

# League Pressures N.Y. Store To Remove Offensive Creche

On December 9, 1994, the Catholic League successfully pressured Barneys New York, an upscale clothing store, into removing an offensive nativity scene from its storefront window on Madison Avenue and 61st Street. The exhibit, entitled "Hello Kitty Nativity Scene," was the work of artist Tom Sachs.

The display was a crude characterization, one that featured three Bart Simpson dolls as the Three Wise Men and vulgarized kittens as Mary and Jesus. Mary was posed with her legs spread apart wearing an undergarment that left six nipples in evidence; Jesus was adorned with a beanie and a halo was placed over his head. Both Mary and Jesus had rods extending from their cheeks, apparently representing whiskers. Hanging over the middle of the stable was the red and yellow McDonald's symbol.

The display was part of an auction conducted by Christie's, the famous New York auction house. Monies from the exhibit were to fund scholarships for the Children's Storefront school in Harlem and the Little Red School House in Greenwich Village.

The League had no objection to the purpose of the auction, only with the content of one of the exhibits.

After receiving many calls about the creche, Catholic League president William A. Donohue viewed the display himself and promptly registered a complaint with both Barneys and Christie's. The person he spoke to at Christie's apparently had not seen the exhibit, but a woman at Barneys admitted that there had been several complaints. Donohue informed her that she had "about four hours" to have a senior person from

Barneys contact the League, otherwise the media would be contacted.

It didn't take long before Simon Doonan, a senior vice president in charge of creative services, called Donohue and extended an apology. However, Doonan flatly declined to do anything about the exhibit. He said that he did not want to interfere with the expression of the artist. Donohue asked him if he would display the art work of a Klansman who portrayed blacks or Jews in a predictable fashion. Doonan said that he would, stating that nothing was more important than the right of artists to express themselves.

Dr. Donohue then released the following statement to the media:

"Barneys New York and Christie's have cooperated in promoting an insulting anti-Christian exhibit. This is not the first time Barneys has done this. Simon Doonan, who is in charge of display and advertising for Barneys, previously hung condoms from a Christmas tree. Indeed when Doonan was hired by Barneys president Gene Pressman, it was on the grounds that Doonan be allowed to promote 'irreverence.' That he has chosen to target Christians to vent his irreverence is quite obvious.

"Doonan made it clear to me that Barneys will exercise absolutely no responsibility for anything that any artist submits for display in its windows. Plainly put, this means that Barneys will respect the right of artists to show disrespect for the rights of Catholics.

"The Catholic League will disseminate this news to as wide an audience as possible. We do not accept Mr. Doonan's apology: apologies unaccompanied by corrective action do not assuage."

Within hours of releasing this statement, the television cameras were in Dr. Donohue's office. Just about every radio and television station in New York commented on the Barneys exhibit, and virtually all those who editorialized on

the subject supported the Catholic League's position. On the Bob Grant radio show, Dr. Donohue urged listeners to call Barneys and register their outrage. They did so in abundance, so much so that Barneys pulled the display from the window.

Originally, Barneys set the exhibit aside for private viewing, but because the reaction of New Yorkers was unrelenting, they finally decided to remove it altogether, giving the work back to the artist. But even that didn't satisfy New Yorkers: they continued to complain to Barneys. In response to all this, Barneys took out full page ads in the *New York Times*, *New York Post* and *New York Daily News*, apologizing for what had happened. The ads, together with the boycotts that were instituted, wound up costing Barneys hundreds of thousands of dollars in lost sales.

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## League Wins On Religious Stamps

On November 17, 1994, the U.S. Postal Service announced that beginning in 1995 there would be no more printing of the Christmas stamp series reproducing paintings of the Virgin Mary and the infant Jesus. Upon hearing this news, the Catholic League moved quickly to state its objections. We issued a news release and wrote to every Congressman and Senator with oversight responsibilities governing the affairs of the Postal Service. The League is grateful that President Clinton intervened in this matter and had the decision overturned without delay.

The recommendation to ban religious stamps was first made by the Citizens Stamp Advisory Committee. The committee is headed

by a college professor and is staffed by a motley crew of designers, sports commentators and actors, people whose expertise is not generally associated with being on a government review panel. But their expertise was apparently sufficient to persuade Azcezaly S. Jaffer, the Postal Services top stamp official. Jaffer accepted the reasoning of the advisory panel stating that, "We're moving away from being denominational to being nondenominational."

