

Boy Scouts Can't Force the City of Philadelphia to Support Their Discriminatory Policies, Humanist Say

Washington, DC--On Monday, March 22, the Appignani Humanist Legal Center, legal arm of the American Humanist Association, joined the Unitarian Universalist Association and other nonprofits in filing an amicus brief in a case that challenges whether an organization that discriminates in its membership can demand public subsidies. The brief was filed in the case *Cradle of Liberty Council, Inc. v. City of Philadelphia*, in which a Boy Scouts of America (BSA) chapter sued the city of Philadelphia when the city refused to continue offering the chapter rent-free office space as long as their discriminatory policy, which barred membership to atheists, agnostics, and gays and lesbians, was still in place.

[Click here to read the brief \(PDF version\).](#)

"It's outrageous that the Boy Scouts of America thinks they have the right to force taxpayers to support their policies of discrimination against the nontheist and LGBT communities," said Bob Ritter, staff attorney of the American Humanist Association. "Although they certainly have a First Amendment right to bar membership to whomever they please, the government cannot be compelled to support them in the form of offering public subsidies. In fact, the Establishment Clause, which bans government establishment of religion, prohibits them from doing so."

The city of Philadelphia had provided the BSA chapter, the Cradle of Liberty Council, free rent in the city's historic district. However, after the chapter adopted the membership policies of the national BSA group, the city told the Cradle of Liberty Council that they must revise their policy, begin paying market-place rent for the space or vacate. The Cradle of Liberty Council sued, arguing that the city requiring the chapter to change its policy was a violation of their First Amendment right to free speech.

"The courts have been very clear about such disputes," continued Ritter. "If the Boy Scouts want to continue to maintain their discriminatory policies they're free to do so, but without government benefit. Or they can revise their policies and continue to enjoy free rent. But they can't have it both ways."

The case mirrors several aspects of the case *Christian Legal Society v. Martinez*, in which a University of California Hastings College of the Law student group, which denied non-orthodox Christians and gays from becoming voting members or leaders, sued the school for denying them official school recognition. The AHLC filed a friend-of-the-court brief with the Supreme Court in the case, in support of Hastings. [Click here to read the brief \(PDF version\).](#)

The Appignani Humanist Legal Center is made possible through the support of The Louis J. Appignani Foundation, The Herb Block Foundation, and an anonymous private foundation. To donate to the Legal Center and other projects of the American Humanist Association please click [here](#).

The American Humanist Association (www.americanhumanist.org) advocates for the rights and viewpoints of humanists. Founded in 1941 and headquartered in Washington, D.C., its work is extended through more than 100 local chapters and affiliates across America.

Humanism is the idea that you can be good without a belief in God.