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Bishops should take their clear victory

NCR Editorial Staff | Feb. 28, 2012

If the bishops of the United States had any question whether Catholics could come together in common cause, the answer came quickly and forcefully when the Obama administration attempted to impose a definition of religious organization that was far more restrictive than the one normally used for tax and other legal purposes.

Catholic leaders and opinion makers on the right and left, conservative to liberal, rallied to oppose the Health and Human Services definition that essentially split our religious experience between places of worship and other organizations with roots in those same houses of worship. Those are the organizations where people are educated and where the hungry are fed, clothed, housed and otherwise given aid.

The agreement that was forged across the normal Catholic divides was to a broadly stated, clear principle: Our faith is not confined to a building. Aiding the poor and marginalized, educating people, taking care of the sick are not add-ons to our religious convictions. They are core religious activities; they are who we are as Catholics.

The response from the politicians to such a unified front was quick and decisive. Organizations affiliated with religious groups that oppose artificial contraception would not have to pay for contraceptive services or devices.

The significant number of Catholics -- including many *NCR* readers -- who did not rally to this cause also points to a lesson church leadership needs to learn. The bishops? trying to build a case for religious liberty on the sandy foundation of church teaching on contraception is too much for many Catholics to accept.

If the bishops want to see how quickly common cause and goodwill dissipates, they need only continue to overreach, walking away from the clear victory they earned and insisting on measures that can only be construed to have as an end the destruction of the Affordable Care Act. The bishops were unable to win the battle over health care, despite trumpeting a manufactured and unfounded concern over the use of federal money for abortion, and in so doing caused an unnecessary split in the Catholic community.

In this latest round, refusing to accept the administration?s accommodation -- and its promise to continue working to find a reasonable solution to any remaining concerns -- will only result in another unnecessary defeat in the public arena and further division in the community.

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The cold reality of the politics is clear: If the bishops want to make this a matter of religious liberty, they?ve won. Quietly working with the administration to make further adjustments to the policy means an even bigger win.

If the intent is to continue to make this a contest to expand the exception for religious institutions to any individual private employer who might have an objection to providing contraception, or wiping out the mandate altogether, the bishops are asking the impossible. There is no free exercise claim in such a configuration, unless we all become some form of church in our own right with the ability to opt out individually of whatever federal

responsibility might be asked of us. Beware what you wish for.

If the bishops want to obliterate what little credibility they might have left in the public realm, they?ll continue to involve their newly constituted Ad Hoc Committee for Religious Liberty in a battle over contraception. Bulletin to the bishops: You?ve already lost that on every front, inside the denomination, outside in the wider culture, among women, especially, of every persuasion. Your biology needs to be updated and your understanding of how birth control methods work (see Jamie Manson column [2]) needs to catch up with considerable science. If you want to hand the Obama administration an issue that it would love to have in the public discussion through next November, keep talking about contraception.

As an added bonus to the administration, keep sending your frontman on religious liberty, Bishop William Lori of Bridgeport, Conn., to congressional hearings with a group of other men, no women in sight, to discuss contraception. What you?ll accomplish is new material for Jon Stewart and more return appearances by comedian Amy Poehler for ?Really?!?? segments on ?Saturday Night Live.?

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One of Pope John Paul II?s successes over his quarter-of-a-century reign was to effectively neuter national episcopal conferences, especially that of the United States, that had proved able to speak powerfully and with a unified voice on a range of social issues. What we now have, in lieu of clear leadership and a conference that comes to consensus, is sometimes a cacophony of voices, driven by a variety of interests and ideologies. So in the recent case, the reactions have ranged from a reasoned and measured opinion by Bishop Blase Cupich of Spokane, Wash., who granted the president the benefit of goodwill and seeks common ground for an extended discussion of the sometimes thorny church-and-state issues, to the hot, culture-warrior language of Philadelphia Archbishop Charles Chaput, who questioned the sincerity of the president?s religion, saw the HHS rule as a calculated attack on religion and pronounced the media complicit in an attack on Catholicism. His model for debating such subjects, he said in a column for his diocesan paper, was a warrior, Gen. Creighton Abrams, namesake of the Army tank.

Whether New York?s newly minted cardinal, Timothy Dolan, can bring some order to what at times can seem like chaos in the public square remains to be seen. His language, to this point, has been more conciliatory than combative, his approach seems generally to grant the other side best intentions rather than spin conspiracies about antireligious and anti-Catholic campaigns.

But in the Catholic culture wars, the moderate bishops will tell you, prudence is often a lost virtue. The actors with the biggest megaphones and the most aggressive language are the ones who capture the headlines, the sound bites and end up shaping the Catholic narrative for the general public.

They increasingly make the church look foolish and detached from reality.

Part of the problem, of course, is that church leaders, in seeking to be arbiters of morality, particularly sexual morality, have to face the fact that for two generations the faithful have rejected the official church teaching on birth control. The rejection comes not -- as the bishops mistakenly tell themselves -- from Catholics who don?t understand the teaching. Faithful Catholics have studied the teaching, they have prayed about it and weighed it. And they have found it wrong.

Some bishops eagerly take to the stump at every opportunity to rail against the culture and the media for causing any number of woes for the Catholic church and religion in general. They have to be aware, however, that no individual or group in this country?s history has done as much to compromise the church?s integrity and to besmirch its good name as the U.S. episcopacy in its handling of the sex abuse crisis. The church really needs no other enemies; no one outside could do it as much harm. And all Catholics, not just the bishops, bear the

effects of that deep wound.

It will take courageous and consistent leadership to face the church?s deep internal problems without looking for outside scapegoats. It is telling that considerable numbers inside the institution still believe in it deeply enough to come to its defense when they perceive a clear wrong.

The bishops should take the win, and be grateful that they still have enough clout to cause a president to attend so quickly to their concerns.

- Bishops reject Obama's compromise on contraception services [3], by Joshua J. McElwee and Brian Roewe
- A cardinal's role in the end of a state's ban on contraception [4], by Joshua J. McElwee
- Some see bishops in danger of overplayng their hand [5], by Michael Sean Winters
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