There were many things about this decision that troubled the Catholic League. First, of course, was the decision itself. Our news release spoke to this aspect of the case, stating that, "The decision to ban religious stamps constitutes censorship, pure and simple. It also represents a meanness of spirit and contempt for the mores of American society. The same government that authorizes public monies for an artist to show his hatred of Christianity by submerging a crucifix in a jar of urine now thinks it unconstitutional to allow religious stamps. Evidently the only religious displays that the federal government finds acceptable these days are those that have been sufficiently blasphemed."

Another troubling aspect was that the decision was unnecessary: there is absolutely nothing in the First Amendment that warrants censorship of religious stamps. The Madonna and Child stamp has been issued for 28 years and never has there been any legal problem. Aside from occasional complaints registered by atheistic organizations like Americans United for Separation of Church and State, no one has challenged the constitutionality of the stamp, not even the ACLU.

That the decision was purely a top-down ruling is most upsetting. The advisory committee was under no pressure by any segment of the public to remove the stamp, rather the members acted wholly on their own. They simply took it upon themselves to reorder a popular American tradition, using the heavy hand of government to inculcate its politics. This is political

correctness of the worst sort.

Finally the way in which the decision was rendered was also cause for concern. At the November 17 press conference, mention was made of the 120 new stamps for 1995, but nothing was said about the cancellation of the Madonna and Child series. News about the religious stamp was released to reporters after the press conference had concluded, and apparently not every reporter heard it, thus accounting for the slight coverage that it initially received. An announcement of this magnitude surely should have been integral to the press conference. That it wasn't raises serious ethical questions. And put together with the fact that the decision was not made in response to public outcry, the result is nothing less than an attempt by unelected elites to do an end run around American public opinion, refashioning the culture to fit their politics.

The Catholic League is proud to have been singled out by many in the media for being the first organization in the nation to register its criticisms of the advisory committee's decision. Unfortunately, we did not receive much support from other organizations in this matter. But that only underscores the need for the Catholic League.

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## **We've Only Just Begun**

We have rolled into 1995 with a string of victories. Dr. Elders is gone, Bameys department store has been chastened, nativity scenes have appeared on public grounds and the Madonna and Child stamp series has been saved. The Catholic League was involved in all of these victories, sometimes in communion with others, and sometimes strictly on our own.

Dr. Joycelyn Elders is one for the books. The very first news release I issued when I took over as president of the Catholic League in July 1993 was in opposition to the nomination of Dr. Elders as Surgeon General. On August 2, 1993, I was both stunned and delighted to read that a *Washington Post* editorial agreed with us that Dr. Elders was an anti-Catholic bigot. Throughout the month of August, we pressed hard to stop her nomination: we held a press conference at the National Press Club and wrote to all the members of the Senate Judiciary Committee, but we ultimately fell short of our objective. What we did not do, however, was give up. We continued to criticize Dr. Elders whenever she made an irresponsible statement, which, unfortunately, was all too often.

There are those who defended Dr. Elders, even when she made anti-Catholic remarks. For instance, I was recently asked on TV why I thought her comment about "a celibate, male-dominated Church" could be seen as anti-Catholic. My reply was straightforward: if I said that the National Organization for Women was "a lesbian dominated institution," no one would mistake that comment for being a purely descriptive tag. That the phrase was meant as a pejorative would be obvious to everyone.

Our victory against Barneys New York was a solo win. It is by now evident that Barneys has a history of placing offensive displays in its windows, even to the point of bragging about them. But this time the fat cats got burned. New Yorkers of every religion joined us in condemning Barneys for sporting its blasphemy in public. Indeed, people never stopped calling our office, praising us for what we did and asking to join the League. It is heartening to know that our work is touching a chord all over the place, and that what was seen as chic just yesterday is now being seen as crude.

I can understand people making mistakes, I make them all the time. But I cannot tolerate intellectual dishonesty. If people want to send a message to Catholics that they hate us, they

should say so openly. But they should not do as the cowards at Barneys did and lie. Why do they bother to say that the display was not meant to be offensive when obviously it was? Why do they bother to say that Barneys can pass no judgment on whether to accept or reject art work in its storefront window when judgment calls are made on whether to accept or reject every necktie and handkerchief that they see? Why don't they just say that the reason they promote vulgar nativity sets is the same reason why they previously hung condoms from a Christmas tree, namely, for the purpose of sticking it to those whom they loathe?

