

# VICTORY FOR PRIESTS' RIGHTS; AMICUS BRIEF PREVAILS

On December 3, the Pennsylvania Supreme Court ruled in a 6-1 decision that the Pennsylvania grand jury report on the Catholic clergy cannot make public the names of 11 priests who challenged the release of their identities; they claimed that doing so would violate their reputational rights as guaranteed by the state constitution.

The Catholic League filed an *amicus curiae* brief in this case and was cited in the court decision.

The priests maintained that they did not have an opportunity to challenge the accusations made against them to the grand jury. Moreover, they said the report contained "false, misleading, incorrect and unsupported assertions." Thus, their reputations would be smeared if their names were not permanently redacted. The court agreed.

Indeed, the majority ruling concluded that permanently redacting the names of these priests was "the only viable due process remedy we may now afford to Petitioners to protect their constitutional rights to reputation."

The judges said that a person's "personal reputation was regarded by the framers of our organic charter as a fundamental human right—one of the 'inherent rights of mankind.'" Furthermore, the ruling said, "throughout our Commonwealth's history, it has been accorded the same exalted status as other basic individual human rights, such as freedom of speech, freedom of assembly, and freedom of the press."

Had all the priests in Pennsylvania who were named in the report taken the same position as the plaintiffs—none were given a realistic chance to rebut the charges (many were dead)—the grand jury report would have imploded. Thirty-four

states have a constitution similar to that of Pennsylvania's: the reputational rights of priests can prevail there as well.

This is a big victory for the due process rights of priests.

There is no institution in the nation that publishes the names of accused employees. They don't do it in the media. They don't do it in Hollywood. They don't do it in the public schools. They don't do it in the colleges or universities. They don't do it in any other religion. Why should the bishops be any different?

Finally, let's stop with the sop that all that matters are the victims. They surely matter and everyone who has truly been molested—by anyone—deserves justice. But many of the people who scream the loudest for victims are phonies—they never go after the molesters in the public schools.

Kudos to the Pittsburgh lawyers at Porter Wright Morris & Arthur for representing the Catholic League. Priests have rights, just like those lawyers, reporters, and pundits who wish they didn't.

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## **DNC RIPS CHRISTIANS**

The chairman of the Democratic National Committee, Tom Perez, has a problem with Christians. He thinks they are stupid.

Speaking on December 6 at a liberal gathering in Washington, D.C., Perez appeared unhinged as he delivered a whining speech over the inability of Democrats to get their message across. He identified three obstacles: "Fox News, their NRA newsletter, and the pulpit on Sunday."

Perez then unloaded on the clergy and the faithful, making a

veiled stab at President Trump. “That person on the pulpit is saying ‘ignore everything else that this person has done and is doing. We have to focus on one issue of *Roe v. Wade*.’ And people buy it because that’s their only source.”

It bothers Perez to no end that practicing Christians care about the fate of the unborn. News Flash: We think for ourselves!

This is not the first time that Perez’s passion for abortion has sent him off the rails. Last year he said, “Every Democrat, like every American, should support a woman’s right to make her own choices about her body and her health. That is not negotiable and should not change city by city or state by state.”

Perez’s statement was too much for Democratic commentator Mark Shields. After quoting the remark just cited, Shields said, “The Democratic Party, which is a pro-choice party, would now become the ‘no choice’ party.”

Perez’s demeaning comments are not going to sit well with millions of Americans.

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## **STANDING FAST FOR PRIESTS’ RIGHTS**

**William A. Donohue**

The average detainee in Guantanamo Bay has more rights than the average accused priest in America does today. Those who doubt this to be true can begin by naming all of the left-wing activist organizations and civil libertarian groups that are

defending the rights of accused priests. By contrast, accused Muslim terrorists in Gitmo don't lack for such support.

It's actually worse than this. Where are the conservative Catholic activist organizations defending the rights of accused priests? Who, besides the Catholic League, even wants to discuss the issue of clergy sexual abuse?

There are many Catholic organizations that never miss a chance to go to Rome for big celebrations. They are master cheerleaders. They are also quick to issue a statement on happy news. But when things turn south, when the going gets tough, they run for the hills. Living in the comfort zone, 24/7, must be nice. But it's not for us.

