

JUDICIAL JUJITSU: HOW THE COURTS TREAT RELIGIOUS LIBERTY

By William A. Donohue

Every now and then, I read a book I wish I had written. Such a book is Patrick M. Garry's *Wrestling with God: The Courts' Tortuous Treatment of Religion*. For those interested in how the courts have twisted the First Amendment's guarantee of religious liberty into an unseemly mess, this is the book to buy. Garry offers a masterful account of the attenuation of religious liberty by a series of inconsistent and poorly reasoned decisions.

We have come a long way from the time when religious liberty was robustly celebrated by the framers of the Constitution to the point where singing "Silent Night" at a public school Holiday or Winter concert (formerly known as the Christmas concert) is likely to trigger a lawsuit. What this has to do with the First Amendment is something only those bent on rewriting history are prepared to argue.

Leonard Levy is one of the nation's leading students of the First Amendment. It is his view that the First Amendment does not offer much latitude to the public expression of religion. But as Garry points out, even a strict separationist like Levy never thought that the expression "under God" in the Pledge of Allegiance would ever be challenged in the courts. Levy made that prediction in 1994, only a decade before the Supreme Court considered such a case.

The First Amendment begins, "Congress shall pass no law respecting an establishment of religion, or prohibiting the free exercise thereof." Regarding the "establishment" provision, we know from the author of this amendment, James

Madison, that those words were penned to prohibit the Congress from establishing a national church and to prohibit the federal government from showing favoritism of one religion over another; what the states decided was to be their business. As for the reference to "free exercise," it was meant to insulate religion from the reach of the state. As we now know, this is hardly the way most judges view the First Amendment today.

Under the current view, Garry instructs, "the exercise and establishment clauses [are] seen as being 'at war with each other,' with the exercise clause conferring benefits on religion and the establishment clause imposing burdens." He wryly notes that "It was as if the framers had intended the two clauses to cancel each other out, producing a kind of zero-sum result with regard to religion." He adds that "such an approach makes no textual sense, because the exercise clause is essentially being nullified by the establishment clause." In other words, such reasoning has resulted in a form of judicial jujitsu.

Garry is correct to say that "there is no constitutional basis for interpreting the establishment clause as contradictory to the exercise clause," and that is why he sees them forming "a single, unified religion clause that seeks exclusively to protect religious liberty." He aptly quotes Michael Paulson to the effect that the establishment clause "prohibits the use of the coercive power of the state to prescribe religious exercise, while the exercise clause prohibits the use of government compulsion to proscribe religious exercise."

No matter, today's rendering of the First Amendment pays no attention to what the framers wanted. Instead, much attention is given to the alleged "wall" that separates church and state. But prior to the Everson decision in 1947, there was no talk about this proverbial wall. Such talk became commonplace only after Supreme Court Justice Hugo Black (a former Ku Klux Klan member who hated Catholicism) lifted the metaphor from a

letter that Thomas Jefferson wrote in 1802 and inserted it into his 1947 decision. For the record, Jefferson penned his famous “wall” statement to convey his belief that the relationship between the federal government and religion should remain distant: the states, he reasoned, were best suited to deal with matters religious, and that is why as a Virginia legislator and governor he thought it proper for his state to endorse days of fasting and thanksgiving.

Once Black prevailed in his “wall of separation” opinion, it led the courts to become increasingly hostile to religious liberty. This hostility was given a new shot in the arm in the high court’s 1971 *Lemon v. Kurtzman* ruling. This decision held that for a statute to pass constitutional muster, it must have a secular purpose, must not advance or inhibit religion and must not foster “excessive government entanglement with religion.” Easier said than done.

In the wake of raising the bar so high, towns were told they could not have a nativity scene displayed on public property without displaying baby Jesus with a reindeer. Similarly, the parents of children who had been receiving remedial education from public school teachers in a parochial school—for two decades without a single complaint—were suddenly informed that this practice violated the U.S. Constitution. Even candy canes with religious messages had to be confiscated lest some high priest of tolerance objects.

To make matters worse, not only have the courts chopped the religious liberty clause in two—assigning a subordinate position to the free exercise provision—they have assigned a subordinate position to religious speech vis-à-vis secular speech. For example, the courts typically grant constitutional protection to obscene speech—including obscenities that target religion—but they quickly become censorial when it comes to religious speech. So absurd has this condition become that the student who spews vulgarities at a high school commencement address has a much better chance of proceeding with impunity

than the student who invokes the name of Jesus. Indeed, a student who curses Jesus has a better chance of escaping the wrath of school officials than the student who quotes Jesus.

“Textually,” Garry writes, “the Constitution provides greater protection for religious practices than for any secular-belief-related activities.” In fact, he contends, not only is religious speech afforded protection via the free exercise provision, it receives further immunity via the free speech clause of the First Amendment. It is precisely because Garry is so right about this that it is positively maddening to read court decisions that allow the establishment provision to trump religious speech. Such revisionism has created more than a legal nightmare—its tentacles have been felt in the nucleus of our culture: the public expression of religion has atrophied under the weight of judicial activism.

The way it works now, in order to get the courts to regulate secular speech, a direct cause and effect must be shown. For instance, the courts must be persuaded that if a particularly inflammatory exercise of speech occurs, then a particularly dangerous condition is almost certain to follow. Notwithstanding this caveat, the courts have allowed Nazis to march in a Jewish suburb, thus demonstrating the near absolute status it grants secular speech. But when it comes to religious speech—such as a nativity scene erected in the public square—all it takes for the courts to get involved is the outcry of someone who claims to be offended. This explains why many defense attorneys now argue that the religious expression they are defending is not a matter of free exercise, it is a matter of free speech.

There is something absurd going on when a crucifix drowned in a jar of urine can be hung from a Christmas tree in the rotunda of a state capitol building, but a crucifix that is reverentially displayed can be prohibited (this hasn’t happened yet, but it will). What this represents is nothing short of a bastardization of the intent of the framers: just

as the left likes to play fast and loose with Scripture, the left likes to play fast and loose with the Constitution. Fidelity to the original text means nothing to ideologues bent on winning at all costs.

There are some legal scholars who find solace in recent court decisions that seek to skirt the Lemon rule by promoting a principle of neutrality: the government, so goes the argument, should remain neutral in cases involving religious expression. But Garry is not among them. Although he welcomes neutrality as a change from the hostility towards religion found in Lemon, he makes it clear that the framers never intended to “place religion and nonreligion on the same level.”

The evidence that Garry marshals to support his argument about the intent of the framers is irrefutable. Despite attempts by secular supremacists to impose a rigidly secular vision of the common good on the rest of us, and their enfeebled attempts to distort history, nothing can change the words of the framers. They understood the critical connection between religion and freedom and it was their expressed view that self-government could not take root in a society without a strong religious—read Christian—foundation. From the beliefs, practices and public statements of the framers, to their insistence on ordered liberty, the men who launched our nation always gave due deference to the indispensable role that religion plays in society.

It is truly one of the great tragedies of our law schools that students are taught virtually nothing about the religious and moral underpinnings of our society. Indoctrinated in formalisms, they think that rules and procedures are the heart and soul of a free society. The founders would have regarded such a conception of liberty as impoverished, so totally myopic as to render it useless.

For freedom to prosper, civil liberties must be respected, but there is more to freedom than individual rights: a degree of

civility and a sense of community must also prevail. Religious liberty helps to provide the latter, and without it all the rights in the world matter little in the end.

“The only way to preserve religious liberty and uphold the spirit of the First Amendment,” Garry informs, “is for the courts to articulate an enduring and consistent theory of the religion clauses.” To do this, however, requires an intellectual assault on the postmodernist game of rewriting history. Garry has made his contribution, and for that we can all be grateful.

MAN THE GATES: THEOCRATS ARE AT THE DOOR

by William Donohue

Remember when presidential candidate George W. Bush was asked in 1999 to name his favorite philosopher, and he named Jesus? For the secularists—those men and women who are more frightened by the public expression of religion than by its absence—this was a pivotal moment in American history. For everyone else, Bush’s answer was seen as being very nice.

One of those who has never gotten over Bush’s response is Kevin Phillips. Now he has written a book, *American Theocracy*, that records his concerns. Though only a third of the book deals with the subject’s title (the rest touches on the federal debt and our dependence on oil), the section on politics and religion is getting most of the attention.

Phillips has come a long way since his first book, *The Emerging Republican Majority*, was published in 1969. Written

at a time when Richard Nixon won a narrow victory over Hubert Humphrey, Phillips spotted a trend where others only saw anecdotes: He maintained that the key to an ascendant Republican majority lay in the abandonment of the Democratic party by Southern voters. He proved to be correct.

While it is true that the Republicans and Democrats have changed a great deal over the past several decades, it is also true that Kevin Phillips changed as well. Whatever affinity he once had for Republican politics has long since disappeared. Now he is happier writing an excerpt of his new book in the left-wing *Nation* magazine than in the conservative *National Review*.

Phillips is a worried soul these days. What worries him are people like you and me. Catholic League members, along with traditional Christians and Jews, are a problem. That's because most of these people believe it is wrong to kill innocent human beings. Moreover, most of us refuse to sanction a wedding between a couple of guys. It's the practical application of a religiously informed conscience that is deeply troubling to him: when people of faith bring their convictions to bear on public policy issues, they are promoting a theocracy. Or so he believes.

It's too bad we're not like the Europeans and Canadians, Phillips says. What he means by this is that it's too bad we continue to go to church in relatively large numbers. For example, he correctly observes that the Europeans and Canadians are marked by "a secular and often agnostic Christianity." And he is honest enough to say that "none of the western countries in which Reformation Protestantism bred its radical or anarchic sects nearly five hundred years earlier—England, Scotland, Germany, Switzerland, and the Netherlands—still [have] congregations of any great magnitude adhering to that theology."

