

Glendon, Notre Dame and Abortion Politics

by Father Raymond J. de Souza

Father John Jenkins likely thought himself very clever. Professor Mary Ann Glendon just took him to school. In declining to receive the Laetare Medal alongside President Barack Obama's honorary doctorate of law at next month's commencement, Glendon has refused to participate in the shabby manipulation Father Jenkins attempted to engineer. It is a rare personage who could ennoble an award by refusing to receive it, but Glendon has done just that. The Laetare Medal will now be known best for the year in which it was declined. Glendon chose, to use the apt words of Bishop John D'Arcy in this regard, truth over prestige.

The significance of Glendon's refusal is enormous. The most accomplished Catholic laywoman in America — former ambassador of the United States to the Holy See and current president of the Pontifical Academy of Social Sciences — has refused to accept Notre Dame's highest honor. It is a signal moment for the Catholic Church in the United States. It is a signal moment for the Church's public witness. It may even be a signal moment for Notre Dame. What Glendon will not say at Notre Dame will finally be a fitting response to what Gov. Mario Cuomo said there some 25 years ago.

It has been 25 years of deliberate confusion, ambiguity and equivocation at Notre Dame in regard to her presidents — Fathers Hesburgh, Molloy and Jenkins — and abortion politics. What New York Gov. Mario Cuomo did in 1984 was with the willing connivance of Father Theodore Hesburgh. Father Jenkins thought he could outdo the master himself, but he has been taught that this is no longer Father Ted's Notre Dame. Notre Dame is no longer untouchable by the American bishops and the lay faithful.

Father Jenkins must be puzzled at how it has all gone so wrong. He was doing what Notre Dame has done for a long time, namely, to bring the prestige of Notre Dame to bear on the pro-choice side of American politics. Notre Dame has that prestige not only because of its money or its football fame, but because it is a genuine Catholic university. Visitors to campus know that it is a Catholic university. Her Catholic identity is not merely historical. It is precisely the Catholicity of Notre Dame which makes its recent history on abortion politics so scandalous. It is that scandalous history that Glendon's refusal may help to correct.

Mario Cuomo in 1984

It is well known that Mario Cuomo went to Notre Dame to argue that faithful Catholics could in good conscience, as legislators and executives, defend abortion rights, pass laws facilitating abortion, and even fund it with tax dollars. Yet his "Religious Belief and Public Morality" speech was as much about Notre Dame as it was about Cuomo. Notre Dame's leadership put its prestige on the pro-choice side of American politics.

Cuomo did not just happen to use a lecture at Notre Dame to address abortion politics. He was brought to Notre Dame in a flagrantly provocative manner to undermine the Church's pro-life witness in politics. Recall the timeline: In March 1984, John O'Connor became archbishop of New York. That summer, Walter Mondale nominated New Yorker Geraldine Ferraro for vice president. Ferraro attempted to justify her pro-abortion position as being compatible with her Catholic faith, and Archbishop O'Connor corrected her. It became a high-profile controversy. The Catholic Church, in the person of the archbishop of New York, was at odds with a Catholic candidate for national office on a matter of fundamental importance. The Church's pro-life public witness was clear — painfully clear for some.

Notre Dame decided to invite Cuomo to address the issue. Cuomo was then among the most prominent Catholic politicians in the nation. His political star was rising rapidly after he gave a celebrated keynote address at the Democratic National Convention that summer in San Francisco. His address at Notre Dame was scheduled for Sept. 13, 1984, hosted by Father Hesburgh and Father Richard McBrien, chairman of the theology department.

So the stage was set. After the archbishop of New York had clarified that a faithful Catholic could not promote abortion rights, the nation's premier Catholic university, led by two of the most famous Catholic priests in America, invited the leading Catholic politician in the country to explain why the archbishop of New York was wrong — all this two months before a presidential election in which a vice-presidential candidate was a pro-abortion Catholic. It almost did not matter what Cuomo said; the message Notre Dame sent was clear: The archbishop of New York and

his brother bishops did not speak authoritatively for the Church in the United States; Notre Dame had an authoritative voice, too, and she would be heard on the pro-choice side.

