

Calendar OF EVENTS

SEPTEMBER

Wednesday, September 17, 2008

Constitution Day Debate: Recent Supreme Court Cases on Gun Control and the Death Penalty
Dr. Timothy O'Rourke, Vice President for Academic Affairs and Dean of the College, and Dr. Paul Rasor, Center Director
3:00 – 4:30 p.m., Pearce Hospitality Suite, Batten Center

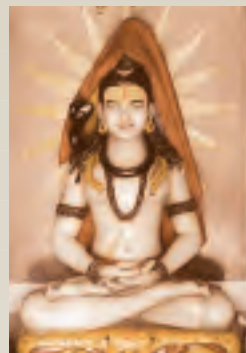


OCTOBER

Monday, October 13, 2008

The Challenges of American Religious Pluralism in a Post-9/11 World

Dr. Diana L. Eck, Professor of Comparative Religion and Indian Studies and Director of the Pluralism Project, Harvard University.
Cookson Religious Freedom Lecture
7:30 – 9:00 p.m., Boyd Dining Center



Monday, October 20, 2008

Nexus Interfaith Dialogue:
Questioning Faiths: Open Windows and Revolving Doors: HINDUISM
7:30 – 9:00 p.m.
Boyd Dining Hall

NOVEMBER

Saturday, November 15, 2008

One Love Festival

An evening of music and the spoken word, demonstrating unity in diversity and fostering a closer interfaith community. Performers welcome; see event web site:
<http://www.hamptonroadsnetworkfornonviolence.org/>

Monday, November 17, 2008

Nexus Interfaith Dialogue: Questioning Faiths: Open Windows and Revolving Doors: BUDDHISM
7:30 – 9:00 p.m., Boyd Dining Hall

*All events are free and open to the public.
For more information, call 757.455.3129.*

REPORT FROM THE Center

Diana Eck To Give 2008 Cookson Lecture

Eck to speak on modern-day religious pluralism in America

Diana L. Eck, Ph.D., one of the world's leading authorities on religious pluralism, will present the *Cookson Religious Freedom Lecture* at Virginia Wesleyan College on Monday, October 13, 2008, at 7:30 p.m., in the Boyd Dining Center. Dr. Eck's talk will examine *The Challenges of American Religious Pluralism in a Post-9/11 World*.

Eck is Professor of Comparative Religion and Indian Studies at Harvard University and Director of the Harvard Pluralism Project. She has authored several books on topics ranging from religion in India to Christian theology and religious pluralism, including *Banaras, City of Light*, *Encountering God: A Spiritual Journey from Bozeman to Banaras*, and her

most recent book, *A New Religious America: How a "Christian Country" Has Become the World's Most Religiously Diverse Nation*. She also headed the nationwide research team that produced the award-winning interactive CD-ROM, *On Common Ground: World Religions in America*.

Eck's many honors include the National Humanities Medal, the American Academy of Religion Martin Marty Award for the Public Understanding of Religion, and several honorary doctorates. She is a member of the State Department Advisory Committee on Religious Freedom Abroad, and past President of the American Academy of Religion. She also works closely with her own United Methodist Church and the

World Council of Churches on issues of interfaith dialogue.

The *Cookson Religious Freedom Lecture* series is named for the Center's founding director, Dr. Catharine Cookson, and was inaugurated in 2006 by Dr. Martin Marty.



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REFLECTIONS FROM THE DIRECTOR



The Shifting American Religious Landscape

One of the most important dimensions of religious freedom is the right to change our minds. This right is implicit in the very nature of religious liberty, and it is made explicit in several international human rights documents. The United Nations Universal Declaration of Human Rights puts it this way: "Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief." We might think of this as a right of religious conversion.

A recent groundbreaking study by the Pew Forum on Religion and Public Life indicates that this right is widely exercised in the United States. The U.S. Religious Landscape Survey, as it is known, shows that 28% of adult Americans have left their

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Center Publishes Booklet of Religious Freedom Texts

The Center has published a pocket-sized booklet containing several major documents on religious freedom. These include the relevant provisions from the U.S. Constitution, several international human rights documents, the Virginia Statute for Religious Freedom, and statements of the United Methodist Church. The booklets are available free of charge. If you would like a copy, please come by the office during normal business hours. They will also be made available at most Center programs.

Report from the Center is published twice a year by the Center for the Study of Religious Freedom at Virginia Wesleyan College.

