Vermont printers win three-year fight

Three years ago, the Catholic League stepped in to help Chuck and Susan Baker, owners of Regal Art Press in Vermont, when the ACLU brought suit against them on behalf of "Catholics for Free Choice." The Bakers' "crime" was their refusal to print pro-abortion materials for the abortion industry front organization.

Chuck and Susan Baker in September, 1991 with thousands of postcards and letters of support from Catholic League members.

The Bakers won a victory for themselves and for religious freedom when, on February 18, 1994, the Franklin County Superior Court in Vermont dismissed the case brought by Catholics for Free Choice.

In her decision, Judge Linda Levitt stated that "it cannot be said as a matter of law that the state of Vermont's interest in eliminating discrimination overrides a person's rights to free speech and the free exercise of religion."

The judge further explained that Regal Art Press was exempt from Vermont's Fair Housing and Accommodation Act in regard to the plaintiff's claim.

Catholics for Free Choice, an anti-Catholic front group that has admitted receiving funding from Hugh Hefner's Playboy Foundation, was represented by the American Civil Liberties

Union. Catholics for Free Choice had prevailed before the Vermont Human Rights Commission in 1990, when their spokesman, Linda Paquette, argued that support for abortion was part of her "religious creed."

Catholic League Operations Director C.J. Doyle was quoted by Catholic News Service describing the lawsuit as "a shameful attempt to coerce Catholics into acting against their religious beliefs." He went on to note that "In a genuinely free society, Christians cannot be forced to violate their conscience as a condition of doing business."

The Catholic League brought the Bakers' plight to the attention of a national audience and a League mailing generated thousands of cards and letters of support for the beleagured Bakers from Catholics all across the country.

The case, *Paquette vs. Regal Art Press,* is expected to be appealed to the Vermont Supreme Court.

Free speech rights defended in Florida clinic protest case

The Catholic League has joined a coalition of religious and civil rights organizations filing a friend of the court brief defending the free speech rights of pro-life demonstrators. The League's brief challenges the constitutionality of a state court injunction which restricts the speech and expressive activities of abortion pro-testers.

Several Florida abortion clinics successfully petitioned the

court for the injunction, claiming it was necessary to protect women wishing to have an abortion. The petitioners in *Madsen v. Women's Health Center, Inc.* are pro-life advocates whose free speech rights are threatened by the terms of the injunction.

The injunction establishes a 36-foot buffer zone around a Melbourne, Florida abortion clinic prohibiting anyone from "congregating, picketing, patrolling, demonstrating or entering" the area. It also forbids anyone from physically approaching those seeking the services of the abortion clinic within a 300 foot zone around the clinic. The League's brief argues that the injunction violates the First Amendment in two ways. First, the injunction is so vague it allows discriminatory, viewpoint-based enforcement, a clearly unconstitutional effect. Speakers on one side of the controversy (pro-life advocates) were arrested, while speakers on the other side (pro-abortion advocates) were not, even though they were also gathered near the clinic making noise.

Second, even where the terms of the injunction are clear, it is so overbroad that it chills speech protected by the First Amendment. The injunction at issue here has a ripple effect far beyond the parties, so that a person would think twice before engaging in speech or expressive activity that is clearly protected. As the League's brief notes, the ability to influence public debate on matters of public concern, free from excessive regulation or control by government, is an esssential civil right. All members of the coalition are committed to the principle of equality of all speakers before the law, and view with alarm any diminution of First Amendment rights.

Members of the coalition include the Christian Legal Society, Americans United for Life, Family Research Council, and the National Association of Evangelicals. Oral argument in *Madsen* will take place in April, and a decision is expected sometime in late June.

