

# An open Letter to Father Virgil Blum...

Dear Father:

If, from your place in Heaven, you give an occasional glance towards earth, I know you are pleased with the League you founded and with its strong new leadership. Even more you rejoice that people of every faith, and even nonbelievers, are now laboring all over the nation to achieve your goal of freedom of choice in education.

June 18 the Supreme Court took a major step toward that reality in its decision in the *Zobrest* case. I thought of you many times during the five years of that struggle – your clear vision of parental rights, religious liberty, and of the evils of state educational monopoly.

I fear there are some misunderstandings of the case. Many press accounts have called it a “five-four decision.” It was a five-two decision on the great issue which the case posed at the Supreme Court level – namely, whether government’s furnishing a sign-language interpreter to a deaf boy on the premises of his religious school violated the Constitution’s Establishment Clause.

Some, too, have said that, in spite of the Court’s ruling in favor of the *Zobrest* family, they might still have to fight in the lower courts to get reimbursement. Not so. On July 25 they got paid in full. The public school district had had enough of the fight – a fight which never should have been.

Father, the old enemies of justice – in particular, Americans United for Separation of Church and State – are now trying to downsize the *Zobrest* decision. They say it is a very narrow ruling simply allowing a sign-language interpreter to serve a deaf boy on the premises of a religious school. Oddly enough,

some supporters of school choice are saying the same thing. But they are both failing to recognize the *principle* involved in the case – namely, that *public aid may be given to individuals qualifying for it, on religious premises, where the aid is made available to all and where it is religiously neutral in character.*

I realize that, in subsequent cases where freedom of religious choice in education is sought, the narrow view will be pressed and secularist judges may buy it. But our job, following your great example, will be to fight *for the principle*. We now, in *Zobrest*, have a beachhead, and we must and can push from there to full victory for the cause you championed.

We know we have your prayers. Thanks again.

*-Bill Ball*

Ed. Note – William Bentley Ball is the distinguished constitutional lawyer and former member of the League's Board of Directors who represented the Zobrest family in *Zobrest v. Catalina Foothills School District*.