

# Catholic League Newsday Petition

*The following is the full text of the petition distributed to all pastors on Long Island following publication of the two Marlette cartoons by Newsday.*

We, the undersigned, are outraged over the persistently biased coverage of the Catholic Church by *Newsday*. Our complaint has nothing to do with the right of *Newsday*, or any other media source, to disagree with the teachings of the Catholic Church. However, to disagree is one thing, it is quite another to disdain, deride and disparage; when that happens, a serious line has been crossed. The recent cartoons by Marlette (June 1st and 3rd) depicting Pope John Paul II as the ogre who oppresses women are a case in point.

All religions have doctrinal prerogatives, some of which are in striking contrast to the culturally accepted norms and values of the dominant society. *Newsday*, which never tires of repeating the twin mantras "respect for diversity" and "tolerance," apparently feels that the doctrinal prerogatives of Catholics are so objectionable that nothing less than disrespect and intolerance are merited. What is striking about this exceptionalism, however, is the fact that Orthodox Jews never seem to be targeted for bigotry, yet Orthodox Jewish women can no more become rabbis than Catholic women can become priests.

If it were only the Marlette cartoons that Catholics had to endure, then perhaps no comment would be warranted. But *Newsday* has a history of Catholic-baiting. More important, responsible persons in the Long Island Catholic community have long registered their concerns to the editors, but to no avail. It cannot be said too strongly that lame excuses, tortured rationales and half-hearted appeasement will no

longer suffice. That is precisely what *Newsday* offered in its editorial of June 7th: to say that the Marlette cartoons were not meant as “ridicule” is intellectual dishonesty.

So what do we want? An end to the practice of submitting Catholic teachings to ridicule and derision and an end to the double-standard of evaluating Catholic doctrine from a basis that is exclusive of all other religions. In short, what we seek is not special rights, but equal rights.

We are not interested in making threats. The mature way to address this issue is through dialogue. But it is also true that our goal is justice, and justice requires a winning strategy. We sincerely hope that you will cooperate with us in achieving our goal through the medium of dialogue. To that end, we would ask that the editors of *Newsday* meet with Dr. William Donohue of the Catholic League and a small contingent of area Catholics.

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## **Voice Article Draws League Response**

*An article in New York's Village Voice critical of teaching youngsters sexual abstinence drew this pointed letter from League president William A. Donohue. It was published.*

Marc Cooper's slam against the abstinence-based Sex Respect program (“The Christian Right's Sex Machine,” June 7) shows how jittery the left gets when sex talk turns right. My God, the piece sounds like “the Commies are coming,” but this time it's those damn Christians exercising their First Amendment rights again,. Ever hear of diversity, Marc?

For some of us, facts still matter. Among 3500 students in Midwestern schools that adopted the Sex Respect curriculum from 1985 to 1990, there was a dramatic decline not only in attitudes regarding sexual experimentation but in teenage pregnancies as well. In a federal pilot study, it was revealed that only 5 percent of female students had become pregnant one to two years after participation in the Sex Respect program, compared to 9 percent of girls who had not participated. For boys, only 4 percent had caused a pregnancy after one year of completing the course, compared to 7 percent in the control group. There is not one Planned Parenthood "Let 'em use condoms" program that can even come close to these results. Indeed, more typically that approach yields higher pregnancy rates.

The shame of it is that the left isn't only against kids learning abstinence, they can't resist attempts at book banning either. In 1991, the ACLU filed suit in Wisconsin to get the book Sex Respect banned from the curriculum. Isn't this what fascists are accused of doing?

If unwanted teenage pregnancies and AIDS are a problem, so too are those measures that purport to check these problems while unwittingly giving rise to them. We tell kids to abstain from smoking, drugs, and booze. But not sex. That's worse than hypocritical. It's downright irresponsible .

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## **High Court Rejects Special Jewish School District**

The Supreme Court has ruled that the state of New York acted unconstitutionally when it created a special school district

to serve the children of an orthodox Jewish religious sect, the Satmar Hasidim. The Kiryas Joel school district in Orange County, New York was established in 1989 when parents in the village refused to send their disabled children to the public schools for special education services because of the difficulties their children faced in having to associate with children from a more secular background. The village children who do not require special education services attend private, religious schools in the village.

