

Pastoral Letter
to the People of St. Pius X Catholic Church, Redwood City, CA

December 1, 2020

Dear Brothers and Sisters in Christ,

I would first like to take this opportunity to wish each of you a holy and blessed Season of Advent. This season of hope, anticipation and expectation takes on an even more visceral urgency this year. We continue to live in the midst of a significant health crisis and its effects. There have been serious consequences which have affected us individually and as a community. Through it all, I have been edified by your spirit of understanding and patience. I can never overstate my thanks and admiration for our community. As pastor, one of my principal roles is to teach and articulate the dogmatic teachings of the Church and help us grow in understanding our faith. In this way we build up the kingdom of God in our midst.

As you are aware, I have never spoken about partisan political issues in my role as pastor. I strongly hold that we live in a democratic and pluralistic society with a multitude of opinions and views. I respect the intelligence and thoughtfulness of our parishioners and have never sought to impose or sway anyone as to how they should vote or view political matters. As one of nine children in a family where the subjects of history and political issues were discussed most robustly, I learned at a very young age to respect and recognize perspectives and opinions that might sharply differ from my own. That said, there are sometimes compelling issues that arise in the public square which demand our attention.

Today, we have seen the erosion of our constitutional right to worship, a right so sacrosanct that never before in our nation's 244-year history has that right been abridged. In this letter, I wish to offer you a thoughtful reflection on how important this right is and how it is in peril. I pray that this is an effective tool to bring greater awareness to this alarming development and how legally and respectfully we must act to challenge policies and directives, under the guise of "public health," which are un-American and unconstitutional.

The Vatican II document *Dignitatis Humanae*, the *Declaration on Religious Liberty*, promulgated on December 7, 1965, speaks directly to the issue of the human right to freedom of religious expression. In "The General Principle of Religious Freedom," Council Fathers wrote: "The right to religious freedom is based on the very dignity of the person as known through the revealed word of God and by reason itself. The right of the human person to religious freedom must be given such recognition in the constitutional order of society as will make it a civil right." Further:

- Human beings are both impelled by their nature and bound by a moral obligation to seek the truth, especially religious truth.
- The right to religious freedom has its foundation not in the subjective attitude of the individual but by his very nature.
- Man is bound to follow his conscience faithfully in all his activity so that he may come to God, who is his last end. Therefore, he must not be forced to act contrary to his conscience.

- Men must respect the moral principle of personal and moral responsibility: in exercising their rights individual men and social groups are bound by the moral law to have regard for the rights of others, their own duties to others and the common good of all. All men must be treated with justice and humanity.

The Church rightly asserts the legitimate role of the civil society and the obligation of all its citizens bear in maintaining good order and peace. However, the Church also states that civil protection by a government “must not be done in an arbitrary manner or by the unfair practice of favoritism but in accordance with legal principles which are in conformity with the objective moral order.” In the United States of America, our national motto is *In Pluribus Unum* and our currency has inscribed in it the words, *In God we Trust*. The free exercise of religion is at the cornerstone of our Constitution. In fact, it is the First Amendment to the Constitution, and first among the Bill of Rights. It reads, “*Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof.*” Because so many of this nation’s first settlers were fleeing violent religious persecution in England as well as on the Continent, there was no ambiguity where the founders stood.

Yet today, elected leaders and policymakers have systematically and callously sought to take this right away. Ironically, and there are concrete examples to justify this claim, these very politicians and policymakers themselves violate their own rules. This hypocrisy and indifference know no political parties nor ideological labels; it is simply an attempt to assume powers not theirs under the U.S. Constitution. I point to this issue because several parishioners and people of faith have articulated their frustration at the arbitrary harshness directed at religious institutions and pastoral care. Simply put, what gives the government the right to determine what is “essential” and “non-essential” work in our society? One need look no further than to review the State of California’s Covid-19 Response, “Blueprint for a Safer Economy: Activity and Business Tiers.” The Governor of California has classified places of worship alongside entertainment venues. One can shop indoors at large retail venues and at larger capacities but cannot attend Mass or religious services? To minimize the role of religion in American life is benign neglect at best and insulting and bigoted at worst.

