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"They say 'separation between church and state.' I said... 'let's forget about that for one time.' Is that a good thing or a bad thing? I'm not sure."



President Creates National Religious Liberty Commission

A 13-member religious liberty commission has been created by President Donald Trump. In a release from the White House press office explaining the new commission, the following was noted: "President Ronald Reagan reminded us that 'freedom is never more than one generation away from extinction.'

"Americans need to be reacquainted with our Nation's superb experiment in religious freedom in order to preserve it against emerging threats. Therefore, the Federal Government will promote citizens' pride in our foundational history, identify emerging threats to religious liberty, uphold Federal laws that protect all citizens' full participation in a pluralistic democracy, and protect the free exercise of religion."

The committee is led by Dan Patrick, lieutenant governor of Texas, with Ben Carson, author, surgeon and former Trump administration official, as his vice chair. Others include White

House faith adviser Paula White, talk show host and author Eric Metaxas, evangelist Franklin Graham; other faith leaders like Cardinal Timothy Dolan of New York, Minnesota Bishop Robert Barron of the popular Word on Fire media ministry, and Rabbi Meir Soloveichik in New York; and talk show host Phil (Dr. Phil) McGraw.

At the introduction of the commission, President Trump said this: "They say, 'separation between church and state.' I said, 'All right, let's forget about that for one time.' Is that a good thing or a bad thing? I'm not sure." Following questions, he responded, "Whether there's separation or not, you guys are in the White House where you should be, and you're representing our country, and we're bringing religion back to our country."

"We applaud government that takes seriously religious freedom and the need to protect free exercise of religion for all.

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Repeal of Personal Belief Exemption for School Vaccination Mandate Upheld

California had previously removed the "personal belief" exemption from its school vaccination requirements, and recently a federal district court rejected a challenge to that decision.

The challenge offered the opinion that the repeal showed hostility to religion, but the court pointed out that it was not the repeal of a religious exemption. It was the repeal of a secular and neutral personal belief exemption, and wasn't aimed at any religion or religious practice. However, they also offered

the opinion that, even if it was a religious exemption, repealing that would also not be hostile towards religion.

Plaintiffs mentioned secular exemptions — for home-schoolers, IEP students, those over 18, etc. — and expressed that they thought SB 277 was underinclusive and still eliminated religious exemptions.

The court's conclusion was that those exemptions were not comparable to a religious exemption, and that they had used a national basis to find the law to be neutral.

Opinions differed on whether the repealed exemption was akin to a religious exemption.

NEWS OF THE WORLD

Apache Sacred Land at Risk of Loss of Land to Mining

The U.S. Forest Service has been in a conflict with Apache Stronghold over land to which the western Apaches attach significant spiritual value. The government wishes to transfer the federally-owned forest land to a copper mining company.

In *Apache Stronghold v. United States*, (D AZ, May 9, 2025), an Arizona federal district court granted an injunction barring the government from transferring the land until the Supreme Court either denies review or de-

cides the appeal. However, on May 27 the U.S. Supreme Court has decided, voting 6-2, not to hear the case.

Justices Gorsuch and Thomas stood in dissent, saying the Court's "decision to shuffle this case off our docket without a full airing is a grievous mistake — one with consequences that threaten to reverberate for generations. Just imagine if the government sought to demolish a historic cathedral on so questionable a chain of legal

reasoning. I have no doubt that we would find that case worth our time. Faced with the government's plan to destroy an ancient site of tribal worship, we owe the Apaches no less their history and religious practices may be unfamiliar to many. But that should make no difference. Popular religious views are easy enough to defend. It is in protecting unpopular religious beliefs that we prove this country's commitment to ... religious freedom."

