

Subject: RE: Backgrounder: Catholic Bishops' Religious Liberty Campaign

Date: Thursday, June 7, 2012 2:02 PM

From:

To: Catholic League <cl@catholicleague.org>

FYI

From: John Gehring [mailto:JGehring@faithinpubliclife.org]

Sent: Thursday, June 07, 2012 10:56 AM

To:

Subject: Backgrounder: Catholic Bishops' Religious Liberty Campaign

Dear As religious liberty events heat up across the country, I have compiled a detailed backgrounder that includes questions to ask Catholic bishops and recommendations for experts to interview. Please let me know if I can be helpful to you in the coming weeks. Thanks, John

*****FOR BACKGROUND PURPOSES ONLY*****

To: Reporters, Editors, Columnists

From: John Gehring, Catholic Program Director, Faith in Public Life
(240-644-3712)

Re: Bishops' Religious Liberty Campaign, "Fortnight for Freedom Events"

Catholic bishops' national religious liberty campaign <<http://www.usccb.org/issues-and-action/religious-liberty/our-first-most-cherished-liberty.cfm>> will reach a high point with two weeks of "Fortnight for Freedom <<https://red001.mail.microsoftonline.com/owa/redir.aspx?C=42cb7b8aaa6e42f88f6e0acf07847b1e&URL=http%3a%2f%2fwww.usccb.org%2fissues-and-action%2freligious-liberty%2ffortnight-for-freedom%2ffortnight-freedom-diocesan-activities.cfm>> " events across the country from June 21-July 4. Bishops will also meet for a national meeting next week in Atlanta (June 13-14) to strategize on religious liberty issues. Given the charged political backdrop of this high-profile initiative – five months before a presidential election in which Catholics will be swing voters in key states – it's important that journalists covering

these efforts separate fact from fiction, ask critical questions about the bishops' sweeping claims and have access to Catholic experts who can provide clear analysis. The following document includes:

- I. What's Happening**
- II. Fact v. Fiction**
- III. Questions for Bishops**
- IV. Sources for Commentary**

WHAT'S HAPPENING

The U.S. Conference of Catholic Bishops has created a parish bulletin <https://red001.mail.microsoftonline.com/owa/redir.aspx?C=42cb7b8aaa6e42f88f6e0acf07847b1e&URL=http%3a%2f%2fwww.usccb.org%2fissues-and-action%2freligious-liberty%2fconscience-protection%2fupload%2fBW-USCCB-Conscience-Bulletin-Insert_ENG.pdf> insert blasting the Obama administration's contraception coverage regulations that will be distributed in churches across the country. The bulletin situates the bishops' campaign in the context of the U.S. civil rights movement and references Rev. Martin Luther King's "Letter from a Birmingham Jail." One Catholic priest in San Francisco told his congregation this is "our Rosa Parks moment <<https://red001.mail.microsoftonline.com/owa/redir.aspx?C=42cb7b8aaa6e42f88f6e0acf07847b1e&URL=http%3a%2f%2fwww.tnr.com%2fblog%2fthe-stump%2f100707%2fthe-catholic-churchs-rosa-parks-moment>>."

Bishops have not ruled out civil disobedience. Parishioners are encouraged to write to the Department of Health and Human Services and Congress with objections. Prominent cardinals and bishops will host town hall forums <<https://red001.mail.microsoftonline.com/owa/redir.aspx?C=42cb7b8aaa6e42f88f6e0acf07847b1e&URL=http%3a%2f%2fwww.usccb.org%2fissues-and-action%2freligious-liberty%2ffortnight-for-freedom%2fupload>>

%2fBoston-CatholicTV_LiveTownHallMeeting_withCardinalSeanO-Malley_June25at8pm.pdf> , preside over special Masses <<https://red001.mail.microsoftonline.com/owa/redirect.aspx?C=42cb7b8aaa6e42f88f6e0acf07847b1e&URL=http%3a%2f%2fwww.usccb.org%2fnews%2f2012%2f12-087.cfm>> in Washington and Baltimore and are encouraging priests to address the issue of religious liberty from the pulpit. Tomorrow, June 8, a number of conservative groups are also organizing Standup for Religious Freedom rallies <<http://standupforreligiousfreedom.com/>> in cities across the country.

