

# A Short History of the Missouri Catholic Conference 1967 - 2007

By  
Mike Hoey

Missouri Catholic Conference  
600 Clark Ave., Jefferson City, Missouri 65101

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# **INTRODUCTION**

I have sought to write a candid history of the Missouri Catholic Conference (MCC) that recounts both the highs and lows of the MCC and does not ignore troubling events in the life of the Church or the work of the Missouri Catholic Conference. Nevertheless, I must cheerfully confess that I have worked for the MCC since 1979, lobbied on behalf of its public policy agenda and have great affection for the many people – bishops, staff, MCC department and Public Policy Committee members and MCC Citizen Network activists - who have sought to create a culture of life and compassion in the state of Missouri.

In a short history such as this one, it is inevitable that certain events and people will be overlooked. I have focused on events where the role of the MCC appeared to be crucial. Issues that enjoyed overwhelming support, such as the constitutional amendment defining marriage, have been bypassed in favor of issues that could not have become law or public policy without MCC involvement. I have also not hesitated to spend more time on some issues at the expense of others, basing these decisions on the importance of the MCC's role and my understanding of what is most historically significant.

I have tried to document MCC related events through the use of the MCC legislative files, newspaper stories, and interviews with key individuals, but some of the stories related are based upon my personal recollections.

I wish to thank Rachel Vessell, the MCC's 2007 summer intern, for all her help in gathering research material for this history. MCC staff also provided assistance in locating files that documented this story. Although a number of people assisted in this project, I alone take responsibility for the facts and opinions offered here.

## PROLOGUE

Early Friday morning September 15, 1978, Dr. Hugh Wamble, an instructor at the Midwest Baptist Theological Seminary in Kansas City and self-appointed defender of religious liberty, entered the chancery of the Diocese of Jefferson City and, without the aid of an attorney, deposed Bishop Michael F. McAuliffe as a part of the endless round of litigation concerning the participation of private school children in federal education programs. Dr. Wamble had a conspiratorial frame of mind. He appeared to attach particular importance to Bishop McAuliffe's former role as superintendent of the Catholic schools for the Diocese of Kansas City-St. Joseph and his relationship to John "Pete" Cole, who supervised Missouri's participation in the Title I federal education program for the U.S. Office of Education. <sup>1</sup>

Q. I see. Do you have any acquaintanceship with a person named John P. Cole?

A. Yes, I do have an acquaintanceship with him.

Q. Are you aware that he, at present, is connected in some way with the Title I By-Pass?

A. Yes, I am aware.

Q. How long have you known John P. Cole?

A. Well, that would be difficult to say. I don't remember just when John P. Cole became the associate superintendent. He was not the superintendent at the beginning; the assistant superintendent when I became the superintendent.

Q. I see.

A. There was another person who held that office.

Q. I see. Was Mr. Cole at any time an assistant superintendent of the schools while you were superintendent?

A. Yes.

And so it went, from eight in the morning until six that evening. Dr. Wamble sought to establish personal relationships that may have led the federal government to the decision to allow children in private schools to receive taxpayer funded government services in violation of his notion of religious liberty. <sup>2</sup>

Dr. Wamble may have speculated whether Bishop McAuliffe, through his work as part of the Missouri Catholic Conference, had hatched the idea of placing John "Pete" Cole, a former Catholic priest, in the U.S. Office of Education as a mole, ostensibly working for the federal government but secretly reporting to Bishop McAuliffe. In fact, neither the bishop nor Cole or anyone else had devised such a plan. Cole was simply discharging his duties as a public servant, which included ensuring that eligible private school children would receive the comparable services they were legally entitled to under the federal Elementary and Secondary Education Act (ESEA).<sup>3</sup>

The Wamble litigation would drag on for many years but the U.S. Supreme Court decision in *Agostini v. Felton* 117 S. Ct. (1997) would finally vindicate the MCC's position and authorize services to private school students on the premises of private schools. Dr. Wamble's conspiracy theories may have been off-base but there was something serendipitous about the coming together of so many remarkable individuals to battle for equal rights for private school children under the banner of the newly formed Missouri Catholic Conference. In fact, not only had John "Pete" Cole previously been an assistant Catholic school superintendent, but he had also played a modest role in the deliberations leading to the formation of the Missouri Catholic Conference.<sup>4</sup>

## GETTING STARTED: 1965-1969

In 1965 Congress authorized the first significant federal intervention into elementary and secondary schooling by enacting the Elementary and Secondary Education Act (ESEA). The new law required local public school districts to provide services to eligible private school students on a comparable basis to those provided to public school students. But the Missouri Department of Elementary and Secondary Education (DESE) refused to comply with the law, citing state constitutional restrictions on aid to religion. When Msgr. Michael McAuliffe, superintendent of the Catholic schools of the Diocese of Kansas City-St. Joseph, visited Missouri Commissioner of Education Hubert Wheeler, the commissioner kept discussion to the mysteries of his new phone system and offered no remedies for the discrimination faced by the private school children.<sup>5</sup>

This impasse triggered discussions among the Catholic school superintendents about forming a statewide organization that could promote the interests of Catholic school students. Msgr. James Curtin, superintendent of the Catholic schools of the Archdiocese of St. Louis, played a prominent role in pushing for a statewide public policy body. Also in on these discussions were Father John "Pete" Cole and Father John Leibrecht, assistant superintendents for the Diocese of Kansas City-St. Joseph and the Archdiocese of St. Louis respectively. Father Leibrecht would be associated with the MCC throughout its forty year history, eventually serving on the MCC board of directors after being named the bishop of the Diocese of Springfield-Cape Girardeau.<sup>6</sup>

By 1966 the superintendents had expanded their discussions to include the diocesan attorneys and Catholic leaders involved in non-educational issues. At a meeting in Kansas City on March 5<sup>th</sup> 1966 the Missouri bishops – St. Louis's Cardinal Joseph Ritter, Bishop Charles M. Helmsing of Kansas City-St. Joseph, Bishop Joseph M. Marling of Jefferson City and Bishop Ignatius J. Strecker of Springfield-Cape Girardeau - approved the idea of a Missouri Catholic Conference. But it would take the remaining months of that year for an advisory board composed of priests and lay people, chaired by Father Norman Rotert of the Diocese of Kansas City-St. Joseph, to work out the organizational details. As finally made public in January 1967, the Missouri Catholic Conference consisted of a Board of Directors composed of the Missouri bishops, an advisory board that included a priest and layperson from each diocese and two representatives from each of the newly created departments on education, social concerns, legal matters, information and ecumenism.<sup>7</sup>

A back storeroom of the Fred Vogel Insurance Company in downtown Jefferson City served as the MCC's temporary headquarters. By 1968 the MCC had relocated to office space situated in the chancery of the Diocese of Jefferson City. The first budget authorized totaled \$50,000 and the MCC's first executive director was Jim Hollern, former director of the Ohio Catholic Welfare Conference. Hollern fell ill almost as soon as he took up his post and by August 1967 the bishops had named a new executive director, Anthony Hiesberger, a Jefferson City native and former seminarian who served on Jefferson City's City Council.<sup>8</sup>

Hiesberger would serve as executive director until 1972, placing special emphasis on visiting parishes and making them aware of the services of the MCC. He reached out to other church organizations, such as the Council of Churches and the Missouri Baptist Convention, to work on areas of mutual concern. One of those ecumenical efforts involved assisting the work of the Missouri Associated Migrant Opportunities Services in their outreach to migrant farm workers in the Bootheel. Several education bills were pursued in the General Assembly by the MCC but none passed.<sup>9</sup>

The years 1969 and 1970 marked turning points for the Missouri Catholic Conference. Louis C. DeFeo resigned from the Missouri Attorney General's Office in 1969 and became the MCC's general counsel. He would serve the MCC in this role for thirty-three years and in 1981 take on the additional role of executive director, a post he would hold until 2000. Also in 1969 Marie Bruns took over the MCC's bookkeeping chores, a job she continues to hold to this day. Finally, in 1970 Bishop Michael F. McAuliffe became Executive Chairman of the MCC and continued in this role until 1997. Together, these three individuals would provide steady and courageous leadership for most of the MCC's forty year history.<sup>10</sup>

## VICTORIES AND DEFEATS: 1970-1980

*The MCC organized the Fairness in Education Campaign to secure textbooks and bus transportation for private school children which was litigated to the U.S. Supreme Court. Social justice issues emerged more prominently with notable public policy interventions in regards to family farming, labor and criminal justice. The Roe v. Wade decision legalizing abortion through all nine months of pregnancy sent shock waves through the Catholic community, but the MCC responded, laying the groundwork for a strong pro-life movement. At the end of the decade, the MCC purchased the building at 600 Clark Avenue, which remains the present headquarters of the organization.*

### EARLY EDUCATION BATTLES

By the late 1960s financial strains on the Catholic school system were evident. In 1970 The *St. Louis Globe Democrat* reported that in the previous nine years 25 Catholic schools in the Archdiocese of St. Louis had closed or consolidated. Decreasing vocations, escalating costs and the lack of state aid made it increasingly difficult to keep Catholic schools financially viable. Msgr. James Curtin, superintendent of the St. Louis Catholic schools, told the paper, “The private schools must stay in existence” and noted that he remained confident that state assistance would become available. Enrollment may have been dropping, but during the school year 1968-69 there were still 173, 980 nonpublic students statewide, 70,000 more than today. This represented a sizable constituency that could take up Msgr. Curtin’s call for fair treatment of nonpublic school children.<sup>11</sup>

The first major MCC victory came in 1972. That year the MCC obtained passage of SB 638, sponsored by Catholic State Senator Lawrence Lee (D-St. Louis County), authorizing the lending of secular textbooks to private school students. Passing the bill required some wily and tough lobbying. Initially, the bill was referred to the Senate Education Committee, a sure death warrant for any bill proposing help for private school students. But the MCC managed to have the bill re-referred to a friendlier committee, which promptly reported it to the full Senate. The legislature eventually passed the textbook measure and on May 18, 1972 Governor Warren Hearnes, a Southern Baptist, signed it, ignoring the pleas of Dr. Wamble to veto the measure.<sup>12</sup>

Catholic school students began receiving their textbooks in the fall of 1972, but already the new law was being contested in court. Frank Susman, who would later represent Planned Parenthood and the Reproductive Health Services abortion clinic in St. Louis in various abortion cases, argued on behalf of the St. Louis Ethical Society that the textbook law violated the Missouri Constitution. The MCC’s Louis C. DeFeo defended the law in the St. Louis Circuit Court. He had sought to craft the legislation so that it would withstand constitutional objections. The circuit court upheld the law but in 1974 the Missouri Supreme Court struck the statute down. The decision in *Paster v. Tussey*, 512 S.W.2d. 97 (Mo 1974) appeared to foreclose the possibility of fashioning any measure that would ensure just treatment of private school students.<sup>13</sup>

The decision was devastating to supporters of private education, but the MCC refused to accept defeat. In 1976 the MCC launched the Fairness in Education campaign – an effort to amend the state constitution so that private school children could receive secular textbooks and transportation. Special education services were also proposed for children with disabilities attending private schools. Realizing there would be strong opposition in rural areas not familiar with private education, the MCC convinced Governor Christopher “Kit” Bond to place the proposal on the August primary ballot rather than the ballot for the November general election.<sup>14</sup>

The campaign was a bruising affair, which some of the news media characterized as a religious conflict between Catholics and Protestants. Baptist churches spent \$50,000 to defeat the measure. Dr. Arthur C. Fullbright, minister of First Methodist Church in Sikeston, Missouri, urged Scottish Rite Masons to defeat the proposal. He reminded the Masons, “The Roman Catholic Church schools, representing 90 percent of children enrolled in such schools, exist for the dominant purpose of church indoctrination.” Dr. Wamble made his

presence felt once again, seeking to have the measure tossed off the ballot by the courts. He failed in this effort, but the proposed constitutional amendment went down to crushing defeat on August 3. Fifty-seven percent of the voters rejected it. Post-election analysis centered on the big rural voter turnout, driven largely by the strong support for the candidacy of Jerry Litton for the U.S. Senate, whose plane crashed election night, killing him and all aboard. It seemed that any hopes for private school children were also buried for the conceivable future.<sup>15</sup>

Happier results occurred through successful MCC litigation on behalf of the rights of private school children in federal education programs. Following the passage of the Elementary and Secondary Education Act in 1965, the Missouri Department of Elementary and Secondary Education (DESE) refused to offer private school children the services they were entitled to under federal law. DeFeo teamed up with diocesan attorney Tom Sullivan out of the Diocese of Kansas City-St. Joseph to contest this issue all the way to the U.S. Supreme Court. This legal effort met with resistance all along the way. Cardinal John Krol, Archbishop of Philadelphia, tried to dissuade Bishop McAuliffe from pursuing the matter. The federal district court ruled against the private school children. When Sullivan and DeFeo dined with several Washington D.C. attorneys the night before the scheduled oral arguments before the United States Supreme Court, they were treated like country hicks and reminded not to refer to the men in black as “your honor” but “Mister Justice.”<sup>16</sup>

