

PAROCHIAL SCHOOL DEBATE EXPLODES

The debate over public funds for parochial schools exploded at the end of 1999 when the courts addressed the issue forthrightly.

The U.S. Supreme Court heard oral arguments in December in what may be a landmark decision. The case, *Mitchell v. Helms*, involves the question of whether the Constitution permits the use of public money to put computers and other “instructional equipment” in parochial school classrooms.

The case reached the Supreme Court via an appeal by a group of parochial school parents in Louisiana who, along with the Clinton administration, protested a federal appeals court ruling in 1998 that barred using federal money for anything other than textbooks in parochial schools.

Interestingly, one of those in the lawsuit who contends that Catholic schools should not receive any federal assistance is a Catholic, Marie Schneider. She sent the first of her seven children to a Catholic school but eventually enrolled all her children in public schools. Schneider, whose brother is a priest, had this to say of her decision: “I fell in love with the public schools. What I found in public schools that I did not find in parochial schools was a genuine attempt to educate all children. There was no selectivity or elitism.”

Schneider’s love for public schools, however, does not adequately explain her activism. Many parents, for instance, prefer public schools to parochial schools, yet few find it necessary to hire lawyers to stop Catholic schools from getting computers with public funds. No, there is something else at work here and that is why the Catholic League filed an amicus brief in this case defending the parochial schools. A

U.S. Supreme Court ruling is expected in the spring.

On December 13, the U.S. Supreme Court let stand a ruling by the Vermont Supreme Court, made in November, that prohibited state-tuition payments for children attending religious schools; state subsidies to private non-sectarian schools were declared constitutional. The Catholic League, which protested the decision, couldn't help but notice that the same Vermont court said on December 20 that gay couples were entitled to the same benefits and protections as married couples.

The league's news release read as follows: "In the eyes of the Vermont State Court judges, the faithful must pay for homosexuals to get the same benefits as a married couple, even though doing so means having to subsidize expressly immoral behavior that compromises their sincerely-held religious beliefs. In addition, they must pay for public schools that they cannot support in principle and are entitled to zero relief for electing to send their children to religious schools of their choice. Welcome to Vermont."

In a closely-watched case, a voucher program in Cleveland was struck down by Judge Solomon Oliver Jr. It was he who previously blocked any new students from entering the Cleveland voucher program until a final judgment on the case was reached; on December 20, he finished the job by declaring the entire program unconstitutional. As he did before, Judge Oliver criticized the program because it allegedly had "the effect of advancing religion through government-sponsored religious indoctrination."

It is hard to resist the conclusion that this decision, like so many others in this area, was motivated by an anti-Catholic animus. Our position, which is shared by Robert Bork, rests on Judge Oliver's continued reference to the Catholic schools. His objections centered less on the concept of school choice than on the expressed choice of Cleveland's parents: they overwhelmingly preferred Catholic schools.

It is not without significance that Judge Oliver previously served on the board of directors of the NAACP. The NAACP not only opposes vouchers, it formed a coalition with People for the American Way two years ago that provides joint resources for its war on school choice. The ultimate losers, of course, are the poor African American children whom both organizations claim to defend.

Joining the fray is the *Akron Beacon Journal*. The Ohio newspaper distinguished itself in December by writing some viciously anti-Catholic propaganda on the subject. It even went so far as to say that the Cleveland program has “become a subsidy to the Roman Catholic Church.” It would be more accurate to say, we pointed out, that public schools are currently being subsidized by Catholic parents who send their kids to Catholic schools but must nonetheless pay for a service they don’t want.

Finally, as the year ended, Hillary Rodham Clinton spoke before a group of New York’s Orthodox Jewish leaders and told them that while she opposes vouchers, she would back certain “constitutionally correct” ways for government to give tax credits to parents of parochial school students.

On December 17, William Donohue wrote to the New York senatorial candidate asking her to be more specific. That same day, her spokesman, Howard Wolfson, explained that this was not her position.

CNN OFFERS CLARIFICATION

On December 15, on CNN’s “Showbiz Today,” CNN correspondent Gloria Hillard commented that the Catholic League had successfully killed the TV show, “Nothing Sacred.” She then

said that “Protests, angry campaigns, and even death threats accompanied the opening of ‘Dogma.’” Next to speak was Kevin Smith, the writer/director of “Dogma.” He charged that “These are the people that point a finger at me and say I’m a heretic and I’m anti-God. Meanwhile, they’re writing these horribly slanderous things that also threaten violence.”

