

November 2019

Dear Friends and Supporters,

With the beginning of a new U.S. Supreme Court term, we are seeing a number of very important cases. There are two that caught our attention. One deals with abortion and the other with the same sex/transgender issue.

A Louisiana law requires that physicians performing abortions must have hospital admitting privileges within a 30-mile radius. The Fifth Circuit Court of Appeals had held the law constitutional. However, a similar Texas law was earlier ruled unconstitutional by SCOTUS and remanded to the trial court for additional fact finding. Alabama passed a similar law several years ago which was held unconstitutional, but not reviewed by SCOTUS.

This will be the first time SCOTUS Justices Gorsuch and Kavanaugh will rule on an abortion-related issue. It could signal which way the Court leans, but until the opinion comes out probably next June, it is too early to speculate. We are hopeful the new Justices will take the Court in a direction of respecting life.

The other case of significance deals with the definition of “sex” in the Civil Rights Act of 1964. That law was passed to stop discrimination on the basis of normal acceptable recognizable immutable characteristics, i.e., race, color, national origin, sex, and religion. LGBTQ+ advocates want to expand the definition of “sex” to include discrimination on the basis of hostility towards homosexuals, transsexuals, *etcetera*. The legislative history is clear that “sex” simply means “gender.” The effort by LGBTQ+ advocates is to have SCOTUS legislate by expanding the definition of sex, rather than relying on Congress to update the law, if it deemed necessary.

Abortion and LGBTQ+ issues are probably the most significant cultural issues today. The outcome of the cases will be important statements on the direction that SCOTUS will take in the years to come. We are optimistic and prayerful for good outcomes.

This month’s Educational Update addresses another religious rights issue. We reported on the yoga issue before the Alabama State Board of Education in our October 2018 Educational Update. The issue has not gone away.

Thank you very much for your continuing support of our efforts. With personal regards, I am,

Yours very truly,

A. Eric Johnston