

fetus Religious Liberty speech

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July 12, 1995

REMARKS BY THE PRESIDENT
ON RELIGIOUS LIBERTY IN AMERICA

James Madison High School
Vienna, Virginia

10:58 A.M. EDT

THE PRESIDENT: Thank you, Secretary Riley, for the introduction, but more for your outstanding leadership of the Department of Education and the work you have done not only to increase the investment of our country in education, but also to lift the quality and the standards of education and to deal forthrightly with some of the more difficult, but important issues in education that go to the heart of the character of the young people we build in our country.

Superintendent Spillane, congratulations on your award and the work you are doing here in this district. Dr. Clark, Ms. Lubetkin. To Danny Murphy, I thought he gave such a good speech I could imagine him on a lot of platforms in the years ahead. (Laughter.) He did a very fine job.

Mayor Robinson, and to the Board of Supervisors -- Chair Katherine Hanley, and to all the religious leaders, parents, students who are here; the teachers; and especially to the James Madison teachers, thank you for coming today.

Last week at my alma mater, Georgetown, I had a chance to do something that I hope to do more often as President, to have a genuine conversation with the American people about the best way for us to move forward as a nation and to resolve some of the great questions that are nagging at us today. I believe, as I have said repeatedly, that our nation faces two great challenges: first of all, to restore the American dream of opportunity, and the American tradition of responsibility; and second, to bring our country together amidst all of our diversity in a stronger community so that we can find common ground and move forward together.

In my first two years as President I worked harder on the first question, how to get the economy going, how to deal with the specific problems of the country, how to inspire more responsibility through things like welfare reform and child support enforcement. But I have come to believe that unless we can solve the second problem we'll never really solve the first one. Unless we can find a way to honestly and openly debate our differences and find common ground, to celebrate all the diversity of America and still give people a chance to live in the way they think is right, so that we are stronger for our differences, not weaker, we won't be able to

meet the economic and other challenges before us. And therefore, I have decided that I should spend some more time in some conversations about things Americans care a lot about and that they're deeply divided over.

Today I want to talk about a conversation -- about a subject that can provoke a fight in nearly any country town or on any city street corner in America -- religion. It's a subject that

should not drive us apart. And we have a mechanism as old as our Constitution for bringing us together.

This country, after all, was founded by people of profound faith who mentioned Divine Providence and the guidance of God twice in the Declaration of Independence. They were searching for a place to express their faith freely without persecution. We take it for granted today that that's so in this country, but it was not always so. And it certainly has not always been so across the world. Many of the people who were our first settlers came here primarily because they were looking for a place where they could practice their faith without being persecuted by the government.

Here in Virginia's soil, as the Secretary of Education has said, the oldest and deepest roots of religious liberty can be found. The First Amendment was modeled on Thomas Jefferson's Statutes of Religious Liberty for Virginia. He thought so much of it that he asked that on his gravestone it be said not that he was President, not that he had been Vice President or Secretary of State, but that he was the founder of the University of Virginia, the author of the Declaration of Independence and the author of the Statutes of Religious Liberty for the state of Virginia.

And of course, no one did more than James Madison to put the entire Bill of Rights in our Constitution, and especially, the First Amendment.

Religious freedom is literally our first freedom. It is the first thing mentioned in the Declaration of Independence. And as it opens, it says Congress cannot make a law that either establishes a religion or restricts the free exercise of religion. Now, as with every provision of our Constitution, that law has had to be interpreted over the years, and it has in various ways that some of us agree with and some of us disagree with. But one thing is indisputable: the First Amendment has protected our freedom to be religious or not religious, as we choose, with the consequence that in this highly secular age the United States is clearly the most conventionally religious country in the entire world, at least the entire industrialized world.

We have more than 250,000 places of worship. More people go to church here every week, or to synagogue, or to a mosque or other place of worship than in any other country in the world. More people believe religion is directly important to their lives than in any other advanced, industrialized country in the world. And it is not an accident. It is something that has always been a part of our life.