Phillips does more than just make an observation about the

decline in church attendance in Europe and Canada—he finds it comforting. Indeed, he is not pleased that “even sympathetic commentators” in Europe talk about the “catastrophic decline” in church attendance. Why should the near absence of Christians in church be labeled “catastrophic,” he reasons, especially when those making such determinations are not unhappy with the results?

Unfortunately for the U.S., Phillips avers, we’re not following the lead of our more enlightened European brothers. As a matter of fact, we’re plagued with a Jesus-fearing president and a Republican party that has captured the heart and soul of the faithful. That’s what makes us a theocracy—we’re a nation ruled by religion. How did we get that way?

At one point in his book, Phillips says, “In the 1960s and 1970s, to be sure, secular liberals grossly misread American and world history by trying to push religion out of the public square, so to speak. In doing so, they gave faith-based conservatism a legitimate basis for countermobilization.” Fair enough. So what’s the problem? The very next sentence shows his political colors: “But in some ways the conservative countertrend itself has become a bigger danger since its acceleration in the aftermath of September 11.”

To know what Phillips is talking about, consider the issues he thinks has the imprint of the theocrat written all over them: abortion, euthanasia, the Equal Rights Amendment for women, gay marriage, etc. Phillips thinks that those who are opposed to these “rights” are dangerous. That’s his choice, but in doing so he also shows some sloppy thinking.

Take abortion. It’s not just those who go to church who are against abortion—many Americans of little or no faith oppose killing the unborn. For example, one of the most consistently pro-life voices over the last few decades is that of Nat Hentoff. Nat, who is a good friend of the Catholic League, is

a Jewish, atheist, left-wing writer whose commitment to civil rights includes protection of the unborn. And what about all those young people today, many of whom are not exactly weekly attendees at church, who are convinced that sonograms don't lie: They've seen the pictures and know that a fetus is a human being.

The intentional killing of Terry Schiavo did more to spur a long overdue national discussion on the merits of doctor-assisted suicide and euthanasia in general than all the books on the subject combined. To think that those who defended her right to live are mostly theocratic warriors is nonsense.

Phillips talks about "the excitement of women" in the 1970s who wanted an Equal Rights Amendment (ERA) and the "minimal" support the ERA got from traditional Christians and Jews. Evidently, he is wholly unaware of the fact that when the ERA was put on the ballot in a referendum in New York and New Jersey, women turned out in record numbers to overwhelmingly defeat it. That's not my interpretation—it's what was reported in the New York Times. These are hardly the kind of theocratic zealots that Phillips would have us believe: New York and New Jersey are not part of the Bible belt.

"To religious traditionalists," Phillips writes, "homosexuality threatened the institutions of family and marriage." He admits that in all eleven states where there was a referendum on this issue, it lost. He further notes that in seven of the eleven states, "conservative denominations [were] strong." What he declines to say is that even in places like Oregon—where church attendance is notoriously low, and where agnostics and atheists are a sizable segment of the population—the voters turned against gay marriage.

Like all writers, Phillips chooses his words carefully. When speaking of the plight of Terry Schiavo, he uses terms like "a vegetative patient's right to die." And when he talks about crimes against fetuses, he always makes sure the reader gets

his point about “crimes against fetuses.” Regarding the latter, Phillips has in mind things like the federal Unborn Victims of Violence Act, a bill that makes it a crime to intentionally assault a pregnant woman’s baby. In his mind, only theocrats want to protect the baby from being harmed or killed.

Like so many others who are terrified of the faithful bringing their religion to bear in the public square, Phillips frames the issue as those who favor science versus those who favor theology. Evidently he never heard of Pope John Paul II’s encyclical on faith and reason. Nor is he aware of the Catholic tradition that sees no inherent tension between the two. This is what happens when a writer draws mostly on the thinking that is prevalent in some Protestant circles, and concludes that all of Christianity adheres to such positions.

To get an idea of how the false dichotomy between faith and reason works, consider abortion. Phillips would have us believe that if practicing Christians are more pro-life than their more secular cohorts, then that makes abortion a religious issue. But it is not the Bible that teaches that human life begins at fertilization: it is what science teaches. It was scientists, not theologians, who discovered DNA, and it was they who determined that all the properties that make us human are present at conception (and not at some later stage). To acknowledge this scientific reality hardly makes one a theocrat.

Though Phillips does not come right out and say it, the inescapable conclusion of his book is that secularists need to seize control of society and the faithful need to have their wings clipped. The former, he is convinced, are the good guys who don’t want to impose their morality on anyone; the latter are the bad guys who want to shove their religion down everyone’s throat.

Here’s how it works. Phillips holds that those who want to

overturn thousands of years of tradition by radically restructuring the institution of marriage so that two guys can marry really have no interest in imposing their morality on the rest of us, but those who resist are considered judgmental and intolerant. That the proponents of gay marriage want unelected judges to trump the authority of the people's representatives is similarly seen as democratic, even at the cost of jettisoning the consent of the governed, a hallmark of democratic rule. It takes more than arrogance to reach this conclusion.

John Adams once wrote that the Constitution "was made only for a moral and religious people." That's because self-government depends on a self-governing people, and it is difficult to reach this objective absent the cultivation of a morally sound and religiously observant public. This doesn't mean that a free society is enhanced by allowing religious zealots to take command of the reins of government, but neither does it mean that the faithful are a menace to liberty whose place in society needs to be curtailed.

Kevin Phillips has no real reason to worry—most of the people he thinks are theocrats are no more inclined to live under theocratic rule than he is. It is we who need to worry about the solutions people like him have for problems they sincerely believe exist.

BIG MARKET FOR CATHOLIC-BASHING BOOKS

by Robert P. Lockwood

Anti-Catholic books have been dominating the *New York*

Times bestseller list lately. Three books riddled with anti-Catholic themes and imagery have been listed at the same time. All are novels.

Unless you have been hiding under a rock for over a year, you've heard of *The Da Vinci Code*, the hardbound bestseller now available in paperback. Opie and Forest Gump's movie based on the book will be released in May.

Without getting the publicity of *The Da Vinci Code*, two other books have climbed the bestseller list as well.

A newer entry—at number five on the list in March—is *The Last Templar*, by Raymond Khoury (Dutton). A previous hardbound bestseller and ranked in the top five in paperback sales at the same time is *The Third Secret* (Ballantine Books) by Steve Berry.

Since these are novels, the authors and publishers can glide over the anti-Catholic themes that permeate the books by responding that these are just stories. But all three have a pseudo-intellectual wink to them as if they are rooted in established facts of history that give legitimacy to the tales they tell.

Because of the movie connection Dan Brown's *The Da Vinci Code* has received most of the attention. But the proliferation of these additional anti-Catholic novels proves an ancient adage: there is money to be made in appealing to visceral anti-Catholicism.

The plots in *The Third Secret* and *The Last Templar* center on intrepid couples running around the globe tracking down hidden historical truths that will prove the Catholic faith to be fake.

In *The Last Templar*, our intrepid couple track down the diaries of Jesus, which had been discovered in the Holy Land during the Crusades by the Knights Templar. The diaries reveal

that all that stuff about miracles, salvation and the Resurrection was a fabrication of the Church to consolidate its power.

In *The Third Secret*, Steve Berry has an intrepid couple discovering that Church leadership had hidden the true revelation of the Blessed Mother at Fatima, namely that birth control and abortion are fine, priestly celibacy is wrong and the ordination of women right, and that homosexual marriage is a noble thing.

After revealing her message, Berry has the Blessed Mother say to the children at Fatima: "Go my little ones and proclaim the glory of these words."

The Church, according to *The Third Secret*, had hidden the true revelation of Fatima in order to maintain its grip on power that would be undermined if the Blessed Mother contradicted 2,000 years of defined truth. So the Blessed Mother had to return to Medjugorje to give the same lecture in the late 20th Century.

Berry has also added another book—*The Templar Legacy*— which has made it to the hardbound bestseller list. And *The Da Vinci Code* has gone paperback as well, no doubt in preparation for the movie.

In commenting on Berry's *The Templar Legacy*, Publisher's Weekly reports that the book "soft-pedals the genre's anti-Catholicism."

Which is a pretty clear understanding from even a secular perspective of what all these books are essentially selling.

Both *The Third Secret* and *The Last Templar* portray the Catholic Church as ruthlessly destroying anyone that would reveal these secrets. In *The Last Templar* there is a murderous monsignor working for a brutal cardinal. In *The Third Secret*, Berry has a murderous priest who reports to a murderous

cardinal.

Berry's book goes to the greatest lengths—two popes commit suicide, and a good priest is murdered by the ruthless monsignor while a future pope looks on, then gives absolution immediately after for the crime.

Berry also has the curious figure of a not-particularly sympathetic priest who is sleeping with the female protagonist while undergoing a trial for excommunication led by the evil cardinal.

We also find out that the “good pope” who commits suicide has also had an ongoing love affair, and the point of all this is to show the evil of priestly celibacy and the pain it has allegedly inflicted on the world. Without celibacy, we are led to believe, the Church would never harbor such love-defeating teachings on contraception and abortion.

These books in one way or another sell three anti-Catholic stereotypes that are as old as the Reformation. The first anti-Catholic legend is that the Catholic Church forcibly repressed a true Christianity that had existed since the days of the Apostles. It was a common post-Reformation propaganda point that there was a pure Christianity subversively maintained over the centuries that served as a counterpoint to the apostolic claims of the Church. The real Church was this “invisible Church.”