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Director

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childhood faith, either for another religion or, increasingly, for no religion at all. When conversion from one Protestant denomination to another is included, this number jumps to 44%. This means that nearly half of all adult Americans have, at some point in their lifetimes, either switched religious affiliation, joined a religious group after being unaffiliated, or simply dropped religious ties altogether.

These changes are not limited to any particular religious group. While some groups are growing and others declining, all groups are constantly gaining and losing adherents. As the study puts it, religious affiliation in the U.S. is both very diverse and extremely fluid.

While constant movement is the central theme, some groups experience more movement than others. It is well known, for example, that most Protestant denominations are losing members at a greater rate than they are gaining new ones, though a few are increasing. Overall, nearly half (48%) of those raised Protestant have changed religious affiliation, and 20% have left Protestantism altogether.

Protestants now make up a bare majority – 51% – of the U.S. population, down from nearly two-thirds only twenty years ago. This is a major shift, and it has important implications for our self-understanding as a society. Roman Catholics have held steady at about 24% of the population, with significant losses among members raised in the faith being offset by immigration.

Among smaller groups, those with the highest percentages of members raised in other traditions include Jehovah's Witnesses (67%), Buddhists (73%), and Unitarian Universalists (nearly 90%). Hindus have been the most stable group, with 84% of those raised in the tradition still identifying as Hindu. Other groups with high retention rates include Mormons, Orthodox Christians, and Jews.

Perhaps most significantly, the largest net gain among all groups was found among the "religiously unaffiliated," now more than 16% of adult Americans. If we think of them as a religious group, the unaffiliated would be the fourth largest in the U.S., behind evangelical Protestants (26%), Roman Catholics (24%), and mainline Protestants (18%). Yet like other groups, the unaffiliated reflect considerable diversity; their number includes atheists, agnostics, people for whom religion is simply not important, and people who are religious but not affiliated.

Religion in the U.S. is often described as a spiritual marketplace in which individuals shop for the faith tradition that best meets their needs. The landscape survey confirms that this market analogy is apt. This reality has both dangers and benefits. As religion becomes ever more commodified, it may be unable to provide the deep sense of

meaning and connectedness that can ground our commitment to religious values such as justice, love, and peace. At the same time, however, the survey indicates that large numbers of people are taking their religion seriously enough to explore other traditions and to think carefully about these critical life decisions.

The fluidity of the American religious landscape also has some important implications for religious freedom. Most obviously, it tells us that religious freedom is not only a deeply held value, but that it is enthusiastically practiced. More importantly, the fact that nearly half of us have changed our religious affiliations during our lifetimes tells us that our vast religious diversity is not something to fear, but to celebrate.

The large numbers of unaffiliated people also remind us that an important part of religious freedom is what some call freedom *from* religion. One of the last bastions of religious intolerance in our society is against atheism and other forms of unbelief. But just as discrimination based on religion is contrary to the spirit of religious freedom, so too is discrimination based on non-religion. As the United Methodist Church Resolution on Religious Liberty says, "religious liberty includes the freedom to doubt or to deny the existence of God, and to refrain from observing religious practices."

The dynamic cultural reality documented by the Landscape Survey challenges all of us. It reminds us of the importance not only of tolerance, but also of education and of direct and open engagement with those from other faith traditions – traditions which the survey suggests we, or our children, might someday adopt as our own.

The Nexus Interfaith Dialogue Series for 2008-2009 will take up some of the issues raised in this survey; see page 6 for details. The survey can be found on the Pew Forum's Web site at <http://religions.pewforum.org>.

RELIGIOUS FREEDOM

in the News

Three important recent cases involving religious freedom – one from Virginia – were decided by three different federal Courts of Appeals on the same day. The following summaries are taken from the Religion Clause Blog; comments are by Center Director Paul Rasor.

4th Circuit Upholds City Council Mandate For Non-Denominational Invocations

In *Turner v. City Council of Fredericksburg*, decided July 23, 2008, the U.S. 4th Circuit Court of Appeals upheld the policy of Fredericksburg, Virginia's city council requiring prayers which open its sessions to be nondenominational. The city's policy was challenged by council member Hashmel Turner, who is also a Baptist minister. When his turn to offer an invocation came, Turner wanted to close by praying in the name of Jesus. In an opinion by former U.S. Supreme Court Justice Sandra Day O'Connor, sitting by designation on the case, the court held that the council's policy precluding such prayer violates neither the Establishment Clause nor Turner's free exercise rights:

Turner was not forced to offer a prayer that violated his deeply-held religious beliefs. Instead, he was given the chance to pray on behalf of the government. Turner was unwilling to do so in the manner that the government had proscribed, but remains free to pray on his own behalf, in nongovernmental endeavors, in the manner dictated by his conscience. His First Amendment and Free Exercise rights have not been violated.

