



The Washington Flyer
December 2, 2011

No enterprise can exist for itself alone. It ministers to some great need, it performs some great service, not for itself, but for others; or failing therein, it ceases to be profitable and ceases to exist.

Calvin Coolidge

Michigan Anti-bullying Measure Passes Legislature

In response to the national concern about bullying, Michigan lawmakers have sent a controversial anti-bullying measure to Governor Rick Snyder for his approval. Michigan is one of the few states that do not have a statute requiring school districts to draft anti-bullying policies. The proposed bill has garnered criticism from both parties. Senate Democrats [objected](#) to the House version which allowed students to make statements based on “sincerely held religious belief or moral conviction.” They contended that the clause would provide legal cover for bullying based on religious preferences. House Republicans, including the bill’s drafter, felt that the clause would balance First Amendment rights and religious liberty with the need to protect students from harassment. The bill known as “Matt’s Safe School Law” (named in honor of Matt Epling who committed suicide after repeated hazing by his peers) has even drawn criticism by Ken Epling, Matt’s father. He favors language that would delineate the various protected classes (race, weight, sexual orientation, etc.) and prescribe tougher punishments. Localities across the country are struggling with appropriate measures that discourage bullying without placing ambiguous and burdensome compliance measures on school districts. The Governor is expected to sign the bill.

House Holds Education Research Hearing

House Education and the Workforce Subcommittee Chairman Rep. Duncan Hunter recently held a [hearing](#) entitled “Education Research: Identifying Effective Programs to Support Students and Teachers.” Rep. Hunter stated that more education research must be conducted to ensure that taxpayer dollars are being used to support proven strategies. During the hearing, Dr. Grover Whitehurst, Brown Center on Education Policy at the Brookings Institution, highlighted several research outcomes that directly contradict commonly held beliefs about effective education practices and delivery methods. To read his testimony [click here](#).

New York Same-Sex Marriage Suit to Proceed

In November, New York Judge Robert Wiggins [ruled](#) that [New Yorkers for Constitutional Freedoms](#) along with other pro-marriage groups be allowed to have their day in court. The conservative groups allege that the collusion between Governor Andrew Cuomo, Mayor Michael Bloomberg, and homosexual advocacy groups unduly influenced the legislature’s decision to force through the controversial legislation that legalized same-sex marriage in New York. They successfully flipped four Republican lawmakers who had previously opposed the law to garner the final votes needed for passage. The court agreed that there were sufficient grounds for a lawsuit investigating whether there was illegality concerning the Governor’s decision to declare an emergency session and waive the required waiting period. Furthermore, Judge Wiggins wrote that “clear arm-twisting by the Executive on the Legislative permeates this entire process.” Liberty Counsel’s Rena Lindevaldsen said, “The judiciary is

the only check left. We are not challenging Senate rules, but seeking a check and balance on an out-of-control legislature.”

Proposition 8 Case Update

In a unanimous [ruling](#), California Supreme Court Judges determined that Proposition 8 supporters do have sufficient legal standing to continue their defense of the embattled initiative measure. The judges agreed with the plaintiffs that in light of the state’s abdication of defending the measure, the initiative’s backers have a legal right to defend the initiative. Although California citizens [voted](#) in favor of Proposition 8 (defining marriage as between one man and one woman), subsequent judges overturned the favorable referendum outcome. The case is now headed to the Ninth Circuit Court of Appeals and will most likely be appealed to the Supreme Court.

Liberty Council Debuts Christmas List

As a variety of atheist groups continue their assault on any mention of Christ or inclusion of religious symbols in the public square, [Liberty Council](#) has published its ninth annual Friend or Foe Christmas Campaign [list](#) of businesses that keep Christ in Christmas. Public scrutiny has already caused major retailers such as [Walgreens](#) to clarify or reverse their previous policy. The list is routinely updated to reflect retailer’s policies regarding the Christmas season. To read more about this effort [click here](#).

Canada Resists Legalization of Polygamy

Traditional marriage proponents welcome news that an influential Canadian court has decided to uphold the ban on polygamy. Although the Canadian Charter of Rights and Freedoms allows for polygamy, the British Columbia Supreme Court ruled that the practice should remain illegal because it is in the best interest of society to prohibit the practice. Alliance Defense Fund allied attorneys hail this outcome as an impetus for American courts to continue to uphold the [ban](#) on the practice despite calls by some groups to lift federal restrictions on plural marriage.

California Bible Study Case Resolved

The San Juan Capistrano home Bible study [case](#), which garnered national scrutiny, has been resolved in favor of the Christian homeowners. An atheist neighbor’s complaints about the weekly gathering prompted the city to apply local ordinances meant for churches to the group’s meeting and, subsequently, levied fines. The Pacific Justice Institute filed suit on the behalf of the Bible study leaders. The representatives argued that the statute was not applied to similar home gatherings for sporting events. The city has reversed its earlier decision, revised the statute, and refunded the money to the couple. Lawyers for the couple will continue to monitor the situation.

In Case You Missed It:

[Weekly Market Update](#) provided by Jeff Beach of the [AACS Investment Team at Merrill Lynch](#)

[Accommodation of Conscience: An American Tradition](#)

[Rep. Barney Frank Announces Retirement](#)

[Keep the Cross](#)

[A Legal Fight to Save Lives in North Carolina](#)

