

CURRENT THREATS TO RELIGIOUS LIBERTY

Jeff Field, director of communications for the Catholic League, recently interviewed Bill Donohue on the subject of religious liberty. Below is a transcript of the interview.

Bill, you've been doing this job at the Catholic League for about two decades. How have things changed in the last couple of decades in terms of the threats to religious liberty?

Well, I would say that if you look at the Catholic League's annual reports we generally have seen the greatest degree of hostility against Catholicism coming from the media. We've certainly seen it from the artistic community, from activist organizations, from some segments of business and the workplace. Education has clearly been a venue of hostility toward the Catholic Church from kindergarten right through graduate school. But what is most striking to me is that government is now the seat of hostility to Catholicism more than any other sector of our society; this is particularly troubling. After all, government in this country was created to ensure rights, not to erode them.

In the Declaration of Independence, Thomas Jefferson wrote that our rights do not come from government. Our rights are unalienable. That is to say, our rights come from "the Creator," from God. We have God-given rights. We don't look to government to give us our rights. We look to government to ensure our rights. Now, regrettably, over the last decade, we have seen many examples at the local, state and federal level where government has become the problem.

This is very troubling because, unlike problems coming from the media, which tend to be more in the way of dissing Catholics, these are real threats to our religious liberty.

Bill, could you give us some examples of the threats to religious liberty coming from the local level?

Well, right here in New York City, we have a mayor, Mayor Michael Bloomberg, who is not exactly religion-friendly. Let me give you a particular example.

When we had the 9/11 commemoration in September of 2011—the ten-year anniversary—the clergy wanted to speak. Obviously, the clergy always speak at some commemorative exercise in this country. They are expected to speak. Mayor Bloomberg censored them. He did something unprecedented. He said that everybody can speak who is a person of notoriety, but we don't want the clergy. So, he literally banned the priests, the ministers and the rabbis, the imams and others from speaking.

This is censorship. Only the government can censor. Private institutions such as newspapers, for example, they don't have to publish people's letters or op-eds. It may show a bias but you can't call it censorship in the strict sense of that word. Here we have the government—the chief executive of New York City, Mayor Michael Bloomberg—making a decision on his own, without consulting the public, saying, "Listen, I don't want the clergy to speak." That's a hostility I don't think that we can put up with, that kind of censorship.

The same mayor has denied non-white Protestants who belong to the Bronx Household of Faith use of school property and buildings on Sunday mornings—when nobody else is using them—for their religious services. They've been doing this for a very long time, up until Mayor Bloomberg decided that, while you can have LGBT meetings and anything else in the public buildings on a Sunday morning, you cannot have a religious service. This was a mean-spirited attempt to erode the religious liberty of these Protestants.

On the west coast, in San Francisco back in 2006, the Board of Supervisors, who essentially run the city, went after the

Vatican. They accused it of meddling in the internal affairs of San Francisco, and engaging in hateful speech. Now, what in the world did the Vatican do to meddle in the internal affairs of San Francisco? I'll tell you what they did: the Catholic Church simply has a position—which is held by many, many other religions—that they are not in favor of gay adoption. Now, people can agree or disagree with this decision, but what they can't do is to assert that somehow you're meddling in somebody's internal affairs. One could just as easily argue that the City of San Francisco is meddling in the internal affairs of the Vatican because they believe in gay adoption. Of course, that would be absurd, and so was what they said absurd.

More recently in California, there was an attempt to ban the crèche in Santa Monica, this time coming from the Freedom From Religion Foundation based out of Madison, Wisconsin. It's an atheist group. It's not just indifferent to religion, they hate religion. But they don't hate all religions equally. They have a particular animus against the Catholic Church. After they tried to get the crèche banned from public property, the local government said it would develop a lottery, allowing Christians, Jews and atheists an equal chance of obtaining the right to display their symbols.

Well, last year Christians got the short end of the stick, and after they complained, the spineless leaders in Santa Monica decided that in 2012, there will be no displays at all. Who was delighted? The Freedom From Religion Foundation. This proves that their real agenda was to deny us the nativity scene. Instead of the government defending religious liberty, it took the cowardly way out by censoring everyone equally.

