

SUPREME COURT TO HEAR LANDMARK VOUCHER CASE; CATHOLIC LEAGUE AMICUS BRIEF GETS A HEARING

On February 20, the U.S. Supreme Court will hear oral arguments in *Zelman v. Doris Simmons-Harris*, the case that involves the Cleveland voucher program. The Catholic League has filed an amicus curiae brief supporting the constitutionality of the program. William Donohue, president of the Catholic League, explained why the league's interest in this issue is so strong:

"In the mid-1990s, a federal court orders the state of Ohio to take over the failed Cleveland schools, citing 'emergency conditions.' A voucher program is instituted giving parents up to \$2,250 to send their children to a school of their choice. Most of them choose Catholic schools. And this leads the 'friends of the poor' to sue: they claim this amounts to a violation of the principle of church and state. But everyone knows that it wasn't the state of Ohio that chose to send the voucher kids to Catholic schools. Their parents did. No matter, the public school establishment will have none of it. They literally cringe from competition.

"The Catholic League's friend-of-the-court brief, written by University of Notre Dame Law School professor Gerard Bradley and Princeton University professor Robert P. George, challenges previous court characterizations of Catholic schools as being 'pervasively sectarian.' They maintain that the term is loaded with prejudice and has led to decisions that discriminate against Catholic schools based upon a caricature.

"The federal courts have a long and undistinguished record of discriminating against Catholic schools. The high court is now presented with a case that addresses past inequities and therefore carries landmark opportunities. It is our hope that the judges seize the moment and reach a decision that provides fresh chances for our nation's minorities."