Over these many months, I have had teenagers and police officers come speak to me about feelings of despair and suicidal thoughts. **Does the Governor deem this ministry of service to be entertainment?** I have listened to parents and grandparents and watched them cry as loved ones have been laid off from work. **Does the Governor deem this ministry of service to be entertainment?** I have ministered to those suffering with Covid-19 and their families, witnessing their fear and grief. **Does the Governor deem this ministry of service to be entertainment?** I have spent hours on the telephone with elderly parishioners who are alone and isolated. For many of them, the parish community is their only form of socialization. **Does the Governor deem this ministry of service to be entertainment?** Ministering to our people is not superfluous; it is essential.

I know of many, many priests and ministers of other religious denominations who have tried their best to serve their congregations in the face of government trivialization and limitation of their ministry. Some make the argument that it is unnecessary to go to church to pray. Yes, we have been blessed at Saint Pius—through the generosity of volunteers and financial support—to offer state-of-the-art livestreaming of Masses, reflection talks and other services. In our celebration of the Mass we have been able to join in spiritual communion.

Policymakers have said that God can be worshipped from anywhere. This may apply to other faith traditions, but the Roman Catholic Church is centered on the Eucharist and the sacraments. Our belief is that the Eucharist is the Real Presence of Jesus Christ. So to deny our parishioners the Eucharist

together as a community gathered in worship strikes at the heart of our beliefs. We cherish the sacraments that Jesus Christ himself instituted for us to encounter Him and we must be willing to fight for our right to receive them.

Due to the incredible generosity of our parish, Saint Pius has created a safe and responsible environment during Covid-19. The Archdiocese of San Francisco has developed a comprehensive protocol for keeping parishioners safe and healthy while attending Mass. Here at Saint Pius we have expended significant financial resources to procure cleaning and disinfectant agents to ensure maximum safety for our parishioners. We have strictly adhered to the County of San Mateo mandates. We do understand that we have a moral and social obligation and responsibility to follow regulations and have done so uncompromisingly and rigorously. Due to the seriousness with which we as a community have responded to this crisis, there have been no reported cases of Covid-19 as a result of our gathering together for Mass. This does not, however, require that we abjure our Constitutional right to worship unimpeded. It is now time to address this issue head-on.

On November 25, 2020 the Supreme Court of the United States ruled affirmatively on a case brought before it by the Roman Catholic Diocese of Brooklyn, New York v. Andrew M. Cuomo, Governor of New York. Another petitioner was the Agudath Israel of America and affiliated entities. These parties asserted that the Governor of New York's restrictions on religious services constitutes a violation of the Free Exercise Clause of the First Amendment. The Court ruling stated that "Both the Diocese and Agudath Israel maintain that the regulations treat houses of worship more harshly than comparable secular facilities. And they tell us without contradiction that they have complied with all public health guidance, have implemented additional precautionary measures, and have operated at 25% or 33% capacity for months without a single outbreak."

In its majority opinion favoring the petitioners, the Court ruled that "The Constitution 'principally entrusts the safety and health of the people to the politically accountable officials of the States.' Federal Courts therefore must afford substantial deference to state and local authorities about how to best balance competing policy considerations during the pandemic. But judicial deference in an emergency or a crisis does not mean wholesale judicial abdication, especially when important questions of religious discrimination, racial discrimination, free speech or the like are raised. Members of the Court are not public health experts, and we should respect the judgment of those with special expertise and responsibility in this area. But even in a pandemic, the Constitution cannot be put away and forgotten. The restrictions at issue here, by effectively barring many from attending religious services, strike at the very heart of the First Amendment's guarantee of religious liberty."

The late German Lutheran minister Dietrich Bonhoeffer, who was hanged at the Flossenburg Concentration Camp in Germany in World War II for standing up against bigotry and injustice, wrote these salient words: "We must finally stop appealing to theology to justify our reserved silence about what the state is doing—for that is nothing but fear. 'Open your mouth for the one who is voiceless'—for who in the church today still remembers that that is the least of the Bible's demands in times such as these?"

Fr. Tom Martin