

Campus Group Loses Lawsuit

A federal judge ruled Friday that two California universities can refuse to recognize Every Nation Campus Ministries because it prohibits openly gay students from membership.

Feb. 8, 2009 – A federal judge ruled Friday that a nondiscrimination policy at San Diego State University and California State University at Long Beach State does not violate the rights of a Christian campus ministry that bars openly gay students from membership, the Associated Press (AP) reported.

In its 2005 lawsuit, Every Nation Campus Ministries claimed that complying with the school policy infringed on its rights to free speech and religious liberty.

The group-which is part of an international charismatic ministry founded by Rice Broocks, Phil Bonasso and Steve Murrell-sought an injunction that would force the schools to recognize the ministry despite a policy that forbids campus groups from withholding membership based on race, religion, age, gender, sexual orientation or disability.

But in his ruling, District Judge Larry A. Burns said the nondiscrimination policy was “viewpoint neutral” and therefore not unconstitutional, the *San Diego Union-Tribune* reported.

In his decision, Burns wrote that the policy “burdens Plaintiffs’ expressive activity, if at all, only incidentally, while at the same time furthering a legitimate interest in providing all students with the opportunity to participate in the full range of student activities supported by the university,” the AP reported.

Jeremy Tedesco, an attorney for the Alliance Defense Fund (ADF), which is representing Every Nation on the two campuses as well as a Christian sorority and fraternity, said his

organization would appeal the decision "because it's fundamentally wrong and unconstitutional."

He said the Christian groups should not be penalized for acting in line with their religious views. Three of the groups require their members and officers to profess faith in Christ and adhere to a biblical code of conduct, including abstaining from sex outside of marriage between a man and a woman. The other group applies those requirements only to its officers.

Susan Westover, a lawyer for San Diego State, told the *Union-Tribune* that the ruling "keeps the doors open for all student organizations which, in order to gain official recognition, must be inclusive, not discriminatory."

But Tedesco argued that university officials would not require a student vegetarian club to allow meat-eaters as voting members. He added that not being recognized prevents his clients from accessing meeting rooms and other areas of campus, and from university funding.

"What's going on here, the penalty here is absolute and complete exclusion from the give and take of the university campus," Tedesco told *Charisma*. "What happens to them is they have to exist without the enormous benefits and privileges the other groups gets. They are basically treated like outsiders on their own campus."