Incensed by the obvious implication that the Catholic League promotes violence, we immediately protested the link. Susan Fani, the league’s director of legal research, pressed the attorneys at CNN in Atlanta for a statement to be read on the air. CNN agreed. Here is what CNN anchor Jim Moret said on December 16:

“Yesterday, ‘Showbiz Today’ aired a report about religious themes in movies and television. A clarification: We did not intend the inference that the Catholic League made or supports any violence or death threats relating to any controversial films. We regret any misunderstanding.” The league was satisfied with this response.

LOCKWOOD JOINS LEAGUE

At the end of 1999, Robert Lockwood resigned from his position as president of the publishing division of Our Sunday Visitor. Lockwood, who sits on the board of directors of the Catholic League, began 2000 by accepting a new post at the Catholic League, Director of Research.

Bob brings to the league considerable strengths in publishing, writing and office management. His immediate tasks include research and analysis and the issuance of “White Papers” on various subjects. He not only will be a big boost to the organization, his new job signals that the league has entered

a new phase.

DISNEY/MIRAMAX TAKE A DIVE

Many in the media often question the Catholic League strategy of protesting movies we object to, arguing that we are only drawing more attention to the films, thus securing greater proceeds for the offender. But if this were necessarily true, then how does one explain the fact that both Disney and its subsidiary, Miramax, have taken a beating lately?

Third-quarter profits for Disney dropped a whopping 71 percent in 1999 from the previous year and Miramax reported an estimated profit drop-off from \$125 million in 1998 to about \$80 million in 1999. Meanwhile membership in the Catholic League soared in 1999.

While our friends at Disney/Miramax won't believe it, we are convinced that our success has something to do with having the right person on our side. They have someone on their side, too, which is why they fail.

LEAGUE JOINS AMICUS BRIEF IN JOHNSON CASE

On January 12, the Center for Law and Religious Freedom filed an amicus brief which the Catholic League joined as a co-amicus in *Johnson v. Economic Development Corporation of the*

County of Oakland; it is being appealed to the sixth circuit. The district court rejected the constitutional challenge to the municipal issuance of tax-exempt bonds to pay for improvements at a Catholic school. The league is seeking to have the lower court's ruling affirmed on behalf of the defendant.

The brief agrees with the district court's ruling that the law under which the bonds were issued does not violate the establishment clause because it has a secular purpose, does not advance or inhibit religion and does not give rise to excessive entanglement between church and state. Thus, to deny aid to a school because it is religious would be intentional discrimination which is contrary to the First Amendment.

LT. BERRY PROMOTED

Last summer, the Catholic League took up the case of Lt. Ryan Berry, the Air Force officer who cited his Catholic conscious as the reason why he refused to work with a female officer in a small underground silo; the Air Force threatened to punish Berry for his position. We held a press conference on Capitol Hill on his behalf and asked our members to write to the Air Force chief of staff.

It appears the pressure paid off: Lt. Berry has been promoted to captain.

BROOKLYN MUSEUM DEBATE RAGES TO THE END

The debate over the Brooklyn Museum of Art exhibition, "Sensation," raged until its final day on January 9. The Catholic League led a protest of the painting, "The Holy Virgin Mary," which featured a dung-splattered portrait of Our Blessed Mother laden with pornographic pictures. To say the least, the debate drew some unusual responses.

Camille Paglia is an art historian who is known for her radical views and unpredictable positions. An avowed lesbian and former Catholic, Paglia still maintains more respect for the religion of her upbringing than many professed Catholics do today. "I'm just as sick of 'Catholic bashing' as [Mayor Rudy] Giuliani. I resent the double standard that protects Jewish and African-American symbols and icons but allows Catholicism to be routinely trashed by supercilious liberals...The Brooklyn show has fomented hatred in this country."

Another unlikely notable who sided with the Catholic League was journalist Mike Barnicle. "Imagine for a moment if a guy named Kelly sat down with an easel, produced a painting of a black man being dragged behind a pickup truck driven by a laughing rabbi with a smiling Billy Graham standing on the bumper, urinating on the victim's battered corpse, and decided to call it art," Barnicle wrote. "Would we all run to the museum," he asked, "insisting that it be displayed, toasting Kelly while reading sympathetic puff pieces about him in the New York Times?...Of course not. Why, the howling would wake up Eleanor Roosevelt."

But is throwing dung on Our Blessed Mother and surrounding her with pictures of vaginas and anuses necessarily a bad thing to do? Father George Wilson, a Jesuit ecclesiologist from

Cincinnati, thinks not. Indeed, he defends the portrait and tries desperately to put critics of the painting on the defensive.