As you can see from this edition of *Catalyst*, the Catholic League has been standing fast for priests' rights. We won in the Supreme Court in Pennsylvania, and we successfully exposed the *Boston Globe* for its fraudulent study on the bishops.

It is this kind of action—getting things done instead of talking about them—that inspired the Oxford Union to invite me to partake in a debate in late February in the U.K. There will be three persons on each side: two prominent persons and one student. Unfortunately, we will not be able to report on the debate until the April edition of *Catalyst* as the event will take place after the March edition goes to press.

Debating is what I do best. I cut my TV teeth on CNN's "Crossfire" in the 1980s, and later with "Hannity and Colmes" on Fox News. PBS hosted a show in the 2000s, "Debates, Debates," where I was featured many times.

One of the greatest accolades I ever received came from Warren Steibel when he told me that I was the greatest debater he had ever seen. What he said mattered: He was the long-time producer of the PBS show, "Firing Line," hosted by William F. Buckley Jr. He told me this prior to Buckley's last panel show on "Firing Line" (I was on Buckley's team against the ACLU) in

1998.

The Brits are putting me on the defensive, which is fine by me.

### **"This House Believes The Catholic Church Can Never Pay For Its Sins"**

That is the motion I am asked to address. Good luck to my challengers—they will fare no better than Christopher Hitchens did when we debated.

The invitation makes plain what the House thinks about the Catholic Church. Here is how the President of the Oxford Union, Daniel Wilkinson, put it to me:

*"In the wake of the Pennsylvania grand jury report, the Catholic Church has once again been put under the public spotlight for its actions. Following revelations about prolific child sexual abuse and the false imprisonment within the infamous Magdalene laundries, the church has taken steps to accept responsibility for the actions of its members including public apologies, expelling priests, and limited payout programs for victims. Whilst living up to a message of repentance is something of clear importance to the Church's new leadership, critics argue that based on the scale of damage done, efforts continue to be insufficient. In light of this we ask, can the Catholic Church ever pay for its sins?"*

This is going to be fun. As someone who is both an American and an Irish citizen (my mother ordered me to become a citizen of Ireland and I did not argue with her), I am tempted to ask if the Oxford Union might entertain a debate on the resolution, "The House Believes The English Can Never Pay For Its Sins Against The Irish."

I am often asked by reporters and pundits how I can defend the Church today. It's really not that hard. To begin with, I defend the Church against wrongdoers; I do not defend

wrongdoing done by the Church. Secondly, unlike most people, friends and foes of the Church alike, I actually read the studies and the reports done on the Catholic Church. I also have a nose for bogus stories.

So when I read about the *Boston Globe* study on the U.S. bishops (see p. 7), I had a hunch something was amiss. Which explains why I asked to see the raw data upon which the newspaper concluded that more than one-third of current bishops are tied to the cover-up. I was denied the right to even read the transcripts of the interviews.

There are bad guys in the Catholic Church and they need to be shown the gate. But most priests and bishops should never be lumped in with them, which is why defending *most of them* is not a hard thing to do. We should never lose sight of that, even in these frenzied times.

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## THE LEGACY OF “BILLY DOE”

**Ralph Cipriano**

With the Catholic Church under legal assault by prosecutors in 14 states, the case of a former Philadelphia altar boy dubbed “Billy Doe” serves as a cautionary tale that not every priest accused of sex abuse is automatically guilty.

The case also shows that crusading prosecutors don’t always play by the rules. And that no matter what the true facts in a sex abuse case are, it won’t matter to a biased news media.

Billy Doe, whose real name is Danny Gallagher, came forward at age 23 in 2011 to claim that back when he was 10 and 11 years old, he was repeatedly raped by two priests and a parochial

school teacher. A couple of juries convicted all three attackers and sent them to jail. Also convicted was Msgr. William J. Lynn, the Archdiocese of Philadelphia's former secretary for clergy. He became the first Catholic administrator in the country to be jailed in the clergy sex scandals, not for touching a child, but for endangering a child's welfare by failing to protect the altar boy from a priest who was a known abuser.

