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## **Grounded in Mercy: Embracing a Practical Theological Response to the Reality of HIV/AIDS Sero-Discordancy**

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**Abstract:** The crises of HIV/AIDS infections and deaths in sub-Saharan Africa call for pragmatic solutions that are grounded in a broader vision of God's mercy. While the church has and continues to be the major non-governmental provider of assistance to those communities and persons battling with HIV/AIDS infections, a critical and holistic review of its stance on rejecting any usefulness of condoms as prophylactics for preventing HIV infections. This approach is most urgent today as Africans continue to experience high rates of HIV infection among monogamous married couples who are sero-discordant.

**Keywords:** Mercy, sero-discordancy, sero-discordant, HIV, AIDS.

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### ***Introduction***

The Letter to the Colossians states, "Christ is the icon of the invisible God" (Col 1:15). An icon invites the one who encounters it to enter into endless relationships. In Christ, Christians enter into an endless relationship with God. Christ is God's icon of mercy to a fallen world. The church, the bride of Christ, is invited to become an icon of mercy as is the church's spouse through its ministry and in the lives of the church's children. To do this, the church ought to embrace its iconic agency of being God's mercy to the world and to itself. How can the church do this in a broken world where structures of social injustice are used to validate marginalization and create life-negating narratives? To be authentically iconic in its mission to and ministry in the world, the church has to embrace multiple theologies that reflect the breadth of God's mercy. This article explores how a theology on being church ought to be grounded in the context of the people who are its members and those to whom the church ministers. A particular bias is given to the plight of discordant couples who constitute part of the voiceless majority in the world. This article concludes by arguing for a theology that is practical as a response to the crisis of HIV/AIDS faced by millions in our world.

### **Context and the Content of Theology**

In his apostolic exhortation, *Evangelii Nuntiandi*, Pope Paul VI describes the relationship between the universal church and the local church as an “incarnation,” where the local church instantiates and continues both the mission and witnessing of the universal church.<sup>1</sup> His view, at the time of his exhortation, marked the beginnings of the theological debate in the global south on the content, process, and actualization of inculturation. In other words, what was to be “translated” into the local church as Paul VI had taught? Was it simply propositional claims or actual processes of living? How was one to live the Christian life without embodying a particular cultural perspective? As correctly noted by Richard R. Gaillardetz, “while the novelty in the theological motif of incarnation is helpful, Paul VI’s inability to move beyond the language of translation spoke of a false conclusion of the ability to encounter the “pure gospel” that is transcultural.”<sup>2</sup> This debate has continued for decades. While, it is relevant to this paper, let me quickly call attention to an often forgotten implication of *koinonia* of incarnation as taught by Paul VI. In the liturgical life of the church, the teaching on the four marks of the church that were defined in the First Council of Constantinople in 381 C.E. continue to be celebrated. The Church of Christ is believed to be one, holy, catholic, and apostolic. In the dogmatic constitution, *Lumen Gentium* the Second Vatican Council taught that this Church of Christ with its identifiable four markers “subsists in the Catholic Church, which is governed by the successor of Peter and by the bishops in communion with him.”<sup>3</sup> By implication, each local church instantiates in its total expressions as church these same markers of the Church of Christ as an incarnate relationship just as can be said of the universal church. Since one cannot speak of a universal church as a distinct church existing in a particular place and time different from the local churches without inherently rejecting the marker of oneness of the Church of Christ, the universal church is thus the symbol of *koinonia* that makes for the possibility of the local churches to embody the Church of Christ and conversely for the Church of Christ to

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<sup>1</sup> Pope Paul VI, *Apostolic Exhortation – Evangelii Nuntiandi* (December 8, 1975), #62 in [http://w2.vatican.va/content/paul-vi/en/apost\\_exhortations/documents/hf\\_p-vi\\_exh\\_19751208\\_evangelii-nuntiandi.html](http://w2.vatican.va/content/paul-vi/en/apost_exhortations/documents/hf_p-vi_exh_19751208_evangelii-nuntiandi.html) (accessed May 27, 2016).

<sup>2</sup> Richard R. Gaillardetz, *Ecclesiology for a Global Church. A People Called and Sent* (Maryknoll, New York: Orbis Books, 2008), 58.

