

## Ghost of Maputo Protocol hangs over African Synod

John L. Allen Jr. | Oct. 11, 2009 NCR Today

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One thread running through the Oct. 4-25 Synod for Africa has been alarm about a perceived assault on the family, and upon traditional African morality, stemming from Western non-governmental organizations and international bodies.

Archbishop Joseph Thagale of Johannesburg, for example, president of the Southern Africa bishops' conference, told the synod on Oct. 8 that Africa is "under heavy strain from liberalism, secularism, and from lobbyists who squat at the United Nations." Archbishop Robert Sarah of Guinea, currently the secretary of the Congregation for the Evangelization of Peoples, condemned a Western "theory of gender" which he said is trying to push Africa "to write laws favorable to" contraceptive and abortion services (the concept of "reproductive health") as well as homosexuality.

For anyone curious as to what the bishops have in mind, just three words will do the trick: The Maputo Protocol.

Technically known as "The Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa," but called the "Maputo Protocol" because it was adopted during a 2003 summit in the Mozambique capital city, the text is an adjunct to a charter of the African Union on human rights. Elaborated in twenty-five articles, it guarantees a host of rights to Africa's women, such as social and political equality, voting rights, and an end to genital mutilation.

The protocol legally came into force on November 25, 2005, after having been ratified by the required fifteen member states of the African Union.

While most Catholic leaders in Africa support the bulk of the rights the protocol tries to secure for women, Article 14 is another matter. It's devoted to health and reproductive rights, asserting a right to abortion "in cases of sexual assault, rape, incest, and where the continued pregnancy endangers the mental and physical health of the mother or the life of the mother or the fetus."

In the eyes of many bishops and pro-life activists, that language would effectively enshrine a right to abortion under virtually any circumstances, since the concept of a threat to one's mental health is notoriously elastic. Moreover, pro-life leaders often charge that even though the protocol is a document of the African Union, its provisions on reproductive rights were crafted under pressure from Western governments and NGOs "tied, some critics assert, to implied threats about a loss of development aid.

Gaston Asitaki, for example, who heads a pro-family association in Congo, recently complained of "nasty pressure on our parliament to ratify the Maputo Protocol" from Western forces, arguing that "we need a model for development which is consistent with our identity."

During his annual address to the diplomatic corps in Rome in January 2007, Pope Benedict XVI specifically cited the Maputo Protocol, calling it "an attempt to trivialize abortion surreptitiously."

In practice, abortion is still banned in most African nations except in cases of a direct threat to the life of the mother, and often more than one physician has to attest to that danger. The major exception is post-apartheid South Africa, which legalized abortion in 1997.

Recent efforts to legalize abortion laws in a handful of African nations, such as a proposed "Reproductive Health and Rights Bill" in Kenya, have run into stiff resistance. The Catholic bishops in Kenya have played a lead role in galvanizing that opposition.

Nonetheless, some African bishops appear concerned that the Maputo Protocol creates a precedent that could spread, in part under the influence of Western organizations such as the U.S.-based "Ipas" (which, at one point, stood for "International Pregnancy Advisory Services," though the group now says its name is no longer an acronym), which is active in several African nations advocating liberalized abortion laws as a means of implementing the Maputo Protocol.

Given the way "Maputo" has become shorthand for the spread of a liberal Western social agenda, it's little surprise that the most recent alarm on that score in the synod came from Bishop Lucio Andrice Muandula, president of the bishops' conference of Mozambique.

Too often, Muandula said, lay Catholics in political life "despite having been formed in church schools, and despite often being "in the front line" at Sunday Mass "find themselves "involved in the approval of laws contrary to Catholic faith, such as the liberalization of abortion."

"In order to avoid this situation, this synodal assembly should attentively examine the deep reasons for this dichotomy," Muandula said, "to allow the faithful to live their Christian vocation serenely in the future, without necessarily having to give up their active participation in politics."

Though Muandula never mentioned it by name, synod participants readily understood that the backdrop to his remarks was formed in large part by the Maputo Protocol.

The text of the Maputo Protocol can be found here: <http://www.africa-union.org/root/au/Documents/Treaties/Text/Protocol%20on%20the%20Rights%20of%20Women.pdf>

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