

DE BLASIO AND CUOMO GET CREAMED IN COURT

Protesters can take to the streets, some violently, and that is okay by Mayor Bill de Blasio and Gov. Andrew Cuomo—the mob does not have to abide by social distancing rules—but religious New Yorkers cannot congregate in their houses of worship lest they imperil the public health. Well, the jig is up.

U.S. District Court Judge Gary Sharpe issued a preliminary injunction on June 26 saying that de Blasio and Cuomo exceeded their authority by putting restrictions on people of faith while simultaneously condoning the protests.

By allowing the protests, they were “encouraging what they knew was a flagrant disregard of the outdoor limits and social distancing rules.” In doing so, de Blasio and Cuomo “sent a clear message that mass protests are deserving of preferential treatment.”

Two Catholic priests and three Orthodox Jews sued and won. They were represented by the Thomas More Society.

The anger that religious New Yorkers have for their mayor and governor was building all spring. Take, for example, what de Blasio tried to do.

“Anyone who tries to get in the water, they’ll be taken right out of the water.” That’s what de Blasio recently said about his coronavirus policy. Who will take them out of the ocean? The cops. Can there be beach parties? Not unless everyone is at least six feet away from each other. If they are not, the cops will get them as well.

What if the beach-goers swell to the thousands and take to the streets, standing arm-in-arm, to protest racial injustice? Is

that okay? Yes. Shouldn't the cops enforce social distancing? No, not at all. What if the protesters get violent? No problem, the cops will go easy.

What if, instead of protesting, a very small group of people want to go to a church, synagogue, mosque, or temple? They don't want to protest, just pray. They pledge to stay six feet apart. They promise not to engage in violence. Can they do so? No.

When a reporter for a Jewish newspaper asked him how he can justify throngs taking to the streets in a mass assembly, but cannot approve of a small church service, he got indignant. "Four hundred 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."

In other words, de Blasio decided to "privilege" protesters, many of whom suffer the pangs of "white privilege" (it is not the sons and daughters of the working class who are trashing the city), all because he thinks that protesting racism justifies jettisoning his shutdown.

What if the object of the protest was his racism? He has repeatedly promoted policies that discriminate against Asian Americans by denying them their earned seats in New York's elite public schools. He likes racial quotas. His contempt for these "people of color" surely merits a protest. Would he allow it?

Would he allow black and Hispanic parents to protest his racism? Many minorities want school choice, and they overwhelmingly favor charter schools. Private, parochial, and charter public schools are doing more to promote upward social mobility than the public schools ever have. Why does he always seek to deny black and brown New Yorkers the same avenue to success that white rich people have? Would he give the green

light to a protest against his racially discriminatory policies?

More recently, de Blasio lashed out at Rev. Franklin Graham—who brought medical staff to Central Park to attend to coronavirus patients—because the minister thinks marriage should be between a man and a woman.

De Blasio and Cuomo have lost the respect of practicing Catholics, Protestants, Jews, Mormons, Muslims, and those of every other religion. They got creamed in court, which is exactly what they deserve.

EUCCHARISTIC BAN IN MD COUNTY RESCINDED

At the end of May, we learned of a planned ban on the Eucharist in a Maryland county. We wasted no time contacting our email list of subscribers asking for them to get involved. They sure did, and with great effect.

Consider that the Volstead Act, which enforced the 18th Amendment ban on alcohol, allowed for certain exemptions, among them being sacramental wine used by Catholic priests. Howard County Maryland Executive Calvin Ball wanted to go beyond Prohibition and ban sacramental wine and the Eucharistic host in response to the coronavirus.

Part II, section 4, of Executive Order 2020-09 was quite specific. “There shall be no consumption of food or beverage of any kind before, during, or after religious services, including food or beverage that would typically be consumed as part of a religious service.”

The Archdiocese of Baltimore, while planning to observe social distancing and discouraging Holy Communion on the tongue, was not in agreement with this executive order.

We alerted our supporters, noting that this was an issue of monumental importance, one that should trigger a strong response from Catholics no matter where they live. Howard County spokesman Scott Peterson said they were open to receiving feedback regarding the executive order and we asked everyone to contact him.

