

# PRIESTS FOR LIFE

an outreach of Gospel of Life Ministries

Assisting God's people to respond to the evils of abortion and euthanasia

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Number 4



Fr. Frank Pavone with Senator Ted Cruz of Texas at the 2013 National Right to Life Convention

## Churches, Tax Exemption, and Politics: Part Three

Fr. Frank Pavone, National Director

Earlier in this series, we examined the “Johnson Amendment,” which says tax-exempt entities shall “not participate in, or intervene in (including the publishing or distributing of statements), any political campaign on behalf of or in opposition to any candidate for public office.”

But the IRS interpretation of this political activity prohibition has been less than helpful. In fact, it has been a maze of confusion and inconsistency that, in practice, has made this provision unintelligible and therefore next to impossible to apply in practice. Even the Congressional Research Service has concluded, “The line between what is prohibited and what is permitted can be difficult to discern.” (Erika Lunder & I. Paige Whitaker, Cong. Research Serv., rl 34447, Churches and Campaign Activity: Analysis Under Tax and Campaign Finance Laws 2 (2008)).

The IRS regulations, **which do not have the force of law**, attempt to give some guidance, but leave unanswered many questions. They constantly return to the theme that one has to examine “all the facts and circumstances” to determine if an action “crosses the line” or not. Legal expert Erik Stanley...

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## 50th Civil Rights Anniversary Heralds Hope Amid Chaos

Atlanta – Dr. Alveda C. King, daughter of slain civil rights warrior Rev. AD King; niece of civil rights champion Dr. Martin Luther King, Jr., and Director of African-American Outreach for Priests for Life, observed the 50th anniversary of the Civil Rights Act by praying for true civil and social justice and lamenting the slaughter of the innocent by abortion, the desecration of families and the hypocrisy of “the establishment.”

Looking beyond the 50th Anniversary of the U.S. Civil Rights Act signed into law by then-U.S. President Lyndon Johnson 50 years ago on July 2, 1964, King warns America: “We had such hopes that the civil rights measures of the 20th century would make a difference in the struggles for human justice. Yet, 50 years later, wombs of mothers are being decimated and babies are being slaughtered. The world is teetering on the brink of moral disaster.”

King, author of the new book *King Rules*, published by Thomas Nelson, writes about her experiences as a young civil rights activist and of the King family legacy in what she calls “one of the most pivotal times of history.” King notes: “Minorities are still disproportionately targeted for eugenics and genocide in America. My participation in advancing awareness, education and activism against immoral practices (including abortion...

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## Priests for Life Case: the “Hobby Lobby” of the Religious Non-Profits

Thursday, May 8 was “Priests for Life Day” in Washington, DC and across the nation as our case against the HHS Mandate was the first of the religious, non-profit cases to be heard at the appellate level. The mandate attempts to force Priests for Life to cooperate in the expansion of abortion and contraception.



Fr. Frank speaks at the May 8 rally. Behind him are some of the pro-life leaders in attendance that day.

Our lead attorney, Robert Muise, Senior Counsel for the American Freedom Law Center ([aflc.us](http://aflc.us)), stated, “***This case with Priests for Life is the lead case for the non-profit religious organizations challenging the mandate similar to how Hobby Lobby is the lead case for the for-profit companies challenging the HHS mandate.***”

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## Churches, Tax Exemption, and Politics: Part Three

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...(Alliance Defending Freedom) asks:

*How does an organization indirectly participate or intervene in a campaign? Can that occur even if the organization never mentions the name of a candidate or a political party? When does a communication cross the line so that it is made “on behalf of or in opposition to” a candidate? What are the other activities that could violate the Johnson Amendment? What “surrounding facts and circumstances” are to be considered by the IRS? ...*

Let’s consider what is being said when the IRS says “all the facts and circumstances” have to be examined. From one point of view, this standard itself is not a standard at all, but a mere statement of the obvious. After all, if a person, in making any kind of judgment, does not consider “facts and circumstances,” what, after all, does he or she consider - crystal balls, astrological signs, dreams and hallucinations?

From another point of view, how can one possibly consider *all* facts and circumstances of any action or decision? In real day to day life, we consider those facts and circumstances of which we are aware in the amount of time we have to make the decision, and which seem important enough to influence the decision. It’s a normal fact of life that, looking back on decisions we have made, we come to see facts and circumstances we did not have the time or ability to weigh at the time of the decision. Obviously, a consideration of “all the surrounding facts and circumstances” - if it can ever happen at all - can only happen after the action has been taken, and perhaps a long time after, or indeed never.

