



NEWS RELEASE

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McMaster Joins Effort to Protect Religious Groups' Legal Rights

Amicus Brief Filed by 14 State Attorneys General

Columbia – South Carolina Attorney General Henry McMaster has joined a brief filed with the U.S. Supreme Court that defends the right of the Christian Legal Society (“CLS”) at the University of California Hastings to determine the group’s membership based on adherence to its basic viewpoints. The university has denied recognition of the religious student organization because the group requires its officers and voting members to agree with its core religious values.

The amicus brief, which was filed on behalf of fourteen (14) state attorneys general, supports a legal challenge from CLS of a Ninth Circuit Court of Appeals ruling that the U.S. Constitution allows a state law school to deny recognition of a religious student organization because the requirements the group has placed upon its officers and voting members.

According to the brief, the case “specifically involves the faith-based student group’s interest in controlling its message,” however, “the impact of this case is not limited to faith-based student groups. Its impact will be felt by any student association that is centered on a core set of values, thoughts, or beliefs.” Further, “A decision by this Court that authorizes universities to force student associations to alter their identity in order to gain access to a public forum would devalue the marketplace by diminishing the free exchange of ideas.”

“South Carolina has eighty-three colleges¹, all with student groups that should enjoy the freedom to express various and specific points of view, regardless of their religious beliefs” McMaster said. “South Carolina urges the nation’s highest court to hear the Christian Legal Society’s challenge to a ruling that allows limits on free expression to be placed on groups trying to communicate their opinions and beliefs with a single, unified voice.”

Read the brief: <http://www.scag.gov/newsroom/pdf/2010/clsbrief.pdf>

The states that joined the amicus brief are: Alabama, Colorado, Florida, Idaho, Louisiana, Michigan, Nebraska, New Mexico, Pennsylvania, South Carolina, South Dakota, Utah, Virginia, and West Virginia.

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¹ <http://www.sciway.net/edu/colleges/alphalist.html>