Just as our call to contact Peterson took place, we learned that the order was rescinded. He called Bill Donohue to thank him for being so professional in his call to action. He said he was bombarded with emails protesting the initial decision. Thanks to all who participated.

FEDS NEED TO INVESTIGATE CUOMO

New York Rep. Elise Stefanik has called for an independent federal investigation of Gov. Andrew Cuomo's response to the way he handled the coronavirus pandemic in New York's nursing homes. We second that.

Cuomo is responsible for the nursing home scandal: nearly 6,000 men and women have died in New York State nursing homes as a result of coronavirus, and this doesn't count those who were moved to a hospital before dying. Cuomo's delinquent response to this tragedy is directly responsible for thousands of these deaths.

In this country, coronavirus started in Washington state. It

didn't start in a school or in a salon: it started in a suburban Seattle nursing home. This should have been a red flag to governors across the nation: protecting those in nursing homes must be a priority. Some governors acted responsibly, such as Florida's Ron DeSantis; others, such as Cuomo, were a disgrace.

In March, DeSantis and Cuomo both issued executive orders on how to proceed with managing nursing homes during the pandemic. Their strategies were polar opposites. So were their results.

On March 15, Florida's Division of Emergency Management, under the direction of DeSantis, mandated that entrance to nursing homes be narrowly limited, subject to specific criteria. Everyone, including staff, had to submit to temperature checks, and those who were symptomatic were not allowed into the facility. PPE was mandated for all staff.

Most significantly, nursing home patients who tested positive were sent to special COVID-19 nursing facilities; they were not allowed to stay in regular nursing homes. Moreover, hospitals were not permitted to send these patients back to their nursing home.

Ten days after DeSantis acted, Cuomo ordered nursing home patients treated in hospitals back to where they came from, thus infecting staff and patients. On March 25, his order read, "No resident shall be denied re-admission or admission to the NH [nursing home] solely based on a confirmed or suspected diagnosis of COVID-19."

Cuomo's edict was the most monumentally irresponsible act committed by any governor in the nation. When nursing home operators asked to transfer patients, they were summarily denied. To top things off, he authorized a "don't even try to resuscitate" mandate.

The "let them die" order was later rescinded. Cuomo's decision

to force nursing homes to accept COVID-19 patients was also rescinded, but not until May 10. It was too late, in both instances, for some patients.

Florida has a bigger population than New York and has a big elderly population, yet it has only a fraction of the number of nursing home deaths as the Empire State. Leadership matters, and when it falters, innocent persons die.

It is not as though Cuomo wasn't warned. On March 26, the day after his infamous edict, the American Medical Directors Association announced that "admitting patients with suspected or documented COVID-19 infection represents a clear and present danger to all of the residents of a nursing home." His failure to listen defies reason.

Worse, Cuomo had places to put these patients. Thanks to the Trump administration, the USNS Comfort ship, with 1,000 beds, was available, and so was the Javits Center, with 3,000 beds. But both of these enormous facilities were closed to nursing home COVID-19 patients. When it was obvious that these venues were not being used by hospitals for other patients—most of these beds were empty—Cuomo could have stepped up and changed course. But he did not.

Cuomo did not lack for decisiveness when he recently declared that "nobody" should be prosecuted for the way nursing homes were managed. "Older people, vulnerable people, are going to die from this virus. That is going to happen. Despite whatever you do."

Wrong, Gov. Cuomo. What Gov. DeSantis did saved lives. What you did lost lives.

Feeling the pressure, Cuomo has asked his Attorney General, Letitia James, to conduct an investigation of the nursing home fiasco. We have dealt with her and found her honorable. Still, this investigation needs to be done by someone not associated with the state government. That is why we agree with Rep.

Stefanik that the U.S. Department of Health and Human Services conduct the probe.

Stefanik's reasoning is sound. "The governor [Cuomo] took executive action, forcing positive COVID cases back into nursing homes. There was zero transparency in terms of informing the seniors, the workers, or the family member whether there were positive cases."

After the Child Victims Act passed last year, allowing for old cases of sexual abuse to be prosecuted, Cuomo was delighted. "I think the bishops have worked to protect the church over doing justice." He blamed them for "not taking responsibility." He added that "The Catholic Church was not aggressive in stopping it [sexual abuse] when they knew about it." He was referring to the conduct of some bishops from the last century.

