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Publication date

03 May 2000

Source

• [Newsroom/Newsroom](#)

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Tufts Christian Fellowship loses funding, recognition over gay leadership

MEDFORD, Massachusetts, 2 May 2000 (Newsroom) - An undergraduate student judiciary board at Tufts University has stripped the Tufts Christian Fellowship (TCF) of its affiliation with the college over the group's refusal to consider an openly gay student for a senior leadership position.

The April 13 decision of the Tufts Community Union Judiciary (TCUJ) does not bode well for a variety of student organizations at Tufts, contends TCF adviser Curtis Chang. He and his wife, Jody, are employed by InterVarsity Christian Fellowship and serve as affiliate chaplains to TCF.

The student board has charged TCF, an interdenominational, theologically conservative Christian group, with violating the university's non-discrimination policy. Under the ruling, TCF may no longer receive Tufts funding or use the Tufts name; may not reserve Tufts rooms for its meetings, and may not advertise or promote its activities through Tufts' listing services.

TCF has appealed the decision. The group claims that its right to due process under university policy was violated and argues that Tufts ignored its own non-discrimination policy by "prohibiting a religious organization from using its beliefs as criteria for leadership," said TCF attorney David French, a lecturer at the Cornell University Law School.

The fellowship is waiting for the judiciary board to file an official response to its appeal. French said TCF is exploring its legal options, but is "waiting in good faith" for the system to run its course.

Meanwhile, the Tufts campus has roiled with emotional debate complete with tears, tension, and testimonies as students seek the line between gay rights and religious freedom. According to Elliott Abrams, a member of the United States Commission on International Religious Freedom and president of the Ethics and Public Policy Center in Washington, D.C., the line between discrimination based on sexual orientation and religious discrimination seems increasingly difficult to find.

"It is appropriate here to make an analogy with the civil rights movement," Abrams said from his Washington, D.C., office. "At that time, we made the general decision that one should be leery of groups making claims for right of association that were nothing but excuses for racism. It seemed an uncomplicated matter. Today it is a quite complicated matter. If 35 years ago we saw things in terms of right on the one side and wrong on the other, then now, at the very least, we should be open to the idea that on both sides there may be a little of both."

The executive director of the Massachusetts chapter of the American Civil Liberties Union argues that Tufts University's status as a private institution trumps the religious freedom concerns of TCF. "One hopes that a private university will honor all constitutional principles," argued John Roberts. "But when you get into competing principles, which you often do, where do you draw the line? A private university is well within its rights to execute its policies as it sees fit."

His advice to TCF: "Don't take the money. Don't be a campus organization. ...Simply exercise your religious freedom outside of the campus. ... Tufts isn't violating TCF's religious freedom. They're saying, in the face of conflicting principles, you can't discriminate against students and be a student group."

The Catholic chaplain at Tufts subscribes to similar logic. "Most people are starting to see this as an issue of discrimination," said Father David O'Leary, who taught sexual ethics at St. Mary's Seminary in Baltimore. "No one sees it as a religious issue. ... Any group has the right to believe what it wants, but student groups have to follow student rules." Father O'Leary does not see the TCUJ ruling as a threat to the Tufts Catholic student group. "I'm not at all concerned."

A poll appearing in the Tufts Daily late last month showed that a third of those surveyed believe that TCF violated the university's non-discrimination policy; about two-thirds said it did not and that "religious groups should have the right to choose leaders based on their own beliefs."

No Tufts student group has backed TCF yet, but Thor Halvorssen, director of the Philadelphia-based Foundation for Individual Rights in Education, said that a Tufts student concerned about her religious organization's fate has sought his advice.

The conflict revolves around Julie Catalano, a junior psychology major who is gay. Though she grew up in the United Church of Christ, Catalano said, she "became Christian" because of her involvement with TCF, which began in her freshman year. She was a Bible study leader during her sophomore year and facilitated a women's accountability group this year. Until the conflict over her sexuality arose this

spring, she said, "I considered every member of TCF as family."

What Catalano didn't share with TCF during the last three years was the persistent turmoil she experienced about her sexual orientation. Catalano, who said that at times she contemplated suicide, explained that she kept the issue to herself, although she did express her confusion briefly in her freshman year. At the time, she recalled, TCF's Jody Chang counseled her that "homosexuality represents part of the brokenness of humanity. She said that Jesus as healer would be able to help in that situation. ... I read books she gave me and prayed for three years to be healed, made whole, made straight. ... Finally, I reached a point this year when that teaching became harmful to me. ... I was in despair. I knew this wasn't going to work for me."

