The Washington Post

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Mostly sunny 44/29 • Tomorrow: Sunny 48/32 **B6**

Democracy Dies in Darkness

TUESDAY, DECEMBER 19, 2023 · **$3**

Minority business programs besieged

White plaintiffs assail government presumption of racial disadvantage

BY JULIAN MARK

An agency created 54 years ago to bolster minority-owned businesses is fighting for its existence amid a legal challenge from White entrepreneurs who contend its mission is misguided and unconstitutional.

The Minority Business Development Agency, housed within the Commerce Department, is one of several federal programs under siege over a fundamental assumption ingrained in Washington policy: that certain racial and ethnic groups are inherently disadvantaged in American society and therefore entitled to preferential treatment.

The legal offensive, which also has targeted programs run by the Transportation Department and the Small Business Administration, is part of a broader conservative backlash against affirmative action and diversity efforts in government contracting and the private sector — a campaign that intensified after the Supreme Court in June overturned race-conscious college admissions.

Experts say the federal programs may be uniquely vulnerable: The categories of disadvantaged minorities were drawn up in the early 1970s with little research or debate — and sometimes based on naked politics — creating a patchwork in which some programs presume a minor-

SEE **MINORITIES** ON **A5**

JAHI CHIKWENDIU/THE WASHINGTON POST

Expecting new life, but fearing death

For Black women, the joy of pregnancy is often shadowed by foreboding

BY AKILAH JOHNSON
IN HOUSTON

Arielle Anderson couldn't get her mind off those old Facebook posts, memorial messages for a woman who had died more than two years earlier.

This feels like a horrible nightmare. We were so excited to meet Baby Boy Carter. Until we meet again, my sister.

There the woman was in the maternity photos shared on Facebook, visibly pregnant, smiling broadly and nestled in her husband's arms. Four days later, she was gone. So, too, her baby. And here Anderson was, newly pregnant and unable to set aside the intrusive thoughts.

As a young, Black, female lawyer whose roots also were in Louisiana, Anderson said, she saw herself reflected in the 34-year-old's life — and detected a cautionary tale in her death: Pregnancy while Black can be fatal.

"To live in fear as you plan for a joyous event," she remembers thinking, "there's some kind of paradox there."

According to public health officials, there is.

In the United States, the deadliest place to give birth among high-income nations, Black women die at two to three times the rate of their White, Asian and Latina peers. Not only are Black women more likely to die of cardiovascular issues — blood clots, hemorrhages, high blood pressure — while pregnant and after giving birth, but they are more likely to experience the discrimination and disrespect that contribute to maternal deaths, research also shows.

And so, as word of pregnancy-related deaths and near misses reverberates through the news alerts, social media timelines and minds of many Black women, anticipating the beginning of life too often brings fears of its end. A sense of foreboding that exacts a price.

To offset the microaggressions, stereotypes and general disregard that experts say Black women too often confront while seeking health care — pregnant or not — they try to accommodate and compensate for the biases of medical personnel by mentioning their

SEE **MOTHERS** ON **A12**

Research shows that Black women are more likely than their peers to experience the bias and disrespect that contribute to maternal death.

Vatican relaxes LGBTQ+ stance

PRIESTS CAN BLESS SAME-SEX COUPLES

Benedictions must be separate from marriages

BY ANTHONY FAIOLA AND STEFANO PITRELLI

ROME — The Vatican on Monday issued formal, definitive permission for Catholic priests to bless same-sex couples, as long as those benedictions are kept separate from marriage, a decree that amounts to an about-face after decades of discord between the LGBTQ+ community and the Catholic Church, which has long upheld that homosexuals are "disordered" and said any nod to their unions would be tantamount to blessing sin.

The guidance from the powerful Dicastery for the Doctrine of the Faith, issued after papal review and approval, largely reverses a 2021 ruling and expands on a far briefer statement of support for such blessings issued by Francis in September in response to questions raised by conservative clerics.