Khoury's book takes that anti-Catholic tenet and gives it a New Age twist. He describes the alleged purity of the original teachings of a thoroughly human Jesus mouthing pious platitudes. Berry puts in the mouth of the Blessed Mother a laundry list of contemporary secular grudges against the Church that can be found in any news story: abortion, contraception, homosexual marriage, celibacy and a male-only priesthood.

In each case, however, is the clear idea that the Catholic

Church had repressed the true teachings of Jesus and is simply the invention of the Roman Emperor Constantine in the Fourth Century.

It's a gnostic gospel being preached based on nothing more than a wise teacher, rather than a revelation of God.

Berry is at least more straightforward—attributing to the Virgin Mary the kinds of things that are routinely said by the Church's most irresponsible critics.

The books, however, are not arguing from a Protestant perspective. Evangelicals who might be tempted to sample the "puritan pornography" in these books should understand the secular interpretation of this long-standing anti-Catholic tenet.

The secular interpretation has it that in a rigged Church council at Nicene in 325 under the Roman Emperor Constantine's thumb, a belief system surrounding Jesus was created by putting an official seal on false Scripture, the Gospels of Matthew, Mark, Luke and John.

This marked the beginning of a ruthless suppression of various gnostic writings that told the real story of Jesus. That's not an interpretation that the average evangelical would favor.

The problem is that Brown and Khoury within the context of their novels present this combination of post-Reformation and New Age gnostic propaganda as undeniable fact, not something merely made-up to fit a fictional plot. Berry simply confirms essentially gnostic beliefs by the *deus ex machina* of the Blessed Mother at Fatima.

The second anti-Catholic legend permeating these books is that the Church is in this only for power. All its teachings, all its beliefs, all its sacred devotions exist to consolidate a nefarious hold on worldly power and wealth.

It is a given in both books that the Church is fighting and has fought the revelation of their alleged secrets not because it would prove Christian teaching false, but because in doing so the power of the Church would be undermined. Power—particularly power exercised over women—is a more important motivation to the Church than truth itself.

That is why the Church will respond so murderously. Khoury sees it as a compelling motivation of the cardinals. Berry makes the trappings and exercise of power the sole motivation of a newly elected pope.

Khoury portrays a Church that first paid extortion, then viciously suppressed the Knights of Templar so that their secret would be maintained and the Church could still exercise power. Berry has the Church repressing the Blessed Mother's revelation because it would mean that the Church taught error for 2,000 years, thus undermining magisterial authority.

Which leads to the third anti-Catholic theme that permeates these books. Basic to anti-Catholicism has always been the charge that Church leadership knows that it is teaching falsehood. According to these books, not only does the Catholic Church teach and believe falsely, it does so knowingly.

Khoury has his Church leadership arguing that it knows the Scripture to be false, but that it maintains its beliefs solely because people can find some glimmer of hope in an otherwise senseless world. Berry has the pope knowing the teachings of the Church are false, but holding on to them because the applecart of power cannot be overturned.

The anti-Catholic themes propagandized in these novels are part and parcel of America's cultural baggage. They are still used to counter Church positions in the public arena without ever addressing the actual positions themselves.

Khoury's book is the least offensive of the two, if only

because of a plot twist at the end and at least a vague acknowledgment that faith accomplishes some good in the world. (Although he is at pains to point out that it is a faith not grounded in reality.)

Berry, on the other hand, is probably the only author of an anti-Catholic book that would stoop to use the Blessed Mother as his *deus ex machina* to promote abortion.

Berry in particular seems to evidence a real anti-Catholic animus though, on his website, he “credits the nuns who taught him in elementary school with instilling the discipline needed to both craft a novel, then sell it to a publisher.” And I’m sure some of his best friends are Catholic, too.

People make their points with anti-Catholic legends disguised as facts. And these books encourage those legends.

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GETTING THE CATHOLIC EXPERIENCE IN AMERICA RIGHT

By Kenneth D. Whitehead

The Greenwood Press is currently publishing a valuable series of books on “The American Religious Experience.” The books in the series are intended to be basic reference books, possibly even textbooks, on the subjects they cover. At the same time they are supposed to be informative and readable volumes for the general reader who wants to acquire a basic knowledge

about the “American” religion covered in a particular volume—Mormonism, for example, or even Buddhism, or, in the present case, Catholicism as it is found in this country. The Catholic Church, of course, is today by far the largest organized religious community in America. How this position was achieved in what was originally “Protestant America” is a fascinating and compelling story in itself, and it is the subject of this very interesting book.

In selecting Catholic sociologist Joseph A. Varacalli to write the volume entitled *The Catholic Experience in America*, the publisher made a wise and fortunate choice. Varacalli has established his credentials on this subject matter in such previous books of his as *Toward the Establishment of Liberal Catholicism in America* (1983) and *Bright Promise, Failed Community: Catholics and the American Public Order* (2001). He teaches at the Nassau Community College in Garden City, Long Island, New York, and is director of the Center for Catholic Studies there—one of the few study centers in a secular institution devoted to the study of the Catholic Church.

In this fast-paced survey of many aspects of the Catholic Church in America, the author does something most social scientists fail to do: he constantly reminds the reader of the truth of what the Catholic Church *is*. In other words, while he does not neglect describing the rich immigrant history of Catholicism in America, he goes beyond the sociological. Dr. Varacalli emphasizes that the Catholic Church remains the one, holy, Catholic, and apostolic Church of the Nicene Creed—the world’s oldest and largest continuously existing institution, one which originated with the apostles of Jesus Christ and which carries on today as a worldwide community under the leadership of the Catholic bishops of the world, successors to those same apostles, in communion with the successor of the chief apostle, Peter, the bishop of Rome, the pope.

This basic truth about what the Catholic Church is, as Dr. Varacalli demonstrates, can easily get lost in an era of

either widespread “dumbing down” of the faith to a lowest common denominator in an America in which some type of generic “civil religion” now so largely prevails; or an outright abandonment of supernatural faith in a thoroughly secularized America in which the original ethnically oriented and village “church-bell Catholicism” of the original immigrant groups is now often little more than a dim memory.

Even while describing the Church as a contemporary social reality in America today, Dr. Varacalli never lets the reader forget, in other words, that the Catholic Church possesses a Creed; insists upon a definite faith content proclaimed and defined by the Church’s magisterium, or teaching authority; and is not just what contemporary American Catholics might decide they would like the Church to represent or to be. This author stresses Catholic truth and Catholic *doctrine* to an unusual if not unique extent in a book that is still basically a historical and sociological survey of the Catholic experience in America.

Within this basic framework of a community which professes a definite faith, the author looks at the undeniable diversity within Catholicism today, including the various national and ethnic origins of American Catholics as well as the unfortunate American “nativism” that arose in reaction to the huge successive waves of Catholic immigrants—and which eventually issued in America’s still too widespread anti-Catholicism today. The author also examines the major turning points in American Catholic history, including the Baltimore provincial and plenary councils of the American bishops which so largely shaped Catholicism in America and produced such things as the Catholic school system and the *Baltimore Catechism*. He covers major church and state issues and the eventual election of the first Catholic president, John F. Kennedy. He does not neglect how the Church has dealt with such traditional issues as the basic rights of working people or of justice in the world, and how she is dealing today with

such hot-button moral issues as birth control, abortion, homosexuality, and the biotechnological revolution.

A recurring theme in the book concerns the question of the degree to which American Catholics have remained—or should remain—loyal to Church authority, especially to that of the pope in Rome, and the degree to which American Catholics may accommodate themselves to American customs, practices, and usages without compromising or abandoning the faith.

Since the author is a sociologist, his treatment of what he calls the Catholic subculture is particularly impressive. He sees that the strength of the Church at her best has lain in her ability both to create a Catholic subculture and community into which American Catholics could be assimilated and formed; and to sustain that subculture through the creation of supporting institutions such as Catholic schools, colleges and universities, hospitals, orphanages, a Catholic press, and a diversity of Catholic associations and societies.

However, not only is Dr. Varacalli very aware that the once solid and substantial Catholic subculture in America has been seriously compromised if not jeopardized by developments in recent years; his book provides one of the best brief accounts currently in print of just how and why this jeopardy has come about—and how both external pressures and dissension within the Church have weakened the seemingly solid American Catholicism that characterized the era of Pope Pius XII. While he understands the legitimacy of Vatican Council II as a genuine ecumenical council of the Catholic Church, he both sees and documents how liberal and dissenting elements in the Church sometimes exploited the Council and the legitimate changes it mandated in order to introduce “changes” in furtherance of their own agendas.

We are living with the effects of all this still, particularly with respect to a contemporary Catholic population of whom many apparently no longer believe all the teachings of the

Church as declared by the magisterium; rather, they are “cafeteria Catholics,” who pick and choose what they wish to believe. Dr. Varacalli analyzes and explains this problem in terms that the dissident Catholic sociologist, Father Andrew Greeley, has styled “communal Catholicism,” or the acceptance of many of the symbols, practices, and way of life of Catholicism without necessarily believing in the truths of the faith.

The author also sees how the widespread acceptance of the doctrinal dissent which came about in the Church, especially following the issuance by Pope Paul VI of his encyclical *Humanae Vitae* in 1968, has helped undermine the Catholicity of the very schools, colleges and universities, hospitals, and such that did so much to maintain the Catholic subculture in America. At the moment, many of these institutions are badly in need of re-Catholicization.

While he is respectful of legitimate Church authority on principle, especially that of the Holy Father, Dr. Varacalli is both knowledgeable and candid about some of the failures of the Church’s leadership in recent years. He believes much more could and should have been done to quell dissent and uphold authentic Catholic teaching and discipline.