<sup>3</sup> *Dogmatic Constitution – Lumen Gentium* (November 21, 1964), #8 in [http://www.vatican.va/archive/hist\\_councils/ii\\_vatican\\_council/documents/vat-ii\\_const\\_19641121\\_lumen-gentium\\_en.html](http://www.vatican.va/archive/hist_councils/ii_vatican_council/documents/vat-ii_const_19641121_lumen-gentium_en.html) (accessed May 27, 2016).

draw the community of believers and make of them a church, a manifestation of the people of God in and through their spacio-locality. To speak thus of the universal church is to legitimize the realities and experiences of the entire local churches.

Paul VI, reflecting on the relationship between the universal and the local church interprets this *koinonia* as one of openness. Rather than hamper the identity and mission of the church universal, the openness of the local church within its very being is a graced opportunity to enrich the universal church through and in the very particular cultural aspirations of the local church.<sup>4</sup> In other words, the local church is the place where the incarnation of the Church of Christ occurs through the mediating witness of the universal church, a witness of fellowship, charity, and celebration of the mercy of God shown to humanity by making of them the people of God. By implication, it is in the context of the particular churches that God makes concrete and real God's desire to create a community of believers and not the other way around. Because the markers of the Church of Christ reflect a union in Christ, the oneness of the church, holiness of the church, the catholicity of the church, and the apostolicity of the church are grounded in a communion of otherness. Each local church cannot be church unless it is inherently open to the other. It is this openness that both instantiates the universality and particularity of the churches.

Another noticeable implication is one that points to the totality of the experiences of the members of the churches. As taught by Pope Saint John Paul II, inculturation is all embracing. It finds expressions in the cultures, values, experiences, hopes and aspirations, prayer life, mission, and ministries of the local church.<sup>5</sup> What does this mean? The markers of the Church of Christ are qualities of the church that bring all its members into wholeness in body and spirit, experiences and narratives, theologies and rituals, hopes and missions, gestures of hospitality and celebrations of friendships. In other words, inculturation concretizes the particular embrace of the mercy and love of God gifted

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<sup>4</sup> *Evangelii Nuntiandi*, #63.

<sup>5</sup> John Paul II, *Encyclical Letter – Redemptoris Missio* (December 7, 1990), #52 in [http://w2.vatican.va/content/john-paul-ii/en/encyclicals/documents/hf\\_jp-ii\\_enc\\_07121990\\_redemptoris-missio.html](http://w2.vatican.va/content/john-paul-ii/en/encyclicals/documents/hf_jp-ii_enc_07121990_redemptoris-missio.html) (accessed May 27, 2016).

to God's people who constitute the body of the Church of Christ with Christ at its head (Col 1:18).<sup>6</sup>

In his paper, John Odeyemi<sup>7</sup>, while furthering a theological re-interpretation of justice and mercy, warns the Catholic Church to resist the temptation to equate justice with fidelity to the law that is faceless. Odeyemi writes;

The justice of God should not be misunderstood within the parlance of late 19<sup>th</sup> century and early 20<sup>th</sup> century Hobbessian and Nietzsche's humanistic positivism and sociological theories of justice. In which case justice implies some kind of security at law seen as a civil virtue of impartiality without a reference to the natural justice of God. In a Christian sense, mercy leads to justice, doing justice entail a call to the vocation of love...<sup>8</sup>

His voice is not the first to link mercy to the life and mission of the church. Pope Francis, drawing from the rich theology on mercy in his papal bull of indiction to announce the extraordinary Jubilee of Mercy gives a Christological meaning to mercy. In his words, "Jesus is the face of the Father's mercy."<sup>9</sup> If this is the case, the church, whether universal or local cannot be church unless it is a church of mercy because Christ, who is the head of the church is mercy personified. Pope Francis argues thus that the visible witness of "credibility for the church cannot but be grounded in how it reflects in her life this divine mercy."<sup>10</sup> A church without mercy is not an icon of Christ but an idol unto itself. By becoming "the face of the Father's mercy," Christ has freed mercy from slipping into the realm of absolute transcendence. The incarnated Christ has become the icon that draws the church and its members in their total constituent parts of liturgies, prayers, theologies, ministries,

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<sup>6</sup> All biblical quotes are taken from *The Catholic Study Bible. Second Edition. New American Bible Revised Edition*. Edited by Donald Senior, John J. Collins, and Mary Ann Getty (Oxford: Oxford University Press, 2011).

