

HIGH COURT REVIEW?

The Thomas More Law Center, representing the Catholic League, is appealing a First Amendment case to the U.S. Supreme Court. In 2006, with counsel from the Ann Arbor, Michigan legal defense organization, we filed suit against the City of San Francisco after the City's Board of Supervisors passed a non-binding resolution condemning the Catholic Church for its policy against homosexual adoptions.

In that resolution, the Board said that "It is an insult to all San Franciscans when a foreign country, like the Vatican, meddles with and attempts to negatively influence this great City's existing and established customs and traditions, such as the right of same-sex couples to adopt and care for children in need." Of course, the Vatican never meddled in anything: it simply holds a position contrary to the one in San Francisco.

Last June, a three-judge panel of the Ninth Circuit upheld the resolution, but the court later voted to rehear the case before the entire panel of 11 judges. The larger panel voted to reject the lawsuit. However something important to our case happened: of the six judges who addressed the question of government hostility to religion, they split 3-3.

The government is supposed to practice neutrality toward religion. We believe this principle was abridged when the San Francisco Board of Supervisors lashed out at the Vatican. We hope the Supreme Court hears this case and sends an unmistakable message to public officials who voice their hatred of the Catholic Church.