Of special interest to many readers will be the author’s excellent Chapter 20 on “Historical Events before Vatican II,” and his relatively lengthy Chapter 21 on “Contemporary Issues after Vatican II”—this latter chapter being one of the better existing surveys of what has happened in and to the Catholic Church since the Council. Unlike some of the bland accounts that characterize Vatican II and the post-conciliar era as unalloyed successes for the Church, Dr. Varacalli understands that the Church has in fact been undergoing a major crisis. Better than in most accounts he understands and explains both the causes and the possible remedies for this crisis. In particular, he lauds the leadership of the late Pope John Paul II, who did so much to restore authentic Catholicism (though,

needless to say, he did not do everything). Similarly, he counsels loyalty to Pope Benedict XVI as the road Catholics should continue to follow: he titles his final chapter, appropriately: “Staying the Course with Pope Benedict XVI.”

Since this book is intended to be a basic reference text, it contains a number of Appendices with valuable information on the Church in America. It is thus worth having to refer to as well as to read through. You should inquire at your public library asking for this book—if only to motivate the librarians to order the book. It is the kind of book that should be available in the library for citizens doing research on the Church or for students writing papers and such.

Kenneth D. Whitehead is the author, among other books, of One, Holy, Catholic and Apostolic: The Early Church was the Catholic Church (Ignatius, 2000). He is a member of the Board of Directors of the Catholic League.

A PRO-LIFE PUBLIC

Kate O’Beirne

For over thirty years, the plain words of *Roe* and *Doe* have been distorted by the media. On the 30th anniversary of the decisions, media polls reflected the ongoing disinformation campaign. CNN asked, “Do you favor the Supreme Court ruling that women have the right to an abortion during the first three months of their pregnancy?” *The Washington Post’s* poll misrepresented the 1973 decisions in the same way. Feminists translate public support for *Roe v. Wade*, which is based on the public’s misunderstanding of the case, to support for their abortion-on-demand agenda.

Faye Wattleton was president of Planned Parenthood for 14 years. A beautiful black woman whose fawning media coverage included a fashion spread in Vogue magazine, she put an extremely attractive face on Margaret Sanger's legacy. It was Wattleton who decided that Planned Parenthood should be in the lead in promoting abortion rights. When an equally attractive and articulate pro-life black woman was willing to take her on—Kay James of the National Right to Life Committee—Faye Wattleton refused to make joint appearances with her. Wattleton's reluctance to face a well-armed opponent is understandable. Kay James would have had the better of the argument, because the facts are on her side.

In 2003, even a poll commissioned by Wattleton's new outfit, the Center for the Advancement of Women, found that 51 percent of women thought abortion either should not be allowed or should only be available in cases of rape or incest or to save the life of the mother. Another 17 percent thought abortion ought to be available but with stricter limits. Only 30 percent agreed with Faye Wattleton and her abortion absolutist allies, which was down 4 points from two years earlier. Of the top 12 priorities for women, keeping abortion legal was second to last.

A 1999 poll by another feminist outfit, the Center for Gender Equity, found a similar 53 percent of American women favor outlawing abortion or permitting it only for cases of rape, incest, or to save the life of the mother. In fact, men typically favor abortion more than women do.

In a rare departure from its typically feminist-friendly coverage, in 2003 *The New York Times* reported on the growing number of young people with pro-life views. Their own polling found that among people from 18 to 29, only 39 percent thought abortion should be generally available, down from 48 percent ten years earlier. One young pro-lifer explained, "Myself and my classmates have never known a world in which abortion wasn't legalized. We've realized that any one of us could have

been aborted.”

A 2004 Wirthlin Worldwide poll found that 61 percent of those polled said abortion is “almost always bad” for women. Polls consistently show that about half of the public would ban abortion with exceptions for rape, incest, or life of the mother, which would ban about 95 percent of abortions. Another quarter of the public would ban all but first-trimester abortions.

Because less than a quarter of the public agrees with Kate Michelman, Gloria Steinem, Gloria Feldt, and their allies that abortion should be available at any time for any reason, pro-abortion activists fight to keep the issue in the courts, beyond the reach of the public’s pro-life sentiments. When she left her top post at NARAL, Kate Michelman headed to the Democratic National Committee to run a program called Campaign to Save the Court. But here too, pro-abortion feminists are at odds with public opinion.

A 2005 poll by Ayres, McHenry and Associates found that 79 percent of voters disagreed that a pro-life judicial nominee should be disqualified from serving on the Supreme Court.

Elected officials haven’t been kind to the abortion-rights agenda in recent years. Kate Michelman notes, “Since 1995, states have enacted nearly 400 restrictions on a woman’s right to choose.” Gloria Feldt laments that the White House and both chambers of Congress are controlled by “anti-choice politicians.” So too are the majority of governorships, and “the state legislatures are overwhelmingly anti-choice.” These abortion absolutists seem to believe that some strange alchemy has handed such a political advantage to pro-life politicians given their constant claims that their abortion-on-demand agenda enjoys the broad support of voters.

When the question has been asked of voters, polls show the pro-life advantage is unequivocal in the voting booth. A 1996

Wirthlin exit poll found that among voters who listed abortion as one of their top two issues 45 percent voted for Bob Dole and 35 percent for Bill Clinton. A *Los Angeles Times* poll found even a bigger advantage for Dole among women who voted on the abortion issue. In 1994, among single-issue abortion voters, the pro-life advantage was 2 to 1.

Following the election in November 2004, Kristin Day, the executive director of Democrats for Life of America, explained how her party had been damaged by abortion-rights forces. She stated, "For the past 25 years, pro-life Democrats have been leaving the party over the issue of abortion." Day pointed out that 25 years ago, when Democrats held a 292-seat majority in the House, 125 of those seats were held by pro-life Democrats.

Feminists' unyielding support for this "women's issue" that doesn't have the support of women puts them at odds with the large majority of Americans who support recent protections for unborn children, like the ban on partial-birth abortions.

Feminists vehemently defend the hideous procedure its opponents descriptively call "partial-birth abortion." A federal judge considering the constitutionality of a ban on the procedure described it as a "gruesome, brutal, barbaric, and uncivilized medical procedure—the fetus's arms and legs have been delivered outside the uterus while the fetus is still alive. With the fetus's head lodged in the cervix, the physician punctures the skull with scissors or crushes the head with forceps."

President Clinton vetoed bans on partial-birth abortion that passed Congress with bipartisan majorities. In 1996, I had the pleasure of appearing as a guest on CNN's "Crossfire" with Eleanor Smeal, who was there to defend the indefensible.

The co-hosts asked us about the political fallout from the president's opposition to the ban. Smeal warned that the gender gap threatened anyone who doesn't allow this gruesome

procedure, and I pointed out that 64 percent of women supported the ban. Bob Novak noted that people don't like abortion, and Eleanor Smeal responded, "For some women it saves their lives."

What is telling about my experience in that debate with Eleanor Smeal is that these abortion absolutists don't openly defend their radical agenda. On the show, I freely admitted that I opposed both the partial-birth abortion procedure and other methods of abortion.

Just as Smeal was only willing to defend a procedure as allegedly life-saving for the mother, in an editorial urging the election of John Kerry, Kate Michelman also deceptively avoided making the case for abortion on demand. "If you are raped, if you are a victim of incest or if carrying a pregnancy to term will endanger your health, it's a decision for you—not the government—to make." In the interest of accuracy, she might have added, "If you decide on the eve of your full-term delivery that you want to choose an abortion instead, it's your decision and not the government's."

In fact, these feminists defend every single one of the over 40 million "choices" that have been made since *Roe v. Wade*, which itself was the product of a series of lies. Feminists at the time argued that they wanted to see "therapeutic" abortions legalized. The plaintiff in *Roe* falsely claimed she had been raped. Justice Blackmun falsely claimed that abortion had never been a common-law crime.

Feminists still lie about the incidence of back-alley abortions that served as a justification for legalization. In a celebratory column welcoming the euphemistically titled March for Women's Lives, in the spring of 2004, Ellen Goodman wrote, "After all, those of us who remember when birth control was illegal and when ten thousand American women a year died from illegal abortions don't have to imagine a world without choices." As she later had to allow, her memory was faulty.

When her column prompted charges that she was repeating “propaganda” or an “urban legend,” she did a little research and admitted in a later column that the claim that there were thousands of deaths in the years prior to abortion’s legalization (which she hadn’t bothered to check in the 30 years since *Roe v. Wade*) is false.

In 1972, the year before *Roe v. Wade*, according to the federal Centers for Disease Control and Prevention, 39 women died of illegal or self-induced abortions. Overall improvements in prenatal and obstetrical care beginning in the 1940s saw the rate of pregnancy-related deaths from causes other than abortion drop at roughly the same rate as abortion-related deaths.

Elizabeth Fox-Genovese is the Eleonore Raoul Professor of the Humanities and professor of history at Emory University. This founding director of the university’s Institute for Women’s Studies believes that the abortion rights agenda betrays women. She writes, “Doubtless we would benefit from more complete studies, but we now have enough evidence to say with confidence that for the vast majority of women, abortion represents a worst-case scenario-and, too often, a confirmation of their abandonment by the father of the child and by the larger community. More often than not, girls and women have abortions because they lack the support to have their child.”

Kate Michelman, Faye Wattleton, Gloria Steinem, Gloria Feldt, Eleanor Smeal, and their abortion allies have been promoting an antiwomen agenda in the name of women’s liberation by waging a campaign for “choice” on behalf of women who often feel they have no choice at all.