In a civil settlement, the church subsequently paid Gallagher \$5 million.

There was only one problem—Gallagher, a former drug addict, heroin dealer, habitual liar, third-rate conman and thief, made the whole story up. And all four men who went to jail—including a priest who died there—were innocent.

How do we know? On my blog, [bigtrial.net](http://bigtrial.net), and for Newsweek and the *National Catholic Reporter*, I spent the past six years documenting all the holes in Gallagher's outrageous and constantly changing tales of abuse.

I will now have to relate some graphic details to explain what a liar Gallagher is. And how irresponsible it was for former Philadelphia District Attorney Rufus Seth Williams to have put Gallagher on the witness stand as his star witness at two criminal trials in the D.A.'s self-described "historic" prosecution of the Church.

When he first came forward to tell two social workers for the archdiocese his accusations of abuse, Danny Gallagher claimed that:

- Father Charles Engelhardt attacked him in the sacristy after an early morning Mass, locked all the doors and then proceeded to pound away at the boy for five hours of brutal anal sex. Afterwards, Gallagher claimed the priest threatened to kill him if he told anybody about it.
- Father Edward V. Avery "punched him in the head," and

knocked him unconscious. When he woke up in a storage closet at the church, Gallagher claimed he was naked and tied up with altar sashes. Gallagher further claimed that Avery anally raped him so brutally that he bled for a week. And that the priest forced the boy to suck blood off the priest's penis.

- Bernard Shero, Gallagher's homeroom teacher, allegedly punched Gallagher in the face and strangled him with a seat belt before he allegedly raped the boy in the back seat of the teacher's car. Afterwards, the teacher supposedly threatened to make the boy's life a "living hell" if he told anybody.

But when Gallagher retold his story of abuse to the police and the grand jury, every detail I just mentioned—the anal rapes, the punches, the threats, the claims about being tied up naked with altar sashes, strangled with a seatbelt, and forced to suck blood off of a priest's penis—all those graphic details were dropped from his story.

Instead, Gallagher spun a completely new fable about being forced by his attackers to view pornography and perform strip teases to music, and then engage in oral sex and mutual masturbation. In the civil courts, when Gallagher was confronted with all of the glaring contradictions in his conflicting tales of abuse, he responded by saying he couldn't remember more than 130 times.

If this wasn't enough evidence that Gallagher wasn't credible, in 2017, Joe Walsh, the retired lead detective in the case, came forward to file a startling, 12-page affidavit. In the affidavit, Walsh stated that while questioning Gallagher pre-trial, he repeatedly came to the conclusion that the star witness was a liar, and that none of the alleged rapes ever really happened.

Walsh stated that while questioning Gallagher, the detective caught the former altar boy in one lie after another. According to Walsh, Gallagher finally admitted that with the social workers he "just made up stuff and told them anything."



None of the facts about Walsh's pre-trial grilling of Gallagher, however, were ever revealed to defense lawyers.

The retired detective also stated in his affidavit that during his investigation, he repeatedly told the lead prosecutor, former Assistant District Attorney Mariana Sorensen, that all the witnesses he interviewed, including members of Gallagher's own family, and all the evidence he gathered, contradicted Gallagher's cockamamie tales of abuse. Sorensen, however, stubbornly kept saying that she believed Gallagher. And when Walsh persisted, according to the detective, Sorensen replied, "You're killing my case."

In a subsequent bombshell, it was discovered that the prosecution hid more evidence from the defense and repeatedly lied about it. In 2010, when the D.A.'s office first interviewed Gallagher, former ADA Sorensen took seven pages of notes. And then she buried them. Over the years, Sorensen and two other prosecutors stood up in three different courtrooms, in front of three different judges, and stated that the notes didn't exist.

But earlier this year, seven pages of Sorensen's typewritten notes mysteriously reappeared. We also know that the prosecution also hid seven pages of notes taken by Church social workers that showed that when he first came forward, Gallagher wasn't interested in pressing charges against anybody; he just wanted to find a lawyer so he could get paid.

