

STANDING UP TO BULLIES

William A. Donohue

On January 24, we received a call from a San Francisco Chronicle reporter saying a \$100 million lawsuit has been filed against William Donohue and the Catholic League for Religious and Civil Rights. The suit contends that I libeled a man who claims to be an artist and part Indian. He was upset that I criticized the Copia exhibit for featuring the work of Antoni Miralda (see our lead story on p. 1). It was an attempt at intimidation and it failed.

The full name of the Copia museum is the American Center for Wine, Food & the Arts. We objected to the figurines that showed the pope and nuns defecating. My first news release on Copia began as follows: "Artists. California. Alcohol. That's a bad mix." The guy who filed the suit claims to be an artist (note: he has no standing in the artistic community) and took this personally.

He also blew a gasket when I asked why Miralda didn't choose the Lone Ranger and Tonto instead of the pope and nuns. "Or better yet," I wrote, "just Tonto and a few of his Indian buddies." I then asked, "Wouldn't that be a more earthy statement of the kind we're supposed to believe Miralda wants to convey?" That, apparently, hit home. The no-name artist says he's part Cherokee and that "tonto" in Spanish means "stupid."

On what basis did the Indian artist sue? He says I exposed him to "hatred, contempt, ridicule, and obloquy." He also said he suffered from "hurt feelings." Now how about them apples?

I told our director of communications, Pat Scully, to tell the reporter that the whole thing is absurd. A lengthy story ran on January 24 and a shorter one appeared on January 25. But the funny thing is that I was never served by anyone from the

Superior Court of California, Sonoma County. So we called the court on Friday, January 25, to find out if a suit had been filed. We were told there was no record of such a suit.

However, on Monday, January 28, we were told by the reporter who covered the story that a suit had indeed been filed against me. It was filed on January 25; he even gave me the case number. When I called to confirm I was told two things: a) that a suit had been filed and b) it was then withdrawn. As it turns out, the same person who filed it withdrew it five minutes later.

In other words, the Indian artist misled the newspaper into thinking he was going to file suit. Once he accomplished what he wanted—getting into the newspapers—he withdrew it. Lucky he did before a judge fined him for filing a “frivolous lawsuit.”

This is hardly the first time I’ve run up against someone who hates us and uses the law as a weapon. Their goal is intimidation. But like all bullies, once they’re stood up to, they fold.

All of this is rather amazing. We exercise our First Amendment right to freedom of speech by protesting an anti-Catholic display and one of our critics seeks to silence us. It needs to be emphasized that we never asked the government to remove the figurines. In fact, we never even asked the museum officials to remove them. All we did was call attention to what was going on and seek to trigger a local discussion. We succeeded: the story was picked up nationwide by newspapers, television programs and radio talk show hosts. What was not covered nationwide was the attempt to censor our free speech.

Another aspect of this incident bears mentioning. We were repeatedly told that artists in Catalonia, Spain (home of Miralda) have a long tradition of displaying defecating figurines. In other words, we should “get over it” and start showing respect for their culture.

But this misses the point. I really don't care a fig about Catalan traditions. What matters is that in this country we don't honor someone by depicting him defecating. As I said on a Los Angeles radio show, would those who argue that we should respect this particular form of artistic expression not object if the defecating figurine were their mother?

Miralda brought his scatological contribution to our shores. Therefore, he is the one who must show respect for our culture, not vice versa. And just like beer, some art doesn't travel very well. Which is why his little defecating statues belong on the other side of the Atlantic.

Oh, yes, a reporter from the *Napa Register* ran a concluding article on this incident on February 2. The artist who filed the lawsuit said he was still waiting for me to apologize to him. Here's what I was quoted as saying in response: "He can wait until hell freezes over and he'll never get an apology from the Catholic League. We do not apologize to people who sponsor gag rules."

That's the only way to treat a bully.