On June 10, 1974 the U.S. Supreme Court handed down their decision in *Wheeler v. Barrera*, 417 U.S.402 (1974). The court ruled that the state of Missouri would have to provide private school children with services that were comparable to those already provided to public school children. The rights of the Barrera children, along with Mexican and black children attending Catholic schools in Kansas City and eligible nonpublic school students throughout Missouri, had finally been upheld by the highest court in the land. Tom Sullivan took special satisfaction in the ruling. In his law office he framed the opening lines of Justice William Douglas’s dissent to the Court’s majority opinion: “The case comes to us in attractive posture...and I fear the judiciary has been seduced.”<sup>17</sup>

But Missouri’s Commissioner of Education, Dr. Arthur Mallory, had one more card to play. The U.S. Supreme Court had refused to overturn any of the Missouri Constitution’s restrictions on aiding religious schools and had left to the state of Missouri the details of how to implement comparable services. Mallory sought and won a declaratory judgment from the Missouri Supreme Court that once federal education funds entered the state treasury they became “state funds” subject to all of the state constitutional restrictions concerning church and state relations. The Missouri Supreme Court then concluded that the Title I services could not be provided on the premises of private schools. It seemed that the victory at the U.S. Supreme Court had little meaning.<sup>18</sup>

But while these legal battles were going on, the MCC joined with the United States Catholic Conference in seeking a federal bypass whereby the federal government would hire a private contractor to deliver the ESEA services to private school students. The MCC documented inequities experienced by private school children and in 1976 the acting U.S. Commissioner of Education, William Pierce, invoked a bypass in four public school districts in Missouri – St. Louis, Kansas City, Jefferson City and St. Joseph. This marked the first bypass invoked in the nation. Over the next few years more bypasses would be invoked until most of Missouri’s larger public school districts were relieved of their duty to provide Title I services to private school children in favor of a private contractor hired by the federal government. For a number of years the federal contractor, Blue Hills Home Corporation of Kansas City, had to deliver the services to private school children in vans parked off the premises of private schools. But the U.S. Supreme Court’s 1997 decision in *Agostini v. Felton* finally permitted the teachers to enter the private schools and provide remedial services to eligible students.<sup>19</sup>

## **SOCIAL JUSTICE ISSUES EMERGE**

While education issues dominated early MCC concerns, other issues emerged and took on increasing importance, partly due to the enthusiasm of a young woman, Peggy Keilholz, who took over as MCC executive director in January of 1976. Already in 1975, as an MCC staffer, Keilholz had worked with the MCC’s Rural Life Task Force to ensure passage of legislation protecting family farmers by restricting the entry of large

non-farm corporations into farming. Bishop McAuliffe hailed Governor Christopher “Kit” Bond’s signing of the bill noting, “The fact that the state of Missouri is now on record in favor of preserving the family farm as a way of life is encouraging.” In the late 1970’s the MCC’s Social Concerns Department worked with all four dioceses in conducting listening sessions in rural parishes across the state. The input provided guidance in the development of a prophetic statement by the Midwest Catholic bishops on the emerging economic crisis in rural America, which was published in 1980. Stephana Landwehr, chairman of the Rural Life Task Force, served on the four-person writing committee that prepared *Strangers and Guests: Toward Community in the Heartland*.<sup>20</sup>

*Strangers and Guests* garnered attention both within Missouri and nationwide. The *St. Louis Post-Dispatch* ran an article entitled: “Who Owns the Land? Catholic Bishops Plow Radical Ground” The paper quoted the MCC’s Rural Life Task Force chairperson Father John Hallemann, “To many, land is becoming more of a commodity itself, more than the God-given resources.” The conservative Catholic newspaper, *The Wanderer*, was less enamored with the bishops’ statement, with one writer complaining of an “extreme environmental position.”<sup>21</sup>

Controversy also accompanied the MCC’s 1978 opposition to a Right to Work proposal. Amendment 23 proposed to ban union security agreements whereby if a majority of employees voted to join a labor union then all the employees would either have to join or pay union dues. In a carefully worded statement, the MCC reviewed traditional Catholic teaching supporting the right of workers to bargain collectively and stated: “It is our considered judgement that the passage of this proposal would so impede the effectiveness of collective bargaining that the right itself would be seriously imperiled.” The Archbishop of St. Louis, John Cardinal J. Carberry, told the press that the statement was meant to offer guidance and not to tell people how to vote.<sup>22</sup>

But controversy ensued anyway. Catholics for Right to Work was formed, two Catholic legislators – Paul Deitrich (R-Ballwin) and Norbert Plassmeyer (R- Freeburg) - issued a joint statement castigating the Church for meddling in politics, and the MCC received letters expressing dismay at the Church’s opposition. Msgr. John Shocklee, a member of the MCC’s Social Concerns Department and head of the Human Rights Office of the Archdiocese of St. Louis, conducted parish seminars to explain the MCC position but in Washington, Missouri the meeting had to be moved from Our Lady of Lourdes parish to the Washington Civic Center because of the concerns of the local pastor. Despite the controversy, many Catholics joined with other citizens in soundly defeating Right to Work on election day. The work of the MCC did not go unnoticed. George Meany, president of the AFL-CIO, wrote to the MCC’s Executive Director Peggy Keilholz to express his gratitude for the MCC’s work.<sup>23</sup>

In the 1970s the MCC supported efforts to establish a medium security prison near an urban area so that inmates could better access rehabilitative services and then return successfully home. The MCC joined with other non-profit and religious groups in promoting this proposal in 1977. The appropriation for an urban prison was approved in the special legislative session that year and reaffirmed in 1978. The new medium security prison opened in 1981 in Pacific, Missouri.<sup>24</sup>

Out of these experiences the MCC’s Corrections Task Force began to shape a proposed statement on correctional issues for approval by the Missouri bishops. At the MCC’s 1979 Annual Meeting members of all three departments – Education, Social Concerns and Legal – met with the bishops to discuss the proposed statement on corrections. During the two day meeting the Corrections Task Force learned their draft needed more work: it should be made clear that society had a right to be protected and that crime victims merited concern as well as inmates. The task force went back to the drawing board and with the help of Bishop Bernard Law of the Diocese of Springfield-Cape Girardeau developed a new draft, which the Missouri bishops adopted in 1980.<sup>25</sup>

The bishops’ *Joint Statement on Corrections* proved to be far ahead of its time. The MCC would spend years seeking to implement its ideas, such as compensation for crime victims, alternatives to incarceration for non-violent offenders, and community correction programs to assist inmates in successfully integrating back into



the community. The statement also represented the first time that the Missouri bishops spoke as one voice in calling for the repeal of the death penalty, a position that preceded by over a decade Pope John Paul II's call to abolish capital punishment.<sup>26</sup>

## **ROE V. WADE**

The day after the U.S. Supreme Court handed down its January 22, 1973 decisions in *Roe v. Wade* and *Doe v. Bolton*, which together allowed abortion on demand in all fifty states, State Senator Larry Marshall (R-Columbia) told the *Columbia Daily Tribune*, "I don't anticipate any tremendous outcry against the decision because I think the court made the decision on a purely legal basis." Seldom has a forecast been so wildly inaccurate. In Jefferson City, Bishop McAuliffe, expressed outrage: "Abortion is still immoral though declared legal by the Supreme Court of the land." St. Louis's Cardinal John J. Carberry said he was "saddened and appalled."<sup>27</sup>

Yet in the days following the decision, the Catholic Church stood virtually alone among religious denominations in denouncing the ruling. Thirteen days after the decision, the *St. Louis Post-Dispatch* reported, "...no national, regional, or local Protestant office based here has issued any statement in response." The pastor of the Old Cathedral in St. Louis, Auxiliary Bishop Joseph A. McNicholas, felt compelled to take out a full page ad in the *St. Louis Globe Democrat* titled "Is Abortion A 'Catholic Issue'?"<sup>28</sup>

At the Missouri Catholic Conference, Assistant Director Bill Cox recognized that overturning *Roe* would require more than Catholic opposition. Without a broad based pro-life movement, it would be too easy for the press to dismiss concerns over *Roe* as simply a Catholic issue. MCC staff consulted the Missouri bishops and they approved the formation of a secular pro-life group to be called Missouri Citizens for Life (MCL). Cox set about establishing MCL chapters in St. Louis, Kansas City, St. Joseph, Springfield, and Jefferson City. He recruited prominent non-Catholics to serve on the MCL Board of Directors. In its early days MCL operated out of the MCC's office, but in time it would establish its own headquarters, change its name to Missouri Right to Life (MRL) and lobby in its own right in the State Capitol. Later it formed a separate political action committee (PAC) that could legally endorse pro-life candidates for election.<sup>29</sup>

On October 21, 1973 Cox's effort got a big boost when an estimated 30,000 attended a massive pro-life rally in front of the Old Courthouse in downtown St. Louis. U.S. Senator Thomas Eagleton and Missouri Attorney General John Danforth both spoke at the rally. Eagleton reminded the gathering that they stood before the Old Courthouse where Dred Scott, a slave, had sought legal recognition of his right to freedom. Danforth said, "I am not a Roman Catholic. I am an Episcopalian and I believe abortion is wrong. It is not a religious matter solely...it is a human issue because what is involved is human life." In the coming months and years people of many faiths would come forward to contribute to the pro-life cause.<sup>30</sup>

While Cox traveled around the state organizing MCL chapters, the MCC's General Counsel, Louis C. DeFeo, wrestled with how to respond to *Roe* on the legal and legislative fronts. The court had said that a state could prohibit abortions when the unborn child was viable, that is, able to live outside the mother's womb, but with one significant caveat – unless the abortion would endanger the woman's life or health. DeFeo consulted other state Catholic conferences, met with state legislators and began to draft legislative language. But he and other Catholic leaders around the country faced a haunting moral dilemma: were they not, when seeking to limit abortions within the *Roe* framework, acting as collaborators in the evil of abortion? DeFeo concluded the Church could not stand idly by. As he later explained to former *Washington Post* journalist Cynthia Gorney: "If I go into the fray, then maybe it's something like this: No babies die post-viability, while we fight for the rest of them."<sup>31</sup>

Just months after the *Roe* decision, the legislature approved its first pro-life bill, HB 731, sponsored by Catholic State Representative William O'Toole (D-St. Louis). This legislation protected the rights of conscience of doctors, nurses and hospitals by allowing them to refuse to perform abortions when it violated their moral, ethical or religious beliefs. This legislation remains state law to this day. In 1974 a more ambitious pro-life bill



gained legislative approval. HB 1211 required informed consent by the woman considering an abortion, and her spouse if married, and the consent of the parents of an unmarried minor under the age of 18. It also banned abortions performed after 12 weeks of pregnancy that involved the injection of a saline solution into the mother's womb. But Planned Parenthood challenged the law and in 1976 the U.S. Supreme Court struck down most provisions of the law except those requiring informed consent by women. The pattern had been set. The pro-life movement would keep passing laws, looking for holes in the *Roe* decision and any legal method to save unborn children. Eventually, this persistence would pay off.<sup>32</sup>

## **A NEW MCC OFFICE**

By the late 1970's the MCC had outgrown its cramped quarters in the bottom floor of the Chancery of the Diocese of Jefferson City. Executive Director Peggy Keilholz searched for a new office. In late 1979 the MCC purchased a yellow brick flat top building across the street from the Diocese of Jefferson City Chancery offices. After remodeling was completed in 1981, MCC staff moved into the building, which featured plenty of offices for MCC staff and a spacious conference room. This building, located at 600 Clark Avenue, remains the MCC headquarters to this day.<sup>33</sup>

## **TAKING THE NATIONAL STAGE: 1981-1991**

*The MCC sought to enhance the role of Catholic citizens in public policy affairs by establishing legislative networks on key issues and began offering election kits with suggested questions to ask candidates for elected office. The MCC headed off pro-euthanasia proposals and instead convinced legislators to enact laws that respected human life. Tax reform emerged as a concern and the MCC successfully championed expanded Medicaid prenatal care for pregnant women. The MCC persuaded lawmakers to enact legislation prohibiting discrimination against children with disabilities attending private schools. The Catholic bishops visited death row and sought to keep the issue of capital punishment before the public. Joining with other pro-life groups, the MCC spearheaded passage of sweeping anti-abortion legislation that led to the U.S. Supreme Court's landmark Webster decision.*

