

Patriot at the ACLU  
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The ACLU's decision to reject \$1 million from the Ford and Rockefeller foundations was the right thing to do -- but for the wrong reason. At issue is the foundations' caveat that grant recipients not "promote or engage in violence, terrorism, bigotry, or the destruction of any state."

"Bigotry"? That's not even speech; it's thought. Protecting bigotry is how the ACLU made its name. Remember the Nazis in Skokie? But the current ACLU leadership, bowing to political correctness, barely raises an eyebrow at the restriction against bigotry. Instead, they point to the prohibition against terrorism, which it characterized as "vague" and "ill advised."

Now this is where things really get interesting. According to a New York Times report this week, ACLU Executive Director Anthony Romero advised the Ford folks to adopt the definition of terrorism in the -- brace yourself -- Patriot Act, legislation the ACLU has always railed against. What Mr. Romero seems to understand is that the definition in the Patriot Act is narrower than the prior definition of international terrorism, as criminal activities that involve "violent acts or acts injurious to human life." Congress recognized that "violent acts" may sweep too broadly to include protest activities protected by the First Amendment. So it limited the definition to live up to the letter and spirit of the Constitution.

Baseless, therefore, are ACLU claims that WTO or abortion protests may come to constitute "terrorism." These are protected by the Constitution and unaffected by the Patriot Act's terrorism definition. Terrorism arises only when protest is linked with a criminal act, e.g. murder. So to turn down money on grounds that it would blunt the ACLU's ability to defend a right to "protest" is specious.

But a donor's curb on "bigotry"? Now that's different.