<sup>7</sup> John Odeyemi is a Roman Catholic priest ordained for the Diocese of Ilorin, Kwara State, Nigeria. He is a systematic theologian by training. The title of his paper is "Justice and Mercy": Breaking New Grounds in the Question of Discordancy: A Case Study in the Development of Doctrine in African Catholicism." This paper was presented to the members of the Black Catholic Theology Consultation Group at the annual conference of *Catholic Theological Society of America*, held in Puerto Rico from June 8 -12, 2016 and appears in this volume of the JBCTS, pp. 117-137.

<sup>8</sup> Ibid., p. 119.

<sup>9</sup> Pope Francis, *Bull of Indiction of the Extraordinary Jubilee of Mercy – Misericordiae Vultus* (April 11, 2015), #1 in [http://w2.vatican.va/content/francesco/en/bulls/documents/papa-francesco\\_bolla\\_20150411\\_misericordiae-vultus.html](http://w2.vatican.va/content/francesco/en/bulls/documents/papa-francesco_bolla_20150411_misericordiae-vultus.html) (accessed May 27, 2016).

<sup>10</sup> Ibid., #10.

members, aspirations, thoughts, structures, and laws to become embodied Christological mercy. In the words of Pope Francis, “the mercy of God is not an abstract idea, but a concrete reality with which he reveals his love as of that of a father or a mother, moved to the very depths out of love for their child. It is hardly an exaggeration to say that this is a “visceral” love. It gushes forth from the depths naturally, full of tenderness and compassion, indulgence and mercy.”<sup>11</sup>

### ***Practicality as an Embodiment of God’s Mercy***

As stated above, Pope Francis reminds the members of the church during this jubilee year of mercy that God’s mercy does not reside in the realm of the abstract. It is real. It is enfleshed in the incarnate Christ. In other words, to speak of mercy is to speak of the word of God made flesh. To speak of mercy is to speak of the Christ that is encountered in the life of the church, in the stranger, in the sick, in the orphan, in those whom society has forgotten. How can members of the church today find this wounded Christ from whom healing is received by those whose wounds, pains, sufferings, isolations, voicelessness, and marginality he bears on his own body when theologians and the magisterium for centuries have been quick to strip the characteristic of mercy from the incarnate Christ and stressed only divine Justice as though mercy is alien from justice itself? How can a theology of mercy today speak to the plights of those whose lives have been shaped by the burden of HIV/AIDS in a world where categories of marginalization have become the markers for identifying anyone with such a burden? Pope Francis offers a response. He states:

In this Holy Year, we look forward to the experience of opening our hearts to those living on the outermost fringes of society: fringes which modern society itself creates. How many uncertain and painful situations there are in the world today! How many are the wounds borne by the flesh of those who have no voice because their cry is muffled and drowned out by the indifference of the rich! During this Jubilee, the Church will be called even more to heal these wounds, to assuage them with the oil of consolation, to bind them with mercy and cure them with solidarity and vigilant care. Let us not fall into humiliating indifference or a monotonous routine that prevents us from discovering what is new! Let us ward off destructive cynicism! Let us open our eyes and see the misery of the world, the wounds of our brothers and sisters who are denied their dignity, and let us recognize that we are

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<sup>11</sup> Ibid., #6.

compelled to heed their cry for help! May we reach out to them and support them so they can feel the warmth of our presence, our friendship, and our fraternity! May their cry become our own, and together may we break down the barriers of indifference that too often reign supreme and mask our hypocrisy and egoism!<sup>12</sup>

