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The Fortnight for Freedom Returns

Michael Sean Winters | Jun. 21, 2013 Distinctly Catholic

Tonight, the Fortnight for Freedom will kick off with a Mass at the Basilica of the Assumption in Baltimore. I suspect that this year, even more than last year, the Fortnight will be a dud, garnering little attention beyond the choir.

The bishops should have run this idea past a public relations firm and if you doubt it, check out these suggestions [1]for parish activities, especially Item # 5: ?Plan a ?Pancakes for Patriotism? or ?Fish Fry for Freedom? event to raise awareness about the Fortnight and featuring information about the plans within the parish and diocese for the Fortnight.? Really? Fish Fry for Freedom. Last year, jokingly, I called the event the ?Fortnight for Freedom Fries,? referencing the lame effort by House Republicans to rename French Fries after the Republic of France refused to join the U.S. in the Iraq War. Who comes up with this silliness?

I raise the issue of silliness for an important reason, not to mock. The issue of religious liberty is a serious one. One of the hallmarks of our nation?s history has been the deepening commitment to religious liberty. That deepening eventually even came to include us Catholics, so we have a special responsibility to defend religious liberty. And, let us not be naïve: There certainly are individuals and groups that would like to see the role of the Church in the political and social life of the nation minimized.

The importance of the issue is precisely why it deserves to be treated with something better than this foolish Fortnight. And worse than foolish. There is something horrific about turning the Mass into a political platform, even for an issue of transcendent, but still political, importance. There is something horrific about lumping the Deist Founding Fathers with St. Thomas More, and something historically ignorant, as Cardinal Francis George had the courage to point out last year at the USCCB meeting, about turning More into a champion of the rights of conscience. More died for the Faith, not for conscience rights, and before he died he put many a heretic to the flames.

Most disturbing is the tendentiousness of the claims one finds about the threats to religious liberty on the USCCB website and in a recent op-ed in the Baltimore Sun [2]by Archbishop William Lori, the most ?arch? archbishop in the land on this issue. But, a servant of the Gospel of Him who is the way, the truth and the life, should be careful to be truthful.

In his op-ed, Lori writes, ?the Department of Health and Human Services has mandated that religious employers fund and facilitate health coverage that violates their deeply held beliefs or risk crippling fines, restricting the freedom of faith-based social service providers to continue serving the common good in a way that respects their beliefs.? That is not true. The mandate certainly requires for-profit companies to purchase health insurance that covers contraception, but for the ?faith-based social service providers? there is either an exemption if they are small and do not file a 990 or an accommodation if they are large and do file a 990. I have asked lawyers at the conference and the Becket Fund to explain what exactly it is that constitutes ?fund and facilitate? and I have never gotten a good answer. They argue that the underlying insurance policy, which Catholic institutions

provided their employees long before there was a government mandate to do so, will serve as the ?vehicle? for the coverage to which they object. Actually, what happens is this. A Catholic institution tells its insurance company it objects to covering contraception and self-certifies that it falls within the requirements of the accommodation. That?s it. The objection is the vehicle, but nobody at the conference wants to acknowledge that! After that, the government deals with the insurance company, the company deals with the employee, the Catholic institution does nothing. Where is the facilitation?

I mentioned the falsity of the funding issue yesterday. In case you missed it, here is the language from the proposed rule:

A group health insurance issuer that receives a copy of the self-certification described in paragraph (b)(4) of this section with respect to a plan for which the issuer would otherwise provide coverage for any contraceptive services required to be covered under § 147.130(a)(1)(iv) must automatically provide health insurance coverage for any contraceptive services required to be covered by § 147.130(a)(1)(iv) and identified in the self-certification, through a separate health insurance policy that is excepted under § 148.220(b)(7) of this subtitle, for each plan participant and beneficiary. The issuer providing the individual market excepted benefits policy may not impose any cost sharing requirement (such as a copayment, coinsurance, or a deductible) with respect to coverage of those services, or impose any premium, fee, or other charge, or portion thereof, directly or indirectly, on the eligible organization, its group health plan, or plan participants or beneficiaries with respect to coverage of those services.

The rule explicitly prohibits the insurance company from charging the Catholic institution.

I have other problems with Archbishop Lori?s op-ed. He writes, ?Faith inspires people to serve their neighbors, it brings people together, it enriches the national conversation on important public issues, and it centers the lives of countless Americans.? Well, sometimes the Church has enriched the national conversation and sometimes not. Archbishops Lori and Cordileone and others tend to the screechy, not the enriching, of our national conversation if you ask me. Their unwillingness to admit the good faith of, say, those who support same-sex civil marriage has damaged and coarsened, not enriched, our national conversation on that issue. And we know of some of the outrageous things said by bishops about the President during last year?s campaign. Do not be surprised, dear bishops, if you behave like politicians that you will then be treated like politicians.

So, the best one can hope from this Fortnight is that it will be a yawn and that the bishops? conference will recognize that fact and pull the plug. They are not just embarrassing themselves, they are demeaning an issue that is important. It is time for the ?sanity caucus? at the USCCB to reclaim the conference. Yes, the issue of religious liberty should be addressed, but it should be address with seriousness, not fish frys, and with truth, not falsity.

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