



FIRST FREEDOM NEWS

New President Takes the Helm

Former U.S. Ambassador-at-Large for International Religious Freedom and founder of the Institute for Global Engagement, Robert A. Seiple, is the new president of the Council for America's First Freedom. Ambassador Seiple, who for more than three decades has helped champion humanitarian solutions to religious conflict around the world, was selected by the Council's search committee following an extensive national search. He assumed his new post in March.

"Bob Seiple's career is living testimony to his commitment to the principle of religious liberty," said Tommy P. Baer, chairman of the board of the Council. "His wisdom, experience and passion will enhance his leadership of the Council and serve to engage a broader public in the issues surrounding religious freedom. He has impeccable credentials, and we are pleased and proud that he has agreed to accept this important post."

"For faith to be authentic, it must be freely embraced," said Seiple. "Thomas Jefferson understood this, and his 'first freedom' statute anchors our Constitution's bill of rights now more than ever. In a post-9/11 world where individuals die for their faith while others kill in the name of their religion, America's founding principle of religious liberty takes on even greater prominence. For this, our most fundamental human right, the Council for America's First Freedom provides a face at home and voice abroad, extending legitimate hope for all those who suffer for their beliefs."

Seiple most recently served as chairman of the board of the Institute for Global Engagement, the Washington, D.C.-based "think tank with legs" that he founded in 2000. The Institute seeks to develop sustainable environments for religious freedom worldwide, combining strategic analysis with innovative strategies that strike at the heart of religious intolerance, particularly in emerging nations.

Appointed in 1998 as the first U.S. Ambassador-at-Large for International Religious Freedom, Seiple was charged with promoting religious freedom worldwide, advancing reconciliation in areas where conflict was spurred by religious differences, and ensuring that the tenet of religious freedom was a consistent part of American foreign policy.

Seiple spent the prior 11 years as president of World Vision, Inc., the largest privately funded relief and development agency in the world. He previously held a number of administrative positions at his alma mater, Brown University, where he served as director of athletics and vice president for development. He also served as president of Eastern College and Eastern Baptist Theological Seminary in Philadelphia, Pa.

Born in the rural community of Harmony, N.J., Seiple received an A.B. degree in American History from Brown in 1965. He later served in the U.S. Marine Corps, attaining the rank of Captain. He flew 300 combat missions in Vietnam and received numerous decorations, including five Battle Stars, the Navy Commendation Award with Combat 'V,' 28 Air Medals and the Distinguished Flying Cross.

What Others Are Saying

Ambassador Robert Seiple is America's most respected and accomplished advocate on behalf of religious liberty—our country's first freedom and a universal human right. For years, I have seen him in action as a diplomat, an educator, a problem-solver and a defender of principle. I am convinced that, if he were still alive, Thomas Jefferson himself would agree that the Council for America's First Freedom could have chosen no better leader.

The Honorable Madeleine Albright, Former U.S. Secretary of State

Ambassador Seiple brings vast experience in and commitment to questions of religious freedom. I expect that he will find exciting new ways to extend the Council's impact in making meaningful contributions to implementing the ideals of religious freedom not only in the United States but in the international setting.

Prof. W. Cole Durham, Jr., Director,
International Center for Law and Religion Studies, Brigham Young University

Ambassador Seiple's vast leadership experience is needed now more than ever. I have admired him for quite some time and have always respected his ability to bring people together. He is the perfect choice for President of the Council for America's First Freedom.

Ambassador Akbar S. Ahmed,
Ibn Khaldun Chair of Islamic Studies, American University

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Ambassador Seiple addresses the guests at the 2006 First Freedom Awards Dinner.

Seiple is no stranger to the Council. Among the many honors he has received is the 2005 National First Freedom Award, presented annually to distinguished individuals for advancing freedom of conscience and basic human rights for people of all faiths, traditions and cultures.

"Ambassador Seiple is the right man for the right job at the right time, and we look forward to working shoulder to shoulder with him on issues that grow in significance every day," said Robert M. O'Neil, the director of the Thomas Jefferson Center for the Protection of Free Expression, and chair of the Council's search committee. "The struggle for religious liberty requires energy and understanding, and so does the Council's own mission. I am confident that Bob Seiple will provide the leadership and vision necessary to make a lasting and meaningful difference."

Ambassador Seiple's Accomplishments

- 2006** Named the new president of the Council for America's First Freedom.
- 2005** Joined the International Religious Liberty Association's Board of Experts.
- 2000** Founded the Institute for Global Engagement, a "think tank with legs" that seeks to develop sustainable environments for religious freedom worldwide.
- 1998** Appointed as the first U.S. Ambassador-at-Large for International Religious Freedom.
- 1987-1998** Served as president of World Vision, Inc., the largest privately funded relief and development agency in the world.
- 1983-1987** Served as president of Eastern College and Eastern Baptist Theological Seminary.
- 1971-1983** Held a number of administrative positions at his alma mater, Brown University, where he served as director of athletics and vice president for development.
- 1966-1969** Served in the U.S. Marine Corps, attaining the rank of Captain. Seiple flew 300 missions in Vietnam.

Awards Received

- 2006** Abraham Kuyper Prize and Lecture, Princeton Theological Seminary
- 2005** National First Freedom Award, Council for America's First Freedom
- 2005** Religious Freedom Award, International Religious Liberty Association
- 2005** Brown University Alumnus of the Year, Ivy League Football Association
- 2004** Good Samaritan Award, Advocates International
- 1996** Helping Hands Award, World Relief
- 1996** Distinguished Service Award, US Secretary of State
- 1995** Independent Award, Brown University
- 1983-2006** Eight Honorary Degrees

President's Message



Knowledge and Respect

There is much that is new at the Council for America's First Freedom. I represent a portion of that newness! I look forward to sharing this newsletter, lifting up religious freedom to its proper place of preeminence in the American consciousness while validating yet again the critical role of education in this process.

The times in which we live demonstrate the importance of an educated mind. As I write this, the Islamic world is in turmoil over cartoons that appeared in Danish newspapers, caricatures that denigrate what Muslims see as sacred. The

cartoons have spawned riots throughout the world. Additional images appear on the television sets, cementing for many the preconceived notions long held by non-Muslims. The pundits have been busy, opining over all aspects of this issue, never deterred by their own lack of understanding while continually amazed at the passions generated by religion. Sadly, many have died in the riots. The turmoil has not diminished. Unfortunately there are those who are pushing for more. We hear people speaking anew of Sam Huntington's "Clash of Civilizations" and we wonder and worry over this crisis as a potential "tipping point" in a world long unsafe for diversity.

Simply put, the crisis was caused by a lack of knowledge and a lack of respect. The newspaper editors and the cartoonist should have known that representations of this kind would be unacceptable to Muslims and would demonstrate profound lack of respect for the 2 billion people in the world who share this faith. The early and inevitable "pushback" by the newspaper embraced the freedom of speech. Free speech is obviously an important consideration and certainly the newspaper was legally correct to claim such a rationale. But one can be legally right and morally wrong. It has been said that the greatest threat to freedom is freedom. Freedom without responsibility and accountability will always demonstrate a propensity towards the chaotic. A values-based civil society demands that freedom be linked to responsibility. Words, and pictures that are worth 1,000 words, have both meaning and consequences. This issue cries out for greater education, a more reflective discourse, a deeper appreciation for knowledge and respect, and a much different response than we have seen to date.

There is much to undo. Unfortunately, categories have now been created, that intellectually lazy exercise of making "one size fit all." Islam becomes monolithic, and every Muslim is assumed to act like every other Muslim. The cartoon itself is a category. By definition cartoons are less than whole, simply a caricature of reality, designed to poke fun at something important. History should give us pause. Hitler's anti-Semitic cartoons of the 1930's became all too real a decade later. America is still trying to recover from its "less than fully human" depictions of Blacks in its early history.

We create broad categories of people because we don't understand the nuances that exist in the human family. Pluralism and diversity are pushed aside in favor of the more digestible "CliffsNotes" of a single category. Once a category is established, stereotypes quickly follow. These stereotypes, in turn, can be easily demonized. Demonization leads to hatred; violence becomes a possibility. Once violence is unleashed the extremists take over. Moderate voices fall silent and a kind of self-fulfilling prophecy begins to play needlessly into the hands of Huntington's "clash."

There is a better way, and education is key. For a long time, my primary core value for the issue of religious freedom has been this: Know your own faith at its deepest and richest best, and enough about your neighbors' in order to show it respect. Knowledge and respect. Faith needs to be understood at its deepest level possible. The complexities of our world require something much different than either nominalism or superficiality can provide. Know the eternal verities of the faith, its orthodoxy and doctrinal distinctives, its heroes and where they struggled to understand. Know why, in the words of Pascal, "good men believe it to be true."

And then, understand the faith of others, to the point where there can be legitimate respect. A recent Pew Poll suggests that Americans don't know any more about Islam today than they did before "9/11". This lack of knowledge translates directly into a lack of respect.

