



**Attorney General Sessions Delivers Remarks at the  
Department of Justice's Religious Liberty Summit**

Washington DC

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Monday, July 30, 2018

***Excerpts from AG Sessions' Remarks  
Tanenbaum Reflections & Questions for Consideration***

**I. From Attorney General Sessions**

*"A dangerous movement, undetected by many, is now challenging and eroding our great tradition of religious freedom. There can be no doubt. This is no little matter. It must be confronted and defeated."*

**Tanenbaum Reflections:**

Our tradition of religious freedom is precious and belongs equally to people from all faiths and none. And yes, there are threats. In fact, religion-based hate crimes *are* on the rise (with Jews and Muslims the leading targets). And consider the Travel Ban, which targets Muslim-majority countries and prevents Muslims—including some who may be seeking asylum—from entering the U.S. As you do so, you may wish to take a closer look at Tanenbaum's resource "[Against the Ban? Five Things You Can Do Now](#)".

**Questions:**

- Is everyone's religious freedom being protected?
- Whose religious freedom is eroding?
- Are our values and commitment to preserving religious freedom consistent with a Travel Ban that targets Muslim majority countries and prevents Muslims—including some who may be seeking asylum—from entering the U.S.?

**II. From Attorney General Sessions**

*"Freedom of religious [sic] is indeed our "first freedom"—being the first listed right of our First Amendment."*

*"This has been a core American principle from the beginning."*

*"The promise of freedom of conscience brought the Pilgrims to Plymouth, the Catholics to Maryland, the Quakers to Pennsylvania, the Scot-Presbyterians to the middle colonies, and Roger Williams to Rhode Island."*

### **Tanenbaum Reflections:**

Freedom of conscience and belief is a powerful value that has not been uniformly applied across our nation's history. Consider our treatment of Native Peoples and the Salem witch trials.

### **Questions:**

- Do you know whether any of the groups referenced by Attorney General Sessions promoted religious liberty—freedom of belief—for people who do *not* consider themselves Christian?
- Do you know how Roger William—a Puritan—promoted religious freedom In Rhode Island?

## **III. From Attorney General Sessions**

*"Our Founders gave religious expression a double protection in the First Amendment. Not only do we possess freedom to exercise our beliefs but we also enjoy the freedom of speech."*

### **Tanenbaum Reflections:**

Both freedom to exercise our beliefs, and freedom of speech are foundational to living in a free country. But both have boundaries that are imposed by our society. You can't put people at risk by screaming "Fire!" in a crowded theater where there is no fire because people may be trampled. And you can't stone a woman because she was not a virgin when she was married.

### **Questions:**

- What is the relationship you see between freedom of speech and freedom of religion?
- Why are both foundational to living in a free society?
- Do freedom of speech and freedom of religion ever conflict?

## **IV. From Attorney General Sessions**

*"These concepts [of the founders] were placed into our Constitution and laws and formed a national consensus that has greatly militated against religious hostility and violence—and has helped us to this day to be one of the world's most diverse religious people."*

*"There can be no doubt that we are stronger as a nation because of the contribution of religious Americans."*

### **Tanenbaum Reflections:**

We agree that the nation is stronger because of the contribution of religious individuals including citizens, immigrants *and* refugees. And we emphasize the contributions to our nation from our "diverse religious people."

## Questions:

- The concept of religious freedom among a religiously (and non-religiously) diverse society is powerful. But how do you put it into practice when one person's beliefs conflict with another?
- When one person's conscience results in preventing another from practicing their beliefs?
- When protecting a person's conscience results in discrimination?
- Is preventing hatred and discrimination also foundational to preserving freedom of religion and belief?
- For our thoughts on navigating a real world example of this dilemma, see ["Saving the First Amendment from extinction"](#) by Tanenbaum CEO Joyce S. Dubensky.

## V. From Attorney General Sessions

*"But in recent years, the cultural climate in this country—and in the West more generally—has become less hospitable to people of faith. Many Americans have felt that their freedom to practice their faith has been under attack."*

*"And it's easy to see why. We've seen nuns ordered to buy contraceptives."*

*"We've seen U.S. Senators ask judicial and executive branch nominees about dogma—even though the Constitution explicitly forbids a religious test for public office. We've all seen the ordeal faced so bravely by Jack Phillips."*

## Tanenbaum Reflections:

In some parts of the U.S., the cultural climate is inhospitable to atheists. As late as 2017, there were seven states whose laws still technically prohibit atheists from holding public office—even though the U.S. Supreme Court unanimously found such laws to be illegal. The U.S. continues to deal with providing equity for **all** people regardless of their religious/non-religious beliefs.

## Questions:

Which faith groups are experiencing concerns about the cultural climate of the U.S. today? How is the cultural climate for Jews? For Sikhs? For Muslims? For Hindus? For atheists? For other religious minority groups?

- What faiths groups are concerned about the cultural climate of the U.S. today?
- How is the cultural climate for Jews?
- For Sikhs?
- For Muslims?
- For Hindus?
- For atheists?
- For people from other religious traditions who comprise a minority in the U.S.?

## VI. From Attorney General Sessions

*"[T]he federal government is ... actively seeking, carefully, thoughtfully and lawfully, to accommodate people of faith."*

*"We will take potential burdens on one's conscience into consideration before we issue regulations or new policies."*

*"In January, we filed a brief in a Montana court to defend parents who claim that the state barred their children from a private school scholarship program because they attend a religious school."*

*"We also filed an amicus brief on behalf of the Archdiocese of Washington, D.C., which was refused advertising space for having a religious message—including "joy to the world" on Merry Christmas."*

*"And, of course, we were proud to file a brief in support of Jack Phillips."*

*"In June, we filed suit against a town in New Jersey that had refused over and over again—for eight years—to let an Orthodox Jewish congregation buy land for a synagogue."*

*"And just last week we filed a brief in federal court supporting the case of a Hindu temple in Maryland that claimed to have suffered discrimination in its attempts to purchase land..."*

### Tanenbaum Reflections:

Many LGBTQI people are also religious. Sometimes, our laws and different religious beliefs challenge their right to live freely in this country. In 29 states, a person can be denied a lease based on their gender identity or sexual orientation; in 29 states, s/he can be discriminated against or fired based on their gender identity or sexual orientation<sup>i</sup>. And the courts are now beginning to address (and question) whether a person, who views LGBTQI persons as sinners because of their faith, can refuse to provide them with services or goods.

### Questions:

- What should happen when protecting one person's freedom of conscience means preventing someone else from exercising their freedom of conscience?
- When that occurs...whose conscience prevails and how do ensure the most just result?
- What do we do when one person's freedom of conscience results in de-humanizing a fellow citizen, discrimination and a loss of freedom to live and work, to get health care and to be?

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<sup>i</sup> 2017 State Equality Index (Publication). (2017, December 1). Retrieved August 2, 2018, from Human Rights Campaign website: <https://goo.gl/fBvWA6>