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Walking Like A Duck

Ken Briggs | Oct. 11, 2013 NCR Today

The letter to Congress from Cardinal O'Malley and Archbishop Lori on Sept. 26 seems to me to violate the First Amendment by approving a government shutdown if the bishops don't get their way on contraception.

Decoders of churchese will no doubt find reasons to explain away such a connection, but the letter itself makes a strong impression otherwise. If I'm not mistaken, the bishops are at least walking like ducks, though hardly anyone seems to notice.

The issue is the bishops' relentless campaign to strip the Affordable Health Care program of any responsibility for any Catholic institutions to offer contraceptive coverage for their employee, many of whom aren't Catholic, even though President Obama has guaranteed them that they wouldn't have to pay for it. Just offer it. Despite polls showing that American Catholics agree with the Obama policy, and Pope Francis' calling on bishops to quit obsessing over contraception and other sex-related issues, a core of bishops have pressed their crusade to allegedly uphold freedom of religious conscience. Even that can be taken on its own but the Sept. 26 letter ties this campaign to the fight over the Continuing Resolution.

The following paragraph appears clearly to make passage of the bishops' demand to get rid of the contraception provision part of the price Congress must exact in order to keep the government running.

"We have already urged you to enact the Health Care Conscience Rights Act (H.R. 940/S.1204) [the contraception knockout bill]," the second paragraph of the letter reads. "As Congress considers a Continuing Resolution and debt ceiling bill in the days to come, **we reaffirm the vital importance of incorporating the policy of this bill into such 'must-pass' legislation."**

"Must-pass" in order to allow a Continuing Resolution to go forward? Sure seems that way. By inserting itself into the wrangling on the eve of the shutdown, the cardinal and the archbishop enter the fray on the only side of the debate that wants to load the CR with political ad-ons, the Republican Party, of course. No Democrat in the House or Senate wants anything other than a clean CR and have been loudly calling for a vote on that bill.

Nothing wrong with bishops pursuing their cause in a non-partisan way. But by pleading their special cause in the midst of this fight, they had to know they were joining the Republican drive to block a clean CR and to add another weapon to the GOP's attack on the health care act which the bishops have generally approved. The moral stands taken by religious groups will inevitably fall into one or another party's sphere of interest. A violation occurs, however, when religious groups "play politics" in a direct alignment with one party's strategies in partisan, opportunistic fashion. That is unConstitutional by my reading.

Why make such a blatant attempt to threaten a government shutdown? Did the bishops consciously they could take advantage of a climate in which the Republican strategy would work? What does it mean that the bishops' apparently ignored the pope's plea to downplay issues like contraception?

The saddest part of this is that the bishops' allegiance to Catholic social teaching has placed them on the side of

most efforts to benefit poor and disadvantaged people. But this record is threatened by a type of narrow moral fanaticism that the pope opposes.

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