Respect is a much stronger requirement than mere tolerance. Tolerance is a form of forbearance, something less than equality, a cheap form of grace applied to someone I don't especially like ("I don't like you but I will tolerate you"). Respect, on the other hand, looks for points of commonality (like the shared tenet amongst Abrahamic faiths that all human beings have been created in the image of God). This is cause for celebration and respect helps us get there together.

Frankly, this is where Osama bin Laden got it horribly wrong. He sees his faith through the prism of jihad, jihad practiced against the West. At best, this is a partial view of Islam; at worst, a perverted perspective of the faith. Of course, there is also no respect for anyone else's religion. The conclusion is easily reached: a redacted gospel, a misunderstood gospel, and an inappropriately applied gospel—in the hands of a religious zealot—is very scary indeed.

Let's not make the same mistake. The primary role of the Council for America's First Freedom elevates the best of our faiths and the best of our freedoms to the place where they are deserving of our deepest respect. Our role is to do this through the educational process. Today's world presents us with a huge challenge in this regard. Gratefully we are not attempting to meet this challenge alone. I begin my tenure at the Council with a profound sense of gratitude for all that has gone before, and the good people that have positioned us to make a difference in the world today.

The Honorable Robert A. Seiple
President, Council for America's First Freedom

What Others Are Saying *(continued)*

Ambassador Robert Seiple is a man of principle and a bridge builder. As the ambassador for religious freedom he incarnated the highest respect for human dignity and the right to freedom of conscience. As I have traveled the world in his wake, I have met numerous senior government officials who expressed deep respect for his professionalism and integrity. Most importantly, Ambassador Seiple is a voice for the voiceless and a champion of the persecuted. It has been my privilege to know him personally and to work in cooperation with a man of his wisdom and stature.

John Graz, Ph.D., Secretary General,
The International Religious Liberty Association

Bob Seiple has dedicated his life to humanitarian work for the oppressed and vulnerable, and he has fought religious persecution and championed religious liberty throughout the world. The Council for America's First Freedom could not have found a person more qualified or more needed at this critical juncture in our nation and the world, when religious freedom is under attack in so many places. The Council has found the proverbial "right person for the right time."

Judy M. Miller, Vice President, Conrad N. Hilton Foundation
Director, Hilton Humanitarian Prize

I have known Bob Seiple for over 30 years—while he was Athletic Director at Brown University and I was just learning my trade as an undergraduate and broadcast hopeful in the mid 1970's. He was then as he is now—fair, level-headed, even-tempered, and always interested in people. I congratulate the Council on its selection of Bob Seiple as president, and applaud it for its wonderful choice and vision.

Chris Berman, ESPN

It is difficult to describe adequately the remarkable and lasting impact of Bob Seiple's service as America's first Ambassador for Religious Freedom. He took a vision of Congress and, out of his immense diplomatic skills, creativity, vision and compassion gave it powerful form and substance. Bob's efforts led to the release of numerous religious prisoners, the suspension of oppressive legislation and the easing of religious persecution. Few Americans could bring to the presidency of the Council his real life understanding of religious freedom.

Rabbi David Saperstein, Director, Religious Action Center of Reform Judaism
First Chair, U.S. Commission on International Religious Freedom

Bob Seiple is a legend in the international religious liberty community. He has built success upon success. I'm sure this latest adventure will be his greatest accomplishment yet.

Kevin J. "Seamus" Hasson, Founder and Chairman,, The Becket Fund for Religious Liberty

Ambassador Robert Seiple is a wise diplomat... He is a friend who understands the situation in Laos, especially [regarding] religious freedom, and with his presidency I hope that he would lead us in resolving religious conflict in the world.

Phanthong Phommahaxay
Ambassador, The Embassy of the Lao People's Democratic Republic

Who We Are

The Council for America's First Freedom is a 501(c)(3) organization based in Richmond, Virginia that provides educational programs, materials and information about religious freedom as an American historical development, as a contemporary controversy, and as an international human right.

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Vietnamese Delegation Visits Richmond

A delegation of government officials and religious and community leaders from Vietnam visited Richmond on March 2 to discuss religious freedom and what they need to do in their own country to protect freedom of conscience. The meeting, hosted by the Council at the Virginia Holocaust Museum, was a very open and honest discussion and accomplished much on all sides. The group also spent time in Colonial Williamsburg and Washington, D.C. The Vietnamese delegation's stop in Richmond was part of a visit to the United States organized by the Institute for Global Engagement to facilitate off-the-record meetings about religion and the rule of law in the context of U.S.-Vietnam relations.



Mr. Phan Van Chuong, head of the Vietnamese delegation, speaks with Ambassador Robert Seiple, President of the Council.



Representatives from the Institute for Global Engagement and the Council meet with the delegation.

Council Welcomes New Trustees

The Council is pleased to announce the addition of two members to its board of trustees.



Bernard McNamee joined McGuireWoods LLP in February 2006 as a partner in the Corporate Services Department. His practice focuses on representing utility and energy clients before the Virginia State Corporation Commission. In addition to practicing regulatory law, he serves clients of McGuireWoods and McGuireWoods Consulting on a wide range of legislative and government relations matters.

Before joining McGuire Woods, Mr. McNamee served as Chief Deputy Attorney General to former Attorney General Judith Williams Jagdmann. He previously served as chief counsel to Attorney General Jerry Kilgore, as Deputy Attorney General to Attorney General Randolph Beales, as Director of Policy for George Allen's successful U.S. Senate campaign, and as Deputy Counselor and Policy advisor to then-Governor George Allen. McNamee has also practiced law with Williams Mullen and Hunton & Williams.

Mr. McNamee received his undergraduate degree from the University of Virginia and his law degree from Emory University School of Law.



Mark Sisisky, a 1972 graduate of the University of Virginia, is a Managing Partner of Caprin Asset Management. Prior to joining Caprin in August of 2002, Mr. Sisisky served for 14 years as President and CEO of Lee Distributing Co., Inc., an Anheuser-Busch wholesaler, servicing Southside Virginia and as Executive Vice-President of Pepsi-Cola Bottling Corp. of Petersburg. Mark sold Lee Distributing in April, 2001. In addition to his duties with Caprin, Mark serves as President and Chief Investment Officer of

New Dominion L.L.C., an active investment partnership.

Mr. Sisisky has been active in community affairs both in Petersburg and Richmond and currently serves as President of the Endowment Fund of the United Way of Greater Richmond and Petersburg and is a member of the North American Board of Directors for the Jewish Agency for Israel. Sisisky has been a past president of the Jewish Community Federation of Richmond, Richmond Jewish Foundation, National Vice Chairman of United Jewish Appeal and was the 2000 recipient of the Distinguished Community Service Award presented by the Jewish Federation of Richmond. He also serves on the Council's National Campaign Leadership Council.

In August 2002, Governor Warner appointed Mr. Sisisky to the steering committee of the Economic Development Strategic Planning Task Force—One Virginia/One Future.



Mr. Jefferson Goes to Richmond

Two hundred and twenty years after the Virginia legislature passed his Statute for Religious Freedom—regarded by the nation's third president as among his proudest achievements—Thomas Jefferson returned to the halls of Virginia's Capitol to commemorate National Religious Freedom Day. On January 16, Mr. Jefferson (portrayed by character interpreter Bill Barker) met with modern-day legislators to thank them for the monumental achievement of their predecessors. Mr. Jefferson received the red carpet treatment, posing for photos and being invited to speak on the Senate floor. The *Richmond Times-Dispatch* reported his visit in its opening day General Assembly coverage.

Tour Group Operators Visit 14th & Main

The Council had an exciting opportunity to promote our future office, classroom and exhibit space at 14th and Main Streets in downtown Richmond on February 19. The Council was selected as a stop on one of the optional tours offered in conjunction with Travel South Showcase, a conference for tour group operators across the country interested in promoting tours of Southern states. A full busload of conference participants visited our buildings at 14th and Main which currently are undergoing renovation. The group listened to Thomas Jefferson, as portrayed by Bill Barker, and learned about the Council's plans for 14th and Main and the First Freedom Center. This was a great chance to introduce our project to those influential in the tourism industry. Thanks to the Richmond Metropolitan Convention and Visitors Bureau for inviting us to participate!

In the News

Media outlets locally and nationally ran pieces in recognition of National Religious Freedom Day. *The Christian Science Monitor* published a feature story on January 18, 2006 by Jane Lampman on the importance of religious freedom that mentioned our First Freedom Survey, First Freedom Awards recipients and National Religious Freedom Day. National Program Advisory Board members Cole Durham and Charles Haynes were quoted in the article. Additionally, Council trustee Hal Wingo's article appeared in the *Santa Fe New Mexican* on January 15, 2006, and Council trustee Diana Cantor's article appeared in the *Richmond Times-Dispatch* on January 16, 2006. To view links to the articles, please visit our website at www.firstfreedom.org/news/articles.html.