Daniel Patrick Moynihan in 1992

In 1992, President George H. W. Bush was due to speak at commencement. By now presidents at commencement were something of a tradition. FDR, JFK and Eisenhower were given honorary degrees, but it was the Carter-Reagan point-counterpoint that made Notre Dame's commencement something extraordinary. President Carter chose to go to Notre Dame in the first year of his presidency and gave a major address arguing that the West had to get over its "inordinate" fear of communism. Four years later, in his first year, President Reagan made his first public appearance after the assassination attempt at Notre Dame and gave a historic speech, predicting the total defeat of communism. Most commencement speeches are forgettable; Notre Dame had two of the most famous ever.

Bush Sr. came in his fourth year, not his first. It was an election year. Bush would be running against a pro-choice Democrat. So Notre Dame's president, Father Monk Molloy, thought it was a good time to give the Laetare Medal to Sen. Daniel Patrick Moynihan, a staunch pro-abortion Catholic. (It was only when Moynihan declined to favor partial-birth abortion in the mid-1990s that he was mischaracterized as a moderate on abortion.) Cardinals O'Connor and Bernard Law of Boston objected. Father Molloy paid them no heed. But to take on Notre Dame in a public controversy was still a step too far. Both Cardinals O'Connor and Law elected to keep their letters of complaint private.

Catholics and the Obama Campaign

When John Kerry ran for president in 2004, he argued the Cuomo "personally opposed, but" line. When a number of American bishops called him on it, saying that his pro-abortion position was incompatible with being Catholic, he simply avoided or downplayed the subject. Then Sen. Barack Obama, not being Catholic, had no similar trouble in 2008, but tried a truly audacious approach. He would argue, through various Catholic surrogates, that he was actually pro-life, despite his pro-abortion enthusiasm. His campaign deliberately sought to undermine the teaching of the American bishops and to sow division among Catholics.

Knowing all this, Father Jenkins had a choice. After Carter-Reagan-Bush Sr.-Bush Jr. he knew that a commencement invitation to President Obama would now be customary. He knew that after the Moynihan flap, his predecessor, Father Molloy, opted not to invite President Bill Clinton to commencement. So he could choose either to invite or not to invite and claim precedent. He also knew that after the 2008 presidential campaign he would be taking sides in a deliberate attempt, for political purposes, to divide the Catholic people from their bishops.

Father Jenkins chose. He would deliver to President Obama what Douglas Kmiec and the others could not do — a quasi-official Catholic endorsement. Only a few Catholic institutions — perhaps only Notre Dame — could openly defy the American bishops and still credibly maintain the all-important Catholic identity. After all, they had done it before. To date, President Obama has relied on tertiary actors on the Catholic scene; with a Notre Dame honorary doctorate of law, Obama will get more than he could possibly get anywhere outside of the American bishops themselves. Father Jenkins chose to give it to him.

Yet a problem remained. Father Jenkins's intervention on the pro-choice, pro-Obama side would appear to be simply selling out truth for prestige. Worse still, it might be seen as part of a 25-year attempt to present the pro-choice position as a valid option for Catholics. How to justify inviting President Obama when President Clinton had not come?

Father Jenkins thought he had figured it out; Mary Ann Glendon would get the Laetare Medal. Glendon was deserving of the medal, far more deserving in fact than most who had already achieved it. There was no doubt about that. This year would be perfect. She would be on stage with her former student at Harvard, Barack Obama, and she would give Notre Dame cover. See how broad-minded Notre Dame is? Both points of view on stage at the same time! Glendon has now reminded Father Jenkins and Notre Dame that it is not broad-minded at all to give succor to both sides of a debate on matters of fundamental justice.

