

CELEBRATE RELIGIOUS FREEDOM DAY

Catholic League president Bill Donohue comments on Religious Freedom Day:

On January 16, 1993, Congress passed a resolution recognizing Religious Freedom Day. It was proclaimed to celebrate the passage of the First Amendment's guarantee of religious liberty. With religious liberty so imperiled these days, it is especially important for us to mark this special occasion in 2021.

The Catholic League website offers voluminous evidence of the mounting threats to religious liberty, and what we have been doing to combat them. If the incoming administration in Washington is anything like the Obama-Biden years—and all signs are that it will be—then what happened to the Little Sisters of the Poor is only a precursor of what is about to unfold. We expect to be very busy.

There is time enough to address policies that seek to undermine religious liberty. Now is the time to salute President Donald J. Trump for his heroic leadership in promoting this foundational right.

On May 4, 2017, Trump made his first of many statements affirming this core right. “We will not allow people of faith to be targeted, bullied, or silenced anymore. And we will never, ever stand for religious discrimination.” He has done his best to make good on his pledge.

We salute him for his accomplishments. To read some of his most impressive contributions, click [here](#).

One final comment. We live in dangerous times. Multiple calls for policies more closely aligned with totalitarian regimes

are being made on a daily basis. The “cancel culture” is out of control. It is our goal to do everything in our power to subvert it. We expect to play a major role in resisting the forces of despotism in 2021.

ACLU ATTACKS TRUMP’S FREE SPEECH

Catholic League president Bill Donohue comments on the American Civil Liberties Union’s (ACLU) call for the impeachment of President Donald Trump:

Over the weekend, on January 9th, the ACLU’s board of directors met to discuss the impeachment of President Trump. On January 10th, it unanimously decided he must be impeached.

It is one thing for politicians, pundits and newspapers to call for the impeachment of the president, quite another when an organization that claims to be the preeminent free speech institution in the nation agrees.

Among its complaints against Trump, the ACLU cites “false statements” he has made. This is ironic given the false statements the Union itself makes in its impeachment resolution. It opens by saying the board of directors touts its “commitment to nonpartisanship.” This is manifestly false.

As I documented in two books published by Transaction Press, “The Politics of the ACLU” and “Twilight of Liberty: The Legacy of the ACLU,” the Union has always been the legal arm of the liberal-left; it was never non-partisan. Moreover, it was never—from its founding in 1920—a consistent free speech advocate. Indeed, a few years after it was founded it

threatened a libel suit against a magazine when it published an article that merely criticized its alleged non-partisan record!

The resolution also says that Trump “urg[ed] an unruly mob to riot.” Similarly, the House impeachment resolution accuses the president of “inciting violence against the Government of the United States.”

Neither the ACLU resolution nor the one proffered by the House offers any proof of Trump’s alleged incitement to riot. In both cases, they simply *assert* he has done so. Yet as I pointed out [yesterday](#), and as constitutional scholars Alan Dershowitz and Jonathan Turley have said, it is flatly wrong to accuse the president of inciting a riot. He did no such thing. His speech may have been offensive, but it clearly fell within the parameters of protected speech.

Referring to Trump’s speech on January 6th, Dershowitz said on TV, “as much as I disapprove of it and many people disapprove of it on its merits, is protected by the First Amendment to the Constitution. It comes within core political speech. And to impeach a president for having exercised his First Amendment rights would be dangerous to the Constitution. It would lie around like a loaded weapon ready to be used by either party against the other party.”

“Like many,” Turley wrote, “I condemned that speech as it was still being given, calling it reckless and wrong. I also opposed challenges to electoral votes in Congress. However, Trump’s speech does not meet the definition of incitement under the U.S. criminal code. Indeed, it would be considered protected speech by the Supreme Court.”

This is rich. The same ACLU that accuses Trump of making “false statements” is now falsely accusing him of fomenting a riot.

“As a matter of organizational policy, the ACLU does not

regularly call for the removal of public officials.” That is what its impeachment resolution says. This is true. It is also true that it only does so when the public official is a Republican.

The ACLU previously called for Trump to be impeached in 2019. In the 1970s, it called for the impeachment of President Richard Nixon following the Watergate revelations. The founder of the ACLU, Roger Baldwin (the current ACLU claims that he was only one of ten who founded the organization—another false statement), labeled that decision “hysterical.” “It’s not in keeping with the Union’s way of behaving, which is to go to the courts.”