One would assume that the advice and teaching coming from Pope Francis can be understood by every Christian who takes seriously their baptismal relationship with the crucified and resurrected Christ and knows what God's mercy is and what is expected of them by entering into a relationship of grace in the one who redeems them and divinizes them through baptism. Yet, I must say such is a dangerous assumption. A few years ago, I had the pleasure of having a spirited conversation with a theologian trained in one of the prestigious pontifical universities here in the United States. During our conversation, he stated his displeasure at how Pope Francis was focusing more attention on divorcees and less on those of them who have remained faithful to the teachings of the church on marriage and sexuality. Probing him further, he stated that the approach of Pope Francis only helps to work against the sacredness of the sacrament of marriage. For him, these divorcees freely chose to enter into unhealthy marriages knowing what the indissolubility of marriage implies and should thus live with the consequences if they desire to remain within the church as active members. Shocked by his style of reasoning, and even shocked further that this theologian is a specialist in Saint Augustine's theology, I had to remind him of my encounters with many women during my years as a missionary forced into arranged and/or abusive marriages due to cultural, social, financial, and political pressures beyond their control. In a world dominated by patriarchy, a woman is always the first to lose her voice and become a pawn in the exploitative games that benefit men. As I said these words to him and as I observed his body language as he resisted my reproach of his insensitive views, I was reminded of the story of the prodigal son. Two thousand years after that story was told by Jesus to remind his audience of the nature of God's mercy that is intricately linked to God's justice, an audience that knew very well the theological implications of Jesus' teachings but preferred to hold on to a juridical relationship with God that refuses to see mercy as strength, but as weakness, here was I, having the same type of discussion with a theologian of the church who is an authority on the history of the church but who has forgotten what is at the heart of that theology and history

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<sup>12</sup> Ibid., #15.

that has defined the church. The primacy of mercy is summed up in the last canon of the 1983 Code of Canon Law. It reads, "and the salvation of souls, which must always be the supreme law in the Church, is to be kept before one's eyes."<sup>13</sup> While legislating the process of dealing with the transfer of pastors whose behavior harms the good of the souls he is meant to sanctify by his ministry, the code concludes by a definitive call to take seriously why the church exists: not to punish but to be an agent of God's mercy.

How did we get to the place we are today, where we are obsessed with norms and less about the plight of those who are suffering? How did we get to the point where spirituality simply means going to mass, contributing our tithes, embracing such labels as pro-life, pro-choice, conservative, liberal, and forget to notice those who are being marginalized by our greed for power over others? How did we get to the point where we speak so fervently in the defense of life, and the rule of law and fail to speak up for the lives of minorities who suffer endless injustices in the hands of those who are supposed to be agents of mercy, justice, and righteousness? How did we get to the point where we have stopped noticing the paradoxes in our lives, our faith, our relationships, our liturgical rituals, and our theologies? Could it be that our theological focus has been based mainly on theoretical postulations and less on real encounters? Pope Francis reminds the members of the church that mercy is not abstract. Mercy is a person and he is Jesus Christ. Answering these urgent questions, he offers the following advice:

The Church's first truth is the love of Christ. The Church makes herself a servant of this love and mediates it to all people: a love that forgives and expresses itself in the gift of oneself. Consequently, wherever the Church is present, the mercy of the Father must be evident. In our parishes, communities, associations and movements, in a word, wherever there are Christians, everyone should find an oasis of mercy.<sup>14</sup>

Pope Francis calls the members of the church to open their eyes and see the pains of those who suffer in our world.<sup>15</sup> It is not just the physical sight that must be renewed. The church cannot see the

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<sup>13</sup> See John P. Beal, James A. Coriden, and Thomas J. Green (eds.), *New Commentary on the Code of Canon Law. An Entirely New and Comprehensive Commentary by Canonists from North America and Europe, with a Revised English Translation of the Code. Commissioned by The Canon Law Society of America* (New York, New York/Mahwah, New Jersey: Paulist Press, 2000), #1752.

<sup>14</sup> *Ibid.*, #12.

<sup>15</sup> *Ibid.*, #15.