I don't know about where you live, but in New York this past December just about everywhere I went I saw a menorah on public grounds. In parks, train stations, schools – everywhere there were menorahs. That's fine by me, but where were the nativity scenes? We pressed our case in many places and won, but regrettably we saw little interest on the part of Christians to demand their equal rights. Why didn't they object when the authorities said that the display of a Christmas tree was sufficient to satisfy Christians? According to the Supreme Court in *Allegheny County v. ACLU, Greater Pittsburgh*, the Christmas tree is not a religious symbol, yet the Catholic League had to show this ruling to public libraries and schools on Long Island before justice was done.

Next year we'll be ready. We will raise money for the display of a huge nativity scene to be placed in Central Park. Unfortunately, Catholics and Protestants have greeted the removal of Christian sacred symbols from public life with a degree of insouciance that would never be found in the Jewish community. It is a tribute to Jews that they rally to secure their heritage. Would that we do the same.

The decision by the U.S. Post Office to ban the popular Madonna and Child stamp infuriated me. We contacted every Republican and Democrat in Washington who sat on any committee or subcommittee dealing with the Post Office and expressed our

concerns. We hit the media stating our case with vigor, and when we did so we were told that we were virtually alone in leading the fight to restore the stamp. Where were our sister organizations in all this? It is still a mystery, but in any event, we can take credit for pressuring President Clinton to do the right thing in rescinding this incredible decision of the Postal Service Advisory Board.

These victories, and others reported in this issue of *Catalyst*, have left us emboldened in a way we never were before. We look for more successes in 1995. As the song says, "we've only just begun."

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## **TWO CHEERS FOR A SCHOOL PRAYER AMENDMENT**

**By William A. Donohue**

Newt Gingrich knows how to get people's attention. Even before he became Speaker of the House, Congressman Gingrich was upsetting the status quo by recommending such heresies as a school prayer amendment. It didn't take long before reporters were calling the Catholic League asking for our comments. Many were surprised by our ambivalent response. On the one hand, the initial decision to ban prayer in the schools was fundamentally flawed and could use a good corrective. On the other hand, amending the Constitution is serious stuff and should be done only as a last resort and only for issues of the utmost importance. Therefore, two cheers for a school prayer amendment is about all we can offer.

The so-called establishment clause of the First Amendment was originally meant to bar the establishment of a national church



and to prohibit preferential treatment by the government of one religion over another. We know this because that is what James Madison said it meant, and he should know because he authored the amendment. But given the disposition of judges to deconstruct the law, it matters little what the actual text says anymore: the unelected elites simply do as they please. Indeed the decision to ban school prayer, *Engel v. Vitale*, was of this nature, and that was in 1962. Yet from 1791, when the First Amendment became law, to 1962, a school prayer was as natural a part of education as reading and spelling. But then the innovators took over, rendering the original intent of the amendment all but incoherent.

The decision to ban prayer in the schools was not only bad law, it was bad logic. It makes no sense to open each day's session of the House of Representatives with a prayer and ban school prayer. It makes no sense to open every day's session of the Senate with a prayer and ban school prayer. It makes no sense to open every day's session of the Supreme Court with a prayer and ban school prayer. It makes no sense to open every presidential term with an oath asking the protection and help of God and ban school prayer. It makes no sense to have "In God We Trust" on coins – it's been there since 1865 – and ban school prayer. It makes no sense to have the President proclaim a National Day of Prayer, which has been the case since 1952, and ban school prayer. It makes no sense to have the words "one Nation under God" in the Pledge of Allegiance, a tradition since 1954, and ban school prayer. None of this makes any sense but none of it seems to matter, hence the push for a school prayer amendment.

Those who fear that a mandated school prayer would intrude on the rights of those who are non-believers have nothing to fear. That issue was settled in 1943 in the *Barnette* decision: no student is required to say any prayer in school. Surely if a school prayer amendment were to pass, the ruling in *Barnette* would hold. We know that something like 94 percent of the

American people believe in God and something like 80 percent believe in school prayer, though the number supporting a constitutional amendment is less than 70 percent. It appears unlikely, then, that a school prayer amendment would engender widespread resistance.

Would the Catholic League support a school prayer amendment? If it were voluntary and non-denominational, there would be no problem with such an amendment, but it would not be our preferred course of action at the moment. In this vein, however, it should be said that the prayer that was originally struck down was both voluntary and non-denominational. Here's the exact text of the prayer that the Supreme Court objected to:

"Almighty God, we acknowledge our dependence on Thee, and we beg Thy blessings upon us, our parents, our teachers and our country."