Baldwin touched on something very important. So did some board members at the time. They argued that it was wrong for the ACLU to claim that Nixon was guilty. After all, an impeachment proceeding is not a trial. This alone should convince a principled civil liberties organization not to call for impeachment. But the ACLU is not driven by principle; it is driven by politics.

Astonishingly, the ACLU even voted to deny Nixon the right to claim his First Amendment privilege against self-incrimination. As I wrote in “The Politics of the ACLU,” this was “the first and only time in its history that the Union went on record advocating the suspension of civil liberties guarantees for any individual.”

We are living in one of the most dangerous times in American history, making the McCarthy era look positively innocent. This time those calling for sanctions against those whose views they abhor comprise a Who’s Who of the Left. Adding to this spectacle, we now have the ACLU making accusations of guilt absent the kinds of civil liberties protections traditionally afforded the accused.

FREE SPEECH UNDER ASSAULT

Catholic League president Bill Donohue comments on the latest attacks on freedom of speech:

The censoring of Parler by Amazon, Google and Apple is the most serious assault on freedom of speech we have ever seen by private companies in American history. Instead of addressing those who are responsible for abusing their free speech rights, e.g. those who are clearly fomenting violence, Big Tech is now seeking to censor conservative voices in general.

For justification, they are following the lead of pundits and activists who are blaming President Trump, and his supporters, for the violence that took place last week in Washington, D.C. The argument is more than absurd—it is pernicious.

Nothing President Trump said last week was in any way an incitement to violence. Indeed, it was protected speech under the First Amendment. The U.S. Supreme Court has been very clear about its rulings on this matter.

In 1946, Father Arthur Terminiello, a suspended priest, made an incendiary speech in Chicago wherein he attacked Jews and President Franklin Roosevelt. He not only got the crowd in the auditorium all jacked up, he stoked the passions of his foes who were outside the building. They rioted and he was arrested for breaching the peace.

Terminiello appealed to the Illinois courts, but lost. In 1949, the U.S. Supreme Court overturned the lower court rulings. The Justices knew that if overheated rhetoric could be subjected to sanctions because it inflamed those who objected, robust free speech would be squashed: All it would take is the threat of a riot to censor objectionable speech.

In other words, those who riot are to blame for their behavior, not the speaker whom they loathe.

In 1964, Clarence Brandenburg, a Ku Klux Klan officer, made racist and anti-Semitic remarks at a meeting in Cincinnati. He was arrested for urging his followers to seek revenge against blacks and Jews. The U.S. Supreme Court threw out his conviction on free speech grounds. He could only be sanctioned, the high court reasoned, if it could be shown that he deliberately incited lawlessness, and that the threat was imminent.

In rendering this decision, the Supreme Court applied the "clear and present danger" test that it devised in *Schneck v. United States* in 1919. Justice Oliver Wendell Holmes wrote that "The question in every case is whether the words used are used in such circumstances and are of such a nature to create a clear and present danger that they will bring about the substantive evils that Congress has a right to prevent." This is the origin of the famous fire in a crowded theater argument: Free speech does not give one the right to *falsely* scream fire in a crowded theater.

What Trump said to his followers last week cannot, by these constitutional standards, be construed as an incitement to violence. Never once did he call for violence or an invasion of the Capitol. In fact, the rioters began to crash police barricades while he was still speaking. So much for the "clear and present danger" argument. Moreover, the NYPD and the FBI warned the Capitol Police *before* January 6 of impending threats, thus making foolish the charge that Trump incited the mob to violence.

The danger to free speech extends beyond the machinations of Big Tech and the contrived charges of incitement against Trump. Wildly irresponsible accusations have been made by many people who should know better. Comparing Trump to Nazi propagandist Joseph Goebbels, as our next president did, was

scurrilous. Comparing Trump supporters to Nazis, as the Jewish Democratic Council for America did, was equally outrageous. Fortunately, many responsible Jews condemned both of these charges.

The indefensible storming of the Capitol is being exploited by those on the left to indict Christians.

The Atlantic called what happened “a Christian insurrection” and Religion News Service labeled it the work of “Christian nationalists.” Americans United for Separation of Church and State blamed “White Christian Nationalists,” as did Patheos. Sister Simone Campbell, who thinks abortion should be legal in every instance, noted this was a “white supremacist effort,” and America, the Jesuit publication, saw the imprint of white people all over the riot. None of these people consider themselves to be bigots.

