

Legal lecture highlights growing conflicts between church, state

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Members of the legal profession gathered May 14 at St. Mary's Seminary and University in Roland Park for "The Intersection of Law and Conscience," a lecture hosted by the Archdiocese of Baltimore. About 70 people attended.

First offered last year, the annual lecture focused on the legal challenges facing Catholic institutions and individuals, and the laity's moral responsibility when laws clash with church teaching.

The evening event featured hour-long presentations from Anthony Picarello, associate general secretary and general counsel for the U.S. Conference of Catholic Bishops; and Capuchin Franciscan Father J. Daniel Mindling, academic dean of Mount St. Mary's Seminary in Emmitsburg.

The speakers were introduced by Archbishop William E. Lori, chairman of the U.S. bishops' Ad Hoc Committee for Religious Liberty.

Picarello spoke on conscience issues before the courts, national legislative trends and how laws such as Maryland's new same-sex marriage law challenge expressions of Catholic faith.

He outlined four areas of tension pertaining to religious freedom and individuals' conscience: compelling support for church-opposed practices, including contraception and abortion; support for extramarital sexual conduct; forbidding religious hiring practices; and laws disfavoring specific religious groups.

"There are perhaps more live religious freedom issues now - in terms of number, severity and variety - than any time I can think of in history," he said.

Among the legal challenges he presented was the U.S. Department of Health and Human Services' mandate for employers, including most religious employers, to provide at no cost to the employee women's contraception, sterilization and abortion-inducing drugs. The policy took effect for non-religious employers last year, and is scheduled to take effect for religious employers in August 2013.

Other challenges include efforts to lift statutes of limitations on accusations of child sexual abuse so as to target religious institutions; same-sex marriage legislation; charging that church hiring practices requiring an employee to practice a particular faith are discriminatory; and the denial of government grants to faith-based

organizations that wish to provide services in accordance with their teachings. Father Mindling presented on the challenge of making moral judgments when laws conflicts with a Catholic legal professional's conscience. Using the basic categories within moral theology, he outlined varying degrees of complicity in one's cooperation with evil through action or inaction.

At the heart of a Catholic's moral responsibility is the call to give witness to the truth, he said.

Archbishop Lori hoped that message resonated with attendees.

"Religious liberty is our God-given opportunity to witness to our faith in every area of our life, including in our professional responsibilities," Archbishop Lori said. "Little by little that's being curtailed and frowned upon in our culture, and it's important that we find our voice, that we pray and speak up and offer the world the witness of a good conscience."

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