

# WHY WE WILL NOT SUE SAN FRANCISCO

On May 10, the San Francisco board of supervisors unanimously passed a gag rule that violates the First Amendment guarantee of freedom of speech. Aaron Peskin, one of the board members who advocates banning free speech, spoke for the other 10 censors when he said, "The intent of this resolution is to make a clear statement that discrimination and harassment on the basis of race, religion, color, ancestry, age, sex, sexual orientation, gender identity, disability, weight, height or place of birth will not be tolerated in San Francisco city government." As the *San Francisco Chronicle* said on May 11, the wording of the resolution is targeted at speech.

On May 15, the gag rule was violated. During the Bay to Breakers footrace in San Francisco, there were several runners dressed as the pope. One of the "Holy Fathers," as the San Francisco Chronicle put it, "lifted what looked like a bottle of Bud between the bosoms of two female freak dancers." One of the pope's guards said of the dancer dressed as a Catholic schoolgirl, "She puts the Ho in Holy."

Here is what we told the press: "The Catholic League could sue the city of San Francisco over this incident. All we would have to do is cite the city's newly passed censorship ordinance, and then maintain that the 'pope' incident qualifies as religious harassment. And we wouldn't have to worry about the ACLU: it has said nothing about the attempt to muzzle free speech in the land of anything goes. (The fact that many men ran naked in the race is what we would expect from San Francisco.) But unlike the left-wing fascists who run the city, we at the Catholic League believe in free speech. Which is why we will not legally protest this outburst of anti-Catholic bigotry."