionable by Church leaders. The following critique is based on the 13 May 1994 version.

The purported thrust of the draft programme of action was to be the management of world population growth in the context of fostering socially equitable and environmentally sustainable world development. Nonetheless, the way the draft programme was written made it vulnerable to the charge that it put more emphasis on control of population growth rather than on the promotion of all-around human development in the framework of international and domestic social justice and the preservation and rehabilitation of the natural environment.

Thus, prominent in the document is the aim toward "universal access to a full range of safe and reliable family planning methods and to related [legally permissible] reproductive health services to assist couples and individuals to achieve their reproductive goals and give them the full opportunity to exercise the right to have children by choice" by the year 2015 (no. 7.14). The context of this passage was perceived by Church leaders as already suggesting that abortion is included under reproduc-

\textsuperscript{15} Such cases include rape, incest, and danger to the life or basic health of the mother.
tive health services.

b) SPECIFIC POINTS

i) Good points

The good points of the draft programme of action include the following: concern for the natural environment, women’s rights, gender equality, rights and welfare of children, adolescents, single parents, indigenous peoples, and persons with disabilities; rejection of coercive means of family planning; and affirmation of the sovereign rights of nations to formulate and implement their own population policies and programs (Ch. II, Principle 4).

ii) Bad or questionable points

The draft programme of action had several points considered bad or questionable by Church leaders.

For one thing, it seemed to hold the questionable premise that abortions will decrease with universal availability of contraceptives (Ch. I [Preamble], no. 1.9).

Church leaders found the viewpoint of the draft document on “reproductive rights” and family planning to be individualistic and insolidary (Ch. II, Principle 7; Ch. VII, nos. 7.2, 7.10, 7.12, 7.14, 7.18, 7.21 [a]). Being such, this viewpoint would tend to promote childbearing outside marriage as an equal good to childbearing within marriage. It would therefore foster relationships and lifestyles unacceptable to Christian and Muslim faith because they are harmful or dangerous to humankind, especially if prevalent. Among the dangers which such a viewpoint poses for humankind are: catastrophic demographic decline, psychosexual problems of children raised in “alternative households,” and the breakdown of civilization because of generalized individualism and selfishness.

Church leaders also saw the draft programme of action as displacing marital fidelity and respect for life as ideals of human behavior, and promoting freedom of choice as the new ideal. This would open the way to sexual intercourse outside of marriage and to abortion on demand (Ch. II, Principle 8; Ch. VII,
nos. 7.10, 7.42 [a], 7.43; Ch. VIII, nos. 8.25 and alt. 8.25).

Moreover, there was the plausible concern that the Philippine government would be subjected to and succumb to pressure to adopt the questionable features of the Cairo document. There was an undeniable tension between the principle of national self-determination in health and population policies, on one hand, and the contents of a document that was potentially an international agreement. The government, given its dire scarcity of funds, desires to obtain foreign funding for its programs. In such a situation it might succumb to pressure from foreign agencies to link access to grants and loans with the acceptance and implementation of programs of birth regulation and population control based on attitudes and using means offensive to Catholic (and even broadly Christian and Muslim) sensibilities.\textsuperscript{16}

3. CHURCH LEADERS’ DEMANDS

Outraged at what they perceived as deliberate exclusion of pro-life personages from the early proposed lists of delegates to the Cairo conference, Church leaders called for correction of the composition of the official Philippine delegation. This meant inclusion of pro-life personalities and the trimming down of the number of delegate-designates who favor contraception and were suspected of working for the depenalization of abortion, and found the draft programme of action basically unobjectionable.