Kate O’Beirne is the Washington editor of National Review and is a member of the Catholic League’s Board of Advisors. She served for 10 years as a panelist on CNN’s “The Capital Gang.

CHRISTMAS, LET IT BE

Jackie Mason and Raoul Felder

Editor's note: Jackie Mason, the comedian, and Raoul Felder, the noted New York attorney, had the courage to directly confront those who have joined the culture war against Christmas. They are both founding members of Don Feder's group, Jews Against Anti-Christian Defamation (JAACD). Having people of this quality in the Jewish community stand up for Christians is enormously helpful. We are indebted to them for all their good work, and their bountiful goodwill.

You would have to be a refugee from a sanitarium not to look forward to Christmas. Christmas in America is not a clash of civilizations, but rather a celebration of diversities. But to lots of people, it doesn't seem that way. Across America school districts are forbidding the singing of Christmas carols, nativity scenes are being banned in public places, and in malls the "Christmas sales" are now "Holiday sales." Although we are part of the 15 percent of Americans that are not Christian and the 5 percent who do not celebrate Christmas—unless the giving of gifts and gratuities constitute "celebrating"—and if that is true then we are part of the 95 percent who are celebrants—we have nothing against, and are part of those who enjoy the entire Christmas experience. What's not to like? People are friendlier and music fills the air.

However, we have the whisper of an unworthy thought that if polls were taken of only the givers: the bosses, the employers, the apartment dwellers and all the myriad people from whom gifts are sought on a virtually obligatory basis, as opposed to the people with their hands out, the percentages

probably would tip more towards the Scrooges.

Personally we like Christmas carols—especially sung by Bing Crosby—with their simple and elegant melodies and chord structures that have survived in the same manner as other folk songs that have been handed down through the ages, such as those of Scotland and Ireland.

We cannot see how our beliefs are jeopardized by someone else celebrating *his* beliefs—particularly if the celebrations are those consisting, at least in part, of love, family values, spirituality and giving thought to the less fortunate.

We would have a very fragile religion if 2000 years of our culture and beliefs were threatened by Bing Crosby singing “I’m Dreaming of a White Christmas”—incidentally written by a Jew, Irving Berlin—Santa Claus and mistletoe. Now, if it were the KKK celebrating their holiday by exchanging presents of bed sheets and singing carols beside burning crosses, or the Romans tossing another Jew on the Yule log, or the Ghost of Christmas Past turning out to be Osama Bin Laden in a Santa Claus suit, it would be another story. But until then, hand us the check books and turn up Bing Crosby.

Jews seem to be heavily involved in this repeal movement. They would do well to remember Pastor Niemöller’s observation: “In Germany they first came for the Communists, and I didn’t speak up because I wasn’t a Communist. Then they came for the Jews, and I didn’t speak up because I wasn’t a Jew. Then they came for the trade unionists, and I didn’t speak up because I wasn’t a trade unionist. Then they came for the Catholics, and I didn’t speak up because I was a Protestant. Then they came for me—and by that time no one was left to speak up.”

The point is, of course, if Christmas is abolished from public display, can the fate of Chanukah and the myriad of other Jewish holidays be far behind?

Also, if the Christians are discouraged from buying Christmas

presents, some thought must be given to the question, "Who is selling the presents to the Christians?"

And lastly, a word about the ACLU. The ACLU is an organization supported by many liberal Jews and is in the forefront of efforts for a public suppression of Christmas. They are also vocal in criticism of American treatment of terrorists. It is our respectful observation that it is the *terrorists* who have affected the way in which we now have to live our lives, have created serious economic consequences for us and caused the death of thousands of Americans—and *not* Bing Crosby.

It is significant that the ACLU's position is that pornography is protected under the Constitution, while the Christmas tree is not. So, if this bunch were successful, the only way you could see a Christmas tree is if you visit a porn shop that had one.

With these thoughts we want to wish our friends both Merry Christmas and Happy Chanukah—at least as long as we are permitted to do so.

Coda: Proof that the work of Don Feder, Jackie Mason, Raoul Felder, Rabbi Spero et al. is having an effect was evident in Frank Rich's column in the New York Times on Christmas day. He railed against the "manufactured" Christmas wars, accusing those who are protesting the censoring of Christmas of exhibiting "a strong anti-Semitic and far-right pedigree." Rich explicitly criticized Jackie Mason, calling him "Fox News's obligatory show Jew." This is exactly what we would expect from Frank Rich.

RESOLVING THE CULTURE WAR ON RELIGION

By David L. Gregory

General Counsel, Catholic League

Professor of Law, St. John's University Law School

The Right to be Wrong: Ending the Culture War Over Religion in America is the latest, and perhaps the most engaging and lucid, entry in the burgeoning "culture war" literature. But, unlike all of the others, this book proposes an interesting way to end hostilities.

The author of the book, Kevin (Seamus) Hasson, has been the Chairman of the Becket Fund for Religious Liberty since 1994. The Becket Fund is a stalwart ally of the Catholic League, defending the free expression and exercise of all religious traditions. Hasson, armed with graduate degrees in law and theology from Notre Dame, brings formidable scholarly insights, a superb litigator's rhetorical eloquence and an obvious ability to tell engaging stories to this fine book.

Hasson writes with verve and tenacity; he tells remarkable stories in page-turning style. His tragic-comic metaphors of the "Pilgrims" (who believe that their religious truth requires them to suppress the free exercise rights of others) and the "Park Rangers" (who believe that all must remain silent in public, rather than make any claims about transcendent truth), are certain to become part of the constitutional law lexicon. Indeed, the first sentence of the book refers to Pilgrim/Park Ranger annual "trench warfare" and the inevitable flurry of litigation: "Every December some group is suing to take both the Nativity scene and the menorah off the courthouse steps."

Deciphering the disastrous incoherence of what purports to be constitutional jurisprudence will not be made any easier in the wake of the decisions this past summer by the United States Supreme Court on the displays of the Ten Commandments. In two 5-4 decisions, with Justice Breyer the crucial swing vote in both cases, the Court allowed a six foot granite statue of the Ten Commandments on public land in Texas, but rejected as unconstitutional establishment of religion the posting of framed copies of the Ten Commandments in a Kentucky state courtroom. Decided in the Supreme Court's building, complete with a frieze of the Ten Commandments, where the Court opens each session with the prayer that "God save the honorable Court," and whose Chief Justice administers the oath to the newly elected President who vows "so help me God," go figure.

It is not a conundrum that Kevin Hasson, or anyone else, I am afraid, is likely to solve any time soon. A possible preview of coming attractions may be the decision in 1999 by Judge Alito, now nominated to the United States Supreme Court. In *American Civil Liberties Union v. Schundler*, he wrote the majority opinion for the United States Court of Appeals for the Third Circuit, holding that a holiday display in Jersey City was not an unconstitutional establishment of religion because, in addition to the Nativity crèche and the menorah, Kwanzaa, Frosty the Snowman and a banner proclaiming diversity were also present in the display at City Hall (thanks to the "Park Rangers!")

In 1984, the Supreme Court endorsed a similar Park Ranger display in Pawtucket, Rhode Island. But in 1988 in Pittsburgh the crèche display was unconstitutional because it was displayed under a banner that proclaimed (that's right, in Latin!) "*Gloria in Excelsis Deo*" (which was just too much for Justice O'Connor who cast the deciding vote of its obvious unconstitutionality.)

The Right to be Wrong is in the direct legacy of the

pioneering scholarship of Judge John Noonan, the great jurisprudential champion of the free exercise of religion who taught for many years at the Notre Dame and Berkeley law schools before being appointed to the United States Court of Appeals for the Ninth Circuit by President Reagan. Likewise, the book continues in the tradition of the path-breaking *The Naked Public Square: Religion and Democracy in America*, written by Reverend Richard John Neuhaus in 1984.

Hasson, just as Noonan and Neuhaus, asserts that all religious traditions should be fully protected in the free exercise of religion, which will enrich and invigorate the life of the nation. By recognizing and protecting one another's "right to be wrong," all religious traditions, and the broader civic society, will more fully flower.

Extremists have dominated the terrain since the Pilgrims disembarked from the Mayflower. The Pilgrims, the first extremists, banned (or executed) religious dissenters, and imposed religious tests for public office. There are some heroes: Roger Williams, the founder of Rhode Island, and the Quaker conscientious objectors to the military draft, beginning with the Civil War, are prominently featured.

The first six chapters blend synoptic, crisp colonial era and early republican history with tragic-comic contemporary vignettes, illustrating the madness of the "Pilgrims versus the Park Rangers." With the Orwellian ascendancy of the "Park Ranger" bureaucrats, Christmas and Hanukkah are replaced by the "holiday season," Halloween becomes the "fall festival," St. Valentine's Day becomes "special person day," and Easter is trumped by "special bunny day."

Chapters seven through ten trace the evolution from tolerance to natural rights. Disestablishment in Virginia, the counterproductive Thomas Jefferson, and the compromised efforts of James Madison failing to make the individual states immediately and completely subject to the First Amendment are

highlighted.

According to Hasson, tolerance has become intolerable, because, unfortunately, tolerance has been usurped by government bureaucracy. In the government's hands, Hasson calls the notion of tolerance "a Rasputin of an idea." Government arrogantly marginalizes and trivializes religious faith and practice, regarding tolerance of religion as a governmental prerogative rather than as, in fact, the fundamental right of the people.

The free exercise right in the First Amendment, according to Hasson, did not unequivocally apply to all of the states. Therefore, the states continued to deny rights to, and viciously persecuted, religious minorities. For many decades, Catholics and Jews were the special targets of persecution in many states.

