

Executive Summary

In 2003, the Catholic League celebrated its 30th anniversary. Founded in 1973 by Jesuit scholar Father Virgil Blum, the league is dedicated to defending individual Catholics and the institutional Church against discrimination and defamation.

That we spend much more time defending the Church against defamation than we do defending Catholic men and women against discrimination is evident in this report. It suggests that while Catholics have assimilated, the Church still struggles for cultural acceptance. This is not altogether bad: the cost of the Catholic Church being fully accepted by a culture marked by radical individualism would be too much to bear—it could only be achieved by selling out, the way other religious denominations have.

It is hard to dissociate the Catholic Church from the scandal these days. But in 2003, we witnessed the first real evidence that the Catholic Church had turned the corner on the sexual abuse crisis: it came in June when the bishops assembled in St. Louis for their semiannual meeting. Cardinal Francis George of Chicago put it best when he said, “What we promised to do a year ago, we’ve done.” In other words, the reforms were under way. This, coupled with the appointment of Sean O’Malley as the new Archbishop of Boston, sent a clear message to Catholics: the Church was on the move again.

But not so fast. What kept the Church from moving forward without delay were some victims’ lawyers, district attorneys, pundits and dissident Catholics.

Lawyers whose motive is justice are not the problem; the problem is those lawyers who are motivated by greed and malice. The same can be said of D.A.’s: some acted responsibly by simply following the letter of the law, while others

exploited the scandal to make a name for themselves. Similarly, there were pundits who were rightly critical of specific instances of episcopal delinquency, but there were also those who used the scandal to score wide-ranging points on subjects having nothing to do with sexual abuse. As for dissident Catholics, the scandal may have compounded their alienation, but it remains true that there is a hard core of dissidents for whom no changes—short of dismantling the Church altogether—will ever satisfy.

Turning to the alleged victims, there were thousands of instances in 2003 of adult men who came forward claiming they had been molested by a priest many years ago. Indeed, the majority of reported cases involved allegations going back more than 20 years. That *almost all* the cases involved male-on-male sex with postpubescent men showed how utterly dishonest it is to say there is a pedophilia crisis in the Catholic Church: it's been a homosexual crisis all along, though few have the courage to say so.

Nothing justifies molestation, but it is also true that nothing justifies suspending the rule of law to make it easier to prosecute priests. There is a reason why the law allows for a statute of limitations. There is a reason why grand jury records are sealed. There is a reason why the law protects the sanctity of the confessional. But time and again we saw in 2003 that attempts were made to subvert these rights when the accused offender was a priest.

In Long Island, Suffolk County District Attorney Thomas Spota won the plaudits of many when he impaneled a grand jury to hear testimony on alleged instances of sexual abuse committed by priests in the Diocese of Rockville Centre. But he never cross-examined anyone; he never gave the diocese an opportunity to reply; and he leaked his report to the local newspaper, *Newsday*, before the diocese could respond. And he did all this knowing there would be no prosecutions because the statute of limitations had run its course! Worse, when

asked to join me in supporting a bill that his colleague in Nassau County, District Attorney Denis Dillon, was backing, he balked: the bill would have mandated that every professional who learns of the sexual abuse of a minor report it to the authorities.

When steeple-chasing lawyers in California lost in their bid to retroactively change the statute of limitations as it affects criminal laws governing child molestation, they pursued their ambitions in the civil courts. Bad as they were, they were no match for Jay Milano. Milano is a victims' lawyer from Cleveland who has been more open about his hatred of the Catholic Church than any of his peers. Always reaching for the jugular, Milano sought to invoke the notorious RICO statute to prosecute the Church. He also libeled all Catholic judges by saying they were unfit to preside over cases involving the Catholic Church.

Then there are the victims' lawyers who grease victims' advocacy groups. Take Jeffrey Anderson, Larry Drivon and Michael S. Morey. All have made themselves veritable millionaires suing the Church. And all contribute generously to victims' groups like SNAP (Survivors Network of those Abused by Priests) and Linkup. Dan Lyons broke this story wide open in the pages of *Forbes*; it is not hard to conclude that those who have this kind of vested interest in the scandal will not let it die too quickly.