## **GETTING CATHOLIC CITIZENS INVOLVED**

Concerned with political campaigns that too often degenerated into 30 second commercials consisting of charges and counter-charges, the MCC in 1984 inaugurated a bi-annual practice of making available to parishes and Catholic citizens a resource kit providing tips on how citizens could draw candidates into more meaningful dialogue through parish-sponsored forums and interviews. These kits included questions citizens could ask the candidates on a variety of issues having moral dimensions of concern to the Catholic Church, such as pro-life, the death penalty, access to health care, and family farming.<sup>34</sup>

In 1985 the MCC began an aggressive campaign to recruit Catholic citizens into one of six issue networks on Aging, Catholic Schools, Corrections, Economic Justice, Pro-Life and Rural Life. The committed Catholics who joined these networks and then responded to Action Alerts by contacting their legislators on pressing issues gave the MCC more clout in the state capitol. Lawmakers began to understand that when MCC lobbyists presented a position it represented the view of thousands of Catholic voters throughout the state. In time the six issue networks merged into one larger MCC Citizens Network, which continues to this day to advance the MCC's public policy agenda.<sup>35</sup>

## **DEATH AND DYING**

Just after midnight on January 11, 1983, 25 year old Nancy Cruzan suffered a nearly fatal car accident when her car overturned as she returned home from work in Carthage, Missouri. When paramedics arrived about 15 minutes later, they found Nancy face down in a ditch and restarted her heart. But she had been without adequate oxygen for too long and Nancy suffered severe brain damage. She eventually ended up at a state

hospital in Mount Vernon, Missouri.<sup>36</sup>

In 1987 Nancy's parents petitioned a court in Jasper County to allow their daughter's feeding tube to be disconnected. At the trial, nurses who cared for Nancy testified that they had seen her laugh and smile. Doctor James Dexter, chairman of the department of neurology at the University of Missouri-Columbia Hospital and Clinics, testified: "She can fix on my face. She does more than just alert to sound, and she also fixes on objects. She does have cortical function." Dexter concluded: "Nancy is not in a persistent vegetative state at the present time. She is a very low-functional person...". Jasper County Circuit Judge Charles Teel nevertheless ruled that Nancy's feeding tube could be removed. The decision sparked a court battle that wound its way all the way to the U.S. Supreme Court.<sup>37</sup>

The Nancy Cruzan case formed the backdrop to a decade long legislative battle over so-called "right to die" issues in the Missouri General Assembly. Moved by the anguish of the Cruzan family, lawmakers rushed to find legislative remedies. But the bills drafted tended to overlook important factors, such as whether the decisions made on behalf of an incapacitated person by a health care proxy could be reviewed by a court when the proxy was not acting in the person's best interest.

In 1984, and again in 1985, the legislature considered so-called "living will" legislation. By preparing a living will a person could provide instructions on medical treatment should they later become incapacitated. The MCC initially opposed these bills because they lacked ethical safeguards. For example, the living wills would have bound family members and treating physicians to wishes expressed by patients years before they become incapacitated even if newer medical treatments had emerged. During the 1985 session, the MCC successfully obtained amendments to the legislation that addressed these concerns. As signed by Governor John Ashcroft, SB 51 did not even use the term "living will" because physicians could overrule the person's "declaration" in order to protect the patient's best interest. Physicians could only act on the patient's declaration when the medical treatment served only to prolong the dying process and did not alleviate pain. Physicians and hospitals unwilling to comply with a patient's declaration could transfer them to another health care provider.<sup>38</sup>

But passage of the "living will" legislation did not bring closure to the issue. On June 25, 1990 the U.S. Supreme Court ruled that Nancy Cruzan's feeding tube could not be removed without clear and convincing evidence that that would have been her wish. It was the first "right to die" case the U.S. Supreme Court had ever considered. The justices recognized a right in the constitution for a competent person to refuse artificially delivered food and hydration. In the wake of this decision, Missouri Attorney General William Webster called for additional state legislation to clarify when and how people could refuse medical treatment.<sup>39</sup>

Following past patterns the legislation as introduced lacked safeguards for vulnerable persons. The MCC successfully lobbied for amendments to protect the vulnerable and to ensure that the rights of the patient, the family, the health care provider and the societal interest in the preservation of life were justly balanced. On May 17, 1991 Governor John Ashcroft signed the Durable Power of Attorney for Health Act into law. The new law allowed a person to delegate medical decision-making to another person – an attorney in fact - should they become incapacitated; the attorney in fact would have to act in the patient's best interest; the actions of the attorney in fact could be reviewed by a court much like in guardianship cases; withdrawing artificially delivered food and hydration could only occur if the patient had expressly granted that authority to the attorney in fact; and the withdrawal of naturally delivered food and hydration was prohibited. This legislation remains Missouri law to this day.<sup>40</sup>

## **TAX REFORM AND THE COMMON GOOD**

In the early 1980's Father Frank Schuele could be found working in a back room of the MCC's office at 600 Clark, smoking a pipe and reviewing some volume of quaint and curious lore on fiscal policy. If you entered his smoke-hazed room and asked for some fact or church teaching to buttress an MCC argument concerning a tax bill, he could fish out, from among his mountainous piles of documents, just the information needed.

For many, tax policy seemed far afield from the usual concerns of the Catholic Church. Father Schuele developed lengthy research papers that educated MCC staff and MCC department members on what Catholic social teaching had to say about the role of government in promoting the common good. Basic themes emerged: government had a duty to promote the common good; one way government ensured the common good was by collecting sufficient revenue to fund critical services; at the same time, taxes should not unfairly burden citizens; and, taxes should be based on ability to pay. Father Schuele explained that the Church taught that government had a responsibility to ensure the benefits and burdens of society were distributed equitably among all of the citizens. The principles may have sounded abstract, but they had real world applications when it came to making tax and revenue policy decisions.<sup>41</sup>

In 1980 Missouri voters faced one of these decisions: whether to approve the so-called “Hancock” amendment to the Missouri Constitution. The amendment, championed by Springfield businessman Mel Hancock, sought to limit government by tying the growth in state revenue to the growth in Missouri taxpayers’ personal income. Father Schuele and the MCC staff carefully reviewed the proposal and then brought the issue before MCC department members and the bishops at the 1980 MCC Annual Meeting.<sup>42</sup>

The bishops issued a joint statement prior to the November election opposing the Hancock amendment. The statement said the proposed amendment would “reduce the flexibility that governments must have to meet the legitimate needs of the citizens.” Regardless of what crisis might emerge, state revenue would be limited to the revenue limit. The bishops dryly noted: “The amendment is admirably suited for dealing with such emergencies as the advance of the next Ice Age but little else.” The bishops explained that if Missouri state government exceeded the revenue limit, then tax refunds would be made to taxpayers, but most of the refund money would go to higher income taxpayers. The refund was “clearly inequitable” and conflicted with Catholic social ethics. None of these arguments sufficiently moved voters, however, and on November 4, 1980 voters approved the Hancock revenue limit.<sup>43</sup>

The election rebuff, however, did not deter the MCC in its somewhat quixotic effort to seek a more just state tax system. In 1982 the MCC joined with other members of the Coalition for Tax Reform in supporting a major overhaul of the tax system. Sponsored by House Speaker Bob Griffin, HB 1718 initially called for a state income tax increase plus provisions to make Missouri’s tax code more progressive. After the Missouri House turned this down, a scaled back version, which deleted the tax increase, was promoted but this also failed to gain legislative approval. In 1987, the MCC and the Coalition had more success. Changes in the federal tax code were expected to boost state revenue by over \$170 million. Some lawmakers argued the new money would put state revenue over the Hancock revenue lid; they therefore favored refunds to taxpayers. The MCC opposed the refunds, arguing that they would disproportionately benefit higher income families and reduce revenue needed to maintain critical state services. The legislature decided against the refunds at that time, but in the 1990’s revenue exceeding the Hancock lid would once again pose thorny questions for lawmakers.<sup>44</sup>

## **HEALTH CARE IS A PRO-LIFE ISSUE**

Throughout the 1980’s the MCC sought to increase access to health care for Missouri’s working poor and for pregnant women and their unborn children. The latter issue provided an opportunity for the MCC to explain how the availability of health care promoted a culture of life and discouraged abortions. In 1987 the MCC pushed for passage of HB 518, which proposed providing obstetrical care to working poor women who did not qualify for welfare but lived below the federal poverty line. The legislation also proposed Medicaid coverage for these mothers’ children up to 2 years of age. Some lawmakers viewed HB 518 as simply another welfare proposal, but MCC citizen network members came to the state Capitol to explain how the bill would provide prenatal care thereby encouraging more poor women to choose childbirth over abortion. Abortions, MCC network members noted, could be obtained for as little as \$250, but child delivery expenses could exceed \$3,000. The legislature approved the bill and Governor John Ashcroft signed it.<sup>45</sup>

The legislature demonstrated less sympathy for the uninsured working poor. In 1987 over 600,000 Missourians

had no health insurance and did not qualify for Medicaid health coverage. The MCC called for legislative action. When this failed the MCC joined with the Missouri Hospital Association and others in taking the issue to the voters. To get MedAssist on the ballot, the MCC went to the parishes. Over 200,000 citizens signed petitions, including some 20,000 Catholic parishioners. But opponents charged that MedAssist would vastly raise taxes and draw AIDS patients to the state for free health insurance. On November 8, 1988 voters defeated MedAssist.<sup>46</sup>

## **ENDING DISCRIMINATION AGAINST SPECIAL CHILDREN**

Throughout the 1980s, the MCC received complaints from Catholic school principals and parents that local public school districts either refused to provide special education authorized under federal law to private school children or would only provide it after school on public school premises. The Missouri Department of Elementary and Secondary Education (DESE) argued that state law prohibited dual enrollment arrangements whereby private school children could attend their local public school for part of the day to receive special educational services.

In 1987 the MCC sought to end this discrimination. Public school groups united to oppose the legislation, but this time their customary objections to providing aid to religious schools would be countered by a plea to put children before legalistic concerns. The potency of this plea became evident in the Senate Education Committee. Two private school parents, one a special education teacher herself, explained the importance of special services for their children. Committee members were visibly moved. The committee eventually reported the bill to the full Senate but it was placed near the bottom of the debate calendar.<sup>47</sup>

The MCC turned its attention to the Missouri House of Representatives where State Rep. Ron Auer (D-St. Louis) offered an amendment to another bill, SB 402. In its original form, this bill proposed a tax credit for those adopting special needs children, which the MCC also supported. The Auer amendment prohibited discrimination against children with disabilities attending private schools. After an emotional debate the amendment passed, and SB 402 went back to the Missouri Senate for final approval. Lobbied by public school groups, a minority of senators filibustered the bill. But Catholic Senator John Schneider (D-Florissant) would not let SB 402 die. He called the public school lobbyists into his office and told them they would never see approval of the public school's annual budget if they did not back off. The senator then relayed the same message to Senate Majority Floor Leader Jim Mathewson (D-Sedalia).<sup>48</sup>

In an unusual move, Senate leadership scheduled a Sunday afternoon debate. With little lead time to alert MCC network members statewide, MCC staff contacted local parishes. That Sunday afternoon some 300 people showed up. They were given "Yes 402" placards and directed to the Senate Galleries. The Senate sponsor of SB 402, Senator Harry Wiggins (D-Kansas City), rose in the Senate chamber and told his colleagues: "This is a matter of principle. This is a matter of justice. This is a matter of compassion." The Senate approved the measure and Governor John Ashcroft signed it into law, ignoring pleas by the Missouri Baptist Convention to veto it.<sup>49</sup>

## **A PROPHETIC VOICE AGAINST THE DEATH PENALTY**

No legislation was passed during the 1980s to scale back the death penalty. But the MCC continued to file clemency appeals. In 1982 the bishops joined leaders of several other religious denominations in visiting death row. They also visited "SuperMax," a prison within the larger Missouri State Penitentiary in Jefferson City that housed especially difficult prisoners. In SuperMax, prisoners were confined behind solid sheets of steel. To talk to the prisoners, the bishops got down on their hands and knees and spoke through an opened panel near the floor that guards unlocked and slid aside so conversation could take place. The bishops' actions kept the issue before the public, but it would be another two decades before the legislature approved legislation scaling back capital punishment.<sup>50</sup>