That prayer was adopted by the State Board of Regents in New York State and led to practically no complaints prior to the 1962 decision. Of course, a constitutional amendment would avoid a Supreme Court challenge and would therefore settle the issue once and for all. But the question that must be asked is whether it would be judicious to amend the constitution in order to set the record straight.

Amending the Constitution is not to be taken lightly. That is why the American people are somewhat less enthusiastic about supporting a school prayer amendment than they are about supporting an abstract right to pray in the schools. To be sure, it is tempting to support a school prayer amendment on the sole grounds that it is high time we send a message to the imperialistic federal bench. Indeed it might make a great deal of sense to tame the Supreme Court by by-passing it altogether the way it has by-passed the expressed will of the American people, as registered in the people's representatives in the legislature. But if there were another way to accomplish the

goal of allowing school prayer, that would still be preferable. Fortunately, there might be.

The Supreme Court has yet to rule on the constitutionality of student-initiated prayer, and if that were to pass constitutional muster, perhaps no amendment would be necessary. In the past year and a half, Tennessee, Mississippi, Alabama and Virginia have all passed laws allowing student-initiated prayer, and though these laws are presently being tested in the courts, it is possible that the high court will find such prayers constitutional. While some would say that nothing less than teacher-initiated prayers will do, it is not likely that the American people would press for a constitutional amendment if student-initiated prayers are found permissible.

But the real issue in the schools is not prayer, it is religious expression. It is absurd that religious expression is accorded a second-class status by school administrators. It is even more absurd to think that the same ACLU lawyers who would defend simulated sex on stage – that is what a student play of “Oh! Calcutta!” would be – would nonetheless object if the same students put on the play “Jesus Christ Superstar” (the ACLU once sued Bethel High School in the state of Washington over this). Unless religious speech is treated on a par with other types of speech, there will be no reason to rejoice, not even if prayer is allowed. If those who are currently pushing for a school prayer amendment were to push instead for an amendment that would secure basic religious speech rights in the schools – and in other public forums as well – they would be making a contribution that would have real-life benefits to people of every faith.

In the meantime, what should be done immediately is an all – out effort to educate students about the world’s religions. It is illegal to teach religion in the schools but not to teach about religion. In other words, it is against the law to indoctrinate students into the faith of a particular religion,

but it is not illegal to instruct them on the traditions, customs, social conventions and belief systems of any of the world's religions. This was made crystal clear in the 1963 *Schempp* decision that disallowed Bible reading: the court took pains to say that it was not barring the objective presentation of the subject of religion. What this means is that it is not okay to have a true and false test asking students whether Jesus is the Son of God, but it is okay to have a true and false test that asks whether it is a belief among Christians that Jesus is the Son of God.

It would be great if students came to an appreciation of the world's religions. It would be even greater if students were to learn of the role that religion has played in the formation of the nation's history. The social functions and historical importance of religious ideas could also be presented. But right now, thanks to intimidating ACLU lawsuits, almost any mention of the word religion is enough to make school administrators run for cover. Even worse, as New York University professor of psychology Paul Vitz has shown, the elementary and secondary school texts are devoid of almost any mention of the role religion has played. Thus everything from the abolitionist movement to the civil rights movement of the 1960s are discussed absent any reference to religion.

Those who are strongly opposed to prayer in the schools, whether initiated by students or teachers, should be expected to support vouchers in the schools. After all, if there were real choices in education, the school prayer issue would soon become moot. It is outrageous that many of the same people who call themselves pro-choice on abortion are quick to deny students the right to pray in school and are just as defiant in denying choice in education. That they have succeeded in having it both ways may have been true in the past, but given the mood of today's electorate, the past is not a trusty guide to the future. In any case, those who don't want prayer in the schools should be expected to put up or shut up on the

question of vouchers.

Student-initiated prayers and vouchers are clearly preferable to a school prayer amendment, and that is why the Catholic League can't get too caught up in the current battle. But if nothing else, the idea of the people taking command of their rights by challenging the wisdom of the judiciary is a very, very pleasant thought. It is hoped that those who helped to create this mess will now assist us in finding a way out of it. They can begin by allowing student-initiated prayer and giving the green light to vouchers. But if the Supreme Court balks on these two measures, we should go for broke and get an amendment that guarantees basic religious speech rights in the public square, the kind of amendment that would bring us back to the point where we were before all this madness began.

