

RELIGIOUS



FREEDOM DAY

# RELIGIOUS FREEDOM DAY

## A GUIDE FOR COMMEMORATING RELIGIOUS FREEDOM AT SCHOOL

Each year, since 1993, the President declares January 16th to be Religious Freedom Day, and, as in 2005, calls upon Americans to “observe this day through appropriate events and activities in homes, schools, and places of worship.”

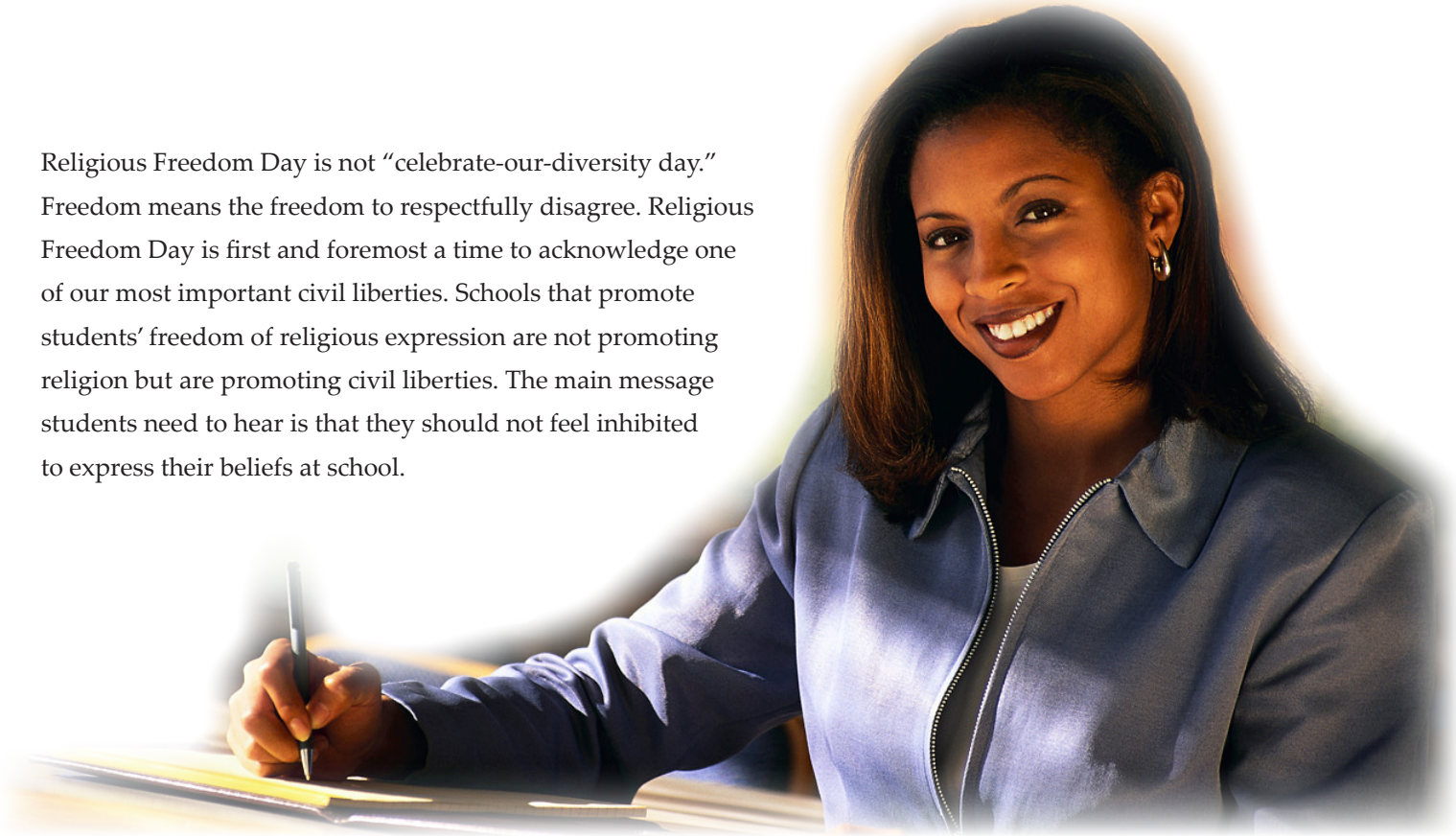
The day is the anniversary of the passage, in 1786, of the Virginia Statute on Religious Freedom. Thomas Jefferson drafted the legislation and considered it one of his greatest achievements. It stopped the practice of taxing people to pay for the support of the local clergy, and it protected the civil rights of people to express their religious beliefs without suffering discrimination.

