Remarks at the National Press Club Russell D. Moore July 2, 2013

Hello, my name is Russell Moore, president of the Ethics & Religious Liberty Commission of the Southern Baptist Convention. Our First Freedom of religious liberty is rarely challenged with sudden "shock and awe" tactics. Instead, from the very beginning, such incursions on religious liberty happen in this country from the pen of a bureaucrat rather than from the barrel of a tank.

My Baptist forebears objected to the state licensing preachers to preach. This was, the government said, simply a matter of paperwork. The state license, though, was about more than a fee and a piece of paper. It was about a government that had overstepped its authority.

Whatever the challenges, America has always returned back the founding principles of this new republic: that religious liberty and freedom of conscience are not government grants, handed out to the deserving. Religious liberty and freedom of conscience are inalienable rights, granted by the Creator—and these natural rights belong to all persons not just those who are in the majority of the ambient culture.

Americans are planning to gather this week, for cookouts and picnics and fireworks, to mark yet another Independence Day. We, a broad coalition of religious leaders, mark this Independence Day week by calling our government back to our first freedom, the free exercise of religion.

The Health and Human Services contraceptive mandate has catalyzed this coalition. This mandate imposes heavy fines and legal penalties on organizations and businesses which do not participate in the provision of contraceptives and abortion-causing drugs. The issue here is not contraception or abortion. We wouldn't all agree on those questions ourselves. At issue is the callous disregard our government has shown for the freedom of Americans to exercise their religious convictions.

We love and respect our President, President Obama, and we have appealed as citizens for the Administration to respect conscience rights. In response, the government has given us word games and accounting tricks that amount to the same mandate, over and over again. We are not so easily hypnotized

by bureaucratic parlor tricks. Our government has treated free exercise of religion as though it were a tattered house standing in the way of a government construction of a railroad; there to be bought off or plowed out of the way, in the name of progress.

We dissent. As a preacher of the gospel of Jesus Christ, soul liberty is about more than a political principle for me. I believe, as my Lord commands, that we should render unto Caesar that which belongs to Caesar. The conscience does not bear the image of Caesar, and cannot be swept into the federal treasury by government fiat.

We cannot accept the theology lesson the government has sought to teach us, that religion is simply a matter of what happens during the scheduled times of our services, and is left there in the foyer during the rest of the week. Our religious convictions aren't reduced to simply the opinions we hide in our hearts, or sing in our hymns. Our religious convictions inform the way we live.

We support freedom of conscience not only for ourselves, but for all. One of the reasons we oppose this sort of incursion into free exercise is that we want neither to be oppressed nor to oppress others. We do not ask the government to bless our doctrinal convictions, or to impose them on others. We simply ask the government not to set itself up as lord of our consciences.

Many Americans will disagree with us heartily about the things we believe. But even Americans of no religious faith at all have an interest in the protection of these liberties. Do we really want the sort of civil society in which the consciences of the people are so easily swept aside by government action? If the federal government can force organizations and businesses to pave over their own consciences, to choose between being believers and being citizens, what will stop the government from imposing its will on your conscience next?

We call then on the Department of Health and Human Services to, at the very least, expand conscience protections under the mandate to cover any organization or individual with religious or moral objections to covering, providing, or enabling access to the mandated drugs and services. We ask Congress to prevent such abuses from happening in the future. And we call

on Americans to remember the great costs this country has endured to achieve religious liberty and freedom of conscience in order that we might continue these blood-bought rights for ourselves, and our posterity.

The Archbishop will please forgive me if I quote Martin Luther, who stirred no little controversy between our traditions some time ago. Nonetheless, I think we can all agree on his words as they apply to the audacity of the federal government in curtailing religious freedom. To go against conscience is neither right nor safe. Here we stand; we can do no other. God help us.

Thank you.

Religious Liberty Press Conference National Press Club Washington, D.C. Tuesday, July 2, 2013 2:00 p.m.

