

Court decision upholds right to build church

I write to correct a misunderstanding in your article, "Church Wins Round in Fight with Township" (July 31 *Grand Valley Advance*), regarding the victory for my client, the Great Lakes Society, in its civil-rights case against Georgetown Township. You report that, "the court decision only verifies the society's standing as a church, and may not guarantee the right to build, since the needed variance was denied," but this is not accurate in two respects.

First, Judge Bosman went much farther than simply verifying the Society's authentic standing as a church. He held that the Township's rejection of the Society's building permit application—because it was supposedly not for a church—was so "capricious" that it violated federal law and the church's constitutional rights. Second, the judge held that the Township's subsequent denial of the Society's variance application was in fact unlawful because of the unjustifiable burdens it imposed on religious expression. Thus, the Society won the right to build its church, as it originally envisioned, on its land despite the Township's best (and illegal) efforts to block the construction.

Speaking more broadly, the judge upheld the constitutional principle that believers, not bureaucrats, get to decide what their church is supposed to look like.

Finally, the article ends

with a suggestion that the decision to pursue monetary damages is up in the air. It is not. We are most certainly pursuing the significant money damages the Society is entitled to. What is actually up in the air is whether the Township will join us at the table in fair and honest settlement discussions or if it will continue to waste more taxpayer dollars litigating a fight it has already lost.

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Editor's note: In the July 31 story, statements about the society's right to construct a church building as original proposed, and whether the suit would be continued for monetary damages, were made by John Cheetham, minister of the Great Lakes Society for Biblical Research.