

CROSSING THE LINE

From My Viewpoint

by Cardinal John O'Connor

According to Ray Kerrison of the *New York Post* (Sept. 27, 1993), Mr. Bill Donohue has written a letter to Mayor Dinkins about the almost unbelievable ad plastered on the sides of city buses, public property. The ad presents Madonna, whom Mr. Kerrison calls "the pop freak who peddles blasphemy and lewdness with her muse," side by side with Mary and the Infant Jesus. The caption runs vertically between the two: "VH-1, The Difference Between You and Your Parents." VH-1, I'm told, is a sister network of MTV .

Who is Mr. Bill Donohue? He is the President of the Catholic League for Religious and Civil Rights. The *Post* column says that his letter to the mayor demands "that the offensive work be removed from public property and those responsible for its distribution be disciplined." The letter reads, in part:

"This is especially egregious, A bus is government property. No one is permitted to put any religious symbol on government property. If we tried to put a picture of Our Blessed Mother and Jesus on the side of a bus, it would be rejected because it would be endorsing a religion. But if it is used with Madonna in a form of blasphemy, it is acceptable. Suddenly, it becomes freedom of speech. The double standard is an outrage."

Now that's a clever argument. It turns the argument about separation of Church and State upside down, right on its head. Is there anyone who can not hear the scream all over town should the MTA carry a poster of Mary and the Infant Jesus alone, saying something like: "Here are the woman and child your parents reverence. Why don't you? "

Mr. Donohue is quite within his rights, as well, to ask if the

MTA would accept similar advertising if it ridiculed religious faiths other than Catholic, or individuals of color, or persons with AIDS. Huge numbers of fair-minded and decent people of every religious persuasion ride MTA buses. I can not imagine that they will not deluge MTA officials and/or the mayor's office with letters of outrage. Christians and Muslims alike share reverence of Mary and the Infant, and the Anti-Defamation League has a fine record of protesting outrage against religious beliefs, in general, Jewish or other. Surely the New York Civil Liberties Union will see and protest the violation of the principle of separation of Church and State, one of the union's consistent concerns.

Indeed, I can speak from experience. During the summer, the rightfully revered Rabbi Morris Sherer, president, Agudath Israel of America, nationwide Orthodox Jewish movement, took serious exception to MTA's indecent commercial advertising policy. I was not surprised. Rabbi Sherer and I have consistently shared the same moral values. If anything, he has been even more watchful than I, and unfailingly courageous. Mr. David Zweibel is in-house general counsel to Agudath Israel. I have never seen clearer or more persuasive briefs, particularly on Church-State constitutional issues, than those written by Mr. Zweibel. In my judgment Mr. Zweibel's analysis of the MTA policy leaves that policy without a leg to stand on. In short, MTA officials can argue all they want that the right of free speech requires them to accept indecent commercial advertising. I agree with Mr. Zweibel: it categorically does not. It's a smoke-screen to claim that it does.

Sometimes we Catholics think we're alone when we wage these battles. Frequently I find Rabbi Sherer way ahead of me. And there are many more on the same side.

So I feel quite confident that fair people will insist that fairness be exercised by the MTA.

Now having said all this, and despite the gravity of the offense on the part of VH-1 and the MTA, I have to recognize at the same time the highly favorable publicity being given to Mary and the Infant Jesus!

Can the real Madonna and Child lose when compared with the *ersatz*? Surely a number of young people will view the ad, not as showing the difference between themselves and their parents, but the difference between falsehood and truth. And surely a number of the young, middle-aged and elderly will thank God for the wisdom of their parents! Even more: lots and lots of people I know, young and old, and many more whom I don't know, will undoubtedly be infuriated by an ad that suggests that their values are those of the *ersatz* Madonna. And who knows what standing next to the *real* Madonna, if only in an ad, may do for Madonna herself! It's the risk you run when you post an ad on the side of a bus. Sometimes buses backfire.

Incidentally, those who may know or discover that the Catholic League for Religious and Civil Rights rents space in our Archdiocesan Catholic Center, 1011 First Avenue, New York, NY 10022, may wonder why I have to read in the *Post* a letter to the mayor from the League's president. Why didn't I just go down a couple of flights to his office and ask to see the letter? One good reason: I didn't know about it. Contrary to the myth of the cynics, lots of Catholics do lots of things without asking my permission (thank the good Lord). An even more important reason: I wouldn't want anyone to be able to accuse me of violating the separation of Church and State by trying to influence a letter a Catholic agency wanted to write to a public official! We Catholics have to be awfully careful not to cross the line, you know.

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