Chapters 11 through 13 propose "authentic freedom." Hasson examines the roots of religious liberty, grounded in universal truth—in God—rather than left to the contingencies and vagaries of government bureaucracy. Hasson implicitly invokes St. Augustine's observation that we will be restless and thirsty unless and until we rest in God.

Hasson then directly states his proposed way out of the morass of the Pilgrims versus the Park Rangers. It is profoundly simple; we must allow all religions to operate without restraints and in the authentic pluralism that opens the public square to all faiths. When the free exercise rights of all religions operate, as Madison insightfully observed, it necessarily precludes the unconstitutional establishment of religion.

This respect for the conscience of everyone to practice their religion without any governmental interference, Hasson submits, is the solution to ending the culture war. He maintains that we can recognize everyone's right to free

exercise of their religion without compromising our own religious beliefs. Everyone will thus strenuously protect everyone else's "right to be wrong."

The book has many strengths. The legal history is concisely, cogently, and provocatively presented. It is extraordinarily well-written, and it is a pleasure to read. The descriptive aspects of the book are especially compelling. Hasson surely diagnoses the many difficulties caused by the Pilgrims and the Park Rangers throughout our history.

I doubt, however, that the book ultimately provides a workable, achievable agenda for ending the culture wars. That is a very tall order indeed. I fear that the culture wars are bound to continue unabated. To offer one example, the United States Senate Judiciary Committee has announced that it will not commence hearings on the confirmation of President Bush's nominee to the United States Supreme Court, Judge Alito, until January 9, 2006. So for the next two months, the culture wars will be at fever pitch. Respecting the free exercise rights of all in the public square will, unfortunately, not prevent or resolve the cultural battle royale already commenced over the Alito nomination.

We are more diverse, but we are not necessarily more pluralistic. We may, alas, be even more brittle in our diversity, and more wary and suspicious of the other.

Harvard Professor Samuel Huntington wrote, more than a decade ago, the book that is becoming the classic book of the post-Cold War era—*The Clash of Civilizations*. His thesis was that Muslims in the West are an "indigestible minority." Hasson takes a more optimistic view. He properly celebrates, for example, being taken seriously by Al-Jazeera TV (despite a call-in from "Mohammed from Mecca" who condemned him as an infidel) because he successfully defended the free exercise right of two Newark Police Officers, who were Sunni Muslims, to wear beards and to keep their jobs. "I had demonstrated

respect for their consciences by successfully defending their rights. This, in turn, had won me a respectful hearing as to just why they should dialogue with this infidel rather than peremptorily wage jihad on me.”

Terrific. Unfortunately, *Wall Street Journal* reporter Danny Pearl, who also unfailingly treated Muslims with great respect, found that was no defense when Islamofascists brutally beheaded him.

While Kevin Hasson is an astute scholar and a terrific lawyer, he may underestimate the growing clash of civilizations—tellingly, the great book is not cited, let alone addressed, in *The Right To Be Wrong*. For the foreseeable future, the culture wars will continue to rage. The good news is that the intrepid Kevin Hasson and the Becket Fund will continue their important positive work undeterred. Perhaps in a subsequent volume, or, better yet, in a spring 2006 epilogue to the present book, and after the Alito nomination plays out, Hasson will be able to chart an even more compelling path out of the culture wars.

See p. 2 for book order information.

SEX ABUSE AND SIGNS OF FRAUD

By Gordon J. MacRae

Three years before the latest wave of clergy sex abuse claims rippled out of Boston across the country, Sean Murphy, age 37, and his mother, Sylvia, demanded \$850,000 from the Archdiocese of Boston. Sean claimed that three decades earlier, he and his brother were repeatedly molested by their parish priest. In

support of the claim, Mrs. Murphy produced old school records placing her sons in a community where the priest was once assigned. No other corroboration was needed. Shortly thereafter, Byron Worth, age 41, recounted molestation by the same priest and demanded his own six-figure settlement.

The men were following an established practice of "blanket settlements," a precedent set in the early 1990s when a multitude of molestation claims from the 1960s and 1970s emerged against Father James Porter and a few other priests. In 1993, the Diocese of Fall River settled some 80 such claims in one fell swoop. Other Church institutions followed that lead on the advice of insurers and attorneys.

Before the Murphys' \$850,000 demand was paid, however, Sean, his mother, and Byron Worth were indicted by a Massachusetts grand jury for conspiracy, attempted larceny, and soliciting others to commit larceny. It turned out that Sean and Byron were once inmates together at the Massachusetts Correctional Institute at Shirley where they concocted their fraudulent plan to score a windfall from their beleaguered Church.

On November 16, 2001, Sean Murphy and Byron Worth pleaded guilty to all charges and were sentenced to less than two years in prison for the scam. The younger Murphy brother was never charged, and Mrs. Murphy died before facing court proceedings.

Local newspapers relegated the Murphy scam to the far back pages while headlines screamed about the emerging multitude of decades-old claims of abuse by priests. When two other inmates at MCI-Shirley accused another priest in 2001, a Boston lawyer wrote that it is no coincidence these men shared the same prison. "They also shared the same contingency lawyer," he wrote. "I have some contacts in the prison system, having been an attorney for some time, and it has been made known to me that this is a current and popular scam."

It is not difficult to understand the roots of such fraud. Prison inmates, like others, read newspapers. Just months before the onslaught of claims against priests, the Archdiocese of Boston landed on the litigation radar screen with the notorious arrest of Mr. Christopher Reardon, a young, married, Catholic layman, model citizen, and youth counselor at a local YMCA who was also employed part-time at a small, remote parish outpost north of Boston. As Mr. Reardon's extensive serial child molestation case came to light—with substantial and graphic DNA, videotape, and photographic evidence of assaults that occurred over previous months—the YMCA quickly entered into settlements consistent with the State's charitable immunity laws.

In a search for deeper pockets, however, a local contingency lawyer pondered for the news media about whether the rural part-time parish worker's activities were personally known—and covered up—by the Cardinal Archbishop of Boston. It was a ludicrous suggestion, but it was a springboard to announce in the *Boston Globe* (July 14, 2001) that "the hearsay and speculation" among lawyers and clients, is that "the Catholic Church settled their cases [of suspected abuse by priests] for an average of \$500,000 each since the 1990s."

It was a dangled lure that would soon have many takers, some of whom have been to the Church's ATM more than once. In January of 2003, at the height of the clergy scandal, a 68-year-old Massachusetts priest had the poor judgment to be drawn into a series of suggestive Internet exchanges with a total stranger, a 32-year-old man named Dominic Martin. Using a threat of media exposure of the printed exchanges, Mr. Martin demanded that the priest leave an envelope containing \$3,000 in a local restaurant lobby. The frightened priest, who never had a prior accusation, compounded his poor judgment by paying the demand. Soon after, another cash demand was made, but the priest finally called the police who set up a sting of their own. On January 24, 2003, Dominic Martin and his wife,

Brianna, were arrested at the drop point, and charged with extortion.

The police report revealed that Mr. Martin had changed his name. His birth name was identified as Tod Biltcliffe, a man who, a decade earlier, obtained a lucrative settlement when he accused a New Hampshire priest of molesting him in the 1980s. At the time the priest protested that Mr. Biltcliffe was committing fraud and larceny. The Church settled anyway. Biltcliffe's claim was that when he was 15 years old, the priest fondled his genitals while the two were in a hot tub at a local YMCA. Curiously, the investigation file contained a transcript of a 1988 "Geraldo Rivera" show entitled "The Church's Sexual Watergate." One of the cases profiled was that of a young man who claimed that a priest fondled his genitals while the two were in a hot tub at a local YMCA.

The 1988 "Geraldo" transcript was a sensationalized account of clergy sex abuse cases from the 1970s and 1980s. The transcript is notable because it contains many of the same claims of exposing secret Church documents, archives, and episcopal cover-ups in 1988 that lawyers and reporters claim to have exposed in 2003.

Writer Jason Berry, and contingency lawyers Jeffrey Anderson and Roland Lewis all appeared live on "Geraldo" on November 14, 1988 to announce the existence of secret Church archives, cover-ups by bishops, and out-of-court settlements of Catholic clergy sex abuse claims across the country. Jason Berry, who excoriates the Church and priesthood at every opportunity, actually defended, in 1988, the existence of so-called "secret" Church archives: "Canon law says that you have to have a secret archive in every diocese....That's funny because I've been attacking the Church for three years on this...I want to express my own irony of [now] being in a position of defending the Church."

I have been in prison for eleven years. As a priest, I cringed

while the latest wave of abuse claims unfolded in the press in the last few years. Inmates often feel like victims, but some saw the proliferation of abuse claims as a lucrative scam and wondered why they were letting such an opportunity pass. I have been repeatedly asked whether I would give the name of a priest who might have been present in someone's childhood neighborhood, or if I thought the Church would quietly settle if a claim was made. When asked if the claim would be true, the answer is always the same: "Of course not!" One inmate reported that he was visited by his lawyer who asked if he is Catholic. The lawyer is alleged to have said: "If you want to accuse a priest of something, I can have \$50-grand in your account by the end of the year."

Another inmate told of his narcotics arrest by a detective who was apparently fielding cases for contingency lawyers. The young man reported that he was asked whether he wanted to accuse a priest who had been accused by others. The young man insisted there was nothing he could accuse the priest of, but the detective reportedly suggested: "That's sort of beside the point, isn't it? We're talking a lot of money here."