League testifies in opposition to N.Y. clinic protest law

The Catholic League offered testimony in hearings before the Committee on Public Safety of the City of New York questioning the appropriateness of a proposed new law aimed specifically at curtailing demonstrations at abortion clinics. The statement by Catholic League president William A. Donohue follows:

“Whenever legislation is being considered, three relevant questions to ask are: 1) Why are present laws inadequate? 2) Who are the likely beneficiaries of the bill and 3) Who, if anyone, stands to lose? A defensible bill, I would suggest, is one that fills a legislative void and grants relief to some without burdening the rights of others. It is not clear, however, how Intro 33 meets this test. Let me be explicit.

“New York already has laws that cover harassment, physical obstruc- tion of entryways, stalking, trespass and violence. What, then, does Intro 33 add to any of these laws? In short, where are the inadequacies in existing legislation? I would be most anxious to see this evidence.

“To be sure, this bill does increase the penalties for the aforementioned offenses. But it would be instructive to learn why. Is there evidence that existing penalties have failed to deter an increasing number of lawbreaking anti-abortion protesters? I would be most anxious to see this evidence.

“Regarding the second question, who, precisely, are the intended beneficiaries of lntro 33? Has there been a rash of

incidents whereby women in New York have been denied the right to seek an abortion? Indeed has there been even one case in the 1990s – in all of New York – whereby a woman seeking an abortion has been blocked from doing so because of anti-abortion protesters? If such evidence exists, I would be most anxious to see it.

"If in fact there is no evidentiary basis for this bill, then it suggests that Intro 33 was crafted on the basis of politics, not principle. Indeed if principle were the motivating factor then surely demonstrators other than anti-abortion protesters would have been targeted. But no, this bill provides no penalties whatsoever for militants aligned with the homosexual, feminist, environmental, animal rights and pacifist causes. Is it because such demonstrators have always conducted themselves with grace? The record, as everyone must concede, shows otherwise.

"Even if one were to concede for the sake of argument that Intro 33 will bring relief to some segment of the population, it would do so in a way that would necessarily violate the rights of innocents. It will not do to say that no provision of this bill "shall be construed or interpreted so as to prohibit expression by the First Amendment." If that is indeed the intent, then justice requires that the bill be more specific. "Why not just come right out and say that the First Amendment rights of anti-abortion protesters to demonstrate, pray, picket and counsel is protected by this law, the Constitution of the State of New York and the Constitution of the United States? It is surely not the intent of Intro 33 to create a "chilling effect" on freedom of expression, so why not alleviate the fears of law-abiding anti-abortion protesters and simply affirm, in detail, their right to freedom of expression?

"It is in no one's interest to have a law passed and then have it challenged immediately in court. But if this bill passes unamended, then that is exactly what will happen. To be sure,

the courts have determined that abortion is a constitutional right. But they have also determined – and for a far longer period of time – that freedom of expression is central to liberty.

"To summarize, it is not clear what laws have proven to be so inadequate that Intro 33 is necessary. Moreover, there is no evidence that the kind of offenses that this bill addresses have increased in recent years. Nor is there any evidence that the intended beneficiaries will in fact benefit in any demonstrable way. However, we do know that if Intro 33 passes as is, the First Amendment rights of anti-abortion protesters will almost certainly be abridged. And if that happens, more than just their free speech rights will be impacted – the rights of all Americans to lawfully express themselves will be effected."

THE WAR AGAINST PRO-LIFERS

The heat on the abortion issue has now reached a fever pitch. Emboldened by the Clinton administration's strong support for abortion rights, the so-called pro-choice enthusiasts are seeking to crush the pro-life movement by tampering with the First Amendment. Under the guise of protecting the right of women to obtain an abortion, pro-abortionists are doing everything they can – in legislatures and in the courts – to abridge the free speech rights of pro-lifers.

The recent U.S. Supreme Court's decision on RICO (the Racketeer-Influenced and Corrupt Organizations Act), has led some persons, on both sides of the issue, to believe that pro-lifers cannot demonstrate at abortion clinics. But that is simply not true. The decision, *National Organization for Women*

v. Scheidler, merely said that no economic motive needs to be shown in order to invoke RICO. Indeed, Justice Anthony Kennedy explicitly said that the ruling in *Scheidler* "does not bar First Amendment challenges to RICO's application in particular cases." Nonetheless, *Scheidler* has caused considerable harm by strengthening the resolve of the pro-abortion forces. Nowhere is this more evident than in the varied attempts to muzzle the free speech rights of abortion dissenters.