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## Yes!

*Time* magazine's Man of the Year for 1994 is Pope John Paul II. Echoing the League's October 16 ad in the *New York Times*, the magazine's editors praise the Pontiff for being resolute about his ideals "in a time of moral confusion." They go on to call him a charismatic figure who, in a recent interview with *Time* stated unequivocally, "The Pope must be a moral force."

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## Elder's Exit Applauded

The Catholic League is delighted to see that one of the most outspoken anti-Catholic bigots in the Clinton administration

has been axed. Joycelyn Elders was nominated to the office of Surgeon General by President Clinton in 1993 and confirmed later by the Senate. The Catholic League opposed her nomination and confirmation from the beginning. Her anti-Catholic statements, numerous and clearly documented should have alone disqualified her from a position of national influence and authority. In addition to these remarks, however, she followed an extremist position on such delicate issues as sex education and abortion. In fact, it was the comment implying that perhaps masturbation should be taught as a healthy AIDS preventive that finally convinced Clinton officials that she was more of a liability than an asset.

The news release from the September 2, 1993 conference (held in opposition to her confirmation) was composed by William Donohue and signed by numerous other organizations, including the Southern Baptist Convention, Catholic War Veterans, Eagle Forum and the American Family Association. It outlined her history of public anti-Catholicism and her casual disregard for mainstream attitudes towards sex education. While the confirmation took place in spite of these efforts her offensive statements and radical positions were brought further into the public forum than ever before.

The Catholic League continued to speak out against her during her tenure as Surgeon General. Most recently, we sent her a letter in connection to our D.C. bus advertisement campaign. In the letter, we asked her to place warning labels on condoms, so that those who use them would know that there is a good chance that HIV infection will occur during sexual intercourse even if they do use a latex condom. Her office responded the day they received the letter, calling us to ask for the data which we used in making our statement that one in three condoms fail in preventing the transmission of the AIDS virus. We sent the information which included the results of several studies published in reputable journals. We did not hear from her office after that. The next news concerning Dr.

Elders was that she had been forced to resign from her position as Surgeon General due to pressure from the White House.

William Donohue was interviewed by the Catholic News Service on her resignation. He expressed the hope that the next person appointed to this important office will be more sympathetic with the attitudes and morals of mainstream America and free of anti-Catholic prejudice.

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## League Public Service Ads Provoke a Strong Response

The latest installment in the Catholic League's public service ad campaign came in November in Washington D.C., where fifty buses carried seven foot long posters of the ad. The ad appears in the box below.



The ad provoked a large and controversial response. In response to correspondence related to the ad, the Surgeon General's office called to ask for the data which we used to support our claims.

Another interesting result of the ads was the Whitman-Walker

AIDS Clinic press conference, which was organized specifically to denounce the League's ads. In his opening remarks, the executive director, Jim Graham, condemned the League's ads for encouraging ignorance about AIDS. He added that "We are not standing alone in our fight against the Catholic League." The next speaker was Mr. Cornelius Baker, Director of Public Policy for the National Association of People with AIDS. He called the message "wrong and misleading. For the Catholic League to send the message that condoms are ineffective is to contribute to murder." As for the idea that warning labels should be put on condom packaging, Mr. Graham's response was simply, "I say, put a warning label on the Catholic League."

In dismissing the idea of warning labels, the Walker-Whitman director showed a casual disregard for human choice and responsibility. This disregard was further evidenced in the confident dismissal of self-control as a means of fighting AIDS ("...we will continue to advocate the use of condoms as the only effective method to prevent the spread of AIDS for people who are sexually active"). It was only highlighted by the list of critical points for their upcoming public announcements. The first read, "Get tested for HIV and tell – for the first time we are saying that this is the responsible thing to do." What were they saying before? No need to tell your partner as long as you use a condom? In this manner, with alarming ease, the fatal consequences of condom failure and the security of abstinence were swept under the rug.

The story was picked up by the *Chicago Tribune*, the *Washington Post*, the *Blade* (the Capitol's gay newspaper) and **News Channel 8 TV**, where Catholic League board member Kenneth Whitehead was interviewed on behalf of the League. He clarified the position behind the League's ads, saying, "Unfortunately, condoms are not perfect. Some break, some are defective, some leak. It's responsible to warn and inform that individual of the possible dangers, just as we would put a warning label on a drug."

