

*Testimony by Cardinal Theodore E. McCarrick
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On behalf of the

United States Conference of Catholic Bishops

*before the Senate Judiciary Committee
of the United States Senate*

Subcommittee on The Constitution, Civil Rights and Human Rights

“Protecting the Civil Rights of American Muslims”

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Peace is based on respect for the rights of all. Conscious of this, the Church champions the fundamental rights of each person. In particular, she promotes and defends respect for life and the religious freedom of everyone.

--Pope Benedict XVI, World Day of Peace Message, January 1, 2007

Mr. Chairman and distinguished members of the Subcommittee, allow me to thank you for the invitation and opportunity to be with you today to offer testimony on the topic of the protection of civil rights and religious freedom. I also express my appreciation for calling this hearing on this fundamental human right and basic principle of American life. I am here today representing the United States Conference of Catholic Bishops. I presently serve as Archbishop Emeritus of the Archdiocese of Washington. I will summarize my remarks and ask that my full written testimony be entered into the record.

The United States Conference of Catholic Bishops welcomes the increased attention to, and seeks greater priority for, religious freedom and civil rights both in our own country and around the world. Freedom of religion is a fundamental civil right and it is more than that. It is a natural human right that flows from the nature of the human person. Without the right to religious freedom, no other human right is secure.

We also welcome a discussion that highlights how various religious communities, including our own Catholic community, have suffered from and still experience religious bigotry, bias and prejudice. We see religious freedom as an essential foundation for our life together in our own nation and across the globe. Over time, we have made much progress together as a people, but we fear this shared foundation is being weakened and undermined by religious prejudice, discrimination and intolerance, unwise policies, and polarizing words and tactics which divide us. Most appallingly, religious freedom is destroyed by attacks on people in some countries because of their religion and by the terrible misuse of religion to incite hatred and even justify violence.

Sadly, this fundamental betrayal of religious belief, attacking those of differing religious perspectives in the name of religion, can sometimes be used to promote suspicion and fear of all people associated with a particular religious tradition. This kind of generalized religious prejudice is wrong and unjust and a clear violation of religious freedom. A justified concern for security and the appropriate pursuit of those who pervert religion to attack others cannot be allowed to turn into a new form of religious discrimination and intolerance. This is why we stand with our Muslim brothers and sisters in defense of their dignity and rights, just as we welcome and expect their reciprocity and solidarity with us when the rights of Christians and other religious groups are violated around the world.

Our Rich American Tradition

At the White House in 2008, Pope Benedict XVI stated, "America's quest for freedom has been guided by the conviction that the principles governing political and social life are intimately linked to a moral order based on the dominion of God the Creator." The American vision insists that people have inalienable human rights endowed "by nature and nature's God;" that all of us have a right to, "life, liberty and the pursuit of happiness." In regard to religious liberty, the American people have come to expect our legislators, judges and other public officials to respect the twin commandments of the religion clauses enshrined in the amendments to the

Constitution— “Congress shall make no law respecting an establishment of religion or, prohibiting the free exercise thereof.” This moral and truly American vision has taken shape, although it has not come easily. Our nation’s struggle to enshrine these values has required moral clarity, commitment and constant vigilance. From the beginning of our great American experiment, we have worked and sometimes struggled as a nation to build a democracy based on the moral conviction that all people “are created equal.” Sadly, our history has been marred by injustices such as the stain of slavery, official hostility to or even direct persecution of particular religious groups including Catholics and others, and various other examples of disregard for the life and dignity of every human person.

In our pluralistic society, religious values and commitments are assets for the common good, not sources of division or conflict. American history demonstrates how people of many religious traditions have contributed greatly to the betterment of the country. Our history demonstrates the accomplishments of this rich heritage. The abolition of slavery and the civil rights movement could not have been successful without the efforts of people of diverse religious traditions coming together to work on behalf of their brothers and sisters in need. It is our faith that calls us to care for the poor, educate the young and heal the sick in services that enrich our nation and strengthen our society.

Our American experience demonstrates that the plurality of religious traditions contributes positively to the moral fabric of the nation and the global community. We live and work alongside others of different beliefs or no belief at all. Religious pluralism is now a global phenomenon. Global communications make us a virtual village. Increased immigration makes us actual neighbors. These new realities can lead to either greater respect for others of differing religious belief or to potentially destructive conflicts. The challenge and struggle before all of us today is to continue to build a culture of respect for religious freedom as a guarantor of human dignity and a contributor to the justice and peace of our nation and the global community. We join Pope Benedict XVI who, in this Capital City in 2008, expressed confidence that we Americans will find in our “religious beliefs a precious source of insight and an inspiration to pursue reasoned, responsible and respectful dialogue in the effort to build a more humane and free society.”