Bill, are there any examples at the state level that you'd like to discuss where you see a threat to religious liberty these days?

Actually, let's pick up on this whole question of gay

adoption. Two states, Massachusetts and Illinois, as well as cities like San Francisco and D.C., have essentially stopped the Catholic Church from practicing its adoptive services. The Catholic Church, like a lot of other religions, does not believe in gay adoption. It believes children belong with a mother and a father, ideally. And what's happened is that, in Massachusetts and Illinois, they've said there will be no state funding for the adoptive and foster care services of the Catholic Church, unless you change your teachings and accept the wisdom of the secular state that homosexuals should be adoptive parents. Because the Catholic Church obviously is not going to prostitute its principles, we're therefore punished. This is another example of the hostility I am talking about.

Outside this realm dealing with sexuality is another element. In Connecticut a few years ago, two gay lawmakers decided that they actually wanted to have a takeover of the Catholic Church in Connecticut. This sounds mind-boggling, but it's actually true. These gay lawmakers went into the legislature with a bill to take over the administrative apparatus of the Catholic Church. Oh, yes, they said that the priest could still say Mass and the like. But, they felt that, no, they, the state lawmakers, were in a better position to make decisions about the administrative affairs of the Catholic Church than the priests and the bishops. Just imagine, for one moment, if the bishops in Connecticut and the priests said, "We want a takeover of the state government in Connecticut in Hartford." Wouldn't people be screaming, "Whatever happened to separation of church and state?" Well that's exactly what we had here, except that the state was going to take over the Church.

Now, thank God for Bishop Lori of Bridgeport, now the Archbishop of Baltimore. He led people into the streets. The Catholic League was very vocal in supporting him at this point because we had to pare back their draconian legislation. But it gives you an example of what we're up against.

We have also had problems in Alabama, Jeff. Here I'm talking

about the fact that some Republicans—in their quest to secure the borders, which is a legitimate thing to do—have actually gone so far as to say that priests shouldn't tend to the ministerial needs, the pastoral needs, of undocumented aliens. Well, quite frankly, it's up to the government to decide how best to deal with the immigration problem. But, you can't tell the clergy, you can't tell priests, for example, that you're not allowed to service people who may be in this country and are in need. We're not going to turn people away. We do believe in the Good Samaritan approach.

It is important for Republicans to understand the Catholic Church is neither Republican nor Democrat. We will fight the Republicans as much as we fight the Democrats on the issue of immigration and these other issues. You can take care of the problem of immigration on your own terms without interfering with the rights of Catholics. Religious liberty matters to Catholics whether we are dealing with gay adoption or the question of immigration.

Bill, are there any examples at the federal level that you could speak to in terms of the current threats to religious liberty?

There are a lot of them, Jeff. Let's begin with what happened in 1996. President Clinton signed a law, a federal law, the Defense of Marriage Act (DOMA), which said that states which don't recognize same-sex marriage don't have to; they can recognize traditional marriage as being between a man and a woman. Only 14 senators refused to sign on with this. It was basically uncontroversial.

Now we have a situation today where President Obama, who was sworn to uphold congressional legislation, has ordered his Justice Department not to enforce congressional legislation on this issue, on DOMA.

Here is what we have now, to show you how perverse it is. In

New York State, a lesbian couple who work at St. Joseph's Medical Center in Westchester are now suing because they want the Medical Center to recognize their quote "wedding," their marriage. It is true that in New York State gay people can marry. I should point out that, unlike the other 32 states which have discussed this issue and allowed the people to vote on it (and in every single case people vote against gay marriage, even in California), they did not allow people to vote on this issue in New York State. Even worse, they had no public hearings. So here we have people intentionally working at a Catholic institution trying to force Catholic institutions now to prostitute their teachings so that they can exercise their so-called rights.

Bill, there's been a lot of talk about the HHS mandate, the Health and Human Services mandate, the "Fortnight for Freedom" that the bishops have been promoting in June and July. This idea that we are threatened by the federal government. Speak to us: what's at stake here?

