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U.S. Supreme Court decides cases challenging government displays of the Ten Commandments — Wiggin and Dana's Appellate Practice filed an amicus brief on behalf of the Anti-Defamation League.

The U.S. Supreme Court issued its opinions today in two widely publicized cases challenging government displays of the Ten Commandments as a violation of the separation of church and state. The national Appellate Practice Group of Connecticut-based Wiggin and Dana filed an amicus brief in both cases on behalf of the Anti-Defamation League (ADL), a prominent, national civil rights organization focused on freedom of religion issues. Wiggin and Dana wrote the brief in partnership with a theological scholar at Boston College. The amicus brief provided a theological and legal basis for concluding that the displays of the Ten Commandments on a monument on the Texas state capitol grounds, and on the walls of two Kentucky courthouses, are unconstitutional.

The Supreme Court struck down as unconstitutional the displays of the Ten Commandments on Kentucky's courthouse walls and reaffirmed by a majority vote the longstanding, traditional constitutional test for separation of church and state. At the same time, the Court upheld the display of a Ten Commandments monument on the Texas state capitol grounds, but the Court was splintered, with no majority opinion. Justice Breyer, in a very narrowly-based concurring opinion, supplied the decisive vote to uphold the Texas display based on his view that the monument had stood for decades without proving divisive and for that reason he would not require its removal. The Court's opinions in these two cases, taken together, place important limitations on government displays of religious texts, recognizing the Founding Fathers' views that religious beliefs and practices will best flourish without the divisiveness inevitably created by governmental involvement.

Wiggin and Dana serves clients from offices in Connecticut, Philadelphia and New York. The firm's expertise includes venture capital, information technology, biotechnology, securities, mergers and acquisitions, all forms of litigation and dispute resolution, antitrust, complex corporate and real estate transactions, health care, environmental, franchise and distribution, taxation, intellectual property, estate planning, and labor and employment. For more information on the firm, visit the website at www.wiggin.com.