

ICLU appeals Ten Commandments case

Federal judge has dismissed group's lawsuit

Associated Press

ELKHART, Ind. — The Indiana Civil Liberties Union intends to appeal a federal judge's rejection of a lawsuit seeking to remove a Ten Commandments monument from the lawn of Elkhart's city hall.

Kenneth Falk, the ICLU's legal director, said Thursday that the group would file the appeal with the 7th

U.S. Circuit Court of Appeals in Chicago within a few weeks.

Two Elkhart residents, William A. Books and Michael Suetkamp, sued the city in 1998 over the monument, which has stood in front of the Municipal Building since it was donated in 1958.

U.S. District Judge Allen Sharp ruled last week that the monument does not violate the First Amendment of the U.S. Constitution, which prohibits the establishment of a state religion.

But Suetkamp, an atheist, said he doesn't believe existing law supports Sharp's conclusions.

"The government needs . . . to stay

neutral and impartial. That's what I'm fighting for," Suetkamp said. "We are not asking for anything unreasonable here.

"It is just a matter of our wanting to be treated fairly and equally under the Constitution."

In his 49-page ruling, Sharp questioned the direction courts have taken on public religious expression.

"There have been times in our society when a voice from the back of the bus has raised profound questions as to where we were heading as a society. . . . Hopefully, this discussion will lead to a careful re-examination of precisely where we are going with our jurisprudence about reli-

gious messages and symbols on public property," Sharp wrote.

Falk said it may be a year before the three-judge appeal panel rules.

First, lawyers on both sides will present written arguments. Then the appellate panel will schedule oral arguments, usually about three to four months after all written arguments are completed, he said.

Earlier this year, the ICLU settled a lawsuit over a display of the Ten Commandments in the main hallway of the Grant County courthouse.

The county agreed that the commandments would be part of a larger display featuring historical documents such as the Magna Carta and the Emancipation Proclamation.

privacy to one's own medical records." Nowhere in ACLU policy is there the slightest hint that promiscuous behavior is linked to AIDS, or that sexual restraint ought to be practiced. In fact it says that:

judgments about AIDS often become entangled with perceived issues of personal morality, particularly regarding sexual conduct and intravenous use of illicit drugs, as the virus linked to AIDS seems to be transmitted predominantly, though not exclusively, through those two means.

The ACLU cannot even summon the moral courage to say that promiscuous sodomy and heroin use is wrong; it's just a perception people have.

The ACLU holds that homosexuals have a Constitutional right to (a) marry, (b) operate bathhouses, (c) become foster parents, (d) become a Big Brother, (e) engage in street solicitations. (Policy 264 and lawsuits)

The ACLU wants to eliminate every law that distinguishes between homosexuals and heterosexuals allowing no exceptions. It wants the law to recognize same-sex marriages so that homosexuals may qualify for the same tax advantages that married men and women have.

The ACLU wants foster care agencies to rewrite their policies to accommodate the interests of the gay rights lobby. It wants to force voluntary associations to accede to homosexual demands. It wants to give homosexuals the right to solicit sex on the street and then be permitted to go to a bathhouse, the very spot where AIDS was spread in the first place.

The ACLU is on record as opposing any work requirement as a condition for receiving public assistance or welfare. (Policy 318)

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