## ROLLING BACK ROE

Over a decade had passed since the *Roe v. Wade* ruling. The decision seemed as impregnable as ever and abortion on demand continued unabated. But in Missouri pro-life forces were preparing a new assault on *Roe*. The bill was HB 1596 and the Missouri legislature would pass it in 1986 over the vociferous opposition of the abortion industry. In the *Columbia Tribune* Nan Sloan, Columbia coordinator for the National Organization for Women, complained bitterly: "In fact, we are appalled that the Missouri legislature allows the Missouri Catholic Conference to write its legislation." Actually, the drafting of HB 1596 involved not only the MCC's DeFeo but also the legislative chairman of Missouri Citizens for Life, Sam Lee, and St. Louis attorney Andrew Puzder. Their ideas merged into a powerful omnibus bill that charted a bold new course.<sup>51</sup>

HB 1596 would undergo several permutations but in its final form it declared that "The life of each human being begins at conception...". It went on to state: "It is the intention of the general assembly...to grant the right to life to all humans, born and unborn, and to regulate abortion to the full extent permitted by the Constitution of the United States, decisions of the United States Supreme Court, and other federal statutes." The legislation required that abortions performed at 16 weeks gestation or later take place in a hospital and that before a physician could perform an abortion on a woman at 20 weeks gestation or later, there be a determination as to whether the unborn child was viable and this determination be placed in the medical records of the woman. Rights of conscience were protected so that those objecting to abortion could refuse to perform or assist in abortion related activities. Finally, HB 1596 included sweeping provisions designed to keep the state of Missouri completely out of the abortion business in nearly all circumstances: the bill prohibited the use of public funds, facilities or employees for the performance or assistance in abortions, unless necessary to save the life of the mother.<sup>52</sup>

While DeFeo and Lee lobbied HB 1596 in the halls of the State Capitol, the MCC's Director of Administration Carl Landwehr mobilized the parish pro-life coordinators and local councils of the Missouri Knights of Columbus. As a result, lawmakers received a steady flow of letters and calls in support of the legislation. Both legislative chambers adopted the measure by large margins and on June 26, 1986, Governor Ashcroft signed HB 1596. But less than a month later abortion providers challenged the new law in federal court.<sup>53</sup>

Initially, the MCC and other pro-life organizations wondered whether Missouri Attorney General William Webster would make defending the new law a top priority. The MCC urged the Attorney General's office to defend the new law in such a manner that it would invite the U.S. Supreme Court to consider overturning *Roe v. Wade*. Some headway was made in this direction and the general counsel of the United States Catholic Conference, Mark E. Chopko, wrote to DeFeo commending "your efforts to get the Missouri Attorney General to alter his means of presentation of the case." Meanwhile, the concerns of abortion supporters grew apace. On April 2, 1989, Planned Parenthood of Greater Kansas City took out a full two page ad in the *Kansas City Star* with a banner headline entitled "Silent No More – Voices For Choice," which was signed by hundreds of citizens.<sup>54</sup>

On July 3, 1989, the U.S. Supreme Court handed down its decision in *Webster v. Reproductive Health* 88 U.S. 605 (1989). The Court refused to overturn *Roe*, but its decision invited greater regulation of abortion by the states. The Court said that *Roe* "implies no limitation on the authority of a State to make a value judgment favoring childbirth over abortion." This meant that a State could prohibit the use of public funds, facilities and employees for performing or assisting in abortions. The Court observed: "Nothing in the Constitution requires states to enter or remain in the business of performing abortions."<sup>55</sup>

The *Webster* decision marked the first serious breach in the *Roe v. Wade* dam that had held states back from significantly regulating abortion. For the first time, pro-life forces had won more than lost in court. From this point forward the abortion industry would expand its efforts to stop pro-life legislation before it got to the courts. As a consequence, it would become immeasurably more difficult for the MCC and its allies to obtain passage of pro-life legislation.



## **NEW CHALLENGES, NEW APPROACHES: 1992-1999**

*The bishops adopted new bylaws and a new organizational structure for the MCC and instituted the MCC Annual Assembly to bring Missouri Catholics together to hone public policy skills and learn more about pending issues. The MCC took the lead in forming a special partnership of government and private agencies to respond to the 1993 flood. Better access to health care became a major priority: the MCC rewrote a school health bill to make it pro-life and brokered a compromise that led to passage of the State Children's Health Insurance Program (SCHIP). A fifteen year effort to ensure all day care centers abided by health and safety rules culminated in the passage of legislation the MCC supported. The MCC helped to pass a sales tax cut on food and advocated tax relief for school parents. The MCC convinced lawmakers to fund alternatives to abortion services and for only the seventh time in Missouri history the legislature overrode a governor's veto by enacting a ban on partial birth abortions. Pope John Paul II's visit to St. Louis led the commutation of Darrell Mease's death sentence. In order to provide better information to Catholic voters prior to elections, the MCC began to survey candidates on key issues and publish their responses in the diocesan papers and post the candidate's responses on the MCC website.*

### **MCC RESTRUCTURES, A DEPARTURE**

By the early 1990's it had become apparent that the MCC 's organizational structure of three departments – Education, Social Concerns and Legal – had become too unwieldy for staff to effectively manage. In 1994 the Missouri bishops approved new bylaws and a new structure. The three departments were replaced by a single public policy committee (PPC) composed of Catholics from around the state appointed by the bishops. The bishops recruited (and continue to recruit) Catholics from diverse backgrounds having interest in a variety of issues to serve on the PPC.<sup>56</sup>

As part of the restructuring, the bishops also approved the holding of an annual assembly of Catholic citizens to develop public policy skills and build enthusiasm for the work of the MCC. The first MCC Annual Assembly was held at the State Capitol on August 31, 1996 and attracted an estimated 700 Catholic citizens. Following an agenda that would be repeated in subsequent years, this first annual assembly featured a keynote address in the ornate chamber of the Missouri House of Representatives, workshops on a variety of current issues, a free lunch and a closing Mass concelebrated by the Missouri bishops at historic St. Peter Church across the street from the State Capitol.<sup>57</sup>

Another change for the MCC occurred in 1993 when, after nearly twenty years of service, Carl Landwehr resigned from the MCC to devote full-time to his pro-life publishing house. Landwehr would subsequently become president of the Vitae Caring Foundation, a role in which he would produce compelling radio and television advertisements promoting pro-life choices by young women facing crisis pregnancies.<sup>58</sup>

### **THE GREAT FLOOD OF 1993**

By late October of 1993 the heroic stage of battling the flood waters was over. Diane Haslag, a counselor for the Family Mental Health Center in Jefferson City, told the local paper: "In the beginning stages when the floodwaters were coming up and cresting, we had a honeymoon heroic stage. People were excited, helping their neighbors evacuate. The spirit seemed to be better because they were able to do something." But Haslag warned "Now we're coming up with hopelessness." Families may have been safely evacuated, but now what? Some had lost their homes and had to find new places to live. They needed rental assistance. Others tried to return home but their houses needed substantial repair. Winter would soon bring cold weather and families would need warm clothing. Utility payments and other bills mounted.<sup>59</sup>

The MCC warned pastors that "The hardships brought on by the flood will not recede with the waters." In addition to providing information on how flood victims could obtain help, the MCC urged Governor Mel Carnahan to prepare more long-term responses. The MCC sent a letter to the Governor's Chief of Staff, Marc Farinella,



recommending formation of a sub-cabinet team of state government officials who could work with private agencies on flood related problems. Out of this suggestion, and further prodding by the Missouri Association of Social Welfare, the Jewish Federation and others, came the Flood Recovery Partnership. The partnership included membership from the state departments of Health, Mental Health, Economic Development, Labor and Industrial Relations, Office of Administration, State Emergency Management and Social Services as well private charities working with flood victims.<sup>60</sup>

The Flood Recovery Partnership identified unmet needs of flood victims. By April 1994, 50 unmet needs committees had been established in flood ravaged counties. The partnership provided “gap” grants that the unmet needs committees could use to help flood victims with problems not being addressed through the normal channels of government assistance. The model pioneered by the Flood Recovery Partnership proved so successful that in September 1994, Governor Carnahan issued an Executive Order creating a permanent Disaster Recovery Partnership in which the MCC participates to this day.<sup>61</sup>

## **HEALTH CARE AND ABORTION CONCERNS COLLIDE**

By 1993 Judith Widdecombe, founder and former executive director of Reproductive Health Services, the largest abortion provider in Missouri, had assumed a new role as President of the Health Policy Institute. She urged state lawmakers to enact an omnibus health care bill sponsored by House Speaker Bob Griffin. It included a school health component that concerned pro-life activists like Sam Lee. Lee wrote to House members stating, “...we have grave concerns that other supporters of the legislation may be using certain provisions of the bill [HB 564] as a tool to promote abortions.”<sup>62</sup>

When the legislation reached the House floor for debate, State Representative David Klarich (R-Ballwin) offered an amendment incorporating ideas suggested by the MCC, Lee and others enumerating traditional health services. The amendment explicitly prohibited counseling for abortion or referral to organizations that counseled or provided abortions. Speaker Griffin opposed the amendment but he knew Klarich had the votes for his amendment. Debate on the bill was suspended and negotiations began.<sup>63</sup>

Dwight Fine of the Missouri Hospital Association, a chief backer of HB 564, sat down with the MCC’s DeFeo to determine if the bill could be salvaged by re-drafting it in a manner acceptable to Speaker Griffin but addressing all of the pro-life concerns. Fine and DeFeo developed language ensuring that school personnel could not distribute contraceptives or attempt to treat pregnancy related conditions. In addition the language prohibited school personnel from making referrals except to the family physician or practitioner previously designated by the child’s parent. Fine and DeFeo also added a provision ensuring that all school children, including those in private and religious schools, would have access to school nurses.<sup>64</sup>

Speaker Griffin agreed to the language but State Representative Klarich did not because he thought the pro-life provisions had loopholes. When Speaker Griffin offered the amendment, heated debate ensued. State Representative Rich Chrismer (R-St. Peters) assured the House that DeFeo was not speaking for the Catholic bishops. State Representative Joseph Ortwerth (R-St. Louis County) claimed. “He [DeFeo] only wants money for parochial schools and their nursing services.” But the House rejected opponents’ arguments and adopted Speaker Griffin’s amendment. The bill was then laid over until after spring break. Dick Bott’s Christian radio stations then began airing a show accusing the MCC and DeFeo of “selling out” and “making a deal.” MCC staff was deluged with calls from irate pro-life citizens who believed what Dick Bott and others were telling them. The Missouri bishops came to DeFeo’s aid, issuing a statement recounting his long and illustrious career promoting pro-life legislation.<sup>65</sup>

The attacks only strengthened the MCC’s resolve. The MCC organized a press conference, which was held in the House Lounge. Bishop McAuliffe expressed the support of all of the Missouri Catholic bishops as he sat next to Speaker Griffin. Hospital administrators, labor leaders, and officials from many other agencies and groups, including Missouri Department of Elementary and Secondary Education and the Missouri Association of Social Welfare, spoke on behalf of HB 564. Loretto Wagner, a legend among pro-life activists,

added her support, speaking of her experience at Our Lady's Inn working to help poor pregnant women and their children. This marked the turning point in the debate. The House passed the measure and the Senate, with the assistance of the MCC, further tightened the pro-life protections. On the final day of the 1993 session, the legislature passed HB 564 and Governor Mel Carnahan later signed it into law.<sup>66</sup>

## **STATE'S CHILDREN HEALTH INSURANCE PROGRAM**

The school nurse bill would not have passed without the MCC's involvement. The MCC also played a critical role in the passage of the State Children's Health Insurance Program (SCHIP). Congress had enacted SCHIP, an initiative to provide health coverage to children without health insurance who did not qualify for the traditional Medicaid program, but it was up to each state to decide if they wanted to participate. The federal match was generous: about 72 percent of the program's cost.<sup>67</sup>

But conservative lawmakers believed that the legislation proposed in 1998 to implement SCHIP amounted to nothing more than welfare for the rich because it offered health coverage for children in families with annual incomes up to 300 percent of the federal poverty level. While a Senate filibuster dragged on, MCC staff met with key senators on both sides of the issue and helped to broker a compromise. As finally passed, the legislation targeted children all lawmakers could agree merited help: children could only participate if they had been without health insurance for six months or more; parents would have to prove that they could not find affordable private health insurance; and families with higher incomes would have to make co-pays and pay premiums.<sup>68</sup>

Senator Larry Rohrbach (R-California), who had earlier called the bill "welfare for the middle class," agreed to the final language, stating "[it] goes a lot further than I wanted it to, but it's a lot better than it was." Senator Peter Kinder (R-Cape Girardeau) said: "...this solution is nowhere near what the Governor wanted. I think it should be named after the senators who participated in [drafting the final measure] and not after the Governor. There were major changes." The MCC spent the next several years making parishes and others aware of SCHIP and offering tips on how to get children enrolled.<sup>69</sup>

