

# Dialogue between Notre Dame and President Obama on religious freedom?



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Editor-in-Chief

health care plans,” he wrote. “This would compel Notre Dame to either pay for contraception in violation of the Church’s moral teaching, or to discontinue our employee and student health care plans in violation of the Church’s social teaching. It is an impossible situation.”

Likewise, Fr. Jenkins took issue with the proposed religious exemptions to the contraception mandate, because “it proposes a definition of a religious employer that is narrower than any federal conscience clause ever enacted in federal law.”

“Consequently, Notre Dame and nearly all Catholic colleges and universities would not be considered religious employers,” he stated.

Fr. Jenkins’ protest is a worthy use of the university’s prominence to gain publicity for this outrage. He has helped this vital issue to gain coverage on Forbes.com and other Associated Press outlets as well as in the Catholic press.

I know that I’m not the only member of the university community who would be thrilled never to revisit the memory of the Notre Dame’s 2009 commencement controversy. Given the lingering divisions within the Notre Dame community, it is puzzling that Fr. Jenkins grounds his letter in Obama’s commencement address. In the introductory portion of his letter, Fr. Jenkins appears to indicate that the president gave his word to produce a fair conscience clause.

“He [Obama], in turn, expressed his own views and promised to work together on matters with which we agree,” he wrote. “One of those areas is, as the president put it in his commencement address, ‘a sensible conscience clause,’ and

that is the subject of this letter.”

Though Fr. Jenkins repeatedly referenced the president’s comments at Notre Dame as an area of agreement between Notre Dame and the president, the phrase “a sensible conscience clause” is actually quite vague if viewed in light of Obama’s policy record. While the HHS’s policy itself is to be deplored, it does not violate any promise made by the president. Indeed, Obama’s actions in office, including the HHS’s new policy could hardly indicate more starkly the two leaders’ vastly different understandings of conscience.

Fr. Jenkins’ letter also reaffirmed his decision to honor Obama while ignoring the heart of the debate which surrounded it. “I stand by that decision, however, because it was important to for us to hear his views, and for us to express ours – all in a spirit of civility that is increasingly lacking in our society,” he wrote.

While dialogue was the persistent theme in the university’s defense of the Obama invitation, the real debate was about whether dialogue can occur in a brief ceremonial address in which the speaker has already been placed upon a pedestal by virtue of his selection.

As the 2009 commencement drew closer, Harvard legal scholar and former US ambassador to the Vatican Mary Ann Glendon declined the university’s prestigious Laetare Medal. In a letter to Fr. Jenkins, Glendon described “the very serious problems raised by Notre Dame’s decision—in disregard of the settled position of the US Bishops—to honor a prominent and uncompromising opponent of the Church’s position on issues involving fundamental principles of justice.”

Glendon was also frustrated to discover that the university administration had been using her planned presence at the ceremony to justify the decision. The official talking points issued by the university to its faculty included the following: “President Obama won’t be doing all the talking. Mary Ann Glendon, the former US Ambassador to the Vatican, will be speaking as the recipient of the Laetare Medal.”

Echoing a theme prominent in these talking points, Fr. Theodore Hesburgh, CSC, university president emeritus, was quoted during the controversy as saying, “No speaker who has ever come to Notre Dame has changed the university. We are who we are. But, quite often, the very fact of being here has changed the speaker.”

Respect for conscience and for religious freedom are fundamental prerequisites of dialogue. Faced with federal mandates that lack either, Catholics may well question whether honoring the president produced the fruits of authentic dialogue.

Fr. Jenkins’ letter is cause for gratitude. By speaking out now, he evinces the moral courage that Catholics must display when faced with the persecution that the Obama administration now pursues. Thus, while Obama’s dictate flies in the face of any meaningful conception of religious liberty, Fr. Jenkins’ conduct gives us hope that Notre Dame may take up its proper role as the nation’s leading Catholic university.

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## Correction

In the September 16 issue, Sam Dettmann’s interview states that Dean Carolyn Woo received her education from the Maronite Sisters. The correct religious order, however, is the Maryknoll Sisters. The article also states that her children were married at Purdue University’s Newman Center. In actuality, her children were baptized there. *The Rover* regrets the error.