Yet another inmate claims that he indeed was molested by a priest and is awaiting settlement from a distant diocese. The man says little about the abuse beyond a vague and cursory suggestion that he somehow repressed it. He drones on incessantly, however, about plans for his expected windfall, about investment opportunities, and about how non-invasive the settlement process has been. Another, rather insightful inmate remarked: "Let me get this straight. If I say that some priest touched me funny 20 years ago, I'll be paid for it, I'll be a victim, and my life will be HIS fault instead of mine! Do you have any idea how tempting this is?"

In a 2004 article in the *Boston Phoenix*, "Fleecing the Shepherds," legal expert and author Harvey Silverglate cautioned against capitulating to significant numbers of questionable claims brought after the Church entered into huge

blanket settlements. In some cases, such claims were deemed “credible”—the standard established for permanent removal of accused priests—with no other basis than their having been settled.

As accusations swept over the U.S. Church, few in the media dared write anything contrary to the tidal wave gaining indiscriminate momentum against the Church. A notable exception was the left-leaning Catholic magazine *Commonweal*, which editorialized: “Admittedly, perspective is hard to come by in the midst of a media barrage that is reminiscent of the day care sex abuse stories, now largely disproved, of the early nineties...All analogies limp, but it is hard not to be reminded of the din of accusation and conspiracy-mongering that characterized the anti-Communist witch hunts of the early 1950s.”

With media coverage of the unprecedented millions invested in blanket settlements, the trolling for claims and litigation continues unabated. Last year, a Boston area high school history teacher and coach of twenty years, a husband and father with no prior record or accusation, was caught up in an Internet sting by a detective posing on-line as a teenage boy cruising Internet chat rooms for sexual encounters. The practice has netted the detective some 400 arrests, including—by his own estimation—1 priest, 6 police officers, and 18 public school teachers. The ex-teacher, now prison inmate, related that as the handcuffs were set upon him, before he was even led out of the YMCA to which he had been lured and arrested, the detective asked some curious questions: “Are you a Catholic?” “Yes.” “Were you ever an altar boy?” Another “yes.” “Were you ever molested by a priest?”

Father Gordon MacRae is in prison for claims alleged to have occurred in 1983, and for which he maintains innocence. His case was extensively analyzed in a two-part series in The Wall Street Journal (April 27/28, 2005) by Pulitzer Prize winning

journalist, Dorothy Rabinowitz.

THE ODYSSEY OF MOTHER ANGELICA

by William Donohue

Like most Catholics, I know Mother Angelica through EWTN (Eternal World Television Network). Now, thanks to Ray Arroyo's inspiring portrait of her, I know her much better. The subtitle of *Mother Angelica* accurately reads, *The Remarkable Story of a Nun, Her Nerve, and a Network of Miracles*. Yes, it is all that and more—it is a gripping tale of a woman who suffered greatly yet always managed to beat the odds.

Born Rita Rizzo, and reared in Canton, Ohio, Mother Angelica experienced poverty, a broken home, maltreatment, multiple physical ailments, jealousy, back stabbing, betrayal—she was even shot at—but nothing could stop her determination. It does not exaggerate to say that the object of her determination never had anything to do with her—it always had to do with God.

In her lifetime, Mother established the Poor Clare Nuns of Perpetual Adoration and gave birth to the Franciscan Friars of the Eternal Word and the Sisters of the Eternal Word. She built the Shrine of the Most Blessed Sacrament, as well as the largest shortwave network in the world and the world's first Catholic satellite network. Not bad for a high school graduate who had everything going against her.

Her father was abusive, both physically and verbally, and

eventually abandoned her (he tried to reconcile with her later in life). It took such a toll on her that she wondered why God would ever subject a little girl to such a miserable family. It also meant that she missed out on what other kids were used to, so much so that one of her cousins would later say of her, "She was an adult all her life. She never had a childhood."

The nuns she met in school were anything but kind. Their opposition to divorce unfortunately led them to oppose the children of divorce, and this was something the young Rita couldn't bear (the priests her mother encountered were just as condemning). Some family members were just as cruel, including an uncle who verbally beat up on her mother so badly that Rita literally threw a knife at him.

Yet there were miracles. There was the time when, at age eleven, she was crossing a street only to see two headlights staring her right in the face. She thought she was dead. Incredibly, she was able to jump high enough that she avoided being hit. The driver called it "a miracle," while Rita and her mother dubbed it a graceful "lifting."

Her stomach ailments were so bad that she was forced to wear a corset. The doctors tried to help, but to little avail. Then she met a stigmatic, Rhoda Wise, and that's when things began to change. One day, when she was 20, a voice told her to get up and walk without the corset, and she did just that. Immediately, her suffering was relieved. Her doctor, of course, insisted it had to do with his treatments, but Rita knew better.

Her mother wasn't too happy when she learned that Rita had decided to enter a Cleveland monastery. After all, she had first been abandoned by her husband, and now her daughter was leaving her as well. But in time she would come to accept it. As for Rita, her failing knees (and the five stories of steps she had to traverse at the monastery), led to her being dispatched back home to Canton.

After nine years in the cloister, Sister Angelica took her solemn vows. Her legs and her back were so twisted she could hardly walk (she wore a body cast), leading her to beg God to allow her to walk again in exchange for a promise: she would build a monastery in the South. What she wanted was a “Negro apostolate,” a cloistered community in service to poor blacks. After undergoing spinal surgery, and after being rebuffed initially by her bishop, she got her way; approval was given to build a monastery in Birmingham. Then came to the hard part—coming up with the bucks to pay for it.

In 1959, the year before she became Mother Angelica, she spotted an ad in a magazine for fishing lure parts. She decided that the nuns would go into the fishing-lure business, thus was St. Peter’s Fishing Lures born. In 1961, *Sports Illustrated* honored her with a plaque for her “special contribution to a sport.” Remarkably, this half-crippled nun with no business experience was able to garner national attention for her entrepreneurial acumen. It was just the beginning.

Building a monastery in the South in the early 1960s, especially one that would service African Americans, was not exactly a popular enterprise. It didn’t take long before local opposition mounted, even to the point of violence: Mother Angelica was shot at one night by one of the protesters (he barely missed).

Amidst what seemed like eternal struggles to keep the revenue coming, Mother started the Li’l Ole Peanut Company. Score another hit: By the end of 1968, she paid off all the monastery debt. Over the next decade, she would write books and give talks, managing to walk with an artificial hip.

In 1978, her life was forever altered when she was introduced to a TV studio in Chicago. Instantly, she got the bug: she had to have one of her own. Then came the first of many disappointments dealing with the bishops. When she contacted

them about a Catholic TV show, none replied. Undeterred, she secured funding from New York philanthropist Peter Grace, and in 1981 got a young lawyer and Catholic deacon, Bill Stelteimer, to craft a civil corporation called the Eternal Word Television Network. Bill would remain a loyal and talented ally throughout the tumultuous times to come.

When word reached Rome that a cloistered abbess was traveling the country in pursuit of her broadcasting dream, she ran into trouble with both American bishops and Vatican officials. But thanks to Cardinal Silvio Oddi, head of the Sacred Congregation for the Clergy, she prevailed.

It was never easy. Every time Mother Angelica thought she was in the clear, another bishop would raise objections to her venture. Indeed, the bishops tried to outdo her by launching their own effort, the Catholic Telecommunications Network of America (CTNA). It was clear from the beginning that Mother Angelica was seen as a threat: EWTN had a traditional orientation and CTNA took a modernist stance. EWTN won. CTNA collapsed.

It was not easy for the bishops to watch their own creation flounder while EWTN won the admiration of Pope John Paul II. Adding to their chagrin was their inability to get Mother Angelica to switch to a new interfaith satellite network. As to her own operations, Mother Angelica did not take kindly to those clerics who questioned her authority to showcase some bishops, but not others. "I happen to own the network," she instructed. When told that this would not be forever, she let loose: "I'll blow the damn thing up before you get your hands on it."

In 1989, a report by the bishops complained that EWTN rejected "one out of every three programs submitted by the bishops conference." The bishops and Mother Angelica were clearly on a collision course: she had no tolerance for the theological dissidence that was tolerated by many bishops and their staff.

The last straw came when the bishops conference sent a show to be aired featuring a cleric promising female ordination under the next pope.

The dissent, whether voiced by the Catholic Theological Society of America, or by feminist nuns who favored gender-neutral language in the Catholic Catechism, distressed Mother badly. She even had to endure being lobbied to push for “inclusive” language in the Catechism by the likes of “conservatives” such as Cardinal Bernard Law of Boston. That he failed should surprise no one.

Mother was more than distressed—she was angered beyond belief—when a woman portrayed Jesus doing the Stations of the Cross at World Youth Day in Denver, 1993. “Try it with Martin Luther King,” she said on the air. “Put a white woman in his place and see what happens.”

She was not prepared for what happened next. The reaction of leading bishops to her outburst was swift and vocal. Archbishop Rembert Weakland, who like Law would later be forced to resign in disgrace, blasted her for what he labeled “one of the most disgraceful, un-Christian, offensive, and divisive diatribes I have ever heard.” He had nothing to say about the incident that provoked her.

The bishops weren’t finished with her. In retaliation, they recalled priests who had been assigned to work at EWTN, and attempts were made to get EWTN thrown off diocesan TV channels around the country.

Just when it seemed things couldn’t get any worse, Mother Angelica and Roger Cardinal Mahony locked horns. In 1997, she accused the Los Angeles archbishop of questioning the Real Presence: “In fact,” she said, “the cardinal of California is teaching that it’s bread and wine before the Eucharist and after the Eucharist.” She added that she would not obey an Ordinary like him if she lived there, and hoped that those who

did would no longer provide him with their assent.

