

Archbishop Lori calls line of questioning of judicial nominee ‘deeply disappointing’

Baltimore Archbishop William E. Lori, chairman of the U.S. Conference of Catholic Bishops Ad Hoc Committee on Religious Liberty, objected to several U.S. senators’ line of questioning of a federal appeals court nominee this week in Washington.

During the Sept. 6 confirmation hearing for Amy Coney Barrett, a law professor at the University of Notre Dame nominated by President Donald Trump to the 7th Circuit Court of Appeals, some senators raised concerns about Barrett’s Catholic faith. Sen. Dianne Feinstein, a California Democrat, wondered whether the nominee’s faith would prevent her from being fair.

“When you read your speeches, the conclusion one draws is that the dogma lives loudly within you,” Feinstein said to the nominee. “And that’s of concern when you come to big issues that large numbers of people have fought for for years in this country.”

Feinstein also raised concerns about the nominee’s thinking on abortion.

“You’re controversial because many of us who have lived our lives as women really recognize the value of finally being able to control our reproductive systems, and *Roe* entered into that, obviously,” she asserted. “You have a long history of believing that your religious beliefs should prevail.”

Sen. Dick Durbin, an Illinois Democrat, questioned Barrett’s use of the phrase “orthodox Catholics” in an article about capital punishment. He asked the nominee whether she considered herself an orthodox Catholic.

Other senators raised similar questions.

In a Sept. 8 statement, Archbishop Lori noted that the United States has a “strong and venerable tradition of pluralism that respects all religious views.”

“In this context,” he said, “this week’s hearing before the U.S. Senate Judiciary Committee hearing is deeply disappointing. Rather than simply consider the professional achievements of a nominee for the federal judiciary, multiple senators challenged her fitness to serve due to her Catholic faith.”

Archbishop Lori added that such questions “are not just contrary to our Constitution and our best national traditions, which protect the free exercise of one’s faith and reject religious tests for public office, they are offensive to basic human rights.”

“They also, sadly, harken back to a time in our country when anti-Catholic bigotry did distort our laws and civil order,” he said. “These comments are a reminder that we must remain vigilant against latent bigotries that may still infect our national soul.”

The archbishop wondered if the comments of the senators were meant “as a warning shot to future law students and attorneys, that they should never discuss their faith in a public forum, if they have aspirations to serve in the federal judiciary.”

“In truth,” he said, “we should be encouraging faithful, ethical attorneys to serve in public office, not discouraging them by subjecting them to inappropriate, unnecessary interrogation based on their religious beliefs.”

The archbishop said people of faith — whatever faith they may hold — “should not be disqualified because of that faith from serving the public good. Rather than hold people of faith in suspicion, our laws and lawmakers should tolerate, if not celebrate, the role faith has in society and in the lives of individuals. To do otherwise is contrary to the ideals of a healthy, pluralistic society.”

During the hearing, Barrett said she would uphold the law, regardless of her religious beliefs.

According to the White House, Barrett teaches and researches in the areas of federal courts, constitutional law and statutory interpretation. She has published articles in the Columbia, Virginia and Texas Law Reviews.

Barrett clerked for Associate Justice Antonin Scalia of the Supreme Court of the United States and for Judge Laurence H. Silberman of the U.S. Court of Appeals for

the D.C. Circuit.