Now it is Cuomo who is protecting himself "over doing justice," and his wrongdoing is happening in real time. It is he who is "not taking responsibility." And it is he who was "not aggressive" in stopping nursing home deaths when he knew about it. He needs to be investigated, and it is the feds who should do the job.

HBO KEEPS Bill MAHER

The corporate boys are so anxious to prove that they are not racists that they are flexing their moralistic muscles beyond recognition.

WarnerMedia, which is owned by AT&T, has said that it will pull "Gone With the Wind" from its HBO Max package. It objects to the film's "racist depictions."

It is too bad HBO is not opposed to “anti-Catholic depictions” as well. If it were, it would have shut down Bill Maher’s HBO show years ago (just type his name into the search engine of the Catholic League for scores of examples).

WarnerMedia needs to condemn *all expressions of bigotry*, not just some.

WHITE LIBERALS NEED TO PONY UP

It is fascinating to see how white liberals are responding to the protests and the quest for racial equality. They are long on sermons but short on remedies, though that doesn’t mean they have nothing to say. They do. It’s just that their ideas are either tired or amount to nothing more than grandstanding. Their intellectual universe is small, as well as silly.

On June 5, the Human Rights Campaign, which is a pro-homosexual organization, decided to jump on the racial justice bandwagon—even though this issue has nothing to do with its mission—by enlisting “more than 100 prominent faith leaders” condemning President Donald Trump and Vice President Mike Pence.

They did a really good job of that, but unfortunately the one thing this crowd lacked was diversity: almost all the signatories (most of whom no one ever heard of) were mainline Protestants. There were two nuns, two rabbis, one Mormon and one Muslim. There is greater diversity in a laundromat.

What is their plan of action? They don’t have one. They said they will do “everything in our power for the defense of Black

lives." That was it.

Ben & Jerry's sells ice cream. It also sells the idea that we are a racist society. Here's what it wants to do about it: 1) the president must disavow white supremacy (not Antifa) 2) we need a commission to study slavery and segregation 3) we need a national task force to end racial violence 4) we need to reinvigorate the Civil Rights Division of the Department of Justice.

More declarations, more commissions, more studies, more laws—that's the totality of their plan of action. They forgot to add workshops and break-out sessions. They accomplish a lot.

McDonald's sells hamburgers. Recently it also sold the idea that white people are promoting the "systemic oppression" of black people. It knows something about this subject. In January of this year it was sued by black executives over "systematic" racial discrimination.

Sr. Joan Chittister is one liberal who does have an action plan. "Every family, every white person in the country, needs to reach out and make a black friend." What if that black person is pro-Trump? Would he count?

Kirsten Powers is suffering from the pangs of white guilt. Her prescription for racial justice is for every white person—they are all racists—to repent. She gets the ball rolling. "I'll start: I repent for my lack of action. I repent for my lack of urgency. I repent for not listening more. I repent for lacking humility." Instead of repenting for "my lack of action," she should tell us exactly what actions she will now take. She never does, settling for breast beating.

Powers is not alone in professing her sins in public. In Bethesda, Maryland a huge crowd of white people, mostly young women, recently fell to their knees in an outdoor ceremony purging themselves of their "white privileged" status. On

command, they said in unison such things as, “I will use my voice in the most uplifting way possible,” and “And do everything in my power to educate my community.”

This was nothing more than a grand display of self-righteousness. These rich white people—only the wealthy live in Bethesda—feel morally superior to the rest of us. Their meaningless public gestures do absolutely nothing to improve the conditions of blacks. It’s all about them.

White liberals have created many of the problems facing African Americans. It was they who promoted the welfare state in the 1960s—at a time of declining unemployment and poverty—inviting fathers to abandon their families. It is they who condemn black families to inner-city public schools and work against school choice. It is they who want to disable the police force and empty the jails, allowing crime to spike in black neighborhoods.

No one should take white liberals seriously unless they have some skin in the game. They should begin by liquidating their assets, selling their investments and emptying their bank accounts. Then they should “make a black friend” by giving their money to minority-owned business owners whose stores have been destroyed by white terrorists in the name of racial equality. It’s time for them to pony up and stop with the moralizing.

