

Separation Clause Invoked over Postal Contractor

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U.S. District Judge Dominic J. Squatrito, in a case in Manchester, CT, has ruled that the nearly 5,200 facilities run by contractors that they [cannot promote religion](#) through pamphlets, displays or any other materials.

Squatrito sided with Bertram Cooper, who in 2003 sued the Postal Service and the Full Gospel Interdenominational Church, which operates the Sincerely Yours Inc. post office on Main Street in downtown Manchester. When he filed the lawsuit, Cooper, a Navy veteran of World War II and the Korean War, said he became upset when he went to Sincerely Yours.

Inside, the facility has evangelical displays, including posters, advertisements and artwork. One of the displays is about Jesus Christ and invites customers to submit a request if they “need a prayer in their lives.”

“There is nothing wrong, per se, with the church exhibiting religious displays,” Squatrito wrote in his ruling. “Here, however, the church is exhibiting such displays while it is performing its duties under a contract with the Postal Service., i.e. the U.S. Government.”

Squatrito said that the post office was a state “actor” under the First Amendment and that its religious displays violate the clause calling for the separation of church and state. But he said the contract itself does not violate the clause.

The Postal Service had argued that signs make it clear that Sincerely Yours is not an “official” postal facility. It also said that it had no proprietary interest in the office, other than postal products and equipment, and that there was no evidence that the agency had a direct financial stake in the office’s success. The agency noted that no government employees work at Sincerely Yours, and insisted the facts demonstrate that the post office is a private entity.

The judge said the Postal Service relies on contractor-run offices [officially called a Contract Postal Unit] to provide services to areas that the agency has determined to be unsuitable for official facilities. Contract offices are typically at colleges, grocery stores, pharmacies and some private residences.

It probably comes as no surprise that Contract Postal Unit’s are not very profitable. They attract clientele with the postal convenience and make profits on snacks, drinks, and newspapers. Much like a fuel station. Sincerely Yours offers no snacks. They do offer salvation and posted paraphernalia concerning feeding the homeless, aiding mission work, and helping the sick.

Full Gospel would have [no interest](#) in running the store without the evangelical trimmings. “If the church is forced to sanitize the place of any religious reference in order to keep Sincerely Yours open,” Joseph P. Secola, Full Gospel’s lawyer, said, “then the Contract Postal Unit will shut down.”

Two obvious points here. 1.) Squatrito is another breathingist judge who doesn’t understand the meaning of the First Amendment. 2.) It’s equally obvious from the Framers’ writings, speeches, and letters that the “separation clause” is intended to prevent the establishment of one specific denomination. The wording is irrelevant. The courts have decided to throw out separation of powers and do the legislative work for them by creating new laws that interpret the Constitution in way that ignores 150 years of precedence.

Full Gospel, as a church, could be classified in a denomination. But using the CPU to promote religion in general certainly does not violate the true interpretation of the First Amendment. The real motive goes deeper, I suspect. The ACLU, who represented Cooper, saw the church using the CPU as a front for aiding the poor, figured that is the job of big government, and used the hijacked separation clause as their anti-religion weapon of choice.

I’m glad Full Gospel plans to dump the CPU. If a judge can’t understand that the First Amendment also has a “free exercise thereof” line, let the government suffer at the hands of its own breathingist judges. Albeit, this is just one of thousands of CPU’s and won’t put a dent in the “service issue” with the main postal branch in Manchester. It will show that a church can minister to the poor, homeless and sick. If the ACLU really believed in a separation of church and state, they would sue for the real motive. That is, the church doing the state’s work. But when do liberals ever tell the truth? Thank God for conservatism where we don’t have to lie.

About the Author

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