Meanwhile, an appeals court overturned Msgr. Lynn's conviction after he had served 33 months of his 36-month sentence, plus 18 months of house arrest. But despite Lynn's jail time previously served, Gallagher's complete lack of credibility, and Detective Walsh's testimony about prosecutorial misconduct, a new Philadelphia district attorney, Larry Krasner, has decided he will retry the case next year.

And what about the media, which trumpeted the arrests,

indictments and convictions of the three priests and former schoolteacher? How has the media covered all the bombshells that showed the prosecution of the Church was a sham?

By stonewalling, and willfully ignoring it.

The *Philadelphia Inquirer*, which in the past seven years has printed 64 news articles and editorials on the Billy Doe case, always presenting him as a legitimate victim of sex abuse, never outed Gallagher, or told readers that he was a fraud.

And then there's *Rolling Stone*. Remember Sabrina Rubin Erderly, the reporter who fabricated a story about an alleged gang rape by seven men at a frat house at the University of Virginia by relying on the false accusations of a woman named "Jackie?"

Before she got conned by Jackie, Erderly was fooled by Billy. In 2011, Erderly wrote "The Catholic Church's Secret Sex-Crime Files," which accepted as gospel Billy Doe's fraudulent tales of abuse. The reporter also hid that when she wrote the story she had an undisclosed conflict of interest – her husband was an assistant Philadelphia district attorney who worked for the D.A. that was prosecuting Billy's alleged attackers.

*Rolling Stone*, which retracted the UVA rape story, has never retracted or even corrected Erderly's fake story about the Church, which is still posted online.

How's that for a fair and responsible media?

So this summer, when Pennsylvania Attorney General Josh Shapiro announced the results of his secret grand jury investigation into sex abuse in six Pennsylvania dioceses, I wasn't surprised that the media covered ancient accusations of abuse as though it had all just happened yesterday.

*The Inquirer*, which never got around to telling its readers that Billy Doe was a fraud, ran the grand jury story on its

front page, cranking out a total of seven news stories and a column that blasted the Church.

Now we all know that the Catholic Church for decades was guilty of committing horrendous crimes against children, and also guilty of covering it up. But that doesn't mean the media should suspend its judgment when it comes to holding prosecutors accountable.

When I read that grand jury report, it was like a tour through an ecclesiastic graveyard. Of 250 accused predator priests, at least 117 were dead. Another 13 priests born before 1940 had the dates of their deaths listed as unknown.

The oldest priest who was allegedly a predator was born in 1869, four years after the Civil War ended. Another alleged predator priest had been dead since 1950.

The alleged crimes detailed in the report were from as far back as the 1940s; one alleged victim was 83.

The grand jury report came with plenty of lurid charges. Such as the allegation that in 1969, Father Gregory Flohr had allegedly used a rope to tie up an altar boy in the confessional before sodomizing him with a crucifix.

Father Flohr could not be reached for comment; he's been dead for 14 years.

But none of this mattered to the media; the Shapiro grand jury report that should have run on the History Channel made headlines nationally and internationally. It also inspired prosecutors in 14 states, as well as in the District of Columbia, to announce plans to launch their own investigations of the Catholic Church.

And why not? The Church is a sitting duck. Under ancient Vatican rules, each diocese is required to keep written records of all accusations against priests, whether they're

true or false. All an ambitious prosecutor needs for a fresh set of headlines and a room full of reporters at his next press conference is a judge willing to grant a subpoena to open the so-called secret archive files, just like Shapiro did.

Whether any of the lurid allegations a prosecutor makes will be subject to due process—and only a couple of Shapiro's thousands of alleged crimes fell within the statute of limitations—doesn't seem to matter.

So the next time you hear a prosecutor making shocking allegations against the Church, remember the Billy Doe story. And the corrupt D.A. in Philadelphia who used a fraudulent witness to stage a modern-day witch hunt.

These days, former Philly D.A. Rufus Seth Williams wears an orange jumpsuit. He's sitting in a federal prison after pleading guilty in 2017 to a federal corruption case where he admitted to a crime wave that included taking bribes, misusing campaign contributions, and stealing from his own mother.

But Williams has never been prosecuted for the worst crimes he ever committed, namely what he did in the Billy Doe case to a blind lady named Justice.