Happenings

Audrey Smith, executive director of the Council, who has previously served as the Council's director of development and communications and in other fundraising capacities since 2001, has been named associate vice president for advancement at Christopher Newport University. Audrey, thank you for your dedication and commitment. We wish you many continued successes!

Sharon Durham has been hired as the Council's business manager. She brings more than 20 years experience in accounting and human resource management. Welcome to the team!

Thank you to trustees **Hugh Gouldthorpe** and **Charles Peters** who have generously funded new banners above the Council's historic Richmond site. The banners recognize the site's importance, thank our top donors, and announce the future opening of our exhibit, classroom and office space at 14th and Main.

Riggs Ward Design has been selected as the exhibit designer for 14th and Main. The Council will work with Riggs Ward to develop exhibits that will blend seamlessly with the design of the First Freedom Center, using the recommendations of the National Program Advisory Board, and that will serve as a preview of the exhibits that will be in the permanent First Freedom Center. Riggs Ward is an award-winning exhibition and retail design firm located in Richmond, Virginia that has produced creative solutions for private businesses, educational associations, and other cultural institutions for more than 14 years. Riggs Ward's clients include the Library of Congress, Smithsonian Institution, Virginia Historical Society, Colonial Williamsburg Foundation, and state and national government entities.

Announcing the Winners of the 2005/2006 First Freedom Student Competition

More than 2400 students from 48 states and American schools in Germany and Mexico participated in the First Freedom Student Competition's inaugural year as a national essay contest. After three rounds of judging, the winners have been determined.

The first place winner is Michael Nitz from McHenry, Ill. A senior at McHenry High School West Campus, Michael is active in basketball, baseball and the Spanish Honor Society. He will be attending the University of Illinois at Champaign-Urbana in the fall.

The second place winner is Anna Catherine Mosteller from Mechanicsville, Va. A senior at Atlee High School, Anna is class valedictorian and flute section leader, woodwind captain of her school's marching band. An accomplished flutist, she has participated in numerous prestigious bands and ensembles. She will be attending Lenoir-Rhyne College in Hickory, N.C. in the fall.

The third place winner is Casey Dignan from New Hope, Pa. A senior at New Hope-Solebury High School, Casey is active in varsity track and field, is co-founder of her school's Environmental Club, and participates in the Reading Olympics, Science Olympiad and Model UN. She is narrowing down her college choices for the fall.

The Council extends its sincere thanks and appreciation to the 111 judges from across the country who volunteered to read and evaluate the essays submitted this year. The list of judges is available on our website at www.firstfreedom.org.

(See the first place essay on page 5.)

From the Winners

Below are selections from the winning essays.



Religious freedom is the first freedom of the Bill of Rights, and it will become even more important as the nation becomes more diverse. True dedication to freedom is most ardently demonstrated during contentious times because civil rights apply to no one unless they apply to everyone.

Michael Nitz

First Place Essay Winner

McHenry High School West Campus, McHenry, Illinois



The freedom to practice religion openly without government interference does not come without a price. Yes, it offers countless privileges, but it also demands much responsibility. Therefore, with wholehearted conviction, I pledge to celebrate and honor my nation's diversity, to show respect for people of all faiths, and to extend tolerance to those individuals who choose to endorse no faith. I do so because I am eternally grateful and proud to live in the United States of America, the greatest, freest country in the world.

Anna Catherine Mosteller

Second Place Essay Winner

Atlee High School, Mechanicsville, Virginia



Religious freedom was essential to the founders of America and remains just as relevant a subject today. Madison stressed the necessity of religious freedom for all people, words that have been taken to the heart of American democracy. Religion inspires people, offers them solace, and gives them hope. As long as it plays a dominant role in people's lives, religious freedom will remain a controversial and essential issue.

Casey Dignan

Third Place Essay Winner

New Hope-Solebury High School, New Hope, Pennsylvania

Virginia Legislators Debate Amending Religious Freedom Statute

In January, the Council joined the University of Richmond School of Law and A More Perfect Union in sponsoring the 2006 Mattox Debate on the topic: Should the Virginia Statute for Religious Freedom be amended to allow for more pronounced expressions of religion in public?

Before what debate moderator Dr. Charles Sydnor described as the largest audience in the seven-year history of the debate, Del. Charles Carrico (R-Grayson), the sponsor of an amendment that would alter language in the Virginia Statute for the first time in its 220-year history, and Sen. John Edwards (D-Roanoke) debated the merits and consequences of the proposal.

Carrico, a former state trooper, said that his amendment would not alter the language originally crafted by Thomas Jefferson, but "strengthen" it. Saying that religion had become taboo in public schools, he cited examples in which students were disciplined for expressing their religious beliefs. One pupil, he said, was expelled for bowing his head in prayer over his lunch, while another was banned from singing at her high school graduation because the song she had selected contained a reference to God. "America is a country founded on Christian beliefs and on the principals of the Bible," Carrico said, "Judges are taking away the rights of Christians to practice freely."

Edwards, who spent a year in seminary between his undergraduate work at Princeton University and his law degree at the University of Virginia, countered by suggesting that the amendment proposed by Carrico would have no bearing on the law as the Constitution, upheld by Supreme Court rulings, would supersede any state's abridgement of First Amendment rights. Moreover, he stated that it was a "myth" that the Virginia Statute prohibited public prayer, and that private individuals have always had the right to pray in school. He indicated that guidelines were painstakingly developed in 1995 by the Virginia Board of Education to help educators create consistent policies on the matter. "What the Establishment Clause prohibits," Edwards noted, "is coercive prayer, religious intimidation or school-sponsored prayer."

Several high school students posed questions to the legislators. When asked how his amendment would protect the rights of minorities, Carrico said that nothing in his proposed language favors one religion over another. Edwards, however, said that in a country with so many religions, government had to be "neutral." Responding to a question as to how his amendment would affect teachers, Carrico said that educators should have the right to express their religious points of view in class so long as they do not impose their religion on students. But Edwards cautioned that teachers



A member of the audience asks the panelists a question.

were in a particularly sensitive position considering the impressionable nature of young people.

The legislators also fielded questions from the capacity crowd. Audience sentiment appeared to reflect the broad divergence of opinion on the subject.

In February 2005, the Virginia House of Delegates passed Carrico's bill to amend the Virginia Statute for Religious Freedom by a vote of 69-27. Further consideration on the amendment ended when the Virginia Senate's Courts of Justice Committee voted 10-5 to dismiss it. Delegate Carrico has indicated that he will continue to pursue the issue with the goal of putting the measure on a statewide referendum.

Teacher Workshop a Success

The Council's education director, Dr. Isabelle Kinnard, led a day-long workshop on religious freedom in colonial Virginia for teachers of the Hampton City Public Schools on February 11. The program, held in partnership with the Virginia Historical Society, was made possible by a **U.S. Department of Education Teaching American History** grant to the Hampton City Public Schools.

The workshop was an introductory teaching session that will be followed up by classroom visits to give hands-on help to the teachers with their history lessons. The teachers were excited and engaged and asked many questions. This is the start of a great educational partnership.

Continuing Importance of the First Amendment

Michael Nitz

McHenry High School West Campus, McHenry, Illinois

First Place Essay, 2005/2006 First Freedom Student Competition

"I tremble before him astonished. And I am the King!...Will no one rid me of him? A priest! A priest who jeers at me and does me injury! Are there none but cowards..." (Anouilh 111), screamed English King Henry II to his "hounds." Faithful to their secular master, Henry's barons murdered Archbishop Thomas Becket in his cathedral. The 16th century French wars of religion between Catholics and Huguenots were witness to one of the great atrocities of history.

"On the 24th of August, St. Bartholomew's Day, the plot [against the Protestants] broke out in an awful massacre. At Paris the populace murdered Coligny [Protestant leader] and all the Huguenot leaders. A hundred thousand Protestants fell [and] the Spanish king laughed for joy. The...pope ordered a Te Deum sung (Green 52).

In England King Henry VIII's chancellor, Thomas More, having refused to accept the Act of Succession, fell beneath the headsman's ax with the words "I die the King's good servant, but God's first" (Bucholz 77). More, Becket, and Coligny were all victims of a culture in which political and religious authority were synonymous. It was the idea of eternal punishment that made it easy for men "to burn others at the stake, to break them on the wheel, to dislocate their joints on the rack...when the thought of...burning in hell...was to superintend" (Kershner 103). "More's dying words were a ringing declaration against the notion of unitary sovereignty and for some sort of separation of Church and State..." (Bucholz 77). Te Deums, massacres, murders in the cathedral were historical memories all too familiar to America's Founding Fathers.