## **PROTECTING CHILDREN**

For fifteen years Catholic State Representative Kaye Steinmetz (D-Florissant) had been trying to gain legislative approval of health and safety standards for non-licensed day care centers, including church centers. Her bills would normally pass the House but die in the Senate, the victim of filibusters by Senators opposed to any government intrusion into religious ministries. The issue pitted child care advocates against religious conservatives. In 1992 Steinmetz offered a compromise supported by the MCC whereby church-run centers would not be licensed, but subject to health and safety regulations. The bill failed to pass but the MCC looked forward to promoting the compromise again in 1993. But the bill introduced by Steinmetz reverted to the licensure requirement, which had always inflamed intense opposition from religious conservatives.<sup>70</sup>

The MCC asked State Representative Steve Carroll (D-Hannibal) to offer a substitute bill that deleted the licensure requirement but required church day cares to comply with state health and safety standards. The Carroll substitute failed and the Steinmetz bill passed the House, but the MCC had served notice of its commitment to finding a compromise that could obtain Senate approval. In the Senate the day care bill foundered as usual, but this time State Representative Steinmetz agreed to the MCC non-licensure approach and the legislation finally passed. Governor Mel Carnahan later signed the child care measure into state law.<sup>71</sup>

## **TAX CUT FEVER – GROCERY TAX CUT AND SCHOOL TUITION TAX DEDUCTION**

In 1993 the Missouri legislature passed a \$350 million increase in individual and corporate taxes to enhance funding for elementary and secondary public schools. This tax increase along with a robust economy eventually pushed state revenue over the constitutionally mandated revenue limitation, popularly known as the "Hancock

lid.” The Hancock amendment foresaw such a scenario and called for refunds to taxpayers. Fiscal years 1995 through 1999 saw the state of Missouri distribute over \$970 million in refunds to taxpayers. In order to more permanently stay under the revenue limit, lawmakers began proposing tax cuts, which were frequently combined in large omnibus bills offering tax breaks for a variety of special interests.<sup>72</sup>

In order to reduce a 1997 revenue surplus by an estimated \$230 million, Governor Carnahan proposed cutting the sales tax on food by three cents on the dollar. The MCC supported the measure, noting how the sales tax was a regressive tax that disproportionately burdened the poor. Some said that reducing the sales tax on food would save a family of four about \$137 annually. The Missouri House passed the sales tax exemption on food but in the Missouri Senate other tax cut ideas surfaced. The Senate Ways and Means Committee added tax breaks for restoring historical buildings and for non-government pensions.<sup>73</sup>

On the Senate floor, the tax debate segued into an emotional argument over an MCC-drafted amendment offered by Catholic Senator Franc Flotron (R-Chesterfield) to offer parents a \$2500 tax deduction for each of their children’s high school tuition costs and related educational expenses. The tax deduction could be claimed by both public and private high school parents. In the multi-million dollar tax cut proposal under consideration, the Flotron amendment would cost less than \$5 million. Senator John Schneider rose in support of the Flotron amendment: “We spend \$3.3 billion on public education. With this amendment, we’re asking for a crumb.”<sup>74</sup>

But opponents charged that the Flotron proposal was unconstitutional because it would offer aid to religious schools. Senator Peter Kinder (R-Cape Girardeau) countered that the provisions cited in the state constitution were a “vestige of 19<sup>th</sup> century bigotry.” In the end the Senate adopted the amendment and the tax bill went to a conference committee where the House and Senate conferees could work out the differences. The MCC initiated a call-in campaign. Conferees received a large volume of calls urging retention of the tuition tax deduction in the bill. But Governor Carnahan threatened to veto any tax cut that included the tuition deduction. Conferee Senator John Scott (D-St. Louis), a Catholic, said he was inclined to call the governor’s bluff: “If he’s inclined to veto it, we ought to give him the opportunity. I’m not budging on that issue. It’s a \$300 million bill and we’re talking about \$4 million of help for these people.” But in the end the conferees agreed to drop the controversial measure. A pared down version of the bill passed, which included the sales tax reduction on food supported by the MCC, as well as a new tax credit for donors to maternity homes, also supported as part of the MCC’s pro-life agenda.<sup>75</sup>

## **POST-WEBSTER PRO-LIFE EFFORTS**

The U.S. Supreme Court’s *Webster* decision presented the MCC with both opportunities and challenges. The favorable court ruling made it clear to abortion supporters that they could no longer rely on the courts to routinely overturn pro-life legislation. But abortion supporters could count on Governor Carnahan’s opposition to pro-life bills. Legislative leaders could also be expected to fall in line with the governor of their own party.

But there was one problem: the majority of lawmakers in both legislative chambers continued to support the pro-life cause. The governor and legislative leaders could keep the lid on the passage of pro-life bills by using the advantages of their positions: the governor could veto or threaten to veto bills; the Speaker of the House could refer bills to hostile committees. But at some point, would the lid be blown off? The first test came in a five year showdown over what became known as the “caregiver” bill, legislation drafted and championed by the MCC.

## **CAREGIVER AND ALTERNATIVES TO ABORTION**

The caregiver legislation proposed to offer women alternatives to abortion. Before physicians could perform an abortion, they had to certify that the woman had been offered caregiver services by a state-certified case manager. The case manager would present various options to abortion, such as pre-natal care and adoption services. The MCC invited post-abortive women to testify before legislative committees. These women told

moving stories about their abortion experiences. They said they wished someone had been there to tell them about alternatives to abortion. The first caregiver bill was introduced in 1990 but it was not until 1995 that the legislation was debated on the floors of the Missouri Senate and House.<sup>76</sup>

Senator John Schneider sponsored the caregiver legislation. As the senior senator in the Missouri Senate, his desk was located in the back row of the 34 member Senate chamber. From there he could survey what he considered his domain. When he thought less experienced senators were being misled by lobbyists, he would rise, unfold his lanky frame and raise his arms to loosen his shirt sleeves. Then he would declaim “Let me tell the body what is really going on here.” By 1995 his hair was white and he sported a goatee. He looked a bit like an Old Testament prophet, but any rookie senator who thought he was all bombast and no intellect was soon disabused of that notion. In fact, no senator had a better mastery of Senate procedure or how to use it to pass controversial legislation.

Schneider also had a thick skin, which held him in good stead during the caregiver debate. Both the *Kansas City Star* and the *St. Louis Post-Dispatch* ran editorials against SB 279, denouncing the bill for establishing a state “pregnancy police.” When the bill came before the Senate, Governor Carnahan inserted himself into the debate, telling the press: “We don’t need to be hiring an army of ideologues to work for state government and propound a certain point of view, and that’s really what this bill is about.” During Senate debate, Senator Joe Moseley (D-Columbia) warned his colleagues that the state certified case managers would be pro-life zealots. Opponents filibustered during debate but Schneider would not give up: “I won’t agree to lose,” he told his colleagues. He told the Senate that young girls who got pregnant often thought they had no options and concluded “Let’s get past this debate and start helping kids in trouble.”<sup>77</sup>

Debate on the caregiver bill was postponed until after spring break. Over Spring break the MCC organized a citizen rally to greet returning Senators. On Tuesday, March 28, the Senate galleries filled with supporters of SB 279. The Senate responded by finally passing the bill and the battle moved to the House of Representatives.<sup>78</sup>

In the Missouri House, Speaker Bob Griffin ruled with an iron fist. Griffin had been in tough fights before and he knew what to do with the caregiver bill: he referred it to the Judiciary Committee, by then a common graveyard for pro-life bills. Normally, that would have been the end of the story but not this time. Rising on the House floor, Catholic State Representative William Luetkenhaus (D-Josephville) moved that the rules be suspended and that the caregiver bill be considered by the full House immediately. Catholic State Representative Patrick Dougherty (D-St. Louis), who was presiding over House business at that moment, responded “You are not recognized for that purpose.” That set off a three day filibuster by angry pro-life lawmakers. Luetkenhaus declared “It won’t end until we get fair treatment and we get the caregiver bill on the floor to vote on it.” Catholic State Representative Pat O’Connor (D-Bridgeton), who had put aside his own pro-life legislation, stood up for the caregiver bill, stating, “We’re not going to be satisfied until we get the bill on the floor for debate. That’s the bottom line.”<sup>79</sup>

Pro-abortion lawmakers remained confident that Speaker Griffin could squash the rebellion. But the House pro-life leaders, many of them relatively new members, were not above learning a few new tricks from a grizzled veteran. Senator Schneider gathered them together in his inner office to plot strategy. He told the representatives that they would have to offer their motion to bring the bill out of committee as a substitute motion to the adoption of the House journal. This would completely stop House proceedings because no business could be conducted until the House journal was approved. “But what, they asked, if the Speaker rules that motion out of order?” Senator Schneider explained how they could “challenge the ruling of the chair.”

On Tuesday morning April 18, 1995, the pro-life representatives put the plan into action. When the routine motion was made to approve the House journal, the normally low-key and affable Rep. Ron Auer (D-St. Louis), a member of St. Pius V Catholic Church in south St. Louis, made the substitute motion to report the caregiver bill to the floor for debate, but Speaker Griffin ruled that motion out of order. The House went into an

uproar. Speaker Griffin looked for a way to calm the tumult but pro-life lawmakers had positioned themselves at every available microphone. The Speaker finally called on Representative Don Lograsso (R-Blue Springs), who stunned the Speaker and his allies by challenging the ruling of the chair. Never in his long tenure had Speaker Griffin had a ruling challenged. Such a motion had to be voted on immediately without debate. The House overruled the Speaker and Griffin left the dais for a 45 minute huddle with his general counsel. When he returned, Auer moved that the caregiver bill be set for debate. After this titanic struggle the caregiver's passage was assured.<sup>80</sup>

As expected Governor Carnahan vetoed the caregiver bill. The MCC immediately put in motion a veto override campaign that would run throughout the summer and up to the veto session in September. Constituents called legislators considered to be "swing" votes. But to override a veto is difficult. It requires a two-thirds majority from both legislative chambers. When it became clear that the votes were not there, Senator Schneider decided not to make the override motion. Pro-life citizens were disappointed, but the caregiver campaign had organized pro-life voters throughout the state. That organizing effort would lay the groundwork for the successful veto override of the partial birth abortion ban several years later.<sup>81</sup>

The caregiver bill was reintroduced in 1996, but the focus shifted to a new approach. The MCC sought and obtained an appropriation of \$900,000 for a new alternatives to abortion program. The program provided funding to public and private hospitals and agencies that would offer abortion alternatives, much like what would have been offered by the case managers proposed in the caregiver bills. Funding the alternatives to abortion program became an annual goal of the MCC. In time and continuing to this day, Catholic Charities of St. Louis and Kansas City-St. Joseph provide alternatives to abortion services under contract with the Missouri Department of Health.<sup>82</sup>

## **HB 10 BATTLES – PROHIBITING FUNDING FOR ABORTION PROVIDERS**

While promoting alternatives to abortion, the MCC also found itself battling proposals to give taxpayer funds to abortion providers like Planned Parenthood. This debate focused on the budget bill for the Missouri Department of Health contained in the annual appropriation found in HB 10. Governor Carnahan first proposed "family planning" funding in 1993. The MCC and other pro-life groups did not oppose family planning in these early years but wanted to make sure that the funds in no way subsidized abortion providers. Pitched legislative battles over family planning became an annual event throughout the remaining years of the Carnahan administration. Typically, the legislature would approve family planning funding but include restrictions to ensure it could not be used by abortion providers. Planned Parenthood fought these restrictions in court. The suits and appeals seemed never-ending but the issue became moot in 2003 when the legislature refused to fund family planning anymore.<sup>83</sup>

### **"THERE IS NO HEALTH EXCEPTION FOR INFANTICIDE."**

In 1997 the legislature enacted a ban on partial birth abortions but Governor Carnahan vetoed it. The legislature fell one vote short of overriding the veto. In 1999 the legislature made another push to enact a ban on partial birth abortions. But this time pro-life forces stressed that what they wanted to ban was a form of infanticide. In fact, the legislation made the crime of infanticide a Class A felony. Senator Ted House (D-St. Charles) and State Representative Bill Luetkenhaus (D-Josephville) led the legislative effort. Debate was particularly bitter and prolonged in the Missouri Senate. At one point, the Senate spent 15 consecutive hours debating the proposed ban into the wee hours of the morning. Ultimately, the legislature approved the Infant's Protection Act, but Governor Carnahan vetoed it and the real showdown began.<sup>84</sup>

