

# Praise for Alpine

Let us now praise the Alpine School District. Confronted with the threat of a lawsuit by the American Civil Liberties Union, Alpine has decided to continue the practice of allowing prayer at high school graduation ceremonies.

Last fall, acting on incomplete information, I inaccurately reported that Alpine had decided to discontinue graduation prayers. I am delighted to be wrong. Alpine's decision is a significant counter-thrust to the aggressive secularization of public education; it is even more impressive given the fact that two other Utah districts have chosen to discontinue graduation prayers rather than confront the ACLU.

Prior to Alpine's decision, Michele Parish-Pixler, head of the Utah Division of the ACLU, sent a message to the district urging it to discontinue "the recitation of prayers at any public school activities" in order that "this matter can be resolved without resort to the courts."

Subsequent to the announcement by Superintendent Steven Baugh, Parish-Pixler explained, "I think it is outrageous that the Alpine School District would choose to spend its money fighting a battle like this in the courts when it could much better utilize its funds on teachers and students and education about the First Amendment."

Both of these declarations are saturated with the affected solicitousness of the extortionist (as in, "please accede to my demands and don't make me hurt you"). In this matter the ACLU is acting as a legal "protection racket" — peace can be bought at the price of preemptive concessions from school districts. Jordan and Washington districts have acquiesced; Alpine, much to its credit, is standing firm.

Superintendent Baugh has observed that he "find(s) nothing in legal precedent or the Constitution" that forbids the practice of once-a-year prayer at graduation. He is unambiguously correct. But he would have to go beyond the Constitution and precedent in order to accommodate the ACLU's vision of church/state separation.

Last summer in a debate on the television program "Take Two," Parish-Pixler declared that an anti-flag burning statute would make the flag a "sacred



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object" and thereby violate the principle of church/state separation. This pronouncement is not the product of sound constitutional scholarship; it appears to be a symptom of an unappeasable hostility to reverence in any form.

Writing in *Policy Review* magazine, Richard and Susan Vigilante, dissident members of the ACLU, observe: "The ACLU is led into absurdities because it sees religion as an almost irresistible persuasive force." They offer this insight from Washington Post columnist Nat Hentoff, who audits the ACLU's excesses: "They are afraid of making religious speech first class speech, the way all other speech is (because) they really ascribe these extraordinary powers to religious speech."

In the apocryphal version of the First Amendment offered by the ACLU, flag burning is protected speech but an annual graduation prayer is not. To find support for the ACLU position one cannot appeal to the text or history of the First Amendment. Perhaps this is why Parish-Pixler has to intimidate Utah school districts with threats of lawsuits. She has also announced that "The ACLU intends to monitor all such activities (i.e. prayers)" and pursue legal action to stop them.

H.L. Mencken defined puritanism as the haunting fear that somewhere, somebody may be happy. Contemporary civil libertarianism could be defined as the obsessive fear that somewhere in the public realm somebody may be expressing a religious sentiment. The ACLU is entitled to its fetishes, but it should not presume to impose them upon society at large.

Heaven forbid (if I may use the expression without provoking a lawsuit) that a school district could make graduation plans without consulting the ACLU.