suffering of its members when it continues to embrace a theology that is abstract and resides in the daydreams of scholars. Such a theology can only give birth to fairies. The church is not for fairies. The church is where humans become fully human in the humanity of Jesus Christ. Reflecting on how the church and society have responded to the crisis of HIV/AIDS, Odeyemi has this to say; "Often times, bishops, theologians, and aid agents in heavily affected areas, which are usually also poor areas, seem to see a practical utility in an exemption for the use of condoms between discordant couples to prevent the spread of HIV to the uninfected partner or even to prevent conceiving a child."<sup>16</sup> It is important that in the discourse on how to proceed with the reality of HIV/AIDS discordancy that theologians become more aware of the link between practicality and mercy. In fact, practicality is the pathway by which God's enduring mercy is embraced in situations where one's realities do not fit within the norm. In the biblical context for example, examples abound where practicality becomes the gifted process by which the spirit of the law is fulfilled. The Holiness Code in the Book of Leviticus clearly demonstrates this point. In an agrarian society, it is taken for granted that most members of the community would have access to land on which to grow crops except those at the margin of society, the "poor and the alien" (19:9 – 10). To care for these groups whose members do not have the necessary resources, the practice of gleaning is commanded by God as an extension of God's mercy. In the New Testament, one finds a practical approach to the realities faced by the Christian community in the city of Corinth concerning Christians marrying non-Christians (1 Cor 7:10 – 15). Paul invokes a practical solution in favor of the faith, which today has become part of the canonical and pastoral guidelines for celebrating the sacramental bond of marriage when similar situations arise.<sup>17</sup> It is worth noting the following that demonstrates the place of practicality in re-reading the letter of the law in a way that the spirit of the law is broadly understood. The realities of African slaves during the era of slavery helped to broaden the canonical regulations with regard to dissolubility and remarriage. While the canonical regulation and the papal constitution *Populis* of Pope Gregory XIII spoke primarily of "non-baptized persons who due to captivity or persecution are unable to restore physical union with their non-baptized spouse could contract a new marriage without prejudice to the prescript of canon 1141" which states that a ratified and

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<sup>16</sup> Odeyemi, op. cit., p. 123.

<sup>17</sup> See canons 1143 – 1147.

consummated marriage cannot be dissolved except by death; I want to point out the following that a case can still be made that goes beyond what the current law states. As noted by Michael G. Lawler, the prescript on ratified and consummated marriages are not “gospel and definitive *de fide*. They are theological, canonical, and changeable *doctrina catholica*.”<sup>18</sup> Let us take the same examples that prompted the constitution of Pope Gregory XIII. It cannot be stated categorically that Africans who were enslaved through the Trans-Atlantic Slave Trade were all unbaptized. Christianity was already present in some areas in present day Sub-Saharan Africa, especially in the coastal kingdoms that later became the major slave-trade centers. At the height of the slave-trade, European slave traders did not discriminate between Christians and non-Christians. Every African was a target. The journey to the Americas was a one-way journey for the enslaved Africans who stood no chance of ever returning back to their spouses. The provision granted by Gregory XIII and which is contained in canon 1149 in the 1983 Code of Canon Law can be interpreted to extend to the enslaved African Christians who were taken to the Americas in my opinion. Death would have to be understood in the broadest sense of the word to include irreversible separation from one’s spouse due to captivity. What this trajectory of reasoning points to is the need to include a practical approach to the regulations surrounding marriage. One does not marry an idea or principle. One always marries a person and it is meant to celebrate the rich gamut of our human affects, which is not opposed to the spiritual.

### ***Making a Case for HIV Discordant Couples***

A few years ago, I had the privilege of meeting Bishop Kevin Dowling of the Diocese of Rustenburg, South Africa during a theological colloquium on religion, church, and society in Africa organized by the Jesuit Province of East Africa. Listening to his endless stories on the plight of the poor in his diocese and the fact that the social structure has shown a clear link between poverty and HIV; I became more convinced that when HIV/AIDS becomes the burden of the poor it is reflective of the comprehensive structures of evil that have come to mark our world. How can a society that has erected structures of marginalization be able to articulate corrective structures to lead it away from its marginalizing narratives and preferences? Such a society needs the radical approach

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<sup>18</sup> Michael G. Lawler, *Marriage and the Catholic Church: Disputed Questions* (Collegeville, Minnesota: The Liturgical Press, 2002), 84. See also, W. O’Connor, “The Indissolubility of a Ratified Consummated Marriage,” *Ephemerides Theologicae Lovanienses* 13 (1936): 692 – 722.