Church leaders further demanded that the official Philippine delegation to the Cairo conference oppose the adoption of passages in the ICPD draft programme of action which could lead to general availability of legalized abortions and the encouragement of sexual intercourse among the unmarried, especially adolescents.\textsuperscript{17}  

\textsuperscript{16} The anxieties of Church leaders in this regard were heightened by undeniable reports that Secretary Flavier wrote a draft of a speech to be delivered at the Cairo conference, which committed the Philippine government “to concur with the Draft Program of Action of the International Conference on Population and Development (ICPD).” For the report, see Teodoro C. Benigno, “\textit{Sturm and Drang: Church and State Clash; The Almonte Doctrine, [Second of three parts]},” in “Here’s the Score,” \textit{The Philippine Star}, 5 August 1994, p. 7.

\textsuperscript{17} In relation to Philippine participation in the Cairo conference, all that
When Church leaders made these demands, they were motivated by the duty to defend respect for the objective moral order, which includes respect for human life and for the family as the fundamental unit of society. They wanted the official Philippine delegation to help in this endeavor, and not to contribute to the propagation of a morally relativistic and individualistic, contraceptive and pro-abortion mentality. Spread of the latter would result in the breakdown of the family and of society, as well as cause disastrous demographic decline. Church leaders felt that all persons of good will could be expected to do their utmost to prevent these evils from befalling the Philippines and the world.  

To emphasize their outrage and stress their demands, Church leaders organized mass mobilizations all over the country. The biggest of these was a mammoth rally held on 14 August 1994 at the Luneta. This rally, officially named “The March for Our Children and Our Families,” drew an attendance of at least 500,000 persons. In defense of Filipino children and the Filipino family, this rally protested the draft program of action of the Cairo conference and the government’s actuations in relation to said conference. Among the salient issues raised were the composition of the official Philippine delegation to the Cairo conference, and government support for such a seriously flawed document as the draft programme of action of said conference.  

Church leaders could correctly ask to discuss with the government was the composition of and the instructions to the official Philippine delegation. Opponents of the stance taken by Church leaders could and did attend the Cairo conference as delegates of nongovernmental organizations.  

18. Rev. Fr. Catalino G. Arévalo, S.J., professor at the Loyola School of Theology, Quezon City, in a conversation with the author some time around 9 August 1994, observed that when the Church pushes an overall viewpoint and concern (such as the defense of objective moral law, life, and the family), Catholics should accept in faith that there is a guidance of the Spirit, if not in each and every detail, at least in the broad lines of the viewpoint and concern. He said that the Catholic must, in faith, have a “bias” in favor of saying, “What is the Spirit, *grosso modo* at least, saying to us here”? He deplored the fact that in “academic circles” this dimension often does not enter. He pointed out that this is what Catholic universities exist for — to seek the interface of faith and science/reason, to bring the faith dimension into culture — and not to yield to the *Zeitgeist* of using science/reason to demolish faith and uproot it from culture.  

19. Some untoward occurrences during the rally (such as unduly strong per-
Following this massive protest rally, the government moved to contain the damage done to its acceptability among the very considerable part of the citizenry agreeing with the Church leaders' grievances in relation to the Cairo conference. It first addressed the question of the official Philippine position to be presented at the Cairo conference, which would serve as binding instructions to the official Philippine delegation. It followed this up by replacing some designates to the official delegation with persons acceptable to the Church leaders.

4. WORKING AGREEMENT BETWEEN THE GOVERNMENT AND CHURCH LEADERS ON THE OFFICIAL PHILIPPINE POSITION AT THE CAIRO CONFERENCE

Accelerating the pace of implementation of an initiative for dialogue planned even before the Church-led rally of 14 August, immediately after the rally the government invited the Church leaders to negotiations regarding the position the official Philippine delegation should take at the Cairo conference. The output from the negotiations was a joint statement signed on 16 August 1994 by the highest representatives of the Church leaders and the government, which approved a “Draft Philippine Statement to Be Presented at the U.N. Sponsored International Conference on Population and Development (ICPD). Cairo, Egypt. September

sonal attacks against then Secretary of Health Juan Flavier, simplistic arguments against the morality and practicality of the use of contraceptives, the undue prominence of politicians) made the latter a target of highly negative criticisms by clergy and religious. It is unfortunate that these untoward occurrences made some of these critics lose sight of the real faith dimension in the participation of the vast majority of those who went to the rally. Take for example former President Corazon C. Aquino’s insistence that her main reason for going to the rally was to pray that the Holy Spirit may bring about a meeting of minds. This prayerful attitude was no doubt shared by many if not most of the participants at the rally. As Fr. Arévalo remarked, it sometimes takes a layperson to give witness to faith and hope to clergy and religious.