FACT v. FICTION

Fiction: *There is a “war on religion” and a “war on the Catholic Church.”*

Several bishops have used inflammatory and irresponsible rhetoric that conflates a process of working through complex policy issues with a fundamental attack on the Catholic Church. An Illinois bishop compared Obama administration policies to those of Hitler and Stalin <<https://red001.mail.microsoftonline.com/owa/redirect.aspx?C=42cb7b8aaa6e42f88f6e0acf07847b1e&URL=http%3a%2f%2fwww.nbcchicago.com%2fnews%2flocal%2fPeoria-Bishop-Compares-Obama-to-Stalin-Hitler-148099495.html>> . Cardinal Timothy Dolan of New York, president of the U.S. Conference of Catholic Bishops, claims the administration is “strangling <https://red001.mail.microsoftonline.com/owa/redirect.aspx?C=42cb7b8aaa6e42f88f6e0acf07847b1e&URL=http%3a%2f%2fwww.cbsnews.com%2f8301-505267_162-57438959%2fdolan-white-house-is-strangling-catholic-church%2f> ” the Catholic Church. Bishop Salvatore Cordileone of Oakland has expressed fear of “despotism <<http://www.faithinpubliclife.org/blog/prominent-faith-leaders-theologians-celebrate-common-ground-solution-on-contraception-religious-liberty/>> .”

Fact: In February, the Obama administration specifically responded to Catholic concerns that contraception coverage regulations released last January did not provide adequate protections by proposing a broader religious accommodation that makes sure no religiously affiliated institution will have to pay for services that violate its moral beliefs or even refer employees for this coverage. The Catholic

Health Association <https://red001.mail.microsoftonline.com/owa/redir.aspx?C=42cb7b8aaa6e42f88f6e0acf07847b1e&URL=http%3a%2f%2fwww.washingtonpost.com%2fpolitics%2fwhite-house-to-announce-adjustment-to-birth-control-rule%2f2012%2f02%2f10%2fglQArbFy3Q_story.html> , which represents over 600 hospitals, along with prominent Catholic theologians and justice leaders <<https://red001.mail.microsoftonline.com/owa/redir.aspx?C=42cb7b8aaa6e42f88f6e0acf07847b1e&URL=http%3a%2f%2fwww.faithinpubliclife.org%2fblog%2fprominent-faith-leaders-theologians-celebrate-common-ground-solution-on-contraception-religious-liberty%2f>> , applauded this wider religious exemption. If a woman employed by an objecting Catholic institution wants this coverage her insurance company or a third party administrator – not the religious institution – will offer it at no cost. This is a sensible, common-ground solution that is sensitive to a particular Catholic moral concern. The U.S. Conference of Catholic Bishops initially commended this proposal as a “step in the right direction <<https://red001.mail.microsoftonline.com/owa/redir.aspx?C=42cb7b8aaa6e42f88f6e0acf07847b1e&URL=http%3a%2f%2fwww.usccb.org%2fnews%2f2012%2f12-025.cfm>> ” before quickly moving the goal posts and supporting failed Republican-backed legislation in Congress such as the Blunt Amendment <<https://red001.mail.microsoftonline.com/owa/redir.aspx?C=42cb7b8aaa6e42f88f6e0acf07847b1e&URL=http%3a%2f%2ftpmdc.talkingpointsmemo.com%2f2012%2f02%2fmccconnell-gop-will-push-to-let-any-employer-deny-contraception-coverage.php>> , which would have permitted *any* employer to deny birth control coverage in their health insurance plans and allowed employers to refuse to offer coverage of *any medical service* they object to on moral grounds.

Fiction: *The federal government is forcing churches to provide their employees with birth control coverage.*

Fact: Churches/houses of worship were *always* exempt and will not have to provide this coverage.