Among those who don't want the scandal to end are men who walked away from either the seminary or the priesthood. They include such quitters as ex-seminarian Dick Ryan, ex-seminarian Garry Wills, ex-priest Eugene Kennedy, ex-priest James Carroll, ex-priest Daniel Maguire and ex-priest Richard Sipe. All are deeply embittered men who believe the scandal has vindicated them. Angry and aging, they are not unlike ex-cons who have been locked up most of their lives and shudder at the thought of being set free: they have no stomach for a life without the possibility of despair.

We have said all along that the guilty must pay, but we have also stressed that in this frenzied climate it is important to protect the innocent. In this regard, no bishop in the U.S. has been more unfairly treated than Bishop William F. Murphy of the Diocese of Rockville Centre, New York.

Newsday and the Long Island chapter of Voice of the Faithful have led the charge against Bishop Murphy. And what exactly is it that Murphy did to anger them? He served in Boston under Cardinal Bernard Law. Do they—or anyone else—have evidence that Bishop Murphy moved predators from parish to parish? No. Indeed, the report issued by Massachusetts Attorney General Thomas Reilly was specific about who was culpable in Boston, but not among the guilty was Murphy: the section on him in the report was less than two pages long, and the worst that could be said was that Murphy “supervised” the infamous John Geoghan. What the report did not say is that Murphy supervised Geoghan’s dismissal from ministry and ultimately from the priesthood. It was dishonest of Reilly not to mention it, but even so, the report said nothing incriminating about Murphy.

But to those who like the politics of McCarthyism, as *Newsday* and the local chapter of Voice surely do, it is enough to say that since Boston was the epicenter of the scandal, and since Murphy worked there and must have known what was going on, he’s guilty. This is on the order of saying that everyone at the *New York Times* who knew Jayson Blair was a rogue should be canned for allowing him to continue with his delinquency. This isn’t justice—it’s mob rule.

Regarding *Newsday*, it is not the newspaper’s reporting on the scandal that the Catholic League finds objectionable—reporters have a duty to write about wrongdoing in the Church—it is the relentless condemnatory articles written by its columnists and contributors. Of all the newspapers in the United States, *Newsday* is by far the most anti-Catholic. Not only have its writers savaged the Catholic Church, top officials have allowed Jimmy Breslin to spew lie after lie about Bishop

Murphy.

On July 24, the Long Island chapter of Voice of the Faithful put forth a statement calling on Bishop Murphy to resign. On July 25, the Catholic League announced a petition drive in support of Bishop Murphy on Long Island; *Newsday* ran a story on it. On September 25, we issued a news release saying we had amassed more than 6,000 signatures. But there was no mention of this in *Newsday*. Yet on the day our news release was issued, *Newsday* ran a piece about an upcoming meeting of Voice of the Faithful that was nothing more than an announcement blown up into a news story.

It wasn't just some pundits and Catholic activists who took advantage of the scandal to beat up on the Church; state lawmakers chimed in as well. Their target—the confessional.

In several states in 2003, legislation was introduced that would have compromised the sanctity of the confessional. The bills were nominally aimed at preventing the sexual abuse of minors: it was maintained that this could not be done without changing the law on priest-penitent relations. The Catholic League successfully fought these bills everywhere they were introduced. We pressed lawmakers in Kentucky, New Hampshire, Maryland, Iowa, West Virginia, Florida, Ohio and Nevada not to proceed with such bills: it was a red herring, we argued, to contend that child sexual abuse could not be stopped without violating the priest-penitent privilege.

In fairness to some of the legislators, not all of them were aware of the importance of the Sacrament of Reconciliation and the nature of the confessional. Once appraised of it, they yielded to our concerns. What is disturbing about this, however, is the fact that in some instances it was Catholic activists who pushed for these bills. In New Hampshire, for instance, it was an active member of Voice of the Faithful, Ann Coughlin, who lobbied for a bill that would have thrashed the confessional.