So too were the colonial religious conflicts that had abounded since the landing of the Pilgrims in Massachusetts. In 1635 Roger Williams was banished by the Massachusetts Bay colony because he maintained that a person's mode of worship was not within the purview of civil governance. He angered the magistrates by challenging the forced observance of the Sabbath and the unjustified taking of Indian land. In response to the Calvinist theory of persecution, Williams wrote a tract entitled *The Bloudy Tenent of Persecution* in which he called for complete separation of church from state (Zagorin 196). The Hester Prynne prototype, Anne Hutchinson, was banished from Massachusetts because "she would comment upon the doctrines, interpret passages at her pleasure, and expound dark places of Scripture, and make it serve her turn...to set forth her own stuff" (LaPlante 2). The sin for which she was banished and ultimately scalped in 1643 with several of her children by the Siwanoy Indians was that she "stepped out of her place [and] had rather been a husband than wife; a preacher rather than a hearer; a magistrate rather than a subject" (LaPlante 2). The Salem Witch Trials of 1692 were to become the shame of the colonies, in Governor Hutchinson's words, "a scene of fraud and imposture begun by young girls...and continued by adult[s]... The one and the other, rather than confess their fraud, suffered the lives of so many innocents to be taken away through the credulity of judges and juries."

Thus the Founding Fathers had come to realize that the European legacy of religious persecution had not stopped at the American shore. The Scientific Revolution and the Enlightenment would put an end to witchcraft persecution. The new science demanded evidence, and this new sense of evidence would be written into English and colonial law. By the eighteenth century the theory of natural rights gave birth to the idea of religious toleration, which was enshrined in the Pennsylvania state constitution of 1776. It stated that "all men have a natural and unalienable right to worship Almighty God according to the dictates of their own consciences and understandings" (Zagorin 301). It became a model for the future by prohibiting "all

compulsion in religion or the deprivation of the civil rights of any citizen on account of religious belief or mode of worship" (Zagorin 301). With the advent of political liberty after the American Revolution, the framers of the new government enshrined religious freedom in the new constitution through the First Amendment, which includes the words "Congress shall make no law respecting the establishment of religion, or prohibiting the free exercise thereof..." Religious freedom is the first principle of American democracy, and it continues to be redefined and challenged to the present day.

In the fall of 2004, an administrator of the Dover Area School District in Pennsylvania walked into a freshman biology class and read the following statement:

Because Darwin's Theory is a theory, it is still being tested as new evidence is discovered. The Theory is not a fact. Gaps in the Theory exist for which there is no evidence...Intelligent design is an explanation of the origin of life that differs from Darwin's view. The reference book, *Of Pandas and People*, is available for students to see if they would like to explore this view in an effort to gain an understanding of what intelligent design actually involves. As is true with any theory, students are encouraged to keep an open mind (Kitzmiller...Complaint 2).

This statement prompted a group of parents to file suit claiming that the district "intends to teach...and present 'intelligent design'...as an alternative to the scientific theory of evolution...[and that] intelligent design...is an inherently religious argument that falls outside of the realm of science" (Kitzmiller...Complaint 2-3). The crux of the case, according to a Sept. 13 (2005) decision by Judge John E. Jones, is whether "the challenged policy has a secular purpose and whether the policy's principal or primary effect advances or inhibits religion" (Magnuson 1+) and, therefore, violates the establishment clause. The establishment clause was originally intended to protect against the establishment of religion by the federal government, a fact clearly demonstrated in a letter Thomas Jefferson wrote to a group of Baptists who were complaining about preferential treatment of Congregationalists by the state of Connecticut. Jefferson explained that he could not help them because of a "wall of separation" between church and state (Olasky 37). Jefferson's "wall of separation" now extends to the states as well as the federal government, and it is impenetrable in both directions. The court will have to decide whether there was an attempt to penetrate the wall by Christian fundamentalists by introducing creationism into the curriculum under the guise of "intelligent design."

Religious freedom is the first freedom of the Bill of Rights, and it will become even more important as the nation becomes more diverse. True dedication to freedom is most ardently demonstrated during contentious times because civil rights apply to no one unless they apply to everyone. Support of the First Amendment is important in the wake of 9/11 and the concomitant increase in racial and religious profiling. Consider the scene in *Man for All Seasons*. Thomas More's son-in-law, Wil Roper, was arguing that More should arrest a man who was spying on him. More asks Roper if he would cut down the laws to get at the devil, and Roper responded that he would.

And when the last law was down, and the Devil turned round on you—where would you hide, Roper, the laws all being flat? This country's planted thick with laws from coast to coast...and if you cut them down...d'you really think you could stand upright in the winds that would blow then? Yes, I'd give the Devil benefit of law, for my own safety's sake (qtd. in Feingold).

This is the first of a three part series on the core educational principles of the First Freedom Center: no establishment, free exercise and peaceful pluralism. The articles are written by members of our National Program Advisory Board and the opinions expressed reflect those of the individual members.

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

First Amendment, United States Constitution

Teaching the Principle of No Establishment

Cathy Gorn



Cathy Gorn

While the creators of the First Amendment may not have envisioned so many religions being practiced in the United States, their foresight to prevent one religion from being preferred by the state over all others is as important as anything contained in the Constitution. It is key to teaching and fostering tolerance and respect, not only for different religious beliefs, but for human rights and dignity in general.

Making the teaching of no establishment a part of the school curriculum and asking teachers to spend time on the issue in their classrooms is critical to helping young Americans understand the struggle and

sacrifices people have made to secure this right for all. But it also is difficult to teach in a climate in which there have been recent efforts, subtle and not so subtle, by certain religious groups to impose their beliefs on government policy. The issue is filled with emotion, thus making it difficult to approach the topic objectively.

The history classroom is an excellent forum for teaching religious freedom. By placing the issue into historical context, educators can help students analyze and interpret the consequences of state imposed religions and religious intolerance. Teaching about historical events and their consequences gives teachers a less personal forum in which students will feel more comfortable discussing religious freedom without the emotional baggage associated with current debates.

Historically, examples abound in world history in which government imposed religion often led to oppression and persecution; one such example is the Spanish Inquisition. Conversely, government imposed atheism has also led to punishment as in the Soviet Union or Communist China. By studying these and other historical events, young Americans should come to appreciate that they live in a country in which people can, constitutionally, follow whatever religious path they choose without fear that their government will imprison them for doing so. But by studying the history of their own country, students will learn how our own ideals have sometimes faltered, especially in times of change such as the consequences of nativism during times of increased immigration or in times of crisis such as the climate of fear toward Muslims in post-9/11 America. Thus, through the study of the past, students will recognize the importance of tolerance, not only for different religions, but for human

beings of all backgrounds. Keeping any and all religions out of government policy-making respects all by showing favoritism to none.

With a grounding in historical perspective, young people will know that “no establishment” is meant to respect the rights and viewpoints of all citizens no matter their religion, by not determining that one religion is superior, in the eyes of government, to any other. If they are to believe that the United States values freedom and the “pursuit of happiness” avowed in the Declaration of Independence, they must see that government not only allows the practice of all religions, but also that every citizen is free to believe whatever he or she wants—or not believe—and will not be persecuted by religious or governmental leaders in either case. Students will understand the importance of safeguarding this freedom from the political sphere. When politicians mix religion with politics, a certain hypocrisy can arise which may force young Americans to have doubts whether the First Amendment truly means anything.

But just as government must “make no law respecting an establishment of religion,” it also must safeguard “the free exercise thereof.” The idea that one group could erase freedom of speech of others because one group does not believe in religion or God is surely problematic and against what the First Amendment stands for. We can make no establishment of religion, but we also cannot disestablish religion itself. Tolerance for all is critical, for to deny freedom of religion is to deny freedom of speech, which is to deny freedom itself.

Personality Profile: Cathy Gorn

Cathy Gorn is executive director of National History Day and adjunct professor of history at the University of Maryland at College Park, the institutional home of National History Day, an organization that works with more than two million people annually and interacts with historical and education institutions across the U.S. Dr. Gorn holds a B.A. from Kent State University, and a Ph.D. in history from Case Western Reserve University. Dr. Gorn serves on the White House Historical Association Board of Trustees and the Education Committee of the National Council for Public History.

Isabelle Kinnard, the Council’s education director, had the chance to interview her recently, and these are her responses.

IK: When did you first become interested in religious freedom and why?

CG: An interesting and difficult question. I can’t pinpoint an exact time, but I do think that my interest has roots in the fact that my family is from Croatia. My family came here because they believed in freedom and in the principles spelled out in the Bill of Rights on which this nation is founded. My family arrived at Ellis Island on the Fourth of July, and they brought with them stories of oppression from their homeland. They faced discrimination, sometimes religious discrimination between orthodox Christians and the Roman Catholic Church. After World War II a socialist regime came into power in Croatia. Members of my family reported that they felt stigmatized for their religion, not because there was a new state religion, but because the new state mandated no religion.

My family and its history taught me that when there is no freedom to choose one’s beliefs, there is no freedom.

IK: How does the history of religious freedom relate to contemporary events?

CG: Everything that is current must be placed in its historical context to be understood. This is the case for understanding the current situation in the Middle East. We cannot fully comprehend the problems there without knowing the long historical roots of the ethnic and religious situation.

IK: What do you think that young people should know about “no establishment,” and why should it matter to them today?