Father Wilson raises the question, "Is the painting 'obscene'?" His answer: "Simply put, no." "We may not be used to graphic presentations of the labia; some may be disturbed by them, but that does not make them obscene." As for the artist, Chris Ofili, Father Wilson says, "It would seem more probable that he sincerely believes his work conveys some truth about Mary to him and to those viewers willing to work at understanding what he is trying to capture."

"Do we Catholics really believe dung and genitalia are 'dirty'?" This is what upsets Father Wilson, not the painting. He further explains that "In Ofili's culture, elephant dung is not something to be scorned but rather a profound symbol of life...." This allows him to write that "in the descriptions of the painting the material is quite accurately referred to as dung, after all; it is not called *shit* (his emphasis), an ugly expression characteristic of our asphalt culture."

Father Wilson is anything but vague: "Dung is a natural product of vital processes, created and used by God in the great mystery of life." But what of the porn pictures thrown on Our Blessed Mother? He can't defend that, can he? Oh yes. "A woman's genital organs play an important role in the transmission of that same incredible gift." Therefore, the Jesuit priest reasons, there is literally no difference between anatomical drawings in a medical textbook and *Hustler* magazine. Father Wilson's article appeared in the December 10 edition of the *National Catholic Reporter*, a popular weekly on Catholic college campuses.

To our knowledge, only Father Wilson has defended the use of pornography in the Ofili painting, "The Holy Virgin Mary." But the myth that dung in Africa is an honorific statement is quite widespread among the intelligentsia. Only white

multicultural freaks, we argued, would believe this.

Take, for example, the November issue of *National Geographic*. In it there is an article by Carol Beckwith and Angela Fisher about the Masai tribe in Kenya. It is not uncommon in this culture, they say, for the groom's female relatives to slap handfuls of cow dung on the head of the prospective bride. But this is not done to show how much they love her. "How she handles the *abuse* (our emphasis)," the authors write, "is believed to determine how she will face the challenges of marriage." One more thing—Ofili is not an African—he's a Brit.

None of the controversy stopped the Catholic League from honoring Our Blessed Mother on December 8, feast of the Immaculate Conception. Led by Msgr. Peter Finn, co-vicar of Staten Island and pastor of St. Joseph-St. Thomas parish, a group of 500 Catholics gathered in front of the Brooklyn Museum of Art to protest once again the blasphemous display. William Donohue spoke at the rally as did many local officials. Msgr. Finn led the group in the rosary.

At the rally, Donohue reminded the crowd that their efforts were not in vain. A similarly obscene and blasphemous exhibit in Detroit, he said, lasted just two days. The director who pulled the exhibit cited the trouble in Brooklyn as the reason why he stopped it; the Detroit exhibit featured a drawing of a baby Jesus in a bathtub wearing a condom. Donohue also pointed out that the "Sensation" exhibition was cancelled in Australia after all the rumblings in New York made international news.

The controversy continued on December 16 when a 72-year old Catholic man got by guards at the Brooklyn Museum of Art and squeezed white paint across the disputed canvas, "The Holy Virgin Mary." Donohue immediately addressed this incident in a news release:

"The Catholic League takes great delight in mounting a protest against the Brooklyn Museum of Art for sponsoring a cruel,

obscene and blasphemous exhibition, 'Sensation.' But we do not condone the actions of the man who defaced the controversial Madonna painting. There is a right way to protest and a wrong way to protest, and throwing paint on a canvas is wrong.

"That said, it is also true that the trustees of the Brooklyn Museum of Art still don't get it. For them to say that this was an 'incomprehensible act' is what is truly incomprehensible. Even a child knows that when someone viciously attacks another person's family, religion or country, there will be a strong urge to retaliate in kind. The real issue here is not the defacement of the canvas but the desecration of Our Blessed Mother. With public funding, no less!

"This raises a serious question: is it possible to deface a desecration? Or to put it somewhat differently, is it possible to deface dung? I leave this to the savants at the Brooklyn Museum of Art to ponder. Assuming they comprehend what I mean, of course."

Donohue was instantly attacked by journalist Gersh Kuntzman who branded the Catholic League president "Mayor Giuliani's commissioner for the Department of Religious Services."

On December 26, a 37-year old man threw red paint on the entrance to the museum and was promptly arrested. Not to be outdone, the Catholic League came back with one more statement of its own.

Just before the exhibit closed, Donohue sent a package to the museum's director, Arnold Lehman. In it was a huge pooper scooper and a package of ten hypo-allergenic disposable latex gloves. "Just as we provided vomit bags to facilitate the process of puking when the exhibit opened, we are now providing a pooper scooper and surgical gloves—latex, of course—to facilitate the sanitary removal of the dung. This should put to rest the rumor that we are not eco-conscious at

the Catholic League. And besides, who wants to step in barf and feces while dismantling this masterpiece?

