

# BIDEN'S ALLIES THREATEN RELIGIOUS LIBERTY

Left-wing advocacy organizations are wasting no time pressing Joe Biden to do away with the religious liberty protections afforded by the Trump administration. As we have previously detailed, no president has done more to secure religious liberty than Donald Trump.

The three most prominent organizations asking Biden to undo Trump's progress are the American Civil Liberties Union, the Human Rights Campaign, and the Center for American Progress.

The American Civil Liberties Union (ACLU) is obsessed with sex: it wants to make sure that homosexuals, the sexually confused (transgender people), and women seeking an abortion never have rights that are subordinate to religious rights. It does not matter to the civil libertarians that the former are nowhere mentioned in the Constitution and the latter are enshrined in the First Amendment. The ACLU is worried that "a new wave of bills seeking to create religious exemptions" will succeed, endangering the rights of "LGBTQ" people.

No right is more important than conscience rights, a liberty which is ineluctably tied to religious rights. It is this premier right that the ACLU loathes. In a statement released after the election, it condemned "attempts by the Trump administration to invoke religious or personal beliefs." It said that such exercises can be used to discriminate against LGBTQ people. It further stated that "invoking religious or moral objections" to the LGBTQ agenda cannot be tolerated.

In November, the Human Rights Campaign (HRC) issued its "Blueprint for Positive Change 2020." It is chock-a-block full of recommendations for Biden. One of its priorities is to upend the new direction taken by the Office of Civil Rights

within the Department of Health and Human Services under President Trump. It specifically takes aim at the Office's enforcement of "federal conscience and religious liberty laws." Once again, the LGBTQ agenda is considered to be more important. Thus HRC joins the ACLU in the left-wing assault on conscience rights.

HRC also wants to pare back the religious liberty protections afforded faith-based programs by the Trump administration. If its position were followed, it would essentially excise the faith element in faith-based initiatives. This, of course, is its goal.

The most draconian recommendation promoted by HRC is its call for the Department of Education to reconsider its standards for accrediting religious institutions of higher education. In short, it wants to deny accreditation to religious colleges and universities that do not meet its secular vision of education.

HRC is incensed over the current mandate that accreditation agencies "respect the stated mission" of these religious institutions. It takes particular umbrage at the religious liberty protections cited in the Higher Education Opportunity Act, a law passed by the Congress during the outgoing Bush administration in 2008.

The Center for American Progress (CAP) encourages the Biden Administration to do everything the ACLU and HRC want, focusing on doing away with religious exemptions initiated by the Trump administration. However, it does have a few novel ideas of its own.

CAP is big on "diversity outreach" efforts to minority religions. This multicultural game, of course, is less interested in recognizing minority religions than it is in whittling away at our Judeo-Christian heritage. It does not stop there.

“Religious outreach efforts should also specifically include secular humanist or nonreligious groups, as well as faith-based or spirit-rooted communities who do not observe a specific religious tradition.” If the gurus who wrote this were honest, they would simply say that religious outreach efforts should embrace organizations founded to subvert religion. Inviting atheists to have a table at religious gatherings is like having racists participate in a forum on racism.

Constitutional law professor Patrick Garry notes that it was never the intent of the Founders to “place religion and nonreligion on the same level.” In fact, “Textually, the Constitution provides greater protection of religious practices than for any secular-belief-related activities.” This is what gnaws at the ACLU, HRC and CAP.

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## **WHITE HOUSE PETITIONED ON ICE DETAINEE**

We took up a very serious case at Christmastime, hoping to bring relief to a man who has paid his dues and has been through enough. We asked Catholics to appeal to President Donald Trump to release Pornchai Moontri from the custody of the Immigration and Customs Enforcement (ICE). He deserves to be repatriated to Thailand.

We were encouraged by news that the embassy in Thailand was contacted by ICE just days after we made our request; Pornchai’s case showed movement for the first time. Right before Christmas we asked our email subscribers to redouble their efforts making one more push.