The document issued Monday says that blessings of same-sex couples should not suggest even the trappings of sacramental marriage — including traditional wedding vestments — or even ceremonies formally recognizing same-sex unions. But it offers guidelines for offering benedictions to people in same-sex relationships and explicitly gives permission to "ordained ministers" to conduct such blessings, while asking priests to use their own "prudent and fatherly discernment" to decide when doing so is appropriate.

Couples in "irregular situations" as well as "couples of the same sex" may receive priestly

SEE **POPE** ON **A11**

ELECTION 2024

Non-GOP voters give Haley an opportunity

Candidate's tone attracts centrists, but critics see vague stances on issues

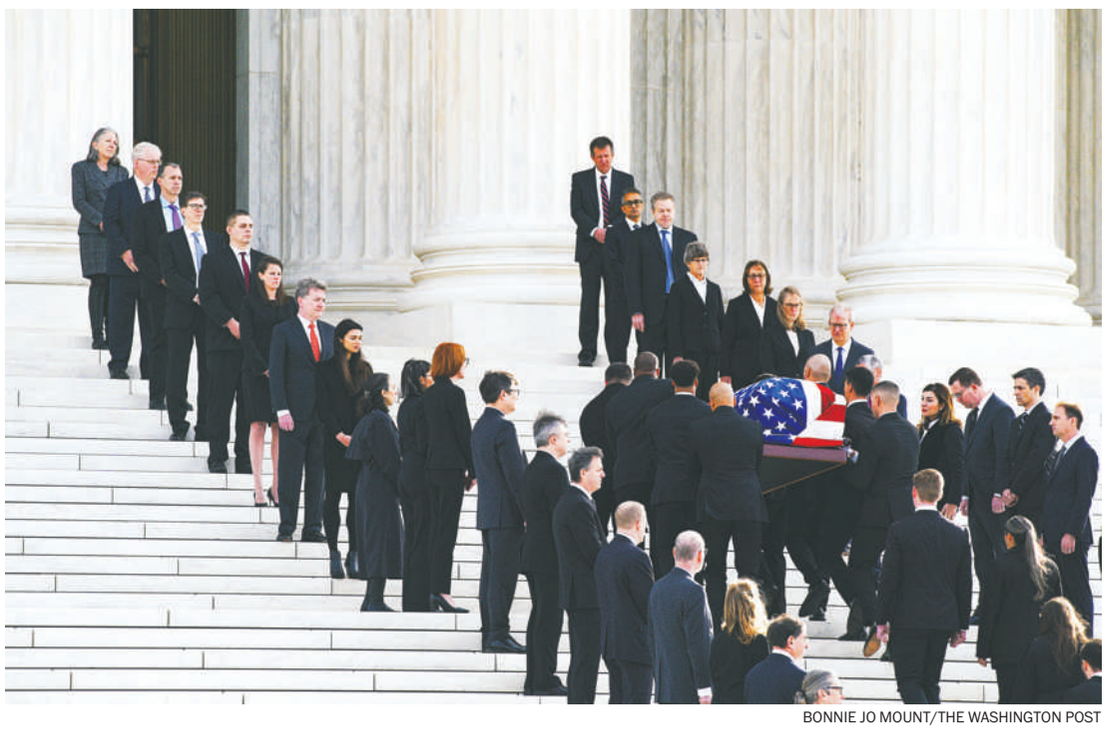
BY HANNAH KNOWLES AND MERYL KORNFIELD

SPIRIT LAKE, IOWA — Fliers at Nikki Haley's campaign events prominently advertise that she is "pro-life" — yet she draws plenty of voters who support abortion access and sometimes arrive under the mistaken impression the Republican presidential hopeful is "pro-choice."

The former U.N. ambassador gets applause for calls to end transgender athletes' participation in women's sports, which she has called "the women's issue of our time." But she couches it in a softer appeal about the need to "grow strong girls" and spends more time on education issues that have more cross-party appeal, lamenting low proficiencies in reading and math to crowds overflowing into hallways and backup seating.