Throughout the summer of 1999, the MCC worked with Missouri Right to Life, the Missouri Baptist Convention, the Knights of Columbus, the pro-life directors of each Catholic diocese, Campaign Life Missouri, the Missouri Farm Bureau and many others to ensure the legislature would override the governor's veto. MCC's Citizen Network Coordinator Anne Carmichael spearheaded a massive grassroots effort and helped to raise funds for radio, television and billboard advertisements that ran prior to the veto session in September. In addition



to going back to citizens identified in the caregiver campaign to have them contact legislators, the MCC recruited a group of doctors to speak out against partial birth abortion. Within the Catholic community itself, the MCC devised a special brochure and sent it and other information to parishes statewide. A massive postcard campaign was undertaken; the MCC asked parishioners to complete the postcards and send them to their state representative and state senator.<sup>85</sup>

Meanwhile Governor Carnahan escalated his rhetoric, claiming the legislation would allow an abortion opponent to kill someone involved in performing an abortion. The war of words led to a showdown, which was billed as a debate between Governor Carnahan and DeFeo. But on the day of the “debate,” which took place in a conference room of the Truman State Office Building, the Governor left it to his chief legal counsel, Joe Bednar, to do most of the talking. Clearly annoyed, DeFeo said “It’s really unfortunate that the governor can’t speak for himself.”<sup>86</sup>

The drama continued in the days leading up to the September veto session. Knowing there would be a massive rally supporting the veto override, the Carnahan administration ordered elaborate security measures for the State Capitol building. On the first day of the veto session, a bomb threat was called into the Jefferson City public schools and 8,000 students were dismissed from classes. Asked about the bomb threat, Senator Larry Rohrbach (R-California) said “I have been a bit concerned with the governor and his staff saying that this bill has violence in it, it might trigger some reaction.” But at the Capitol itself there were no disturbances other than prayers, songs and speeches. The Capitol police estimated a crowd of 2,000, but James Wolfe reporting for *The Joplin Globe* quipped: “If the Capitol police had been working for Gov. Jim Talent, they would have said at least 5,000.” People came dressed in red T-shirts and the crowd completely covered the Capitol’s south lawn. A teen drama group from Round Grove Baptist Church near Miller, Missouri was on the program. The days when Catholics stood alone in opposition to abortion had long since passed.<sup>87</sup>

The legislative votes turned out to be anti-climatic. Both legislative chambers overrode the veto and the Infant’s Protection Act became state law. This represented only the seventh time in Missouri history that a governor’s veto had been overridden by the legislature. Planned Parenthood filed suit and a federal judge put the law on hold. But in 1997 the U.S. Supreme Court upheld a Congressional ban on partial birth abortions and vacated the injunction against Missouri’s law thereby finally making illegal the barbaric infanticide procedure known as partial birth abortion.<sup>88</sup>

## **“HAVE MERCY ON MR. MEASE”**

Governor Mel Carnahan sat in the front row of the St. Louis Cathedral Basilica on Wednesday, January 27, 1999 as Pope John Paul II led an evening prayer service. After the service the Pope descended from the altar and greeted Vice President Al Gore. Spotting Governor Carnahan, the Pope went up to him, visited a moment and then looked him in the eye and said “Have mercy on Mr. Mease.” Darrell Mease had been convicted of murder and his execution had been delayed by the Missouri Supreme Court until after the papal visit concluded. Asked about the encounter with the pope, the governor said “It was a very moving moment for me. It’s one of those moments one would never expect to happen in one’s life.” The next day the governor commuted Mease’s death sentence, explaining that he was doing so in response to a personal appeal for mercy from the pope.<sup>89</sup>

The commutation caused an uproar. University of Virginia political scientist Larry Sabato thought the commutation would probably hurt the governor’s bid to unseat Senator John Ashcroft: “God help him if there are any grieving relatives, because he will need the pope to come back to campaign for him.” Despite the on-going battle with the governor over the issue of partial birth abortion, the MCC wasted no time in defending the governor. DeFeo told the press that the pardon “isn’t for the prisoner, it’s for the benefit of the greater good.” Another prominent Catholic pro-life leader, Sam Lee, reported that he had written a personal note to the governor thanking him for his courage. Knowing the governor would be subject to intense criticism, the MCC hastily activated its citizen network, asking people to call and thank the governor for his courageous action. The MCC also arranged for the Missouri bishops to issue a joint statement asking citizens to reconsider



their attitudes toward the death penalty. The statement said, "Yet we believe that violence begets violence. Death begets death... We cannot teach that killing is wrong by killing."<sup>90</sup>

## **VOTER EDUCATION - SURVEYING THE CANDIDATES**

The MCC election kit suggested ways Catholic citizens could sponsor candidate forums and similar events, but in 1998 MCC stepped up its voter education efforts by surveying candidates concerning their positions on issues of importance to Missouri Catholics and reporting the results in the diocesan papers. The 1998 survey was limited to candidates for the Missouri House and Senate but in subsequent years the survey would expand to include candidates for statewide and federal offices. The first survey featured 12 questions on an array of issues from alternatives to abortion and the death penalty to assisted suicide and in-home care for the elderly. The MCC continues to survey candidates at every mid-term and presidential election and to publish the candidate responses in the four diocesan papers and to post them on the MCC website.<sup>91</sup>

## **A NEW CENTURY: 2000 - 2007**

*The MCC obtained a death penalty exemption for those with mental retardation. Greater cooperation with the Missouri Department of Elementary and Secondary Education led to more flexible ways to deliver federal education services to private school children. The MCC successfully obtained regulation of predatory lenders. A bill to mandate contraceptive coverage in insurance plans was amended to ensure right of conscience protections. The MCC assisted other state Catholic conferences in their efforts to protect rights of conscience and religious ministries. The MCC responded to the clergy sex abuse crisis and worked for reform of Missouri's child welfare and foster care system. Healthcare and life sciences emerged as major MCC issues, the latter leading to an election showdown in November 2006.*

## **A CHANGING OF THE GUARD**

As his sixty-fifth birthday approached, Louis C. DeFeo decided it was time to step down from the MCC. He told the *St. Louis Post-Dispatch* that he wanted to spend more time with his 18 grandchildren. He told the paper "I enjoy what I do. One of my shortcomings is that I enjoy it too much." DeFeo's resignation marked the end of an era. In 1997 Bishop McAuliffe's resignation had been accepted by the Vatican, ending his tenure as the MCC's Executive Chairman. Together DeFeo and Bishop McAuliffe had served the MCC almost from its inception. Bishop John R. Gaydos became the new Bishop of the Diocese of Jefferson City and the new Executive Chairman of the MCC. Deacon Larry Weber from Mokane, Missouri resigned from his position as Commission Counsel for the Missouri Supreme Court and joined the MCC as its new executive director, after 15 years of service in all three branches of state government.<sup>92</sup>

## **SCALING BACK THE DEATH PENALTY**

After more than a ten year effort, the MCC succeeded in 2001 in persuading lawmakers to take one small step toward scaling back the use of capital punishment. The legislature approved a death penalty exemption for those with mental retardation. In securing passage of the legislation, the MCC worked with a number of groups, including Missourians Against the Death Penalty, the Missouri Association for Retarded Citizens, the State Public Defenders Office, the Criminal Defense Lawyers, the American Civil Liberties Union, and Missouri IMPACT, a coalition of Protestant denominations. The actual breakthrough on this issue occurred in 2000 when the MCC worked with Sean O'Brien of the Capital Punishment Resource Center to broker a compromise with prosecuting attorneys. The proposal included a definition of mental retardation that both sides agreed would not create a loophole allowing non-retarded defendants to claim the death penalty exemption. Time ran out in the 2000 session, but in 2001 MCC's Larry Weber managed to have the provision added to a court procedure bill that passed and Governor Bob Holden signed into law.<sup>93</sup>

In subsequent years the MCC has continued in its efforts to encourage lawmakers to re-examine capital punishment. The MCC continues to support bills that would place a moratorium on the death penalty while a study commission examines its fairness and its effectiveness as a deterrent and related concerns.

## **DESE AND MCC – AN UNLIKELY PARTNERSHIP**

Since its inception in 1967, the MCC had waged numerous battles with the Missouri Department of Elementary and Secondary Education (DESE) over the rights of private school children to participate equitably in federal education programs. One way around DESE involved obtaining federal bypasses whereby a federal contractor rather than the local public school district would provide the services to private school students. But bypasses were not an ideal solution in more rural areas where contractors and school districts had difficulty finding teachers. In small communities, public and private school officials knew each other but cooperation was stifled by DESE rules that prohibited the entry of public teachers on to the premises of private schools.

To address these problems, the MCC approached DESE's general counsel Mark Van Zandt and suggested that changes in state and federal law offered a new opportunity for better cooperation. Missouri law had been amended in 1993 to allow students to dually enroll in more than one school. New federal court decisions clarified that public school personnel could enter private schools to provide services without violating the U.S. Constitution's proscription on aid to religion. There remained the stricter church-state provisions of the Missouri Constitution, but it still seemed possible that DESE could develop administrative policies that would allow local districts more latitude in how they provided federal educational services to private school children.<sup>94</sup>

An agreement was reached. Dr. Kent King, the Missouri Commissioner of Education, authorized new DESE guidelines that permitted public school personnel to provide Title I remedial instruction on the premise of private schools so long as those services took place in neutral spaces, such as classrooms devoid of religious symbols. Subsequently, the MCC supported removal of the federal bypass in Portageville, Missouri so the local public school district could provide Title I services. Removing the Title I bypass from suburban and urban districts has not proven feasible, but for rural Missouri DESE's neutral site guidance is allowing public and private school officials living in the same small communities to work together for the benefit of all local children.<sup>95</sup>

## **ACTION AGAINST PREDATORY LENDERS**

In 1998, the Missouri General Assembly deregulated much of the small consumer loan industry. Now possessing free reign over interest rates, payday loan businesses filled the storefronts of declining urban shopping centers and charged the highest interest rates they could market. Lenders drew in people desperate for money. Some came because their car needed immediate repair, some had unexpected medical expenses that their paycheck that month couldn't cover. Lenders provided money quickly, but typically tacked on a \$15 fee for every \$100 loaned. If borrowers couldn't pay back the loan with their next paycheck, they'd bring in another \$15 to delay paying their debt. If again and again they could not afford to pay, the interest owed would end up surpassing the amount of their original loan.<sup>96</sup>

In Kansas City, one of these desperate borrowers approached Christ the King parish for financial help. The single mother had needed a root canal. In pain and needing money to pay a dentist, she borrowed \$300 from a payday lender. The lender had her pay \$50 every two weeks. By the time she sought emergency food and utility assistance from Christ the King parish, she had made the payment for seven weeks and the lender still wanted the original \$300 loan. She had only been paying off interest, she was told.<sup>97</sup>

Catholic activist Jerry Young saw how payday lenders laid more and more debt upon the poor families he tried to help through his work with the Kansas City Community Church Organization (CCO). He asked the MCC to help put a stop to what some of his members considered to be legalized "loan sharking." A two year effort ensued. In 2001 the well-heeled payday loan industry managed to keep regulatory legislation from passing. But CCO responded by raising awareness about the issue in the Kansas City area. One church rally

brought out over 900 people. The paper for the Diocese of Kansas City-St. Joseph diocese, the *Catholic Key*, kept the issue before its readers. Young organized busloads of CCO members to travel to Jefferson City and tell lawmakers about the abuses of the payday loan industry. They lined the walls of committee rooms and followed the chairman of the House Banking and Finance Committee, Catholic State Representative Chris Liese (D-Maryland Heights), back to his office to politely, but firmly, ask for prompt action on the reform bill.<sup>98</sup>

Liese and other committee members responded and the payday lending bill moved forward. As finally passed by the legislature and signed by Governor Bob Holden, SB 884 did not accomplish all that the MCC and CCO wanted. It did not cap interest rates, for example. But the measure limited the number of times a loan could be rolled over and in that way curtailed the amount of debt a person could incur. Borrowers had to begin paying off the principle of the loan on the second renewal. Payday loan offices had to post signs giving consumers more information about payday loans. And payday lenders could no longer refer defaulting borrowers to county prosecutors for criminal charges. A start had been made in regulating the payday loan industry. At the present time, the MCC continues its efforts to enact stronger regulations for the consumer loan industry.<sup>99</sup>

## **PROTECTING RIGHTS OF CONSCIENCE AND RELIGIOUS MINISTRIES**

On December 10, 2000 CBS's "60 Minutes" aired a segment concerning Catholic hospitals' refusal to provide abortion, sterilization, and emergency contraceptives to women. Late that same year the MCC received warning from the Secretariat for Pro-Life Activities at the National Conference of Catholic bishops that Planned Parenthood, NARAL and other abortion advocates had launched an "Abortion Access Project" designed to repeal rights of conscience laws in states as a means to promote "reproductive rights." The MCC met with Catholic hospital administrators and prepared for a 2001 legislative session that promised to include legislation that would jeopardize the rights of conscience of Catholic health care providers and health care carriers.<sup>100</sup>