Father Jenkins Talks to Himself

It reflects poorly on Father Jenkins that he would use so distinguished a person as Glendon in a shabby bit of manipulation. Yet his failure is now complete. He has managed to turn a commencement into a national controversy, earned the rebuke of dozens of bishops, including his own, in the most blunt terms imaginable. He attempted justifications and rationalizations unworthy of a university president, pretending that the plain meaning of the bishops' policy could be read to the exactly opposite effect. Now that the Laetare Medal has been refused, the debacle is complete. Notre Dame is being shunned. Make no mistake — this is Father Jenkins's doing. Glendon made it clear in her letter that, aside from the invitation to President Obama himself, Notre Dame's clumsy efforts at spin control were also a major factor in her decision.

Those who have been watching Father Jenkins for some time were not surprised. Aside from the Obama fiasco, Father Jenkins is best known for the enormous amount of attention and energy he has devoted to the question of whether "The Vagina Monologues" should be performed on campus. After rejecting the advice of Bishop D'Arcy, Father Jenkins determined that the "Monologues" had a place at a Catholic university. Given the play's crude opposition to the entire Christian sexual ethic, Father Jenkins created a distinction between promoting views on one hand and providing a forum for views on the other. Father Jenkins had so immersed himself in the "Monologues" that he ended up talking himself into believing that even Pope Benedict XVI was on his side.

After the 2008 papal visit to the United States, I wrote the following about Father Jenkins for a column for the *National Catholic Register*:

Teachers and administrators, whether in universities or schools, have the duty and privilege to ensure that students receive instruction in Catholic doctrine and practice," Benedict said. "This requires that public witness to the way of Christ, as found in the Gospel and upheld by the Church's teaching authority, shapes all aspects of an institution's life, both inside and outside the classroom. Divergence from this vision weakens Catholic identity and, far from advancing freedom, inevitably leads to confusion, whether moral, intellectual or spiritual.

One might have thought that a fraternal correction, given what happens on many Catholic campuses, but it was certainly not received as such at America's most famous Catholic university. In a University of Notre Dame release, university president Father John Jenkins, CSC, said that he "appreciated the Pope drawing the distinction between 'providing a forum where various views can be expressed and promoting views.'"

Careful readers of the *National Catholic Register* may not recall that column. The editors refused to run it. Too direct, too strong, they said. It's not a great failing that the Register's editors failed to see through Father Jenkins's arguments early enough; after all, no one other than Bishop D'Arcy seemed eager to call him out on the issue. Father Jenkins no doubt thought himself very clever. He had argued that the Holy Father was endorsing his own position on "The Vagina Monologues," and no one objected to the obscenity of that argument, not even at the *National Catholic Register*.

So why not try it again with the Obama invitation? He would announce first Glendon's medal. Then having bought himself an insurance policy against any complaints, he would announce the Obama invitation. But the ground had shifted, even in the last year. The American bishops, having put up with Notre Dame for 25 years, and having had to reap what Notre Dame sowed in Vice President Joseph Biden and House Speaker Nancy Pelosi, were not inclined to entertain the clever arguments of Father Jenkins. So they spoke out one after another, dozens of them.

Father Jenkins tried again, circulating a series of arguments so implausible as to be laughable. Father Jenkins calls endlessly for dialogue and discussion and debate. In the end, that really means that Father Jenkins does all the talking, for he determines both his position and the position of his putative critics. The Holy Father calls for integrity in Catholic identity, and Father Jenkins considers it a backdoor endorsement of his "Monologues" policy. The American bishops say that Catholic universities should not honor pro-abortion politicians, and Father Jenkins says that they didn't really mean it that way. No wonder Father Jenkins is such a great advocate of dialogue. It really means that he is talking to himself. The clever university president was now looking the fool. Glendon is simply too intelligent to participate in Father Jenkins' foolishness.