Comment: The case involved a double holding: First, the ruling that the prayer was government speech, not private speech, meant that Turner's personal right of religious free exercise was not violated simply because he was prevented from offering this particular prayer while acting in his governmental capacity as a council member. Second, the council's policy of opening its meetings with prayer did not violate the Establishment Clause. In *Marsh v. Chambers* (1983), the Supreme Court upheld the practice of using government-paid chaplains to open state legislative sessions with prayer. This does not mean, however, that any form of legislative prayer will be upheld. In *Wynne v. Town of Great Falls* (2004), a case from South Carolina, the Fourth Circuit Court of Appeals ruled that a town council's practice of offering specifically Christian prayers ("in Christ's name") violated the Establishment Clause by affiliating the government with one specific faith. In other words, it was Fredericksburg's insistence on nondenominational prayers that saved the policy.

11th Circuit Holds Parental Rights Can Trump Child's First Amendment Protections

In *Frazier v. Winn*, decided July 23, 2008, the U.S. 11th Circuit Court of Appeals handed down a decision on the clash between parental rights to control the upbringing of their children and a child's own First Amendment rights. While the case focused on free speech issues, it presumably impacts similar Free Exercise clashes. At issue was a facial challenge to Florida's statute providing that a student must be excused from reciting the Pledge of Allegiance upon written request of his or her parent. In the case, the district court had concluded that the statute unconstitutionally "robs the student

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of the right to make an independent decision on whether to say the pledge."

The Court of Appeals disagreed, saying:

The rights of students and the rights of parents – two different sets of persons whose opinions can often clash – are the subject of a legislative balance in the statute before us. The State, in restricting the student's freedom of speech, advances the protection of the constitutional rights of parents... Although we accept that the government ordinarily may not compel students to participate in the Pledge... we also recognize that a parent's right to interfere with the wishes of his child is stronger than a public school official's right to interfere on behalf of the school's own interest...

Even if the balance of parental, student, and school rights might favor the rights of a mature high school student in a specific instance, Plaintiff has not persuaded us that the balance favors students in a substantial number of instances – particularly those instances involving elementary and middle school students – relative to the total number of students covered by the statute... We therefore decline to validate Plaintiff's facial challenge.

Comment: A "facial challenge" asks the court to judge the statute on its "face," without regard to the specific facts. In this case, however, the student was 17 years old – precisely the kind of "mature high school student" whose rights the court said it "might favor." In such a case, the court could hold the state law unconstitutional "as applied" to this student, and permit him to opt out of the pledge even without parental permission. The Virginia pledge recitation statute was upheld by the Fourth Circuit U.S. Court of Appeals in *Myers v. Loudoun County Public Schools* (2005) against a challenge that the words "under God" made the pledge a religious exercise. Unlike the Florida law, the Virginia statute permits students to opt out without parental permission. The Supreme Court has ruled that compulsory recitation of the pledge violates the First Amendment, though it has never ruled on the constitutionality of the pledge itself.

10th Circuit: Exclusion of pervasively Sectarian Schools from Scholarships is Invalid

In *Colorado Christian University v. Weaver*, , decided July 23, 2008, the U.S. 10th Circuit Court of Appeals held that Colorado acted unconstitutionally in excluding from its college scholarship program students who attend "pervasively sectarian" institutions. The court found that the exclusion "expressly discriminates among religions without constitutional justification." The court held that "if the State wishes to choose among otherwise eligible institutions, it must employ neutral, objective criteria" and avoid criteria that require "intrusive scrutiny" of students' religious beliefs and practices.

Comment: This case reveals one of the tensions in the First Amendment's religion clauses: providing state aid for specifically religious education would seem to violate the Establishment Clause, while refusing to provide aid on religious grounds might violate the Free Exercise clause. Here, the court leaned toward protecting free exercise by holding that the Colorado scholarship program unconstitutionally discriminated among religions by giving money to students from "sectarian" institutions, but not "pervasively sectarian" institutions. The result was that students from Methodist and Catholic universities received funds, while students from an evangelical Christian college and a Buddhist university did not. In *Locke v. Davey* (2004), the Supreme Court upheld a state scholarship program that excluded students studying for the clergy. The Court said the state could have included clergy students without violating the Establishment Clause, but that it was not required to do so. While the scope of *Locke* is unclear, the Tenth Circuit ruled that it did not control the Colorado case.