Well, after the Supreme Court agreed to hear the case dealing with the individual mandate—which we now know is constitutional—HHS, the Department of Health and Human Services, issued a mandate saying that Catholic nonprofits have to pay for abortion-inducing drugs, contraception and sterilization.

This led to an outcry. They issued this on Friday, January 20. Cardinal Dolan felt betrayed by the president who told him that he wouldn't have to worry about these kinds of things when they met in November of 2011. Well, with the outcry, three weeks later on Friday, February 10, there was an accommodation. The accommodation, according to the Obama administration, was that Catholic individuals won't have to pay for services deemed immoral by the Catholic Church, but they'll have to pay for their insurance plans.

Of course, this is a shell game. Where does the insurance

company get the money except from the employees? And then you have the situation of self-insured entities such as the Archdiocese of Washington, D.C. How do you resolve that question? For that matter, what if a Catholic owns an Italian restaurant? Does he have to pay for something he deems immoral, as well? So, in other words, we felt we were right back to where we started from.

Bill, what's driving this? It seems to me that there is a real strong interest in promoting abortion rights in this administration?

Jeff, that's exactly the case. Let's recall that when Barack Obama was in the Illinois State Senate, he promoted a bill which said this: A baby born alive as a result of a botched abortion is not entitled to healthcare. To be specific, they can let the baby die on the doctor's table. That's entirely okay with Barack Obama. Now that goes to show you what we're talking about. This is selective infanticide. The baby is fully outside the woman's body, and, because the baby survives a botched abortion, therefore it is not entitled to the right to life.

Remember what happened in 2007, when Barack Obama, then a candidate or about to become a candidate, said to Planned Parenthood that when he becomes president United States he's going to sign FOCA, the Freedom of Choice Act. Now, he never did get a chance to sign this legislation because the Catholic community, including the Catholic League, rose up against him. What it would have done, according to the attorneys for the United States Conference of Catholic Bishops (USCCB), it would have forced Catholic hospitals to provide for and pay for abortions. Now, obviously, we'll close down the Catholic hospitals before we'll ever perform abortions, but this goes to show you the appetite, the lust for abortion that is coming from this administration. The bill never succeeded, but we know where they wanted to go.

Then we have the case dealing with the Catholic Relief Services. Catholic Relief Services has for a long time received a grant from the federal government to fight human trafficking of women and children, modern-day slaves. And, the Catholic Church has a very good program to combat human trafficking. So they issued their proposal again last year. This time, it was knocked down. Was it insufficiently prepared? No, as a matter of fact, the proposal actually scored higher than did those proposals which won out in the end. So, why did the Catholic Relief Services lose? Because the Church is against abortion.

Then there's the question of conscience rights. President Obama spoke at the University of Notre Dame at the commencement address in 2009. The Catholic League said he had every right to speak at a Catholic university. He is, in fact, the President of the United States. We objected to his receiving an award. Why would any Catholic institution want to give an award to a man who has such an unbridled passion for abortion rights? Doesn't make any sense. We don't give awards to anti-Semites and we don't give awards to racists, nor should we.

Well, what happened during that speech is that he said, basically, "Listen I know I'm in somewhat hot water with the Catholic community. I want to let you know I believe in conscience rights. I believe that people should not be forced—as a matter of a religious objection—to do something that they find inherently immoral." That was greeted with some degree of relief, including by the Catholic League. Isn't it interesting, now, Jeff, that a few years later the same president, Father Jenkins, who welcomed President Obama there, has now turned around and is suing? Notre Dame is suing the federal government because of the disrespect and contempt that it shows for the religious liberty rights of Catholics. It's a rather amazing turnaround.

Now, Bill, let's ask a different question here. Besides

abortion, there's been a lot of questions about the Obama administration redefining what qualifies as a religious institution. Can you speak to that at all?

Why, yes. Quite frankly, the most pernicious thing the Obama administration has done is to redefine what qualifies as a religious institution for the purpose of an exemption.