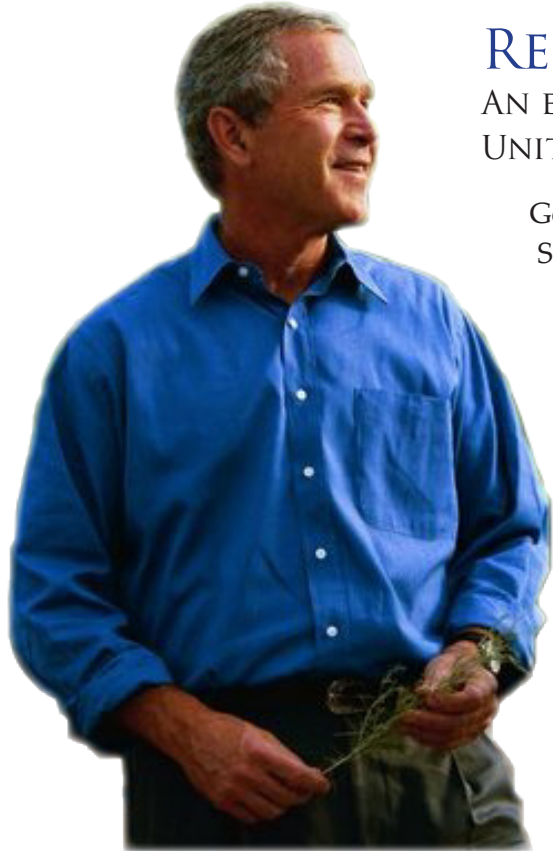
The men who drafted the U.S. Constitution leaned heavily on Jefferson’s statute in establishing the First Amendment’s guarantee of religious freedom. Today, that protection is as important as ever.

When issues of religious expression arise in public schools, educators and parents are justifiably concerned about the balance between free expression of religion and endorsement of a particular religion. This guidebook is intended to help all Americans join the President in celebrating Religious Freedom Day as well as to clarify students’ religious liberties. The guidebook explains Religious Freedom Day using past Presidential Proclamations; it includes the *Virginia Statute for Religious Freedom* as well as an easier-to-read paraphrase, and it clarifies students’ religious liberties by quoting the U.S. Department of Education’s guidelines regarding students’ freedom of religious expression.

Educators and administrators should not fear that acknowledging Religious Freedom Day means the school create a parade of religions represented in the community.

Religious Freedom Day is not “celebrate-our-diversity day.” Freedom means the freedom to respectfully disagree. Religious Freedom Day is first and foremost a time to acknowledge one of our most important civil liberties. Schools that promote students’ freedom of religious expression are not promoting religion but are promoting civil liberties. The main message students need to hear is that they should not feel inhibited to express their beliefs at school.





## RELIGIOUS FREEDOM DAY

AN EXAMPLE OF A PROCLAMATION BY THE PRESIDENT OF THE UNITED STATES OF AMERICA, GEORGE W. BUSH

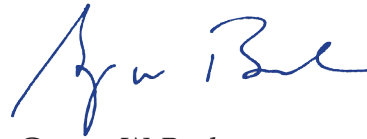
George Washington wrote, “The liberty enjoyed by the people of these States, of worshipping Almighty God agreeably to their consciences, is not only among the choicest of their blessings, but also of their rights.” On Religious Freedom Day, Americans commemorate the passage of the *Virginia Statute for Religious Freedom* in 1786, which helped set the course for freedom of religion to be included in the First Amendment to our Constitution.

Our Founding Fathers knew the importance of freedom of religion to a stable and lasting Union. Our Constitution protects individuals’ rights to worship as they choose. Today, we continue to welcome the important contributions of people of faith in our society. We reject religious bigotry in every form, striving for a society that honors the life and faith of every person. As we maintain the vitality of a pluralistic society, we work to ensure equal treatment of faith-based organizations and people of faith.