For more information on these and other stories, visit the CSRF Web site at www.vwc.edu/csrf.

Methodists Endorse Teaching Evolution

At its General Conference in May, 2008, the United Methodist Church adopted two resolutions that support the teaching of evolution in public schools. The first opposes "the introduction of any faith-based theories such as Creationism or Intelligent Design into the science curriculum of our public schools," and reaffirms the Church's long support of church-state separation. It notes, however, that these theories may be appropriate topics in public school courses such as comparative religion, literature, or philosophy.

The second resolution amends an existing paragraph in the Church's Social Principles which affirms in general terms the complementary nature of science and theology. The new language declares specifically that "science's descriptions of cosmological, geological, and biological evolution are not in conflict with theology" and notes that "as science expands human understanding of the natural world, our understanding of the mysteries of God's creation and word are enhanced." The United Methodist Church's General Conference meets every four years to determine financial and program matters and to consider any changes to the Church's Book of Discipline.

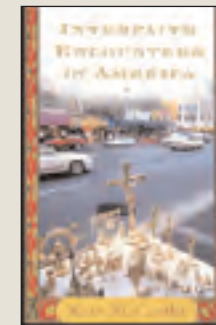


Rasor's Recommended Reading



GADDY, C. Welton, and Barry W. LYNN, *First Freedom First: A Citizen's Guide to Protecting Religious Liberty and the Separation of Church and State* (2008)

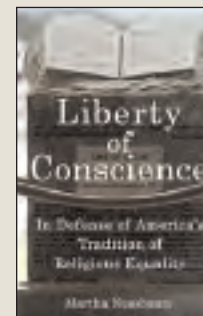
MCCARTHY, Kate, *Interfaith Encounters in America* (2007)



NUSSBAUM, Martha, *Liberty of Conscience: In Defense of America's Tradition of Religious Equality* (2008)



CHURCH, Forrest, *So Help Me God: The Founding Fathers and the First Great Battle over Church and State* (2007)



Center Library Expands International Collection

The Center's library has added several volumes on the global dimensions of religious freedom. Many of these works emphasize international law, including the law of human rights, while others focus on specific countries or regions. The Center has also continued to expand its collection of materials relating to religious liberty in the United States. Topics include constitutional law, religion and politics, the impact of the religious right, and religious freedom in American history. These materials will help make the Center an increasingly important research tool for students, faculty, and other interested persons.

BORROWING POLICY

All books in the CSRF collection are included in the college library's online catalog, and most are available to VWC faculty, students, and other interested users. If you would like to borrow a book, simply come to the Center offices, located on the first floor of Clarke Hall, during normal college business hours. If you are unable to come to the Center during these hours, please call the office at 757.455.3129, and we can make other arrangements. Specific policies can be found on the Center's Web site, <http://www.vwc.edu/academics/csrfeducation/library.php>.

BOOKS RECEIVED

A few of the many new titles in the Center's collection:

BENEKE, Chris, *Beyond Toleration: The Religious Origins of American Pluralism* (New York: Oxford University Press, 2006)

BRACKNEY, William H., ed., *Human Rights and the World's Major Religions*, 5 volume set (2005)

DAVIS, Derek H., and Gerhard BESIER, eds., *International Perspectives on Freedom and Equality of Religious Belief* (2002)

EVANS, Carolyn, *Freedom of Religion under the European Convention on Human Rights* (2001)

EVANS, Malcolm D., *Religious Liberty and International Law in Europe* (1997)

GOODWIN, Charles Stewart, *Satan's Cauldron: Religious Extremism and the Prospects for Tolerance* (2006)

HILL, Mark, ed., *Religious Liberty and Human Rights* (2003)

JANIS, Mark W., and Carolyn EVANS, eds., *Religion and International Law* (2004)

JUERGENSMEYER, Mark, *Global Rebellion: Religious Challenges to the Secular State, from Christian Militias to Al Qaeda* (2008)

KAPLAN, Benjamin J., *Divided by Faith: Religious Conflict and the Practice of Toleration in Early Modern Europe* (2007)

MCKINNON, Catriona, *Toleration: A Critical Introduction* (2006)

PATRICK, John J., and Gerald P. LONG, eds., *Constitutional Debates on Freedom of Religion: A Documentary History* (1999)