And she fields town hall questions from Republicans asking how she will crack down on election fraud — "it's a real issue," she says, despite its rarity — yet also regularly attracts swing vot-

SEE **HALEY** ON **A8**



BONNIE JO MOUNT/THE WASHINGTON POST

Police officers carry the casket of Sandra Day O'Connor, who died Dec. 1 at 93, into the Supreme Court building, where the first female justice lay in repose in the Great Hall on Monday. Story, B1

Ex-cowgirl O'Connor would not be fenced in

BY SALLY JENKINS

Justice Sandra Day O'Connor had a face clearly written on by the outdoors. The 10-hour days in the saddle as a girl on the Lazy B Ranch were there, and so were the shooting bottles off fences, all the skiing and fly-fishing, and the golf in every weather, until it seemed as if her bone structure was chiseled by the wind. She looked like, and was, someone who could go all day with nothing to eat but beef jerky out of her snap-button pocket. It's a perilous thing to equate the quality of people's minds with their physical states, but in O'Connor's case the two were inextricable. "When in doubt, go out," she liked to tell her clerks.

PERSPECTIVE

The first female Supreme Court justice — and the only one in the Cowgirl Hall of Fame — lay in repose in Washington on Monday, and as her casket was carried into the dim, columned Great Hall between the lines of former clerks to be surrounded by frozen marbled men and their umber

SEE **JENKINS** ON **A4**

THE COLLECTION

Ex-Smithsonian staffers say it resisted action

Anthropologists sought to keep human remains

BY NICOLE DUNGCA AND CLAIRE HEALY

In 1998, Karen Mudar was told by her boss at the Smithsonian Institution to inventory the human brains that one of its anthropologists had amassed in the early 20th century.

Mudar, whose job at the National Museum of Natural History entailed returning human remains to Native American tribes, was stunned by what she discovered. She had long known the Smithsonian had thousands of skulls and other bones but did not know how many brains the institution still held.

She found the Smithsonian had collected more than 280 brains, and in a memo to the chair of the anthropology department, Mudar warned that absent scientific research, the collection could alienate visitors and become "an object of morbid curiosity."

But for the next two decades, the Smithsonian did virtually nothing to address her concerns.

"They could have been proactive in informing the community," Mudar said. "The decision-makers ... had no interest. They just wanted to go back to their own research."

Mudar's warning came at a time when she and other workers in the repatriation office found themselves battling colleagues as they sought to repatriate tens of thousands of human remains in storage. Five former employees who worked in the office in its early years told The Washington Post they encountered resistance from physical anthropologists at the Natural History Museum who wanted to keep some of the skeletal remains so they could continue conducting research on them.

"It was sort of like working in an area of an institution where no one else in the institution supports what we do," said Chuck Smythe, who was a case officer in the repatriation office from 1994 to 2000.

Interviews with former employees offer a behind-the-scenes look at the institution's failure to grapple with all the body parts in its collection and help to explain the challenge the staff still faces more than 30 years later. The

SEE **SMITHSONIAN** ON **A7**

IN THE NEWS

Austin visits Israel Defense secretary emphasized protection of civilians and supported a wind-down of the bloodiest phase of the war in Gaza. **A14**

Baltimore Archdiocese A federal judge set a deadline of May 31 for sexual abuse survivors to file claims for damages. **B1**

THE NATION

The Justice Department unveiled a database to track misconduct by federal officers. A2

Southwest Airlines was fined $140 million for its 2022 holiday travel meltdown. A3

THE WORLD

Egypt's president won a third term but faces rising public dissatisfaction. A10

Ukraine's military found listening devices in a workspace used by its top general. A15

THE ECONOMY

The market for toys powered by AI is expected to explode over the next few years, analysts say. A17

U.S. Steel is set to be purchased by Nippon Steel, Japan's largest steelmaker, in a $14.1 billion all-cash deal in 2024. A19

THE REGION

A coastal storm that hit the region and dumped 2 to 3.5 inches of water almost set a record for 30-day rainfall totals. B1

A federal judge issued a temporary restraining order, halting the removal of the Confederate Memorial at Arlington National Cemetery. B1

STYLE

Jonathan Majors was convicted of harassment and assault related to an altercation in March with the actor's then-girlfriend. C1

HEALTH & SCIENCE

A professor suffered from a baffling, painful spasm in his cheek, flummoxing doctors. E1

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