CG: Teaching the First Amendment, why it was written and what the Founders wanted is the only way to understand ourselves today. This country was founded on the principle of no establishment. They wanted this country not to be the home of one religion but to be home to all religions. Education fosters tolerance in general as well as tolerance for the faiths of others.

IK: What is the best way for us to safeguard this Constitutional principle?

CG: Education is key. Young people must understand that people gave their lives for these principles, a sacrifice that can’t be taken lightly. By understanding these fundamental principles, we learn to respect the rights of others too.

History class helps take some of the intense emotion out of the examination of these principles. It is the best place for young people to talk about difficult questions. This is why the First Freedom Center is so important. It will make a tremendous contribution to this conversation. The Center will help teachers who are hesitant to teach about religion and religious freedom. This is even more important in the post 9/11 environment, where teachers, especially teachers who live in urban environments with diverse populations, always ask themselves: who will be offended?

Disestablishment in Virginia

Thomas E. Buckley, S.J.

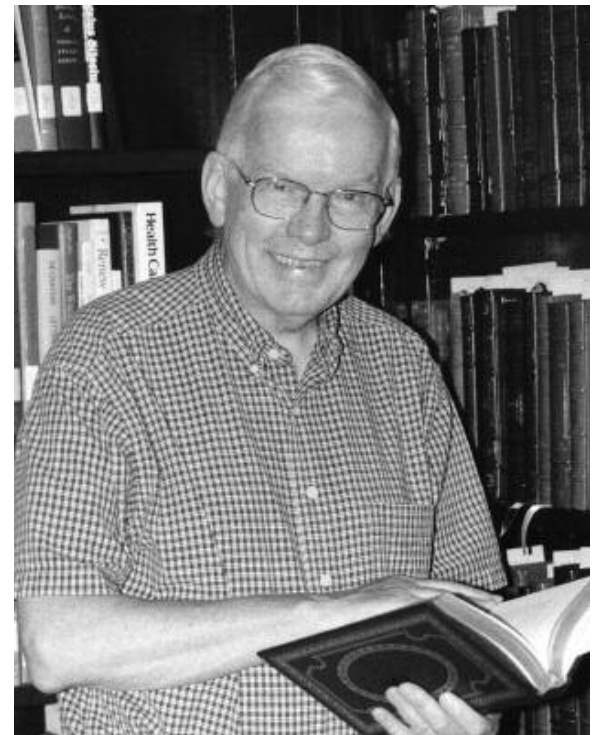
For over one hundred and fifty years, a church “established by law” formed an important part of Virginia’s colonial society. James I’s charter mandated that the settlers follow the Church of England “as near as may be.” As the colony developed, its legislature established parishes supplied with a clergy ordained in England who ministered to the colonists according to the Book of Common Prayer. The church-state relationship appeared mutually beneficial. The church supported the state by its public worship, and by teaching the gospel, the moral law, and the obligations of good citizens. The government supported the church and its clergy by public taxes, favorable laws, and benevolent oversight. Church and state worked together in friendly alliance for the well-being of the whole society. The authorities grudgingly recognized the existence of religious “dissenters,” principally Quakers, Presbyterians, and Baptists, but before the 1740s they comprised a tiny minority of the population, whose presence necessitated at best a carefully circumscribed toleration. On the eve of the Revolution the overwhelming majority of the men who constituted the legislature, county courts, and church vestries envisioned no fundamental change in the church-state arrangement.

A guarantee of religious liberty was overdue when the Revolutionary Convention met in Williamsburg in 1776 to draw up a state constitution and a Declaration of Rights. After accepting James Madison’s amendment to exchange the word “toleration” for much stronger language, this body approved the Declaration’s sixteenth article which stated that “all men are equally entitled to the free exercise of religion.” But these cautious revolutionaries rejected Madison’s further proposal that would have effectively disestablished the church. The next fall, they would do the same to Thomas Jefferson’s resolutions for the same purpose, though they exempted dissenters from church taxes and suspended them for church members. During the Revolution, as a member of a committee to revise the state’s laws, Jefferson drafted his Statute for Religious Freedom. It proclaimed that civil government had no authority over conscience or its expression, and that to require anyone to worship in any way or to contribute to any church violated natural rights.

With the war of utmost concern, the legislature postponed that proposal, but after the peace treaty in 1783, Virginia again considered domestic policy. A central tenet of this generation held that the success of the republican experiment depended ultimately on the people’s public virtue—their willingness to subordinate one’s personal good to the common good of all. The name of Commonwealth of Virginia means a political society designed to promote the common good of its citizens.

Most Americans linked virtue with morality and religion, and many Virginians were concerned with the decline organized religion had suffered during the Revolution. The established church had lost over half its clergy and those who remained were living precariously on voluntary contributions from their flocks. Alarmed by this deteriorating situation, some legislators led by Patrick Henry supported a general assessment, a tax to be paid by all Virginians to the church or clergyman of their choice. Meanwhile a bill to incorporate the established church as the Protestant Episcopal Church of Virginia was brought forward. As even Madison recognized, the legislature had to act because it still controlled the church. With extraordinary political dexterity, in the fall of 1784, Madison eased Henry out of the assembly and into the largely honorific office of governor. He then supported the passage of the incorporation act, but successfully urged the postponement of the assessment until Virginians could be consulted.

The incorporation act created tremendous consternation among the former dissenters (principally Presbyterians and Baptists) because it established Episcopalian church polity, thus demonstrating that the former establishment remained effectively the “Church of the State.” From this perspective, the assessment was designed to prop up the tottering Episcopal Church. Madison contributed his “Memorial and Remonstrance” to the petition war that raged across Virginia; and when the legislature assembled in the fall of 1785, the opposition to assessment was overwhelming. Yet for every person who signed Madison’s work, 10 more signed an explicitly evangelical petition composed by those who had once been dissenters.



Thomas E. Buckley, S.J.

Jefferson remained in Paris as United States’ minister to France, as Madison brought out his Statute for Religious Freedom and guided it through the assembly in January 1786. The next year the legislature repealed the incorporation act.

Every church and religious group was finally “on its own.” One issue remained, however. Several times during and after the war, the assembly had guaranteed to the Episcopal Church the property of the former establishment in church buildings, graveyards, and glebe lands. Virginia’s Baptists wanted this property seized. Ultimately, after over a decade of controversy the legislature in 1799 repealed all laws regarding religion except Jefferson’s Statute, and then a few years later it ordered that each glebe be sold when the incumbent minister retired or died. This law was designed, as it stated “to reconcile all the good people of this Commonwealth.” Disestablishment was complete, but in the area of church and state reconciliation remained then, as it does today, a desirable, if elusive, dream.

Personality Profile: Thomas Buckley

Thomas E. Buckley, S. J. is professor of modern Christian history at the Graduate Theological Union and the Jesuit School of Theology at Berkeley. He received his M.A. from Loyola University of Los Angeles, Masters of Divinity from Boston College, and Ph.D. from the University of California, Santa Barbara. His scholarly work on the history of church-state relations include *Church and State in Revolutionary Virginia, 1776-1787*. He currently is writing a study of the implementation of Jefferson’s Statute in Virginia prior to 1940.

Isabelle Kinnard, the Council’s education director, had the chance to interview him recently, and these are his responses.

IK: When did you first become interested in religious freedom and why?

TB: When I was growing up in Northern Virginia in the 1950’s, I became fascinated by the religious issue in the election campaign of 1960. Could a Catholic be elected to the presidency? Many of my friends were not Catholic, and I was aware that this was an issue. Kennedy put that issue to rest.

IK: What is the greatest challenge to religious freedom?

TB: The efforts by politicians to manipulate the churches and religion generally to advance political agendas. This is nothing new and religious figures play into it by trying to use the state to push their concerns. It’s a tricky business. James Madison and others designed the no establishment principle to prevent a national religion from being established. No establishment is essential so that churches, temples, synagogues and mosques can fulfill their responsibilities outside government control.

But church-state separation, American style, does not mandate hostility toward religion on the part of the state. Since the founding of the republic, Americans have recognized that religious values support the civic virtue necessary for healthy republican institutions. Thus local, state and federal governments from the beginning promoted religious freedom by providing neutral aids such as tax exemptions, military chaplains, and so forth.

IK: What do we need to do to answer this challenge?

TB: Both sides have to act responsibly and respect boundaries. And we have to let both politicians and clergymen know when they overreach themselves. That does not, however, require a rigid separationist perspective. Religious figures and groups have a right, even an obligation, to speak out in the public forum on the moral issues of the day and resist the efforts of those who would shut them out of the conversation in the name of church-state separation.

IK: Who are your heroes of religious freedom?

TB: I respect the usual suspects, including Jefferson and Madison. But my heroes are Patrick Henry, John Adams, George Washington, and people who shared their perspective. In eighteenth century Virginia, rationalists like Jefferson and Madison feared that the churches would corrupt the state. Evangelicals feared that state assistance would corrupt religion. It seems to me that Henry and the others were more balanced. He was arguing for religious liberty before either Jefferson or Madison entered the legislature. But he also saw the value of religion for a republican society in a way that neither one of them did. I think his views represent the dominant strain in American life, even today.