As the United States advances the cause of liberty, we remember that freedom is not America's gift to the world, but God's gift to each man and woman in this world. This truth drives our efforts to help people everywhere achieve freedom of religion and establish a better, brighter, and more peaceful future for all.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim January 16, 2005, as Religious Freedom Day. I encourage all Americans to reflect on the great blessing of religious freedom, to endeavor to preserve this freedom for future generations, and to commemorate this day through appropriate events and activities in homes, schools, and places of worship.

IN WITNESS WHEREOF, I have hereunto set my hand this fourteenth day of January, in the year of our Lord two thousand five, and of the Independence of the United States of America the two hundred and twenty-ninth.



George W. Bush



To read more Religious Freedom Day proclamations made by President Bush, visit [www.ReligiousFreedomDay.com](http://www.ReligiousFreedomDay.com).

# A BRIEF HISTORY



1993  
President Bush issues  
the first Religious  
Freedom Day  
proclamation.

## GEORGE H. W. BUSH

### Congress Requests the First Proclamation

[B]e it *Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That January 16, 1993, is designated as “Religious Freedom Day,” and the President is authorized and requested to issue a proclamation calling on the people of the United States to join together to celebrate their religious freedom and to observe the day with appropriate ceremonies and activities.



Throughout his presidency, President Clinton proclaimed Religious Freedom Day. In 1995, and again in 1998, under his directive, the U.S. Department of Education issued guidelines clarifying students’ religious liberties.

“...Schools do more than train children’s minds. They also help to nurture their souls by reinforcing the values they learn at home and in their communities. I believe that one of the best ways we can help out schools to do this is by supporting students’ rights to voluntarily practice their religious beliefs, including prayer in schools.”

*President Clinton, 1998*

## WILLIAM J. CLINTON

### 1994 Proclamation

“Religious freedom helps to give America’s people a character independent of their government, fostering the formation of individual codes of ethics, without which a democracy cannot survive.”

### 1996 Proclamation

“Let us pledge our support to all who struggle against religious oppression and rededicate ourselves to fostering peace among people with divergent beliefs so that what Americans experience as a ‘natural right’ may be enjoyed by individuals and societies everywhere.”

### 1999 Proclamation

“Americans are a deeply religious people, and our right to worship as we choose, to follow our own personal beliefs, is the source of much of our Nation’s strength.”



To read the proclamations made by President Clinton, visit [www.ReligiousFreedomDay.com](http://www.ReligiousFreedomDay.com).



In 2003, President Bush updated and re-issued the U.S. Department of Education guidelines clarifying students' religious liberties.

“I encourage you to distribute this guidance widely in your community and to discuss its contents and importance with school administrators, teachers, parents, and students.”

*Secretary of Education, Rod Paige, in a letter attached to the guidelines sent to school superintendents*

## GEORGE W. BUSH

### 2002 Proclamation

“Religious freedom is a cornerstone of our Republic, a core principle of our Constitution, and a fundamental human right.”

### 2003 Proclamation

“The religious freedom provisions of our Constitution -- the Establishment Clause and the Free Exercise Clause -- open the first of the ten amendments that make up the Bill of Rights. Because the Framers placed the guarantee of religious freedom before other cherished rights, religious liberty in America is often called the first freedom.”

### 2004 Proclamation

“Protecting our religious freedom requires the vigilance of the American people and of government at all levels.”

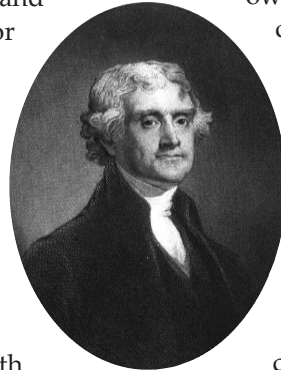
### 2005 Proclamation

“Our Founding Fathers knew the importance of freedom of religion to a stable and lasting Union. Our Constitution protects individuals' rights to worship as they choose. Today, we continue to welcome the important contributions of people of faith in our society.”

