

## Editorial Comment

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# Editorial Comment

Prompted by the large number of recent federal and state court rulings dealing with school aid, the CATHOLIC LAWYER has devoted the lead article in this issue to an examination of the subject and possible alternatives.

Because of the negative tone of the article, it may be wise to point out that anybody that wants to give up at this stage of the game is calling the fight before it is over. Despite the bleakness of the present situation, we must recognize that the lower courts are simply working out the ambiguities in the *Lemon-Di Censo*<sup>1</sup> decision. By far the safest course for them to follow is to knock the new legislation down, basically following the rule that no circumvention will be permitted.

In the last analysis, however, it is the Supreme Court that will have the last say. In this connection it must be remembered that the causes of the difficulties in the parochial school system are complex. Its problems cannot be completely solved even with a substantial amount of federal or state assistance. While extremely significant defeats have been suffered at the Supreme Court level by the proponents of federal and state aid to parochial schools, the picture is not all black for them—significant victories have been won as well. The fight therefore continues to be waged.

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<sup>1</sup> *Lemon v. Kurtzman*, 403 U.S. 602 (1971), *decided with Robinson v. Di Censo*, 403 U.S. 602 (1971).

A handwritten signature in black ink, appearing to read "Edward Tegen". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

EDITOR