CRITICS OBJECT TO RELIGIOUS LIBERTY GAINS

Three law professors, one from Cornell and two from the University of Virginia, wrote an article in the June 8 edition

of the *New York Times* decrying the “quiet demise of the already ailing separation of church and state.”

This is a false alarm. The proximate cause of their worry is the distribution of federal funds to religious bodies authorized by the Small Business Administration’s (SBA) Paycheck Protection Program (PPP). The professors contend the establishment clause of the First Amendment “has long been thought to prohibit direct government support for religion.”

In fact, we have a long history of direct government support for religion. For instance, we have had paid chaplains in the House and Senate since the beginning of the Republic.

Madison, who wrote the First Amendment, explicitly said that the establishment clause meant that the federal government could not establish a national church and could not show favoritism of one religion over another. As for Jefferson, as president he gave the Kaskaskias Indians \$300 worth of federal funds to build a Catholic church.

The 1947 Supreme Court decision, *Everson v. Board of Education*, was a controversial 5-4 ruling that applied the establishment clause to the states—this was unprecedented—holding that public funds could be spent on public transportation in New Jersey for private religious schools (almost all were Catholic), but not much more. Writing for the majority was Justice Hugo Black, a former member of the Ku Klux Klan who openly expressed his hatred for Catholicism. The erudite professors failed to mention this inconvenient fact.

Enter the Small Business Administration (SBA). It made it clear that religious institutions would not be discriminated against in the PPP. The SBA’s PPP was included in the Coronavirus Aid, Relief, and Economic Security (CARES) Act. It was unanimously passed in the Senate and was approved via a voice vote, without opposition, in the House.

In other words, the Trump administration's efforts (the SBA ruling), together with the legislation passed by the Congress (the CARES Act), put these two branches of government on the same page, almost unheard of these days. They clearly enhanced religious liberty, without leading to the "quiet demise" of the First Amendment's religious liberty protections. False alarms do no one any good.

CONGRESS MUST ACT ON RELIGIOUS INSTITUTIONS

In response to the coronavirus pandemic, houses of worship have been closed down in most states for months, and in some cases they still are. Even those that are open are under strict restrictions that limit the number of people who can attend services. With few exceptions, the clergy of all religions have cooperated with the shutdown.

The churches, synagogues, mosques and temples have been hit hard, losing most of their expected revenue during this period. Religious schools have also taken a hit. Catholic diocesan schools, for example, are dependent on funding from their parish and diocese for support. Most are now in a precarious situation.

It is commonly said that with rights come responsibilities. The obverse is also true. Houses of worship were held responsible to the president, governors, and mayors in shutting down. The losses that they incurred cannot now be put aside.

The Small Business Administration, under the Trump administration, came through with the Payroll Protection

Program, as incorporated in the Coronavirus Aid, Relief and Economic Security (CARES) Act, and it fortunately covered religious institutions. Whether there should be another bill, similar in nature, deserves serious discussion. In the meantime, Congress needs to up its game by helping Catholic schools.

Los Angeles Archbishop José Gomez is president of the United States Conference of Catholic Bishops, and what he recently said about Catholic schools would no doubt be supported by all his fellow bishops. He addressed the situation they are facing given the restrictions mandated by government.

“Parishes, shut down for three months, have lost millions in collection monies,” Gomez said. “Across the country, we see drop-offs in enrollments for next year, as families fear they will no longer be able to afford tuition.” He rightly stated that so many of the Catholic students who are served come from “minority and low-income families.” That they succeed in school is not debatable.

Archbishop Gomez notes that the U.S. Supreme Court will soon rule on the constitutionality of the so-called Blaine Amendments, legislation that bans public support for religious institutions. These laws were born in anti-Catholic bigotry, and are still operative in 37 states: they were designed to hurt Catholic schools.

Gomez maintains that “Congress and the White House cannot afford to wait” until the high court rules. “They should act now to provide immediate relief to help families handle their education expenses and also to expand nationwide school-choice opportunities for poor and middle-class families.”

Everything that Archbishop Gomez says is true. Catholic churches and schools accepted their government-mandated responsibilities and yielded on their First Amendment religious liberties. It is now time for the government to

assist these institutions, in the form of grants, to compensate for their compliance with government edicts that hurt them financially.