We noted in last year's annual report that by and large the major media outlets were quite fair in their reporting on the scandal. This was true in 2003 as well, the exception being CBS. In August, CBS reported that the Vatican issued a document in 1962 that "lays out a church policy that calls for absolute secrecy when it comes to sexual abuse by priests—anyone who speaks out could be thrown out of the church."

On the same day, August 6, on CBSNEWS.com, it was reported that "For decades, priests in this country abused children in parish after parish while their supervisors covered it all up. Now it turns out the orders for this cover up were written in Rome, at the highest levels of the Vatican."

All of this is a lie. The 1962 document had nothing to do with any purported cover-up. It specifically dealt with solicitations that a priest might make in the confessional to a penitent. Indeed, it prescribed penalties for any priests who, "whether by words or signs or *nods of the head*" (my emphasis) might convey a sexual advance. The ultimate penalty—being tossed from the priesthood—was possible.

The good news is that almost all media outlets refused comment on the 1962 document. That's because there was nothing there to indict the Church. Thus did CBS stand alone in its deception. I had the occasion to blast CBS for its dishonesty on Paula Zahn's CNN show.

It should be noted that when CBS was asked to explain its conduct, it made matters worse by acting defensively. Both Jim Murphy, the executive producer of CBS Evening News, and Andy Silvers, publicist for the network, stuck by their flawed story without offering a shred of evidence to support their extravagant claims. When they ran a follow-up story seeking the opinion of Catholic radio show host Jeff Cavins, they literally twisted Cavins' words to make it look like he took their side.

The scandal provided occasion for Catholic bashers in the entertainment business as well, and no one insulted Catholics more than Bill Maher. He opened on Broadway for a short stint, slandering all priests as molesters and mocking the Eucharist. His filthy commentary was well received by those who fancy themselves educated and tolerant. In his presentation, "Bill Maher: Victory Begins at Home," he made sure not to offend Jews and Muslims, even going so far as to say that "99 percent of the people who live in the Middle East are not terrorists." Even though more than 99 percent of priests have never been charged with sexual abuse, don't look for Maher ever to acknowledge this.

Bill O'Reilly has a need to show how independent he is, and in doing so he often engages in overkill. For example, he loves to attack Pope John Paul II: "I have never liked this pope. I have always felt he was an autocrat who had no vision about how people live in the real world." O'Reilly sees the Catholic Church as a monolithic institution headed by a tyrannical pope who always gets what he wants. This isn't Catholic bashing so much as it is a grand display of ignorance.

O'Reilly's ignorance was also evident when he went after the pope for not damning Saddam Hussein by name. Anyone who knows anything about the way the Vatican operates knows that publicly condemning public figures—no matter how despicable—is not the preferred method of opprobrium. While it is perfectly fine to disagree with this approach, it shows an appalling arrogance to suggest that the pope is soft on terrorism because he doesn't treat leaders like Saddam the way O'Reilly treats some of his guests.

Finally, it should be noted that our criticism of O'Reilly led him to brand the Catholic League a "witch hunter" in his latest book. Not only does this demonstrate how thin-skinned he is, it is untrue: we don't have to hunt him down to show how unfair he is—all we need do is quote him.

As this annual report indicates, there are many sources of

anti-Catholicism. Perhaps most troubling is that which emanates from government. On this score, 2003 was not a good year.

The U.S. Constitution prohibits a religious test for public office. This means that no one can be barred from holding public office because of his religious affiliation. The good news is that there are no blatant examples of this happening to any aspirant to public office, regardless of religious identity. The bad news is that subtle attempts to screen for religion are being waged, and many of those affected are Catholic.

Alabama Attorney General Bill Pryor was nominated to the 11th Circuit Court of Appeals. His bid was stopped by Democrats who said they were dissatisfied with his record on constitutional issues. But there was something else lingering, and that something else was Pryor's Catholicism.