Not to be outdone, the National Catholic Reporter, which rejects many teachings of the Catholic Church (yet still pretends to be Catholic), singled out several Catholics, including me, for having “blood on their hands.” Why? Because we have previously touted Trump’s policies. That would make 74 million Americans guilty of “blood on their hands.” This proves how delirious these extremists have become, making them prime candidates for the asylum.

One does not have to agree with Trump’s decisions last week to know that he never incited a riot. Worse, to brand his supporters Nazis, or to claim they have “blood on their hands,” shows how unhinged many of his critics have become. They are a true menace to democracy: they are using Trump as a pretext to stifle the free speech of decent Americans.

WHO IS GUILTY OF INCITING RIOTS?

Catholic League president Bill Donohue comments on who is responsible for recent examples of mob violence:

In the wake of the storming of the Capitol, many are blaming President Trump for the violence. Of course, he never instructed anyone to engage in violence. Nevertheless, his critics argue that he stoked people's passions, which he did, and can therefore be held accountable.

If this is the standard—inflammatory rhetoric—then Trump's critics are at best ethically compromised. Consider the following remarks, made by the kind of people who are now hammering the president.

- "I need you to get out and talk to your friends and talk to your neighbors. I want you to talk to them whether they are independent or whether they are Republican. I want you to argue with them and get in their face." *Presidential candidate Barack Obama, 2008*
- "When they go low, we kick 'em. That's what this new Democratic Party is about." *Former Attorney General Eric Holder, 2018*
- "Let's make sure we show up wherever we have to show up. And if you see anybody from that [Trump] Cabinet in a restaurant, in a department store, at a gasoline station, you get out and create a crowd. And you push back on them. And you tell them they're not welcome anymore, anywhere." *Maxine Waters, 2018*
- "Please, get up in the face of some congresspeople." *Cory Booker, 2020*
- "People will do what they do." *House Speaker Nancy Pelosi commenting on violent protesters, 2020*
- "You know, there needs to be unrest in the streets for

as long as there is unrest in our lives, and unfortunately there is plenty to go around.” *Ayanna Pressley, 2020*

- “They’re [left-wing protesters] not gonna stop before Election Day in November and they’re not gonna stop after Election Day. And that should be—everyone should take note of that on both levels, that this isn’t, they’re not gonna let up and they should not. And we should not.” *Kamala Harris, 2020*
- “And please, show me where it says protesters are supposed to be polite and peaceful.” *CNN host Chris Cuomo, 2020*
- “When you see a nation, an entire nation, simultaneously grappling with an extraordinary crisis seeded in 400 years of American racism, I’m sorry, that is not the same question as the understandably aggrieved store owner or the devout religious person who wants to go back to services.” *New York City Mayor Bill de Blasio justifying illegal street protests that violated social distancing norms while he restricted church services, 2020*
- “I can’t imagine what it would look like if we said to people, ‘Actually, you have to stay in. You have to ignore systemic racism—I’m sorry, just ignore it. Stay in.’” *New Jersey Gov. Phil Murphy justifying illegal street protests that violated social distancing norms while restricting church services, 2020*
- “As public health advocates, we do not condemn these gatherings as risky for COVID-19 transmission. We support them as vital to the national public health and to the threatened health specifically of Black people in the United States.” *1200 health and medical colleagues justifying illegal street protests that violated social distancing norms, 2020*
- “Destroying property, which can be replaced, is not violence.” *Nikole Hannah-Jones, New York Times journalist, 2020*

- “We don’t have to finger-wag at protesters about property. That can be rebuilt.” *David Remnick, New Yorker journalist*
- “The notion that nonviolence is tactically more effective...has not only been proven wrong over the past week by sheer numbers; it cannot be historically supported.” *H. Lossin, Ph.D., The Nation magazine, 2020*
- “A siege [of the White House] only works if it is sustained. We witnessed this—the multiplying power of a strategic occupation—nine years ago. You dig in, hold your ground, and the tension accumulates, amplifies, goes global.” *Adbusters, the group that started Occupy Wall Street, 2020*

Many more examples could be given. In fairness, these comments, while incendiary, are not direct calls for violence. But it is also true that nothing Trump said was a direct call for violence either.

