

SEN. SANTORUM ASSAILED FOR HIS CATHOLICISM

U.S. Senator Rick Santorum recently defended the institution of marriage, and for doing so has been criticized by gay activist groups. Santorum, who is a Roman Catholic lawyer, offered a comment that reflected both the current legal view of homosexuality and one that is consistent with Catholic teaching. The Catholic League immediately rushed to his defense, seeing the attack on him as an attack on his Catholicism.

“If the Supreme Court says you have the right to consensual [gay] sex within your home, then you have the right to bigamy, you have the right to polygamy, you have the right to incest, you have the right to adultery. You have the right to anything,” Santorum said.

Santorum’s remarks dovetail with the majority opinion in the U.S. Supreme Court’s 1986 decision in *Bowers v. Hardwick*. The high court may reverse that decision in *Lawrence v. Kansas*, but even if it does, Santorum’s comments reflect a constitutionally respected position. Furthermore, by maintaining that the state should not sanction sexual relations outside of marriage, Santorum was restating Catholic thought on this matter.

The Catholic League was quick to say that it was patently unfair to compare Santorum’s comments to the statements made by Senator Trent Lott regarding the segregationist legacy of Senator Strom Thurmond.

“A segregationist is anti-black,” we said. But, we added, “To defend the institution of marriage is pro-civil society. This traditional institution cannot be defended if all alternative lifestyles are treated as its equal.”

Things got nasty when Rep. Jerrold Nadler of New York was questioned on April 23 about Santorum's remarks on the Fox News Channel show "Hannity and Colmes." Nadler implied that the Catholic position on homosexuality is bigoted. On April 24, we demanded an apology.

On April 25, after William Donohue was asked to appear on MSNBC TV that evening with Pat Buchanan and Bill Press to discuss this subject, we contacted Congressman Nadler's office to see if he wanted to issue a statement before Bill went on national TV. He quickly sent a note saying, "I regret if anyone reading an account or a quote of only one or two sentences mistakenly gets the impression that I was referring to the Catholic Church or to its position on sin." Bill accepted his apology and did not criticize Nadler on TV (though he could have).

For more on this subject, see ["President's Desk."](#)

ANTI-WAR CROWD EXPLOITS THE POPE

The Catholic League has taken no position on the Iraqi conflict, but it has taken a position on the way the pope's words on the war have been exploited by anti-war activists.

□ □It should come as no surprise that the pope is viscerally anti-war. But it is a grave error to label him a pacifist. Pope John Paul II has said repeatedly that war cannot be decided upon "except as the very last option." What he has not said, though such words have been attributed to him, is that there is no legal or moral justification for the war (some Vatican officials have said as much, but not the Holy Father).

In any event, it is striking how many new friends the Pontiff has these days.

□□Jessica Lange is anti-war and pro-abortion. The NARAL enthusiast found it useful to praise the pope for his position on the war. What she failed to mention was that when the pope told a gathering of world leaders to say “No To War” on January 13, he began by admonishing them to say “No To Death”; he specifically cited “the incomparable dignity of every human being, beginning with that of unborn children.” But Jessica chose not to hear that.

□Actor Michael Moore was quoted as saying, “The pope even came right out and said it: This war in Iraq is not a just war and, thus, it is a sin.” But the pope never said this is not a just war, never mind a sinful exercise. Susan Sarandon, another fair-weather Catholic, invoked the pope’s name in making her pitch against the war. And even the notoriously anti-Catholic magazine, the *Nation*, cited the authority of the bishops in making their case against the war.

The reaction of Catholic dissidents and those who claim Catholic status was even more comical. The *National Catholic Reporter* never tires of railing against papal authority; ditto for Call to Action, an organization of Catholic malcontents. Yet both lauded the pope for his leadership on the war. Even that inveterate Catholic basher Frances Kissling spoke of the “humanitarian” vision of the Vatican and the “religious authority of the pope.” This makes us wonder—will she now convert to Catholicism?

We’ll call these people sincere when they stop exploiting the pope’s words on the war and start showing real and consistent respect for his teachings on all subjects.