The Congressional Research Service report mentioned earlier also states, “*In many situations, the activity is permissible unless it is structured or conducted in a way that shows bias towards or against a candidate. Some biases can be subtle and whether an activity is campaign intervention will depend on the facts and circumstances of each case.*” (Lunder & Whitkaker, *supra* note 69, at 3.)

A question obviously arises here. Unless we are to say that c-3 organizations and Churches *have no freedom* to teach on issues that also happen to correspond to political debates, how are they protected from the accusation of being “partisan” simply because the position of the organization, or the teaching of the Church or the Gospel, corresponds to the position that one particular political party or candidate has, and is diametrically opposed to that of their opposing party or candidate?

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The Church opposes abortion and stands up for the rights of the unborn. The Republican Party platform takes a similar position. The Democratic Party platform, on the other hand, supports abortion as a right. So now, is the Church’s pro-life position partisan, and therefore illegal to assert?

Where things become even more complex, then, is when you consider that Churches and other tax-exempt organizations do not simply read the IRS interpretations of the tax laws. They rely, in the end, on the advice of their attorneys. And legal opinions are, to be sure, interpretations of the IRS interpretations of the Johnson Amendment. They are, by

definition, already several steps removed from the *authority of law* and from any certainty regarding the *meaning* of that law. They are no more than *opinions about opinions*. Yet they are the basis for diocesan policies about what parishes can or cannot do at election time. And because these policies come from the offices of bishops, faithful Catholics -- who are rightly trained to revere and obey their bishops -- easily read more dogmatic force and certainty into these policies than they deserve. The chilling effect of the vagueness in this area of tax law is, ironically, given a new and powerful dose of frozen solidity by the very institution whose activities are thereby chilled.

Erik Stanley states, “*The predictable outcome of this state of affairs has been massive self-censorship among churches and pastors.*” Even the Supreme Court, on more than one occasion, has noted with concern what happens when people aren’t given a clear, bright line regarding what speech and activity is forbidden and what is not. “*Uncertain meanings inevitably lead citizens to ‘steer far wider of the unlawful zone . . . than if the boundaries of the forbidden areas were clearly marked.’*” (Grayned v. City of Rockford, 408 U.S. 104, 109 (1972) (quoting Baggett v. Bullitt, 377 U.S. 360, 372 (1964)).

When the boundaries are vague, “[*m*]any persons, rather than undertake the considerable burden (and sometimes risk) of vindicating their rights through case-by-case litigation, will choose simply to abstain from protected speech—harming not only themselves but society as a whole, which is deprived of an uninhibited marketplace of ideas.” (Virginia v. Hicks, 539 U.S. 113, 119 (2003))

We at Priests for Life believe there is a solution to all this. We believe it’s time to stop censoring ourselves by the risk-averse mentality, often fostered by legal advisors, that wants to not only avoid breaking the law, but also avoid both the *accusation* and the *appearance* of breaking the law. This lack of willingness to fight leads to sterility and paralysis, keeping the Church’s mission from being fulfilled.

Instead, we should rely on legal counsel who are willing to interpret the IRS guidelines in a way that does not stifle our mission, and have the readiness to defend that interpretation. We need to conduct non-partisan activities in a way that *common sense* judges as non-partisan: no candidate or party is endorsed, and the activity is open to all. And we should push for legislation that provides a “bright line” test for Churches and tax exempt organizations so that they know *ahead of time, by a clear, reasonable, and easily discernible standard*, what does and does not constitute prohibited political intervention. A perfect example of this is provided in the *Buckley vs. Valeo* Supreme Court decision which, in another context, indicated the bright line to be defined by whether or not one uses “explicit words of advocacy of election or defeat of a candidate.” The Court gave examples of such words and phrases: ‘vote for,’ ‘elect,’ ‘support,’ ‘cast your ballot for,’ ‘Smith for congress,’ ‘vote against,’ ‘defeat,’ ‘reject.’

