

July 2022

Dear Friends and Supporters,

Every year at this time we report on cases being decided by SCOTUS on issues with which we are concerned, including sanctity of life and religious freedom.

Everyone knows that the *Dobbs* decision removes the federal right to abortion, reversing the cases of *Roe* and *Casey*. Our Educational Update this month analyzes that decision.

In later Educational Updates we will analyze two more cases that are very important to our efforts. The first one is *Kennedy v. Bremerton School District*. This is the case concerning the high school coach at a public school who briefly prayed on the fifty-yard line following school football games. School officials demanded that he stop because it was an “establishment of religion.” He refused, saying it was his religious and speech rights under the First Amendment. SCOTUS upheld those rights finding his constitutional rights were violated. The question of public-school prayers surrounding athletic events seems to be never ending. There are so many combinations of when and how it is done. We will analyze this opinion as it applies to the present situation in most public schools, including Alabama.

*Carson v. Makin* concerned a Maine policy of the state funding tuition for students to attend nonpublic schools. In some parts of rural Maine there are no public schools but there are secular and sectarian private schools. The Maine policy did not permit the parents to pay tuition at a sectarian school. The court ruled this was not an establishment of religion but violated instead his religious and speech rights. Maine could not direct how the funds would be used by attempting to treat secular nonpublic school differently than religious nonpublic schools. Our analysis will demonstrate there are still pitfalls with church schools accepting government funds.

These three cases represent a change in the opinions of SCOTUS. For years, liberal Justices have acted to legalize policies that should have been promulgated, if at all, through legislative efforts. The present makeup of the court is cleaning up many decades of very bad jurisprudence. While these judicial corrections are necessary, we must hope and pray for a return to restraint and civilized debate.

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

Yours Very Truly,

A. Eric Johnston

AEJ/jfj