Among those opposed to Pryor were Senate Judiciary Committee members Dick Durbin, Edward Kennedy and Patrick Leahy. Responding to charges that their opposition to Pryor was based on his religion, they said this was ludicrous given their own Catholicity. Now it is true that Durbin, Kennedy and Leahy are Catholic, but it is also true that they—unlike Pryor—reject the Church's teaching on abortion.

Here's how it works: a practicing Catholic who is opposed to abortion is shot down for his beliefs while Catholics who reject the Church's teaching are given a pass. While it is true that nominally speaking there is no ban against Catholics serving on the federal bench, the reality is that no Catholic not in rebellion against the Magisterium's teaching on abortion can expect to be appointed.

Senator Charles Schumer showed there was more than one way to skin a cat. He was ever so clever when he said that Pryor's beliefs "are so deeply held that it's very hard to believe

that they're not going to influence" him. "Deeply held beliefs," in this context, is code for religious beliefs. Add Schumer's tactic to the one employed by Durbin, Kennedy and Leahy, and the result is a *de facto* religious test.

Senator Rick Santorum got a taste of what it's like for a Catholic politician to express his misgivings about sodomy rights. Prior to the high court ruling that legalized homosexuality, Santorum said that "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."

For this Santorum was blasted by those who said he should keep his religious views to himself. Much of the criticism was vintage boilerplate, and not a few comments were *ad hominem*. In any event, soon after the Supreme Court delivered its gay-friendly decision in *Lawrence v. Texas*, a polygamist from Utah filed suit claiming discrimination—he wants the law to recognize his sexual preference as well. Thus was Santorum vindicated.

Catholics have every right to expect that both political parties will shun alliances with anti-Catholics. Unfortunately, the Democratic National Committee (DNC) continued in 2003 to maintain its alliance with the Catholic-bashing group Catholics for a Free Choice. By providing a link on its website to Frances Kissling's well-funded letterhead of an organization, the DNC shows that its support for abortion rights is so fanatical that it will even work with anti-Catholic bigots. Given the fact that the Democrats have been hurt by the Catholic League's non-stop public relations campaign against them, it is risky business to be so bold.

The Catholic League filed an amicus brief, in tandem with the Thomas More Law Center, in the case before the Supreme Court on the Pledge of Allegiance. The fact that the 9th Circuit

Court of Appeals stood by a decision made by three of its members banning the words "under God" in the public schools shows how extreme the anti-religious crusade has become.

What happened in Rockford, Illinois over Labor Day weekend in 2003 did not capture national attention, but it was important nonetheless. That was when some members of the Winnebago County Board designed a plan to tear down a Catholic Church, St. Mary's Oratory, and replace it with a county jail. We jumped into the fray immediately, as did Rockford Bishop Thomas Doran, and the plan was scratched. But had it not been for a tip provided by the Rockford Institute, the bureaucratic bullies may have pulled off a fast one.

The debate over school vouchers kept the Catholic League hopping in 2003. It is our position that criticism of vouchers no more makes someone an anti-Catholic bigot any more than criticism of Israel makes one an anti-Semite. But it is also true that some who oppose vouchers, and some who criticize Israel, are bigots. Take the case of Wisconsin state legislator Gwendolynne Moore.

Moore has been on the losing side in the Milwaukee voucher program from the beginning. In 2003, she sought an amendment to a school-choice bill that would require background checks of voucher-school employees. Those who objected to her amendment were accused of protecting "rapists." Worse, she said voucher schools would become a magnet for pedophile priests. Not able to sustain a rational argument against vouchers, Moore went to the gutter. This, unfortunately, is not an isolated instance: Catholic bashing often accompanies public debates over school choice.

