

# SOTOMAYOR DISCOVERS RELIGIOUS BIAS

Catholic League president Bill Donohue comments on remarks made yesterday by Supreme Court Justice Sonia Sotomayor:

U.S. Supreme Court Justice Sonia Sotomayor is accusing some of her colleagues of duplicity. She called them out for saying religious hostility was in play against the baker in the Masterpiece Cakeshop decision, but no such bias was evident in the travel ban case. She is right about one thing: duplicity is at work. But it is not her associates who are guilty—she is.

The travel ban case was decided on the constitutional right of the chief executive to exercise his duties as commander-in-chief. Critical remarks about Muslim terrorists made by presidential-candidate Donald Trump were not found to be persuasive in overriding the right of the president to protect national security.

Sotomayor blasted the majority decision saying it was “motivated by hostility and animus toward the Muslim faith.” She did not explain why only some Muslim-run nations were singled out, nor did she explain why nations having nothing to do with Islam—Venezuela and North Korea—were included in the restriction. As the majority of the Justices found, religion was not what motivated the ban; rather, it was the terrorist threat that some nations posed to the U.S.

It is Sotomayor who is selectively interested in religious liberty, not her colleagues. In the Masterpiece Cakeshop case, where clearly anti-Christian comments were made by members of the Colorado Civil Rights Commission against Christian baker Jack Phillips, Sotomayor found no religious hostility whatsoever.

Sotomayor joined a dissent decision by Justice Ruth Bader Ginsburg saying the baker case showed no “evidence [of] hostility to religion of the kind we have previously held to signal a free-exercise violation....”

So when one member of the Colorado Civil Rights Commission says Christianity is comparable to slavery and the Holocaust, and another member says that no one has a right “to act on his religious beliefs if he wants to do business in this state,” these remarks, according to Sotomayor, were not “motivated by hostility and animus” toward Christianity.

Sotomayor has set two bars for determining religious hostility: the one for Christians reaches the sky; the one for Muslims is at ground level.