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Bishops: Look Into the Mirror

Michael Sean Winters | Dec. 14, 2012 Distinctly Catholic

The President should fix the HHS mandate exemptions because doing so would be good politics for the Democrats, as I argued yesterday. Today, it is necessary, sad but necessary, to consider why President Obama may have a different political calculation and why the U.S. bishops need to look in the mirror when asking how they found themselves in this mess.

When President Obama was sworn into office in 2009, the nation was facing its greatest fiscal crisis since the Great Depression. America was still engaged in two wars. Global climate change was, and is, an enormous threat to the lives of millions and, indeed, to the entire planet. At least 40 million Americans lacked health insurance and, as the unemployment rate lurched upward, the number of uninsured increased with every round of layoffs. Millions of undocumented workers stayed in the shadows, worried about their future. Those were the problems.

The inauguration of Barack Obama was also a huge achievement, not just for him as a campaigner nor for his campaign team, but for the American people. Within fifty years of the Rev. Martin Luther King, Jr. sharing his dream, and the subsequent passage of the Civil Rights Bill of 1964, the American electorate had elected a black man as its president. The groundwork had been laid, in part, by a previous generation of U.S. bishops. When Dr. King gave his speech, Archbishop Patrick O?Boyle was at his side. In 1964, the comic book series Treasure Chest, sponsored by the U.S. bishops? conference, ran a series about the election of a man to the presidency, ? Pettigrew for President [1].? The series documented the opposition to the candidate but that opposition seemed not to be focused on any particular issue, it was more opaque and whispered. In the final panels, it was revealed that Pettigrew was black. In 2008, the voters did what the comic series had only imagined, it elected our first black president. Whatever one thought about Obama?s stand on the issues, here was an achievement for the nation too obvious to be ignored.

But, ignore it the bishops did. They greeted the incoming president with a postcard campaign about?..drumroll?the Freedom of Choice Act or FOCA. It mattered little that FOCA had never passed a committee vote in any Congress since it was first devised in the early 1980s as a fundraising device. It mattered little that it was clear the incoming President had bigger fish to fry. No, the bishops wanted to set down a marker and they did. This presidency would be viewed through one lens and one lens only, the pro-life lens. It didn?t matter that in forty-five years since Roe v. Wade, the Republicans had done precious little on abortion and the pro-life movement had become a cheap date for the GOP. Obama was the enemy.

If there were any doubt, the controversy surrounding the decision by the University of Notre Dame to invite President Obama to deliver the commencement address at its graduation ceremonies answered those doubts. It did not matter that Notre Dame had invited every President since Eisenhower to give the address. The President was spoken of by some bishops as if he were untouchable. The venom coming from the mouths of some bishops was shocking. Black Catholics were appalled, and not only black Catholics.

This was followed by the bishops? decision not to support the Affordable Care Act. There were ? and are ? problems with the ACA. The concern most prominently voiced by the bishops, that the ACA would provide federal funding of abortions, required a very expansive reading of the text. Mind you, sometimes judges do render expansive readings of legislative texts. But, a court in Ohio has ruled that, on its face, the ACA does not permit federal funding of abortion. The bishops were more on target, as we have since learned, in their concern about the lack of statutory conscience exemptions in the law. And, they were undoubtedly correct that the failure to include undocumented immigrants in the law?s provisions was a serious lack. Nonetheless, the bishops seemed shrill and hysterical in their opposition to the ACA. They seemed to give lip service to their long-held desire for universal access to health care. The sense that some bishops received their news only from Fox News ? or worse ? received a punctuation point at one of the bishops? meetings when Bishop Fabian Bruskewitz took the microphone to ask if it was true, as he had heard, that Muslims were exempt from the ACA. It was not their finest hour.

Many bishops were a bit more restrained in 2012 than they were in 2008. But, still, there was Bishop Jenky of Peoria comparing Obama to Hitler and Stalin. There was a time when a bishop in a small diocese could give a sermon or write a column in his diocesan paper that would receive little or no attention. But, this is the age of twitter. Jenky?s sermon ran around the internet like wildfire. The President and his staff can be forgiven for not understanding that the USCCB has no mechanism for reining in a bishop on the warpath beyond a phone call from Cardinal Dolan. In recent years, any bishop delivering such a sermon would also have received a stern phone call from the papal nuncio, Archbishop Sambi, but he has gone to God.

I know some of my leftie friends think otherwise, but the issue of religious liberty is a real one. Also a complicated one and one that has been going on for some time. Yet, in speaking about religious liberty this year, there has been much foolishness and much of that foolishness has been found in pulpits. Some bishops liked to say that the issue of religious liberty was not a partisan issue, and then proceeded to talk about it as if it were a partisan issue. There were some happy exceptions. I called attention previously to Bishop Daniel Flores? Steele Lecture in which he balanced his critique of the HHS mandate?s limited conscience exemptions with a critique of the religious liberty implications of the anti-immigrant laws in Alabama and Arizona. The issue could be framed in a non-partisan way. It could also be framed in a way that was not foolish, in which the suggestion that the Obama administration picked up where the Mexican or French Revolutions left off, was not indulged. But far too many bishops seemed to wield the issue as if it were a cudgel and their only interest in that cudgel was in bloodying President Obama.

So, if President Obama has concluded that it really doesn?t matter what he does on the exemptions to the HHS mandate, some bishops are still going to be comparing him to Hitler and Stalin or suggesting that a vote for him puts a Catholic?s soul in eternal danger, he does not have much of an incentive to change. The practical problem with such language from the bishops, apart from its offensiveness, is that it really makes Cardinal Dolan?s job impossible. He is the one who has to try and achieve a solution to the exemptions. How can he achieve that when some of his fellow bishops make such outrageous statements that the White House concludes there is nothing they can do to achieve peace with these guys.

None of this is meant to let the President off the hook on the conscience exemptions. He never should have done this in the first place, and a constitutional lawyer should have known better. A politician who has risen to the top of his craft should have known better. It is not good for the country to have its political leaders fighting with clergy. It is not good for the Democratic Party Obama leads, at least not in those congressional districts the Dems need to win back if they ever hope to reclaim the majority in the House. But, the bishops have not made it easier to find a solution. Listening to their virtually all-Republican staffers, they have made questionable decisions and, in some cases, embarrassed themselves by their public comments. They need to look into the mirror no matter how the debate over the HHS mandate turns out.

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[1] http://ncronline.org/news/politics/1964-candidate-emerges-catholic-imagination