# California fines Christian lady for practicing religious beliefs

By James Kilpatrick

Word comes from California that Mrs. Evelyn Smith has lost the first round in her legal fight against unmarried tenants, but this battle is far from over. Eventually the constitutional question will have to be faced by an appellate court, and who knows? She may yet prevail.

The case began in March 1987, when Mrs. Smith advertised a vacancy in a one-bedroom rental unit she owns at 677 Eastwood Ave., in Chico, California. Three days later, Kenneth C. Phillips and Gail Randall responded. The young couple liked the apartment, and the rent was right. Mrs. Smith told them she would not rent the unit to an unmarried couple, and they said, no problem, they were married. On April 7 they executed a lease. The young woman signed "Gail Phillips."

But it wasn't so. It quickly transpired that the new tenants were not married. In the quaint, old fashioned phrase, they were living in sin. That is how Mrs. Smith perceived the relationship. She has been a member for 25 years of the Sidwell Presbyterian Church in Chico, and her religious convictions are deeply held. Mrs. Smith canceled the lease and returned the couple's deposit. They filed a complaint with the California Fair Employment and Housing Commission. After two years of conferences and hearings, the commission on August 17 upheld their complaint.

The case pits rights against rights. California's fair housing law prohibits discrimination not only on the usual grounds of race, religion and nationality, but also on the grounds of "marital status." California case law supports the proposition that discrimination against an unmarried couple, for that reason alone, is unlawful. If the issue is to be decided on statutory grounds alone, the couple had a right to move in.

But Mrs. Smith contends that she also has rights, and her rights are older and carry better credentials than the rights of the plaintiffs. She relies upon her right to the free exercise of religion, guaranteed to her under the U.S. Constitution (and under the constitution of California as well).

In its decision of August 17, the California commission summarized her convictions: "Respondent is a Christian...She believes that sex outside of marriage is sinful, and that it is a sin for her to rent her units to people who will engage in non-marital sex on her property. Respondent believes that God will judge her if she permits people to engage in sex outside of marriage in her rental units, and that if she does so, she will be prevented from meeting her deceased husband in the hereafter."

This would not suffice. The commission felt that "we lack the authority to weigh these competing interests."

"We must decline, reluctantly, to decide this issue here. We do not doubt the depth and sincerity of respondent's religious convictions, and we are sensitive to the burden that respondent will bear from adherence to these convictions if the act is enforced against her.

"We also are sensitive to complainants' constitutional rights to privacy, and to the need for a liberal interpretation and for uniform and effective enforcement of the act's prohibition of marital status discrimination in housing."

The commission awarded Phillips and Randall $454 in out-of-pocket expenses in searching for another apartment. Mrs. Smith must pay Randall $300 and Phillips $200 in compensatory damages for emotional injury. She must also post permanent notices in all her rental units advising prospective tenants that it is illegal for a property owner (1) to deny leases because of marital status, (2) to ask about marital status, or (3) to make any statement indicating that the owner prefers to rent to married couples only.

Mrs. Smith is being assisted in her defense by Concerned Women of America, whose attorneys will begin the tedious process of appeal through state courts to the U.S. Supreme Court. It may be several years before the case runs its course.

My own sympathies, for the record, are entirely with Mrs. Smith. We are not dealing here with ownership of a large apartment building by some faceless corporation. The units in question were acquired by Mrs. Smith and her late husband as wholly personal investments for their retirement years. She looks after them herself. They are singularly hers. She wants to keep them free from biblical sin. In a free country, that ought to be her First Amendment right.

## Coven of witches recognized as church

A coven of witches has won tax exempt status in Rhode Island as a legitimate religious group. Joyce Siegrist, also known as Lady Genevieve, said, "With this ruling, we witches will definitely be able to come out of the closet and take our place in society."

Tax Administrator R. Gary Clark said he overturned the state's initial ruling because the witches proved that it met the guidelines for legitimate church groups as set out by a 1986 Rhode Island Supreme Court ruling.

Administrative Hearing Officer Sandra Murphy said: "I'm happy that anyone who is practicing a religion in earnest is able to do so without state impediment."

Siegrist said the coven, also known as Our Lady of the Roses Wiccan Church, has 30 to 40 members and meets approximately three times a month for rituals. A. Gregory Frazier, an American Civil Liberties Union attorney, represented the witches in the administrative hearing.

*Associated Press, August 9, 1989*

## Newspaper editors call themselves liberal

Every few years a pollster asks reporters about their political views. Every time the answer is the same: most are liberal. A just-completed American Society of Newspaper Editors survey of 1,200 reporters and editors at 72 newspapers across the country is the latest example.

Nearly three times, or 62% as many identified themselves as "Democrat or liberal" or lean to Democrat/liberal as the 22% who said they were "independent but lean Republican/conservative".

*Media Watch, July 1989*

## Taxpayers won't be forced to fund study

In a major victory for taxpayers, a proposed $11 million tax supported study which was pushed by the sex industry and the homosexual community was killed when the House Appropriations Committee refused to fund it.

The proposed study was developed and designed by Stuart Michaels, chairman of the Sociologists' Lesbian and Gay Caucus of the American Sociological Association.

Following thousands of letters and phone calls from people around the country, The Office of Management and Budget had expressed extreme discomfort at the idea of funding the project that would have sought on a national scale to inquire in great detail about the most private aspects of people's sex lives.