In an opinion written by Justice David Souter, the Court declared that the New York law setting up the special school district was not an acceptable accommodation of the religious needs of the Satmar Hasidim, but was instead a violation of the constitutional requirement of government neutrality toward religion because it extended the benefit of a special franchise. Justices Harry Blackmun, John Paul Stevens and Ruth Bader Ginsburg joined the opinion of the Court. Justice Sandra Day O'Connor joined much of the Court's opinion and Justice Anthony Kennedy wrote a separate concurring opinion. Justice Antonio Scalia, joined by Chief Justice Rehnquist and Justice Clarence Thomas, wrote a scathing dissent calling the Court's decision "unprecedented except that it continues, and takes to new extremes, a recent tendency in the opinions of this Court to turn the Establishment Clause into a repealer of our Nation's tradition of religious toleration..." Although the decision in this case is, as Justice Scalia pointed out, another instance of the Court's use of the Establishment Clause to restrict religious freedom, there was a hopeful message communicated in the various opinions. Five of the nine justices (the three dissenters and justices O'Connor and Kennedy) expressed their willingness to look again at two 1985 cases which served as a background for the issue presented in this case. These cases, *Grand Rapids v. Ball* and *Aguilar v. Felton*, stand for the proposition that it is unconstitutional for public school teachers to go into parochial school classrooms to provide remedial education and other services.

It seems clear, then, that there is an excellent chance the Court would overturn these decisions if the question were presented again.

The Court's opinion did not address the *Lemon* test which has fallen into disfavor with several of the justices and many commentators on church-state matters. Although some of the justices suggested alternatives to *Lemon* in earlier cases, Justice O'Connor urged the Court in her separate opinion to abandon its effort to structure a "grand unified theory" for deciding the complex questions presented to the Court by religion cases and to proceed on a case by case basis.

The Catholic League joined the American Center for Law and Justice in filing a friend of the court brief in this case.

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## Want to a Know Dirty Little Secret?

Well, some of New York did, and some most definitely did not. From the day the first TV news story on the then-upcoming subway ads ran, the Catholic League has been besieged by phone calls, both pro and con. We have been called "church mongers," "liars," and "murderers," as well as ignorant and irresponsible. Callers have accused us of misleading the public, contributing to the spread of teenage pregnancy, AIDS and other sexually transmitted diseases, and being willfully harmful to society in general, and youth in particular.

Some have said we plotted the ad to coincide with the Gay Games IV and the Stonewall 25 "celebration." Ironically, when we contacted the MTA, we were *given* the month of June. It has turned out to be a most opportune time. With the arrival of an

estimated 10,000 international gay, lesbian and bisexual athletes and fans, what better time to provide a different point of view.

One group, the Youth Education League of Act-Up, has taken the liberty of sharing their side of the issue through illegal means by plastering handbills on top of the Catholic League ads. Their message reads: "It's no secret that the Catholic League would sooner see you die than use a condom. Fact: the Federal Centers for Disease Control have concluded that condoms are highly efficient in preventing H.I.V. infection. Use a condom every time."

On the flip side, we have received tremendous support and encouragement from Catholics and non-Catholics alike. Supporters are thrilled to have another voice entering the "safe sex" discussion in New York City and beyond. Numerous people have called to show their support and ask how they can further back our efforts. And if support from the "man on the street" is not enough, we have garnered significant scientific backing.

As calls come in questioning our ad (primarily the statement "Condoms Don't Save Lives."), we are able to offer quotes from former Surgeon General C. Everett Koop, Dr. William Redfield, chief of retro-viral research at the Walter Reed Army Institute of Research and Dr. William Bergman of the World Medical Health Foundation, among others. We also offer statistics (a failure rate for condoms of 18-54%) provided us by the Centers for Disease Control, the same organization often quoted by such groups as Planned Parenthood and Gay Men's Health Crisis. (A much stronger argument, on any topic, can be made when one uses the same source, and, in fact, the same statistics as the opposition.)

The extent to which the subway ad has opened up an alternative discussion on "safe sex" can be measured by the way in which the Catholic League has become the source information on the

safety and effectiveness of condoms. We have provided material for the media, classrooms, clergy, medical personnel and many others who have contacted us seeking information to fight the "condoms are the answer to everything" mentality. Even *Consumer Reports* contacted us for information about condom effectiveness.

Unfortunately, many of those contacting us weren't really calling for information. They called to argue. When presented with statistics dealing with the ineffectiveness of condoms (facts which when related to other real-life situations would make you think more than twice about taking a taxi or riding in an airplane with the same failure rates), most could only come back with "but if one life is saved." Obviously, that one life is worth saving, but here is where most people reading the ad missed the *whole* message: nothing, save total restraint – *abstinence* – is 100% safe in preventing unwanted pregnancies, sexually transmitted diseases and AIDS. Why can't this be an acceptable alternative when educating people about sex and their bodies?

It seems the Catholic League does not even merit basic constitutional rights in trying to share this message. When the ad was first announced, New York City Council member Tom Duane, a homosexual activist with HIV, threatened to have the ad banned. Soon after the ad was posted, we received several phone calls from homosexual groups vowing to take down every poster they found. We even received a poster with a rebuttal scrawled across it in the mail. This HIV gay man tells us that "you (the League) are, of course, free to express your beliefs and opinions," but apparently we are not, if our posters are being taken down, destroyed, marred by graffiti and covered by handbills.

