

BIG HIGH COURT VICTORY

The U.S. Supreme Court delivered a big win for religious liberty in its June 26 ruling in *Trinity Lutheran Church v. Comer*.

At issue was whether the state has a right to deny public funds to a religious entity when the disbursement is for a secular purpose. In other words, is it constitutional to treat a church in a manner that is different from a non-sectarian institution?

The Supreme Court ruled 7-2 that “the exclusion of Trinity Lutheran from a public benefit for which it is otherwise qualified, solely because it is a church, is odious to our Constitution all the same, and cannot stand.”

It did not mince words: “This Court has repeatedly confirmed that denying a generally available benefit solely on account of religious identity imposes a penalty on the free exercise of religion.”

This victory extends way beyond the right of a Lutheran church in Missouri to receive public funding for a playground. Nearly 80 percent of the states have Blaine amendments, provisions that discriminate against houses of worship and religious institutions in the distribution of public aid. These amendments are rooted in nineteenth century nativism, a time when anti-Catholicism flourished.

Defending this bigotry was Americans United for Separation of Church and State, an organization that was itself founded as an anti-Catholic institution in the 1940s.

Big as this win is, many more are needed to restore fidelity to the original purpose of the First Amendment.