The Obama administration says that a Catholic institution is not Catholic unless it hires and serves people mostly of its own faith. Now that is to turn on its head the virtue of Catholic institutions. We are proud of the fact that we do not discriminate in our social service agencies, soup kitchens, hospitals, schools, Catholic universities, and colleges. We don't discriminate against people because they're Protestant or Jewish, or atheist, agnostic, or Muslim or Mormon. We welcome everybody. And this is what I find so perverse. We're saying now that unless you discriminate—what do they want us to do, put up signs saying, “No Jews Need Apply”? Should they say, “No Protestants are welcome in our hospitals”? That we do not serve Muslims? Is that what they really want? They want to punish us for being Catholic with a small c, meaning universal? No, we can't put up with this.

Bill, where'd they get this idea in the first place?

Amazingly, Jeff—this will come as a surprise, or maybe not a major surprise to some people—it came from the ACLU, the American Civil Liberties Union; it has been hostile to freedom of religion for a very long time, going back to 1920. The ACLU, in 2000, helped draft a law in California on contraception which came up with this bizarre, invidious notion that you're a Catholic institution only if you hire and serve people of your own faith.

Now the ACLU—let me digress here for a moment—I've written a Ph.D. dissertation and two books on the ACLU. I interviewed the founder of the ACLU, Roger Baldwin, in June of 1978 in his

home on Hudson Street in lower Manhattan. He founded the organization in January of 1920, and I asked him, "Mr. Baldwin, your organization in its first 10 objectives lists freedom of assembly, freedom of the press, freedom to petition and the like, but you never mentioned that other component of the First Amendment called freedom of religion. Why not?" He was very blunt. He said, "That's because I'm an atheist. We don't value freedom of religion." Indeed, he certainly does not value freedom of religion. I remember asking Mr. Baldwin—who was certainly very nice to me, he was an elderly man at the time—I said to him, "Listen, what's wrong with a voluntary prayer, when people have a moment of silence?" I said, "Whose rights are being infringed upon if somebody prays silently to himself?"

His answer was rather chilling. He said, "Well, they've tried to get around it even more than you, they call it meditation." So I said to the founder of the ACLU, "Mr. Baldwin, what's wrong with meditation? A child sits there at his desk and he meditates. What if he meditates about popcorn? What difference would it make to you, the great guardians of the Constitution?"

Well, that kind of stopped him in his tracks, but it does give you an idea of where they're coming from. Just to show you how absurd the ACLU is on this, they're actually against "In God We Trust" on the coins; they want "under God" taken out of the Pledge of Allegiance. Somebody actually found a huge statue of Jesus off the coast of Key Largo, on the ocean floor, and the ACLU said we have to remove it. I mean, who are they protecting now? You see, what you're dealing with here is a maniacal hatred of religion. Unfortunately, there are some people in the Obama administration who accept this kind of thinking.

Bill, let's pick up on that idea of the thinking. Could you explain the mindset of these people? Whether in or out of the Obama administration, who has this kind of ACLU mindset?

I'll give you a perfect example, Jeff, of what happened in 2011. You had a woman for the Obama administration go before the Supreme Court in oral argument, and she maintained that a Lutheran school should not be allowed to make up its own rules and regulations regarding employment decisions; she said the government should do so. Now for a very long time in this country, we've had what's understood as the ministerial exception. Meaning that, when it comes to ministers, or the clergy in general, that they can be excepted from this idea that the government should police hiring decisions. That's because you have to have freedom of religion, you have to have some insularity between church and state. This woman actually said that there isn't any difference between a religious association and any other association.

Now that startled Justice Antonin Scalia, but what was even more dramatic was that Elena Kagan, a liberal appointee of the Obama administration, said she wanted clarification. She said to the woman: I want to get this right, are you saying that there's no difference between a religious organization, which has rights grounded in the First Amendment and that of a secular, voluntary association? That there's really no difference? And she said, that's right, there is no difference. Well, in one sense this zealot did us a favor because the Supreme Court did rule 9 to 0 against the idea that the government has the right to police the hiring and firing decisions of a religious entity.

I'll give you some other examples of where there is this mindset that is very troubling. Remember a couple of years ago when President Barack Obama was to speak at Georgetown University? His advance team went out there just to check out the place, and they told the officials at Georgetown that they have to put a drape or a cover over IHS, over the crucifix, over all religious symbols. When the president speaks from Georgetown, they said we don't want the public to see on TV religious symbols of any sort out.