- *Former U.S. Supreme Court Justice David Souter died May 8 at his home in New Hampshire. Souter, appointed by President George H.W. Bush, was known as a champion of the separation of church and state. In his 19 years of service, he was closely involved with eight SCOTUS cases involving church-state issues.*
- *Washington state has approved Senate Bill 5375, requiring clergy to report child abuse or neglect if they believe they have reasonable cause. The addition to this law from those past is that they now must report information received through "privileged communication," such as via confessional. The Catholic diocese of Spokane responded that "your ... bishop and priests are committed to keeping the seal of confession — even to the point of going to jail." The diocese has zero tolerance for child abuse, but will not violate the Catholic Church's "Seal of Confession."*
- *A Muslim woman, supported by the Council on American-Islamic Relations, in New York has filed suit claiming violation of her free exercise rights after male officers forced her to remove her hijab for photographs and a jail ID card, confiscated her prayer beads, and denied dietary accommodations.*

Third Circuit Determines Consular Decisions Cannot Be Challenged Under RFRA

The U.S. 3rd Circuit Court of Appeals has decided that a consular office's decision to deny an R-1 visa (for a non-immigrant religious worker) to a South African minister cannot be challenged under the Religious Freedom

Restoration Act (RFRA). The minister wanted to serve as worship leader for a church in Albuquerque, New Mexico. He felt that his denial was a violation of RFRA, and had appealed in *Calvary Albuquerque Inc. v. Rubio*.

While one judge dissented, the majority decided the decision could not be reversed under the consular non-reviewability doctrine. They found that RFRA doesn't authorize judicial review of consular visa decisions, and, even though

RFRA's cause-of-action provision applies to federal law, it doesn't necessarily authorize that review. Further, Calvary could not say that the consular officer failed to provide a legitimate reason for the denial, or that the officer acted in bad faith.

Religious Liberty Commission, Cont...

But, we are also wary that a Christian Nationalist view in our complex and long constitutional period will lend a false historical narrative on the issue of separation of church and state," notes Amireh Al-Haddad, director of public affairs and religious liberty for the Southern Union Conference. She continues, "The president, in his opening remarks, called into question whether or not separation of church and state was a good thing or a

bad thing, but then did not answer the question.

"The religious liberty department has long cherished our First Freedoms, and we believe that separation of church and state is good for both the church and the state, and that maintaining that separation is critical to who we are as a nation/people. Changing the narrative now has prophetic implications that cannot be covered in a sound bite."

A Christian Nationalist view

could lead to a false historical narrative and a blow to church-state separation.

Catholic School, Cont...

Facebook: "The Supreme Court has ruled in favor of my position that we should not allow taxpayer

funding of radical Islamic schools here in Oklahoma. I am proud to have fought against this potential cancer in our state, and I will continue upholding the law, protecting our Christian values and defending religious liberty."

There is still debate on whether charter schools are public or private. They receive state funding, follow state rules, and are accredited under state guidelines, but they are run by independent boards which are not in the public school system. This may be used by states in the future to try to fight the most recent decision.

Coming Events in Religious Liberty

GC & NAD Adventist Attorneys' Conference & Retreat

September 18-21, 2025

Victoria, British Columbia, Canada

For more info or to register:

AdventistSourceEvents.org

For more info: ReligiousLiberty@southernunion.com

Conscience & Justice Council Annual Conference

September 25-28, 2025

Embassy Suites
Huntsville, Alabama

For more info: cjcouncil.org

To register: AdventistSourceEvents.org

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Supreme Court Rejects Starting Taxpayer Funded Catholic School in Oklahoma

The Supreme Court of the United States (SCOTUS) has rejected the request for a taxpayer-funded Catholic school in Oklahoma. The vote was tied at 4-4, but a majority would have been needed to approve the nation's first religious charter school. Justice Amy Coney Barrett recused herself from the decision. An Oklahoma court had previously denied approval of the school.

Important to realize in this case is that allowing the

school would have blurred the constitutional separation of church and state. The Catholic Church — which had made it clear the on-line charter school would be "faithful to the teachings of Jesus Christ," and which had planned to evangelize students in the Catholic faith — would have been bringing about taxpayer funding of a religious school. It would have also opened the door to "public" schools of any creed, whether Christian or not.

The chair of the Oklahoma Statewide Charter School Board, as well as the principal of St. Isidore, the prospective charter school, had both expressed their disappointment in the Oklahoma Supreme Court decision, now also supported by SCOTUS.

However, State Attorney General Genter Drummond brought a different, if also harsh, slant in his post to

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**The charter
school
planned to
evangelize
students
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Catholic
faith.**