that is prophetic. Is it not surprising then that many in the church who should focus on the plight of the poor and how their marginality has led to life-negating choices are more concerned with rules and principles that reveal a lack of concern with the engulfing realities of deprivation the poor face? This is the story of our world today. Let me return to the paper presented by Odeyemi. He reflects on a few voices within the churches of Africa who have taken seriously the plight of HIV/AIDS infected persons. He references the works of theologians like Benezet Bujo of the Democratic Republic of Congo who reflects on the insufficient approach of the church that sometimes does not demonstrate an awareness of the plight of discordant couples. Bujo calls to question the teaching on absolute abstinence since realistically, this does not always hold. Bujo advocates for an application of the principles of lesser evil and/or double effect as an "interim ethic" to resolve the current crisis faced by discordant couples.<sup>19</sup> Bujo calls attention to a holistic engagement with the crisis of discordancy. As pointed out by Odeyemi, Bujo sheds light on the seemingly quick-fix approach of providing condoms to communities affected in the global south without addressing the inherent exploitation of the south by the north. This point is worth noting. Going back to my reflection on the experience of Bishop Dowling while working with the poor women in his diocese who are forced into a life of prostitution in order to make ends meet, one cannot just provide condoms only, a holistic approach ought to be embraced. However, does this mean condom has no relevant place in the solution to this crisis? The answer is in the negative. Bujo's "interim ethics" approach is a justification for the relevance of the use of condom as prophylactic in the beginning process leading to a permanent solution.<sup>20</sup>

It is worth noting what Margaret A. Ogola, a pediatrician working in Kenya among HIV/AIDS infected children has to say on this issue. She argues that while one cannot dispute the fact that the Roman Catholic Church provides most services to HIV/AIDS in Sub-Saharan Africa outside of state run agencies, there is a sense of disconnect between what the Catholic agencies are doing and the reluctance on the part of the Kenyan bishops to provide a credible, practical, and truly contextual narrative aimed at addressing the current crisis faced by discordant couples in that country.<sup>21</sup> I would broaden this to include the entire

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<sup>19</sup> Odeyemi, op. cit., pp. 128-129.

<sup>20</sup> See Benezet Bujo and Michael Czerny, eds., *Aids in Africa: Theological Reflections* (Nairobi: Paulines Publications Africa, 2007), 68 – 69.

<sup>21</sup> See John Odeyemi, "Justice and Mercy": Breaking New Ground in the Question of Discordancy: A Case Study in the Development of Doctrine in African

African continent. In 2015, the Roman Catholic bishops of Africa and Madagascar during their meeting in Accra, Ghana released a common declaration responding to the “post-2015 global development agenda” of the United Nations that they titled *Common Declaration of the Bishops of Africa and Madagascar*. In this document, they decried the exploitation of Africa through the neo-colonial agenda of the global powers carried out through the indigenous African exploiters who are at the helm of national governments. This is commendable of them. Africa is exploited by many forces and agents, among these are Africa’s own leaders who have failed to fulfill the dreams and aspirations of those who gave up their lives to free Africa from the colonial chains of the colonial powers. However, in their rejection of the globalizing trend, the bishops condemned the external pressure from the “transnational partners of contraception and abortion” whom they conclude are the agents dictating the content of the Maputo Protocol that the African Union has adopted as a continental effort to protect the universal reproductive right of women. The position of the bishops on the many issues they address in their declaration is debatable. Their insistence on a comprehensive solution to the plight of the poor in Africa is commendable and ought to be followed by those given the mandate to lead the respective nations of the continent. Their conclusion that the concern of the international agencies to address the crisis of HIV/AIDS and the reproductive rights of women is driven by a grand agenda of population control instigated by the western countries who seek to dominate global geo-politics by making sure the African continent does not supersede them in the race for population dominance is itself problematic without any credible evidence for such a claim.<sup>22</sup> In the words of the bishops;

The hour has come to demystify what global governance calls “national ownership” and “country-driven” initiatives. No, these agendas are by no means African! They are, from A to Z, piloted by agents external to Africa: from the introduction of normative “development” concepts such as “gender” or “reproductive health” to the drafting of

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Catholicism,” 14 – 15. For the actual statements of Margaret A. Ogola see “Looking Back and Looking Forward at HIV/AIDS in Africa: Serodiscordant Couples, Re-infection, the Role of Women, and the Condom,” in James F. Keenan, ed., *Catholic Theological Ethics Past, Present, and Future: The Trento Conference* (Maryknoll, New York: Orbis Books, 2011), 201.