The taxpayers finally won one.





# Shock-and-roll musicians forget about the flesh-and-blood victims

By Doug Grow
*Minneapolis Star and Tribune*
August 13, 1989

The men charged with raping a 15-year-old child in a Bloomington hotel were living any number of popular songs.

The 15-year-old-girl, who along with a friend had won a backstage pass to a Wednesday night rap concert by LL Cool J, told police she had gone with the men and her 16-year-old friend to Hotel Sofitel for pictures and autographs.

Wow. An opportunity to hang out with stars and the people who work with stars. How many teenagers could resist such an offer?

But what followed the decision by the girls to go to the hotel was a lot like what happens in some MTV videos. Although the 16-year-old got away from the hotel unharmed, the 15-year-old allegedly was raped by three men.

And police say that while she was being raped in the hotel room bathroom, several other men watched and waited "for their turns" and encouraged the alleged rapists. It was all just like a song a guy like LL Cool J might have sung.

First verse: A little gang rape.

Second verse: A little girl saying, "no, no, no."

Third verse: A little more gang rape.

Chorus: A bunch of men saying, "be-bop, be-bop, be-bop."

Of course, rap doesn't rape anybody. People do.

But a trip to the neighborhood record store can be a stunning earful of how far away from the notion of sexual respect we have moved.

A trip to the neighborhood record store is like walking into a musical porn shop. The difference is that there are age restrictions on the purchase of printed porn.

Children can—and do—buy pornographic records, tapes and compact discs. Children can—and do—attend the concerts and buy the works of LL Cool J, and groups with such names as Eazy E and NWA. Children even win backstage passes to musical porn concerts as part of radio station promotions.

**A trip to the neighborhood record store is like walking into a musical porn shop. The difference is that there are age restrictions on the purchase of printed porn.**

It's not the vulgarity of so many of the songs that stuns. It's not sexuality. It's the twisting together of violence and sex to be sold to an audience of children.

There's an NWA tune, "A Bitch Is a Bitch." This little song—be-bop, be-bop, be-bop—is a lot like the police report from the Bloomington hotel, except in the song, there's no mention of arrests and rape charges. Nor is there mention of the lifelong scars that rape victims live with.

The song is direct and it is vulgar and it is bought by boys and girls. Only infrequently, said Terry Walsh, a clerk at a Great American Music store and a rock musician, does he see parents demand that their kids return the record, tape or disc.

"It's depressing," said Walsh. "It really is....There's a lot of good stuff being done. There's even a lot of good rap. But there's this, too—and it's popular."

Understand, not all rap is violent or sexual. Some rap is filled with positive messages. But there is a growing amount of music—rap and rock—that is built around sexual violence.

That music has brought together such diverse groups as the National Organization for Women and the Parents and Music Resource Center, an organization founded by Tipper Gore, wife of Tennessee Sen. Albert Gore.

"The music industry says we're trying to censor," said Jennifer Norwood, director of the center. "But we're not. This is not a religious organization or a political organization. We're trying to tell parents they need to listen to what their children are hearing."

When parents hear the uncut versions of what kids are hearing, they shouldn't take it away, Norwood said. They should take a song such as "Treat Her Like a Prostitute" and personalize it.

"Your child may not even be consciously hearing the words," Norwood said. "Your child may be desensitized. Put it in terms they'll understand. Say something like, 'Would you want your sister's boyfriend to treat her like a prostitute?'"

"Desensitized" is a word heard often as an explanation for why violent sex has become popular in music.

The desensitized theory is that our society is so without limits that those who seek to shock must deal with racism, suicide (also popular themes in some youth music) or violent sex to get response.

Susan Strauss, a Chaska woman who has lobbied the Legislature and schools to become aware of the daily occurrences of sexual harassment, says sexually violent popular music is the perversely logical extension of a society that refuses to teach boys and girls to respect one another as equals. Simply viewing a woman as a sex object, for example, won't even create a yawn among most of us. Woman as sex object is a tool used by mainstream corporate America to sell its products.

So for shock, batter the women and toss in some gang rape. Be-bop, be-bop, be-bop.

"It is sick what is happening," she said. "We are moving backward. Degrading women, degrading any people who are seen as weak, is more prevalent now than ever and yet, when you put it out, people say 'not that again.' It's accepted. It's the norm. If you point it out, you become the weird one."

Desensitized?

The case of the 15-year-old girl got prominent newspaper mention only because it involved members of the entourage of a rap star. The staff at Hennepin County Sexual Resource center, which works with victims of rape, was deluged with 14 new cases in four rape-filled days this week. Fourteen new rape victims in one metro county in one four-day period and we turn to the next page.

Desensitized?

Consider the behavior of LL Cool J. At one point in his show Wednesday night at the Met Center, a brass bed was brought onstage. LL—or is it Cool J?—simulated copulation with a female dancer on the bed while singing a song.

Later that night, three members of his entourage allegedly were involved in a rape. They supposedly were encouraged by other members of LL Cool J's entourage, and they were in jail when LL Cool J took his show to Milwaukee Thursday night.

Given the circumstances, did LL Cool J eliminate the brass bed and the simulated copulation from the Milwaukee show?

Of course not.

Be-bop, be-bop, be-bop. The show must go on.