I grew up in Arkansas which is, except for West Virginia, probably the state that's most heavily Southern Baptist Protestant in the country. But we had two synagogues and a Greek Orthodox church in my hometown. Not so long ago in the heart of our agricultural country in Eastern Arkansas one of our universities did a big outreach to students in the Middle East, and before you know it, out there on this flat land where there was no building more than two stories high, there rose a great mosque. And all the farmers from miles around drove in to see what the mosque was like and try to figure out what was going on there. (Laughter.)

This is a remarkable country. And I have tried to be faithful to that tradition that we have of the First Amendment. It's

something that's very important to me.

Secretary Riley mentioned when I was at Georgetown, Georgetown is a Jesuit school, a Catholic school. All the Catholics were required to teach theology, and those of us who weren't Catholic took a course in world's religion, which we called Buddhism for Baptists. (Laughter.) And I began a sort of love affair with the religions that I did not know anything about before that time.

It's a personal thing to me because of my own religious faith and the faith of my family. And I've always felt that in order for me to be free to practice my faith in this country, I had to let other people be as free as possible to practice theirs, and that the government had an extraordinary obligation to bend over backwards not to do anything to impose any set of views on any group of people or to allow others to do it under the cover of law.

That's why I was very proud -- one of the proudest things I've been able to do as President was to sign into law the Religious Freedom Restoration Act in 1993. And it was designed to reverse the decision of the Supreme Court that essentially made it pretty easy for government, in the pursuit of its legitimate objectives, to restrict the exercise of people's religious liberties. This law basically said -- I won't use the legalese -- the bottom line was that if the government is going to restrict anybody's legitimate exercise of religion they have to have an extraordinarily good reason and no other way to achieve their compelling objective other than to do this. You have to bend over backwards to avoid getting in the way of people's legitimate exercise of their religious convictions. That's what that law said.

This is something I've tried to do throughout my career. When I was governor, for example, we were having -- of Arkansas in the '80s -- you may remember this -- there were religious leaders going to jail in America because they ran child care centers that they refused to have certified by the state because they said it undermined their ministry. We solved that problem in our state. There were people who were prepared to go to jail over the home schooling issue in the '80s because they said it was part of their religious ministry. We solved that problem in our state.

With the Religious Freedom Restoration Act we made it possible, clearly, in areas that were previously ambiguous for Native Americans, for American Jews, for Muslims to practice the full range of their religious practices when they might have otherwise come in contact with some governmental regulation.

And in a case that was quite important to the Evangelicals in our country, I instructed the Justice Department to change our position after the law passed on a tithing case where a family had been tithing to their church and the man declared bankruptcy, and the government took the position they could go get the money away from the church because he knew he was bankrupt at the time he gave it. And I realized in some ways that was a close question, but I thought we had to stand up for the proposition that people should be able to practice their religious convictions.

Secretary Riley and I, in another context, have also learned as we have gone along in this work that all the religions obviously share a certain devotion to a certain set of values which make a big difference in the schools. I want to commend Secretary Riley for his relentless support of the so-called character education

movement in our schools, which is clearly led in many schools that had great troubles to reduce drop-out rates, increased performance in schools, better citizenship in ways that didn't promote any particular religious views but at least unapologetically advocated values shared by all major religions.

In this school, one of the reasons I wanted to come here is because I recognize that this work has been done here. There's a course in this school called Combatting Intolerance, which deals not only with racial issues, but also with religious differences, and studies times in the past when people have been killed in mass numbers and persecuted because of their religious convictions.

You can make a compelling argument that the tragic war in Bosnia today is more of a religious war than an ethnic war. The truth is, biologically, there is no difference in the Serbs, the Croats and the Muslims. They are Catholics, Orthodox Christians and Muslims, and they are so for historic reasons. But it's really more of a religious war than an ethnic war when properly viewed. And I think it's very important that the people in this school are learning that and, in the process, will come back to that every great religion teaches honesty and trustworthiness and responsibility and devotion to family, and charity and compassion toward others.