EDUCATION SECRETARY UNDER FIRE

U.S. Secretary of Education Roderick Paige has come under fire by secular extremists for extolling Christian values; his comments were made during an interview with the Baptist Press. The Catholic League rushed to his defense and was the first organization in the nation to do so.

“All things being equal,” Secretary Paige said, “I would prefer to have a child in a school that has a strong appreciation for the values of the Christian community, where a child is taught to have a strong faith.” He also compared public schools unfavorably to Christian schools because of the latter’s emphasis on values.

At no time in the interview did Secretary Paige say that religion should be taught in the public schools. But this did not stop him from being blasted by Americans United for Separation of Church and State, the ADL, the ACLU, the National Education Association, the Islamic Networks Group of San Jose and the Gay, Lesbian and Straight Education Network.

The most harsh comments came from Congressman Gary Ackerman of New York who accused Paige of sponsoring “the Taliban approach to education,” and from *Washington Post* columnist Richard Cohen who charged Paige with seeking to mainstream the Christian faith into the public school curriculum.

The Catholic League believes that what is going on here is much bigger than an attempt to stop Secretary Paige. His critics really want to rid society of Christianity and that is why they need to be defeated.

PROGRESS MADE ON BILLS AIMED AT CONFESSIONAL

Several states are now reconsidering bills that would end the exemption for the priest-penitent privilege. In every instance, the Catholic League has been integrally involved in challenging any legislation aimed at breaking the confessional seal.

The most dramatic success occurred in Maryland, Iowa and West Virginia. Led by Cardinal Theodore McCarrick of the Archdiocese of Washington, Catholics in Maryland pressured lawmakers to pull a bill that would require priests to report cases of child abuse learned in the confessional. William Donohue wrote to every member of the Maryland legislature about this issue. State legislators in Iowa and West Virginia dropped a similar bill even before a scheduled debate was to begin.

Progress was also made in Kansas and Kentucky. Bills in both states ran into enough opposition that lawmakers withdrew the legislation at least for the time being. It is not certain whether the bills will be reintroduced.

Nevada is also reconsidering what to do. State Senator Dina Titus introduced legislation designed to end the priest-penitent privilege but was quickly persuaded to rethink her proposal after receiving a letter from Donohue. She wrote to Donohue thanking him for his "thoughtful message," saying she has cancelled a hearing on her bill. Titus wrote that "we want to preserve the sanctity of the confessional."

Florida and New Hampshire remain trouble spots though no bill has been approved that would compromise the confessional.

The Catholic League has been arguing that such laws are patently unconstitutional. It is not likely the courts would permit such an extravagant abuse of power by the state, no matter how noble the cause. "Separation of church and state," we told the media, "has no meaning if the state is allowed to trump the doctrinal prerogatives of a religion, and this is especially true *when there is no evidence to suggest that the only way an important state objective can be realized is by allowing the state to encroach on religion.*"

If the goal is really to protect children, then this can certainly be accomplished without fiddling with the priest-penitent privilege. Indeed, if protecting the kids is the real goal, then why are not lawmakers demanding that all professionals who learn of cases of child sexual abuse report them to the authorities?

We will continue to monitor this issue.

JUDGES BAN PLEDGE

The 9th Circuit Court of Appeals has rejected an appeal to reconsider a ruling made in June, 2002 by a three-member panel of judges that held the Pledge of Allegiance to be unconstitutional because of the words "under God." The three judges slightly altered their earlier ruling which had banned the Pledge in all public forums; they now decided to limit their ban to recitations in schools.

The Catholic League's response was unequivocating:

"Two things need to be done immediately: teachers and students should practice civil disobedience

and the judges must be impeached.”

We called on the teachers in the nine western states affected by the decision to instruct their students on the meaning of civil disobedience and then practice it. They should call the cops and local TV reporters and then recite the Pledge of Allegiance in their presence. To do this at a time when the nation is going to war would be quite poignant: our troops are prepared to die for the liberties symbolized in the Pledge yet their children at home are barred from reciting it.