Fiction: *Catholic institutions will be providing coverage of birth control for the first time.*

Fact: Twenty-eight states <<https://red001.mail.microsoftonline.com/owa/redir.aspx?C=42cb7b8aaa6e42f88f6e0acf07847b1e&URL=http%3a%2f%2fwww.healthcare.gov%2fnews%2ffactsheets%2f2011%2f08%2fwomensprevention08012011a.html>> already require organizations that offer prescription insurance to cover contraception. Many Catholic hospitals <<https://red001.mail.microsoftonline.com/owa/redir.aspx?C=42cb7b8aaa6e42f88f6e0acf07847b1e&URL=http%3a%2f%2fwww.npr.org%2fblogs%2fhealth%2f2011%2f12%2f02%2f143022996%2fcatholic-groups-fight-contraceptive-rule-but-many-already-offer-coverage>> and universities <<https://red001.mail.microsoftonline.com/owa/redir.aspx?C=42cb7b8aaa6e42f88f6e0acf07847b1e&URL=http%3a%2f%2fthinkprogress.org%2fhealth%2f2012%2f02%2f07%2f420114%2fmany-catholic-universities-hospitals-already-offer-contraception-as-part-of-their-health-insurance-plans%2f>> have offered coverage of birth control to their employees for years.

Fiction: *The Obama administration is pushing an ideological agenda that is out of step with most Catholics and Americans.*

Fact: Last year an advisory panel of the independent National Academy of Sciences' Institute of Medicine <https://red001.mail.microsoftonline.com/owa/redir.aspx?C=42cb7b8aaa6e42f88f6e0acf07847b1e&URL=http%3a%2f%2fwww.washingtonpost.com%2fnational%2fhealth-science%2fbirth-control-coverage-proposed-for-all-health-insurance-plans%2f2011%2f07%2f19%2fglQAcqS7NI_story.html> reviewed medical research and public comments about which health care services should be classified as essential preventive services to be covered without a co-payment in health insurance plans. Along with annual wellness exams, HIV tests and counseling for domestic violence, contraception was identified as one of these services. This was an evidence-based health policy decision. A March poll from Public Religion Research Institute found that a majority (57 percent) of Catholics do not believe religious liberty is threatened <<http://publicreligion.org/research/2012/03/march-rns-2012-research/>> in America today. A majority of Catholics <(58%25)%20believe%20that%20employers%20should%20be%20required%20to%20provide%20their%20employees%20with%20health%20care%20plans%20that%20cover%20contraception.> (58%) believe that employers should be required to provide their employees with health care plans that cover contraception.

Questions to Ask Bishops

➤ *Catholic organizations have received significant funding increases under the Obama administration. Doesn't this undercut your claims that the administration is "strangling" the Catholic Church?*

As NETWORK, a National Catholic Social Justice Lobby <<http://www.networklobby.org/news-media/federal-funding-catholic-organizations>> , has pointed out: More than \$1.5 billion in federal funds went to Catholic organizations over the past two years. Funding increases for Catholic organizations in recent years include the following:

- An increase from \$12.45 million (2008) to \$57.89 million (2011) in USDA food assistance to **Catholic Relief Services (CRS)**
- An increase from just over \$440 million (2008) to more than \$554 million (2010) to **Catholic Charities USA**
- Increases in Dept. of Labor grants to Catholic organizations such as **Catholic Charities of Kansas** for ex-offender reintegration and other programs from \$300,000 (2009) to more than \$5 million (2011)
- An increase of HHS funding for **Catholic Medical Mission Board** global health activities from \$500,000 (2008) to \$7 million (2011).

➤ *How much money is being spent on this religious liberty campaign, and where is it coming from?*

Reporters should consider asking about the Knights of Columbus <<http://catholicsinalliance.org/cgf52212schneck.php>> , an organization with deep pockets lead by Supreme Knight Carl Anderson, who had a long career in Republican politics working with the late Rep. Jesse Helms and in the Reagan administration. According to reporting from Commonweal <<http://www.commonwealmagazine.org/blog/?p=18788>> , an independent Catholic magazine, in 2010 the Knights of Columbus gave close to \$2 million to the U.S. Conference of Catholic Bishops and \$25,000 to the Becket Fund for Religious Liberty, which has played a leading role in lawsuits opposing the contraception mandate <<http://www.becketfund.org/hhs/>> . Anderson faced a challenge from

some Knights during the 2008 election for “dragging it’s 1.3. million members into tacit endorsement of the Republican candidate.” See details here <<http://www.becketfund.org/hhs/>> .