20. Signatories were, initially, the panel heads: for the government, Secretary Cielito Habito (Chairman of the National Economic and Development Authority [NEDA]), and for the Church, Bishop Jesus Varela (Bishop of Sorsogon and Chairman of the Episcopal Commission for Family Life of the Catholic Bishops’ Conference of the Philippines [CBCP]). Eventually, the highest authorities of the government and the Philippine Church signed the joint statement — President Fidel V. Ramos for the government, and CBCP President Archbishop Carmelo Morelos for the Church.
5-13, 1994."21 Also approved was an annex to the Draft Philippine Statement, that clearly defined the position of the official Philippine delegation on the major issues presented by Church leaders regarding the ICPD draft programme of action.

The Draft Philippine Statement stressed global agreement on the importance of population policy and programs for sustainable development and the need for global cooperation. It affirmed the need to recognize the concerns and sovereignty of each of the member states of the UNO in drafting the program of action for this global cooperation. It expected that these UNO member states will differ in the formulation of these policies and programs, as they take into account their own unique political, economic, legal and socio-cultural situation as well as the plurality of societies and communities within each state. It claimed to be guided by the fundamental principles that underlie the Constitution, laws and jurisprudence of the Republic of the Philippines, and enumerates these principles, as follows:

1. Human life is sacred. Our respect for human life is paramount and non-negotiable. We are emphatically against abortion as a method for family planning. We are mandated by our Constitution to equally protect the life of the mother and the life of the unborn from the moment of conception. We also recognize the primary responsibility of parents to educate and care for their children and the duty of the State to help them do so.

2. The family as the basic unit of society is anchored on the permanent and exclusive marriage between a man and a woman for the purpose of procreation and education of children and a communion of life. Marriage is the foundation of the family and shall be protected by the State. Marital sex has both a procreative and unitive purpose with an interpersonal, biological and developmental mission.

3. The family remains the foundation of the nation and of all striving for development. While the family is a valuable resource by which we can achieve our development goals, beyond and above all that, the family is the primary reason for government initiatives in human development. Socioeconomic development efforts are directed toward human development.

4. The State recognizes the role of women in nation building and shall ensure the fundamental equality before the law of women and

21. Henceforth this will be referred to as the "Draft Philippine Statement."
men. The State shall uphold women’s rights and provide them opportunities equal to those of men.

5. The State recognizes freedom of conscience in accordance with religious and moral convictions consistent with the common good. The government policy to provide information to the family as the basis in planning how to live and grow Springs from our respect for this freedom and for human life.

6. As mandated by the Constitution, the State shall defend the right of spouses to found a family in accordance with their moral or religious convictions and the demands of responsible parenthood.

7. The State recognizes that human development should be viewed holistically, addressing all needs and aspirations of a human person including politics, economics, culture, technology, morality and religion.

The annex to the Draft Philippine Statement is quite interesting because it hews very closely to the position of the Catholic magisterium on a number of issues in bioethics, sexual ethics and social ethics. 22

22. The text of the “Annex to Philippine Statement” is as follows:

For the purpose of clarifying further the Philippine statement, the following interpretations apply.

1. On Family Planning, Safe Motherhood, Fertility Regulation and Responsible Parenthood

This should in no case include abortion as a method. Family planning programs address the needs for the full information and services of married couples of reproductive age. Services will be provided to those women who undergo abortion-related complications. The needs of individuals who are living together as man and wife without benefit of a valid marriage are also addressed.