The Catholic League filed two briefs before the Supreme Court in 2003 in cases that will determine the future of school choice in the U.S. Gerard Bradley of Notre Dame Law School entered a brief for us in a case that seeks to stop low-income students attending failing public schools from switching to

private or parochial schools. Rick Garnett, also of Notre Dame Law School, wrote a brief for us in a case involving a student from Washington state who won a partial scholarship but was later denied because he wanted to attend a college affiliated with the Assemblies of God. In both instances, the notorious anti-Catholic Blaine Amendments—operative in 37 states—are the issue.

Anti-Catholicism in the schools—evident in K through graduate school—kept us busy in 2003. Take Princeton University. It sponsored “Ricanstructions,” an art exhibit by Juan Sanchez that included a display called “Shackles of the AIDS Virus.” It featured such devotional items as scapulars and images of the Virgin Mary arranged in a circle. Another display showed naked female torsos arranged in the shape of a cross; it was labeled “Crucifixion No. 2.” And there was a display of torn images of the Sacred Heart of Jesus.

When complaints were made to Dr. Anne-Marie Slaughter, Dean of the Woodrow Wilson School of International Affairs (the school that sponsored the exhibit), she admitted that a display that offended Islam would not be tolerated on the campus. But she had no problem standing by “Ricanstructions,” saying it had “educational value.” When I challenged her to a debate on her campus, asking that she instruct me on the educational value of hate speech, she declined the offer. She also declined to debate me on the MSNBC TV Show “Scarborough Country.”

Washburn University in Topeka, Kansas also dumped on Catholics. School officials allowed an outdoor sculpture of a Catholic bishop wearing a hat that resembled a phallic symbol. The offending exhibit also featured an obnoxious inscription mocking the confessional. Our protest led to considerable controversy on the campus and even led to a robust discussion among the school’s Board of Regents. The school was eventually sued by the Thomas More Law Center.

There are bigots on every campus, but few schools seem to

harbor student associations that offend year after year. Columbia University does—its band annually engages in a bigoted assault on Catholicism. Having extracted an apology in 2002 from its president, Lee Bollinger, I thought the message had been received. I was wrong. I got another apology in 2003, this time from the band manager by way of the dean of Columbia College. During the halftime festivities of the football game between Columbia and Dartmouth, an announcer for the Columbia College Marching Band invited the crowd to join the band in their “Celebration of Partial-Birth Abortion.” This was followed by some ranting against the pope and what the announcer described as the pope’s “drooling and stuttering speech.” Forget about the ridicule of the pope for a moment: it is astonishing that college students at an Ivy institution would *celebrate* the killing of a child who is 80 percent born. It will not do to say this is preppy comedic behavior: it is sick. And the fact that no other Ivy League college—or any college for that matter—engages in this kind of behavior suggests there is something seriously wrong at Columbia.

As the cases of Central Michigan University and Indiana University make clear, anti-Catholicism on the campuses is not confined to students: administrators and faculty contribute as well.

At Central Michigan University we learned that the school’s affirmative action office had published a “Warning” on the school’s website informing Christians how to celebrate Christmas. For December, the calendar listed the holidays of Christmas, Hanukkah, Kwanzaa and Las Posadas. An asterisk was curiously put next to Christmas: it read, “Warning of Holiday Decorations.” The document admonished Christians to be careful how they celebrated Christmas, being ever wary of the way non-Christians might react.

What to make of this? One conclusion is that Christians cannot celebrate Christmas without sticking it to Jews and Muslims. Another is that Jews and Muslims are anti-Christian bigots who

can't stand Christmas celebrations. A third conclusion makes more sense: the affirmative action dons at the school were acting like a Multicultural Gestapo.

We registered a complaint and I went on Fox News Channel blasting the school. The response by the university was incredible—incredibly positive. First Rick Morrison, the school's spokesman, called us to apologize, explaining that the "Warning" document was posted unbeknownst to the president and other senior officials; it was immediately taken down. Then the president, Michael Rao, issued a forthright statement disapproving of the document. To get such a quick, responsible and sincere response from an educator is not commonplace. We immediately dropped the issue, but not before praising Rao in the media and in the school's student newspaper.

