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# Another Religious Test in the Senate

Two Democrats suggest a judicial nominee must quit a Catholic organization.

By Eugene F. Rivers III

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Democratic Sens. Kamala Harris (right) and Mazie Hirono in Washington, D.C., Sept. 28, 2018. PHOTO: SAUL LOEB/AGENCE FRANCE-PRESSE/GETTY IMAGES

People often assumed that prejudice against Catholic politicians ended with the election of John F. Kennedy. Yet anti-Catholic bigotry is still with us. On Dec. 5 U.S. senators sent written questions to Brian Buescher, an Omaha, Neb., lawyer recently nominated by President Trump to sit on the U.S. District Court in Nebraska. Amid queries about judicial philosophy, two Democratic senators demanded answers about Mr. Buescher's membership in the Knights of Columbus, a 140-year-old Catholic service organization.

Hawaii's Mazie Hirono and California's Kamala Harris didn't ask about the group's charitable work, which includes \$1 billion of assistance and hundreds of millions of hours of service in the past decade. Rather, they wanted answers about what they called its "extreme positions."

The senators cited the group's support in 2008 for California Proposition 8, which banned same-sex marriage. They also took issue with the group's opposition to abortion.

Each senator insinuated that Mr. Buescher's membership should disqualify him. When asked if he would quit the organization if confirmed, Mr. Buescher responded, "I have not drafted any policies or positions for the national organization. If confirmed, I will abide by the Code of Conduct of United States Judges and will not affiliate with any organization in violation of the Code."

In 2017 Sen. Dianne Feinstein, another California Democrat, questioned judicial nominee Amy Coney Barrett's qualifications on the basis that "the dogma lives loudly in you."

At a 2014 Vatican conference where I spoke, Pope Francis preached about the Catholic definition of marriage. The Holy Father said he hoped the conference would "be an inspiration to all who seek to support and strengthen the union of man and woman in marriage as a unique, natural, fundamental and beautiful good for persons, communities, and whole societies." The

pope's words on abortion—among them that the practice is like “hiring a hit man”—are as strong as anything the Knights have ever said.

Is the pope an extremist? Should anyone loyal to the church's teachings be barred from public office? There is no reason to accept such political bigotry. But this isn't about anyone's membership in a particular group. It is about silencing believers of any kind whose views differ from the progressive view on social issues.

As a leader of black Christians, I feel particularly strongly about the Knights of Columbus. For more than a century they bravely defended minorities. The group ran integrated hospitality and recreation centers for troops in World War I—the only charitable organization that did so. To confront prejudice in the teaching of history, in the 1920s the Knights commissioned books on black and Jewish history in America. They stood against the Ku Klux Klan in the 1920s, the height of its power, helping fund the Supreme Court case that defeated the Klan-backed ban on Catholic education in Oregon. The Knights spoke out against the persecution of Jews in Nazi Germany as early as the 1930s. Today they assist victims of Islamic State.

If Catholics like the Knights can be targeted, what should members of my Pentecostal church expect? We share traditional views on abortion and marriage. What about Orthodox Jews, Muslims, Mormons and evangelical Christians? Even the Rev. Martin Luther King's biblical beliefs would be anathema to Sens. Harris, Feinstein and Hirono. JFK, himself a proud Knight of Columbus, would be unacceptable too.

Let me paraphrase Kennedy's 1960 speech to the Greater Houston Ministerial Association: If this confirmation is decided on the basis that more than 70 million Americans lost their chance of being public servants on the day they were baptized, the nation will lose—in the eyes of Catholics and non-Catholics around the world, in the eyes of history, and in the eyes of our own people.

If certain senators refuse to see the good that people of faith contribute to their communities, perhaps they can at least recall the First Amendment's guarantee of free exercise of religion. Or Article VI of the Constitution, which prohibits religious tests for public office. The Constitution protects these senators as well as us.

We non-Catholics must also stand up, if not for courage then for survival. When first they come for the Catholics, we can be certain that all of us are next, and that the respect for faith and diversity of belief that made this country a beacon of freedom is now under severe threat—even from those we entrust with its defense.

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