The latest tactic in the war against pro-lifers is to charge that women are being harassed by opponents of abortion on the way to abortion clinics. That this charge comes from those like the ACLU is truly amazing. There is hardly a protest that the Left has engaged in that the ACLU hasn't defended. In 1991, the ACLU protested when fines were levied on demonstrators who blocked traffic on San Francisco's Golden Gate Bridge. But if someone "harasses" a women seeking an abortion, the ACLU screams foul.

The war is heating up at every level of government. At the federal level, there is the Freedom of Access to Clinic Entrances bill ("FACE"). Already passed in the House, FACE provides penalties that include one year imprisonment for a first offense and as many as three years for repeat offenders. At the state and local levels, there are a host of bills pending legislative and judicial consideration, all modeled on FACE. The Catholic League is doing what it can to alert public officials to the First Amendment problems inherent in most of these bills.

In Florida, the Catholic League has filed an amicus brief protesting the establishment of a buffer zone around an abortion clinic in the town of Melbourne. As a result of one court decision, any pro-life person who enters the 36-foot buffer zone that cordons the clinic is subject to arrest. Another court ruling has made it a crime to come within 300 feet of the clinic *and* of the residence of any employee or agent associated with the clinic. A decision is expected this

spring.

In New York City, the Catholic League tried, but failed, to persuade the City Council to reject a FACE- type bill. The bill calls for a year in prison and a fine of $5000 for anyone convicted of blocking passage to an abortion clinic *or* who "communicates" with or "harasses" a woman seeking an abortion "in a manner likely to seriously alarm or annoy a reasonable person." Supporting the bill was the New York Civil Liberties Union.

The hypocrisy that the City Council and the NYCLU engaged in could not be more evident. The only demonstrators that seem to get their goat are anti-abortion protesters. Animal rights extremists can engage in trespass, theft and violence against those who work in labs and the "get-the-pro-lifers" never complain. Greenpeace can block naval vessels and the "get-the-pro-lifers" never complain. Feminists can obstruct traffic entering the Holland Tunnel and the "get-the-pro-lifers" never complain. Homosexuals can disrupt Mass and the "get-the-pro-lifers" never complain. But let the pro-lifers "annoy" a woman on route to an abortuary and a clarion call for law and order echoes from the high priests of tolerance. This is raw politics at work, not principle.

What makes this matter even more hypocritical is that there has not been one recorded case of a woman in all of New York who has ever been denied access to an abortion because of pro-life protesters. In my testimony before the City Council, I made mention of this fact but, of course, no one was really interested in making decisions based on data; they had already committed themselves to ideology.

So as not to be misunderstood, it is not defensible to defend those pro-lifers who go off the deep end and engage in violence. But fortunately there are very few such incidents. Most of those who protest outside abortion clinics do so by praying and counselling. They are not vigilantes gunning for

justice. They are honest, decent Americans whose concern for child abuse antedates birth.

The real problem with FACE-type legislation is that it engenders a "chilling effect" on the legitimate free speech rights of pro-lifers. It will be most interesting to see what the Supreme Court will say about the constitutionality of FACE and its progeny, for there is little doubt that the Clinton administration and its allies in Florida, New York and around the country will not have the last word on this. As Yogi Berra likes to say, "It's not over till it's over."

The Clinton Health Plan Covers Abortion-on-Demand

By Rep. Henry Hyde

Henry Hyde has represented the Sixth Congressional District of Illinois since 1975. He is acknowledged to be the most eloquent and effective defender of unborn children in the Congress of the United States. In 1983, the Catholic League bestowed on him its highest honor, The John Paul II Religious Freedom Award.This article first appeared in Human Events, *February 18, 1994. It is reprinted here with permission.*

Someone once described abortion as a man's answer to a woman's problem. It certainly has become President Clinton's answer to a great many problems. His administration is pioneering new frontiers in the extermination of the most defenseless human beings under the guise of advancing "reproductive rights."