The Missouri Well Woman Initiative introduced by State Rep. Joan Barry (D-Oakville) and Speaker of the House Jim Kreider (D-Nixa), included a number of provisions the MCC could support, such as ensuring that women had direct access to obstetrical and gynecological doctors, and that women be given annual notice of available cancer screenings, such as mammography. But the legislation also mandated that all health care plans include contraceptive coverage. In addition to violating the rights of conscience of persons, hospitals and health carriers that objected to the use of contraceptives, the legislation included a vague definition of contraceptives that could be construed to cover drugs that induced abortions.<sup>101</sup>

The MCC's Larry Weber met with State Representative Barry and Speaker Kreider, both of whom were Catholic, and negotiations ensued. A series of meetings were held in the Capitol's Legislative Library that included representatives from the MCC, Missouri Right to Life and Campaign Life Missouri, as well as representatives from pro-abortion groups like Planned Parenthood. The MCC convinced the lobbyist for the American Civil Liberties Union, Marsha Richeson, that a strong right of conscience clause was needed to protect individual civil liberty. The MCC also convinced Rep. Barry to include a clear definition of contraceptives that would not include coverage for abortion-inducing drugs.<sup>102</sup>

As passed and signed by Governor Bob Holden, the legislation (HB 762) included the only contraceptive coverage requirement in the nation with conscience protection. No health carrier owned or operated in substantial part by a person or entity that had moral objections to contraceptives could be required to provide contraceptive coverage. Any person who objected to contraceptives could require their health carrier to issue them a separate health benefit plan that excluded contraceptive coverage. As with the school nurse bill, the MCC had succeeded in its pro-life aims while also furthering an expansion of health care, in this instance expanding Medicaid health coverage for low-income women needing breast and cervical cancer screenings.<sup>103</sup>

Due in part to the success in protecting conscience rights in the contraceptive mandate legislation, the National Association of State Catholic Conference Directors appointed the MCC's Deacon Larry Weber to chair a special committee charged with identifying ways to protect the integrity of Catholic ministries from

government interventions inconsistent with basic Catholic-Christian values. The committee's final report presented in the summer of 2004 discussed strategies for confronting threats to the Church relating to state laws regarding marriage, contraceptive mandate proposals, emergency contraceptive-rape protocol laws, and state "Blaine" amendments that discriminated against faith-based organizations. Prior to the issuance of this final report, the United States Catholic bishops' general counsel Mark Chopko drew on the research being developed by the special committee to prepare a paper delivered to bishops of the United States.<sup>104</sup>

## **THE CLERGY SEX ABUSE CRISIS**

The Boston clergy sex abuse scandal began capturing national headlines in January 2002. On March 8, the *St. Louis Post-Dispatch* brought the story much closer to home. The paper reported that St. Louis resident Christopher Dixon had been sexually abused 25 years earlier while attending the St. Thomas Seminary in Hannibal, Missouri. He named former seminary rector Father Anthony O'Connell as a priest who had abused him. Father O'Connell had become bishop of the Diocese of Knoxville and later bishop of Palm Beach, Florida. Contacted by the *St. Louis Post-Dispatch* the day before the article ran, O'Connell admitted the abuse. The next day he resigned as bishop of Palm Beach.<sup>105</sup>

The Missouri legislature reacted swiftly to the news. Amendments emerged to require clergy to be mandated reporters of child abuse and neglect. The MCC informed legislators that whenever priests worked directly with children they were already required to report instances of child abuse or neglect. But these explanations failed to quell the storm. Senator Ken Jacob (D-Columbia), a bitter foe of the MCC on pro-life and education issues, offered an amendment that explicitly named Catholic priests for special scrutiny. The senator withdrew his amendment, but the issue did not go away. The MCC ended up working with State Representative Phil Willoughby (D-Gladstone), a lawyer and Disciples of Christ minister, on language that would make it clearer that clergy were considered mandated reporters. As finally enacted by the legislature, the language required clergy working with children, or having supervisory authority of individuals who worked with children, to be mandated reporters of child abuse and neglect. The language protected from disclosure communications with clergy in their professional capacity as advisor, confessor, comforter or counselor.<sup>106</sup>

The 2002 MCC Annual Assembly also addressed the sex abuse crisis. Bishop John R. Gaydos presented a workshop reviewing the U.S. bishops' plan for addressing child sexual abuse. By the end of that year the Holy See had approved the "Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons." The Roman Catholic Church in America had taken its first steps toward restoring its credibility with its own flock and with the American public.<sup>107</sup>

## **CHILD WELFARE REFORM**

In response to the death of a two-year old southwest Missouri boy, Dominic James, at the hands of his foster father on August 21, 2002, the Missouri General Assembly began a two year effort to revamp Missouri's child welfare system. But the Dominic James story represented only one of the many stories of a failed child welfare system. Since 1977, Jackson County's child welfare program had been under federal court oversight because of a variety of problems – parental rights not properly terminated, foster parents not properly trained, and children waiting for years to be adopted. In a presentation to the Missouri Court Appointed Special Advocates at Central Missouri State University in September of 2000, Judge Thomas Mountjoy of the 31<sup>st</sup> Circuit in Springfield told the gathering, "If we're making progress in the permanency quest, it's not showing." There were private agencies like Catholic Charities of St. Louis and Kansas City-St. Joseph ready to step in and improve services for children, but a number of child care advocates and lawmakers opposed the idea of "privatizing" child welfare.<sup>108</sup>

The MCC brought together private child welfare providers, including Lutheran Family and Children Ministries, Boys and Girls Town of Missouri, Missouri Baptist Children's Home, Edgewood Children's Home, Catholic Charities of St. Louis and Kansas City-St. Joseph and others, to develop a new vision for Missouri's child welfare system. During the 2003 and 2004 legislative session, the group set about convincing lawmakers

that private agencies could play a vital role in improving child welfare services. Their agencies, under contract with the Department of Social Services (DSS), could offer a variety of services, including family counseling and reunification, recruitment and proper training of foster care parents and adoption services that would lead to the prompt placement of children in safe and loving homes. In 2003 Governor Bob Holden vetoed the child welfare legislation but in 2004 he signed into law a major overhaul of foster care and child welfare, including provisions giving the Missouri Department of Social Services statutory directions to contract with private providers.<sup>109</sup>

## **BUDGET ISSUES AND THE MEDICAID WARS**

In January, 2003 James Moody, the state of Missouri's chief fiscal officer from 1989 to 1992 and subsequently a lobbyist for various business interests, issued a report warning that state government spending was exceeding revenue collections. Moody observed that "Common sense should tell us that Missouri cannot increase ongoing school funding by \$800 million in a four year period (and \$2.73 billion total) when revenues are decreasing by \$113.1 million during the same period." Moody reported that the state was hiding its fiscal problems by using one-time funds such as monies from the Master Tobacco Settlement Agreement to keep the state budget balanced. But this was not a sustainable practice. He predicted that Missouri's budget problem "may be reaching the 'death spiral' point."<sup>110</sup>

The MCC also recognized that severe budgetary problems faced the state of Missouri which might make some funding cuts unavoidable. In a 2003 letter to Governor Holden and state lawmakers, the MCC's Public Policy Committee laid out four principles to guide budget decisions: 1) protect the most vulnerable first; 2) practice good stewardship of state resources; 3) call for common sacrifice; and, 4) ensure that taxes are adequate and fair. The letter in particular called for lawmakers to be sensitive to the needs of the very poor, the indigent elderly, those with disabilities, foster care children and those with mental illness, noting that "If their services are cut, they may end up without shelter, without food, or without access to medical care." The MCC letter said: "When a family experiences a fiscal crisis, all members who are able to sacrifice are called upon to do so." The MCC suggested that the public education budget not be put "off-limits" for budget cuts.<sup>111</sup>

Governor Bob Holden's response to these budget shortfalls was to call on the legislature to raise taxes, but the Republican majorities in the Missouri House and Senate would not go along with this plan. In the run-up to the 2004 gubernatorial election, House Republican leadership proposed addressing the fiscal problems by taking aim at the Medicaid program. Enrollment in Medicaid was trending toward 1 million and the Medicaid budget had reached \$4.4 billion by fiscal year 2003. But other key facts were ignored: most of the Medicaid budget came from the federal government and a tax on hospitals. In fact, state spending on public schools far exceeded state spending on the Medicaid program. In fiscal year 2003, for example, state dollars devoted to Medicaid totaled \$1.744 billion while state dollars committed to K-12 public schools totaled \$2.6 billion. But even fiscal conservatives wanted to be considered supporters of public schools while claims of fraud in the Medicaid program made it an easy target for budget cuts.<sup>112</sup>

House legislative leadership proposed removing the entitlement for pregnant women to receive Medicaid health coverage with incomes between 133% and 185% of the federal poverty level. The MCC had spearheaded this Medicaid expansion in 1993 as part of an effort to assist working women and reduce abortion rates. In the year following the establishment of this expanded coverage, abortions decreased by over 1,500 - the largest annual decline since the 1973 *Roe v. Wade* decision. House leadership also wanted to end the entitlement for uninsured children not eligible for traditional Medicaid coverage to receive health coverage through the State's Children's Health Insurance Program (SCHIP). The MCC had played a key role in the passage of SCHIP in 1998, after convincing lawmakers that the program was not welfare for the rich but a way to extend health coverage to uninsured children. Removal of the entitlements for pregnant women and SCHIP children still allowed lawmakers to appropriate funds to provide health coverage for these populations, but that health coverage would now be subject to the vagaries of the annual legislative battles over the state budget. With regards to working parents, House leadership proposed cutting health coverage to only 50% of the federal poverty level, meaning a mother with two children could make no more than \$7,836 annually to



continue to qualify for help. An estimated 38,000 parents would lose health coverage if the legislation were to be adopted.<sup>113</sup>

As the Missouri House of Representatives prepared to consider the Medicaid cuts, the Missouri bishops issued a joint statement expressing concern and declared: "Access to health care is a basic human right." The bishops said, "Let us not be like the rich man who pretended not to know the beggar Lazarus lying at his gate." The bishops' statement struck with the force of a lightning bolt, generating both praise and condemnation. The front page of the *St. Louis Post-Dispatch* announced "Catholic bishops denounce plan to cut Medicaid" and followed that with an editorial several days later titled "Ignoring Lazarus" that took State Representatives to task for the Medicaid cutting proposal. House Republicans reacted angrily. The Catholic speaker of the Missouri House, Catherine Hanaway (R-Warson Woods), and House Budget chair Carl Bearden (R-St. Charles) denounced the MCC and its director.<sup>114</sup>

In recalling the MCC letter toward the end of the 2004 session, State Representative Jodi Stefanick (R-Manchester), a Catholic from suburban St. Louis who sponsored the Medicaid cutback, said "I think everyone was surprised (by the letter). It seemed to me people were questioning why the Catholic Conference was inserting itself so deeply on this issue." Stefanick said the MCC should stick to issues like abortion. The furor resembled the earlier controversy when the MCC opposed the Right to Work proposal. But State Rep. Paul LeVota (D-Independence), also a Catholic, noted that the MCC had long sought to protect the poor and that no one should be surprised that they opposed the Medicaid cuts.<sup>115</sup>

House Republicans failed in their 2004 bid to scale back Medicaid in any significant way. But the November election brought in a young and energetic Republican governor, Matt Blunt. During the campaign, Blunt had promised to spare Medicaid from massive funding cuts, but after the election he had a change of heart. With a Republican governor and comfortable Republican majorities in both legislative chambers, legislative leaders wasted no time in reviving their effort to reign in what they considered to be a runaway Medicaid budget. Citizen rallies opposing the Medicaid cuts and visits to the Capitol from people in wheelchairs appeared to make little impression on lawmakers emboldened by the 2004 election results to pursue their agenda of reducing state spending and avoiding tax increases at all costs.<sup>116</sup>

The new legislation - SB 539 – reiterated the previous year's proposal to eliminate the entitlement to Medicaid health coverage for pregnant women with incomes between 133% and 185% of the federal poverty level. During House debate, State Representative Sue Schoemehl (D-St. Louis), a member of Queen of All Saints parish, offered an MCC-drafted amendment stating that if abortions rose by 10% or more as a result of the enactment of SB 539, then the state would return to the 185% eligibility level. But the House defeated this amendment as well as a similar amendment offered by Representative Schoemehl's Southern Baptist colleague Rep. Rachel Bringer (D-Palmyra).<sup>117</sup>

