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## Jesuit college bars pro-life group for 'bias'

By Joyce Howard Price

THE WASHINGTON TIMES

The Gonzaga School of Law, a Jesuit college in Washington state, refuses to recognize a student pro-life group that requires its leaders be Christians, saying the religious restriction is discriminatory.

"Why not allow a Jewish, Muslim or nonreligious student to be head of the caucus, when they could be equally concerned about pro-life issues as a Christian student?" Gonzaga spokesman Dale Goodwin said in a telephone interview yesterday.

The law school administration's decision not to recognize Gonzaga Pro-Life Caucus, which prevents the group from meeting on campus and applying for funding, was prompted by the Student Bar Association (SBA). It called the group biased.

"The university supports the SBA in this case because any form of discrimination seems unwarranted," Mr. Goodwin said.

The SBA acts as an agent of the law school in recognizing student groups.

The law school's stance stunned the Foundation for Individual Rights in Education (FIRE), which tried to get the Spokane college to strike down the SBA's findings.

"We live in a strange age when a Catholic Jesuit university would deny a Christian pro-life group recognition because of its religious nature," said Greg Lukianoff, director of legal and public advocacy for FIRE, a nonprofit group dedicated to free speech and religious freedom.

"It is sad enough when secular institutions do not recognize the value of religious freedom. Gonzaga University, as a Catholic institution, owes its very existence

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to America's commitments to religious liberty and voluntary association," Mr. Lukianoff added.

According to SBA minutes of Sept. 23, SBA President Albert Guadagno and others complained that the Christian leadership requirements of the Gonzaga Pro-Life Law Caucus were discriminatory.

Ashley Horne, a second-year law student and co-founder of the pro-life caucus, sensed her group would be denied official recognition. So she contacted David DeWolf, a Gonzaga law professor, and asked his opinion.

In a Sept. 25 e-mail to Mr. Guadagno, Mr. DeWolf said he had discussed the issue with Gonzaga Law School Dean Daniel Morrissey. He said Mr. Morrissey, in turn, discussed it with Mike Casey, the university's counsel.

According to Mr. DeWolf, both Mr. Morrissey and Mr. Casey were "of the opinion that university policy permits restricting a group's leadership [or even membership] to those committed to the group's religious purpose."

"It is not surprising that a university operated by a religious order that restricts its own membership would be tolerant of student groups that do the same," Mr. DeWolf told the SBA president.

But Mr. Guadagno was not swayed. He called a closed meeting of the SBA's executive board, which determined that the pro-life caucus's leadership regulation violated both Gonzaga University's and Gonzaga Law School's mission statements. He informed Miss Horne and others in her group that the full SBA would not vote on the matter.

But the caucus continued to seek recognition, clarifying the group's "essential Christian identity and mission." However, Mr. Guadagno refused to consider the caucus's revised application.

In a telephone interview yesterday, Mr. Casey, the Gonzaga counsel, did not deny that he initially thought the pro-life student group could restrict its leadership to a certain religious group.

But he says he now supports the position the university has taken.

"The Student Handbook is a contract between the university and a student. The handbook says groups [at Gonzaga] are open to all students."

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