

Mount panel: Faithful called to join intellectuals in religious freedom fight

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EMMITSBURG – Introducing a Nov. 21 panel discussion on religious liberty at Mount St. Mary's University, Baltimore Archbishop William E. Lori remarked that the battle would be moot without religion itself.

"Laws, court decisions, regulations and policies – these things trail societal attitudes," the archbishop said in the university's Marion Burk Knott Auditorium. "So, as more and more people abandon an explicit religious faith as our culture becomes more secular, the value of religious freedom, which is one of our fundamental freedoms, diminishes."

Therefore, Archbishop Lori added, "defending religious liberty, as far as I'm concerned, is first and foremost a task of spreading the Gospel. It's a task of evangelizing."

Pastor Cheryl Mitchell Gaines, an attorney and founder of the ReGeneration House of Praise in Washington, D.C., echoed the archbishop's thoughts while cranking up the rhetorical volume several notches.

She related an anecdote in which a young man had called her because "he was afraid" while watching the news.

Her response: "Well, turn it off!"

"God will tell us what to do about what's going on in the world today," she said, adding that it is up to us to carry out His will.

"Maybe that's why God put us here," she said. "I want to submit that we are not to be afraid. ... We have to know what we believe and believe what we know."

Gaines was joined by panelists Daniel Hartman, a finance and policy lawyer with an active pro bono practice focusing on religious freedom; Nathan Diamant, executive director of the Union of Orthodox Jewish Congregations of America's Advocacy Center; and Thomas Farr, director of the Religious Freedom Project at the Berkley Center for Religion, Peace and World Affairs as well as associate professor of the practice of religion and world affairs at Georgetown University's Edmund A. Walsh School of Foreign Service.

Farr, who is also president of the Religious Freedom Institute, said threats to

religious liberty in this country come from both the political Left and Right.

"I do believe American Muslims are discriminated against in our society, and they have a reason to be concerned about the (President-elect Donald J. Trump) administration that has just been elected, because of its rhetoric," he said.

Meanwhile, Farr said, "the Left wants to remove traditional Christian morality from our public life."

He cited the federal mandate which would have required the Little Sisters of the Poor to either fund abortion-causing drugs, contraception and sterilization in their employees' health plans, or complete a form triggering such coverage.

"If American religious groups are forced to stop being who they are, it's not just that some jobs are lost," Farr said. "Something un-American has happened."

Like Archbishop Lori and Pastor Gaines, Farr encouraged the audience to fight for their faiths.

"Are you just going to go into the fetal position and let the courts tell you what non-discrimination means?" he said. "You have a right and a responsibility to exercise as well as talk about religious freedom."

Hartman spoke on today's landscape in the U.S. with regard to religious freedom, which he said is threatened by two factors.

First, civil rights - especially as applied in debates over transgender rights and same-sex marriage - "have come into increasing legal tension with religious liberty issues," he said.

He noted that while the first amendment of the U.S. Constitution and the federal Religious Freedom Restoration Act of 1993 protect religious freedom, those protections are less clear at the state level, which is where many conflicts - a baker or florist, for example, who declines to participate in a same-sex marriage ceremony with his or her respective craft - arise.



Panelist Daniel Hartman makes a point, while fellow panelists, from left, Pastor Cheryl Mitchell Gaines, Nathan Diamant and Thomas Farr, listen. (Courtesy Mount Saint Mary's University)

Hartman also noted the substantial backlash against states that have proposed or passed religious freedom legislation in recent months.

Threats to religious liberty also arise, Hartman said, due to the "expanding role of government into everyday lives."

"The wall that used to separate church and state has become more and more blurry," he said, also citing the Little Sisters of the Poor and their recent difficulties

with the federal government.

Diament focused on what challenges the future may hold for religious freedom: "What might we expect - to the degree we can predict anything in this political year?"

The outcome of the 2016 presidential election tells us little, he noted.

"There wasn't much discussion on religious liberty in this campaign," Diament said. "There wasn't much discussion on any issues in detail in this campaign for president."

He noted that legislative support for religious freedom, once broad and bipartisan - the federal Religious Freedom Restoration Act of 1993 passed 96-0 in the Senate and unanimously in the House - has become "Balkanized."

"The fundamental question," he said, "is whether we're going to remain in this Balkanized situation, and nothing will move on, or if we're in a place where compromise will occur out of necessity and not out of desire."

At one point in the discussion, Pastor Gaines noted that the church itself - the "people of faith" - needs to enter the fray.

"There are a lot of intellectuals, professors and attorneys in the room, but the people of faith have largely been absent," she said. "Our power - all of it - comes from God, and all of it belongs to God."

Fighting for the right to practice religion, she added, "might seem frightening, if we didn't believe God was able."

Standing together

An audience member asked the panel if the struggle to maintain religious freedom had fostered more inter-religious dialogue.

Diament noted that some years ago, the archbishop of San Francisco had joined with the Jewish community in successfully opposing a push that may have resulted in outlawing circumcision in the city.

When the HHS contraceptive mandate arose several years ago, Diament said, Orthodox Jews joined with the bishops, despite there being no Jewish doctrine against contraception.

He said that he was one of a group that met with President Barack Obama and described the solidarity thus: "I had your back on circumcision; I need yours on contraception."

Farr described a similar dynamic after the U.S. Commission on Civil Rights released a report, "Peaceful Coexistence: Reconciling Nondiscrimination Principles With Civil Liberties," which included a statement referring to the phrases "religious liberty" and "religious freedom" as "code words for discrimination, intolerance, racism,

sexism, homophobia, Islamophobia, Christian supremacy or any other form of intolerance.”

Farr noted that while he, a Catholic, had joined Archbishop Lori in signing an Oct. 7 letter to President Obama and congressional leaders to renounce the statement, so had Pastor Gaines, a Protestant, and Diamant, an Orthodox Jew.

“They came together not to say we agree theologically, but to say we stand together on religious freedom,” Farr said.

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