

WORLD & NATION

High Court lets stand free speech case ruling

WASHINGTON (CNS) — A Pennsylvania transit system violated free speech rights when it removed posters from its stations that linked abortion with breast cancer, according to a ruling the U.S. Supreme Court has let stand.

The court Jan. 11 declined to hear an appeal of a 3rd U.S. Circuit Court of Appeals ruling that the Southeastern Pennsylvania Transportation Authority violated the free speech rights of Christ's Bride Ministries by removing posters the group had paid to display in transit stations.

The Virginia-based group signed a \$3,000-a-month contract in 1995 with the transportation authority, known as SEPTA, to display the 4-by-5-foot posters in 25 stations for a year. They said that "women who choose abortion suffer more and deadlier breast cancer," and gave a phone number to receive more information.

About a month after the posters went up, the agency removed them after receiving rider complaints. The authority also received a copy of a letter from Dr. Philip Lee, assistant secretary of health for the Department of Health and Human Services, who said the ad was misleading and "unduly alarming" because it "does not accurately reflect the weight of scientific literature."

Lee's letter originally was sent to the Washington Metropolitan Area Transit Authority in reaction to the group's posters placed in the Washington-area transit system at the same time. The ads also ran in Baltimore.

The Pennsylvania transit authorities said it was reasonable to remove the posters because the accuracy of their information had been questioned. Christ's Bride Ministries sued. A federal judge threw out the suit, ruling that a transit station does not constitute a "public forum" so no free-speech rights were violated. The 3rd Circuit reinstated the lawsuit in June.

"The forum is not the SEPTA stations but only the advertising space within the stations," said the appeals court. By allowing otherwise unlimited access by advertisers, the space had been turned into a public forum.

"Even if the speech in question had fallen outside the limited public forum created by SEPTA, we would nonetheless conclude that SEPTA's removal of the posters violated the First Amendment because the removal was not reasonable."

The appeals court noted that the agency removed the posters without asking Christ's Bride Ministries to clarify the health claim in question, despite having "no policy, old or new, written or unwritten, governing the display of ads making contested claims."

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Pope urges dialogue in conflicts

By Cindy Wooden
Catholic News Service

VATICAN CITY — Focusing his gaze on situations of conflict and on places where human rights are abused, Pope John Paul II said that if violence is contagious, peace can be as well.

"The recent conflict in Iraq has shown once more that war does not solve problems," the pope said Jan. 11 in his annual "state of the world" address to diplomats representing 169 countries at the Vatican.

War complicates problems, he said, "and leaves the civilian population to bear the tragic consequences."

In addition to Iraq, site of a U.S.-British military bombardment in December and the object of an international embargo, the pope expressed concern about conflicts in the Balkans, in Africa and in Asia.

Pope John Paul said the Middle East peace process and relations between Israelis and Palestinians need a new push forward.

"It is not possible to keep people indefinitely between war and peace without the risk of dangerously increasing tensions and violence," he said.

"It is not reasonable to put off until later the question of the status of the holy city of Jerusalem, to which the followers of the three great religions turn their gaze," the pope said.

The Vatican has called repeatedly for an internationally guaranteed statute concerning Jerusalem to ensure Jews, Christians and Muslims would have free access to the holy sites of their faiths.

Honest dialogue, concern for people and respect for international laws and treaties are the only way to bring peace to the region, the pope said.

"If violence is contagious, peace can be so, too, and I am sure that a stable Middle East would contribute effectively to restoring hope to many people," he said.

Pope John Paul underlined several situations in the world that he said should give people hope for the successful outcome of dialogues: the Good Friday agreement regarding Northern Ireland; the European Union's transition to a common currency; and the settlement of the border dispute between Ecuador and Peru.

But, he told the diplomats, "Africa remains a continent at risk."

"Of its 53 states, 17 are experiencing military conflicts, either internally or with other states," he said.

The pope called attention to the civil war and the threat of widespread famine in Sudan, new tensions between Ethiopia and



Reuters/CNS

Diplomats accredited to the Vatican applaud as Pope John Paul II walks before them following his state of the world address Jan. 11. The pope said recent U.S.-led bombing raids on Iraq showed that war does not solve problems but only complicates them.

Eritrea and the fighting in Sierra Leone, "where the people are still the victims of merciless struggles." Pope John Paul also pointed to the renewed fighting in Angola and the struggles of Burundi and Rwanda to rebuild their countries and reconcile their peoples after an ethnic war.

"The Democratic Republic of (the) Congo still has far to go in working out its transition and experiencing the stability to which its people legitimately aspire," he said.

"The reports regularly coming to me from these tormented regions confirm my conviction that war is always destructive of our humanity and that peace is undoubtedly the pre-condition for human rights," Pope John Paul said.

The pope told the diplomats that 1999 should be a year for awakening consciences about the need to respect human rights and to follow the dictates of natural and moral laws.

Respect for the right of religious freedom, he said, not only is a binding obligation for nations, but would be beneficial to them in developing strong, stable and peaceful societies.

In Asia and in several African countries, he said, intolerance recently has led to attacks on Christian churches and believers.

"In other regions, where Islam is the majority religion, one still has to deplore the

grave forms of discrimination of which the followers of other religions are victims," he said.


"There is even one country where Christian worship is totally forbidden and where possession of a Bible is a crime punishable by law," he said, referring to Saudi Arabia.

While freedom of worship is not threatened in Western Europe, the pope said the church is worried by a tendency to exclude any public discussion or display of Christian identity and values "under the influence of a false idea of the principle of separation between the state and the churches."

Pope John Paul said in Central and Eastern Europe, where the majority of the population traditionally has been Orthodox, some governments have used "a restrictive and petty bureaucratic practice" to effectively limit the freedom of Catholic communities while claiming to espouse religious liberty.


"I believe that the time has come, at the end of this century, to ensure that everywhere in the world, the right conditions for effective freedom of religion are guaranteed," he said.

Each believer has an obligation to recognize God working through the faith of others, but more important, governments must act to ensure that all believers are free to exercise their faith, he said.



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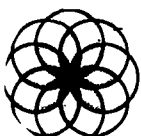
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