➤ *In all of your religious liberty materials why is there no mention that it was a conservative Catholic, Supreme Court Justice Antonin Scalia, who wrote a major decision weakening religious liberty protections?*

See analysis here <<http://www.commonwealmagazine.org/blog/?p=18465>> from Cathleen Kaveny, a professor of law and theology at the University of Notre Dame Law School. “The bishops’ call for respect for religious freedom is rhetorically adamant. But it is not legally specific,” Kaveny writes. “Strikingly, it does not situate itself in the context of the relevant court opinions interpreting the Free Exercise Clause of the Constitution.”

➤ *Are you concerned that this religious liberty campaign is in danger of becoming politicized during an election year? Bishop Stephen Blaire, chairman of the U.S. bishops’ Committee on Domestic Justice and Human Development, recently expressed concern <http://www.americamagazine.org/blog/entry.cfm?blog_id=2&entry_id=5138> that some groups “very far to the right” are trying to use the conflict as “an anti-Obama campaign.”*

➤ *Cardinal Timothy Dolan, the president of the U.S. bishops’ conference has argued there is now “a drive to neuter religion,” but aren’t your objections to the Obama administration disputes over policy issues not a culture war clash between Church and State? America magazine, an influential Catholic publication edited by Jesuit Catholic priests, recently editorialized <http://www.americamagazine.org/content/article.cfm?article_id=13277> : “By stretching the religious liberty strategy to cover the fine points of health care coverage, the campaign devalues the coinage of religious liberty. The fight the bishop’s conference won against the initial mandate was indeed a fight for religious liberty and for that reason won widespread support. The latest phase of the campaign, however, seems intended to bar health care funding for contraception. Catholics legitimately oppose such a policy on moral grounds. **But that opposition entails a difference over policy, not an infringement of religious liberty. It does a disservice to the victims of religious persecution everywhere to inflate policy differences into a struggle over religious freedom.**”*

- *Are you willing to sacrifice Catholic charities, colleges and hospitals if you don't get your way on the contraceptive mandate?*

- *Are you willing to drop all health insurance for your employees?*

SOURCES FOR INTERVIEWS (*please contact John Gehring at Faith in Public Life to set up interviews. 240-644-3712 or jgehring@faithinpubliclife.org*)

Nicholas Cafardi is dean emeritus and professor of law at Duquesne University. He has served as General Counsel for Pittsburgh's two largest Catholic organizations: The Diocese of Pittsburgh itself and Duquesne University. Cafardi was also an original member of the U.S. Conference of Catholic Bishops' National Review Board for the Protection of Children and Youth and served as its chair from 2004-2005. He is a co-author of the National Review Board's Report on the Crisis in the Catholic Church in the United States. Cafardi is also the author of *Before Dallas*, a history of the child sexual abuse crisis in the American church.

Terrence W. Tilley is chair of the theology department at Fordham University, Bronx, NY.

Lisa Sowle Cahill is a professor of theology at Boston College and a past president of the Catholic Theological Society of America. Her expertise includes Catholic social ethics, feminist theology, sex and gender ethics.

M. Cathleen Kaveny is a professor of law and theology at the University of Notre Dame Law School

Rev. Tom Reese, S.J. is a senior fellow at Woodstock Theological Center at the author of a trilogy examining church organization and politics on the local,

national, and international levels: *Archbishop: Inside the Power Structure of the American Catholic Church* <<http://woodstock.georgetown.edu/resources.html#Archbishop>> , *A Flock of Shepherds: The National Conference of Catholic Bishops* and *Inside the Vatican: The Politics and Organization of the Catholic Church* (Currently co-ordinates the Religion & Public Policy Program and International Visiting Fellowship Program at Woodstock.

John Gehring is Catholic Program Director at Faith in Public Life. He provides frequent commentary about Catholic political issues for print/broadcast outlets and writes about Catholic issues for a variety of publications including the *National Catholic Reporter*, *US Catholic*, *Huffington Post* and *Washington Post* "On Faith." He blogs at Bold Faith Type <<http://www.faithinpubliclife.org/author/jgehring/?submit=go>> .

Paul Lakeland is a professor of religious studies and the chair in Catholic studies at Fairfield University. His expertise includes the papacy, the role of lay Catholics in the Church and the relationship between religion and progressive politics.

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