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Religious Cleansing on Campus

By Michael Tremoglie

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On December 30, the InterVarsity Multi-Ethnic Christian Fellowship (IVMECF), a Christian student group at Rutgers University, filed a federal suit against Rutgers. The suit charges the university with violations of IVMECF's First Amendment rights.

The Director of Student Involvement, Lawanda D. Irving officially decertified IVMECF as a student group at Rutgers. Irving ruled that a religious requirement for the group's leadership was discriminatory. IVMECF requires that "Only those persons committed to the Basis of Faith and the Purpose of this organization ..are eligible for leadership positions," and "student leaders must seek to adhere to biblical standards and belief in all areas of their lives." The organization, an institution on the campus for many years, is now forbidden to use campus facilities and cannot receive funding from Rutgers.

In a similar case, the University of North Carolina-Chapel Hill (UNC) is considering the revoking the charter of the InterVarsity Christian Fellowship (IVCF) and other Christian organizations at UNC -- because of the use of religion as a criterion in the selection of its leadership. On December 10, 2002, Jonathan E. Curtis, Assistant Director for Student Activities and Organizations at UNC, wrote to the IVCF stating that the university objected to a provision "that Officers must subscribe in writing and without reservation to ... Christian doctrine." Curtis demanded the group "modify the wording of your charter or I will have no choice but to revoke your University recognition." The group was told that they must comply by January 31. Other Christian organizations received similar orders.

Although membership for both the Rutgers and UNC student associations is available to all faiths and individuals, leadership is reserved for those of the same

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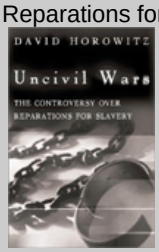

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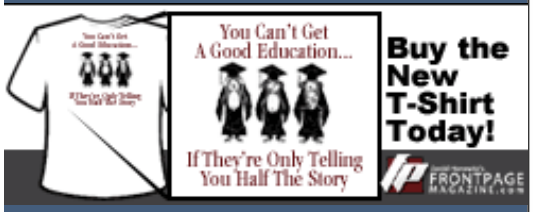

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religion. The actions by Rutgers and UNC seem to be a trend among universities to purge Christian groups from campus. This is consistent with the policies of academia not to permit the military to make presentations on campus because of their policy of "don't ask, don't tell."

Could Christian organizations be considered for elimination because of some comparable reason?

The Foundation for Individual Rights in Education (FIRE) is advising both student groups about what rights they have and what alternatives there are. Along with the support of the Alliance Defense Fund (ADF), a public interest law organization in Phoenix, Legal Network attorney David A. French filed suit against Rutgers for violating the First Amendment rights of the IVMECF students. A similar lawsuit is pending for UNC if it does not rescind its order.

"For years now, American universities have engaged in a ferocious assault on the American principles and basic human rights of freedom of conscience, religious liberty, and the First Amendment. The very idea of American pluralism depends on voluntary associations based upon chosen religious and secular goals. Universities want to ban religious groups because their views are incompatible with university orthodoxy," said Alan Charles Kors, president of FIRE. "How could a religious student group possibly fulfill its religious mission if it is prevented from selecting its religious leadership on the basis of religion? These universities -- public institutions bound by the U.S. Constitution and the Bill of Rights to protect both the free exercise of religion and legal equality -- seem to think they have the power to demand allegiance to the values and beliefs of current academic administrators. It is an intolerant and intolerable outrage." Kors was quoted regarding the UNC case, ""In short, it is prohibited at this public university for a Christian organization to be Christian."

FIRE wrote to both UNC Chancellor James Moeser and Rutgers President Richard L. McCormick to explain that their decisions are deleterious to authentic liberty. The Foundation explained that the Supreme Court, in West Virginia Board of Education v. Barnette (1943), explicitly prohibited institutions and agents of the state -- such as public universities -- from requiring allegiance to a particular orthodoxy. It cited, in particular, Justice Robert Jackson: "If there is any fixed star in our constitutional constellation, it is that no official, high or petty, can prescribe what will be orthodox, in politics, nationalism, religion, or other matters of opinion or force citizens to confess by word or act their faith therein."

Kors said of Jackson's comments, "That is the voice of liberty and of a free people."

FIRE also reminded each administration of the Supreme Court's decision in Boy Scouts of America v. Dale (2002), in which the Court ruled that "forced inclusion of an unwanted person infringes the group's freedom of expressive association if the presence of that person affects in a significant way the group's ability to advocate public or private viewpoints."

"Everyone on campus would immediately see the absurdity of such a requirement if an evangelical Christian who believed homosexuality to be a sin tried to become president of a university's 'Bisexual, Gay, and Lesbian Alliance,'" said Kors. "The administration would have led candlelight vigils on behalf of diversity and free association. At Rutgers and UNC, however, some groups are more equal than others. There is an unspeakable double standard toward believing Christians," said Kors. "It must end now."

Michael P. Tremoglie is the author of the soon-to-be-released novel A Sense of Duty, and an ex-Philadelphia cop. E-mail him at elfegobaca2@earthlink.net.

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