2. On Women Empowerment and Gender Equity

Women empowerment that includes the right to abortion is precluded under Philippine laws. Gender equity is adequately treated in the country; paper previously submitted (p.21, no.4).

3. On Reproductive and Sexual Health

Sexual and reproductive health services preclude abortion, except for the treatment of spontaneous and unintentional abortion.

Adolescent services should always include values education and counselling.

4. On Reproductive Rights

“Individuals” referring to man and woman outside of a valid marriage cannot be said to possess the right to decide to have children. It is only married spouses who have the right to decide to have children within the context of marriage. It is out of compassion or contractual obligation that society gives unmarried individuals reproductive health services excluding abortion.

Excluded is any supposed right of individuals to procure offsprings by artificial procreation. Abortion on demand is excluded from reproductive rights.

5. Marriage and the Family
5. COMPOSITION OF THE OFFICIAL PHILIPPINE DELEGATION TO THE CAIRO CONFERENCE

The government also addressed the issue of the composition of the official Philippine delegation to the Cairo conference by three kinds of measures. President Fidel V. Ramos chose Secretary Cielito Habito (Chairman of the National Economic and Development Authority [NEDA]) to head the delegation, and not Health Secretary Juan Flavier, who was the initial favorite candidate to head the delegation, but who was quite unacceptable to Church leaders. President Ramos also did not appoint to the delegation some early favorites, whom Church leaders objected to because of their support for contraception and for the depenalization of abortion. Finally he appointed to the official delegation some persons trusted by Church leaders.

With the working agreement on principles between the government and the Church leaders, and with cautious acceptance by Church leaders of the final composition of the official Philippine delegation, there came about relative calm in the relations between the Church leaders and the government, at least with regard to the issues of birth regulation, population policy and sex education.

F. SOME ADVERSE EFFECTS OF MUTUAL DISTRUST AND MISCOMMUNICATION

Much of the acrimony which characterized the dispute between Church leaders and the government was caused by the mutual reinforcement of negative prejgments of each other’s attitudes and by the use of injudicious discourse. One can therefore say that much of the heat of the dispute was because of distrust, prejudice and miscommunication.

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Marriage and the family are to be understood according to Articles 1 and 2, Title I and Article 149, Title V of the Family Code of the Philippines. Under this article family relations include those: (1) between husband and wife; (2) between parents and children; (3) among other ascendants and descendants; and (4) among brothers and sisters, whether of the full or half-blood.
1. NEGATIVE JUDGMENTS ON ATTITUDES

There was much mutual exasperation and distrust among Church leaders and government officials.

Church leaders felt that the government was by turns ignoring or making fun of the grave concerns of the Church in relation to morality, especially in relation to children and the family. They felt that the time for speaking softly had ended, and that government would not sit up and take notice without the application of strong public pressure.

Many government officials felt that the Church leaders were rigid, unduly suspicious, and unrealistic in their lack of appreciation for the problem of rapid population growth. Some DOH officials were particularly incensed by what they perceived as negativism on the part of Church leaders, who would relentlessly criticize government family planning programs but were unwilling to cooperate with government in responsible parenthood programs, even when the government offered terms for cooperation which it considered respectful of Catholic sensibilities as well as financially generous.

This mutual exasperation and distrust was aggravated by the kind of discourse which some government officials and Church leaders employed.

2. DISCOURSE USED IN THE DISPUTE

Typical of the kind of government discourse which provoked the anger of Church leaders was that of DOH Secretary Juan Flavier.

The personality, style and concerns of Secretary Flavier were not of the kind which present Church leaders would find congenial. He has a decidedly pragmatic outlook which lends itself to being perceived by morally conservative sectors as amoral. His speaking style is often comic, and while it is effective, it tends to flippancy, giving the impression of trivializing grave issues.

