

September 2019

Dear Friends and Supporters,

In June, the U.S. Supreme Court ruled in *American Legion v. American Humanist Association* that a 40-foot cross in Maryland could remain on public property. The Court made an effort to replace the old *Lemon* Test which has been used by courts to restrict virtually all religious activity in the public square. While five justices agreed the test should be replaced, they could not agree on what to replace it with. Future Establishment Clause cases will further define the basis for permitting historical religious monuments to remain on public property and public religious activities.

Because of this opinion and others, Democrats believe they are losing the liberal SCOTUS to rule for them. Incredibly, House Judiciary Committee members recently threatened SCOTUS to “heal itself” or the Court might be restructured. For decades, SCOTUS has given us rights on things like abortion and same-sex marriage, while erasing religious rights. Liberals have relied on activist courts to do things they could not do in the legislative process. Now, SCOTUS is moving back to original intent and strict construction, explaining law, rather than making it. This threat is an unmitigated attack by one branch of government on another. Public debate has become unseemly, raucous and venomous. It now carries over to threats to undo the Constitution’s separation of powers.

This also comes at a time when the values of Christians are attacked as discriminatory. Attacks on religious values are routine by the Democrat candidates for President. Also, congressional Democrats have attacked nominees for public office because they attend church or are a member of religious order, such as the Knights of Columbus. More and more religion is considered judgmental and if you openly practice and apply your faith, such as believing in one man one woman marriage, the sanctity of life, or the public practice of your religion, you are castigated.

Protecting religious freedom is very important. Last month we reported on the released time law that permits Alabama public school students to attend Bible classes off campus and get one hour’s elective credit. This month we will address another law that was passed to permit the Bible to be taught as history, art, literature, *etcetera*, in the public schools. Teaching it as religion or evangelizing would not be permitted. There is some merit in the idea, however we expect there to be problems.

Thank you for your continuing support of our efforts. When laws like these are passed, we begin to get inquiries for assistance and explanation. Please refer any of those you may know of to us. Remember, we provide advice without charge on these issues.

Yours very truly,

A. Eric Johnston

AEJ/pmm