Statement of Archbishop William E. Lori

We are grateful to see so many leaders of other denominations and faiths, including the Southern Baptists, the Church of Jesus Christ of Latter Day Saints, the National Hispanic Christian Leadership Conference, the International Society for Krishna Consciousness, and Orthodox Christian and Jewish leaders, as well as leaders of faith-based and civil rights organizations, come together to sign a statement supporting religious freedom.

The letter itself states that "Many of the signatories on this letter do not hold doctrinal objections to the use of contraception. Yet we stand united in protest to this mandate, recognizing the encroachment on the conscience of our fellow citizens."

As the Catholic bishops have said from the very beginning, the underlying issue with the HHS Mandate is not about any specific teaching. In fact, other signatories on the letter do not share our view on contraception and probably disagree with us in many other ways, but they understand the core religious freedom issue at stake here.

It is fitting that this statement has been released during the "Fortnight for Freedom," which has been embraced by Catholics and people of many faiths as a great show of witness for religious freedom in the two-week period leading up to this Thursday, Independence Day.

It is also fitting that the final rule on the HHS mandate was issued during the Fortnight, since we are especially attentive to religious freedom at this time. Sadly, it still divides our Church into three separate camps: houses of worship v. "accommodated" religious institutions v. for-profit entities run by religious believers.

We in the Catholic Church have never seen such a distinction between what we do within the four walls of a church and how we serve our neighbors. The faith by

which we worship on Sunday is the very same faith by which we act in the world the other 6 days of the week.

Under the now-finalized rule, for-profit institutions still receive no relief or accommodation at all, except for the relief many of them have been able to attain so far in the courts by way of preliminary injunctions or temporary restraining orders against the mandate.

As Cardinal Dolan stated on Friday, we appreciate the extension of the effective date by five months, meaning that the effective date of the mandate for "accommodated" religious non-profit institutions is now January 1.

Also as noted on Friday, the USCCB is still analyzing the specifics of the "accommodation". This is a 110-page rule and is very complex. It involves reviewing the intricacies of health insurance law. The USCCB plans to issue a more substantive statement on the final rule once its analysis has been completed. But at the outset, HHS itself has noted that the final rule is "very similar" to its February 2013 proposal, which the USCCB commented on in detail on March 20.

In addition to this ongoing analysis, the USCCB will continue to seek relief from the courts and from Congress as appropriate. Notably, just recently, Senators Deb Fischer and Tom Coburn introduced legislation in the U.S. Senate called the Health Care Conscience Rights Act, which would provide a legislative fix to the mandate for those who object because of moral or religious convictions. S. 1204 is the identical companion bill to H.R. 940, legislation introduced in the House earlier this year by Congressman Diane Black and others.

Once again, we are pleased to stand with so many partners from other faith traditions in raising continued awareness over the religious liberty concerns and the HHS Mandate. Those present today and the statement we have signed underscores that this is about the religious freedom enjoyed by people of all faiths and even no faith at all, something we hold dear as Americans, and something most worthy of defending and preserving.

Statement of Anne Hendershott, Ph.D.

My name is Dr. Anne Hendershott. I am a sociologist and have spent the past twenty years working as a professor on religious college campuses. As a Catholic, I have chosen to teach in an environment where my religious rights are respected. As a pro-life Catholic I was happy to be able to teach in an environment where I would not be asked to compromise my conscience rights by having to supervise student internships at Planned Parenthood or at other abortion providers. I have been happy to teach in schools where I would not be asked to contribute to causes that are contrary to what my Church teaches. I have always known that my conscience rights would be protected.

Unfortunately, the Obama administration's Health and Human Services mandate on "preventive service" now threatens those very protections. The HHS mandate requires that all organizations—including religious institutions like the Catholic colleges and universities I teach in—provide insurance coverage that includes abortion inducing drugs like Ella and Plan B, contraceptives, and sterilization procedures. This mandate will require me—as a faithful Catholic—to purchase insurance that my Church teaches is seriously immoral. The HHS mandate forces me and my religious employer to pay for or facilitate access to products and services that are in opposition to our deeply held moral and religious beliefs.

