

TESTING THE FAITH

Student sues college for psychiatric abuse

Sent to mental ward after he objected to play depicting Jesus as homosexual

By Jon Dougherty

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A junior at [Temple University](#) in Philadelphia, Pa., is suing university officials for allegedly having him involuntarily committed to a psychiatric ward following a dispute over a play depicting Jesus Christ as a homosexual.

According to Brian Fahling, an attorney with the [AFA Law Center](#) in Tupelo, Miss., which is handling the case, Michael A. Marcavage was detained after he "initiated a Christian response" to the university theater department's decision to stage "Corpus Christi," a play that made its debut on Broadway in 1998 and depicts Jesus as a homosexual who has sex with his disciples.

In the play, Jesus was eventually crucified for being "king of the queers." When it broke on Broadway, the play received national criticism.

Marcavage, a former White House West Wing intern, immediately complained about the play to the dean of the School of Communications and Theater, as well as the president of the university -- whom Fahling said has since left Temple -- when theater officials announced it in the fall of 1999.

Besides informing those officials of the play's content, Fahling said Marcavage -- in a prepared statement -- admitted posting fliers all over the university "so that all Christians on campus would be aware of this horrible play," and made plans to stage a protest outside the theater when the play opened.

In the days that followed, Marcavage said he had a number of meetings with William Bergman, vice president of campus safety, and Carl Bittenbender, director of campus safety. Though he had initially planned to protest, Bergman and Bittenbender eventually convinced Marcavage that protests might lead to confrontations between rival student factions. Marcavage then agreed to cancel his protest.

Instead, he asked officials for permission to stage a Christian outreach to students; Fahling said the university security officials gave him permission for that.

Marcavage, in his statement to Fahling, said Bergman promised him a stage would be provided to help him with his outreach program, but later the same day, Bittenbender allegedly called Marcavage to tell him that the stage "might be out of the question." The campus safety director then asked the student to meet with him and Bergman the next morning at the vice president's office.

At that meeting, Marcavage said Bergman told him a stage would be too expensive to provide and therefore, one would not be set up for the outreach program. Marcavage said he then offered to pay for the stage himself, but was again told no -- without further explanation.

Exasperated, Marcavage said he then "excused himself, went to the bathroom, locked the door and prayed about what he should do next," AFA officials said.

According to the student, Bergman followed him to the bathroom and began pounding on the door, demanding that he open it and resume the discussion about the stage. Marcavage said he opened the door and "told him that I believed our conversation was over."

Next, according to Marcavage, Bergman "physically" forced him back into the vice president's office and "pushed me into a chair and held me with his arm." Fahling said Marcavage asked to leave but Bergman "allegedly refused to allow it."

"Attempting to rise, [Marcavage] said the vice president tripped him to the floor," then was "manhandled" to a nearby couch by both men "where they held him down."

Within moments, Marcavage said, a Temple University police officer arrived and handcuffed him. Then, "Marcavage was taken by police ... to the Emergency Crisis Center at Temple University Hospital," AFA officials told WorldNetDaily.

According to Fahling, under Pennsylvania law, a person that is involuntarily committed for a psychological evaluation "has to be a clear threat to himself or a clear threat to others," though he and Marcavage deny that the student "in any way" fits the criteria.

Fahling said on-site interviews at the university with fellow students who personally know Marcavage -- including one who is a registered nurse and saw him that morning before his meeting with officials -- "indicated that he is not the kind of person" who would engage in behavior requiring a mandatory mental examination.

Yet, at the crisis center, Bittenbender allegedly signed a statement describing Marcavage as "severely mentally disabled"; that he represented a "clear and present danger to others"; that he had "inflicted or attempted to inflict serious

bodily harm on another" within the past month; and that he "has attempted suicide" -- all of which constituted a "reasonable probability of suicide unless treatment was afforded" him.

Fahling said Bittenbender concluded his statement by asserting that Marcavage was "in need of involuntary examination and treatment."

"When I was first told about this case, I found it hard to believe," Fahling told WorldNetDaily. "I thought it was something out of the 'Twilight Zone.'"

He said that Marcavage was not found to be mentally distressed or exhibiting any behavior that matched the admission statement given by Bittenbender. "He was released three hours later -- and that was largely because it took [hospital staff] a while to get to him."

Fahling said Dr. Jose Villaluz of the clinic staff did examine Marcavage "because, per state law, they are required to. But he didn't find anything wrong with him."

The AFA attorney said documents provided by Marcavage show that Villaluz noted in his evaluation report that the student was "not in need of involuntary treatment."

Fahling added that when Marcavage was being led out of Bergman's office by police, a university staff psychologist -- Dr. Denise Walton -- was on hand and commented that she couldn't understand why the student was being involuntarily detained.

In a separate statement, Fahling said Walton wrote that she had seen "no overt sign that [Marcavage] was about to harm himself or others."

"This is a young man of some substance," Fahling said. "I believe his story is genuine. This kid is solid as a rock."

After being released, Marcavage said he tried to file a complaint with the university police department, but was rebuffed and told officers could not take a complaint against Bergman because he "is our boss."

While still at the police station, Bergman arrived and allegedly told Marcavage that no report would be filed "because no crime had been committed," the AFA Law Center said.

"His only recourse was to file a report with the Philadelphia Police Department," said the center, but it was unclear if Marcavage made that attempt.

However, the student did try to complain through other university channels, but after those also failed, he made the decision to contact the law center and file suit.

"Besides being a college student on the Dean's List, Michael was a White House intern with security clearance, is founder and president of a ministry called Protect the Children, president of his own business, and a volunteer who has worked with Campus Crusade for Christ and gone overseas with Feed the Children," Fahling said.

"This is a good Christian kid who wanted to stand up for Jesus, and instead was handcuffed and dragged to a mental hospital as if he'd been seeing pink elephants," he added.

Efforts to contact the university were unsuccessful.

Fahling did not disclose the amount of settlement Marcavage is seeking. He said Bergman and Bittenbender are named as co-defendants in the suit.

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