Four men—three priests and a schoolteacher—were sent to jail on false charges. And one of those men, Father Engelhardt, who needed a heart operation, died in prison.

The priest spent his last hours handcuffed to a hospital bed, and in a dying declaration, still professing his innocence.

*Ralph Cipriano is a muckraking reporter who has written for the Los Angeles Times and the Philadelphia Inquirer. His blog posts on the trashing of the Archdiocese of Philadelphia by prosecutors and reporters can be found on the website "Big Trial."*

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# MEDIA IGNORE POPE'S REMARKS ON GAY PRIESTS

When it comes to reporting what Pope Francis says about sexuality, the reaction of the mainstream media is stunning. Whenever he says something they consider ill-liberal, they simply don't report it.

The cover-up continued recently when excerpts from a new book by the pope, *The Strength of a Vocation*, were made public. The Holy Father spoke frankly about homosexual priests. To say he has soured on gay priests would be an understatement. He gets it. Here is a selection of his comments.

"The issue of homosexuality is a very serious issue that must be adequately discerned from the beginning with the candidates [for the priesthood], if that is the case. We have to be exacting. In our societies it even seems homosexuality is fashionable and that mentality, in some way, also influences the life of the Church."

That is putting it mildly. The gay subculture in the Catholic Church has done tremendous damage, and it is one that still needs to be purged.

Speaking of homosexual attractions, the pope said, "It's not just an expression of an affection. In consecrated and priestly life, there's no room for that kind of affection. Therefore, the Church recommends that people with that kind of ingrained tendency should not be accepted into the ministry or consecrated life. The ministry or consecrated life is not his place."

Yes, "people with that kind of ingrained tendency," or what

Pope Benedict XVI said in 2005, those with “deep-seated homosexual tendencies,” are not suitable for the priesthood. Pope Francis could not be more clear, saying, “It’s better for them to leave the ministry or the consecrated life rather than to live a double life.”

In other words, it’s time for homosexual priests who are more gay than they are priests, to exit. That this even needs to be said—and it does—is an index of the problem.

This story made the International News component of the Associated Press, but was not picked up by its U.S. counterpart. Where was Nicole Winfield?

This story never made the *New York Times*. Where was Laurie Goodstein? How did she miss it?

This story never made the *Washington Post*. Where was Michelle Boorstein? How did she miss it?

This story never made the *Los Angeles Times*, but it did make the much lower circulation newspaper, the *Daily News of Los Angeles*. How did the Times miss it? [We are happy to note that AP and Reuters picked up this story.]

None of this is by accident. The reporters and sources named never miss a chance to report on any of the pope’s more liberal pronouncements. Their goal is to downplay the pope’s more conservative positions lest Catholics, and the public more generally, conclude that the pope doesn’t subscribe to the “progressive” sexual agenda that elites favor.

It is striking to note that the gay press, and pundits on the left, did not play the cover-up game. Pink News expressed its displeasure with the pope, the *Advocate* called his remarks a “new broadside against gays,” and the *Daily Beast* screamed, “Pope Francis Goes Full Homophobe, Now ‘Very Worried’ About Homosexuality in the Church.”

What the pope said is a good start. But we need those in positions of influence in the Catholic Church, beginning with seminaries, to follow through. He's given us the green light—now it's time to finish the job.

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## MEDIA POLITICS EXPLAIN POPE COVERAGE

A cardinal holds a beatification ceremony in Algeria for 19 monks, nuns and other Catholics who were killed during Algeria's civil war in the 1990s.

Pope Francis addresses an international conference celebrating the 70th anniversary of the Universal Declaration of Human Rights wherein he highlights the rights of the unborn.

It is not a stretch to say that most Americans would think that the second story would merit the most coverage. They would be wrong.

The first story on the beatification ceremony was picked up by the Associated Press, *New York Times*, *Los Angeles Times*, *Florida Times-Union*, *Post-Courier*, *Sunday Telegraph*, *Washington Post*, and the *Winston-Salem Journal*. All these newspapers ran at least a part of the AP story by Nicole Winfield.

Not a single newspaper in the nation picked up the AP story on Pope Francis' address.

What's going on? Abortion. That's what.

