

November 2020

Dear Friends and Supporters,

This month we return to our series of reports on SCOTUS decisions on religious freedom from the recent term. This month, we describe the unbelievable position of some states that an order of nuns is required to participate in violation of their religious freedom in an Affordable Care Act plan that would provide contraception to their employees.

As you know, Judge Amy Coney Barrett is now Justice Amy Coney Barrett. We expect to see reasoned interpretation and application of the U.S. Constitution. We cannot predict how she will rule, but we are definitely hopeful of a new day at SCOTUS. We should be particularly grateful to President Donald Trump, Senate Majority Leader Mitch McConnell and Senate Judiciary Committee Chairman Lindsey Graham, for their good work.

As I prepare this letter, the presidential and other elections have not been decided. If Joe Biden wins the presidential election, we have fear there will be renewed assaults on religious freedom. We observed the hostility to Justice Barrett's religion in the hearings on her nomination to SCOTUS. Since last month's educational update when we explained the significance of her nomination, we have observed the democrats to first declare the nomination process improper, while it is entirely constitutional, and Joe Biden saying he would appoint a commission to reform the court system which is "out of whack." The federal courts are not "out of whack." That is a pretext for keeping the court liberal. While the U.S. Constitution specifically creates SCOTUS, it does leave significant authority in the Congress to regulate the courts, which would include packing the court with more members in order to achieve a liberal imbalance.

The public discourse on these issues has little credibility. All the politicians want to do is to have a policy making SCOTUS. Alice observed this problem when she responded "the question is whether you can make words mean so many different things," to the statement by Humpty Dumpty that "when I use a word, it means just what I choose it to mean – neither more nor less." But Humpty made his real intent clear when he said "the question is...to be master that's all." The liberal policy maker Justices of SCOTUS have long been master and we are hopeful that with Justice Barrett's appointment to the court, it will abandon its perverted use of words and return to the Constitution for their meaning.

Thank you for your ongoing support. With personal regards, I am,

Yours very truly,

A. Eric Johnston