

RELIGION DRIVES ACLU CRAZY

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Having authored a Ph.D. dissertation, two books, and a monograph on the ACLU, I am convinced that most of its board members and senior officials harbor a deep animus against religion. Nothing bothers them more than Christianity, especially Catholicism. This is much more than a phobia: religion is seen as a threat to liberty.

Two recent cases demonstrate this verity.

The ACLU and the American Humanist Association are bent out of shape because a West Virginia agency, the state Water Authority, has authorized a grant to a Catholic school, the College of St. Joseph the Worker, in nearby Steubenville, Ohio. The purpose of the loan is to enable the college, which specializes in developing "a solid foundation in the skilled trades," to provide for services, such as training tradesmen, that are consistent with the mission of the state agency.

The issue is whether this violates the West Virginia Constitution.

The ACLU says it does, saying that "to force the taxpayers of West Virginia to fund its [the college's] mission is wholly inappropriate and unconstitutional." Similarly, the American Humanist Association says that "no one should have to pay taxes to fund someone else's religion."

Case law makes it clear that religious institutions may receive public funds when the purpose is not to advance religion, but to provide for services that serve the public weal. In *Everson v. Board of Education* (1947), the U.S. Supreme Court ruled that students who attended religious schools (in this instance they were Catholic schools) could receive public transportation without violating the

Constitution. The high court ruled that the law had a “public purpose,” which was the safety of the students.

In the 1970s, the courts ruled that it was constitutional to provide religious schools with textbooks. Again, this served a public purpose. The courts, however, have been so inconsistent in their rulings in these matters that no wonder the ACLU exploits any opening it sees. For example, it is legal to give textbooks to Catholic schools but not maps. Incredulously, it was decided that the books serve the students but the maps serve the school. This led Daniel Patrick Moynihan to quip, “What about an atlas—a book of maps?”

The bottom line is: The West Virginia Water Authority is not funding religious instruction at the College of St. Joseph the Worker—it is funding secular services that have a public purpose. It has every right to do so.

In an even more bizarre case, the ACLU of Massachusetts is challenging a decision made by the mayor of Quincy to erect two statues of Catholic saints outside the Quincy Public Safety Building. Mayor Thomas Koch chose St. Florian and St. Michael the Archangel; they are the patron saints of firefighters and police officers, respectively. The ACLU says the two ten-foot-tall bronze statues violates separation of church and state.

The ACLU is well aware that religious statues adorn many buildings in the nation’s capital, including the Capitol Building, the Supreme Court, the Library of Congress, the Lincoln Memorial and other public buildings. Even in Massachusetts, the Boston Public Library features the outstanding work of John Singer Sargent: his religious murals, including “Madonna of Sorrows,” are classic. At the State House there are statues and paintings of famous Christians, clergy and laity alike.

But none of this is enough to allay the fears of the ACLU. In

fact, its objections to the statues make my case: religion drives the ACLU crazy.

In the ACLU's letter to Mayor Koch and the Quincy City Council, it said that "we note that the contemplated statue of Saint Michael is not only troubling...it depicts a figure stepping on the neck of a demon. Such violent imagery is particularly abhorrent in light of the murder of George Floyd and other acts of police brutality throughout the country."

In other words, the revered saint who battled Satan and who is known as the guardian prince of Israel—he stood ready to defend God's chosen people—reminds the ACLU of a serial violent criminal who resisted arrest and was subdued by the cops; he had four times the lethal dose of fentanyl in his system. Maybe if Saint Michael had been depicted as engaging in dialogue with the Devil, instead of crushing his head, the ACLU would have applauded.

The ACLU's idea of religious liberty is to allow Black Muslims in prison to huddle together "in prayer," outside the purview of guards, so they can plan an insurrection. But when it comes to Christian iconography on public buildings, its tolerance for religious liberty runs out.

Furthermore, its idea of separation of church and state is so extreme that it not only opposes public funds to a Catholic entity that services a public need, it has gone to court seeking to strip the Catholic Church of its tax exempt status.

It boils down to this. The Founders believed religious liberty was integral to the makings of a free society; the ACLU believes it impedes it.