The HHS mandate also allows the minor children of employees of "accommodated" religious institutions to avail themselves of contraceptives, sterilization or abortifacient drugs without their parents' knowledge because such information will not appear on parents' claims statements at the end of each month.

Last year, my current employer, the Franciscan University of Steubenville, became the first university in the country to drop its requirement for student health insurance due to moral and economic concerns connected to the HHS mandate. Fr. Terence Henry, TOR, then-president of Franciscan University submitted a public statement protesting the new guidelines from HHS that force Catholic institutions to choose between following their faith or providing health coverage in their employee and student health plans. In his statement, Fr. Henry wrote that "By making this insurance coverage mandatory, our government has violated the consciences of people of faith and infringed on our rights to practice our religious beliefs."

In May of 2012, Franciscan University sued the federal government saying that the HHS mandate constituted a grave threat to Franciscan University's ability to continue to teach from the heart of the Church.

The Franciscan University lawsuit was one of 12 lawsuits filed on May 21, 2012 by 43 Catholic organizations, including the University of Notre Dame and other Catholic colleges and universities. There are now over 60 total lawsuits against the mandate, about half brought by family owned businesses and half brought by non-profit religious institutions. Fortunately, of those cases on behalf of family businesses that have received early rulings on the religious freedom issue, the vast majority—almost 80%—of plaintiffs have been awarded temporary halts to the mandate. Unfortunately, on the non-profit side, many of the cases—including Franciscan's lawsuit—have been dismissed without prejudice because the courts have claimed that the religious institutions have not yet been "injured" by the HHS mandate.

Those of us who work on Catholic campuses—or other Christian institutions—disagree. We have already been injured by this unjust mandate because our constitutional right to religious freedom has already been compromised. The refusal by the Obama administration to classify religious institutions like Franciscan or Notre Dame as religious employers has already compromised our religious rights. There is every indication that this will escalate.

Refusing to count Franciscan University and Notre Dame and other Catholic and Christian colleges as religious employers, the state can target us as they have done to Catholic adoption agencies that won't place children with gay and lesbian couples.

Unless Catholic colleges and universities are given some assurance that their religious liberty will be protected, the threats will continue. Rejecting our claims of religious liberty, it is likely that in a misguided attempt to protect women's rights, we will be forced to facilitate our students' participation in student internships at the clinics of abortion providers. Similarly, Catholic colleges and universities may be forced to accept as leaders those who openly disavow the Catholic faith. Analogous situations have arisen at state universities and private colleges (See *CLS v Martinez*, involving Hastings Law School in California, and Vanderbilt University.) But, if we protest on

religious liberty grounds, we will be told yet again that we have no right to protest because we are not religious institutions.

A current Obama appointee to the Equal Employment Opportunity Commission (Chai Feldblum) recently wrote that when it came to gay rights or women's rights, she was "having a hard time coming with any case in which religious liberty should win."

We are already at a place where the establishment clause has shifted from a legitimate desire to keep the government from entangling itself in the internal affairs of religious organizations to a justification of anti-religious secularism—a pushing of religion out of the public square. This threatens all people of faith.

The Right to Religious Freedom: A Fundamental American Civil Right and a Universal Human Right by Yuri Mantilla, Ph.D.

According to the first amendment of the American Constitution:

"Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof."

Religious freedom is one of our most important civil rights. However, it is not only a fundamental civil right in the United States, it is also a globally recognized universal and fundamental norm of international human right law.

Article 18 of the Universal Declaration of Human Rights says:

"Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance."

The right to religious freedom has not only been one of the cornerstones of the American legal system. It has also been a priority of U.S. foreign policy to promote and defend this fundamental human right around the world.

During the Cold War, the defense of international religious freedom enabled the United States to effectively show the importance of respect for democracy and human rights. Despite the end of the Cold War, violations of religious freedom, around the world, are still widespread. Totalitarian regimes continue to undermine the right to religious freedom.