Bill Donohue has known of the plight of Pornchai for many years. It was Fr. Gordon J. MacRae—he is another victim of injustice—who brought Pornchai's story to his attention. Pornchai rightly credits Fr. MacRae with mentoring him. More than that, MacRae brought him into the Catholic Church.

We explained why Pornchai deserves to be released.

Pornchai was born in Thailand in 1973 and was abandoned by his mother when he was two-years-old. She intended to sell him, but a young relative came to his rescue and brought him into his home. When he was 11-years-old his mother reemerged with a new husband; they took him to Bangor, Maine, against his will. His stepfather, Richard Bailey, immediately started raping him, and did so for three years. At age 14, Pornchai escaped (it was his second escape) and became homeless. When he was 18, he got into a fight with a much bigger man while he was intoxicated and took the man's life during the struggle (he was so drunk he does not recall stabbing him).

While awaiting trial, Pornchai's mother came to visit him in jail, warning him that if he disclosed to the authorities what his stepfather did to him, she would suffer the consequences. Fearing for his mother's life, he prudently decided not to speak, even to the point of not defending himself in court. He was convicted of murder and sentenced to 45 years in prison. Maine has no parole.

In 2000, his mother attempted to leave her husband; they were living in Guam. That is where she was beaten to death. The only suspect was her husband, but there was no evidence to convict him. Subsequently, many things changed.

In 2005, Pornchai was sent to a New Hampshire State Prison. That is where he met Fr. MacRae. Five years later, Pornchai became a Catholic; he soon became a fan of the Catholic League.

In 2018, after new evidence emerged—advocates for Pornchai

pursued Bailey—and justice was finally done. Bailey was convicted on forty felony counts of child sexual abuse against Pornchai.

On September 11, 2020, Pornchai, after serving his full sentence, was released at age 47 to the custody of ICE for deportation to his native Thailand. He is still in custody, with no end in sight.

Pornchai has served his time and has suffered enough. He should now be set free.

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## **ST. SERRA VANDALS ARRAIGNED**

In February, five persons will be arraigned in Marin County, California for destroying a statue of Saint Junípero Serra at Mission San Rafael on October 12. Serra was an 18th century priest who did more to defend the rights of American Indians than any other person. A petition defending the thugs was sent to District Attorney Lori Frugoli.

As noted in the last issue, Bill Donohue wrote to D.A. Frugoli in support of San Francisco Archbishop Salvatore Cordileone's call for justice. He said "this attack on a cherished religious symbol on our own church property is not a minor property crime, but an attack on Catholics as a people." Donohue seconded Cordileone's plea that Frugoli apply the full measure of the law against those responsible for this vicious anti-Catholic crime.

One of the principal defenders of this obscene petition is a woman called Morning Star Gali, an American Indian. She justifies the violence by saying this is "an opportunity" for the Catholic Church "to rectify issues of the past and the

violence that the church is responsible” for. She is the project director for Restoring Justice for Indigenous Peoples.

Gali is a left-wing extremist funded by—you guessed—George Soros. She suffers not only from a moral disability, she has a poor command of history.

Her moral disability is evident in her audacious claim that the Catholic Church is responsible for oppressing Indians. It was the Spanish colonizers who mistreated Indians, and it was the Church that did what it could to mitigate this injustice. It must also be said that the Indians were very good at killing each other, thus Americans today do not need to be lectured by their descendants about oppression.

Gali, and those like her, need to stop perpetuating the myth that American Indians are an “indigenous” people. They are not. As defined by the Cambridge Dictionary, “indigenous” means “naturally existing in a place or country rather than arriving from another place.” The ancestors of American Indians arrived from Asia. Ergo, they are no more indigenous to America than any other immigrant group.

This is a hate crime, pure and simple.

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## **COVID’S MENTAL HEALTH EFFECTS VARY WIDELY**

Covid-19’s effects on our physical health is clear cut: we are witnessing a surge in infections, hospitalizations and deaths. We are also witnessing a surge in mental health problems. Now we have the results of a new Gallup poll that offers rich demographic detail.

