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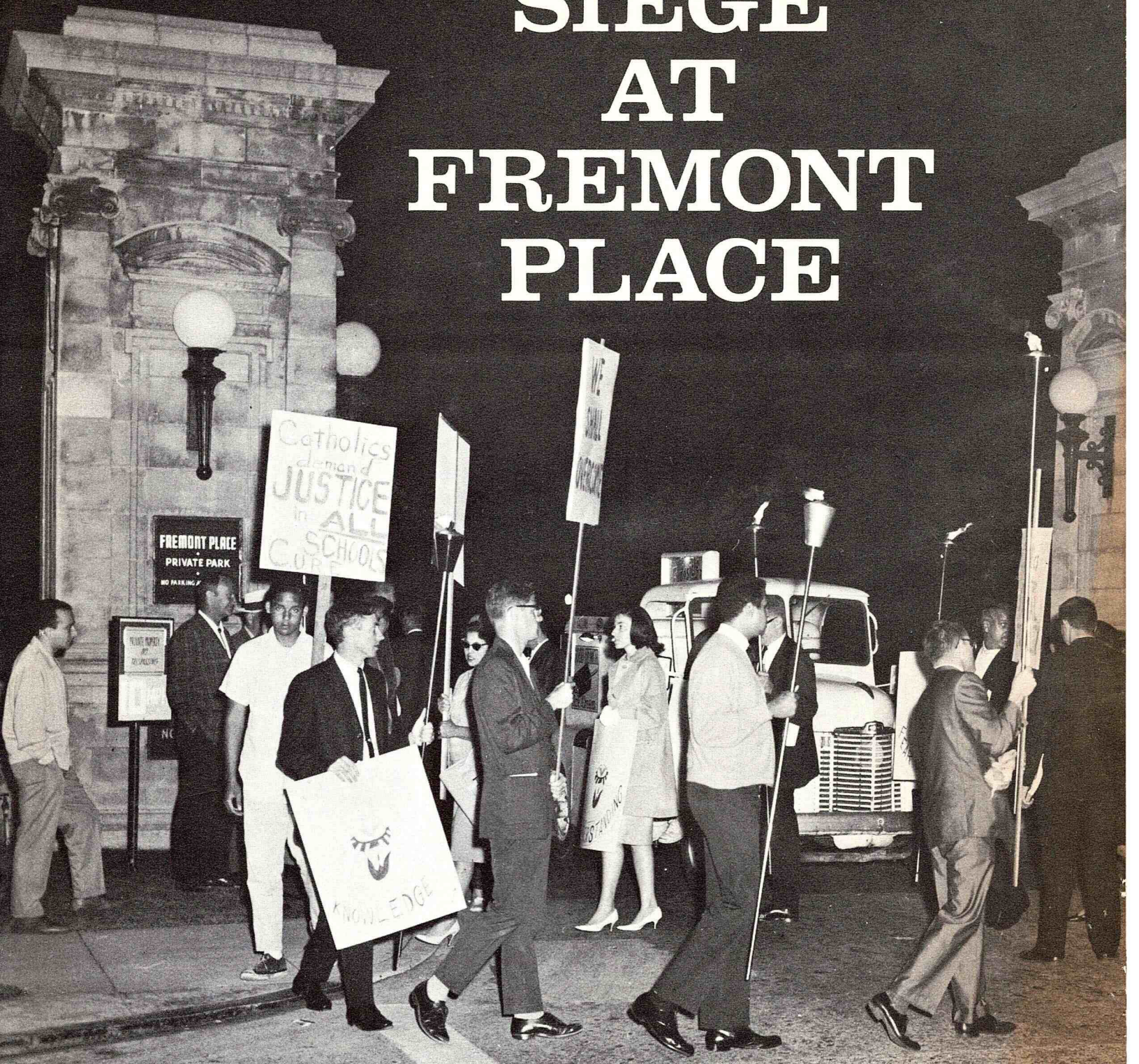
For generations, California banks, real estate interests, and local, state, and federal governments and agencies had used “red-lining,” and other racially discriminatory housing policies to confine nonwhites to urban ghettos and bar them from white-only neighborhoods and white-only suburbs with their better-funded public schools.

In 1963, pressure from the Civil Rights Movement caused California to enact the Rumford Fair Housing Act. Also known as the California Fair Housing Act, it outlawed racial discrimination in the sale or rental of public assisted housing accommodations and in any private dwelling containing more than four units (i.e. apartment and condo buildings).

Financed by the real estate industry, in 1964 supporters of residential segregation used the initiative process to submit a constitutional amendment overturning the Rumford Act so that property owners and landlords could legally discriminate on racial or ethnic grounds when selling or renting homes, apartments, and condos. Known as Proposition 14, their effort to restore segregation was fiercely opposed by the Civil Rights Movement. In November 1964, Proposition 14 passed overwhelmingly with 65% of the vote.