Our sense of our own religion and our respect for others has really helped us to work together for two centuries. It's made a big difference in the way we live and the way we function and our ability to overcome adversity. The Constitution wouldn't be what it is without James Madison's religious values. But it's also, frankly, given us a lot of elbow room. I remember, for example, that Abraham Lincoln was derided by his opponents because he belonged to no organized church. But if you read his writings and you study what happened to him, especially after he came to the White House, he might have had more spiritual depth than any person ever to hold the office that I now have the privilege to occupy.

So we have followed this balance, and it has served us well. Now what I want to talk to you about for a minute is that our Founders understood that religious freedom basically was a coin with two sides. The Constitution protected the free exercise of religion, but prohibited the establishment of religion. It's a careful balance that's uniquely American. It is the genius of the First Amendment. It does not, as some people have implied, make us a religion-free country. It has made us the most religious country in the world.

It does not convert -- let's just take the areas of greatest controversy now -- all the fights have come over 200 years over what those two things mean: What does it mean for the government to establish a religion, and what does it mean for a government to interfere with the free exercise of religion. The Religious Freedom Restoration Act was designed to clarify the second provision -- government interfering with the free exercise of religion and to say you can do that almost never. You can do that almost never. (Applause.)

We have had a lot more fights in the last 30 years over what the government establishment of religion means. And that's what the whole debate is now over the issue of school prayer, religious practices in the schools and things of that kind. And I want to talk about it because our schools are the places where so much of our hearts are in America and all of our futures are. And I'd like to begin by just sort of pointing out what's going on today and then discussing it if I could. And, again, this is always kind of inflammatory; I want to have a noninflammatory talk about it. (Laughter.)

First of all, let me tell you a little about my personal history. Before the Supreme Court's decision in Engel against Vitale, which said that the state of New York could not write a prayer that had to be said in every school in New York every day, school prayer was as common as apple pie in my hometown. And when I was in junior high school, it was my responsibility either to start every day by reading the Bible or get somebody else to do it. Needless to say, I exerted a lot of energy in finding someone else to

do it from time to time, being a normal 13-year-old boy.

Now, you could say, well, it certainly didn't do any harm; it might have done a little good. But remember what I told you. We had two synagogues in my hometown. We also had pretended to be deeply religious and there were no blacks in my school, they were in a segregated school. And I can tell you that all of us who were in there doing it never gave a second thought most of the time to the fact that we didn't have blacks in our schools and that there were Jews in the classroom who were probably deeply offended by half the stuff we were saying or doing -- or maybe made to feel inferior.

I say that to make the point that we have not become less religious over the last 30 years by saying that schools cannot impose a particular religion, even if it's a Christian religion and 98 percent of the kids in the schools are Christian and Protestant. I'm not sure the Catholics were always comfortable with what we did either. We had a big Catholic population in my school and in my hometown. But I did that -- I have been a part of this debate we are talking about. This is a part of my personal life experience. So I have seen a lot of progress made and I agreed with the Supreme Court's original decision in *Engel v. Vitale*.

Now, since then, I've not always agreed with every decision the Supreme Court made in the area of the First Amendment. I said the other day I didn't think the decision on the prayer at the commencement, where the Rabbi was asked to give the nonsectarian prayer at the commencement -- I didn't agree with that because I didn't think it any coercion at all. And I thought that people were not interfered with. And I didn't think it amounted to the establishment of a religious practice by the government. So I have not always agreed.

But I do believe that on balance, the direction of the First Amendment has been very good for America and has made us the most religious country in the world by keeping the government out of creating religion, supporting particular religions, interfering, and interfering with other people's religious practices.

What is giving rise to so much of this debate today I think is two things. One is the feeling that the schools are special and a lot of kids are in trouble, and a lot of kids are in trouble for nonacademic reasons, and we want our kids to have good values and have a good future.