Moreover he tended to stress technique for prevention of STD and AIDS, and to downplay values formation and education on the ground that he was neither a religious leader nor a theologian. Church leaders question such a stance because the State
has an educative function and has the presumptive duty of protecting and transmitting the civil ethics of the nation, which is largely Christian and Muslim.

At the same time, considering Secretary Flavier’s secular and pragmatic background, one can easily understand why he would be exasperated at Church leaders’ adamant refusal to stop attacking him and to accept his offer of cooperation. It would be hard for him to understand why Church leaders would spurn his offer of accommodating natural methods of birth regulation in DOH programs and giving government subsidies for Church-sponsored responsible parenthood programs, especially when the Church is still unable, in spite of considerable effort, to put in place adequate programs for responsible parenthood.

On the other hand, some Church leaders, clergy as well as lay, used language which was either bellicose or vulnerable to the countercharge of flippancy. This stemmed in part from exasperation at the style and content of Secretary Flavier’s pronouncements, which they found flippant and patronizing at best, and contemptuous at worst. Though one knows the provocation that these Church leaders were reacting to, they could have been more convincing to the public at large had they risen above impetuous reaction to such provocation and spoken in a measured though firm way.

The critique by Church people of the policies and practices of the government on the foregoing issues was not always well articulated. At times it gave the impression of being hasty and sweeping. Moreover, some of the arguments used by some Church leaders against birth regulation and a systematic effort to slow down population growth were outright simplistic.23

3. CONFUSING USE OF PARTICULARLY CONTENTIOUS TERMS

The dispute was aggravated by the confusing use of particularly contentious terms. For example, the terms “abortion” and

23. Among such simplistic arguments was the conclusion, based on a wrong interpretation of insufficient or wrongly selected demographic data, that high population density makes for economic prosperity and a high standard of living, and that therefore rapid population growth is not a socioeconomic problem. Among the flaws in such a conclusion is the lack of regard for the fact that
“abortifacients” mean different things to Church leaders and to some government officials.24

Some government officials, including President Ramos, further confused matters for some time by initially using the term “pro-choice” for their position, which was that of being open to means of birth control not acceptable to the magisterium of the Church, but short of what they consider abortion, and acceptable to other segments of the body politic which do not hold strict Catholic beliefs. This is different from the meaning of “pro-choice” in the U.S., which in effect is “in favor of depenalizing or even legalizing abortion in the full sense of the word, that is, even more than 14 days after fertilization.” The “pro-life” movement in the Philippines, sensitized by media to the meaning of “pro-choice” in the U.S., were outraged at government officials’ advocacy of a “pro-choice” position. Belatedly, after considerable damage had been done to their credibility among practicing Catholics, President Ramos and Secretary Flavier dropped the use of the term “pro-choice” for their position and shifted to the term “freedom of choice.”

G. WHAT ARE AT STAKE FOR THE CHURCH AND FOR THE GOVERNMENT

1. VIEWPOINT OF CHURCH LEADERS

Church leaders are convinced that in this dispute what are at stake are not just peculiarly Catholic beliefs and interests. After all, some Protestants, and Muslims in general, consider immoral certain actions also reprobated by official Catholic teaching, such as premarital and extramarital sexual intercourse, contraception

24. As mentioned earlier, Church leaders consider the termination of pregnancy from its very beginning at fertilization to be abortion, and preparations causing this as abortifacient. Some government officials, particularly in the DOH and the Commission on Population, consider the completion of implantation (some 14 days after fertilization) to be the start of the time when termination of pregnancy can be considered an abortion. They term interruption of pregnancy before that as “interception.”
using artificial means, and especially abortion. Muslims are generally wary of any form of birth regulation, as hindering the demographic growth of the Islamic community.

