

AMICUS BRIEF FILED AGAINST BROOKLYN MUSEUM OF ART

The Catholic League will file an amicus brief today against the Brooklyn Museum of Art. The league's brief is in support of the City of New York's position and will be filed with Brooklyn Federal Judge Nina Gershon. Professor Gerard Bradley of Notre Dame University Law School wrote the brief for the Catholic League; it is signed by New York attorney Robert L. Dougherty. The Summary of Argument reads as follows:

"The Agreements between the City and the Museum set up a partnership for funding and oversight of a community educational resource—the Brooklyn Museum and its exhibits. It is intrinsic to this particular entity, and thus to the partnership, that standards of community decency be observed, and that the Museum respect the diverse beliefs of the people of the City. The 'Sensation' exhibit violates those standards. The standards are constitutional beyond question. Indeed, the First Amendment ban on discrimination against people of faith prohibits exclusion of specifically religious sensibilities from the ambit of 'decency' and 'respect for the diverse beliefs of the community.' If other types of community sensibilities are to be observed by the Museum—and they surely are—then religious sensibilities must be respected, too."

Catholic League president William Donohue spoke to this issue today:

"By sponsoring 'Sensation,' The Brooklyn Museum of Art broke its partnership with the City of New York. The directors of the museum seem to think that they have a right to public funds without being held publicly accountable for their decisions. It is they who have acted irresponsibly and it is they who are responsible for having this issue wind up in court."