That was it. Mahony exploded. But while demanding that Rome punish Mother Angelica—and this went on for years—Mahony's archdiocese was home to “a cavalcade of dissenters and anti-Vatican agitators.” This is the stuff that drives orthodox Catholics mad.

While she survived in the end, Mother Angelica had to ward off attempts by the bishops to take control of EWTN (one archbishop allegedly told her that certain bishops “want to destroy you”). To make sure this would never happen, Mother Angelica resigned from the network in order to save it: the bishops would have no lien on a purely autonomous, lay-run, civil entity.

Twenty years ago, Ben Armstrong of the National Religious Broadcasters aptly dubbed her, “the Bishop Fulton Sheen of this generation.” Cardinal J. Francis Stafford was also right when he observed that “Mother Angelica represented the plain Catholic, who is 90 percent of the Church.” Let it also be said that she overcame all kinds of adversity, and she did it all—and continues to do it all—for Jesus.

THE PAPACY AND THE JEWS: RABBI DALIN SETS THE RECORD STRAIGHT

By William Doino, Jr.

Every day, the secular media bombards us with the idea that the Catholic Church is a backward, repressive institution,

unfair to its own members and prejudiced against those outside its communion. Is it any wonder that so many Jews, and other non-Catholics—not to mention “anti-Catholic Catholics” ignorant of their own faith—have a distorted or incomplete understanding of Catholicism? Anti-Catholicism so saturates the media that even the *Jerusalem Post*, trying to correct the record, got its story wrong: there have been no fundamental “changes” in Catholic theology regarding Jews because Catholic teaching against anti-Semitism was not introduced at Vatican II, but merely developed (with the assistance of the Holy Spirit), and applied more conscientiously to the modern world.

That John Paul II increased the warmth and trust between the two communities is undeniable; but that John Paul II began the rapprochement between the Catholic and Jewish communities—as if everything up to his pontificate was something to regret—is a myth, which he himself would rebel against, were he still alive to refute it.

Fortunately there are many Catholics and Jews who have dedicated their lives to trying to set the historical record straight. One man in that mold is Rabbi and historian David Dalin, who first came to the attention of Catholics when he published a much-discussed essay on Pius XII and the Jews in the influential *Weekly Standard* (February 26, 2001). In it, he staked out his position in defense of Pius XII, and argued that many of the wartime pope’s critics—particularly embittered, dissenting Catholics—were not really interested in the tragedy of the Jewish people but merely sought to exploit it for their own anti-papal agenda. “Jews, whatever their feelings about the Catholic Church,” he wrote, “have a duty to reject any attempt to usurp the Holocaust and use it for partisan purposes.” That remarkable essay was re-published in the important anthology Dalin co-edited, *The Pius War: Responses to the Critics of Pius XII* (See, “Why We Published *The Pius War*,” in *Catalyst*, April, 2005, pp. 8-9).

Even before he came to the attention of the wider Catholic

community, Dalin was known as an exacting scholar of Judaism, having already authored several important books, and written for such journals as *Commentary*, *Conservative Judaism* and *American Jewish History*. His knowledge of Catholicism and Catholic-Jewish history is no less impressive. And unlike so many who delve into this complicated area, Dalin has impeccable credentials: he received his B.A. degree from the University of California at Berkley, where he was elected to Phi Beta Kappa. He received his M.A. and Ph.D from Brandeis University, and his Rabbinic Ordination from the Jewish Theological Seminary in America. Dalin, in other words, is an authority on this subject, not an amateur making stray and superficial comments.

Because of his body of work and reputation, Rabbi Dalin is a much sought-after speaker and lecturer, and now teaches at Ave Maria University in Naples, Florida, where he is a Professor of history and political science.

In his new book, *The Myth of Hitler's Pope*, Dalin directly refutes the thesis of John Cornwell's notorious book, *Hitler's Pope*. He uses the occasion to explore the whole history of Catholic-Jewish relations, and compares them to Jewish-Muslim relations, which are at the heart of current geopolitical debates today.

The *Myth of Hitler's Pope* covers three areas of concern for Catholics and Jews. The first, of course, is the life and record of Eugenio Pacelli, who served as Pope Pius XII during the Second World War and beginning of the Cold War. Against the polemicists and mythmakers of our time, Rabbi Dalin demonstrates the humanity, courage and charity of Pius XII, both before and after he became pope.

At every stage of his life, Dalin argues, Pacelli was an outspoken foe of every aspect of Nazism. With careful documentation, much of it new, from recently released archives, Dalin proves that Pacelli, did, in fact "speak out"

against anti-Semitism, racism, warmongering and the atrocities of the Holocaust. His record as papal nuncio in Germany (1917-1929), as well as when he was Cardinal Secretary of State to Pius XI (1930-1939), is quite impressive. This is true notwithstanding the much-maligned 1933 Concordat between the Holy See and Germany, which Pacelli negotiated (on behalf of Pius XI) to protect the Church's freedom against the onslaught of the Nazis. (By doing so, he preserved at least some mobility for the Church to protect persecuted Catholics and Jews.) As pope himself, from 1939-1958, Pius XII was the architect of the Catholic Church's world-wide rescue efforts during the Holocaust, going to great lengths to protect Europe's persecuted Jewish community.

One of the most important parts of Rabbi Dalin's book is where he demolishes the claim that Pius XII was uninvolved in these rescue efforts, as if all Catholic rescue was spontaneous and independent of the pope. In fact, as Dalin proves, Pius XII gave direct orders and explicit instructions to his subordinates to rescue Jews; the result was that countless numbers of them were saved from Hitler's death camps. This was recognized at the time, after the War, and after Pius XII's death, by almost all major Jewish leaders and organizations. Dalin rightly criticizes those who attempt to diminish or explain away these powerful testimonials on behalf of Pius. Contemporary scholars like Sir Martin Gilbert, whom Dalin cites as a renowned authority, estimate that the wartime Church, under Pius XII's leadership, saved "hundreds of thousands of Jewish lives."

The second subject concerns a little known figure—Hajj Amin al-Husseini, the grand mufti of Jerusalem; according to Dalin's research, he played a significant role in Hitler's Third Reich. Al-Husseini was one of the fathers of today's radical Muslim extremists and, therefore, a notorious anti-Semite who sanctioned Hitler's policies against the Jews. And Husseini did this, openly and publicly, at the very time that

Pius XII was rescuing Jews in Rome and elsewhere. The story Dalin tells about this pro-Nazi cleric—who became a hero to Yasser Arafat, and whose theories are at the root of modern-day terrorism—is truly astonishing: he juxtaposes the actions of the two men, and chastises anti-Pius ideologues for ignoring al-Husseini's appalling record, while defaming a good and noble pope.

Writes Dalin:

"One of the most damaging side effects of the myth of Hitler's pope is that it perpetuates the myth that the Catholic Church, rather than radical Islam, has been and remains the preeminent source of anti-Semitism in the modern world...Today, sixty years after the Holocaust, the wartime career and historical significance of Hitler's mufti...should be better remembered and understood. The 'most dangerous' cleric in modern history, to use John Cornwell's phrase, was not Pope Pius XII but Hajj Amin al-Husseini, whose anti-Jewish Islamic fundamentalism was as dangerous in World War II as it is today. While in Berlin, al-Husseini met privately with Hitler on numerous occasions, and called publicly—and repeatedly—for the destruction of European Jewry. The grand mufti was the Nazi collaborator *par excellence*. 'Hitler's Mufti' is truth. 'Hitler's pope' is myth."

The final and perhaps most important theme of Dalin's book is the strength of Catholic-Jewish relations—not just today, but throughout the ages. For a number of years, numerous commentators—many of them Catholics, alas—have depicted the history of Catholic-Jewish relations as one long trail of tears. But while it is true that there have been difficult chapters in this relationship, it is also true that a philo-Semitic or pro-Jewish tradition has always existed in the Church—and it didn't begin at Vatican II. Employing all his skills as an historian, and without whitewashing any particular act of injustice, Dalin recounts how, with few exceptions, pope after pope, from ancient times to the

present, raised a helping hand for the Jewish community:

“The historical fact is that popes have often spoken out in defense of the Jews, have protected them during times of persecution and pogroms, and have protected their right to worship freely in their synagogues. Popes have traditionally defended Jews from wild anti-Semitic allegations. Popes regularly condemned anti-Semites who sought to incite violence against Jews. Popes employed Jewish physicians in the Vatican and counted Jews among their personal confidants and friends. You won’t find these facts in the liberal attack books, but they are true.”

Noting that many of Pius XII’s detractors also assailed Mel Gibson’s masterful “Passion of the Christ,” Dalin concludes his book with the observation that secularist ideologues who attack Pius XII—or John Paul II or Benedict XVI—are really engaged in the larger cultural war, against the Judeo-Christian values they represent. Rabbi Dalin calls upon both Jews and Catholics committed to their respective faiths to wake up, recognize what is going on, and fight back. As a first step, he proposes that Pope Pius XII be formally recognized as a “Righteous Gentile” by the state of Israel, as it has recognized other heroes who rescued Jews during the Holocaust.

That proposal may shock those committed to the myth of “Hitler’s Pope,” because of ignorance or prejudice, but if they read this book, they may well change their mind and agree with Dalin’s informed and heartfelt judgment. May Israel one day so recognize Pius XII; may the Vatican beatify and canonize him; and may Rabbi Dalin, a courageous and prophetic figure for our cynical age, live long enough to see both occur.

William Doyno Jr. is a Catholic author and commentator. A contributing editor to Inside the Vatican, he has been published in such journals as National Review, Modern Age, and

Crisis, and is now researching and writing a book on the Vatican's role during the Second World War.