Church leaders believe that fundamental human (and therefore Christian) values are at stake in this dispute. Among these fundamental values are: human solidarity and observance of moral norms (as opposed to individualism and the destruction of morality); the survival of the normal family; the demographic survival of humankind; and the survival of civilization (which is based on the capacity to delay gratification for oneself, for the sake of more important values such as the common good).25

These concerns of the Church have a concrete basis in reality. For example, in England and Wales, where the individualistic mentality which characterizes much of the Draft Programme of Action of the 1994 ICPD is prevalent, the following data should give us pause:

Almost one in three births are outside marriage, the proportion having doubled within ten years (from 1984 to 1993).

The proportion of single pregnant women who marry before their baby is born has halved in that ten-year period.

25. Referring to the Draft Programme of the Cairo ICPD, Pope John Paul II made these poignant observations:

"As we look towards the year 2000, how can we fail to think of the young? What is being held up to them? A society of things and not of persons. The right to do as they will from their earliest years, without any constraint, provided it is 'safe'. The unreserved gift of self, mastery of one's instincts, the sense of responsibility — these are notions considered as belonging to another age. One would have liked, for example, to find in these pages some attention to the conscience and to respect for cultural and ethical values which inspire other ways of looking at life. We may well fear that tomorrow those same young people, once they have reached adulthood, will demand an explanation from today's leaders for having deprived them of reasons for living because they failed to teach them the duties incumbent upon beings endowed with intelligence and free will.

"In writing to you, I have not only wished to share my deep concern about the draft of a document. Above all I have wished to draw your attention to the serious challenges which need to be faced by those taking part in the Cairo conference. Questions as important as the transmission of life, the family, the material and moral development of societies: all these undoubtedly call for deeper reflection."

For this, see "The international community," n. 5 above, pp. 296-97.
Church leaders resent what they perceive as the government's undermining of the sexual morals of the citizenry, by identifying "safe sex" with the use of technological devices to prevent disease, rather than with the observance of the principle that genital sexual activity should take place only within the context of marriage.

Given such a perception of danger to faith, morals and civilization, highest Church authorities, led by the Holy See itself, vigorously campaigned for changes to be made in the Programme of Action to be adopted by the ICPD or Cairo conference, especially in relation to two particulars:

— the deletion of passages by which concern for "unsafe abortions" (generally clandestine and done by untrained personnel) will lead to general availability of authorized (legalized or depenalized) abortions done by trained personnel

— the deletion of passages which could lead to the encouragement of sexual intercourse among the unmarried, especially among adolescents

2. VIEWPOINT OF THE GOVERNMENT

The government is certain that a vigorous program of family planning, including the availability of information and affordable means for contraception to those who wish to avail of these, is essential for poverty alleviation and national development. The government believes that failing such a program, economic growth will not be able to bring about poverty alleviation, since the increase in aggregate wealth will be divided among a rapidly increasing number of people.

The government is further convinced that a successful family planning program, adequate sex education and the use of

26. Church leaders consider the term "safe abortion" to be an oxymoron. Depenalized or legalized abortions done by trained personnel in a clinical setting may be physically safe for the mother, but are just as death-dealing to the fetus as clandestine abortions, and are arguably deadlier to the moral sense of society, and the common good of the people.

27. The government hopes that by the year 2000 the Philippines would be well on its way to becoming a newly industrializing country.
technology (such as the condom) for sexual hygiene, are needed to significantly improve maternal and child health through the prevention of untimely pregnancies, the prevention of clandestine abortions, and the prevention of AIDS and other sexually transmitted diseases.

With a perception of such high stakes among both parties to the dispute, it is no wonder that tempers have risen and that deep perplexity or outrage is easily felt by some at what they see as either gross ignorance or outright malice on the part of the advocates of the other side.

H. SOME RECOMMENDATIONS

Philippine society has grave problems, which ought to receive the undivided and cooperative attention of both the Church and the government. The recurrent dispute between Church leaders and the government, while it raises important issues which ought to be discussed in depth, also unduly diverts energy and other resources from other urgent tasks of the Church and the government. It would therefore be better if Church leaders and the government could come to a stable agreement on principle and could work together in a smooth but principled way on practical matters in relation to responsible parenthood, values formation and population policy. It is in furtherance of this desired situation that the following recommendations are put forward. These are merely indicative, and by no means pretend to be exhaustive.