Our Experience

From the perspective of Catholic teaching, religious freedom is one of our most fundamental freedoms, which flows from the right to life itself. The late Pope John Paul II taught that “The most fundamental human freedom is that of practicing one’s faith openly, which for human beings is their reason for living.” The Second Vatican Council in its *Declaration on Religious Freedom (Dignitatis Humanae)* declared that “the right of religious freedom has its foundation in the very dignity of the human person, as this dignity is known through the revealed Word of God and reason itself.”

It is essential to point out that religious liberty begins with the right to worship according to one’s conscience, but it does not end there. Religious freedom includes other vital activities which express our faith, among them are the freedom of conscience in providing healthcare and other human services, the right to establish and maintain schools that authentically reflect our own values, and the right to participate in and contribute to public and community affairs.

Religious freedom is inextricably linked to other fundamental human rights including freedom of association, freedom of speech, and legal recognition of voluntary associations. It is essential to understand that religious freedom is a right of **both** individuals **and** religious institutions.

For the Catholic bishops religious freedom has many faces. As pastors within a universal Church, we hear the cries and share the pain of believers of all religions around the world who suffer persecution, violence and discrimination simply because of their religious identity. In the last year alone, we have seen dramatic examples of the persecution of Catholic and other Christian communities around the globe. The New Year's Day bombing of a Coptic Church in Egypt, the Christmas Eve bombings of Christian churches in Nigeria, and the October 31 attack on worshipers at the Syrian Catholic Church in Baghdad are grim reminders of what is at stake. Earlier this March, the world witnessed the assassination of Shahbaz Bhatti, Pakistan's Minister of Minority Affairs at the hands of Muslim extremists. Mr. Bhatti was a Roman Catholic who advocated for tolerance and religious freedom for religious minorities in Pakistan. He was a courageous advocate who spoke out against his country's repressive blasphemy laws; for this advocacy he was brutally killed.

We appreciate the many sincere expressions of sympathy and condemnation that came from around the world, including from our dialogue partners in the Muslim community, following this act of grave injustice. In particular, our partners in the American Muslim community including the Islamic Society of North America (ISNA) and the Islamic Circle of North America (ICNA) have stood with us as trusted allies in speaking out against violence and injustice and in defense of religious freedom. Solidarity among people of every religion in the face of attacks on people of any one religion is an example of respect for religious freedom in action.

As a Conference of Catholic Bishops we seek to defend the rights of people of other religious traditions, not only members of our Catholic family of faith. Bishops have journeyed to many lands to express our solidarity with diverse groups who have suffered religious persecution and discrimination. We have issued public appeals for legal protections, protested killings and detentions, met with victims and promoted their rights and dignity with officials of the United States and foreign governments. Our Conference is committed to defending and advocating for religious freedom consistently and persistently.

Our own history as an immigrant people and a religious minority is filled with stories of persecution, suspicion, fear and intolerance. We have had our loyalty as Americans questioned. We have suffered bias and discrimination for our religious beliefs, especially in the educational context. Catholics have been explicit targets of the Ku Klux Klan and the Know Nothing Party. The very idea of a Catholic in the White House was questioned. Because of this history, we cannot help but be sensitive to the experiences of other religious groups who suffer prejudice, bias and discrimination.

Offenses against the religious liberty of Catholics, however, are not merely a thing of the past. Indeed, it continues to be important to raise the issue today. Acts of bias and discrimination towards Catholics and our beliefs are often expressed very publicly. For example, we are charged with discrimination or called "bigots" when we advocate for the traditional understanding of marriage between one man and one woman, which many religious and non religious traditions

have supported throughout human history. We advocate for an authentic vision of marriage not to offend or to treat people unjustly, but to offer a positive and healthy model of the human family, which has served as the foundation of society throughout the ages.

The identity and integrity of our Catholic social institutions—or indeed those of other religious traditions—are also being threatened. For example, when the state narrowly defines in legislation which religious institutions are “religious enough” to enjoy religious freedom protections, or when the state imposes restrictions on how religious institutions and individuals are able to serve those in need, the ability to exercise religious freedom in an effective and authentic manner is greatly undermined.

