



AMERICAN CIVIL LIBERTIES UNION OF MARYLAND

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ACLU of Maryland Statement Concerning 10 Commandments resolution in Maryland General Assembly

FOR RELEASE:
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Seeking to circumvent the rule of law, Del. Don Dwyer and Sen. Alex Mooney have joined forces with former judge Roy Moore of Alabama to promote federal legislation attacking religious liberty.

Dwyer and Mooney have proposed a resolution expressing support for federal legislation that would strip federal courts of the ability to decide on the constitutionality of state laws dealing with religious expression on government property. Like other court stripping proposals, the federal law is motivated by hostility towards the constitutional guarantees that the federal courts were created to enforce.

Roy Moore -- who gained notoriety for his defiance of a federal court order to remove a 5,300 pound monument containing the text of 11 biblical Commandments that he had installed in the rotunda of the Alabama Supreme Court building -- is the leading proselytizer for the federal legislation. Moore and his supporters claim that the federal courts are depriving him, and others, of the ability to acknowledge God.

As the federal courts that have repeatedly rejected his arguments have noted, his assertion rests on a false premise. He has not been restricted in the slightest degree from acknowledging god or from expressing his religious beliefs. Indeed, his ability to do so is itself protected by the First Amendment. What has been restricted is his attempt to harness the machinery of government to promote those religious beliefs, which is precisely what the First Amendment prohibits. As much as he may regret it, Roy Moore is not the embodiment of the state, and restrictions on the government are not the same thing as restrictions on him.

Neither Roy Moore, nor anyone else, has any right (constitutional or otherwise) to use the governmental power to proclaim the truth, goodness, or validity of their religious beliefs (which is precisely what the courthouse display of biblical commandments was intended to, and did in fact, do). Such endorsements of religious belief pose a profound threat to the incredible religious freedom, and diversity, that we enjoy in this country. Indeed, the greatest danger to religious liberty comes not from the federal courts, but from cynical demagogues like Roy Moore, Del. Dwyer, and Sen. Mooney, who seek to exploit religious convictions for political gain.

Through their support of this disgraced judge, removed from office by his fellow justices (all Republicans) for his contemptuous refusal to obey court rulings, and through their support of legislation that purports to strip the federal courts of their ability to enforce constitutional protections, Del. Dwyer and Sen. Mooney demonstrate a profound hostility to the rule of law. We are confident that their hostility is not shared by a majority of their colleagues, or by the citizens of Maryland.