There are other forms of violations of religious freedom. Although there are not as brutal and systematic as the ones that happen in totalitarian regimes; they also are unjust and they should not happen. This is the case of the HHS mandate, which forces religious believers to make a choice between obeying the propose law and violating deeply held religious beliefs; or obeying fundamental religious and moral norms and disobeying the governmental mandate.

American religious institutions, businesses and private persons should not be forced to pay for drugs and services which violate their deeply held convictions.

American religious institutions, businesses owed by religious persons, and individuals should not pay fines to uphold their religious ideas.

Violations of religious freedom in the United States and abroad are unacceptable. This is especially the case when they involve the protection of innocent human life, such as in the case of abortion-inducing drugs.

A country which undermines religious freedom norms in its own jurisdiction cannot lead the cause of religious freedom globally. It is time to restore the great American tradition of respect for religious freedom as a fundamental civil right. If this happens, then America will once again be able to become a leader in the global cause for the defense of religious freedom as a fundamental human right.

El Derecho a la Libertad de Religión Un Derecho Un Civil y un Derecho Humano Universal

Yuri Mantilla, Ph.D.

De acuerdo a la primera enmienda de la Constitución Americana:

"El Congreso no hará ley alguna con respecto a la adopción de una religión o prohibiendo el libre ejercicio de dichas actividades."

La libertad de religión es uno de nuestros derechos civiles fundamentales. Sin embargo no solo es un derecho civil fundamental en los Estados Unidos, sino también es un derecho humano globalmente reconocido como una norma universal y fundamental de los derechos humanos internacionales.

De acuerdo al articulo 18 de la Declaración Universal de Derechos Humanos:

"Toda persona tiene derecho a la libertad de pensamiento, de conciencia y de religión; este derecho incluye la libertad de cambiar de religión o de creencia, así como la libertad de manifestar su religión o su creencia, individual y colectivamente, tanto en publico como en privado, por la enseñanza, la practica el culto y la observancia."

El derecho a la libertad de religión ha sido no solo uno de los fundamentos del sistema legal de los Estados Unidos. Sino también ha sido una prioridad de la política internacional, de este país, el promover y defender este derecho humano fundamental alrededor del mundo.

Durante la Guerra Fría, la defensa internacional del derecho a la libertad de religión posibilitó, a los Estados Unidos, demostrar efectivamente la importancia de respetar los valores democráticos y los derechos humanos. A pesar que la Guerra Fría terminó, las violaciones de la libertad de religión, alrededor del mundo, todavía continúan. Los regímenes totalitarios continúan violando el derecho a la libertad de religión.

Existen otras formas de violación del derecho a la libertad de religión. Aunque no son tan brutales y sistemáticas como las que ocurren en regímenes totalitarios; estas también son injustas y no deben suceder. Este es el caso del mandato del HHS, el cual obliga a personas de fe a hacer una decisión entre obedecer el

derecho, y violar valores religiosos fundamentales; o obedecer normas religiosas y morales fundamentales, y violar el mandato del gobierno.

Las instituciones religiosas, negocios y personas privadas no deben ser forzadas a pagar por drogas y servicios que violan sus convicciones fundamentales. Las instituciones religiosas, negocios de personas religiosas y los individuos no deben pagar multas por obedecer las ideas de su religión.

Las violaciones de la libertad de religión, en los Estados Unidos y alrededor del mundo, son inaceptables! Este es especialmente el caso cuando se trata también de la protección de vidas humanas inocentes como es en el caso del mandato del HHS que incluye drogas que inducen al aborto.

Un país que debilita las normas de libertad de religión en su propia jurisdicción, no puede ser líder en la causa de la libertad de religión alrededor del mundo. Es tiempo de restaurar la gran tradición Americana de respeto por la libertad de religión como un derecho civil fundamental. Si esto sucede, entonces los Estados Unidos podrá ser nuevamente un líder en la causa global por la defensa de la libertad de religión como un derecho humano universal y fundamental.