Only an administration which is fundamentally hateful in its ideas toward religion would go into a religious institution and tell them to cover up, and to neuter and to censor their own religious symbols. It'd be like going into a Jewish facility and saying get rid of that Star of David. This kind of hostility has no place in a society which prizes the First Amendment. That's an example of the mindset.

Unfortunately, on many occasions when President Obama cites the Declaration of Independence, he leaves out the word "Creator." So, when we talk about how the "Creator" has given us our unalienable rights, to understand that our rights come from God and not from the government—the president many times leaves out the word, "Creator." That's not a mistake. That's not some editorial mistake on the part of his people. That's deliberate. Our national motto is "In God We Trust." How many times has he said it's "E Pluribus Unum"? No, it's not "E Pluribus Unum." It's a great statement, but that's not our national motto.

So, there is an hostility. Indeed, the Obama administration is the first in the history of the United States to welcome an openly public atheist organization, one that is publicly aggressive in its hatefulness against religion. I'm talking about the Secular Coalition of America. That they were granted a White House reception tells us something very troubling about this administration.

Then there's the question of freedom of worship versus freedom of religion. Freedom of worship means that you should practice your religion indoors. It's a very insular idea. It's the idea of privatizing religion. That's what President Obama and Secretary of State Hillary Clinton have spoken about: they're all in favor of freedom of worship. That means that the priest can tend to the little old ladies in the pews. You can have your sororities and the like and sodalities. You can have your church Christmas parties and the like, but just don't take it outside. It would be on the order as if somebody said, "You

can have music played in concert halls, but no longer in public parks. You can have artistic exhibitions in museums, but not on sidewalks or in public parks." That would express an hostility to art and music.

Well, that's what they're doing here. They're saying that freedom of religion—which of course is the public expression of religion, the core foundation of religion, which Pope Benedict XVI has spoken about so eloquently—they're saying that that should not be exercised. So, if you want religion, take it indoors.

No, we will not, Mr. President. We will take it outdoors and we will indeed evangelize. It's not only part of our freedom of religion in the First Amendment, it's part of our freedom of speech, which is also in the First Amendment.

Bill, can you talk to us about some of the nominees and appointees of this administration, which could give some trouble to people who believe in religious liberty?

Jeff, I am very proud of the fact that the Catholic League fought Dawn Johnsen, an Indiana University professor of law, from getting a position in the Office of Legal Counsel. Why did we not want her? We exercised our freedom of speech by simply publicizing and giving air to her background. Back in the 1980s, she actually as a young woman worked on an amicus brief with the ACLU to deny the tax-exempt status of the Catholic Church. Imagine this: somebody who wants to strip the Catholic Church, and by extension all religions, of their tax-exempt status. This person is to be granted a high position in the administration?

Well, thank God she's not there to do that kind of damage, but we do have Kathleen Sebelius, don't we, running Health and Human Services? The last three consecutive archbishops of Kansas City, Kansas have called her on the carpet and asked her point blank: can you name a single abortion law that

restricts abortion that you've ever supported? She said no. Not only that, but she has actually raised money for the infamous partial-birth abortionist who was taken out, George Tiller—George “The Killer” Tiller. Now, this is why one of the archbishops told her you need not present yourself at the communion rail because you are that far gone.

There's also people there like Chai Feldblum in the Equal Employment Opportunity Commission. Chai Feldblum, she taught at Georgetown University Law School, is now working for the Obama administration. She said a few years back that whenever sexual rights conflict with religious rights, religious rights need to bow to sexual rights. Now, just think about it. There's nothing in the Constitution about sexual rights. There is something in the Constitution, namely the First Amendment to the Bill of Rights, about freedom of religion. And, yet, our First Amendment right is to take a backseat to sexual rights so that gays and lesbians can win out on some of these fights? This is absolutely mind-boggling.

There've also been people like Kevin Jennings, and people like Harry Knox and others, who have expressed hateful thoughts against the pope and the Church, and who wind up in this administration.