Some may say that there is no news here: everyone knows the Catholic Church opposes abortion. But for the pope to give the

rights of the unborn the prominence he did while celebrating an historic event—on a subject where there are dozens of other human rights that could have been mentioned—this is at least as worthy of note as the Algerian story.

Moreover, in its release on the pope's address, the Vatican News listed 18 human rights that the Holy Father has spoken about in recent years. It listed at the top, "The right to life, particularly of the unborn and the elderly." It also cited, in its introductory commentary, the pope's critical remarks on ideological colonization (or gender ideology), i.e., the belief that male and female are interchangeable, not rooted in nature.

On economic issues, Pope Francis typically holds to a more liberal interpretation, but on moral issues he skews toward a more conservative position. This explains why the media give him plenty of coverage when he speaks on the former and are so dismissive when he speaks on the latter.

Media politics are quite evident.

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## **NATIVITY SCENE ERECTED IN CENTRAL PARK**

Can religious symbols be displayed on public property? Yes, but it is a qualified yes.

In December, the Catholic League erected a life-size nativity scene in Central Park, on a piece of public property in front of the Plaza Hotel, between 58th and 59th Street on 5th Avenue. We received a permit from the New York City Parks Department, as we have for decades. Sitting nearby is the



world's largest menorah, which is also a religious symbol.

There are no Santa Clauses, reindeers, Jack Frosts, or any other secular symbols surrounding our religious display. We don't need to have them. Why? Because Central Park is a public forum, a place that is open to all ideas, concerts, artistic exhibitions, and the like. So the government cannot stop us from erecting our crèche.

So why do some say that religious symbols cannot be displayed on public property unless they are accompanied by secular symbols? They would not be correct if they were referring to a public forum, but they would be correct if they were referring to a swatch of public land near a municipal building, such as city hall.

The difference there is that it could be argued that the proximity of the religious symbols near a municipal entity might be interpreted as government sanction of religion. That argument cannot reasonably be made if the land is a public forum. Practicing Christians, Jews, and others, need to understand the difference so as to avoid unnecessary problems.

Regrettably, there are still instances where the government is acting irresponsibly, such as the denial of a nativity scene at the Bandstand in Rehoboth: officials in this Delaware community should be challenged in court—the Bandstand is a public forum.

Another controversy arose in December in Springfield, Illinois when the Satanic Temple received permission to erect a Satanic display next to a nativity scene and a menorah in the Capitol rotunda. This mean-spirited “competition”—designed to neuter the religious displays—borders on hate speech and could be challenged on such grounds. Government officials said they had to honor the request. Really? Would they allow the display of a huge swastika to be placed next to a menorah?

Supreme Court Justice Clarence Thomas said several years ago

that the high court has failed the public by not making clear what is permissible under the Constitution when it comes to religious expression. He was right then, and nothing has happened subsequently to invalidate his observation.

We hope that New Yorkers, and those visiting New York City this Christmas season, stopped by and saw the Catholic League's nativity scene in Central Park. It was up through the New Year.

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## **BANNING CHRISTMAS IN THE SCHOOLS**

There is much ignorance about the state of the constitutional law as it applies to Christmas celebrations in the public schools. To cut to the quick—they are permitted.

A Christmas play by the Minden Junior Service League, performed at Minden High School in Webster Parish, Louisiana, was recently the source of much controversy. Two of the 35 minutes of the play discussed Jesus, and some objected, including the Webster Parish School Board.

The Superintendent Johnny Rowland was sympathetic to those who wanted the play, but insisted that there is a "federal court order [that] clearly spells out what is allowable and what is not." Despite attempts to censor the play, it was performed anyway, and was greeted with a standing ovation.

Officials at Manchester Elementary School, which is part of the Elkhorn Public Schools in Nebraska, got all ginned up over Christmas and decided to ban displays of Santa Claus, Christmas trees, Christmas songs, and the colors red and

green. Candy canes were also banned. Thanks to Liberty Counsel, the decision was reversed and sanity prevailed.

What is permissible at Christmastime in the public schools?