Within recent weeks, his appointees at the Department of Health and Human Services launched a regulatory attempt to

force all states to pay for abortions in cases of rape and incest, even when their laws – or their constitutions, as in Colorado and his home state of Arkansas – forbid such funding.

Meanwhile, Clintonites at the State Department have submitted to their allies in Congress legislation that would, for the first time in 20 years, permit the direct expenditure of U.S. dollars for abortions overseas, as part of our foreign aid program. This is a barbaric generosity, indeed.

This extremism should surprise no one, even though it comes from a President who, only a year ago, argued that abortion should be legal, but rare. For since then, Clinton has taken every possible step to make abortion, not only legal, but even more commonplace. He began by greasing the skids for domestic production and use of RU486, in effect launching chemical warfare against our own population.

Interestingly, "progress" on this front has been slow because the pharmaceutical companies know what Clinton didn't tell the American people: that RU486 is a terribly dangerous drug for a mother as well as for her unborn child, and that its use requires close medical supervision to guard against complications, including maternal death. Even the most amoral corporate CEO understands what that could mean in terms of litigation and bad publicity.

Federal Funds for Abortion Referrals

Clinton had more success with another initiative, striking down the Reagan-Bush regulations that would have cleaned up the federal family planning program, better known as Title X (of the Public Health Service Act). Thanks to the President, Title X grantees are still free to hand out birth control drugs and devices to minors without parental consent, or even notification, and they can continue to counsel and refer for abortions on the same basis.

Clinton's drive for "safe but rare" abortions led him to

restore U.S. funding for the United Nations Fund for Population Activities (UNFPA), which includes technical assistance for China's forced abortion program. He also renewed funding for international organizations – principally the International Planned Parenthood Federation – that promote or provide abortions, thereby striking down a major pro-life achievement of recent years.

He had less success, however, in fostering abortion among U.S. military personnel abroad. Congress declined to repeal the Jepsen Amendment of 1984, forbidding the use of Defense Department dollars for abortions. And when the White House changed past policy and allowed the use of Department of Defense facilities for privately financed abortions, virtually no military physician, in either the European or Asian theaters, would agree to perform them.

Of course, the most important triumph for the abortion lobby under President Clinton was the elevation of Ruth Bader Ginsburg to the Supreme Court. That nomination reflects what the administration boldly admits is a pro-abortion litmus test for judicial selection.

(Remember the accusation that Presidents Reagan and Bush had a pro-life litmus test for choosing judges? They didn't, but were criticized for it. Clinton does, admits it and is applauded by the same people who falsely accused his predecessors.)

All those moves to advance abortion were only preliminaries to the main bout, so to speak. That is the fight over the place of abortion in health care reform. Clinton has dealt with this issue the way he has handled other controversies. Begin with denials, then blur the issue with confusing details and, finally, evade the subject by attacking your accusers.

It remains to be seen how well that play-book will work on other matters, but it's a sure failure in the health care

fight. At the outset, last spring and summer, administration officials made vaguely reassuring comments, even suggesting that the administration could live with the Hyde Amendment, barring the use of Medicaid dollars for elective abortions. That need not change under a national health system, we were told; and as for the general public, well, their health insurance coverage would remain the same as before with regard to abortion. If they didn't want it, they wouldn't have to have it.

As Hillary Clinton told CNN Sept. 23, 1993, "We are not increasing the availability or decreasing the availability of abortion. We are really trying to strike a balance so that we provide what is available now." But when President Clinton finally submitted legislation later in the year, the ugly truth emerged: The Clinton health care plan would use tax dollars and compulsion to interweave abortion into the fabric of American life.

It hijacks health care reform to the cause of abortion fights, employing the full weight of law to make every American acquiesce in the notion that abortion is a positive good, a "basic benefit."