<sup>22</sup> Symposium of Episcopal Conferences of Africa and Madagascar, *Common Declaration of the Bishops of Africa and Madagascar* (June 8 – 11, 2015), ## 10 – 11 in <http://aleteia.org/common-declaration-of-the-bishops-of-africa-and-madagascar/> (accessed May 27, 2016).

political and juridical documents, then to their adoption and implementation and ultimately to monitoring their implementation. We call upon the responsibility of Africans who, bought by money, collaborate with these hideous and deadly agendas. We urge political and religious leaders, who have the heavy task of leading and protecting our African populations, to study with attention and analyze with great care and a sense of responsibility the documents, strategies and development programs of global governance. These documents, even though they appear, in their external presentation and formulation, to procure elements of well-being and prosperity for all, are in reality real programs of destruction of the poor and humanity's values, and not of a development that would respect the dignity and sacredness of the human person and the well-being of the family, when they integrate, often in hidden ways, the agenda of the western sexual revolution.<sup>23</sup>

One is obliged to ask the following; are the bishops not going to the extreme in their conclusions? This is a case of a stubborn refusal to be practical which is itself a pastoral virtue. Yes, there are multiple stakeholders in the international discourse on the use of condom and contraception. Yes, some people have economic interest in pushing for this. However, one cannot deny the fact that condom has a legitimate role in addressing this crisis faced by discordant couples in Africa as an "interim ethics" until the time we arrive at a permanent solution. It is quite noticeable as to how silent the bishops are on the new advancement on HIV prevention. One could opine that the hasty condemnation of the global attempt to advance reproductive health that does not fit well with what the bishops have judged to be African values, may have prevented them to embrace the current advance in HIV prevention with the production of Pre-Exposure Prophylaxis (PrEP).

Another noticeable problem with the approach of the bishops of Africa and Madagascar is the juxtaposition of contraceptives and abortion as though one leads to the other.<sup>24</sup> In my opinion, this epistolary bias has subconsciously shaped the narrative that presents contraceptives as a catalyst for promiscuity. It is not always the case that the use of contraceptive leads to promiscuity or abortion. It is relevant today as the discussion on the use of contraceptives continue and the false narrative that wants to always portray any use of contraceptives as evil is being embraced that attention is given to the

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<sup>23</sup> Ibid., #12.

<sup>24</sup> Ibid., #5.

words of Pope Paul VI in his encyclical letter titled *Humanae vitae*. In his words, “On the other hand, the Church does not consider at all illicit the use of those therapeutic means necessary to cure bodily diseases, even if a foreseeable impediment to procreation should result there from—provided such impediment is not directly intended for any motive whatsoever.”<sup>25</sup> It is quite strange that the rush to condemnation of anything deemed contraceptive has led to a culpable forgetfulness on the part of many in the church who should have taken time to consider the legitimate place of contraceptive as prophylactic for dealing with crisis faced by discordant couples today.

### **Conclusion**

When the church focuses mainly on the issue of contraceptive and less on the people, she misses the opportunity to become an agent of God’s grace. Pope Francis has called for a new way of seeing our world. This also involves embracing a new way of speaking about the problems that people are burdened with. Who are those who are affected by the crisis of HIV/AIDS today? They are the poor. In the United States, according to the Centers for Disease Control and Prevention (CDC) report of 2015 on the racial/ethnic identity of newly infected groups, African Americans and Hispanics are disproportionately affected. In 2011, African Americans accounted for 41% of the total population of those living with HIV. Hispanics accounted for 20% living with HIV.<sup>26</sup> In a global context, according to The Henry J. Kaiser Family Foundation, Sub-Saharan Africa accounted for 70% of global HIV infection in 2014. Out of the 36.9 million people living with HIV in the world, there are 25.8 million of them in Sub-Saharan Africa.<sup>27</sup> These are not facts that can be ignored. The social teachings of the church ought to also engage the social structures of injustice that continue to perpetuate the disparity in the spread of HIV/AIDS. What are the stories of these men and women, boys and girls who are infected or prone to being infected?

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<sup>25</sup> Pope Paul VI, *Encyclical Letter – Humanae Vitae* (July 25, 1968), #15 in [http://w2.vatican.va/content/paul-vi/en/encyclicals/documents/hf\\_p-vi\\_enc\\_25071968\\_humanae-vitae.html](http://w2.vatican.va/content/paul-vi/en/encyclicals/documents/hf_p-vi_enc_25071968_humanae-vitae.html) (accessed May 30, 2016).

<sup>26</sup> Centers for Disease Control and Prevention, “Fast Facts,” *HIV in the United States: at a Glance* (September 29, 2015), in <http://www.cdc.gov/hiv/statistics/overview/> (accessed May 30, 2016).

