

First Liberty 'Blown Away' By Support for Religious Liberty Case

If former Marine Corps Lance Cpl. Monifa Sterling—who was court-martialed for posting a Bible verse at her desk—didn't know that millions of Americans were supporting her fight for religious liberty, she should certainly know it now.

First Liberty Institute lawyers are trying to get her a court date before the U.S. Supreme Court, an arduous task that only happens to about 1 percent of appellate cases. But those efforts have received a huge boost recently after seven different organizations filed amicus briefs urging the high court to take up her case.

At the current stage of her case, known as the certiorari stage, to file an amicus curiae brief, a person or organization must establish a “vested interest” in the case. Here are the groups and individuals who have done that in the case of Sterling v. United States:

- **Dr. Simcha Goldman**, an Orthodox Jew, who was the plaintiff in the historic Supreme Court case of Goldman v. Weinberger (1986), where he sought the right to wear a yarmulke while in uniform. His case, which was lost in a 5-4 decision, was the last military religious freedom case heard by the Supreme Court. Dr. Goldman urges the court to protect religious minorities in the military.
- **Lt. Col. Kamal S. Kalsi**, U.S. Army Reserve, the first Sikh member of the armed forces given a religious accommodation to serve on active duty with a beard and turban, argues that the lower court's ruling risks creating obstacles preventing people of faith from serving in the military.

- **Thirteen retired military generals** argue that religious freedom is vital to the military and should be protected.
- **Fourteen state attorneys general** say the lower court misapplied the Religious Freedom Restoration Act and argue that how the court interprets RFRA will directly impact service members who are citizens of their states.
- **Religious Freedom Restoration Act expert Thomas Berg** filed a brief on behalf of multiple religious and civil liberties organizations, including the Chaplain Alliance for Religious Liberty, the National Association of Evangelicals, the Ethics and Religious Liberty Commission, the Lutheran Church Missouri Synod, The General Conference of Seventh-day Adventists and many others.
- **Foundation for Moral Law** argues the historical significance and importance of religious freedom in the military.
- **Thirty-six Members of Congress** argue that the lower court's interpretation of the Congress-authored RFRA is not consistent with the law's text and purpose. They urge the court to review the Sterling case.

"It's rare for a Supreme Court case to receive a single amicus brief at this stage, let alone seven," First Liberty President and CEO Kelly Shackelford said. "We're blown away to see such a broad range of parties of such high caliber weigh in on this case to support religious freedom."

"Voices in the military, in the church, in religious minorities and from across the nation are uniting to ask the Supreme Court to protect religious freedom. We hope the Supreme Court will heed their requests and accept this historic religious freedom case."

As Sterling's case currently stands after losing on appeal with the U.S. Court of Appeals for the Armed Forces, the RFRA only protects expressions of faith that are required by

religious texts. First Liberty is eager for the case to be heard to get the high court's opinion on how RFRA should be interpreted to protect individuals when the government burdens a person's religious exercise—which has the potential to determine the extent of religious liberty for all Americans, not just those serving in the military. {eo}