*More about this in our next newsletter...*

## 50th Civil Rights Anniversary Heralds Hope Amid Chaos

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... and chemical and surgical procedures to block fertility); media campaigns which include documentaries such as *Maafa21*,

*Blood Money*, and *Voice of John*; networking with ‘like minded leaders’ in the Pro-Life Movement such as the National Black ProLife Coalition; blogging and other social media strategies and a host of other activities are part of the overall strategy to transform a culture of death into a culture of life. The CDC’s latest Abortion Surveillance report (Nov. 29, 2013) found that between 2007 and 2010, nearly 36 percent of all abortions in the U.S. were performed on black children, even though blacks make up only 12.8 percent of the population. Another 21 percent of abortions were performed on Hispanics, and an additional seven percent on other minority races. A total of 64 percent of all abortions were on minority groups.

As further evidence of the targeting of minorities by the abortion industry, 79 percent of Planned Parenthood abortion mills are in black and other minority neighborhoods.

Women like Tonya Reeves and Lakisha Wilson are dying in these abortion mills. Abortion has also negatively affected men like singer Steven Tyler of Aerosmith and boxer Floyd Mayweather.

Dangerous, carcinogenic contraceptives are harming women and society. The effects of these contraceptives lead to increased risk of various cancers, infertility, depression, suicidal ideation and suicide attempts, psychological problems, relational problems, and a host of other issues, including death.

“There is hope for liberty for all. Yet, if my Uncle ML’s dream, a dream shared by my father Rev. A. D. King and so many other faithful freedom fighters is not to die in vain, we must fight for the rights of all human beings, from conception until natural death,” King said. “The question, *“How can the dream survive if we murder the children and their mothers?”* deserves an answer. We may not have another 50 years to wait.”

See Rights50.com for more information.

## Priests for Life Case: the “Hobby Lobby” of the Religious Non-Profits

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Senator Ted Cruz speaking at the May 8 rally. Behind him are Congresswoman Diane Black of Tennessee, Congressman Chris Smith of New Jersey, Chairman of the Congressional Pro-Life Caucus, Congressman Scott Garrett of New Jersey and Congressman Trent Franks of Arizona.)

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David Green, the CEO of Hobby Lobby, expressed his support of Priests for Life in these words: *“The religious freedom of believers of all denominations is under attack. Our family therefore joins in prayerful support of the Priests for Life case against the HHS mandate. As our Hobby Lobby case represents the concerns of businesses, so the Priests for Life case represents the concerns of the religious non-profit groups. Together, we stand against this injustice, and for the law of God.”*

In the light of the decision of the Supreme Court in favor of Hobby Lobby, our own case is strengthened, as the Court

reiterates that the government cannot second-guess a citizen’s religious and moral beliefs. We expect a decision in our own case soon (keep updated at **IStandWithPFL.com**). Should it be an adverse decision, Priests for Life will immediately appeal to the Supreme Court. In any case, we will not obey the HHS mandate.

Friends, let me invite you to connect with me on Facebook. My page, Facebook.com/FatherFrankPavone, recently surpassed 170,000 likes, and is growing quickly. I’d like you to be one of those who “like” the page, and also post things to it, so that even more people can see what both you and I say there on behalf of the Gospel of Life.

– Fr. Frank

## Priests For Life Welcomes New Bishop as Advisor

Priests for Life is happy to announce that Bishop Patrick Dunn of Auckland New Zealand has agreed to serve as a Bishop–Advisor to the organization. Executive Director Janet Morana spoke in New Zealand last year and was welcomed by the Bishop.

The Bishop–Advisors of this ministry assist the pastoral team and Board of Directors with helpful advice, encouragement, and participation in the projects by which Priests for Life attempts to fully equip the church to bring an end to abortion and euthanasia. Not only are various bishops of the United States serving as advisors, but, given the international scope of the ministry of Priests for Life, more bishops are being asked to serve from other countries. Among the international advisors are Cardinal Christoph Schönborn of Vienna, and Cardinal Renato Martino, President Emeritus of the Vatican’s Pontifical Council for Justice and Peace.

Along with the Bishop–Advisors, our ministry is assisted by His Eminence Cardinal Timothy Dolan, who serves as the “competent authority” under Canon law, because of the fact that our principal headquarters is within his archdiocese, New York.

## Day of Remembrance

Once again this year, Priests for Life will co-sponsor, along with Pro-life Action League and Citizens for a Pro-life Society, the annual **National Day of Remembrance**, on **Saturday, September 13, 2014**. On this day, memorial services are held at gravesites around the country where babies killed by abortion are buried. You can help organize and promote a service in your area. Join this massive prayer of repentance and recommitment to remember those who have died and to protect those still in danger of being aborted. Participating in a memorial service for aborted children has a tremendous impact on those who participate, and on the whole community. Find details at [www.AbortionMemorials.com](http://www.AbortionMemorials.com).