We also called for impeachment proceedings against the two federal judges who made this decision. Our point was this: judicial malpractice has been committed and those responsible must be removed from the bench. They should be removed not because most Americans disagree with them but because of jurisprudential incompetence.

It will now be up to the Supreme Court to overturn this outrageous decision.

KENTUCKY AND NEW HAMPSHIRE TARGET CONFSSIONAL

Lawmakers in Kentucky and New Hampshire are debating whether to end the priest-penitent privilege as it currently exists in law.

Currently, both states respect the confidential nature of the confessional by allowing priests and other clergymen an exemption from mandated reporting laws. But the legislative bodies of Kentucky and New Hampshire may decide to end this exemption when it comes to communication relating to the

neglect or abuse of a minor child. What gave rise to the bills was the sexual abuse scandal in the Catholic Church.

The Catholic League wasted no time charging that such a bill would cut to the core of church-state relations. The sanctity of the confessional, we maintained, is central to the Sacrament of Reconciliation. Indeed, it is impossible to fathom how the sacrament could operate if the government is permitted to penetrate the privacy of the priest-penitent relationship. We admonished the legislators in both states to consider the impact such a bill would have on the religious liberty clause of the First Amendment, as well as the establishment clause.

We also said that the timing of the bill is suspect. If it had been established that in Kentucky, and elsewhere, Catholic priests had learned of cases of child sexual molestation in the confessional and did not report them, then at least the motivation behind the legislation would make sense. But no one is making this charge. And with good reason—the cases of child sexual abuse that have come to light have had nothing to do with information learned in the confessional.

We could not help but notice that in the state of Washington, where a similar measure was debated, lawmakers there decided to respect the inviolable nature of the seal of the confessional. We also did not fail to notice that the person most responsible for pushing the bill in New Hampshire, Ann Coughlin, is also an active member of Voice of the Faithful.

Coughlin proved to be a master of spin when she said her actions are “a defense of a Catholic institution.” She even admitted she has no evidence whatsoever to show that priests in New Hampshire are being told in the confessional of crimes against children: “I can’t prove that ever happened. But I’m absolutely convinced that it has.”

The Catholic League will continue to fight against these bills

wherever they surface.

D.C. JUDGE RIPS CHURCH

On January 30, D.C. Superior Court Judge Mildred M. Edwards convicted three Catholic homosexual activists for unlawful entry and then refused to sentence them. Her decision not to sentence them was based on her expressed sympathy for the activists.

The three were arrested on November 12 for an illegal protest they held in a D.C. hotel. They were protesting a decision made by a priest not to give them Holy Communion the day before at the National Shrine of the Immaculate Conception. The priest denied them Communion because he was aware that they belonged to Soulforce, a group that condemns the Church's teachings on sexuality.

Judge Edwards told the activists that by denying them Communion, the priest had committed "tremendous violence" against them. The judge, who claims to be Catholic, asked the protesters to forgive the Catholic Church and closed her remarks by saying, "Go in peace."

We told the press that Judge Edwards has a history of acting like an outlaw judge. More important, however, is the fact that the activists deliberately sought to receive Communion as an act of protest. Such behavior represents a serious abuse of power on the part of the laity that must be resisted.

"It would be interesting to know," we said, "how Edwards would react if her critics staged an illegal protest in her own chambers and then had a judge dismiss the charges after lecturing her about her judicial incompetence and theological

ignorance.

CARDINAL LAW RESIGNS

On December 13, the day Cardinal Bernard Law resigned, William Donohue issued the following remarks to the press:

“Most Catholics are greeting the resignation of Cardinal Law with a sigh of relief and sadness. While no one blames Cardinal Law for the entire scandal in the Church, his departure nonetheless represents an important step towards recapturing the trust of the laity. Now the mending process can proceed with alacrity.”