<sup>27</sup> The Henry J. Kaiser Family Foundation, “The Global HIV/AIDS Epidemic,” *Global Health Policy* (November 30, 2015), in [http://kff.org/global-health-policy/fact-sheet/the-global-hivaids-epidemic/#endnote\\_link\\_UNAIDSSlides](http://kff.org/global-health-policy/fact-sheet/the-global-hivaids-epidemic/#endnote_link_UNAIDSSlides) (assessed May 30, 2016).

In her work titled "HIV/AIDS: An African Theological Response in Mission," Isabel Apawo Phiri calls for a new theology that addresses the crisis of HIV/AIDS faced by the poor and marginalized of African societies. This theology, she argues, should reflect the following markers; first, a critical reflection on the part of the church on how she "understands itself [herself]<sup>28</sup> as having been sent by God to bring wholeness to a broken world."<sup>29</sup> The outcome of such a reflection ought to be one that embraces God's mercy as a mode of being church in this era of crisis.

Phiri argues for a critical re-engagement with Scriptures. The churches of Africa take seriously the Word of God as a guide in times of crisis. However, she has noticed that there have been in the past, a simplistic hermeneutic that preferences condemnation of victims of HIV/AIDS as immoral perverts who are being punished by God.<sup>30</sup> This hermeneutic is problematic because it fails to account for the abundant mercy of God. This new theology ought to speak of a God that is in "solidarity with the victims of HIV/AIDS."<sup>31</sup> The God of mercy is a God who shares in the very pain and sufferings of humanity.

Agreeing with Musimbi Kanyoro's conclusions that "To do theology in Africa today is to do theology among a people with much suffering. There is so much death on our continent that reality makes a mockery of the bravery of Job, the biblical giant of tribulations,"<sup>32</sup> Phiri calls for a re-engagement with the "question of human suffering."<sup>33</sup> This focus on suffering will help shed light on the structures of social injustice that validate the cycle of infection among the poor.

Phiri invites all Christians, especially church leaders to reflect more on the "world of HIV/AIDS. It is a broken world of Genesis 3, where quality of life does not exclude suffering."<sup>34</sup> In such a broken world, the church cannot afford to discriminate against those who bear the burden of HIV/AIDS. She reminds theologians and church leaders to pay close attention to the practical approaches of some African women theologians

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<sup>28</sup> The word in parenthesis are those of the author.

<sup>29</sup> Isabel Apawo Phiri, "HIV/AIDS: An African Theological Response in Mission," in Kwok Pui-lan, ed., *Hope Abundant. Third World and Indigenous Women's Theology* (Maryknoll, New York: Orbis Books, 2010), 223.

<sup>30</sup> *Ibid.*

<sup>31</sup> *Ibid.*

<sup>32</sup> See Musimbi R. A. Kanyoro, *Introducing Feminist Cultural Hermeneutics: An African Perspective* (Sheffield: Sheffield Academic Press, 2002), 24.

<sup>33</sup> Phiri, "HIV/AIDS: An African Theological Response in Mission," 224.

<sup>34</sup> *Ibid.*, 224 – 225.

who “are aware that regardless of the constant message of abstinence and faithfulness, the majority of Christians are not following the church’s message. Therefore, while we are sorting out our power games surrounding patriarchy and the sanctity of marriage as originally intended by God, life has to be protected by whatever means is available today.”<sup>35</sup>

I conclude this paper by reflecting on what Phiri says with regard to the unending hope of those who are victims of HIV/AIDS. In Africa, hope is a palpable reality that has served as a therapeutic aid for bearing the social and physical pain of being infected with the HIV disease. Hope has an end and for the poor it is healing. If the church is to continue to be effective in the lives of those who are poor and suffering in Africa, she cannot fail to demonstrate the close connection between healing and mercy. The healing that comes from God is one by which God concretizes God’s mercy in the lives of those made whole again. Since the Roman Catholic Church sees herself as a medium of God’s grace to the world, she is obligated to become a visible reflection of God’s healing understood as God’s mercy to the world in all her structures, doctrines, theologies, teachings, activities, members, prayer life, and aspirations. In fact, the church ought to be a saturated icon of God’s mercy.

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<sup>35</sup> Ibid., 225.



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