## Pope Recalls Meeting Former Abortinist

On the morning of April 11, 2014, the Holy Father received 470 members of the Italian Movement for Life. Here is an excerpt of his address:

*“Human life is sacred and inviolable.... Every civil right is based on the recognition of the first, fundamental right, the right to life, which is not subject to any condition, of a qualitative, economic*

and certainly not of an ideological nature. ... Therefore it is necessary to reaffirm our solid opposition to any direct offence against life, especially when innocent and defenseless, and the unborn child in its mother's womb is the quintessence of innocence. Let us remember the words of Vatican Council II: **'Therefore from the moment of its conception life must be guarded with the greatest care while abortion and infanticide are unspeakable crimes'**. ... I remember once, a long time ago, I participated in a conference with doctors. After the conference I greeted them and while I spoke to them, one of them called me to one side. He had a package and he said to me, 'Father, I want to leave this with you. These are the instruments I have used to carry out abortions. I have encountered the Lord and repented, and now I fight for life'. He gave me all those instruments. Let us pray for this good man".

As we read these moving words of Pope Francis, let's be ready to lead to the Lord's mercy anyone who comes out of the abortion industry. Point those individuals to Priests for Life, which works closely with the Society of Centurions, a longstanding healing model, medical and spiritual, for former abortion industry workers. See **SocietyOfCenturions.com**.

**Pray with us for Life**  
 PrayerCampaign.org is our prayer website. Visit there often for prayer campaigns, intentions, and resources, and to join the over 87,000 people in our cause "Pray to End Abortion."  
 You can also leave us your own special pro-life intentions!  
 Current intentions: For those who share their testimony of pain and healing after abortion  
 Daily intention for the babies scheduled to be aborted that day.

### Church Focuses on Family and Life

This year and next, the integral themes of Family and Life will be key themes for the Catholic Church worldwide. The first stage of the process began with the Consistory of Cardinals held on February 20, 2014. Then, of course, in canonizing Pope John Paul II, Pope Francis referred to him as "The Pope of the Family."

From October 5 to 19 of this year, the 3rd Extraordinary General Assembly of the Synod of Bishops will occur in Rome and will focus on the theme, "Pastoral Challenges to the Family in the Context of Evangelization". The preparatory document (*"Instrumentum laboris"*) has an entire section on the theme of "openness to life." This Synod will conclude with the beatification of Pope Paul VI on October 19. He, of course, was the author of the encyclical *Humanae Vitae*.

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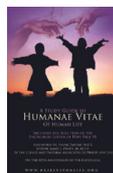
The results of that synod will then help to prepare for the Ordinary General Assembly of the World Synod of Bishops to be held at the Vatican from October 4 to 25, 2015, with the theme "Jesus Christ Reveals the Mystery and Vocation of the Family". This synod will send recommendations to the Holy Father, and a special document from the Pope is expected after that.

Immediately prior to the 2015 Synod will be the World Meeting with Families in Philadelphia, from September 22-27, 2015. This event is held every three years, and this is the first time it will occur in the United States. Its theme is **"Love is our Mission: The Family Fully Alive."**

Priests for Life is active in all these phases of reflection, education, and pastoral initiatives, making it clear that nothing is more destructive of the family than abortion.

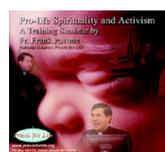
For updates and resources, see [priestsforlife.org/Family](http://priestsforlife.org/Family).

### Featured Products



**Study Guide to Humanae Vitae (Of Human Life):** This study guide, written by the Priests and Pastoral Associates of Priests for Life, contains the text of the Encyclical itself (*Humanae Vitae* written by Pope Paul VI) along with commentary and study questions. Great for personal or group use and Pre-Cana classes. \$5.00

**The Contraception of Grief:** This book exposes the pain that so many women endure when they realize that the contraceptives they used caused the deaths of their children. This book is for women, men, pastors, doctors and all who minister to the family. \$5.00



**Pro-Life Spirituality and Activism: A Training Seminar (9 CD Set):** Fr. Frank Pavone has trained pro-life leaders across the Country. Now you can benefit from his seminars while in the comfort of your own home! This 9 CD set will renew and perfect your pro-life work like never before. Topics include: Spirituality of Pro-Life Work, Public Education and Prayer and Repentance.

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