Across the Nation

Pennsylvania: Intelligent Design ruling reverberates nationwide

The United States District Court for the Middle District of Pennsylvania's ruling in *Kitzmiller et al. v. Dover* is prompting the withdrawal of intelligent design (ID) from public school curricula across the country. The court determined that a school board's attempt to insert ID into public school biology classes constituted an unlawful establishment of religion and that the "the Board's real purpose... was to promote religion in the public school classroom." Although the court's ruling only covers its own circuit, the ruling is carrying political weight elsewhere. In California, a lawsuit in *Hurst et al. v. Newman et al.* was settled when the defendants agreed to end a class entitled *The Philosophy of Design* and never offer it again. In Ohio, the state board of education voted 11-4 to remove a *Critical Analysis of Evolution* model lesson plan approved by a majority in a meeting before the *Kitzmiller et al.* decision. The state legislature in Wisconsin, another state with local school boards who have approved teaching ID, is considering a statewide ban.

Washington, D.C.: Workplace Religious Freedom Act under consideration

A bipartisan coalition in the House and Senate is supporting an amendment to Title VII called the Workplace Religious Freedom Act (WRFA). The act would require employers to make reasonable accommodation for an employee's religious observance, unless the accommodation would impose "undue hardship" on the employer. While the current version of the bill enjoys broad popular support in both parties the consequences of the act have not been rigorously debated in committee. Civil liberties critics worry that the act could be used to discriminate against employees or deny medical care.

U.S. Department of Justice special counsel for religious discrimination

In June 2005 the Justice Department created the position of Special Counsel for Religious Discrimination. The office of the special counsel enforces federal statutes prohibiting religion-based discrimination in education, employment, housing, public facilities, and public accommodations and federal laws against arson and vandalism of houses of worship and bias crimes against people because of their faith. The special counsel also enforces cases involving the Religious Land Use and Institutionalized Persons Act (RLUIPA) and coordinates cases involving religion-based discrimination. The special counsel's website includes a listing of current cases, briefs, and a bimonthly newsletter. The current special counsel, Eric W. Treene, formerly was litigation director for the Becket Fund for Religious Liberty.

For more information visit the special counsel's website at:

<http://www.usdoj.gov/crt/religdisc/religdisc.html>

Georgia: Federal Court determines damages are available under the Religious Land Use and Institutionalized Persons Act

The Religious Land Use and Institutionalized Persons Act of 2000 (RLUIPA) was enacted by Congress in an effort to protect the religious rights of prisoners and of people who wish to use property for religious purposes when zoning laws forbid such uses. The federal district court for the Northern District of Georgia has ruled that monetary damages are available under RLUIPA, allowing a prisoner's claim for those damages to proceed. In *Daker v. Ferrero* the court rejected the Georgia Department of Corrections arguments that damages were not available under the statute. RLUIPA relief under past lawsuits was confined to equitable or declaratory solutions. This ruling opens the door to monetary damages in future lawsuits involving institutionalized persons and aggrieved religious land users. Prison administrators have long complained that RLUIPA as currently interpreted makes their jobs impossible and have asked for it to be overturned.

United States Military: U.S. Air Force religion guidelines modified again

Under scrutiny from many faith groups and their supporters in Congress, the United States Air Force (USAF) has again modified its guidelines for religious expression. The first guidelines issued last August prohibited sectarian prayers and faith discussions with subordinates after allegations that evangelical Christian commanders, coaches and cadets at the U.S. Air Force Academy had pressured cadets of other

faiths. The revised guidelines issued in February allow superior officers to carefully discuss their faith with subordinates and assert that chaplains will not be required to offer nonsectarian prayers. The USAF emphasizes that the guidelines are temporary and no date has been set for establishing a permanent policy on religious expression in the USAF.

United States Supreme Court: The Religious Freedom Restoration Act and the *Gonzales v. UDV* ruling

The U.S. Supreme Court ruled unanimously that a small sect is entitled to import and use a hallucinogenic tea for its religious observances, striking down government efforts to ban the tea as a controlled substance under federal narcotics law. Writing the opinion in his first religious freedom case, Chief Justice John Roberts said in *Gonzalez v. O Centro Espirita Beneficiente Uniao Do Vegetal (UDV)* that the government's actions could not be reconciled with the 1993 Religious Freedom Restoration Act (RFRA), which requires the government to show a "compelling interest" before it can limit religious freedom. RFRA was passed by Congress in 1993 in response to a high court ruling known as *Oregon v. Smith*. At issue in that case was whether or not the State of Oregon could enforce anti-drug laws against a Native American sect which used peyote as part of its religious ritual. In that 1990 decision, the justices wrote that the Free Exercise Clause of the First Amendment "does not relieve an individual of the obligation to comply with a 'valid and neutral law of general applicability on the ground that the law proscribes (or prescribes) conduct that his religion prescribes (or proscribes).'"

National: Legislatures spar over sectarian prayer

Across the country state and municipal legislatures are grappling with the appropriateness and character of legislative prayer. In the most prominent case to date, the U.S. District Court for the Southern District of Indiana cited the frequent mentions of Christ in the benedictions of Indiana's lower chamber as amounting to an illegal establishment of religion and banned systemically sectarian prayer. Although legislators are complying with the court order to cease this practice hostility to the ruling is bipartisan. It is being appealed to the 7th Circuit Court of Appeals in Chicago.

Virginia is no stranger to this controversy. Last summer a Wiccan priestess sued the Chesterfield County Board of Supervisors for not allowing Wiccans to offer the invocation prayer at council sessions. She initially prevailed in Federal District court but the 4th Circuit Court of Appeals overturned the ruling. The U.S. Supreme Court did not entertain her appeal. In Fredericksburg, the Virginia ACLU is defending the City of Fredericksburg from a lawsuit by the Charlottesville-based Rutherford Institute over the city's policy banning sectarian prayer.

Bills proliferate prohibiting protests at "solemn occasions"

In response to a Kansas group that targets military funerals bills banning protests at "solemn assemblies" are being introduced in legislatures across the United States. On March 16, Senator Evan Bayh (D-Ind.) introduced in the U.S. Senate the Dignity for Military Funerals Act of 2006, criminalizing protest activities within 300 feet of military funerals for a period of one hour before to one hour after the services. Legislation has been proposed at the state and municipal level as well. According to the National Council of State Legislatures, 27 states have introduced legislation to either ban or curtail funeral protests. Six states—Indiana, Kentucky, Missouri, Oklahoma, South Dakota, and Wisconsin—already have passed the measures into law. In Virginia, Governor Kaine signed the "Solemn Ceremonies" bill into law on March 30.

The measures are designed to protect family privacy and prevent emotional distress. Supporters of the measures argue that protecting privacy amounts to a compelling state interest. However, it is not clear that these laws will pass constitutional muster. Some legislation, like Virginia's new law, are vague as to the terms of when a funeral is taking place. In 1995 Reverend Phelps, the founder of the group whose activities inspired the national flurry of legislation, successfully challenged the constitutionality of the Kansas Funeral Picketing Act on this basis. The Kansas state legislature was forced to amend the statute to specify time and place. Even a statute this specific may not be constitutional: these laws are designed to stop offensive speech, the very type of expression the First Amendment protects.

Around the World

Iraq: Iraq's religious minorities "most endangered" according to the Minority Rights Group

The Minority Rights Group International's annual survey of 70 countries where minority groups were under threat rated the religious minority communities of Iraq as the most at risk. Using 10 indicators established by the World Bank, the Organization for Economic Cooperation and Development and other conflict prevention institutes, the report found that Iraq's Sunni, Shi'a, Kurds, Turkmen, Christians and other populations are the most threatened by conflict, bad governance and economic risk. In addition to religious minorities well known in the West, Iraq is home to ancient religious communities only found there, such as the Mandaeans, who revere John the Baptist, and the Yazidi, a religious minority among the Kurds. Minority Rights Group International, which works to secure the rights of minorities and indigenous people globally, raised immediate concerns in the report about the violent repression of those communities considered opponents of the U.S.-supported government (Sunnis in particular), continued targeting of Shi'a communities by Sunni insurgents and widespread intimidation of other ethnic minorities that do not have a strong political voice in Iraq.

Palestine: No HAMAS onslaught against religious freedom yet

When the Islamist political movement HAMAS won a parliamentary majority in the Palestinian Authority (PA) elections last January it was feared that the movement would not respect existing PA laws safeguarding religious freedom. Although Sheikh Mohammed Abu Teir, the second candidate on the Hamas election list, promised to introduce *shari'a* during the election campaign, no such legislation is being considered at present. This election promise set off alarms because non-Muslims face varying degrees of discrimination in countries where *shari'a* is law. Abu Teir says girls and boys might be required to study in separate classes but that alcohol will not be banned and that no woman will be forced to wear a *hijab*, an Islamic head scarf. Political analysts says Hamas is unlikely to restrict the rights of religious minorities anytime soon because an international backlash could hurt the movement.