The segment of the public that is experiencing the most dramatic effects of Covid-19 are young single women who identify as liberals and are not religious. The segment that is suffering the least mental health problems are older married men who identify as conservatives and are church-goers. [Note: We are using the term liberal for what the poll names as Democrats, and conservative for what are identified as Republicans.]

All of this is consistent with what Bill Donohue found in his 2015 book, *The Catholic Advantage: Why Health, Happiness, and Heaven Await the Faithful*.

Of all the demographic categories—sex, party affiliation, religiosity, race, age, and income—there is only one subgroup that is actually reporting better mental health than a year ago: those who attend religious services on a weekly basis (they experienced a 4% increase—every other category and subgroup witnessed a decrease).

We have known for years that there is a positive correlation between those who score high on religiosity (beliefs and practices) and physical health; the more religious the person is, the healthier he is likely to be. The correlation is even higher when measures of mental health are weighed.

What causes this phenomenon? Beliefs are related to bonding, and bonding keeps us mentally fit. The obverse—secular-minded people who are unattached and without strong family and friendship bonds—are the most at risk for loneliness, depression and suicide.

Young unmarried people do not enjoy, on average, the strong bonds that older married persons enjoy. Women are particularly given to problems when social bonds are weak. Liberals tend to be secularists and they lack the bonding that religious persons experience through prayer.

In his book, Donohue contrasted two very different segments of

the population: cloistered nuns and Hollywood celebrities. The former were by far the healthiest, both in terms of physical and mental health. They bonded with each other, horizontally, and with God, vertically. Such a tight-knit lifestyle explains why they are also the happiest. By contrast, the self-absorbed milieu that Hollywood is noted for works against social bonding. Hence, the surfeit of mental problems that mark Tinseltown.

Here's the bottom line: The growing secularization of our society, combined with a less than friendly environment for people of faith to operate in, is a threat to our mental health.

Everyone knows we can't beat Mother Nature. What everyone does not know is that we can't beat nature's God, either. Going it alone is not in our best interest.

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## **ILL-SERVING MINORITY STUDENTS**

It is one of history's greatest ironies: No segment of society punishes the poor more than those who champion their cause. This is true historically in nations claimed by Marxism, and in democratic nations today claimed by liberalism. Rhetoric aside, the left always screws the poor. The latest Marxist to do so, in a democratic country no less, is New York City Mayor Bill de Blasio.

De Blasio recently announced that the way to help the poor do better in school is to hike taxes on the rich. He said "our mission is to redistribute wealth" and to close the "COVID achievement gap."

The man is clueless. Owing to absurdly high taxes, the rich



are leaving New York in droves; taxing them at an even higher rate will only encourage more to leave. They are taking their tax contributions and their jobs with them.

Moreover, fleecing the rich will do absolutely nothing to enhance academic achievement. We have known for decades that there is no correlation between spending on students per capita and academic achievement. Of the 50 states and the District of Columbia, D.C. is #1 in spending per student and #51 in academic achievement.

What makes for student success is the family, not the schools. Asians are “people of color,” yet they have no problem succeeding in school. That’s because, unlike African Americans, the typical Asian family has a father and a mother at home.

So the “color” argument that de Blasio favors—structural racism is holding blacks back—is completely false. Black kids from two-parent families are not failing in school. The real issue is the family, not race.

That said, it is not as though schools don’t matter at all, it’s just that they are of secondary importance. If de Blasio really wanted poor kids to succeed in school, he would spend money on charter schools, provide scholarships to private schools, endorse school choice, and allow the poor to enroll in Catholic schools. Instead, he fights every initiative that works. To top things off, he is the one who opens and shuts the schools like a madman, thus exacerbating the “COVID achievement gap” he claims to bemoan.

Playing Robin Hood drives the rich out of New York, shrinks the tax base, and does nothing to help the poor succeed in school. De Blasio is a three time loser, all in the name of championing their cause.

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# TWO KEY RELIGIOUS LIBERTY RULINGS

Just before midnight on Thanksgiving eve, New York State Gov. Andrew Cuomo, a professed former altar boy, took it on the chin when the U.S. Supreme Court ruled 5-4 that his executive order limiting occupancy in houses of worship could not stand. It was blocked pending a review by the 2nd Circuit Court of Appeals.

