

## BLOGS

**One Judge Away from a Religious Freedom Calamity**

BY Matthew Archbold

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In what must be seen as a near-miss, the Supreme Court ruled that public officials could open public meetings with a prayer.

I'm thrilled, don't get me wrong. It's a victory for religious freedom. But the ruling was 5-4. That's a sobering thought. The Supreme Court was one judge away from seriously curbing religious freedom. What four justices essentially said was that if you're an elected official you give up your right to express your religion at public meetings.

But here's the thing -say the town council is all Christians. Are they supposed to pray a Hindu prayer at one meeting, a Buddhist one at the next, an Islamic prayer at the next, and then maybe just maybe a Christian one. That is, of course, after the Zoroastrian one takes place. Justice Elena Kagan wrote the dissent in the decision and said the problem with the town council of Greece, New York praying was that it "did nothing to recognize religious diversity." So how does Kagan think to support religious diversity? By disallowing any mention of religion in a government organization if someone somewhere may be offended. Kagan even wrote of a woman who might be offended at a prayer:

She then must make known her dissent from the common religious view, and place herself apart from other citizens, as well as from the officials responsible for the invocations... That public proceeding becomes (whether intentionally or not) an instrument for dividing her from adherents to the community's majority religion, and for altering the very nature of her relationship with her government. That is not the country we are, because that is not what our Constitution permits.

Here's the thing, someone's right not to feel ostracized or offended isn't actually a right while people still have the actual right to practice their own religion. I mean, are we all so fragile that we can't take being offended anymore? Justice Kennedy sounded like a voice of reason when he wrote in the majority opinion that, "Our tradition assumes that adult citizens, firm in their own beliefs, can tolerate and perhaps appreciate a ceremonial prayer delivered by a person of a different faith."

The federal government has already decided that you give up your right to be a Catholic if you own a business. An upcoming court decision will rule on that. My hopes are not high. I'm happy about this last decision but I'm not feeling all warm and fuzzy about the survival chances of religious freedom in this country.

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