“We hope that Arnold Lehman appreciates our thoughtfulness and puts our New Year’s gift to good use. We also hope he doesn’t exploit museum workers by ordering them to clean up his filth.”

A CHRISTMAS PRESENT FROM “DATELINE”

The NBC show, “Dateline,” gave Catholics a Christmas present by featuring a segment on a Catholic-operated mental hospital that existed in Quebec a half-century ago. The segment, “Suffer the Little Children; Orphans Sent to Mental Hospitals Demand Restitution,” showed the Catholic Church at its worst; it aired on December 21.

The segment contended that children born out-of-wedlock were also sent to St. Julien’s Hospital. The point of the story was that many young children were physically and psychologically abused by the nuns who ran the institution. Nothing the nuns did that was positive was mentioned on the broadcast and no comparisons were made with other mental institutions that existed at the time.

The position of the Catholic League was outlined in a letter to NBC by William Donohue:

“My point is not to challenge the veracity of the story—it may all be true. My point is to question the decision-making process that resulted in this story and its timing. Of all the stories that may interest viewers—babies born alive in

abortion clinics, the source of Rev. Al Sharpton's income, the legalization of torture in Israel, gay sexual practices and the AIDS epidemic—'Dateline' chose to reach back to the first half of this century to do a piece about one Catholic-run institution in another country that just happened to air during Christmas week."

Donohue wrote to NBC asking for an explanation. The letter he received from David McCormick, executive producer of broadcast standards, was unsatisfactory. In it, the NBC official said, "We are sorry you have taken exception to the timing of this broadcast. However, this was not a report on the Catholic Church in general but a specific orphanage in Canada. There was no intent to criticize the role of the Church at this time of the year."

Upon receipt of the letter, Donohue called McCormick. He asked if NBC had any plans to do a segment on any of the topics he mentioned in his letter; McCormick was non-committal. Surely viewers would like to see these shows on abortionists, Al Sharpton's funding, Israel's policy on torture and the gay contribution to AIDS, Donohue said. But it was clear from the conversation that the broadcast standards chief wasn't going to give Donohue what he wanted, namely an explanation why—out of the entire universe of topics—NBC chose to do this one.

Perhaps you can squeeze McCormick for an answer. Try writing him at NBC News, 30 Rockefeller Plaza, New York, New York 10112. You may call him at (212) 664-3984; or fax him at (212) 315-4037; or e-mail him at David.McCormick@nbc.com. Tell him Bill said hello.

DONOHUE THE ANTI-CHRIST?

Ready for this? There is now an Anti-Catholic League. You can access information at www.juicycerebellum.com and learn how sick some of our adversaries really are. "Welcome to the 'Anti-Catholic League,'" the home page says, "a segment of 'The Juicy Cerebellum' created specifically to keep Americans who aren't crazy, safe from psychotic Catholics."

"William Donohue the Anti-Christ?" That, and much more, is the kind of thing that the Anti-Catholic League likes to market. But beware, much of it is also quite vulgar. In any event, the head of this wacko group actually believes Donohue to be the anti-Christ. When asked about this, Donohue replied, "I've been called worse. Some people think I'm a lawyer."

ABC'S "THE PRACTICE" CONTINUES TO BAIT CATHOLICS

In the November 28 episode of the ABC show, "The Practice," an attorney, Jimmy, informed a judge, Roberta, that he is breaking up with her. She told him that he'll be coming back and then explained why: "Because of your mother and father. You were raised as a strict Catholic, you grew up sexually repressed, and what you're going to be looking for in a woman more than anything else is a woman who liberates you sexually, who makes you feel sexual."

In the November 7 episode, there was a scene that featured a Catholic male objecting to his fiancée's wedding dress. The woman, who was not Catholic, remarked that if she had to eat Communion, he had to put up with her dress.

Catholic League president William Donohue issued the following statement to the press:

"We've had our share of problems with ABC, and with the executive producer of 'The Practice,' David E. Kelley. Now they're at it again. The wholly unnecessary digs that were made at Catholicism in the November 7 and November 28 episodes demonstrate Kelley's continued fixation on the Roman Catholic Church. Kelley needs no excuse to find a way to stick it to Catholics—he is a master of the gratuitous shot.

"The correspondence that I've had with Kelley in the past gave me reason to believe that he might change his ways. But apparently he has no intentions of doing so. If 'The Practice' continues like this, the Catholic League will take a more confrontational approach."