

A delicate dance of freedoms

Editor's note: This editorial contains language that may be offensive to some readers.

The First Amendment to the Constitution enshrines several rights vital to liberty. These help make our country a place where we are free to speak and write what we believe and to worship in whatever manner we wish without fear of reprisal.

That First Amendment preserves our right to hold and celebrate the Catholic faith. It also ensures that we can publish religious newspapers, such as this one, or for proliferators to protest peaceably outside abortion clinics. In many countries on the globe, each of these rights would be hard-fought or nonexistent, not included in the nation's founding documents.

With the First Amendment rights come the responsibility to use them well, to worship - or not - with respect for others, to speak, to publish, to assemble and to petition the government, in a manner that encourages civil discourse. As the oft-cited example goes, you can say anything you want, except, "Fire!" in a crowded theatre, if there's no fire. You cannot use words that incite violence without being responsible for the violence that follows.

The Second Amendment, which allows the right to keep and bear arms (the phrase "a well regulated Militia, being necessary to the security of a free State, ..." often forgotten), comes with responsibilities, too. Sporting uses and some uses for protection might be appropriate, but how does one ensure that guns don't fall into the hands of the unstable? The Second Amendment may allow the right to bear arms, but it does not grant the right to gun down 20 innocent people, killing six of them, outside a grocery store.

If a newspaper intentionally publishes something false and damages someone's reputation, it can be sued for damages. However, a certain church has engaged in protests at funerals and other events around the country and so far has not been held responsible for its irresponsible speech.

The congregation of Westboro Baptist Church proudly claims on its website that

they have conducted more than 44,900 protests (claiming six each day, plus 15 on Sundays for 1,020 weeks, even though that's "only" about 21,400). Either way, that's pretty ambitious for a congregation of about 70 people.

They are renowned for protests (as reported frequently in *The Catholic Review*, most recently in our Jan. 6 issue), especially at military and celebrity funerals, where they hold signs saying "God Hates Fags," and other patently offensive slogans. They claim that war and death are God's retribution for America's tolerance of homosexuality and adultery. Somehow, they link the Gulf oil spill to that, too, as more of God's retribution. Theirs is not a loving, merciful God, to state it mildly. The Westboro folks hate everybody, and they figure God does, too.

And now the Rev. Fred Phelps (if one can call him "reverend") has gone off the deep end. His WBC followers are practically cheering the actions of Jared Lee Loughner, who has been charged in the Tucson rampage, noting that "God sent the shooter to Arizona"; the Westboro group plans one of its signature protests for the funeral of 9-year-old Christina Taylor Green. Christina, who was born Sept. 11, 2001, was interested in civics and wanted to learn more about government. She went to the grocery store last Saturday to meet her congresswoman; instead she met a bullet (see Page 7).

Rev. Phelps and his band disrupted the 2006 funeral of Lance Corporal Matthew Snyder with anti-homosexual and anti-Catholic rants at St. John's Church in Westminster (Cpl. Snyder was not gay, though he was Catholic). Snyder's father has taken the case against Westboro all the way to the U.S. Supreme Court. The court is scheduled to rule sometime this spring, and it could rule in favor of Westboro on the grounds of free speech.

Such speech is disgusting, degrading and despicable. But it may be legal.

Shooting up innocent people at a grocery store on a quiet Saturday morning armed with an oversized ammunition magazine is disgusting, destructive and despicable. But the right to bear arms is legal.

There has to be a way to defend our Bill of Rights, which we hold so dear, and yet not let people such as Phelps and Loughner hide behind the First and Second Amendments. It's time for us to use the other rights granted in the First

Amendment: assembly and speech. We can gather at WBC protest sites, as some have done, and surround them so their vitriol is blocked from view. And we can speak out against lax gun laws, and get the guns off the streets.

Christopher Gunty is associate publisher/editor of The Catholic Review. He can be reached at editor@CatholicReview.org.