

## Card. George Unintentionally Hits the Nail on the Head

Michael Sean Winters | Feb. 13, 2013 Distinctly Catholic

[Catholic News Service has video](#) [1] of an interview with Cardinal Francis George of Chicago about the HHS mandate. He does not seem to understand how the mandate works. When he says, "we will simply not cooperate," he hits the nail on the head - Catholic institutions that are exempt or accommodated don't really do anything. The mandate applies to their insurance company or the Third Party Administrator of their self-insured plan. The only thing a religious institution has to do is self-certify that it is a religious institution with a moral objection to contraception. Such self-certification is not intrinsically evil, is it?

Cardinal George is right to focus on the constitutional issue, but even here, his normally supple mind emphasized an understanding of the Constitution that is pretty one-sided and, certainly, one that was rejected by the Supreme Court in *Employment Division v. Smith*. Cardinal George is smart enough to consult with a range of lawyers, whose opinions on these nettlesome issues vary widely. At the least, it would be good to acknowledge the issues are nettlesome and not clear cut. I admire Cardinal George's mind enormously and read his books with attention. But, his understanding of these legal issues is narrow. And he, and the rest of the bishops, need to make sure they actually understand how the mandate works before they continue to threaten "non-cooperation" when, in reality, there will not be any cooperation because the mandate applies to others.

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[1] <http://cnsblog.wordpress.com/2013/02/08/cardinal-george-on-the-hhs-mandate/>