In 1995, Secretary of Education Richard Riley issued a directive on this subject at the behest of President Bill Clinton. Here is the language of how the operative paragraph begins:

"Official neutrality regarding religious activity. Teachers and administrators, when acting in those capacities, are representatives of the state and are prohibited by the establishment clause from soliciting or encouraging religious activity, and from participating in such activity with students."

This first part makes good sense: it is not the business of school officials to lead students in religious activities. But the second part also makes good sense, yet it is frequently ignored.

"Teachers and administrators are also prohibited from discouraging activity because of its religious content, and from soliciting or encouraging anti-religious activity."

In other words, school officials cannot ban voluntary, student-led religious activity at Christmastime. Students cannot be punished for singing Christmas carols, distributing Christmas cards, wearing red and green, giving Christmas presents, writing Christmas poems, giving speeches paying tribute to Jesus, etc.

No federal court has ever ruled that Christmas must be censored in the public schools. It's about time the superintendents and their lawyers got up to speed and stopped listening to cultural fascists bent on banning Christmas: they know nothing about the First Amendment provisions regarding freedom of religion and freedom of speech.

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# BOY SCOUTS TOOK THE INCLUSION BAIT

The Boy Scouts of America (BSA) is exploring the possibility of declaring bankruptcy. How could an organization which had roughly 5.5 million members in the early 1970s, and now commands only 2.3 million, collapse so rapidly?

Several factors are at work, but none are more important than the left-wing assaults on the BSA, and the role of molesting Scout masters.

In the early 1990s, Bill Donohue was asked by the Center for the Study of Natural Law at the Claremont Institute in California to write a monograph on the problems facing the BSA. The second edition of *On the Front Line of the Culture War: Recent Attacks on the Boy Scouts of America* was published in 1993, the year Donohue came to the Catholic League. More than any other left-wing entity, it was the ACLU that first declared war on the BSA.

The ACLU started suing the BSA left and right, and this, in turn, inspired other left-wing organizations to do likewise. The ACLU sued over the Three "G's"—Gays, Godless, and Girls—hoping to force the organization to allow homosexuals, atheists, and girls to join. While the BSA officials initially fought these efforts, they eventually succumbed to the politics of inclusion, changing its traditional standards to appease its critics.

History shows, however, that hard-core ideologues are not interested in being appeased—they are interested in winning. In this case, victory meant the demise of the BSA.

The only one of the Three “G’s” that the BSA held the line on were the atheists. But even there, the organization that prided itself on honoring the Judeo-Christian ethos adjusted its sails to appease its critics. So they let anyone join who professed a belief in anything, ranging from devotees of Zeus to Wiccans.

Allowing girls to join the BSA was long considered a non-starter: after all, there is an organization called the Girl Scouts of America. But to zealots this is not enough—their radical egalitarian agenda demanded that the girls crash the BSA. Last year, the BSA gave in and allowed girls to join.

Two things immediately happened: the BSA lost 425,000 members in the month it made the announcement (October 2017), and last month the Girl Scouts sued them as well. Inclusion anyone?

The biggest headache for the BSA came from homosexual activists. They won the support of the media, higher education, left-wing legal groups, even corporate America. In 2013, the BSA allowed homosexual boys to join and in 2015 it ended its ban on gay adult leaders. In 2017, it yielded again, ruling that biological boys who identify as girls can join. Not much left after that.

In 1920, ten years after the BSA was founded, it started a “red flag” system to identify adult males who were known to sexually abuse the boys and young men. It would later be known as the “Ineligible Volunteer Files,” commonly referred to as the “perversion files.”

Fast forward to October 2012. The Oregon Supreme Court ordered the release of 1,200 confidential files detailing cases of sexual molestation that occurred between 1965 and 1985. It was this that started a wave of lawsuits, with victims, alleged and real, seeking lucrative financial settlements. This proved to be devastating.

In 2012, the *Los Angeles Times* also got its hands on 1,600

confidential files dating from 1970 to 1991. In most cases, the BSA found out about the sexual abuse after it had been reported to the authorities.

It is hard to say exactly how many of the molesters were pedophiles (those who hit on prepubescent boys or girls) and how many were homosexuals (those who hit on postpubescent males). For reasons that are entirely political, the media have shown no interest in getting to the bottom of this.