# VIRGINIA STATUTE FOR RELIGIOUS FREEDOM

RELIGIOUS FREEDOM DAY IS THE ANNIVERSARY OF THIS LEGISLATION DRAFTED BY THOMAS JEFFERSON

Whereas Almighty God hath created the mind free; that all attempts to influence it by temporal punishments or burthens, or by civil incapacitations, tend only to beget habits of hypocrisy and meanness, and are a departure from the plan of the Holy author of our religion, who being Lord both of body and mind, yet chose not to propagate it by coercions on either, as it was in his Almighty power to do; that the impious presumption of legislators and rulers, civil as well as ecclesiastical, who being themselves but fallible and uninspired men, have assumed dominion over the faith of others, setting up their own opinions and modes of thinking as the only true and infallible, and as such endeavouring to impose them on others, hath established and maintained false religions over the greatest part of the world, and through all time; that to compel a man to furnish



contributions of money for the propagation of opinions which he disbelieves, is sinful and tyrannical; that even the forcing him to support this or that teacher of his own religious persuasion, is depriving him of the comfortable liberty of giving his contributions to the particular pastor, whose morals he would make his pattern, and whose powers he feels most persuasive to righteousness, and is withdrawing from the ministry those temporary rewards, which proceeding from an approbation of their personal conduct, are an additional incitement to earnest and unremitting labours for the instruction of mankind; that our civil rights have no dependence on our religious opinions, any more than our opinions in physics or geometry; that therefore the proscribing any citizen as unworthy the public confidence by laying upon him an incapacity

of being called to offices of trust and emolument, unless he profess or renounce this or that religious opinion, is depriving him injuriously of those privileges and advantages to which in common with his fellow-citizens he has a natural right; that it tends only to corrupt the principles of that religion it is meant to encourage, by bribing with a monopoly of worldly honours and emoluments, those who will externally profess and conform to it; that though indeed these are criminal who do not withstand such temptation, yet neither are those innocent who lay the bait in their way; ☞ that to suffer the civil magistrate to intrude his powers into the field of opinion, and to restrain the profession or propagation of principles on supposition of their ill tendency, is a dangerous fallacy, which at once destroys all religious liberty, because he being of course judge of that tendency will make his opinions the rule of judgment, and approve or condemn the sentiments of others only as they shall square with or differ from his own; ☞ that it is time enough for the rightful purposes of civil government, for its officers to interfere when principles break out into overt acts against peace and good order; ☞ and finally, that truth is great and will prevail if left to herself, that she is the proper and sufficient antagonist to error, and has nothing to fear from the conflict, unless by human interposition disarmed of her natural weapons, free argument and

debate, errors ceasing to be dangerous when it is permitted freely to contradict them:

Be it enacted by the General Assembly, That no man shall be compelled to frequent or support any religious worship, place, or ministry whatsoever, nor shall be enforced, restrained, molested, or burthened in his body or goods, nor shall otherwise suffer on account of his religious opinions or belief; but that all men shall be free to profess, and by argument to maintain, their opinion in matters of religion, and that the same shall in no wise diminish enlarge, or affect their civil capacities.

And though we well know that this assembly elected by the people for the ordinary purposes of legislation only, have no power to restrain the acts of succeeding assemblies, constituted with powers equal to our own, and that therefore to declare this act to be irrevocable would be of no effect in law; yet we are free to declare, and do declare, that the rights hereby asserted are of the natural rights of mankind, and that if any act shall be hereafter passed to repeal the present, or to narrow its operation, such act shall be an infringement of natural right.



Source: W.W. Hening, ed., *Statutes at Large of Virginia*, vol. 12 (1823): 84-86.

# A PARAPHRASE OF THE VIRGINIA STATUTE

## AN EASIER-TO-UNDERSTAND PARAPHRASE OF THOMAS JEFFERSON'S WORDS

God created us to be free in our thinking. He is all-powerful but He chose not to force us to obey Him. Throughout history there have been people who have tried to force others to believe a certain way about God. Often times this has led to people being forced to believe what the ruler believed even if it wasn't really true. We don't want that.

It also isn't right to force people to give money to religions that they don't believe. It is best to let people support the religion they believe is the best one. The government shouldn't even force people to support the religion they do believe is right. Each person should be free to support his religion in the way he thinks is best.