Donohue also took aim at the “small, but vocal, minority for whom nothing will ever satisfy.” He specifically mentioned SNAP president Barbara Blaine, ex-priest and psychotherapist Richard Sipe and victims’ attorney Mitchell Garabedian. Worse, he said, was a radical group called Coalition of Catholics and Survivors; they tried to implicate the pope.

On December 16, Cardinal Law held a press conference. Donohue was asked to be in the studio of the Fox News Channel when Cardinal Law spoke. After the Cardinal’s remarks, Donohue told host Neil Cavuto: “He [Cardinal Law] made a very genuine, sincere statement today, and I do think that he does in his heart of hearts hope that they’re going to have some reconciliation.”

Donohue concluded his comments by taking note of the fact that some are already beating the war drums going after bishops of other dioceses. “This is absurd,” he said, “everyone knows that no other diocese in the nation was qualitatively or quantitatively comparable to Boston. To suggest otherwise is

to play into the hands of Fifth-Column Catholics.”

“HOLIDAY WARS” EXPLODE: COURTS ENTER THE FRAY

The “Holiday Wars” controversy over the propriety of putting religious symbols on public property drew a response this past Christmas season from the Supreme Court.

On November 29, U.S. Supreme Court Justice John Paul Stevens ruled that the city of Cincinnati could not bar the display of a menorah on a downtown plaza during the holidays. The municipal ordinance that was overturned said that only the city can use Fountain Square during the last two weeks of November through the first week of January.

Stevens, who oversees the Sixth Circuit, upheld U.S. District Court Judge Susan Dlott’s ruling that the city could not grant itself exclusive use of the square during the holidays; Stevens overruled an appeals court decision blocking the display of the menorah. On December 16, the full Supreme Court refused to challenge Stevens’ decision, thus reaffirming his ruling.

Unfortunately, this ruling by the high court was widely ignored. But if there was one court decision that captured national attention, it was a lawsuit brought by the Thomas More Law Center of Ann Arbor, Michigan, and instigated by the Catholic League.

In 2001, the Catholic League objected to a memo by the General Counsel for the New York City Schools Chancellor that permitted public school teachers to display such religious

symbols as the Jewish menorah and the Islamic star and crescent while forbidding the display of a manger scene; Christians were told to be content with a Christmas tree. Without reason, New York City declared the menorah and star and crescent to be secular symbols.

When this issue was revisited this past Christmas season, the league had made much progress: a) a Catholic League member, Andrea Skoros, had agreed to have her public school children participate in a lawsuit and b) William Donohue had contacted his friend at the Thomas More Law Center, Richard Thompson, to file the suit. The lawsuit was filed December 10; no outcome has been reached.

What is so maddening about this is that the New York City Parks Department allows the Catholic League to erect a crèche in Central Park but the Department of Education stops us from displaying nativity scenes in the schools. We feel confident that the courts will agree that it is a matter of religious discrimination to allow Jews and Muslims their religious symbols while denying Christians theirs.

CHRISTMAS CONTROVERSIES

Every December the Catholic League goes on high alert over the ever-predictable Christmas controversies. The controversies started early this year when it was revealed in October that there will be no religious displays allowed during the holiday season at Saluda Shoals Park in Irmo, North Carolina.

Last year the league was busy restoring the right of employees in King County, Washington, to say "Merry Christmas." It got so absurd last year that icicle lights were banned from display by government officials in Northdale, Florida. Red

poinsettias were banned in Ramsey County, Minnesota, and Christmas cards were banned in Frederick County, Maryland schools.

The Catholic League does not engage in lead-counsel lawsuits. Our strategy is to put the public spotlight on those who have decided to neuter our public square by censoring Christmas-related speech. It works well and costs little.

There is nothing in the First Amendment that demands censoring freedom of religious expression, even on public grounds. But over the years some courts have become increasingly hostile to this speech. If you want to know what's allowed and what's not, write us a note saying you want a copy of our timely publication, *Religious Expression at Christmastime*; include \$3 to cover postage and handling.

By the time you read this article we will already be in full swing. It never fails to amaze us that those who boast the loudest about freedom and diversity are usually its greatest enemies. We wish they'd just lighten up.