Let me give you just one example. There is today, being released, a new study of drug use among young people by the group that Joe Califano was associated with -- Council for a Drug-Free America -- massive poll of young people themselves. It's a fascinating study and I urge all of you to get it. Joe came in a couple of days ago and briefed me on it. It shows disturbingly that even though serious drug use is down overall in groups in America, casual drug use is coming back up among some of our young people who no longer believe that it's dangerous and have forgotten that's it's wrong and are basically living in a world that I think is very destructive.

And I see it all the time. It's coming back up. Even though we're investing money and trying to combat it in education and treatment programs, and supporting things like the DARE program. And we're breaking more drug rings than ever before around the world. It's almost -- it's very disturbing because it's fundamentally

something that is kind of creeping back in.

But the study shows that there are three major causes for young people not using drugs. One is they believe that their future depends upon their not doing it; they're optimistic about the future. The more optimistic kids are about the future, the less likely they are to use drugs.

Second is having a strong, positive relationship with their parents. The closer kids are to their parents and the more tuned in to them they are, and the more their parents are good role models, the less likely kids are to use drugs.

You know what the third is? How religious the children are. The more religious the children are, the less likely they are to use drugs.

So what's the big fight over religion in the schools and what does it mean to us and why are people so upset about it? I think there are basically three reasons. One is, people believe that -- most Americans believe that if you're religious, personally religious, you ought to be able to manifest that anywhere at any time, in a public or private place. Second, I think that most Americans are disturbed if they think that our government is becoming anti-religious, instead of adhering to the firm spirit of the First Amendment -- don't establish, don't interfere with, but respect. And the third thing is people worry about our national character as manifest in the lives of our children. The crime rate is going down in almost every major area in America today, but the rate of violent random crime among very young people is still going up.

So these questions take on a certain urgency today for personal reasons and for larger social reasons. And this old debate that Madison and Jefferson started over 200 years ago is still being spun out today basically as it relates to what can and cannot be done in our schools, and the whole question, specific question, of school prayer, although I would argue it goes way beyond that.

So let me tell you what I think the law is and what we're trying to do about it, since I like the First Amendment, and I think we're better off because of it, and I think that if you have two great pillars -- the government can't establish and the government can't interfere with -- obviously there are going to be a thousand different factual cases that will arise at any given time, and the courts from time to time will make decisions that we don't all agree with, but the question is, are the pillars the right pillars, and do we more or less come out in the right place over the long run.

The Supreme Court is like everybody else, it's imperfect -- and so are we. Maybe they're right and we're wrong. But we are going to have these differences. The fundamental balance that has been struck it seems to me has been very good for America, but what is not good today is that people assume that there is a positive-antireligious bias in the cumulative impact of these court decisions with which our administration -- the Justice Department and the Secretary of Education and the President -- strongly disagree. So let me tell you what I think the law is today and what I have instructed the Department of Education and the Department of Justice to do about it.

The First Amendment does not -- I will say again -- does not convert our schools into religion-free zones. If a student is told he can't wear a yarmulke, for example, we have an obligation to tell the school the law says the student can, most definitely, wear a yarmulke to school. If a student is told she cannot bring a Bible to school, we have to tell the school, no, the law guarantees her the right to bring the Bible to school.

There are those who do believe our schools should be value-neutral and that religion has no place inside the schools. But I think that wrongly interprets the idea of the wall between church and state. They are not the walls of the school.

There are those who say that values and morals and religions have no place in public education; I think that is wrong. First of all, the consequences of having no values are not neutral. The violence in our streets -- not value neutral. The movies we see aren't value neutral. Television is not value neutral. Too often we see expressions of human degradation, immorality, violence and debasement of the human soul that have more influence and take more time and occupy more space in the minds of our young people than any of the influences that are felt at school anyway. Our schools, therefore, must be a barricade against this kind of degradation. And we can do it without violating the First Amendment.

