



WISCONSIN FAMILY ACTION
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RELIGIOUS FREEDOM WINS AT US SUPREME COURT *Wisconsin Family Action responds to the decisions*

MADISON, WI – The US Supreme Court has upheld religious freedom in every challenge brought against it this session, with two more victories today. Today’s rulings make it clear: The government cannot dictate hiring policies for religious entities, but it can provide for exemptions based on religious and conscientious objections.

The First Amendment indeed means the right to freely exercise one’s religion for both private religious schools and religious entities. That government cannot override that right for faith-based organizations.

In its ruling in [Our Lady of Guadalupe School v. Morrissey-Berru](#), [St. James School v. Biel](#), the Court rejected the notion that Catholic schools must allow teachers who do not hold to the faith.

Justice Alito wrote the majority opinion, stating in part, *“The religious education and formation of students is the very reason for the existence of most private religious schools, and therefore the selection and supervision of the teachers upon whom the schools rely to do this work lie at the core of their mission.”* In referencing a previous case, the justice writes, *“What matters is what an employee does. Implicit in the Hosanna-Tabor decision was a recognition that educating young people in their faith, inculcating its teachings, and training them to live their faith are responsibilities that lie at the very core of a private religious school’s mission.”*

The Court also upheld First Amendment rights in the second case today, [Little Sisters of the Poor and Paul Home v Pennsylvania](#). The Court held that the government cannot force the nuns to take part in insurance coverage that includes contraceptives and abortion-inducing drugs, in violation of violating their religious beliefs.

It is the second time The Little Sisters of the Poor have successfully defended their faith at the U.S. Supreme Court.

Justice Thomas wrote the opinion in which Alito agreed, *“I would hold not only that it was appropriate for the Departments to consider RFRA [Religious Freedom Restoration Act], but also that the Departments were required by RFRA to create the religious exemption (or something very close to it). I would bring the Little Sisters’ legal odyssey to an end.”*

Julaine Appling, president of Wisconsin Family Action, commented, “The two opinions are lengthy and will take more time to fully digest and apply to Wisconsin law. But they send a very clear message: First Amendment protections of the exercise of religion are not only core to our country’s founding, but they remain relevant and crucial today in the face of much hostility.”

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Wisconsin Family Action is a statewide organization engaged in strengthening, preserving and promoting marriage, family, life and religious freedom in Wisconsin.