



THE WASHINGTON FLYER



A Publication of the American Association of Christian Schools

**The Washington Flyer
December 18, 2020**

“The establishment of Civil and Religious Liberty was the Motive which induced me to the Field—the object is attained—and it now remains to be my earnest wish and prayer, that the Citizens of the United States could make a wise and virtuous use of the blessings placed before them.”
George Washington

Religious Liberty Index Shows Americans’ Strong Support for Religious Liberty

The Becket Fund for Religious Liberty recently released the results of their annual religious liberty index, and the statistics show that Americans have a strong support for religious liberty and that faith has been an important part of people’s lives during the challenges of 2020. The Index was first conducted in 2019, and each subsequent Index will ask the same basic 21 questions, adding different questions each year reflecting the events of that year, with the goal of gauging public opinion regarding faith and religious freedom in America. As [stated in the summary report](#), “In this year’s Index we find Americans steadfast in their support for religious freedom principles and drawing on their religious identity to face the year’s challenges and inform their approaches to opportunities for change that lie ahead.” The additional questions this year focused on people’s response to the pandemic, racial tension, and the 2020 election. The Becket Fund notes three main findings: faith has been very important to Americans during the pandemic; Americans see “leadership gaps in defending racial justice and religious freedom”; and religion is viewed as an “identity” and not something that can be “quarantined.” Sixty-two percent of the respondents said that faith was important this year while facing the COVID-19 crisis, and 78% believe that “religion is important to providing stability to society during times of social unrest.” Regarding the racial tension in the country over the last year, 84% of respondents thought that “religious organizations [should] have a role in advocating for racial justice and inequality,” but only 49% felt that their religious leaders had done a good or excellent job in responding to the issues. Interestingly, 3 out of 5 people consider a candidate’s views on religious liberty to be important, but believed the courts are doing the best job at protecting religious liberty and elected officials are “least likely to be chosen as those doing a good job. . . . Congress being the lowest.”

In a recent [podcast hosted by the Daily Signal](#), Caleb Lyman, Becket Law’s Director of Research and Analytics, pointed out some encouraging aspects of the Index, notably the level of importance that Gen Z respondents place on faith. According to the results of the survey, Gen Z respondents were the “second most likely group . . . to say their faith had been important to them during the pandemic.” The first group was those 65 and older. As noted by Mr. Lyman, the narrative describing Gen Z is that “their faith is less important to them, that they’re turning away from religion.” But he adds, “in the pandemic, we see that that’s definitely not true. The Gen Z found faith important to them and more important than a lot of other people did.” Lyman also noted that the survey results indicated that religious freedom is a “unifying principle” and 60% indicated that religion is a “fundamental part” of their identity “and should be protected accordingly.” The Index also showed that 62% of respondents believe that “people of faith are part of the solution” to the challenges of the year, and this percentage is an increase by 7% from last year’s Index.

Christian Schools Suing over State School Closures

Christian schools in Wisconsin, Ohio, and Michigan are pushing back against state mandates to close their schools due to COVID-19 concerns by government officials. In [Wisconsin](#), Christian schools partnered with the Wisconsin Institute for Law and Liberty to bring their case before the state supreme court on the grounds that the state's health restrictions forcing their schools to close violated their religious free exercise. Although attorneys for the state argued that religious liberty is a limited right that cannot harm another person, attorneys for the schools argued that true free exercise of religion required in-person instruction in religious schools. The state's order has been temporarily blocked while the court considers the case. In [Ohio](#), a group of Christian schools has sued the Toledo-Lucas County Health Department over its order to close all K-12 schools for six weeks. The schools contend that ensuring children receive a faith-based education is an expression of religious belief and is therefore protected by the First Amendment. The schools further argue that the health department's restrictions did not really protect students and teachers because schools were among the safest places for people to gather. And in [Michigan](#), over 400 private and religious schools joined in a lawsuit against Governor Gretchen Whitmer and the state health department, alleging that the forced closure of high schools also violated the First Amendment. As governments continue to abuse their power, Christian schools are taking a stand to defend their fundamental religious liberty.

Supreme Court Rules Churches Can Open

This week, three court cases reflect the significance of the Supreme Court's recent decision in [Roman Catholic Diocese of Brooklyn v. Cuomo](#) that recognized the constitutional rights of churches to gather in person. In a [Colorado](#) case, the Supreme Court ruled 6-3 to send the case of High Plains Harvest Church to the 10th Circuit Court of Appeals for reconsideration months after Harvest Church filed a lawsuit against Colorado Governor Jared Polis over his 50-person limit on attendance. Although the state has since lifted its restrictions on worship, the strong statement from the Supreme Court protects against future government restrictions in Colorado and helps bolster those fighting for their First Amendment rights in other states. In a case from [New Jersey](#), the High Court sent a case back to the 3rd Circuit Court of Appeals after churches sued Governor Phil Murphy contending his capacity [mandate](#) treated religious gatherings less favorably than secular gatherings at casinos, businesses, and political protests. And in a [Nevada](#) case, the 9th Circuit Court of Appeals ruled 3-0 in favor of a church's right to worship in person. Although the Supreme Court ruled against the Nevada churches in July, the 9th Circuit recognized that the *Diocese* case "represented a seismic shift in Free Exercise law, and compels the result in this case." Religious freedom advocates such as attorney Christopher Ferrara of the Thomas More Society note that the harsh restrictions on churches and religious activities signify "the very crux of religious discrimination and a blatant abuse of the United State Constitution and its amendments."

In Case You Missed It:

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

[Life is Winning: White House Hosts Celebration of Pro-Life Accomplishments](#)

[Trump Administration Will Withhold \\$200 Million in Tax Dollar from CA for Forcing Christians to Pay for Abortions](#)

[Human Rights Campaign Wants Christian Schools to Abandon Beliefs or Lose Accreditation](#)