Following the attack by the Act Up group, the Catholic League issued a press release condemning the campaign of defacement. The League's statement was picked up by *New York Newsday*. Having lodged several earlier complaints about ads being

defaced or torn down, Gannett Outdoor, the company responsible for the sale and maintenance of ad space on the MTA subways, agreed to begin a clean-up and replacement of our posters.

Over the past several months, the staff of the Catholic League has spoken with many people – those “thrilled” and those “outraged.” No phone call has so convinced me of the urgency to get out our message, and the message of countless other Catholics and like-minded supporters, than the one I received from a man who called after he witnessed a group of teenagers on the subway reading our ad. After what seemed like an excessively long period of time spent looking at the ad, one of the teenagers asked one of the others what the word “restraint” meant. Incredulously, the man waited to see if they were joking before he volunteered the explanation. The entire group of young people could not come up with a collective understanding of what the word or the message meant. If this is even the least bit representative of the mind of American youth today, can we realistically expect them to read, comprehend and follow the litany of guidelines supplied by the CDC and others for proper condom use? Teaching them what restraint means would be so much easier – and effective.

*-Karen Lynn Krugh*

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## **Blessed Sacrament Desecrated in Mid-Mass Robbery**

In one of the most dreadful attacks ever made upon the Blessed Sacrament in the history of the Archdiocese of Boston, two men

stole sacred vessels from the altar of a church as a priest, saying Mass, led the congregation in The Our Father.

On Friday, June 10, 1994, David Cedeno, a 17-year-old Dominican, and an unidentified accomplice entered St. Mary's Church in Lawrence, Massachusetts, while Father Robert Guessetto was celebrating the noon Mass. They entered the sanctuary, and in the presence of forty worshippers, stole two chalices and a communion paten, spilling the sacred species on the altar and the sanctuary floor. Thus, robbery was compounded by sacrilege.

In letters to Essex County District Attorney Kevin Burke and U.S. Attorney for Massachusetts Donald Stem, Daniel T. Flatley, President of the League's Massachusetts Chapter, called Cedeno's act "an outrageous and unprecedented crime" which struck "not only at the heart of St. Mary's Parish, but at the very norms of civilized behavior." Flatley said Cedeno and his accomplice "profaned and defiled that which Catholics hold most sacred, the Holy Eucharist. In doing so they not only assaulted the religious sensibilities of worshippers, but also violated their constitutional rights."

The League demanded that Cedeno and the other suspect be charged with violations of the constitutional rights statute under Massachusetts law, which prohibits interference by force with any constitutionally guaranteed right, 'including the free exercise of religion.'

In an historic move, the Catholic League became the first organization in America to call for a prosecution for disrupting a church service under the new FACE act (Freedom of Access to Clinic Entrances Act of 1994) signed into law by President Clinton on May 26th. Although primarily aimed at pro-lifers, FACE also contains a provision attaching serious penalties to interference with a religious service in a place of worship.

Dan Flatley told U.S. Attorney Stem that “the appalling character of Cedeno’s offense, and the shocking injury sustained not only by St. Mary’s Parish, but by all members of the Catholic community...demands that the perpetrators of this heinous crime be punished to the fullest extent of the law.”

Acceding to the requests of the Catholic League, District Attorney Burke has agreed to seek a grand jury indictment of Cedeno for larceny, disturbing an assembly of worship, constitutional rights violations, and destruction of religious property. The last three charges are hate crimes under Massachusetts law. The District Attorney’s Office has also informed the League that the case will be prosecuted by the chief of their civil rights division and will be tried not in the local Lawrence District Court, but in the Superior Court of Essex County.

The League is still awaiting a response from U.S. Attorney Stem on its call for a FACE prosecution.

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## **Blackmun Retires; Clinton Taps Breyer**

Judge Stephen G. Breyer has been nominated by President Clinton to succeed retiring Supreme Court Justice Harry Blackmun. Blackmun, author of the court’s 1973 decision in *Roe v. Wade* which legalized abortion in this country, will step down at the end of the court’s term. Breyer is expected to win confirmation with little opposition. Although Justice Blackmun is 85 years old, he had earlier expressed his intention of remaining on the court for another term, so his announcement came as a surprise to many.

President Nixon appointed Justice Blackmun to the high court as a champion of law and order in response to the social upheaval of the 60s; instead, Blackmun became a consistent proponent of liberal causes. It was Blackmun's opinion in *Roe* that ignited the battle over abortion that rages today. The rationale offered by Justice Blackmun to support the so-called constitutional right to abortion has been severely criticized, not only by pro-life advocates but also by legal scholars who have found it to be deeply flawed.

