

IF BARRETT IS PICKED, TWO SENATORS SHOULD BAIL

Catholic League president Bill Donohue comments on the possibility of President Trump picking Judge Amy Coney Barrett for the high court:

If President Trump chooses to nominate Judge Amy Coney Barrett to replace Supreme Court Justice Anthony Kennedy, two senators should recuse themselves: Dick Durbin and Dianne Feinstein.

Senators Durbin and Feinstein have already evinced an anti-Catholic bias, thus disqualifying themselves from voting on Judge Barrett's suitability to serve on the Supreme Court. In September 2017, I wrote to the two of them about their bias; they showed their hand when questioning Barrett about her qualifications to serve on the 7th Circuit Court of Appeals.

On September 6, 2017, Senator Durbin asked Barrett, "Do you consider yourself an orthodox Catholic?" Durbin, a product of 19 years of Catholic-school training, confessed that he did not know what the term "orthodox Catholic" meant. He was being more than coy.

An orthodox Catholic is someone who accepts the teachings of the Catholic Church. That would obviously exclude Senator Durbin: he champions abortion rights, something the Church calls "intrinsically evil." More important, his question was meant as a red flag: He was signaling to his base that Barrett is a hard-line Catholic, someone whose strongly held religious beliefs will determine her decisions.

Senator Feinstein was worse. "When you read your speeches," she said to Barrett, "the conclusion one draws is that the dogma lives loudly within you."

In response, I wrote to Senator Feinstein stating, "No one was

fooled by your question. Why didn't you come right out and ask her if she takes her judicial cues from the Vatican? That would have been more honest."

When Barrett testified before the Senate Judiciary Committee last fall, she pointedly said, "I see no conflict between having a sincerely held faith and duties as a judge. I would *never* impose my own personal convictions upon the law." (My *italic.*)

Indeed, in 1998 she co-authored a journal article saying that if a Catholic judge is caught in a dilemma when considering a capital punishment case—having to choose between his faith and rendering a fair legal judgment—he should recuse himself.

Senators Durbin and Feinstein have been down this road before. They made clear their anti-Catholic bias 13 years ago when they questioned John Roberts about his suitability to serve on the Supreme Court. Durbin told CNN that we need to "look at everything, including the nominee's faith." Feinstein asked Roberts if he shared President John F. Kennedy's conviction about not mixing church and state.

If Durbin and Feinstein had a record of asking all candidates for the high court about their religion, they would not be open to the charge of anti-Catholicism. But they do not. It is just Catholics whom they probe.

If Judge Amy Coney Barrett is President Trump's pick, Senator Dick Durbin and Senator Dianne Feinstein have a moral obligation to recuse themselves. Not to do so would be intellectually dishonest and patently unfair to Judge Barrett.