

Supreme Court upholds religious rights of prisoners

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WASHINGTON (RNS) A Supreme Court that has extended the reach of religion into public life in recent years ruled Tuesday (January 20) that spirituality can overcome even prison security concerns.

The court came down decisively on the side of a Muslim prisoner whose beard had been deemed potentially dangerous by Arkansas prison officials. Growing a beard, the justices said, was a Muslim man's religious right.

The unanimous opinion, written by Justice Samuel Alito, had been widely anticipated despite two lower court decisions upholding the state's no-beard policy. The ruling extended the high court's reverence for religious beliefs and observances. In its last term, the justices allowed family-owned businesses with religious objections to deny health insurance coverage for contraceptives, and the court also upheld prayers at municipal government meetings.

A law passed by Congress in 2000 was intended to protect prisoners' religious rights, much like the Religious Freedom Restoration Act of 1993 was meant to protect religious freedom in general.

The issue before the court was Arkansas' requirement that prisoners be clean-shaven unless they have a medical reason for keeping a quarter-inch beard. While more than 40 state prison systems allow beards in general, Gregory Holt had agreed to keep his to a half-inch—virtually negating the chance he could hide weapons or contraband in it.

Both the federal district and appeals courts ruled against Holt, even though a magistrate who heard testimony said it was "almost preposterous" to think he could hide a weapon in his beard. Noting that Holt had been granted several other religious concessions, such as a prayer rug, a special diet, and holiday observances,

the lower courts deferred to the state's judgment about its security needs.

During oral arguments in October, several justices belittled the state's stated fears: that an escaped prisoner could hide a weapon or contraband in his beard, as well as change his appearance after an escape by shaving. The state said its policy was needed because it houses inmates in barracks and employs them on maintenance jobs outside prison grounds.

Holt, also known as Abdul Maalik Muhammad, had persuaded the court to hear his case with a 15-page, handwritten petition citing his desire to keep a beard as part of his Muslim faith.

"This is a matter of grave importance, pitting the rights of Muslim inmates against a system that is hostile to these views," he wrote.