In 1966, the California Supreme Court voted 5-2 to declare Proposition 14 unconstitutional under the equal protection clause of the United States Constitution. The U.S. Supreme Court upheld their decision in 1967. Passage of the federal Fair Housing Act in 1968 then superseded any further California state-level efforts to make residential segregation legal.

SIEGE AT FREMONT PLACE



RAMPARTS

The magazine that makes news

The helicopter beat its way down to the postage-stamp of yellow metal that serves as a landing strip on the roof of the Los Angeles Statler-Hilton and sat still just long enough for a lone passenger to climb out.

The machine went butterfly-like back up into the dirty gray ozone that hangs over Southern California in early afternoon. Edward Keating, Catholic layman and publisher, walked across the roof top and up five metal stairs to the squatty doorway of the cement fire stairway leading down into the hotel.

He went directly to a conference room on the mezzanine floor. The newspaper reporters and photographers and the television cameramen and the bureau men from the newsmagazines, their electronic gear stacked in little hedgerows on the rug, were waiting.

Two men, both Negroes, were sitting in the glare of the floodlights at a table in the front of the room. When Keating came in they shook hands with him very warmly. Then they told the newspaper people they were ready to start talking about James Francis Cardinal McIntyre.

This was the beginning of one of the most extraordinary weeks in the history of American Catholicism. When it was over, Catholic laymen had launched a public crusade against the Cardinal's racial policies and a priest had asked the Pope for his removal. It was, for the laymen, the first instance in the United States of exercising that individualism and independence from the hierarchy that the theologians of Vatican II have been telling them they have.

It all began with an article in Keating's magazine, Ramparts. The issue was a hot one in California — an initiative to repeal the Rumford Act, the state's fair housing law. Catholic churchmen — and especially the Cardinal —

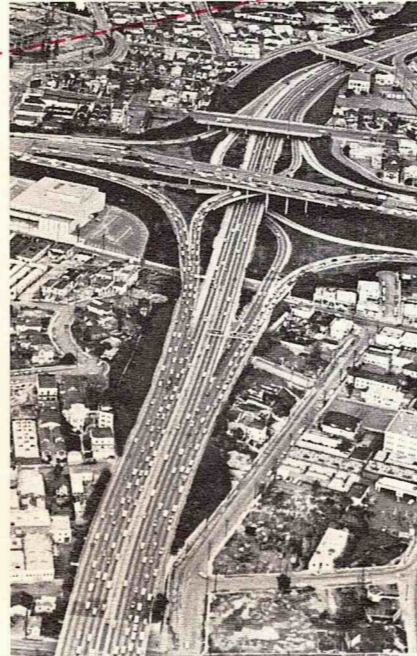
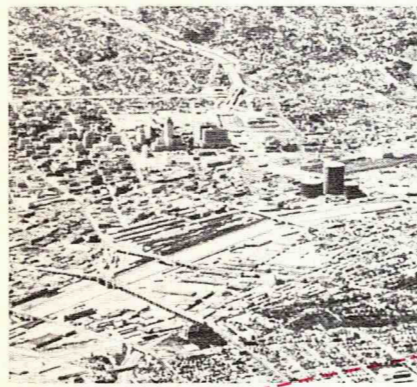
were accused of failing to marshal the church's moral power against the initiative, and of shying away from expressing Catholic teaching against racism.

The hotel room was crowded and hot, and the three men at the front table spoke in soft, impassioned terms. The Negroes were Los Angeles Catholic laymen, and they said their Cardinal was shockingly out of touch with the realities of racial strife in populous Southern California. The Cardinal's answer to Negro Catholics' pleas, they said, was to build expensive parochial schools in Negro ghetto areas — but not to tell white Catholics from the pulpit that they shouldn't throw rocks at their black neighbors. "The Church is historically opposed to racism," said Negro insurance executive Ivan Houston, "but we Catholics never hear that at Mass."

"All we want," Houston said, "is to have the Catholic doctrine taught."



Cardinal McIntyre



Sprawling Los Angeles, the homeland of the radical right in the nation's biggest state, is considered a racial tinder box. But Los Angeles Cardinal McIntyre, a McKinley conservative who has often expressed his dissatisfaction with the United Nations, steadfastly maintains that there is no racial problem in his archdiocese. He treats visiting delegations of concerned white and Negro Catholics graciously, talks proudly of the Archdiocese's building program in Negro neighborhoods, and refuses to involve the church in any part of the civil rights struggle. He considers it a political issue beyond the authority of the church.