After some personal study of scripture and reading books that were more liberal theologically, Catalano concluded that homosexuality was not a sin. She told Chang early this year.

Catalano and Curtis Chang agree that by the time she spoke to Jody Chang there had already been some discussion about possible leadership roles for Catalano in TCF during her senior year. When the junior told Jody Chang that her religious beliefs about homosexuality had changed and that she was "not willing to pray to change any longer" she was told that TCF would have to discuss her leadership prospects in light of that decision. Catalano insists that she does not intend to engage in homosexual activity, but rather wants a "sexually pure" relationship. TCF takes the position that homosexuality is not acceptable according to scripture.

Although TCF leaders were still discussing Catalano's status, the student met with the acting dean of students, Bruce Reitman, and then filed a formal complaint with the Tufts Community Union Judiciary claiming that she had been discriminated against.

One week later, the judiciary board held what the Tufts Daily called an "emergency two-hour meeting" late in the evening and voted to "de-recognize" TCF for discrimination. Though the TCUJ chairperson reportedly explained to the paper that the meeting was not a closed one, neither Catalano nor TCF leaders were made aware of it, the Tufts Daily reports. Curtis Chang said a TCUJ member left a voice mail for him and his wife stating that the group's change in status was "effective immediately." TCUJ chair Jessica Branco did not respond to e-mails seeking comment.

Although the Tufts Daily said that Reitman publicly criticized the student board's decision, Tufts public relations manager Christen Graham said the administration's position is one of non-involvement. "As long as this is still in the student arena, we believe it is not appropriate to comment."

TCF challenges the speed and secrecy of the student board's action and denies the discrimination accusation.

"Julie says that in her freshman year she was bisexual," Curtis Chang argued, "yet we allowed her to remain a member. ... We have had members and even senior leaders with a homosexual orientation. The key difference is that these individuals shared our beliefs about homosexual practice. They recognized that homosexual practice isn't consistent with God's best desires or standards for human sexuality. And

these students were not perfect. Even if they slipped into practice, they recognized the inconsistency with God's views."

Chang insists that TCF never told Catalano that "all she had to do to be straight was pray hard enough." He emphasized that while her views on homosexuality prevent her from serving as a TCF senior leader, she has been encouraged by "numerous" TCF students to remain as a member. She has said she will not.

Attorney French contends that TCF was discriminated against because it was expected to violate its religious views to accommodate Catalano. "What's at stake here," he maintained, "is the possibility that this university will set a bad precedent. If Tufts has carte blanche to put religion at the bottom of the list of things against which they will not discriminate, then we will see an accelerated trend of similar action by private universities across the country."

The InterVarsity Christian Fellowship chapter at Grinnell College in Iowa suffered a fate similar to that of TCF in the fall of 1996. The group is appealing its status, but in the last three years the fellowship's numbers have diminished, largely because the group cannot advertise, said leader Lindsay Olesberg.

In the meantime, a dispute over homosexuality involving InterVarsity's Middlebury College chapter has prompted the Vermont school to consider changing the language in its student handbook so that student groups may specify qualities desired of their leaders, but may not "prevent someone from running for leadership if they don't meet those criteria," explained Middlebury's director of public affairs, Phil Benoit.

Curtis Chang fears that the Tufts judiciary board's decision may threaten other religious student organizations at the college. "If this standard is allowed to stand, it must apply fairly across the board," he argued. "It would mean that someone who practices fundamental Islam can go to a Zionist group and say, 'You must elect me as president without regard to my religious views.' "

Chang has asked for help from FIRE. Halvorssen said he has exchanged e-mail with Tufts President John DiBiaggio and promised to ask the administration to intervene, if necessary. "FIRE will contact every trustee, influential alum, and major contributor to exert pressure on the university, to let them know that this is not what a world-class institution should be doing," he said.

Hadley Arkes, a professor of law at Amherst College, contends that if certain religious groups must leave private campuses it would undermine the nation's colleges and universities as havens of serious moral discussion.

"Over the years since I landed at Amherst, academia in this country has become repressive and closed-minded. It is the least likely place one would be able to find serious discussion on things like affirmative action or homosexuality. ... You're more likely to find serious discussion at a law firm at lunch hour, or in a factory, or in a brokerage house any time."

Elliott Abrams of the U.S. Commission on International Religious Freedom makes a similar case: "One

of the more tragic results of such a trend would be that ultimately devout people would end up attending a far narrower group of universities. And this would not be good for them, nor for the universities which they otherwise would've attended."

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1522

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