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The NYTimes is Wrong on Faith-Based Hiring

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The New York Times editorialized yesterday against allowing faith-based organizations to discriminate in hiring, urging President Obama to rescind a prior rule by the Bush administration that held such discrimination was permissible. There is a case to be made that the Bush regulations were overbroad, but the Times is wrong to argue that faith-based institutions should not be able to consider an applicant's religion in hiring.

You can't have a Catholic organization, or a Methodist one, for very long unless it actually has Catholics, or Methodists. The identity of an institution, especially a religious institution, must be rooted in the shared beliefs of its members. This is one of the enduring lessons of the collapse of the religious identity of many colleges and universities. No one is suggesting a religious test for public office which would clearly violate the First Amendment. But the Sisters of Charity are permitted to run their hospitals with their own sisters and to hire those who share the Church's commitment to the poor because it is rooted in their shared faith in the healing ministry of Jesus.

This issue does not need to be an either/or as the Times suggests. Colleges and universities are permitted to give preferential treatment in accepting the applications of children of alumni for largely the same reasons churches should be able to hire their own in their ministries. Such "discrimination" helps build institutional identity. The religious identification of an applicant need not be the only consideration, nor should it be. A drug counselor better be a good listener and the treatment will be more effective if that good listener is of a different religion, but if two equally good listeners are up for a job, and one of them is also of the same religion as the organization that sponsors the drug counseling, religious organizations should be able to show a preference for that person.

There are other organizations that maintain their identity without infringing upon anyone's rights.

Women's colleges and historically black colleges come to mind. The Times is being too absolutist in its stance and we should hope that the President does not follow their recommendation.

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