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Bishop to Congress: Religious freedom subject to 'rapid erosion'

Joshua J. McElwee | Oct. 26, 2011

The bishop placed in charge of the U.S. bishops' new ad hoc committee for religious liberty testified Wednesday in Congress that religious freedom in the country is subject to "ever more frequent assault and rapid erosion."

In testimony before the House of Representatives' subcommittee dealing with issues of constitutional rights Wednesday, Bishop William Lori said the bishops want to call congressional attention to "grave threats to religious liberty" that are "grim validations of the bishops' recognition of the need for urgent and concerted action."

Lori, head of the Bridgeport, Conn., diocese, was announced as the head of the bishops' new committee Sept. 30.

At the time of the announcement, Archbishop Timothy Dolan, the bishops' conference president, said an assault on principles of religious liberty is coming "in an increasing number of federal government programs or policies that would infringe upon the right of conscience of people of faith or otherwise harm the foundational principle of religious liberty."

Lori testified before the House's judiciary committee's subcommittee on the Constitution as part of a hearing on "The State of Religious Liberty in the United States."

Sr. Mary Ann Walsh, the bishops' conference spokesperson, said Lori was invited to testify by the subcommittee's chairperson, Congressman Trent Franks, R-Ariz., because religious freedom "is a big issue to" the congressman. While Lori's testimony as given to the subcommittee isn't yet available, the bishop's full written testimony is available online from the bishops' conference [1].

Lori started with an overview of the theological and philosophical underpinnings for religious freedom, citing documents from the Second Vatican Council, Popes John Paul II and Benedict XVI, and the First Amendment to the U.S. Constitution.

Lori noted that while the United States "may not have always lived up to this or other religious freedom principles in practice, our country's unique capacity for self-correction has always provided avenues to repair to these principles that have made it a great nation."

"Regrettably, now is the time for such self-correction and repair," he wrote.

Lori's written testimony then called out a number of federal and state policies that, the bishop wrote, have brought religious freedom under "ever more frequent assault and rapid erosion."

Among the policies and laws Lori singled out were:

- A U.S. Department of Health and Human Services mandate that health insurance plans cover contraceptives and sterilization as "preventative services" in health care plans.
- A new requirement from the same department that government contracts to those who provide services to

victims of human trafficking only go to those that provide contraceptive and abortion services. Lori says that requirement assures that the bishops' Migration and Refugee Services "will be barred from participation in the program."
- Moves by the Department of Justice to stop defending the Defense of Marriage Act, which defines marriage as between a man and a woman, in legal cases, and to file legal briefs questioning the law's constitutionality.
- New state laws that, Lori said, have "fallen far short of what is necessary" to protect religious freedoms associated with the "redefinition of marriage." After the recent approval of gay marriage in New York, clerics there have faced "legal action for refusing to participate in same-sex unions," according to Lori. He also said a recent decision by Illinois' Catholic Charities to stop providing adoption and foster care services was precipitated by the fact that the organization "recognizes the unique value of man-woman marriage for the well-being of children."

Lori's testimony also gives some background into the U.S. bishops' decision to form their new committee. The bishops, Lori said, first decided to put together the ad hoc group in June.

"That I am already appointed as Chair represents action at near light-speed in Church time, and attests to the urgency of the matter from the Bishops' perspective," Lori wrote.

While Lori wrote that the "root causes of these threats are profound" and must be addressed "apart from government action," he recommended that Congress take action on several bills to "treat the symptoms immediately, lest the disease spread so quickly that the patient is overcome before the ultimate cure can be formulated and delivered."

Among the bills Lori said Congress should pass are the "Protect Life Act," which passed the House on Oct. 13, and the "Respect for Rights of Conscience Act."

The "Protect Life Act" would prohibit women covered under the health care reform law from buying health insurance plans that cover abortion and would make it legal for hospitals to deny abortions to pregnant women with life-threatening conditions. The "Respect for Rights of Conscience Act" would allow certain religiously affiliated institutions to opt out of other coverage requirements in the reform bill.

Beyond legislation, Lori also wrote that the Department of Justice's decision to stop defending the Defense of Marriage Act seems to "warrant congressional inquiry."

Among the House subcommittee's areas of oversight are constitutional amendments, constitutional rights and issues relating to federal civil rights.

Also providing testimony before the subcommittee on issues of religious liberty were United Church of Christ minister Barry Lynn, the executive director of Americans United for a Separation of Church and State, and Colby May, senior counsel with the American Center for Law and Justice.

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