

October 7, 2016

The Honorable Barack Obama
President of the United States
The White House
1600 Pennsylvania Avenue, N.W.
Washington, D.C. 20500

The Honorable Orrin G. Hatch
President Pro Tempore
United States Senate
104 Hart Office Building
Washington, D.C. 20510

Congressman Paul Ryan
Speaker of the House
United States House of Representatives
H-232, The Capitol
Washington D.C. 20515

Dear Mr. President, Senator Hatch, and Speaker Ryan:

We are a diverse group of American faith leaders from all political, religious and ideological perspectives. We write to you as the authorities responsible for appointing members of the U.S. Commission on Civil Rights.

We wish to express our deep concern that the Commission has issued a report, *Peaceful Coexistence: Reconciling Non-Discrimination Principles with Civil Liberties*, that stigmatizes tens of millions of religious Americans, their communities, and their faith-based institutions, and threatens the religious freedom of all our citizens.

The Commission asserts in its Findings that religious organizations “use the pretext of religious doctrines to discriminate.”

What we find even more disturbing is that, in a statement included in the report, Commission Chairman Martin Castro writes:

“The phrases ‘religious liberty’ and ‘religious freedom’ will stand for nothing except hypocrisy so long as they remain code words for discrimination, intolerance, racism, sexism, homophobia, Islamophobia, Christian supremacy or any form of intolerance.”

We understand that people of good faith can disagree about the relationship between religious liberty and antidiscrimination laws in our country, and how that relationship should best be structured. These questions have to do with issues critical to the common good such as marriage, the family, contraception, abortion, and the source of human dignity.

At the same time, we are one in demanding that no American citizen or institution be labeled by their government as bigoted because of their religious views, and dismissed from the political life of our nation for holding those views. And yet that is precisely what the Civil Rights Commission report does.

The genius of American democracy is that it invites everyone into the public square, on the basis of full equality, to contend over the laws and policies that reflect our values and our understanding of the common good. In our system it is they--free citizens and voluntary institutions--that inform and drive the debate over the public good, a debate that the national government should not prejudice or distort.

The construction of our Constitutional settlement--this great experiment, as our first president called it--was in substantial part due to the religious ideas of the founding generation. The very foundation of our nation's notion of equality—and in turn, the foundation of our various laws against discrimination—is the radical religious truth claim that “all men are created equal, and are endowed by their Creator with certain inalienable rights.”

Each of us opposes hateful rhetoric and actions. We believe in the equality of all Americans before the law, regardless of creed or community. But we are both determined and unafraid to speak the truth about beliefs we have held for millennia. A robust and respectful debate over ideas is not something harmful to be demonized. Rather, debate is good for our democracy, and should be encouraged. Slandering ideas and arguments with which one disagrees as “racism” or “phobia” not only cheapens the meaning of those words, but can have a chilling effect on healthy debate over, or dissent from, the prevailing orthodoxy. Such attacks on dissent have no place in the United States where all religious beliefs, the freedom to express them, and the freedom to live by them are protected by the First Amendment.

We are grateful particularly to President Obama for his willingness to recognize that the religious and moral dimension of our laws is not only unavoidable, but has long served the cause of civil rights:

Secularists are wrong when they ask believers to leave their religion at the door before entering into the public square. Frederick Douglas, Abraham Lincoln, William Jennings Bryan, Dorothy Day, Martin Luther King - indeed, the majority of great reformers in American history - were not only motivated by faith, but repeatedly used religious language to argue for their cause. So to say that men and women should not inject their “personal morality” into public policy debates is a practical absurdity. Our law is by definition a codification of morality, much of it grounded in the Judeo-Christian tradition.

(Call to Renewal, Building a Covenant for a New America, 2006).

In light of this, we call upon each of you to renounce publicly the claim that “religious freedom” and “religious liberty” are “code words” or a “pretext” for various forms of discrimination. There should be no place in our government for such a low view of our First Freedom—the first of our civil rights—least of all from a body dedicated to protecting them all.

We look forward to your reply.

Signed:

Most Reverend William E. Lori
Archbishop of Baltimore
Chairman, Ad Hoc Committee on Religious Liberty
United States Conference of Catholic Bishops

Bishop Gérald J. Causse
Presiding Bishop
The Church of Jesus Christ of Latter-Day Saints

Sheikh Hamza Yusuf Hanson
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Director, Religious Freedom Project
Georgetown University
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Organizations are listed for purposes of identification.