For starters, the Clinton plan would provide tax-subsidized coverage of abortion-on-demand for the entire Medicaid population, thereby nullifying both the Hyde Amendment and the restrictions on tax-funded abortions in effect in 37 states.

But there's more. The Clinton bill includes "family planning services and services for pregnant women" in its federally mandated "comprehensive benefits package." After some initial mumbo-jumbo by administration spokespersons, both the President and the First Lady explicitly acknowledged that this terminology encompasses abortion upon request – an assessment shared by legal experts on both sides of the abortion issue.

Even Runs to Pay for Abortion-on-Demand

This has far-reaching ramifications. It means no health plan could be certified for sale to the public unless it covered abortion without restriction. No one – not even nuns – could obtain health insurance without paying for abortion coverage. Individual doctors or hospitals could refuse to perform abortions, but the health plan of which they are a part must enter into a contract with a local abortion provider – and must pay for all abortions.

It gets worse. No health plan could be sold if it did not provide access to abortion within the local area covered by the plan.

This means that the federal government, through its quasi-governmental Health Alliances, would mandate creation of large numbers of new abortion mills in communities where none currently exist.

Every employer would be forced to contribute to insurance coverage for abortion-on-demand for all employees – with no exceptions. That includes religious organizations. Under the bill proposed by the President, religious opponents of abortion, like leaders of the Southern Baptist Convention and the Roman Catholic bishops, would be compelled, by force of law, to pay premiums to cover abortion-on-demand for all their employees.

With only a few exceptions – such as undocumented aliens – every working American would have government-mandated "premiums" taken from their paychecks to pay for abortion-on-demand.

Finally – and this is truly scary – the Clinton bill sets up a National Health Board, composed of seven presidential appointees, with sweeping powers to nullify state laws or policy that even slightly limit access to abortion. I'll cite just one example. Pro-abortion groups have become increasingly critical of the laws in effect in 46 states that allow only

licensed physicians to perform abortions. The bill, however, explicitly authorizes the board to nullify state laws governing the qualifications of medical professionals.

This would certainly lead to a federal decree legalizing performance of abortions by nurse practitioners, midwives and physicians' assistants – a point cited in favor of the bill by groups such as Planned Parenthood.

Other state laws regulating abortion, such as parental consent requirements, waiting periods and so forth, could be struck down by the National Health Board as impediments to a federally guaranteed benefit – i.e., abortion.

When all these horrors in their plan became known, the Clintons, true to form, went on the attack, charging that their critics wanted to "take away" abortion coverage from the women of America. It was a clever ploy, but based on falsehood.

First, there is a big difference between taking something away and simply not mandating it.

Second, there is ample evidence to suggest that abortion coverage is not the current norm in health insurance. The *St. Louis Post-Dispatch* reported Sept. 24, 1993, that "Such coverage was common in health maintenance organizations but unusual in fee-for-service plans and in employers' self-funded plans. Self-funded plans provide health coverage for 65% of American workers." The *Omaha World-Herald*, reported Sept. 28, 1993, that Mutual of Omaha, the nation's largest provider of individual health insurance and one of the largest group health insurance providers, generally does not cover abortions. Abortion clinic operators openly bemoan the fact that most of their insured patients do not have coverage for abortion.

Public Rejects Mandated Abortion Coverage

So the Clinton bill would not preserve the status quo in abortion coverage for most women. On the contrary, it would, for the first time, mandate coverage which most of them do not want. Consider polls conducted by the *New York Times* in March and June of 1993, asking specifically whether abortion should be included in the basic benefit package of a national health bill. American women said no, 72% in the March poll, 65% in the June poll.

The actual numbers may be even higher, as evinced by a November 1992 Wirthlin poll, which asked, "Do you favor or oppose abortion being allowed as a method of birth control?" Eighty-four percent of Americans, and 89% of American women, said they were opposed. That's something to keep in mind when the administration tries to portray its opponents as anti-women.