When the very right of conscience is attacked, the ability to exercise religious beliefs is subverted. There are well known contemporary examples where the state would force religious groups and individuals to choose between following their religious beliefs and practices and following the dictates of law. Where is the respect for religious freedom in compelling a religious entity to act in ways which contradict its most basic moral principles? Who ultimately suffers by undermining the rights of conscience for religious groups and individuals? It is not merely the integrity of the principle of religious freedom, but also the people whom we serve and employ.

Many of these attacks on religious freedom and practice are a newer version of an older hostility. Today, these examples of religious discrimination originate less often from a sectarian religious bias, and more often from a radical secular perspective that insists that no moral principle or religious belief should ever challenge individual decisions to do or choose whatever one wants or prefers. Ironically, in the name of this very narrow and socially problematic vision of “freedom,” authentic religious liberty is restricted.

Intolerance Towards Muslims

In our work on religious freedom and other issues we work side by side with other religious groups. We listen carefully to and hear the pleas of those who suffer persecution and discrimination and learn from their everyday experiences. We seek their counsel on how best to stand with them and help them to secure their rights. Today, we note with particular sadness that Muslim Americans, with whom we have had a positive ongoing dialogue for over two decades, have had their loyalty and beliefs questioned publicly in sweeping and uninformed ways. This causes us great concern and compels us to reach out in solidarity in support of their dignity and rights as Americans and believers. We take notice of the rhetoric and see the actions which target our Muslim neighbors and friends. From the sometimes imbalanced criticism and hurtful words leveled at the Muslim community over the planned building of the Park 51 mosque in New York, to the public burning of the Koran by a Christian minister, to the defacing of a mosque in Oregon following the interruption of a planned terrorist attack, Muslim Americans are increasingly facing unjust acts of discrimination and prejudice. Like our own historical experience, their very loyalty as Americans and their traditions and values are being questioned.

We recognize that people of other religious traditions, and also people who do not share a belief in God, also face criticism and bias in the larger society for their beliefs. It is the duty of the Church to urge all people of good will to avoid all forms of religious bigotry, bias and hateful

words that injure the dignity of persons and disrespect their religious convictions. We remain firmly committed to the defense of religious liberty for all—not just for Catholics—because our commitment is based on our concern for the dignity of each and every human person.

At the same time, we recognize that not every charge of wrong-doing against people or groups within a religious community amounts to religious discrimination, bias or bigotry. Religious beliefs are no excuse for threatening others with or carrying out acts of violence. At this particular moment in our nation's history, we face a real threat to our national security from terrorism that has its origins in a particular form of extremist ideology that holds itself out as authentic Islam. These pervasive threats endanger all people both in this country and abroad. We cannot pretend that these threats do not exist. Our government has a duty to understand the threat and confront it effectively in order to keep our citizens safe and to promote and defend the common good of all.

The legitimate concern for the public order, however, must be pursued with effective skill and respect for religious liberty and with particular concern to avoid generalizing about Islam based solely on the extreme views and conduct of a small group of radical extremists. These unfounded generalizations and efforts to fan the flames of fear are wrong and unjustified, but are especially inappropriate and hurtful when expressed by leaders in public life. These attacks are a grave injustice against the vast majority of Muslims in the United States who are loyal and productive members of our American society.

Conclusion

As a religious community, our Catholic faith and our respect for the religious beliefs and freedoms of others commit us to defend and promote the right to religious freedom for all as a moral priority and human responsibility. We do not do this alone but walk along side our neighbors of diverse creeds and religious traditions. Today, that commitment calls upon us to speak a note of caution on how our society approaches the Muslim community. The quality of that approach will declare to the world what kind of society we hope to be, and will shape relationships among our own citizens, for better or worse, for generations to come.

This common commitment to religious freedom is at the heart of American life. It is also an example to a world where too many doubt that people of different religions can live together in peace and mutual respect. As predominantly Muslim societies wrestle with how to treat religious minorities, let them look to our nation where we work to ensure that their Muslim sisters and brothers are treated with dignity and their religious identity and beliefs are treated with respect. Let them see a people blessed with hard won religious freedom living out our commitment to the rights of all by demonstrating full respect for the identity, integrity and freedom of all religions and their institutions.

As a person of faith and a citizen, I thank you for your focus on this timely and imperative topic. I urge you to recommit yourselves to protect and promote religious liberty both at home and abroad as a sign of our respect for the inherent dignity and value of every human person. Lastly, I would like to assure you and your families of my continued prayers as you carry out your service to our nation and the good of its people and the defense of the rights of all.