1. RECOMMENDATIONS TO BOTH THE GOVERNMENT AND THE CHURCH LEADERS

In spite of continuing mistrust and persisting hurts, the government and the Church leaders should engage in continuing dialogue. The very important functions that the government and the Church have for the common good, and the benefits that principled cooperation between them could confer on Philippine society, demand such a continuation of dialogue.

For this dialogue to be productive, both the government and the Church leaders must be sensitive to the legitimate concerns of the other side, and open to any sign of good will on the other
side. Part of this sensitivity is striving to understand the theoretical or doctrinal framework or horizon according to which the other side thinks, and working to see if the frameworks or horizons merge in some areas, with resulting possibilities for principled cooperation.

The "Draft Philippine Statement to Be Presented at the U.N. Sponsored International Conference on Population and Development (ICPD). Cairo, Egypt. September 5-13, 1994," with its explanatory annex, is a good basic framework of principles for the continuing dialogue and possible cooperation between the government and the Church in the areas of responsible parenthood, family life, population policy.

2. RECOMMENDATIONS TO THE GOVERNMENT

The government should avoid any discourse, even if only in jest, which could be construed as showing disrespect for the Church, or worse, coercion or manipulation in the formulation and implementation of its policies and programs on health, family planning and population.

The offer by the government to the Church of financial and technical help for the propagation of methods of birth regulation approved or tolerated by the Church, though for now systematically spurned by the Church, should be continued. Perhaps within another framework of reference, and in an atmosphere of trust, the Church may accept the offer. This offer does not violate the separation of Church and State, because the help is offered to the Church not in view of promoting the doctrine or practice of Catholics, but formally in view of promoting the health and welfare of a significant number of citizens, who in this case happen to be Catholic.

It has been suggested that the government get out entirely of the activity of promoting contraception, and confine its

28. It seems that the Commission on Population has taken steps in this direction. It has organized consultations in which leaders of the Catholic Church and of other organized religious bodies have been requested to participate. In these consultations efforts were made to obtain an in-depth understanding of the Catholic position on the issues of the dispute, and to see how the government could adjust to the Catholic position while respecting, in a democratic spirit, the religious and ethically plural character of Philippine society.
activities to regulating nongovernmental entities who propagate various means of spacing births. This is arguably not violative of the rights of those citizens who consider contraception morally acceptable. After all, this suggestion still allows them access to contraceptive information and techniques through private entities regulated by the government.

The government should give more emphasis on values formation toward responsible sexuality and sexual continence unto marriage, to balance its present strong emphasis on technical measures to prevent unwanted pregnancies and the spread of sexually transmitted diseases.

The government should as a matter of policy invite the Church to participate, through qualified representatives, in the design of its programs and materials for values formation.

3. RECOMMENDATIONS TO CHURCH LEADERS

In this situation of dispute, Church leaders, in order to retain (some say “regain”) their credibility as teachers of and witnesses to morality, should strive to address the government always in a well-informed, dignified and measured manner. They should avoiding the flippancy of which some spokespersons of the government are guilty, take into adequate account the complexities of the issue, and give the benefit of the doubt to the motives of government officials unless there is clear reason not to do so. The latter point is important in the sense that in a dialogue one cannot realistically expect to be trusted by the other party if one is in principle unwilling to trust that party. A few manipulative and devious government officials should not make Church people prejudge all government officials as devious and manipulative. This is only fair, and certainly Church people should observe this rule if they would want to be treated in accordance with the same rule.