China: Roman Catholic Church appoints Chinese cardinal

The elevation of Bishop Joseph Zen Ze-kium of Hong Kong to cardinal signals the aggressive interest of the Vatican under Pope Benedict for mainland China's growing Catholic population. Born in Shanghai in 1932 and trained as a priest in Rome, Cardinal Zen returned to mainland China in 1986. He spent seven years in the heavily regulated Catholic seminaries, developing close ties to underground Catholic leaders. About 4 million Chinese Catholics worship at state-approved churches, while millions of others worship in "underground" churches loyal to the Vatican. Although he is a tenacious critic of China's religion policies Cardinal Zen is also playing a leading role in trying to open diplomatic relations between Rome and Beijing. The two do not enjoy diplomatic relations currently, although both have publicly proclaimed strong interest in establishing them soon.

India: Right of conversion under threat

India's secular federal constitution guarantees the right of conversion from one faith to another. The primary beneficiaries of this right are mostly former *dalits* ("untouchables") who converted from Hinduism to Christianity or Islam. Many of the dalits are poor, uneducated, and jobless; conversion offers them dignity and a way out of their low social status. In recent years Hindu nationalists have argued that many conversions are frauds promoted by foreign missionaries. This right of conversion is being challenged across India in states governed by the Bharatiya Janata Party (BJP). While the state of Tamil Nadu repealed its anti-conversion law in May 2004, the state of Rajasthan currently is considering an anti-conversion law and Hindu nationalists are pushing once again for a national anti-conversion law.

France: On Laïcité centenary, religious diversity tests French secularism

Last December France celebrated 100 years of official "*laïcité*," the Republic's official policy of rigorously separating religion from state affairs. Discontentment with the policy, especially from France's recent immigrants, is compelling national legislators to consider amending the 1905 law establishing *laïcité*.

Although *laïcité*'s purpose is to uphold equality in France immigrants believe that in practice its unequal application reinforces discrimination against them. Muslim

and Sikh groups in particular claim that prohibitions on religious dress unfairly target them for abuse and scrutiny. The French government also fears that the lack of support for a "French Islam" is allowing foreign religious extremists to gain the sympathy of many Muslim immigrants. The confluence of these concerns is producing a broad coalition of left and right supporting calls for such a change in the *laïcité* law, including Nicolas Sarkozy, the favored successor to President Jacques Chirac, whose remarks about immigrant neighborhoods are thought to have set off the nationwide riots last November.

United Kingdom: Anti-terror legislation watered down, dismissed by Parliament

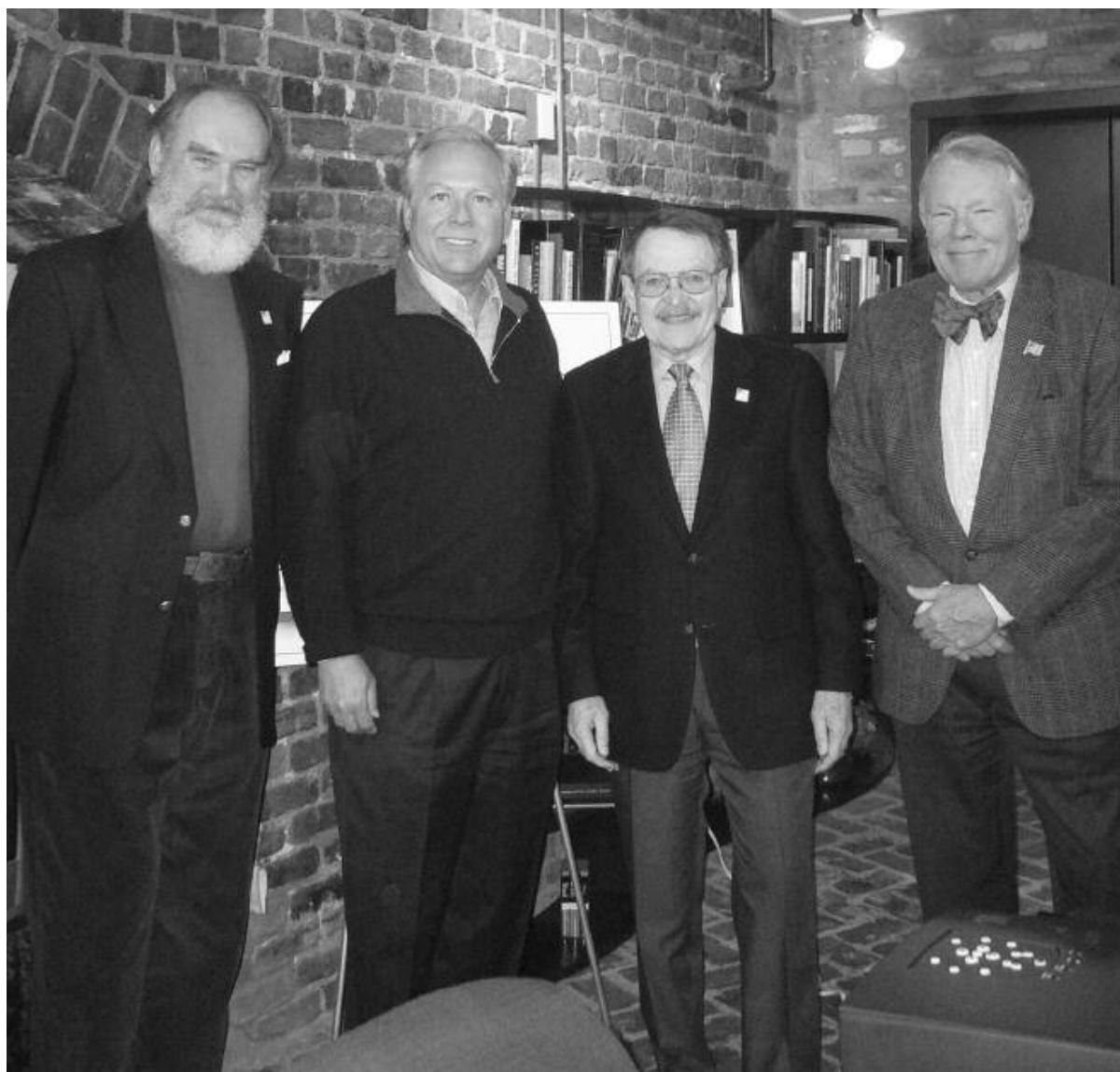
Within weeks after the bomb attacks on the London transit system last July, Prime Minister Tony Blair's government unveiled a package anti-terrorism legislation, including provisions to hold terrorism suspects for up to 90 days without charge, to shut mosques suspected of extremist activity, to deport "preachers of hate" and to impose a "Britishness" test on all foreign-born preachers. By year's end almost all of these proposals were rejected by Parliament because they were seen as infringements on civil liberties or quietly withdrawn by the government as officials concluded that the measures would be ineffective or unworkable.

Global: Governments struggle with fallout from the cartoon controversy

The caricatures of the Muslim prophet Muhammad published in the Danish newspaper *Jyllands-Posten* set off protests around the world, inflaming tensions between Muslims and non-Muslims, sparking boycotts and forcing public introspection on freedom of speech and interfaith relations around the world. The cartoon controversy provokes questions as to what restrictions on freedom of expression are permissible under international human rights law. Most European states ban hate speech against religion under blasphemy statutes. European Muslims believe that these laws and others against "incitement to religious hatred" are unequally applied. The lack of equal protection afforded Muslim immigrants in Europe and Denmark in particular became a thong-fuelled expression of anger against the treatment of Muslim peoples in Europe. Mindful of the enduring consequences, diplomats and public citizens across the globe tried to contain violent protests and constructively engage the issue to find solutions to a myriad of problems. The Organization of the Islamic Conference, while condemning violence against European interests, demanded that Islamophobia in Europe be criminalized in the same fashion as anti-Semitism.

Official registration laws undermine religious freedom

Across Eastern Europe and Central Asia governments are using registration laws to undermine religious freedom. Many states in this region, such as China, Russia, Uzbekistan and Tajikistan, have strict laws requiring faith communities to officially register with the state, ostensibly to constrain religiously motivated terrorism and prevent money laundering. In practice, these laws are used to constrain or channel faith communities into a handful of state controlled or monitored organizations. In some countries only a handful of faiths are granted any recognition even though the actual diversity of faith communities is great. Religious persons in such countries must choose between congregations that more reflect the state's concerns than their own or risk severe criminal penalties for disobedience. Although the International Religious Freedom Act of 1998 was specifically drafted to combat "the denial of the right to assemble and relegation of religious communities to illegal status through arbitrary registration laws," neither of the act's institutional creations, the U.S. Commission on International Religious Freedom nor the Department of State Office on International Religious Freedom, have established clear criteria to distinguish capricious from rightful registration rules.



Trustees Charles Peters, Mark Sisisky, Chair Tommy Baer, and Buford Scott.

