

February 28, 2006

Setting the Stage for a Fight Worth the Cost:

## Judges Shouldn't Interpret First Amendment Based on ACLU Opinion

It is not a forgone conclusion that if the HB 941 passes in the senate and is signed into law that it is doomed to failure in the courts.

Just recently the 6th Circuit Court of Appeals upheld the decision of a lower court in allowing the Ten Commandments to be hung in a courthouse display. In Mercer County, Kentucky an historical display such as is being recommended in Georgia was placed in the county courthouse. The appeals court panel voted 3-0 to reject the ACLU's contention that the display violated the establishment clause of the Constitution.

One of the judges even went as far as to say that the ACLU's "repeated reference to 'separation of church and state' ... has grown tiresome." (Judge Richard Suhrheinrich)

Francis J. Manion, counsel for the American Center for Law and Justice, who represented Mercer County put it this way, "for too long they have been lectured like children by those in the ACLU and elsewhere who claim to know what the people's Constitution really means. What the 6th Circuit has said is that the people have a better grasp on the real meaning of the Constitution; the court recognizes that the Constitution does not require that we strip the public square of all vestiges of our religious heritage and traditions."

Might I just add that the other case from Kentucky that was ruled unfavorably by the court was a display that did not start out historical. Only as the government was challenged did they add the other documents. The same was true in the Habersham County, Georgia case.

The legislation before the Senate has the proper motive and language that is being upheld in the courts and is in keeping with the spirit of the Texas Ten Commandments display that was upheld by the Supreme Court.

I encourage all the legislators and citizens to pay no heed to the 'chicken littles' of the ACLU that say the sky will fall if our state promotes these displays.

This is one fight that will be worth the cost.

Michael R. Griffin, Sr.

Executive Director

Ten Commandments – Georgia, Inc.

[mike@thoushalt.org](mailto:mike@thoushalt.org)