

High Court Backs Gay Ban in St. Patrick's Day Parade

Ending a bitter three-year controversy the United States Supreme Court ruled on June 19, that the South Boston Allied War Veterans Council, organizers of Boston's St. Patrick's Day Parade, can bar homosexual groups from marching in the parade. Justice David Souter, writing for a unanimous Court in *Hurley v. Irish-American Gays*, framed the issue as "whether Massachusetts may require private citizens who organize a parade to include among the marchers a group imparting a message the organizers do not wish to convey." "We hold," said Justice Souter, "that such a mandate violates the First Amendment."

The newly formed Irish-American Gay Lesbian and Bisexual Group of Boston (GLIB) sought an application in 1992 to march in South Boston's St. Patrick's Day Parade. Although the group's application was turned down by the veterans council that year, the gays marched in the parade by virtue of a court order. The parade's organizers then cancelled the parade rather than admit the gay group while pursuing justice in the courts.

In his opinion Souter repudiated an earlier decision of the Massachusetts Supreme Judicial Court which had ruled in favor of the gay group on the basis of the state's anti discrimination laws. The Court pointed out that forcing the parade sponsors to allow GLIB to march in the parade was a violation of the veterans' free speech rights.

The justices in *Hurley* made clear that the parade sponsors were not seeking to bar homosexuals from marching in the parade as individuals or with an approved group, but only as a group attempting to convey a message that was offensive to the veterans. The parade sponsors have the authority, wrote Souter, to "exclude groups whose views clash with the message

the council wants to convey in the parade.”

Commenting on the decision, the Catholic League issued the following statement:

“This Supreme Court decision is a victory not only for Irish Catholics, it is a victory for all those who believe in free speech and freedom of association. Every racial ethnic and religious group that wants to maintain the integrity of its heritage has a right to insulate its parades from those who would insult and degrade its culture. This decision will also do much to provide for public order by limiting the rights of those who would use their rights to abuse the rights of others.”