News



A protester carries a placard Nov. 13, 2018, for a rally sponsored by Church Militant in Baltimore during that year's fall meeting of the U.S. Conference of Catholic Bishops. (CNS/Tennessee Register/Rick Musacchio)



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A federal court is set to hear arguments Sept. 30 over whether the extreme right-wing Catholic group Church Militant can stage a large downtown protest in Baltimore during the U.S. bishops' meeting there in November.

The group is expected to argue that the city of Baltimore violated its constitutional rights to free speech and religious freedom by canceling the planned event.

Lawyers representing Baltimore appear likely to counter that St. Michael's Media, the Michigan-based entity that operates Church Militant, had not yet signed a contract with the city to use a waterfront pavilion for its rally. The event had been scheduled for Nov. 16 and had advertised far-right political activists Steve Bannon and Milo Yiannopoulos as featured speakers.

According to Church Militant, Bannon and Yiannopoulos "have agreed to take the stand" during the Sept. 30 hearing in the U.S. District Court of Maryland to respond to the city's allegations that they engage in hate speech and provoke violence.

The hearing is for a preliminary injunction in which St. Michael's Media is seeking a judge's order to allow it to continue planning the protest, which it has advertised as the "Bishops: Enough is Enough Prayer Rally." The city and St. Michael's Media had been in negotiations for the rally, but the city pulled the plug in late July after learning more details of the event, including its speaker lineup, according to court documents.

In court filings, city attorneys cite public safety concerns as the chief reason for not allowing Church Militant's protest to proceed in downtown Baltimore. The filings note Bannon's and Yiannopoulos' histories of making incendiary statements, the expected large size of the crowd — more than 3,000 people were expected to attend — and Church Militant's sympathetic reporting of the Jan. 6 insurrection at the U.S. Capitol.

"In fact, Church Militant was an active propagandist for the claim that the November 2020 Presidential Election was stolen from Donald Trump," city lawyers wrote, arguing that the outlet "continued expressing and disseminating" the lie about the stolen election "up to and including their coverage" of the insurrection.

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While St. Michael's Media may call two far-right provocateurs to the witness stand, attorneys for the city intend to call Daniel Linskey, a former superintendent-in-chief of the Boston Police Department, as an expert witness, according to court documents. Linskey was the incident commander at the 2013 Boston Marathon bombing, and was the first commander on the scene a few days later during an early-morning shootout with the bombing suspects in Watertown, Massachusetts.

In court filings and on its website, Church Militant has pushed back against the city's stated concerns over the possibility of violence and the outlet's sympathy for the insurrection, instead framing the case as a matter of religious bigotry and conflicts of interest, even suggesting that one city attorney could be taking orders from the U.S. Conference of Catholic Bishops (USCCB).

Besides arguing that the city is violating its constitutional rights to free speech, assembly and religion, attorneys for St. Michael's Media also write in court documents that the city of Baltimore is violating the Constitution's Establishment Clause by favoring "mainstream Catholic doctrine" over St. Michael's "more traditional view" of church teaching.

"Defendants, by canceling St. Michael's rally, have suppressed their religious expression, while allowing USCCB's Fall General Assembly to go forward unhindered," wrote the lawyers for St. Michael's Media.

The lawsuit, which St. Michael's Media filed on Sept. 13, identifies as defendants the city of Baltimore, Mayor Brandon Scott, City Solicitor James Shea and SMG, a business that operates the city-owned pavilion.

According to court documents, St. Michael's Media — which staged a similar though smaller event around the bishops' meeting in November 2018 — had been in talks with the city to organize the protest, and in June had wired $3,000 to the company that operates the pavilion to reserve the date while the negotiations were still ongoing. On July 14, a draft contract was sent to St. Michael's Media, but the contract was not signed or executed, according to court documents.

Later in July, the mayor's chief of staff contacted SMG and told the company to cease negotiations with St. Michael's Media. In early August, St. Michael's Media was

informed that the pavilion would no longer be able to host the event.

On Aug. 27, St. Michael's Media sent a letter to the Baltimore City Law Department threatening legal consequences if St. Michael's Media was not permitted to use the pavilion for the protest, according to court documents.

Attorneys for St. Michael's Media said the outlet chose the date and location for its rally because it would take place at the same time and immediately adjacent to the U.S. bishops' Nov. 15-18 assembly.

"The entire purpose of the November 16 rally is to communicate the ideas of St. Michael's members and attending speakers to the USCCB in a format and in a venue that they cannot ignore," wrote attorneys for St. Michael's Media.

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