Sisisky Family Donates \$250,000 to First Freedom Center

In honor of his lifelong efforts to advance the ideals of religious liberty, the family of the late U.S. Congressman Norman Sisisky (D-Va.), has given a gift of \$250,000 to the Council to help build a national educational center about freedom of religion in Richmond, Va.

“On behalf of my mother Rhoda, my family is pleased to make this gift to support a cause that was an abiding part of my father’s political life,” said Mark Sisisky, the late congressman’s son. “I know that he would be proud to be associated with such an important endeavor. As a Virginian, he took special pride in the role our state played in securing many of the liberties we enjoy today.”

The First Freedom Center, to be constructed on the site where the Virginia legislature in 1786 passed the Statute for Religious Freedom, will include galleries, exhibits and outreach programs aimed at helping ordinary citizens—especially young people—understand how religious freedom is a dynamic issue central to our way of life.

In recognition of the Sisisky’s gift, the Center will name a sculptural window relief, visible from 14th Street in downtown Richmond, in the congressman’s honor. The unique work, yet to be commissioned, will depict the document’s primary writers—Thomas Jefferson, James Madison and George Mason—as well as the historic coalition that passed the precedent-setting statute. The sculpture will extend two floors, adjacent to the center courtyard and auditorium.

“This is a magnificent gift, not only as an educational centerpiece but as an enduring memorial to Congressman Sisisky’s commitment to the tenet of religious liberty,” said Tommy Baer, chair of the Council. “We are profoundly grateful to the Sisisky family for their generosity and for helping preserve Congressman Sisisky’s legacy in this way.”

Born in Baltimore, Md. and educated in Richmond, Congressman Sisisky was serving in his 10th term in the U.S. House of Representatives when he passed away in March 2001. His son Mark and widow Rhoda are active members of the Jewish community.

New Gifts to the First Freedom Center Comprehensive Campaign

Genworth Foundation has demonstrated its support of the First Freedom Center by pledging \$50,000 to the comprehensive campaign. Genworth Financial, Inc. is a leading insurance holding company, serving the lifestyle protection, retirement income, investment and mortgage insurance needs of more than 15 million customers, with operations in 24 countries, including the U.S., Canada, Australia, the U.K. and more than a dozen other European countries. Genworth is dedicated to making a difference in the community and giving back with a purpose.

The Nancy Peery Marriott Foundation is supporting the First Freedom Center comprehensive campaign with a \$10,000 gift. The foundation, established in 2002 and based in Bethesda, Md., supports the arts, museums and higher education.

The Council Joins With Other Virginia Organizations to Request State Funding

This year, the Council joined the Virginia Arts and Culture Economic Growth Coalition, an alliance of new or expanding artistic and cultural projects. The 19 museums, science centers, and performing arts venues that make up the coalition represent every region of Virginia. The members of the coalition work collectively to apply for state funding as the organizations have a much stronger voice together.

The Council participated along with other Coalition members in Coalition Day at the General Assembly on February 8, encouraging the legislators to support Virginia’s arts and cultural organizations. Trustees Randolph Bell, Spencer Hines and Charles Peters, and campaign leadership council members Sandy Fitz-Hugh and Phyllis Rubinstein attended in support of the Council. Our contingent met with Senator Stephen Martin and Delegates Jennifer McClellan and Donald McEachin.

Council trustee Buford Scott and campaign leadership council members Sandy Fitz-Hugh, Charlie Foster and Gordon Rainey also met with Senators Stosch and Watkins and Delegates Callahan, Cox and Ingram on February 9 in support of the Council’s funding request for the First Freedom Center.

Thanks again to everyone who has supported the Council in its pursuit of state funding. Support from Virginia will send a message to all other funding sources nationwide about the importance of the project.

Virginia Arts and Culture Economic Growth Coalition

Air Force Memorial Foundation
 Art Museum of Western Virginia
 Chrysler Museum of Art
 Council for America’s First Freedom
 Fredericksburg Area Museum & Cultural Center
 The Greater Reston Arts Center
 Marine Corps Heritage Foundation
 McLean Project for the Arts
 Museum of the Shenandoah Valley
 Prince William County Department of Public Works
 The Sandler Center for the Performing Arts
 Shenandoah Valley Discovery Museum
 Staunton Performing Arts Center
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2006 First Freedom Award Recipients Honored

On January 18, 2006 in Richmond, Va., the Council for America's First Freedom presented the 2006 First Freedom Awards to three distinguished advocates of religious freedom, individuals who have made profound contributions to advancing religious liberty around the world, across the United States and within Virginia.

Václav Havel, former president of both the Czech Republic and Czechoslovakia, award-winning playwright and passionate global champion of interfaith dialogue and freedom of conscience, received the **International First Freedom Award**. Havel was unable to attend the dinner, so Petr Kolar, the Czech ambassador to the United States, accepted the award on his behalf.

The Honorable Chet Edwards, seven-term U.S. Representative from Waco, Texas and ardent proponent of the nation's founding principle of church-state separation, received the **National First Freedom Award**.

Dr. Robert S. Alley, professor emeritus of Humanities at the University of Richmond, noted author and scholarly authority on religion, government and education, received the **Virginia First Freedom Award**.

"These three honorees have dedicated much of their professional lives to the defense of religious liberty," said Tommy Baer, chair of the Council. "They are people of conscience and principles whose insights and courage have helped deepen our collective understanding of religious freedom and fortify the foundation of this inherent human right."

This year marks the 12th year in which the Council for America's First Freedom has sponsored the First Freedom Awards in conjunction with National Religious Freedom Day, observed annually on January 16, the anniversary of the date on which the Virginia General Assembly enacted the Virginia Statute for Religious Freedom, the landmark law that guaranteed religious liberty and became the precursor for the First Amendment guarantee of freedom of religion. Proceeds from the dinner support the Council's national First Freedom Student Competition.



Trustee and dinner co-chair Hugh Gouldthorpe with Collette Bernard and Peter Bernard, chair of the dinner.



Judy Gilman-Hines and trustee Spencer Hines with Tom and Donna Winfree.

"As the First Freedom Center comes to be built and as subsequent classes are taught it is my fervent hope that young people will commit themselves to the challenge of Jefferson's dream and preserve it."

Dr. Robert S. Alley

"I am grateful to the Council for America's First Freedom for its... stewardship and would urge each of us to redouble our efforts in the months and years ahead. In doing so, we can pass onto our children and grandchildren an inheritance far greater than any material good—the gift of religious freedom."

Congressman Chet Edwards

"Religious liberty... has been a law in this country for more than 200 years. Yet, here we are continuing to defend and protect it and continuing to educate the American people about it. This is indeed a most precious and fragile law. Education is crucial."

Ambassador Petr Kolar (Accepting for Václav Havel)



Mark Sisisky presents the Virginia First Freedom Award to Dr. Robert Alley.



Claire Rosenbaum with Ed West and Marilyn West, trustee and co-chair of the dinner.

About the Recipients



President Václav Havel (International Award)—Václav Havel served in high office for his country twice, from 1989-1992 as President of Czechoslovakia and again from 1993-2003 as President of the Czech Republic. He wrote the now famous "Letter to Husak" in 1975, petitioning the Czechoslovak president about the toxic effects of one-party rule on the character of the people. Havel also co-founded with other dissidents Charter 77, an appeal to the government to respect the basic human rights and freedoms to which Czechoslovakia committed by signing the International Covenant on Civil and Political Rights in 1975. In 1979, Havel co-founded the Committee for the Defense of the Unjustly Oppressed to help dissidents and their families. In the late 1980s as Soviet influence in Czechoslovakia waned Havel played a key role in the demonstrations that led to the non-violent collapse of one-party rule in Czechoslovakia in late 1989, known globally as the "Velvet Revolution." Václav Havel is a passionate advocate for freedom of conscience and interfaith dialogue globally.



The Honorable Chet Edwards (National Award)—Congressman Chet Edwards, D-Texas, is a proponent of the separation of church and state, underscoring the tenet that government has no place within religion. In remarks on the House floor speech on religious freedom, he said, "Separation of church and state does not mean keeping faith out of government. Rather, it means keeping government out of our faith. By passing language saying 'Congress shall pass no law respecting an establishment of religion,' known as the Establishment Clause, our founding fathers were putting religion on a pedestal so high that the hands of government and politicians could not reach it." Edwards believes that we should educate members of Congress and the American people that the clause was designed to protect religion, not harm it.



Dr. Robert S. Alley (Virginia Award)—Robert S. Alley is a professor emeritus of humanities at the University of Richmond, where he taught in the religion department for 30 years. Alley has authored and co-authored several books on religion, government and education, including *School Prayer: The Court, the Congress, and the First Amendment* (1994).

See inside for more information on the 2006 First Freedom Award Recipients!
Chet Edwards.

Dr. Robert S. Alley and The Honorable Kolar (accepting for Vaclav Havel),
From left to right: The Honorable Petr



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- The Winners of the 2005/2006 National First Freedom Student Competition
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- Religious Freedom Issues in the News

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