Why the left-wing assault on the BSA? It is a bastion of traditionalism, and that is one thing the Left hates, especially the core Judeo-Christian values. It is also a voluntary organization, one of the most important intermediate associations in the nation; these social institutions separate the individual from the state.

Leftists are nothing but statist: They want the power to control the people. Thus, anything that stands in their way—such as the family, church, and voluntary associations (the BSA)—are an obstacle to the power and reach of the state. Following the philosophy of Rousseau, these institutions must be destroyed.

Would matters have turned out differently had the BSA officials not adopted the politics of inclusion? Hard to say, but at least they could have made their mark in the culture war. Instead, they caved, and now they are paying the price.

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## **BOSTON GLOBE REJECTS REQUEST**

# FOR DATA

**Bill Donohue**

On November 4, there was a front-page story in the *Boston Globe* alleging that more than 130 bishops, or about a third of those still living, have been accused of “failing to adequately respond to sexual misconduct in their dioceses.”

The news story, which was based on a study by reporters from the *Globe* and the *Philadelphia Inquirer*, garnered national headlines; it was released prior to a conference of U.S. bishops who were meeting in Baltimore to discuss the sexual abuse scandal.

How accurate was the study? We will never know. Why not? Because the *Boston Globe* is keeping it a secret: it denied me the right to examine its data.

That’s right, the same newspaper that insists on total transparency on the part of the bishops—they must allow full disclosure of their internal data—will not make public its data on the bishops.

What data are we talking about? The *Boston Globe* said the reporters from the two newspapers examined “court records, media reports, and interviews with church officials, victims, and attorneys.”

On November 16, I emailed Brian McGrory, editor of the *Boston Globe*, asking if he would allow someone to verify the study. He did not respond. On November 20, I made the same request in a letter mailed to him at the newspaper. On November 28, I received the first in a series of email exchanges with Scott Allen, Assistant Managing Editor for Projects.

“A group of seven reporters in Boston and Philadelphia reviewed public records of all living bishops, including media

reports, court records and interviews with sources all over the country," Allen said. The information was then entered into a spreadsheet.

"We chose not to publish the spreadsheet because the point of our exercise was not to fault individual bishops," Allen wrote. "Instead, we were demonstrating the widespread lack of accountability in the church hierarchy."

This is pure rubbish. If the point was not to "fault individual bishops," why did the news story feature the photos of four bishops on the front page (three of whom were arguably innocent). And even if the point was to show lack of accountability, what does that have to do with my request to see the raw data?

My next request was to get permission to at least read the transcripts of the interviews that were conducted "with sources all over the country." Again, I was turned down. Allen said, "We don't circulate our interviews unless we plan to publish them." That's a nice Catch-22: I can't read the transcripts because they won't publish them.

I then asked why they wouldn't publish the transcripts on their website. Allen told me that they do lots of interviews every week and don't publish them. "But this is different," I told him. This is not a news story—it is a study.

As a sociologist, I said, I have an interest in seeing "the raw data of a research project whose conclusions have been made public. It is common practice in professional research undertakings to make public the data upon which the conclusions have been made."

This was the end of our exchange.

What is the *Boston Globe* hiding? Are they afraid that if people like me found out who they interviewed that it might blow up in their face?



A few years ago, Terence McKiernan of BishopAccountability told an audience of Church haters that Cardinal Timothy Dolan, Archbishop of New York, was concealing the names of 55 predator priests. This is an obscene lie. I have asked McKiernan several times for him to release the names and he never does.

Remember, the two newspapers are not saying that over 130 current bishops have been found *guilty* of covering up sexual misconduct. No, they said they have been *accused* of failing to *adequately* respond to sexual misconduct.

Accused by whom? The likes of McKiernan? Over the years, the Catholic League has shown many of the Church-suing lawyers and professional victims' advocates to be liars. Moreover, who determines whether the bishop's response was "adequate"? The same newspapers that have been at war with the Catholic Church for decades?

The study by the *Boston Globe* and the *Philadelphia Inquirer* cannot be taken seriously by any objective observer. By any professional standard, it is a sham.

I have notified every bishop who heads a diocese about this issue.