Judge Breyer is currently Chief Judge of the United States Court of Appeals for the First Circuit in Boston. Although it seems clear that liberals hoping for a Blackmun clone were disappointed with Clinton's choice of Judge Breyer, the nominee enjoys wide bi-partisan support from congressional leaders. Senator Howard Metzenbaum, an Ohio Democrat who is one of the Senate's most liberal members, was one of the few who expressed criticism of the nomination. Metzenbaum noted with disapproval Judge Breyer's deregulatory stance and suggested that President Clinton had chosen Breyer over other qualified individuals primarily to avoid a long and contentious confirmation process.

Perhaps as the confirmation process gets underway, we would do well to reflect on St. Augustine's statement that law affects the exterior, rather than the interior, of man. Douglas Kmiec, professor of constitutional law at the University of Notre Dame, analyzed the distinction between law and morality in a recent *Chicago Tribune* editorial where he noted that answers to "serious moral questions are sought by partisans in legislature and court, when they would be better ascertained in church, home, school or voluntary association." "It's time for all to recognize," wrote Professor Kmiec, "that neither the law, nor its primary expositors on the land's highest court, are the moral governors of our live[s]."

Confirmation hearings on Judge Breyer's nomination will most likely begin when Congress returns after its Fourth of July

recess.

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## **League Blasts U.S. House Vote on Abortion Coverage**

The Catholic League condemned the May 11 vote by the House Education and Labor Health Subcommittee to keep abortion coverage as a basic benefit in President Clinton's Health Care bill. The League called the vote "an attack on the consciences of tens of millions of Americans."

Catholic League Operations Director C. J. Doyle stated: "If today's vote is sustained by the full House and by the Senate, then Catholics and other religious believers will be forced, contrary to their religious beliefs and their moral convictions, to subsidize abortion, something which they understand to be the taking of innocent human life. Subcommittee members have displayed an appalling disregard for the religious freedom rights of their fellow Americans. Respect for pluralism and diversity evidently does not extend to Catholics and others who hold traditional moral values."

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## **Forced Birth Control Plan Draws Objection**

The Catholic League strongly condemned the amendment to the House budget sponsored by State Rep. Mark Roosevelt that would

require Massachusetts welfare recipients to undergo birth control counseling. The League called the measure “an outrageous and probably unconstitutional assault on religious freedom rights.”

Catholic League Operations Director C. J. Doyle stated: “If this measure is enacted, mothers on welfare will be forced to choose between their religious beliefs and their welfare benefits. That is unconscionable, coercive, and punitive...Rep. Roosevelt, who is running for Governor, comes from a family with a long history of supporting population control.”

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## **Philadelphia Chapter Responds to Editorial Cheap Shot in News**

*Philadelphia Chapter president Art Delaney went after an editorial in the Philadelphia **Daily** News (“Sinister Campaign to hurt schools”) which attacked “the religious right” for getting involved in opposing an educational program which would promote gay and lesbian lifestyles. Art’s response was published on June 3:*

We object to your recent editorial opinion which implies that it is “dangerous” when citizens to whom religion is important exercise their right to vote for representatives who share their views. The targets of your opinion were identified as “Christian fundamentalist organizations,” but the underlying exclusionary premise is equally applicable to all of us. The right to vote and the right to free exercise of religion are rights that are guaranteed by the Constitution. It is wrong for a major public newspaper to suggest that the exercise of

those rights is “sinister” and “dangerous.”

Equally objectionable is the failure of your editorial board to recognize the basis for the widespread opposition to the School District’s multiracial – multicultural – gender education – Policy 102. Parents of school age children have good reason to be concerned about a policy that will promote unacceptable activities and lifestyles. In deciding whether Policy 102 will promote lifestyles that are diametrically opposed to the traditional family structure or whether it would simply promote tolerance, the following considerations are relevant:

- The experience of similar policies in New York and in other cities show that unacceptable sexual activities and lifestyles have been aggressively promoted.
- The organizations promoting the Philadelphia policy are the same or of similar makeup as the organizations that sponsored the New York programs. For example the Philadelphia Lesbian and Gay Task Force and others of similar mind and intent.
- The difference between tolerance and teaching students that all types of behavior are equal, wholesome and acceptable.
- The stealth by which Policy 102 was established with a minimum of public notice or discussion until the issue was forced by its opponents indicates that its proponents do not want a full airing of the substantive content of the policy. A practice not very reflective of democratic processes .The failure to mention these considerations is especially disturbing in light of the fact that it was not the “fundamentalists” who raised the policy issue. The issue was raised by the proponents of Policy 102. In the first instance, the proponents o f the proposed public policy have the obligation to explain it and show how it will differ from similar policies imposed in other locations – particularly where those other policies have been rejected by the public.

Moreover, the news media had an obligation to the public to assure that the full agenda of Policy 102 is disclosed.