

In Philadelphia, Pope Francis put himself into America's hot-button religious freedom debates

By [Sarah Pulliam Bailey](#) and [Michelle Boorstein](#) September 26

PHILADELPHIA — Pope Francis often talks about violent, terrifying persecution of Christians overseas, but Saturday he dove into the American culture war over religious liberty, highlighting a freedom religious conservatives' frame as under threat by the rise of secularism and gay rights.

Francis spoke at a location loaded with cultural significance — he was standing near the Liberty Bell, in Philadelphia, which represents the very heart of religious liberty. But in 2015, the question of what it means to have religious liberty is under debate.

Francis spoke about the “fundamental right” to religious freedom, a topic that has in recent years become contentiously wrapped up in gay rights, health care and other political issues. Yet as has become common with the super-popular pontiff, people with various perspectives on religious freedom saw different things in his comments.

“He was saying, ‘I’m not judging you, I’m not condemning you, I’m urging you to do better. This was not a focus on our domestic [disputes], it was the general principles” he was promoting,” said James Zogby, a Catholic pollster who was placed by Obama on USCIRF, a quasi-governmental body that advocates for religious freedom overseas. “You’d have to stretch really far to come away with a Hobby Lobby case..I don’t think he shares the priorities of his brother bishops.”

Doug Laycock, a religious liberty expert at the University of Virginia law school, said the talk would likely be seen as an affirmation of the bishops’ campaign.

“He stuck to the high ground. He endorsed religious liberty in general. He didn’t get into specific disputes, probably wisely,” he said.

U.S bishops in recent years selected as their top priority what they call threats to the rights of Americans to freely practice their faith. For them this has meant concern that, among other things, church-affiliated non-profits will have to do abortion referrals or provide health care to spouses of gay couples. Some worry faith-based non-profits could lose their tax-exempt status.

Francis spoke alongside one of the bishops’ most prominent figures for the religious liberty cause, Philadelphia’s

Archbishop Charles Chaput.

“In a world where various forms of modern tyranny seek to suppress religious freedom, or try to reduce it to a subculture without right to a voice in the public square, or to use religion as a pretext for hatred and brutality, it is imperative that the followers of the various religions join their voices in calling for peace, tolerance and respect for the dignity and rights of others,” Pope Francis said.

Opponents, including civil liberties advocates, argue that one person’s religious liberty can’t trump another person’s right to be free of discrimination or to have full access to health care (including abortion or contraception).

So both sides had been watching Francis would say on something that divides Catholics as much as it does Americans.

Catholics broadly say equal treatment under the law is more important than accommodating religious preferences, and majorities have said businesses with religious reservations about homosexuality should be required to serve them, according to Washington Post/ABC polls. Yet in 2012, a 52 percent majority of Catholics said employers affiliated with religious institutions opposed to birth control should not be required to cover its full cost as part of health plans, while 46 percent of Catholics said it should. According to a poll this month, 78 percent of Catholics say that when there’s a conflict between someone’s religious beliefs and the need to treat people equally under the law, the latter is more important, similar to the general American public.

Francis has also made several comments this week showing his support for the bishops, including at the White House, where he stood beside President Obama and said “my brothers, the United States bishops, have reminded us all..to be vigilant..to preserve and defend [religious liberty] from everything that would threaten and compromise it.”

Francis also spoke about religious freedom at the United Nations, where he focused on Christians losing their homes and their lives because of religious persecution. There Francis immediately broadened the topic. “Not only in cases of religious or cultural persecution, but in every situation of conflict.”

He also made an unexpected stop in Washington that put him directly in the center of the politics of religious liberty – he visited with Little Sisters of the Poor, a community of nuns who are suing the White House over the part of the Affordable Care Act that requires employers to provide employees with contraception.

This news exploded right away on social media when Francis’ spokesman said it Wednesday night. Conservatives and other Catholics sympathetic with the bishops’ campaign see him this week as validating in a major way their perspective.

“He’s been quite pointed, given the niceties that are expected, that the U.S. needs to be more respectful to those who dissent from the administration,” said Robert P. George, a philosophy professor at Princeton University and chairman of the United States Commission on International Religious Freedom.

The question is what kind of impact Francis will leave on discussions around religious liberty. In a culture that is broadly accepting now of gay marriage and gay equality, many believe that the right to believe and practice one’s faith as one wishes should not be at the expense of others’ rights.

“We certainly agree religious freedom is a fundamental right; what the pope called ‘one of Americans’ most precious possessions.’ But it’s not a blank check to discriminate against or harm others,” said Daniel Mach, director of the ACLU’s Program on Freedom of Religion and Belief.

The pope has focused on immigration and climate change on this trip, while also talking about religious freedom as foundational issue.

“He seems to be using his visit as an opportunity to remind Americans that religious freedom is not supposed to be a ‘conservative’ issue, but rather a fundamental human-rights issue,” said Richard Garnett, an expert on religious liberty at the University of Notre Dame.

Marci Hamilton, a constitutional law expert who is academic curator for religious liberty at the National Constitution Center

– where the Liberty Bell is – said the talk sounded like the pope had been heavily influenced by U.S. bishops.

“The term ‘public square’ is right out of American politics. From Francis, you’d expect the focus to be on the poor, the needy – and suddenly we’re talking about these abstract concepts. It just didn’t seem grounded in concrete reality the way he normally is,” Hamilton said.

Abigail Ohlheiser and Scott Clement contributed to this report.

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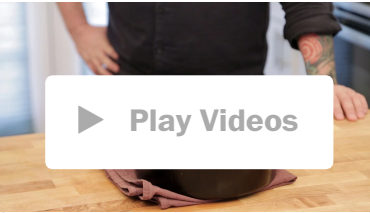
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