With public opinion so strongly against him on this issue, can President Clinton push an abortion mandate through Congress? I doubt it. A more likely scenario would be the removal of explicitly pro-abortion language from his bill, while leaving in place the awesome, even totalitarian, powers of the National Health Board to define mandated benefits.

That would have exactly the same results. Every problem outlined above would still apply, as indeed they would apply to certain other health care plans, popular among some members of both parties, which have thus far escaped detailed scrutiny.

That's the key element in all aspects of the health care debate: public exposure and education. Once the American people fully understand what Clinton is attempting to do under the guise of reforming health care, they will pull the plug on his misconceived plan. They will reject its government controls, rationing, taxes and, not least of all, its attempt to make abortion a way of life and a way of death for everyone.

FREEDOM OF RELIGION UNDER FIRE

Every now and then an event occurs that makes me feel very proud to be a Catholic. One such event recently happened while I was waiting to testify before the New York City Council on a bill that protects houses of worship.

As readers of *Catalyst* already know, Catholic churches have come under increasing attack by gay militants, and most especially by the vicious "Act-Up" group. Mass has been interrupted and on some occasions the Host has been desecrated by homosexuals who have spit it on the floor. These Nazi-like tactics never seem to garner the outrage of the press, though there is little doubt that the gentlepersons of the media would be aghast if they learned of similar incidents occurring in a synagogue. Or just consider what the reaction would be if the neo-Storm Troopers interrupted a service by the Reverend Jesse Jackson? It is said that all is fair in love and war. This, rest assured, isn't love.

On the surface, though, it would seem logical that no one would want to oppose a bill that offered protection for the right to worship. After all, even determined atheists can be expected to respect the constitutional rights of others. But unfortunately, logic and fairness are not in abundant quantities these days.

As is true with any bill, reasonable persons might differ with some of the wording of the legislation. However, those who spoke against the bill did not quibble about any provision of the bill. Instead, they focused most of their attention on whether there was any need for such legislation. Two of those

who spoke in opposition offered testimony that was truly astounding.

Laura Murray from the ACLU testified that there was no need for the bill because she had checked with the Anti-Defamation League of B'nai B'rith (ADL) and found that there was no record of people busting into houses of worship. She also maintained that to pass such a bill would offer special protection to religion and would therefore be unconstitutional. Finally, she said that the Founders would never counsel acceptance of such a bill. In particular, Ms. Murray cited Thomas Jefferson as one who would have opposed the bill.

During my brief testimony, I tried to set the record straight. To begin with, no one from the ACLU ever checked with the Catholic League to see if we had any evidence that houses of worship had been crashed. The ADL, good as it is in record keeping, is not exactly the only source in town. Second, there is no special protection afforded houses of worship in the bill. All the bill does is to ensure that the First Amendment be applied locally. As for Jefferson, he not only was not the die-hard church and state separatist that the ACLU would have us believe, he was, as I pointed out, the President who awarded $300 to the Kaskaskia Indians for the purpose of building a Roman Catholic church. That hardly sounds like the work of an ACLU freak.

So why was I so proud to be a Catholic that day? Because of the testimony of Reverend Beatrice Blair, an Episcopal priest at Calvary St. George church in lower Manhattan. Reverend Blair not only defended the need for a bill to protect women in their quest for an abortion, she said there was no need to pass legislation affording houses of worship protection from church-busters.

Incredibly, she also said that her views represented the mainline Protestant churches and the Reform and Conservative

Jewish religions.

The good news is that no Catholic made such embarrassing remarks. None was so inane as to reject a bill that protected freedom of religion. Perhaps that's because Catholics have been the ones victimized by the terrorists. Even so, one might think that a member of the clergy, of any religion, would never want to oppose a bill that simply afforded greater protection for the right to worship. After all, people who have never had any reason to call the fire department support fire departments.