Though Cuomo had already rescinded his order, the occupancy limits he imposed—10 in red zones and 25 in orange zones—were seen as executive overreach; the restrictions were imposed because of Covid-19 concerns. The high court knew he could reinstate his restrictions, which is why it did not pass up the opportunity to decide this case.

The Supreme Court said that “even in a pandemic, the Constitution cannot be put away and forgotten.” It was a win for the Diocese of Brooklyn and Agudath Israel of America.

The Catholic and Jewish institutions argued that declaring religious services to be “non-essential,” while labeling pet stores, hardware stores and other secular entities “essential,” was a serious First Amendment infringement on their religious liberty. Cuomo dug himself a hole when he admitted in a press conference that his order is “most impactful on houses of worship.”

One of the most interesting aspects of this case was the reaction to the ruling.

We would expect secular militants to be angry, and they were. No organization has exerted more time, money, and energy using

Covid-19 as a pretext to abridge religious liberties more than Americans United for Separation of Church and State. This is an organization founded by anti-Catholics after World War II; to this day it remains hostile to Catholics, as well as to some other religious affiliations. It filed an amicus brief in this case.

“So far this year, Americans United has filed 40 other amicus briefs in courts across the country in similar cases involving requests for religious exemptions from COVID-19 public health orders.” That was its official reaction to the high court decision affirming religious liberty. In addition, it has issued over two dozen news releases and opinion pieces on this subject, all of which stress that it would be unconstitutional to allow religious exemptions to public health restrictions.

What was most illuminating was the reaction of liberal religious publications and organizations. They were in a jam: if they approved of the Supreme Court ruling, it would put them on the side of religious conservatives; if they disapproved, it would put them on the side of secular militants. So what did they do? They punted. For the most part, they took the cowardly way out and said nothing.

America and Commonweal are liberal Catholic media outlets. They said not a word. The National Catholic Reporter is a dissident media source that rejects many Church teachings; it also said nothing. Sojourners, a liberal Protestant publication, and Religion News Service, which hosts a variety of liberal religion writers, also went mute.

Crux, a liberal Catholic website, posted one piece by its editor, John Allen. He tried ever so hard to be objective, but he ultimately failed. “Contrary to popular mythology, most secular liberals aren’t hostile to religion, merely indifferent.” That may be true for individuals, but it is certainly not true of secular liberal organizations that opine and act on religious liberty issues. That’s what counts.

The silence on the part of religious liberals to the Supreme Court ruling is daunting. It shows their uneasiness with granting churches and other houses of worship the same rights as afforded many secular institutions. Indeed, it says much more than that. Religious media outlets should be expected to *affirm* a special place in constitutional law for religious institutions—that is what the First Amendment ordains! Their failure to do so is telling.

A week after Cuomo got dressed down by the Supreme Court, the Justices did the same to California Gov. Gavin Newsom.

With no dissents, the Supreme Court ordered U.S. District Court Judge Jesus Bernal to reconsider his support for the occupancy limits imposed by Newsom. He was told to review its 5-4 decision striking down Cuomo's draconian edict.

Every reasonable person concedes that local and state executives are within their rights to exercise extraordinary powers during an emergency condition such as a pandemic. But such rights are not boundless. The U.S. Constitution does not take a holiday.

The arrogance of Cuomo and Newsom is appalling. Their disrespect for the free exercise of religion—the preeminent constitutional right—is equally appalling. The faithful are entitled to *more rights* than are afforded Costco shoppers, so when they wind up with *less rights* than those who frequent tattoo parlors, it is clear that a religious animus is in play. It needs to be excised.

Covid-19 is a serious threat, but when politicians such as Cuomo and Newsom go easy on mobs gathering in the streets, ignoring social distancing—many of whom are violent thugs—and then lay down the gauntlet on peaceful and health-observant church goers, they decimate their moral authority.

Thank God Amy Coney Barrett was nominated by President Trump and confirmed by the Senate. Her vote was indispensable.