

Judge rules for atheist bus ads

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(RNS) A federal judge ruled Thursday (Aug. 11) that the public transit system in Little Rock, Ark., violated the free speech of local atheists by refusing to run their advertisements on city buses.

U.S. District Court Judge Susan Webber Wright ruled that the Central Arkansas Transit Authority (CATA) and its advertising agency were wrong to reject the atheists' ads that read, "Are you good without God? Millions are."

"Nontheistic bus ads will now be able to roll in Little Rock," said Fred Edwards, national director of the United Coalition of Reason, an umbrella group of nontheists that filed suit on behalf of a local affiliate last year.

The lawsuit maintained that denying the atheists' ads was denying their constitutional right to free speech.

"CATA is a government agency and it has made advertising space available to churches," said J.G. Schulze, an attorney for the coalition. "Yet when we tried to get the same treatment as those customers, we were told we would have to make a deposit against vandalism and terrorism, which is a requirement no one else had imposed on them."

CATA's advertising agency, On The Move Advertising, required a \$36,000 deposit to run the \$5,200 ad campaign. It then required a \$3 million insurance policy.

In her ruling, Webber required the coalition to place a \$15,000 bond with the court in case of any damage to city buses.

Jess Sweere, an attorney for the transit agency, maintains that the transit agency never refused to run the ads. "The lawsuit is a publicity stunt and is without merit," Sweere wrote in an email. "(The) plaintiff never made a deal with the advertising company that has leased the ad space from CATA."

Similar ads have run in 36 markets in New York, Illinois, California and Oklahoma. According to the coalition, only four experienced vandalism.

Rejected ads from private media companies are not unusual for atheist groups. But atheists contend that government-owned entities, like CATA, are different.

"Transit companies, being owned by local governments, can't engage in viewpoint discrimination in the way billboard and airplane banner companies can," Edwards said. "As a result, we can threaten litigation if we run up against resistance."