The officials at Indiana University were not so responsible. A law professor, Florence Roisman, registered a complaint about a Christmas tree on the campus and succeeded in getting it removed; there were no religious ornaments on the tree. Roisman, who is Jewish, said, "To honor one religion and not honor others is exclusionary." But this is a ruse: had a menorah been placed on the campus, this wouldn't have satisfied her—her goal was to sanitize the campus by censoring Christmas.

When we protested, Dean of Students Tony Tarr replaced the tree with two smaller ones, along with a sleigh. He called the first tree a "denominational" tree, and the new ones "a normal Indiana scene." We called it cowardice. Roisman, ever the zealot, wasn't happy with the so-called non-denominational trees either.

This year's annual report lists many other examples of anti-Christian bigotry that took place in December. Whether it was the ACLU going into federal district court filing suit over a nativity scene, or Americans United for Separation of Church and State seeking to neuter Christmas, the result was still

the same: to gut our culture of its religious foundations.

The crusade to stamp out Christmas is now big business. Diversity specialists in the corporate world do the business of the ACLU in the workplace. Their goal is to protect the 15 percent of Americans who are not Christians by instituting a censorial policy against the holiday celebrations of the 85 percent who are. In the name of diversity, they destroy it.

If there was one big issue for the Catholic League in 2003, it was the defense of Mel Gibson. Had a young, rookie, traditional Catholic tried to produce "The Passion of the Christ," the movie would have been dead on arrival and the reputation of the person destroyed. The only reason this film survived is due to Mel: he is a well-known and respected veteran with a steely determination. It does not exaggerate to say that many of Mel's critics are positively ruthless. Some are notoriously anti-Catholic, and others are egomaniacs; the latter arrogantly assume that their understanding of the Passion is the only legitimate one—and beware those who differ!

The real problem for many is the New Testament. They don't like what it says, so—like federal judges who don't like what the Constitution says—they reinterpret it to fit their ideological mold. In doing so they show that they are as dishonest as they are anti-intellectual. And they are vicious: it was not enough to attack Mel for being a "traditional" Catholic—they had to go after his elderly father by accusing him of being a Holocaust denier.

The charge is a lie. What Hutton Gibson said in the article that gave rise to this accusation (the "Sunday Magazine" section of the *New York Times*, March 9) was to question the number of Jews killed in the Holocaust. He thought the figure was closer to 5 million—not 6 million—something noted Jewish scholars have voiced as well. In any event, what Mel's father had to do with the film was never explained. But never mind,

the point was well taken: Mel is an old-fashioned Catholic; his father is even more retro; ergo, they're bigots and the movie is hopelessly anti-Semitic. That's exactly the way these people think.

After defending Mel on TV in June, he called to meet with me. He allowed me to see a rough cut of the film in my office on July 6; Bernadette Brady, the vice president, and Father Philip Eichner, chairman of the board, were also there. On July 22, I saw the movie again, this time at Sony studios in New York; accompanying me was Louis Giovino, director of communications.

The public will make up its own mind about the film. For the record, I believe it is the most powerful movie ever made about Jesus Christ. It was absolutely breathtaking—look for it to spark a renewed interest in Christianity. If I thought it was anti-Semitic, I would have nothing to do with it, except to condemn it.

It would be patently unfair to say that all those who criticized the movie in 2003 were anti-Catholic bigots. Some were motivated out of fear that the film would feed the base appetites of Jew bashers. Now it is true that the sickest of the bigots may find something to chew on, but it is reckless to think that the film is about hate: it is about love, sacrifice and redemption. In the end, the movie must be judged on how it moves most people—not a few twisted souls.

Finally, the purpose of this annual report is not simply to demonstrate the vitality of anti-Catholicism in American society, it is written with the hope that Catholics, and others, will take steps to stand up to this ancient prejudice. Our society loses when the voice of Catholicism is muted, and there is too much at stake to allow this to happen.

William A. Donohue, Ph.D.
President