It also says something very sad about those religions that have so collapsed in their moral authority that none of today's religio-terrorists have any reason to target their houses of worship. The Catholic religion, for all its division, remains steadfast in its insistence that its teachings are not subject to trendy referenda. It is reassuring to know that while other religions are fast caving in to secular demands, the Catholic Church is not selling itself to elitist bidders.

The vote on the houses of worship bill was postponed until more hearings can be scheduled. The Catholic League will be there and will provide the incontrovertible evidence that some pundits claim doesn't exist. We'll keep you posted.

—William A. Donohue

BERNARDIN VINDICATED

By William A. Donohue

When news reports surfaced last November voicing the charges

of Steven Cook against Cardinal Bernardin, we were more than skeptical. Here was a former mental patient and admitted addict of alcohol, sex and drugs, making serious charges of sexual misconduct against a well-respected Cardinal.

Worse, Cook, who is dying of AIDS, stated then that his charge was based on a "seeing and feeling memory," one that he had repressed for 17 years. With the help of a hypnotist, Cook said he was able to recover his memory. However, he now acknowledges that he can no longer trust his memory and has thus dropped the charges.

In the December edition of this publication, the lead story featured the official response of the Catholic League to the alleged incidents. Immediately following Cook's unsubstantiated allegation, we stated that "The charge recently made by Steven Cook against Cardinal Bernardin is a textbook case of how easy it is to smear someone's reputation." In addition, we took issue with the media: "Now one would think that when journalists are given stories right out of the Twilight Zone that doubt might conquer their temptation for a scoop."

There were some who advised us that it was wrong for the Catholic League to come to the defense of Cardinal Bernardin. Shame on them. Would they have waited to see what the jury said before they came to the defense of someone in their family? Would they have adopted a neutral stand if someone whom they loved and trusted had his character assailed by a depraved individual? The time to come to bat for loved ones is not after the evidence is in, it's when the reckless allegations are being made that support is needed. Sure, it makes sense for the law to pursue a criminal charge, but even there, the accused is assumed to be innocent until proven guilty. Why should Cardinal Bernardin have been treated any differently?

What is really galling about the entire controversy is the

extent to which therapists and lawyers associated with the recovered memory industry have been able to peddle their trash to an unsophisticated public. Owing to the likes of Donahue, Oprah, Geraldo and Sally Jesse, embittered men, women and children are making the rounds with the talk show gurus giving air to wild charges that have been induced through bogus means. This isn't science at work, it's burlesque.

Indeed any self-respecting social scientist who has studied the issue will inform that the recovered memory industry is one of the greatest hoaxes of the day. Those wanting good documentation on this fraud should read the March/April 1993 piece by Ofshe and Watters in *Society* (the article appeared months before Cook made his charges).

On a related issue, why didn't the media give as much exposure to Cook's retraction as they did to his allegations? To be fair, some did. But others, like the *New York Times,* did not. It is true that when the allegations were made against Cardinal Bernardin, the *New York Times* did not give it immediate and expanded coverage. But when Cardinal Bernardin called a press conference to explain his position, the *Times* provided coverage and followed through with other stories on the controversy. Fine. However, when Cook pulled his lawsuit, the *Times* gave the story only three inches of space, dropping the note at the bottom of page 20. Fairness would seem to dictate that when a public person such as Cardinal Bernardin has had his name maligned in the press that news reporting of a retraction would merit even more coverage than the allegations. But fairness is not something that the *New York Times* is known for these days.

The whole story was sordid from the beginning. We only hope that those who were so eager to believe the worst about Cardinal Bernardin are now just as eager to ask themselves why.

League protests gag rule

For four years, crowds have assembled on the first Sunday of each month at the Marlboro, New Jersey home of Joseph Januszkiewicz to witness an apparition of the Virgin Mary. Though the Diocese of Trenton has not found reason to sustain Mr. Januszkiewicz's claim, others, like Karen and Vincent Bove, are convinced that the apparitions are real. The Boves publish a newsletter that reports on the monthly vigil and the crowds that attend. In December, Superior Court Judge Patrick J. McGann indefinitely banned the vigils, citing safety reasons. But he also placed a restraining order on the Bove's newsletter, requiring them to submit the newsletter to him before it is published. Judge McGann wants to be sure that the Boves are not encouraging crowds to visit the site.