The rights we have, as citizens, shouldn't depend on which religion we follow. The government shouldn't tell people that they cannot hold a public office like mayor, or governor, or President just because of their religious beliefs. If the government did that, it would only cause people to lie about their beliefs. They might say they believe this or that religion just to run for political office. Of course, it would be wrong for people to lie about their religious

beliefs, but it would also be wrong for the government to tempt people to lie by saying that only people who believe a certain way can be in politics. The government's job is to help keep a peaceful society, not to tell people what religion to follow.

Truth is a wonderful thing. Truth can defend itself if you just let it be told. People need to be free to talk about what they believe is the truth about God.

Because of all this, we, the leaders of the state of Virginia, have decided the government should not force anybody to follow a religion, nor should the government force anybody to pay money to support a religion. People should decide this for themselves. Also, the government shouldn't hassle people because of the religion they follow. Instead, everybody should be free to follow, and talk about, their religion.

We know that we are elected by the people to make decisions for right now. We know that in the future some group of Virginia's leaders may decide to change this law. But, if they did that, we want to say right now that would be wrong, because God created us to be free.

# THE RELIGIOUS LIBERTIES OF PUBLIC SCHOOL STUDENTS

The freedom of speech can take different forms. It includes what students say to other people as well as their freedom to speak to God in prayer; it includes what they write in school assignments or the words they give to a friend either by speaking or in writing. The information below comes from the U.S. Department of Education's document *Guidance on Constitutionally Protected Prayer in Public Elementary and Secondary Schools* ( February 7, 2003).

## **1** Students can pray, read their Bible or other religious books, and talk about their faith at school during school hours.

Here's what the U.S. Department of Education (U.S.D.O.E.) says:

*Students may pray when not engaged in school activities or instruction, subject to the same rules designed to prevent material disruption of the educational program that are applied to other privately initiated expressive activities. Among other things, students may read their Bibles or other scriptures, say grace before meals, and pray or study religious materials with fellow students during recess, the lunch hour, or other non-instructional time to the same extent that they may engage in nonreligious activities. While school authorities may impose rules of order and pedagogical restrictions on student activities, they may not discriminate against student prayer or religious speech in applying such rules and restrictions.*

## **2** Students can organize prayer groups and religious clubs and announce their meetings.

Here's what the U.S.D.O.E. says:

*Students may organize prayer groups, religious clubs, and "see you at the pole" gatherings before school to the same extent that students are permitted to organize other non-curricular student activities groups. Such groups must be given the same access to school facilities for assembling as is given to other non-curricular groups, without discrimination because of the religious content of their expression. School authorities possess substantial discretion concerning whether to permit the use of school media for student advertising or announcements regarding non-curricular activities. However, where student groups that meet for nonreligious activities are permitted to advertise or announce their meetings—for example, by advertising in a student newspaper,*



*making announcements on a student activities bulletin board or public address system, or handing out leaflets—school authorities may not discriminate against groups who meet to pray.*



*School authorities may disclaim sponsorship of non-curricular groups and events, provided they administer such disclaimers in a manner that neither favors nor disfavors groups that meet to engage in prayer or religious speech.*

### **3** Students can express their faith in their class work and homework.

Here's what the U.S.D.O.E. says:

*Students may express their beliefs about religion in homework, artwork, and other written and oral assignments free from discrimination based on the religious content of their submissions. Such home and classroom work should be judged by ordinary academic standards of substance and relevance and against other legitimate pedagogical concerns identified by the school. Thus, if a teacher's assignment involves writing a poem, the work of a student who submits a poem in the form of a prayer (for example, a psalm) should be judged on the basis of academic standards (such as literary quality) and neither penalized nor rewarded on account of its religious content.*

### **4** Teachers can organize prayer groups and Bible studies.

Here's what the U.S.D.O.E. says:

*When acting in their official capacities as representatives of the state, teachers, school administrators, and other school employees are prohibited by the Establishment Clause from encouraging or discouraging prayer, and from actively participating in such activity with students. Teachers may, however, take part in religious activities where the overall context makes clear that they are not participating in their official capacities. Before school or during lunch, for example, teachers may meet with other teachers for prayer or Bible study to the same extent that they may engage in other conversation or nonreligious activities. Similarly, teachers may participate in their personal capacities in privately sponsored baccalaureate ceremonies.*

