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Opinions

Philadelphia's unnecessary war on Catholics



A foster mother holds shoes from two of her former foster-care children. (Nick Krug/AP)



By [Kathleen Parker](#) Opinion writer May 22 at 7:56 PM

At a time when more than [400,000 children are in foster care](#) nationwide, the city of Philadelphia is threatening to cut ties with [Catholic Social Services](#) because of the group's policy against placing foster children in same-sex households.

On the surface, one might say this is a classic case of state vs. church: The city must uphold its policies forbidding discrimination on the basis of

sexual orientation. And CSS must honor Catholic teaching and not place children in LGBTQ households.

On a deeper level, however, the issue cuts right to the core of religious liberty. Although the First Amendment guarantee of religious freedom has always meant that the state couldn't impose a religion upon its people, secularism would seem to qualify as a religion inasmuch as the state's policies are really beliefs — articles of faith based upon far less information and experience than the church's. There's no dogma like no-dogma, if I may quote myself.

In fact, CSS has never been petitioned by a gay couple, according to a [complaint](#) that the group and three foster parents in its network have filed against the city in federal court.

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The clash began in March after the [Philadelphia Inquirer reported](#) that a gay couple seeking to adopt had been turned away by another religious-based agency, [Bethany Christian Services](#). Soon thereafter, the city's Department of Human Services [suspended](#) foster-care intake with both Bethany and CSS, pending an investigation by Philadelphia's Commission on Human Relations.

This is one of those instances when both sides have a compelling argument.

One could argue that when [6,000 children](#) in Philadelphia alone receive foster care, the church's restrictions are stubbornly out of step. And, rather oddly, the church objects only to same-sex couples. A single gay man could become a foster parent, according to an attorney with the [Becket Fund for Religious Liberty](#), which is representing CSS and the three claimants, who happen to be single women with vast experience as foster parents over several decades.

More to the point, I agree with legal expert Alan Dershowitz, who has said that society should always lean toward deciding in favor of religious liberty. At the time, he was [debating](#) — but, really, agreeing with — Kenneth W. Starr about religious objections to the Affordable Care Act's contraception mandate. The Supreme Court agreed in [two related cases](#) — [Little Sisters of the Poor](#) and *Hobby Lobby* — ruling in favor of [religious exemptions](#) in both.

This case, too, could eventually wind its way to the highest court. The Becket Fund is known to accept cases that have appellate value. Clearly, there's more at stake than whether one gay couple should be able to insist that one religious-based foster-placement group assign them children. Sure, I think they should, assuming the couple is otherwise well-positioned to help children who need not just shelter but a home.

But I'm not Catholic, nor do I share the church's belief that same-sex marriage is a sin. And defunding CSS is no good answer. On a typical day, Philadelphia's CSS serves on average more than 120 foster children and supervises about 100 homes, according to the [lawsuit](#). In 2017, CSS worked with more 2,200 at-risk children.

That's a lot of slack for other agencies to pick up, explaining why the city issued an emergency call in March for [300 new foster families](#). Threatening to cut ties with CSS in June, based solely on its religiously informed policy, seems like discrimination by any other name. And, yes, some would argue that CSS's policy is discriminatory.

Whatever one's personal beliefs, it's clear that this case is about more than one gay couple or one obviously targeted religious group. It's about freedom of conscience for everyone.

Given the immense good that CSS and other religious charities do, surely there is another way intelligent people in the City of Brotherly Love (and elsewhere) can resolve their differences. The ultimate aim of secularists, of course, isn't to place foster kids with gay couples or force [devout bakers](#) to create wedding cakes for gay weddings but to banish God from the village square. Lest you celebrate too soon, remember: The state is a soulless, ruthless and insatiable machine, and its only purpose is to increase its power and subjugate its citizens for maximum efficiency.

Every time religious liberty is put to the test, freedom holds its breath.

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