The Cardinal runs a tight ship, and his attitude toward racism permeates the huge geographical area of his archdiocese. Words to the contrary never reach the 1.5 million Catholics in his flock. The *Tidings*, the Archdiocesan newspaper, blacks out stories on civil rights. The Cardinal will not allow priests to preach sermons on race relations. Frustrated Catholics recently took to picketing the Los Angeles Chancery office and the Cardinal's mansion at exclusive Fremont Place (cover picture)

to spotlight their demands for Catholic action on civil rights. But the Cardinal ignored the pickets, even denied meeting space in a Catholic church for a Catholic laymen's Human Relations Council. The group met in a synagogue.

Ramparts broke up this uneasy stalemate.

It printed an anonymous interview with a Catholic priest that blasted the Cardinal for "withholding" Catholic doctrine on race and allowing Catholics to remain "just as infected with racial prejudice as any other group." The priest said that most Catholic pastors won't preach sermons on race because they fear "rocking the boat," disturbing collection patterns. He charged that the Catholic hierarchy, nationally, did not provide adequate moral leadership on the sensitive civil rights problem.

Keating read the priest's words, and said he was speaking for him because the cleric "feared reprisals." A newsman asked what type

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Wide World Photos



of reprisals Keating meant. He didn't have to wait long to find out.

The next morning, the Rev. William H. DuBay, a tall, young priest with thin blond hair, called a press conference. He announced that he had written Pope Paul VI demanding the Cardinal be removed for "inexcusable abuses" of authority and "gross malfeasance in office."

Fr. DuBay said that the Ramparts article was true, that the Cardinal severely disciplined priests who tried to speak out against racial segregation, and had refused to promote a group of seminarians who were seen with novelist and social critic John Howard Griffin, the man who dyed his skin black and traveled through the South as a Negro to write "Black Like Me." Griffin, a Catholic, is an editor of Ramparts.

Then the questions began. Had Fr. DuBay himself been disciplined? Yes. "I was threatened with suspension from my priestly duties if I continued to teach that integration is a moral issue." What did the Cardinal say to him? "Cardinal McIntyre stated that there are many valid reasons for segregation and declared that 'After all, white parents have a right to protect their daughters.'"

The reprisals came quickly. Father DuBay was stripped of his administrative duties in a small, largely Negro parish in suburban Compton, called to the Chancery office for a Summit Meeting with the Cardinal's aides. While Catholics supporting him picketed in the street outside, the priest was given a clear option: be silent, or be defrocked and excommunicated.

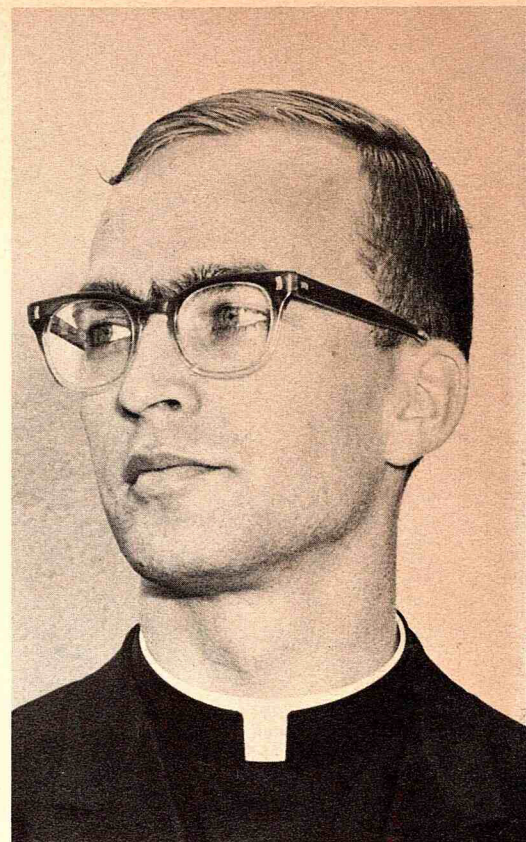
Two days later the 29-year-old priest knelt at the feet of the 78-year-old Cardinal and, while 200 other priests watched silently, kissed the Cardinal's hand in the traditional gesture of obeisance.

There was no public comment from the Chancery, except that the matter had been "concluded" and that Fr. DuBay was going "on a retreat and then a vacation."

But the young priest retracted nothing, the charges against the Cardinal remained.

Los Angeles Catholics renewed their picket lines, ranks swelled threefold. The long-rumoured atrocity stories about McIntyre's archdiocese — a pre-Renaissance intellectual climate where the famous Swiss theologian Hans Kung is banned and reading materials are censored in the seminary — were now public knowledge.

"The lid," Keating said, "is off in Los Angeles."



Father DuBay

This is one in a series of articles on RAMPARTS, the magazine that makes news.



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