



CATHOLIC ACTION LEAGUE of Massachusetts
35 MONTCLAIR AVENUE • BOSTON, MASSACHUSETTS 02131

TEL. (617) 524-6309
FAX (617) 524-0461

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19 May 2004

His Excellency, W. Mitt Romney
Governor of the Commonwealth of Massachusetts
State House, Room 360
Boston, Massachusetts 02133

Your Excellency:

The revolutionary decision by the Massachusetts Supreme Judicial Court in *Goodridge vs. Department of Public Health*, which invented a novel right unheard of in recorded history, has placed conscientious Catholics, and other religious believers, who serve as municipal clerks and Justices of the Peace in the position of either complying with the law and violating their sincerely held moral and religious beliefs, or obeying their consciences and suffering forfeiture of office and other penalties. Some have already resigned, while the Massachusetts Commission Against Discrimination has threatened to impose fines on those who refuse to collaborate in same-gender marriage.

The protections afforded by the Free Exercise clause of the First Amendment of the U. S. Constitution and by Article II of the Declaration of Rights of the Massachusetts Constitution should warrant that a reasonable accommodation be made for those office holders morally opposed to same-sex marriage. There is no compelling state interest which requires all individual clerks and Justices of the Peace to participate in the implementation of *Goodridge*. To require them to do so would have the effect of creating an unlawful religious test for public office.

I urge you, therefore, pending legislative action on this matter, to issue an Executive Order providing a conscience clause which would secure the religious freedom rights of municipal clerks, Justices of the Peace, and other public officials who wish to adhere to their moral convictions. In a free society, no public office holder should be required to forfeit his position, or expose himself to civil penalties, as a condition of remaining true to his religious beliefs.

Sincerely,

C. J. Doyle
Executive Director



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June 16, 2004

Walter L. Almond
Hon. William M. Bulger
Hon. Edward J. King
Hon. Joseph R. Nolan
Barbara A. Rockett, M.D.
John W. Spillane

Dear Senator:

Founders

Hon. John F. Collins
Dr. Joseph R. Stanton

The Catholic Action League of Massachusetts urges you to oppose S.546, AN ACT TO PROVIDE TIMELY ACCESS TO EMERGENCY CONTRACEPTION. This legislation, if enacted, would coerce Catholic hospitals and Catholic medical professionals, against their consciences, and in violation of their sincerely held religious beliefs, to prescribe and dispense contraceptives, including abortifacients.

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It has been the constant teaching of the Roman Catholic Church that artificial birth control is contrary to natural law, and is therefore morally impermissible. This teaching has been reaffirmed in the twentieth century by Pope Pius XI, Pope Paul VI, and most recently by Pope John Paul II. The Church has, without exception, condemned abortion, which the Second Vatican Ecumenical Council described as "an abominable crime".

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The free exercise of religion is guaranteed by both the First Amendment to the United States Constitution, and even more broadly, by Article II of the Declaration of Rights of the Massachusetts Constitution. The jurisprudence of both the United States and the Commonwealth have long held that the exercise of religion consists not only of the liberty to worship, but the right to act in accordance with one's religious principles. As recently as 1994, this was restated by the Supreme Judicial Court of Massachusetts in *Attorney General vs. Paul Desilets*, in which the majority held that "Conduct motivated by sincerely held religious beliefs will be recognized as the exercise of religion." The justices went on to say: "Our opinions concerning the free exercise of religion have also recognized action based on religious beliefs as the exercise of religion."

This proposed legislation, if it becomes law, will force Catholic doctors, nurses and medical personnel at secular hospitals to choose between violating their consciences or forfeiting their jobs. Catholic medical institutions will be presented with the choice of costly litigation to contest this measure, non-compliance, which is to say civil disobedience, or closure. The Catholic Church is the largest non-governmental provider of health care services in the United States. If the Catholic Church is forced out of the health care industry, an oppressive burden would be imposed on the already strained health care system in the Commonwealth, which ultimately would have to be borne by the taxpayers.

At a time when society professes to celebrate the values of tolerance, pluralism, and diversity, it is astonishing that such a heavy-handed aggression is contemplated against the consciences and the constitutional rights of Catholics. I urge you not to engross this illiberal, authoritarian, and constitutionally defective proposal.

Sincerely,

C.J. Doyle
Executive Director



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17 June 2004

The Honorable Thomas M. Finneran
Speaker of the House of Representatives
State House, Room 356
Boston, Massachusetts 02133

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Dear Mr. Speaker:

The Catholic Action League of Massachusetts urges you to oppose S.546, AN ACT TO PROVIDE TIMELY ACCESS TO EMERGENCY CONTRACEPTION. This legislation, if enacted, would coerce Catholic hospitals and Catholic medical professionals, against their consciences, and in violation of their sincerely held religious beliefs, to dispense reinforced dosages of the abortifacient morning-after pill, which could result in chemical abortions.

It has been the constant teaching of the Roman Catholic Church that artificial birth control is contrary to natural law, and is therefore morally impermissible. This teaching has been reaffirmed in the twentieth century by Pope Pius XI, Pope Paul VI, and most recently by Pope John Paul II. The Church has, without exception, condemned abortion, which the Second Vatican Ecumenical Council described as "an abominable crime."

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At a time when society professes to celebrate the values of tolerance, pluralism, and diversity, it is astonishing that such a heavy-handed aggression is contemplated against the consciences and the constitutional rights of Catholics. I urge you to oppose this illiberal, authoritarian, and constitutionally defective proposal.

Sincerely,

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Executive Director



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17 June 2004

The Honorable John H. Rogers, *Chairman*
House Committee on Ways and Means
State House, Room 243
Boston, Massachusetts 02133

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