An Aside: Father Hesburgh, Father Neuhaus and Civil Rights

After 25 years, it is a sign of vitality in the Church that Notre Dame is paying a higher price than it was made to pay in 1984 for Father Hesburgh's contumacy. Yet to Father Hesburgh's (limited) credit, his conscience seemed to

bother him somewhat about the whole Cuomo business. A few weeks after Cuomo's speech, Father Hesburgh wrote the following in a syndicated column:

It is difficult to explain how a moral America, so brilliantly successful in confronting racial injustice in the 60s, has the most permissive abortion law of any Western country, recognizing virtually no protection for unborn human beings, as a biologist will describe the fetus, or, the Holy Innocents, as we call those butchered long ago by Herod in Bethlehem. In West Germany, the highest federal court, mindful of the Holocaust, struck down abortion on demand as violating right-to-life provisions of the country's constitution. The only countries that agree with our laws are mainly the communist countries, especially Russia and China.

... If Catholics would help articulate this consensus, favoring a more restrictive abortion law short of an absolute ban, Catholic politicians would no longer be able (or feel compelled) to say, "I'm against abortion, but . . ." Catholic and other politicians could even relive the civil rights revolution in an ultimate context of life and death.

Characterizing the pro-life struggle as the logical extension and successor to the civil rights movement is the position associated mostly closely with the late Father Richard John Neuhaus. But Father Hesburgh makes the same point here. Indeed, even though Father Neuhaus was part of the civil rights movement, Father Hesburgh was a more central part of it, serving as a charter member of the Civil Rights Commission from 1957, and as its chairman from 1969-1972. He was often its most outspoken member, and the wider American society learned about Father Hesburgh as a civil rights advocate rather than as the president of a small Catholic university.

So here's an interesting question. Given that Father Hesburgh, at the very pinnacle of his fame and influence in the 1980s, said such things about abortion, why is he not generally celebrated as a great pro-life champion? Why doesn't the pro-life movement recognize Father Hesburgh as a hero of human rights — both for black Americans and for unborn Americans? It is because, despite his words, Father Hesburgh's actions in 1984 put Notre Dame on the side of those who argued that it was possible to be Catholic and pro-choice. Father Hesburgh would never have given Notre Dame's platform to anyone arguing that it was possible to be Catholic and pro-segregation. That he did so on abortion compromised Notre Dame's pro-life witness for 25 years, leading to the point where Glendon cannot in good conscience attend Notre Dame's commencement.

Mary Ann Glendon Bears Witness

It could not have been easy for Glendon to decline the Laetare Medal — after all, she is deserving of it, and the people who nominated her for it are now put in an awkward position. Glendon is proud of her Notre Dame connections, including the 1996 honorary degree that she was awarded. No doubt she is proud of her former student Barack Obama for his laudable achievements. No doubt she would have preferred a quieter honor, one which would not have forced her to choose sides. It is to Father Jenkins's shame that he tried to use Glendon. It is to her great credit that she refused to be used.

In her life of extraordinary accomplishments, the witness given by Glendon by not going to Notre Dame next month is something of a crowning achievement. It matters a great deal that a celebrated laywoman is rejecting this honor. Notre Dame long ago learned how to disregard the advice, admonishment and even the explicit will of the American bishops. For this they paid no apparent price, as there were always those who were willing to take what Notre Dame was offering, including successive presidents of the United States.

Now someone has finally said No. And not just someone, but a woman who has ennobled everything she has lent her name to. It will be noticed on May 17 that someone thought some things more important than Notre Dame's honors; that someone thought some things more important than basking in the glow of a popular president; that someone thought 25 years of deliberate confusion, evasion, equivocation and deception from Notre Dame on abortion politics was enough. Glendon will not collect her Laetare Medal. In not doing so, she has proved worthy of the honor; please God, her courageous decision will make Notre Dame more worthy of the honors it seeks to give.

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