The Catholic League will continue to work to see that the



Catholic position on these issues is given a public hearing and that Catholics can speak out on public crises without defamation or discrimination.

As for the suggestion that a warning label be put on the Catholic League, we take that as a backhanded tribute to our effectiveness.

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## **‘Know-Nothing’ Amendment Survives Another Challenge in Massachusetts**

The Massachusetts Legislature, meeting in joint Constitutional Convention on Dec. 20, failed to repeal the anti-Catholic “Know-Nothing” Amendment to the Massachusetts Constitution.

The amendment, a product of vicious 19th century anti-Catholicism, prohibits any form of state aid to Catholic school students.

The repeal measure was sponsored by Senate President William M. Bulger. The opposition was led by the Massachusetts Teachers Association, the American Jewish Congress and the ACLU.

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# League Addresses Creche – Menorah Inequity

In December, the Catholic League was struck by the prevalence of menorahs on public property and the absence of creches in the same places. Menorahs were evident in public schools, post offices, train stations and in public parks, but there were noticeably few creches. Christians were told that they should be satisfied with the display of a Christmas tree. Furthermore, public school students were learning about the meaning of the menorah but not the creche. Such inequity provoked the following response from the Catholic League:

“The Catholic League calls on every public authority who permitted the display of menorahs on public property to permit the display of creches on the same property. We do not object to, indeed we support, the display of menorahs on public property. We only request that a double standard not be practiced by disallowing the display of creches.

“The law on this subject is unambiguous. In *Lynch v. Donnelly* ( 1984), the Supreme Court allowed the display of a creche on public property so long as the religious symbol was surrounded by secular symbols. This ruling was strengthened in *Allegheny County v. ACLU. Greater Pittsburgh* (1989). It was also decided in *Allegheny County* that the menorah was a religious symbol and the Christmas tree was not. Therefore, it will not do to say that the Christmas tree is the functional equivalent of a menorah.

“It is similarly disturbing to learn that public school students are learning about the meaning of the menorah but not the creche. While the law bars the teaching of religion it does not bar teaching about religion, that is, it is perfectly legal to discuss the traditions, customs, social conventions and doctrinal beliefs of any religion. The Catholic League

supports educating students about the religious meaning of the menorah and the religious meaning of the creche.”

The Catholic League was called upon by many Catholics to assist them in informing school officials, librarians and others about the status of the law on the subject of menorahs and nativity scenes. We were generally pleased with the response: in most instances we were successful in getting the authorities to act decisively, pulling up nativity scenes where there had been menorahs.

What the Catholic League was not pleased with was the response of many Catholics and Protestants. Far too many Christians are of the opinion that we should leave well enough alone and not risk being called anti-Semitic for fighting for our rights. Such logic is infuriating as it implies a willingness to succumb to injustice and to simply ignore the rights we are given under the law. The Catholic League made it clear that it is not against the display of Jewish symbols on public property, it only wants the same rights accorded to Jews to be granted to Christians.

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## **League Assists Ex-Con**

Ex-cons have rights, too, and no right should be given greater prominence than freedom to worship. That was the central motivating force behind the League’s willingness to support a grievance by Robert Scone, a man convicted for sexually molesting his own children. Once Scone was released from prison, he was denied by the Division of Parole of New York State from attending Mass. While the League was sensitive to the circumstances surrounding this decision, it could not countenance the state interfering with an individual’s right

to worship. Separation of church and state, we said, cuts both ways.

Contacted originally by Father Francis J. Case of the Church of St. Theresa of the Infant Jesus in New Berlin, New York, the League brought this matter to the attention of the parole officer assigned to Mr. Scone. " If the issue were Mr. Scone's suitability to be a Boy Scout Master," the League said, "there would be no argument. But his right to attend Mass is altogether different, if for no other reason than he has a constitutional right to do so. After all, even those who have been sentenced to life imprisonment are entitled to the right to attend religious services of their choice. Are those who have served their time expected to bear penalties that those who have yet to complete their sentence are exempt from?"

The League is pleased with the response of the Division of Parole. Reasonable conditions were placed on Mr. Scone's attendance at Mass: he must notify the Rector that he is on parole; he must notify the parole officer which Mass he wishes to attend; and he must disclose the nature of his criminal history and his pedophilia must be made known to his Rector.

This kind of accommodation makes sense, especially given Mr. Scone's past. It also makes for good social policy: about the only elixir that works on recidivists is religion, therefore the state should be encouraging, not discouraging, religious worship for ex-cons.