Left-wing commentators and activists (pretty much the same these days) have no moral authority to lecture the rest of us about violence committed by right-wing protesters. They nurtured a climate of violence over the past year by giving Antifa and Black Lives Matter their blessings.

If they were principled, they would do as the Catholic League does and condemn violent protesters regardless of their cause. But they are not.

ALL RIOTERS ARE A THREAT TO

DEMOCRACY

Catholic League president Bill Donohue released the following statement today:

As philosopher Sidney Hook cogently said, there can be no right to a revolution in a democracy. That is because the faith of everyone who believes in democracy rests on the assumption that “all morally legitimate demands can sooner or later be realized through democratic processes without recourse to revolutionary violence.” In light of recent events, this kernel of wisdom needs to be restated.

The Catholic League condemns the violence that occurred in the U.S. Capitol yesterday. We also condemn the violence that occurred throughout 2020 in many urban areas. The two are not unrelated: When the aggrieved on one side riot with impunity, it inspires the aggrieved on the other side to act accordingly.

Just as worthy of condemnation are those who refused to denounce last year’s rioters but are now exercised over this year’s rioters. Selective indignation is morally offensive.

Moreover, when Antifa and Black Lives Matter rioters were on the loose, we were told to understand the root causes of their anger, yet no such empathy is shown to those who rioted yesterday. This kind of duplicity is intellectually dishonest.

Those who riot must be stopped and prosecuted, no matter what their grievances or objectives. We will not make progress in this nation until everyone can agree on this fundamental principle. Sadly, listening to our elites over the past year, we have a long way to go.

HOW CATHOLIC ARE CONGRESSIONAL CATHOLICS?

Catholic League president Bill Donohue comments on Catholics in the new Congress:

In the 117th Congress, Catholics comprise 30% of the seats, the largest of any religious affiliation. Moreover, both the Speaker of the House and the incoming president identify as Catholic. But just how Catholic are these Catholics?

We reviewed the scorecard of incumbent representatives and senators as tallied by National Right to Life and NARAL, the two most authoritative sources measuring congressional support for the right to life and the right to abortion, respectively, in the nation. For newly elected members, we consulted their stated record on this subject when they were candidates. Here is what we found.

In the House of Representatives, there are 77 Democrats who claim a Catholic identity, 71 of whom have a perfect pro-abortion record, and many of the newly elected members made supporting abortion a key part of their campaigns. Of the 57 Republicans who claim a Catholic identity, 37 have a perfect pro-life voting record; six have a mostly pro-life record; 12 newly elected members espouse a pro-life record; and one, a former Democrat, has a pro-abortion record.

This means that 95% of the Catholic House Democrats are pro-abortion and 98% of the Catholic House Republicans are pro-life (it remains to be seen whether the new Republican Representative from New Jersey, Jeff Van Drew, will flip on abortion and become pro-life).

In the Senate, there are 14 Catholic Democrats, 11 of whom have a perfect pro-abortion record (two have a perfect pro-life record). Of the 11 Catholic Republicans, 9 have a perfect

pro-life record; one is more pro-life than pro-abortion; and one is pro-abortion.

This means that 79% of Catholic Senate Democrats are pro-abortion and 91% of Catholic Senate Republicans are pro-life.

It would be hard for Democrats to become more pro-abortion than they already are, and it would be equally hard for Republicans to improve their pro-life record. The evidence is indisputable.

Does this mean that Catholic Republicans are better Catholics than Catholic Democrats? On the issue that the bishops regard as the “preeminent” issue of our time, namely, abortion, it certainly does. It must be said, however, that as a true measure of one’s Catholic status, one’s voting record on one issue is not necessarily dispositive.

Some argue that a congressman’s record on social justice issues is a more accurate gauge of his Catholicity. The problem with that contention is that it is much more difficult to make comparisons on such matters. To wit: Catholics who favor more government welfare programs contend that their position is better aligned with Church teachings, yet Catholics who oppose more government dependency maintain that they are more faithful to the Church’s teachings on the poor. Climate change is another issue that is difficult to score.

Ultimately, whether one is a “good Catholic” depends on factors of a more intimate nature. But it is not wrong to suggest that elected Catholic officials who maintain a decidedly pro-abortion voting record are an embarrassment to Catholics. They most certainly are. After all, the right to life is the most foundational of our natural rights. This is not an observation—it is a fact of life.