As finally passed, SB 539, when combined with funding cutbacks in the state budget and when fully implemented, eliminated Medicaid eligibility for an estimated 100,000 people, primarily the elderly, those with disabilities and working parents. The most severe cut came in the health coverage available for parents. In that program eligibility levels dropped from 75% to 23% of the federal poverty level. A mother with two children could now make no more than \$292 a month to continue her Medicaid health coverage. The MCC and other advocacy groups succeeded in staving off cuts to children's Medicaid or to the Medicaid coverage for pregnant women. But SB 539 included another provision ending Medicaid by 2008. In the meantime the legislature had established a commission to overhaul the program.<sup>118</sup>

By the summer of 2005 doubts were emerging among even some Republicans concerning the extent of the Medicaid cuts enacted. Republican State Rep. Wayne Cooper, a doctor from Camdenton, questioned the wisdom of providing diabetic supplies to patients but not offering training on how to monitor blood sugar or inject medication. At a St. Louis public hearing concerning how to overhaul Medicaid, Dr. Samuel Klein, director of the Center for Human Nutrition at the Washington University School of Medicine, told lawmakers that denying home-bound patients feeding tubes would only run up hospital costs three to four times what it would cost to simply provide the feeding tube at home. State Representative Charles Portwood (R-Ballwin),



a chiropractor from suburban St. Louis, thought the legislature had gone too far in completely eliminating a program providing Medicaid health coverage for disabled workers. Abuses could be corrected and health coverage restored for those who would work but needed health coverage. The MCC also urged the Medicaid Reform Commission created by SB 539 to reconsider many of the funding cuts and suggested restoring health coverage for the working poor.<sup>119</sup>

The 2006 legislative session offered no meaningful progress on reshaping Medicaid, but in 2007 lawmakers enacted legislation renaming the state Medicaid program MoHealthNet and providing some very modest restorations of Medicaid cuts. The MCC assisted in restoring a limited version of a Medicaid program for disabled workers. But the MCC's efforts to restore health coverage for working parents, though hotly debated on the Senate floor, failed to pass. In a surprise move after the 2007 legislative session, however, Governor Matt Blunt announced a new program – Missouri Insure – that would restore health coverage for working parents with incomes up to 100 percent of the federal poverty level. The MCC hailed the governor's decision as one way Missouri could respect the dignity of work and workers.<sup>120</sup>

## **MEETING THE CHALLENGE OF IMMIGRATION**

Although Missouri will never be mistaken for Texas or California in regards to its immigrant population, the last twenty years has seen some influx of people from Mexico and other countries. One response to this development has been proposals seeking to make English the official language. In the 2007 session, lawmakers approved submitting to voters a constitutional amendment that would make English the language of all official proceedings of the state of Missouri. The MCC opposed the legislation as being both unnecessary and dangerous, expressing concerns that the measure would discourage state and local officials from using Spanish or some other non-English language to communicate to non-English speakers in times of natural disasters or emergencies. However, even if voters approve HJR 7 it would not repeal state law MCC helped to pass in 1998 that authorizes state grants to schools, community organizations and other agencies that assist immigrants to learn English.<sup>121</sup>

During 2006 and 2007 the MCC also worked for passage of comprehensive federal immigration reform that would provide a way for undocumented persons to earn citizenship through the payment of back taxes and other steps. It has not been a popular position with all Catholics, some of whom see “illegal aliens” merely as lawbreakers. The MCC has urged that justice be tempered with mercy and reminded Catholics of the deep poverty experienced in countries like Mexico, which causes adults to leave their families and come to America for work so they can send money back home to their loved ones.<sup>122</sup>

## **CONFRONTING THE BRAVE NEW WORLD OF HUMAN CLONING**

Commanding a hill above the Country Club Plaza, the Stowers Institute for Medical Research represented the crown jewel of Kansas City's push to become a world leader in life science and embryonic stem cell research. In 2000 Jim and Virginia Stowers had established a \$2 billion endowment for the Institute. On the St. Louis side of the state, the Danforth Foundation was also pushing life science endeavors. In January of 2003, they announced the largest grant in the foundation's history, a \$117 million gift to spur more research in plant and animal science by groups like the Danforth Plant Science Center and the Missouri Botanical Gardens. Missouri politicians dreamed of an I-70 life sciences corridor running from St. Louis through the University of Missouri-Columbia to Kansas City. Already one survey ranked Missouri 15<sup>th</sup> in factors supportive of the bio-pharmaceutical economy.<sup>123</sup>

But not everyone shared in the uncritical enthusiasm for the emerging bio-tech industry. While the Catholic Church supported ethical life science research, the Church had made its opposition to embryonic stem cell experiments unmistakably clear. As early as 1995, Pope John Paul had addressed the issue in his encyclical *Evangelium Vitae* stating: “...the use of human embryos or fetuses as an object of experimentation constitutes a crime against their dignity as human beings who have a right to the same respect owed to a child once born, just as to every person.”<sup>124</sup>

Dr. Jim Battey, Director of the Task Force on Stem Cell Research at the National Institute of Health, had framed the ethical question as follows: “What is the status of the five day old human embryo?” To some, like Dr. William B. Neaves, president and executive officer of the Stowers Institute, the blastocyst that would be formed and then destroyed in embryonic stem cell research did not involve human life at all. But his view contradicted definitions of human development found in standard embryological textbooks. Even Dr. R. Michael Roberts, a world renowned scientist engaged in embryonic stem cell research at the University of Missouri-Columbia, acknowledged to the MCC that the research involved cloning human life. But Dr. Roberts said it made no sense to accord a five day old cloned human embryo the same moral status as a born child. In an interview with the *Missourian News* (columbiamissourian.com), Roberts acknowledged early stem cell research involved “therapeutic” cloning.<sup>125</sup>

But politically savvy leaders of Stowers and like-minded institutions denied embryonic stem cell research would create human life or involve human cloning. Such “early stem cell research,” would create nothing more than a bundle of cells, they argued. And “disaggregating” the blastocyst would give access to stem cells that could potentially unlock the doors to curing many terrible diseases like diabetes, Parkinson’s disease, heart disease and countless forms of cancer. In fact, no “cures” had emerged from experiments with early stem cells after many years of effort. Even Dr. Neaves admitted to *The Kansas Star* in 2006 that moving from discoveries to cures could take decades. But none of these sober assessments did much to tamp down the media hype surrounding early stem cell research. False or exaggerated claims from unethical scientists added to confusion and false hopes. In 2004 the Korean scientist Dr. Hwang Woo Suk claimed to have cloned a human embryo, but this turned out to be false. But these facts did not deter the bio-tech industry from championing stem cell research, often conflating the very real medical treatments developed from adult stem cell research – research the Catholic Church supported - with the promised but unrealized treatments from embryonic stem cell work.<sup>126</sup>

In Missouri, the debate over these issues captured public attention in 2001 when the bio-tech industry urged state lawmakers to allocate some of the state’s portion of the national tobacco settlement money for life science research. The legislature failed to authorize funding, but Governor Bob Holden subsequently issued an executive order releasing \$21.5 million for the research. The MCC waged a grassroots campaign to convince the governor to include ethical guidelines in his order. This effort succeeded and the order indicated that the research could not subsidize research in the following areas: destructive embryonic stem cell research; human cloning; referral for abortion; using tissue from destroyed human embryos and fetuses; and the development of any abortion inducing drugs like RU-486.<sup>127</sup>

After this success, the MCC moved to halt such unethical research using private funds. This effort reached its climax in 2005 when the Missouri Senate engaged in a lengthy five hour debate over legislation proposing to ban human cloning. The debate featured two young Republican attorneys, arguing opposite sides of the issue. Senator Matt Bartle (R-Lee’s Summit) sponsored the measure and sought to demonstrate to his colleagues that embryonic stem cell experiments involved the manipulation and destruction of human life. For those senators still undecided on the issue, he suggested: “If there is any doubt in our minds that this is in fact a human embryo, shouldn’t we resolve this in favor of life?” Senator Chris Koster (R-Harrisonville) countered that: “If this is not a human being, then to err on the side of life is to help the blind see again.”<sup>130</sup>

Despite a massive post-card campaign organized by the MCC that involved Catholic parishes statewide and several pro-life rallies at the Capitol, the legislature failed to pass the legislation. But the 2005 push to ban human cloning raised alarm bells among bio-tech officials. The *Kansas City Star* complained that “Attempts to ban therapeutic cloning have hung like a dark cloud over Missouri’s emerging medical research industry.” The Stowers Institute underlined that concern, indicating that they would not commit to a \$300 million second campus until the political uncertainty passed.<sup>131</sup>

In October 2005 Missouri Secretary of State Robin Carnahan approved a petition filed by Missouri Coalition for Life Savings Cures calling for a constitutional amendment. Additionally, the Secretary of State developed the 100 word ballot title summarizing the full proposal that voters would read upon entering the voting booth.

The ballot title stated that the proposal would ban human cloning. But when one read the complete text of the proposed constitutional amendment – a text that would not be available in the voting booth – one discovered that human cloning had been redefined in a scientifically inaccurate manner to exclude so-called therapeutic cloning like somatic cell nuclear transfer (SCNT). The MCC and others immediately challenged the ballot title in court, but Cole County Circuit Court Judge Bryon Kinder ruled that “The ballot title is sufficient to inform the public what the initiative states.” The matter was appealed all the way to the Missouri Supreme Court but that court also refused to invalidate the ballot title.<sup>130</sup>

Amendment 2 backers would eventually spend over \$30 million compared to less than \$4 million by opponents. They deluged voters with radio and television advertisements and sent slick multi-colored brochures to voters. The campaign message touted the cures that could come from stem cell research. One brochure asked: “Will your family have access to the same medical treatments available to other Americans?” Former U.S. Senator John Danforth, well-respected for his anti-abortion credentials, served as an Honorary Co-Chair of the campaign in favor of Amendment 2 and was quoted in this same brochure: “I’m pro-life. During my entire career, I voted pro-life. I strongly support the Stem Cell Research and Cures Initiative because it will save lives and because it respects the sanctity of life.” Danforth was featured in one of the first television ads produced by Amendment 2 backers.<sup>133</sup>

In response to the media onslaught, opponents of Amendment 2 relied primarily upon a grassroots campaign especially designed to get out the churchgoing vote. The MCC worked with the diocesan pro-life directors in supplying parishes with a steady stream of educational materials debunking the misinformation broadcast by Amendment 2 backers and providing background on the Catholic Church’s teaching on human cloning and embryonic stem cell experiments. The MCC also worked with the Missouri Baptist Convention and other faith groups as well as the secular face of the opposition – Missourians Against Human Cloning (MAHC). The opposition held their modest campaign funds until late in the campaign when it would have the most impact. In October, billboards, bumper stickers, and yard signs opposing Amendment 2 sprouted throughout the state. Under the guidance of the MCC, the Missouri Knights of Columbus ensured the distribution of much of this material. The Knights of Columbus also helped to raise funds for the last minute media blitz, which included a television ad that ran during a World Series game of the St. Louis Cardinals.<sup>132</sup>

Polls throughout the summer and fall of 2006 showed Amendment 2 with a comfortable majority. But on election night the proposed amendment trailed for most of the evening and the outcome remained in doubt until the early morning hours of November 8. Amendment 2 backers ended up winning by less than 60,000 votes out of over 2 million cast. David Webber, a political scientist professor at the University of Missouri-Columbia, called it the “surprise of the night,” observing that opponents had been successful in winning over large numbers of undecided voters. Amendment 2 had passed but the bio-tech industry had failed to get the voter mandate they wanted. In the subsequent 2007 session of the Missouri General Assembly they failed to obtain taxpayer support for embryonic stem cell experiments or other unethical research. And as this short history of the MCC is being completed, an effort is underway to close the loopholes in Amendment 2 so that the Missouri Constitution bans all forms of human cloning.<sup>133</sup>

## **AFTERWORD**

Those who look to the past for how to respond to future are destined to be disappointed. History does not repeat itself except in history books written by inferior historians who seek tidy stories that leave no loose ends or ambiguities. There are things to be learned from the MCC's forty year history; it is just that those lessons are not easily translatable: former ways must be re-invented for a new era. If there is a constant, it concerns character and faith: it takes Catholics who are deeply committed to their faith and to putting their faith into action in order to achieve public policy change of any lasting value. In this endeavor the pioneering generation of MCC activists can offer no ready prescriptions for action but only their example of heroic and faithful perseverance.

## **ABOUT THE AUTHOR**

Mike Hoey is the Assistant Director of the Missouri Catholic Conference and has been with the MCC since 1979. He is the author of "Missouri Education at the Crossroads: The Phelan Miscalculation and the Education Amendment of 1870," *Missouri Historical Review*, Volume XCV, Number 4 (July 2001)

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