### **5** Students may be able to go off campus to have a Bible study during school hours.

Here's what the U.S.D.O.E. says:

*It has long been established that schools have the discretion to dismiss students to off-premises religious instruction, provided that schools do not encourage or discourage participation in such instruction or penalize students for attending or not attending. Similarly, schools may excuse students from class to remove a significant burden on their religious exercise, where doing so would not impose material burdens on other students. For example, it would be lawful for schools to excuse*

*Muslim students briefly from class to enable them to fulfill their religious obligations to pray during Ramadan.*

## **6** Students can express their faith at a school event.

Here's what the U.S.D.O.E. says:

*Student speakers at student assemblies and extracurricular activities such as sporting events may not be selected on a basis that either favors or disfavors religious speech.*

*Where student speakers are selected on the basis of genuinely neutral, evenhanded criteria and retain primary control over the content of their expression, that expression is not attributable to the school and therefore may not be restricted because of its religious (or anti-religious) content.*

*By contrast, where school officials determine or substantially control the content of what is expressed, such speech is attributable to the school and may not include prayer or other specifically religious (or anti-religious) content.*

*To avoid any mistaken perception that a school endorses student speech*



*that is not in fact attributable to the school, school officials may make appropriate, neutral disclaimers to clarify that such speech (whether religious or nonreligious) is the speaker's and not the school's.*

## **7** Students can express their faith at their graduation ceremony.

Here's what the U.S.D.O.E. says:

*School officials may not mandate or organize prayer at graduation or select speakers for such events in a manner that favors religious speech such as prayer.*

*Where students or other private graduation speakers are selected on the basis of genuinely neutral, evenhanded criteria and retain primary control over the content of their expression, however, that expression is not attributable to the school and therefore may not be restricted because of its religious (or anti-religious) content.*

*To avoid any mistaken perception that a school endorses student or other private speech that is not in fact attributable to the school, school officials may make appropriate, neutral disclaimers to clarify that such speech (whether religious or nonreligious) is the speaker's and not the school's.*



For the complete document, visit the U.S. Department of Education at [www.ed.gov](http://www.ed.gov).

# IDEAS FOR THE CLASSROOM



One of the best ways to commemorate Religious Freedom Day is to tell students about their religious freedom in their classrooms and schools. Religious Freedom Day is not “celebrate-our-diversity-day.” You can avoid the potential problem of any particular religious group feeling left out by keeping your focus on the issue of civil liberty instead of religious diversity.

Religious Freedom Day occurs very close to Martin Luther King, Jr. Day (in 2006 they are the same day). Thematically, these two special days can be tied together by explaining to students the importance of Reverend King’s freedom of religious expression in his civil rights activity. Religious freedom, of course, can be recognized and discussed on any day.

Here are ideas teachers can use to recognize Religious Freedom Day:

1. Read the Presidential Proclamation. The proclamation is on the White House web site at [www.whitehouse.gov](http://www.whitehouse.gov) . You can also read previous Presidential Proclamations by visiting [www.ReligiousFreedomDay.com](http://www.ReligiousFreedomDay.com).
2. Have students write a paper on “What religious freedom means to me.”
3. Distribute copies of the U.S. Department of Education’s guidelines on students’ religious liberties to students and discuss it in class. Teachers can

also write a letter to parents and staple it to the guidelines. The letter can introduce Religious Freedom Day and convey the message that, “my classroom is a safe place for your child to express your family’s religious faith.”

4. Talk about countries where freedom of religion is not allowed.  
For research on this, visit [www.freedomhouse.org/religion](http://www.freedomhouse.org/religion) .

5. Distribute and discuss the Virginia Statute on Religious Freedom drafted by Thomas Jefferson. Since the writing style of the statute is difficult to read, discuss each sentence with the students and have the class write a paraphrased version of the statute.

6. Spread the word about Religious Freedom Day to your colleagues and friends.





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Place  
Stamp  
Here



*Let freedom ring!*

ReligiousFreedomDay.com is a project of Gateways to Better Education.