I must say also, regrettably, that we also have in the Obama administration a situation where, in 2009, the big debate at Christmastime was: Should there be a religious presence at Christmas? In other words, should we have a manger scene at Christmastime? Well, what else would we be celebrating? It'd be like not recognizing Martin Luther King on Martin Luther King Day. What else would you be doing?

They did put up an ornament of a drag queen. They did put up an ornament of Mao Zedong. Maybe this had something to do with why the president and his wife do not believe in exchanging Christmas gifts at Christmastime. I know lots of people who are Jewish and who are atheist and agnostic and they all

exchange gifts. Now what the Obamas do in the privacy of their own home is their business, but it's my business when this kind of attitude spills over into public policy.

Bill, let's talk more widely, cast it wider. The culture itself, I mean obviously you've been talking here about the threats coming from government—from the cities, from the states, from the federal government—what about from the element of culture?

Well after 9/11, Jeff, that's when things really got worse. Militant atheism was one of the byproducts of the attack on the World Trade Center and in Pennsylvania and in Washington, D.C. One might think that there would be a kind of hatred against Islam. I don't want people to hate Islam any more than I want people to hate Judaism or Catholicism or Protestantism or any other religion. But interestingly enough, a new wave of intellectuals who never did like religion started to speak up, and who did they really go after? Christianity. And when you talk about Christianity, you can't help but talk about the bull's-eye, that is to say the Catholic Church. So, we've been the ones who've been the victim of this militant atheism since 9/11.

Can you give me some examples, Bill, of where the Catholic League has been involved in this?

Yes. Two years ago, in 2010, I petitioned the people at the Empire State Building to light up on the night of the 100th anniversary of Mother Teresa's birth, her centenary. I wanted them to light up blue and white, the colors of her order, the Missionaries of Charity. The Empire State Building has a practice of lighting up the colors for various events. When the Yankees win, they'll light up blue and white as well. They light up green for St. Patrick's Day and the like. We were rejected.

Now, it's one thing to be rejected, it's another thing to be

lied to. We were lied to because we were told that the Empire State Building does not recognize religious figures. Now admittedly it is a private entity, but they lied to us because that was not part of their stricture, part of the regulations. They made that up after we were denied. And I had the actual proof, which we put online.

The reason we were denied was because Anthony Malkin doesn't like Catholicism, I would suppose. Some people said he doesn't like me—that would make him an even smaller man than what I think he is. But no question about it, we weren't going to put up with it. We had a rally in the streets and we worked all summer of 2010 to bring people together. Republicans and Democrats, this wasn't a political issue. We wanted people who were Catholic and Protestant and Jewish and Hindu and Muslim and Buddhists and people from all walks of life. Politicians and celebrities and people like Jackie Mason, the comedian. We wanted to make a universal statement that Mother Teresa was loved.

Why in the world would the Empire State Building, which had recognized the Ninja Turtles, which had recognized the Communist Chinese and their revolution after Mao Zedong—he killed 77 million people—but they would not honor Mother Teresa?

Any other examples you'd like to mention, Bill?

Yes, a few years ago, the Smithsonian—it is a government-supported institution which gets most of its money from the public—it gave monies and hosted a venue where they showed a video of large ants running across the body of Jesus Christ on the Cross. Now they wouldn't do that to Mohammed, and they wouldn't do it to Martin Luther King. Our objection was principled: if it is wrong to take public monies to support religion, it should be wrong to take public monies to bash religion.

Bill, what's probably the worst thing about the culture war in terms of the Catholic Church and what can we do?

The worst thing about the culture war from the perspective of the Catholic League is that it has weakened the moral authority of the Catholic Church. Of course, that's the goal, isn't it? An attrition of the prestige of Catholicism. We have to stand up for the voice of the Catholic Church, which is one of reason, one of sanity, one of common sense. We're the ones who actually had the ideas that basically make for the good society. The Catholic League is here not to speak for the Catholic Church but for the right of the Catholic Church to speak out in these days of moral anarchy.

What can we do about it? Get the word out, fight, educate, sign petitions, support those activist organizations that you strongly believe in. Do what you can to be a participant. We need gladiators in this culture war. What we don't need are spectators.