RAMADAN, Hisham, *Understanding Islamic Law: From Classical to Contemporary* (2006)

ROSENBLUM, Nancy L., ed., *Obligations of Citizenship and Demands of Faith: Religious Accommodation in Pluralist Democracies* (2000)

TAHZIB, Bahiyyih G., *Freedom of Religion or Belief: Ensuring Effective International Legal Protection* (1996)

TAYLOR, Paul M., *Freedom of Religion: UN And European Human Rights Law And Practice* (2005)

THIERSTEIN, Joel, and Yahya R. KAMALIPOUR, eds., *Religion, Law, and Freedom: A Global Perspective* (2000)

U.S. Commission on International Religion, *The Right to Freedom of Religion & Belief: An Analysis of Muslim Countries* (2005)

NEXUS *Highlights*

QUESTIONING FAITHS:

Open Windows and Revolving Doors

Nearly half of all Americans have changed religious affiliation during their lifetimes. What is it about our various faiths that cause some people to leave them and others to join? What elements of our religious traditions make us uncomfortable, even when we stay? In its **Tenth Anniversary year**, the **2008-2009 NEXUS INTERFAITH DIALOGUE SERIES** Nexus will invite members of different faiths to reflect on questions such as:

What attracts newcomers to my faith?

What causes newcomers to struggle or question their decision?

What do I most struggle with?

Are there skeletons in my own faith closet?

Why did I leave one faith tradition and join another?

This year's series of panel discussions begins on Monday, October 20, 2008, and continues through next March. The dates for specific faith traditions are listed below; see the calendar on page 8 for program times and locations.

HINDUISM: October 20

BUDDHISM: November 17

JUDAISM: February 9

CHRISTIANITY: March 9

ISLAM: March 30



DIRECTOR'S ACTIVITIES

Center Director Paul Rasor had several off-campus speaking engagements during the winter, spring and summer months. He also published items in three journals.

SPEAKING ENGAGEMENTS

February 4: Delivered a public lecture entitled "Reclaiming Prophetic Liberalism: Liberal Religion in the Public Square," at Harvard Divinity School, in Cambridge, Mass.

February 29–March 2: Gave a public lecture on "Beyond Just War and Pacifism," led a workshop on "Religious Liberals in Public," and preached on the theme "Democracy Matters" at the First Unitarian Universalist Church in Rochester, Minn.

March 21: Participated in a "Dialogue on War and Peace" for an hour-long radio format interview for webcast.

June 26: Gave a public lecture on "Beyond Just War and Pacifism" at the Unitarian Universalist General Assembly in Ft. Lauderdale, Fla.

PUBLICATIONS

"Beyond Just War and Pacifism: Toward a Unitarian Universalist Theology of Prophetic Nonviolence," *Journal of Liberal Religion*, vol. 8, no. 1, Winter 2008.

"Prophetic Nonviolence: Toward a Unitarian Universalist Theology of War and Peace," *UUWorld* (denominational magazine), Spring 2008.

Book Review of Rex Ahdar and Ian Leigh, *Religious Freedom in the Liberal State* (Oxford University Press, 2005), *Journal of Church and State*, vol. 50, no. 2, Spring 2008.

LOOKING AHEAD

Spring 2009 Symposium to Examine Tolerance

The Center's Spring 2009 Symposium will address the theme "Pluralism, Tolerance, and Freedom: What's At Stake?" It is often said that when the United States adopted the First Amendment, it moved beyond "mere" religious tolerance to true religious freedom. But tolerance does not become irrelevant when freedom is protected. There are many indications that we are becoming a less tolerant society, and that this trend is shrinking the social and political space within which our freedoms can be exercised. This Symposium will address issues of tolerance in both religious and non-religious contexts. Speakers will include well-known scholars in law, religion, and philosophy. The Symposium begins Thursday, February 5, 2008, and continues on consecutive Thursdays through March 5. More information will appear in the Center's spring 2009 newsletter and on our Web site.



SUPPORT THE CENTER

The Center for the Study of Religious Freedom needs your support.

You can support the Center in many ways: by attending Center programs, by sharing news of the Center's work with others, and by your financial contributions. Please share this newsletter with your family and friends, and encourage them to come to Center events.

If you would like to make a financial gift to support the Center, you may use the form below, or you may make a gift through our web site, www.vwc.edu/csrf.

Your gifts allow us to improve our programs, strengthen our library and other resources, and continue our work of promoting religious freedom.

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