In this connection, Church leaders should keep in mind that there are many honest, dedicated, intelligent and hardworking government officials who consider themselves Catholic, and yet in all good faith have difficulties with some point or other of the complex stance of the Church leaders in the present dispute. For example, some of them are not convinced that contraception
is intrinsically evil, instead thinking that it can be justified in certain circumstances. Some of them also believe that even if contraception were intrinsically evil, the State should at times tolerate access to it for those citizens in our religiously plural society who believe that contraception is morally permissible in certain situations. This toleration is for the sake of the basic societal harmony essential to the common good, the promotion of which is the function of the State.

For pastoral reasons Church leaders should reach out to these government officials, and maintain a dialogical rather than a judgmental attitude and practice toward them. Even if agreement may be impossible to achieve with them on issues of birth regulation, cooperation with them is important on other moral issues of the Church’s agenda for the common good of Philippine society.

In a firm, well-informed and measured manner, the Church should pursue redress of her legitimate grievances and reasonable apprehensions about some of the measures that the government has taken, particularly in relation to the Cairo conference. These grievances and apprehensions include the danger of destruction of Christian values in relation to the life of the unborn child and to human solidarity, the family and sexuality, and the exposure of our nation, in the long run, to the risk of catastrophic demographic decline.

Church leaders and personnel should carefully observe the conduct and pronouncements of the Philippine government in relation to the Programme of Action approved at the 1994 ICPD in Cairo, especially in terms of following the spirit of the Draft Philippine Statement and its annex, as approved by a joint statement of Church and State dated 16 August 1995.

There are some Church personnel who remain credible to the body politic at large regarding the issues in the present dispute, because of their balanced views and the fairness in which they present their position and that of the other side in the dispute. These Church personnel should work to make the debate become less acrimonious and more productive of solutions which will benefit the nation.

Church leaders and personnel should work so that this dispute between the government and Church leaders, and the mass
campaigns and mobilizations organized by the Church, will be occasions for sustained reflection and action on the part of the Church to address some needs adequately. Among these needs are: wholesome family life, responsible parenthood and safe motherhood programs (including natural family planning clinics); recognition and observance of rights of women in the Church; better utilization and management of the mass communications media; and still more commitment to the work for social justice and good government.

The Church, preferably through nongovernmental organizations of Catholic inspiration, should seek access to and take active part in formulating the sex education programs of the DOH and the DECS and in teaching the contents of these programs.

Church leaders should not be totally closed to the offer by the government to the Church of financial and technical help for the propagation of methods of birth regulation approved or tolerated by the Church. Some Church personnel would object to accepting such help, saying that it would amount to cooperating with the moral evil the government is doing by promoting contraception. In relation to the problem of cooperation with the doing of evil, there are good reasons to urge the moral licitness of accepting the government’s offer, since the resulting cooperation, if any, could be considered material rather than formal.  

After all, assuming that some elements of the family planning programs of the government are morally objectionable, one can mentally and behaviorally reject these objectionable elements, yet accept the natural family planning trainors’ training and public education programs offered by the government. The latter could be run separately from the other programs to which the magisterium may have objections.

29. In Catholic moral theology, material cooperation with the doing by others of a morally evil act means not desiring the moral evil but merely tolerating it, for the sake of avoiding a greater evil or attaining a greater good. Material cooperation in another person’s wrongdoing is morally permissible. An example of this is the act of a store cashier, who, under threat of her life by a robber, reluctantly hands over to the robber the money in the cash box.  

30. In Catholic moral theology, formal cooperation with the doing by others of a morally evil act, means in effect desiring the moral evil of the act, and therefore partaking in the moral culpability of the act. Formal cooperation with the doing by others of a morally evil act is of course morally unacceptable.
The Church should vigorously and relentlessly press issues of social justice and good government, which are essential to the solution of the problem of mass poverty. The point here is that rapid population growth is not the principal cause of the mass poverty of Filipinos. Social injustice and corrupt and incompetent governance are the real major causes of poverty in Philippine society.

The credibility of the Church as a significant autonomous alternative and prophetic mobilizable force must be maintained, in the face of probable future threats to our Christian values and the democratic institutions of our nation.