In a statement, Catholic League president William A. Donohue criticized the judge's restraining order:

"Whether it is acceptable to bar the vigils out of concern for public safety is a debatable point. But there is nothing debatable about the decision of Judge Patrick J. McGann to censor the speech of Karen and Vincent Bove. Prior restraint is serious business, finding plausibility only in instances of war and other national emergencies. The vigils at the home of Mr. Joseph Januszkiewicz are hardly of such magnitude.

"The Catholic League feels confident that the ACLU will prevail in its suit on behalf of the Boves. To place a gag order on the Bove's newsletter is intemperate at best and irresponsible at worst.

"The Catholic League passes no judgment on the veracity of Mr. Januszkiewicz's claims. It only asks that the First Amendment

rights of the Bove's be respected. "

Bishop John C. Reiss of the Diocese of Trenton, after a yearlong investigation by a four-member commission, announced last September that there was no evidence of anything miraculous taking place in Marlboro.

Catholic League charges NY Assistant Atty General with abuse of office

The Catholic League has charged the Assistant Attorney General for the State of New York with abusing his office by organizing and participating in a Gay and Lesbian law forum.

In an open letter to state Attorney General Oliver Koppel, Catholic League president William A. Donohue spelled out the League's complaint:

Dear Attorney General Koppel:
I am writing to register a complaint against the abuse of your office by Jim Williams, Assistant Attorney General for New York State. Please be advised that this is an open letter; many in the media have or will receive a copy of it.

Last weekend, February 26th and 27th, Fordham University Law School hosted a 23-panel symposium entitled "Lesbian and Gay Law I994." The person who arranged the event was Jim Williams. He not only organized the symposium, he did it during office hours while in the employ of your office. Here's how I know.

Listed in the New York Law Journal *of February 23rd was a short column entitled "Program to Review Gay, Lesbian Issues."*

The column advertised the Fordham Law symposium, stating that the program was sponsored by the Lesbian and Gay Law Association of Greater New York (LeGaL), the law school's Gay and Lesbian Law Association and the Fordham Urban Law Journal. Additional information, the piece said, may be obtained from Jim Williams, president of LeGaL, at 416- 8714. That number, Mr. Koppel, is the number for your office.

The content of my complaint should now be obvious. By what right – legal or moral – does Mr. Williams have in using the resources of New York State to organize his private agenda? Worse, what right does Mr. Williams have to use his office time -funded by the taxpayers of New York State – to orchestrate a meeting that is explicitly designed to affect the status of legislation in New York State? I conveyed my objections to Mr. Williams but he seemed unimpressed. I hope you aren't. This is more than an impropriety, it is a direct conflict o f interest.

For the record, it should be known that Mr. Williams' involvement in the symposium went beyond that of an organizer: he was an active participant in the proeeedings. On February 27th, Mr. Williams sat on two panels: "Litigating Lesbian and Gay Employment Issues Under City, State and Federal Law" and "Advocating for Rights in the Workplace. " Both of these areas of law involve very sensitive issues. It is an outrage that those who are sworn to enforce the law should so maneuver their public office to service partisan political objectives.

Mr. Williams has shown a callous disregard for law, ethics and the taxpayers of New York. The public interest, I hope you will agree, cannot be served by those who have such an obvious disregard for it.

I look forward to hearing from you about this matter.

Sincerely,
William A. Donohue, Ph.D.

Dr. Donohue is filing a complaint with the New York State Ethics Commission as well.

Population Control Money frozen by court

A lawsuit brought on behalf of a U.S . Congressman and two citizens of the People’s Republic of China has led to a hold order on $40 million dollars pledged by the Clinton Administration to the U.N. Population Fund. The lawsuit cited China’s coercive abortion and sterilization policies.