I am deeply troubled that so many Americans feel that their faith is threatened by the mechanisms that are designed to protect their faith. Over the past decade we have seen a real rise in these kind of cultural tensions in America. Some people even say we have a culture war. There have been books written about culture war, the culture of disbelief, all these sort of trends arguing that many Americans genuinely feel that a lot of our social problems today have arisen in large measure because the country led by the government has made an assault on religious convictions. That is fueling a lot of this debate today over what can and cannot be done in the schools.

Much of the tension stems from the idea that religion is simply not welcome at all in what Professor Carter at Yale has called the public square. Americans feel that instead of celebrating their love for God in public, they're being forced to hide their faith behind closed doors. That's wrong. Americans should never have to hide their faith. But some Americans have been denied the right to express their religion and that has to stop. That has happened and it has to stop. It is crucial that government does not dictate or demand specific religious views, but equally crucial that government doesn't prevent the expression of specific religious views.

When the First Amendment is invoked as an obstacle to private expression of religion it is being misused. Religion has a proper place in private and a proper place in public because the public square belongs to all Americans. It's especially important that parents feel confident that their children can practice religion. That's why some families have been frustrated to see their children denied even the most private forms of religious expression in public schools. It is rare, but these things have actually happened.

I know that most schools do a very good job of protecting students' religious rights, but some students in America have been prohibited from reading the Bible silently in study hall. Some student religious groups haven't been allowed to publicize their meetings in the same way that nonreligious groups can. Some students have been prevented even from saying grace before lunch. That is rare, but it has happened and it is wrong. Wherever and whenever the religious rights of children are threatened or suppressed, we must move quickly to correct it. We want to make it easier and more acceptable for people to express and to celebrate their faith.

Now, just because the First Amendment sometimes gets the balance a little bit wrong in specific decisions by specific people doesn't mean there's anything wrong with the First Amendment. I still believe the First Amendment as it is presently written permits the American people to do what they need to do. That's what I

believe. (Applause.) Let me give you some examples and you see if you agree.

First of all, the First Amendment does not require students to leave their religion at the schoolhouse door. We wouldn't want students to leave the values they learn from religion, like honesty and sharing and kindness, behind the schoolhouse door -- behind at the schoolhouse door, and reinforcing those values is an important part of every school's mission.

Some school officials and teachers and parents believe that the Constitution forbids any religious expression at all in public schools. That is wrong. Our courts have made it clear that that is wrong. It is also not a good idea. Religion is too important to our history and our heritage for us to keep it out of our schools. Once again, it shouldn't be demanded, but as long as it is not sponsored by school officials and doesn't interfere with other children's rights, it mustn't be denied.

For example, students can pray privately and individually whenever they want. They can say grace themselves before lunch. There are times when they can pray out loud together. Student religious clubs in high schools can and should be treated just like any other extracurricular club. They can advertise their meetings, meet on school grounds, use school facilities just as other clubs can. When students can choose to read a book to themselves, they have every right to read the Bible or any other religious text they want.

Teachers can and certainly should teach about religion and the contributions it has made to our history, our values, our knowledge, to our music and our art in our country and around the world, and to the development of the kind of people we are. Students can also pray to themselves -- preferably before tests, as I used to do. (Laughter.)

Students should feel free to express their religion and their beliefs in homework, through art work, during class presentations, as long as it's relevant to the assignment. If students can distribute flyers or pamphlets that have nothing to do with the school, they can distribute religious flyers and pamphlets on the same basis. If students can wear T-shirts advertising sports teams, rock groups or politicians, they can also wear T-shirts that promote religion. If certain subjects or activities are objectionable to their students or their parents because of their religious beliefs, then schools may, and sometimes they must, excuse the students from those activities.

Finally, even though the schools can't advocate religious beliefs, as I said earlier, they should teach mainstream values and virtues. The fact that some of these values happen to be religious values does not mean that they cannot be taught in our schools.

All these forms of religious expression and worship are permitted and protected by the First Amendment. That doesn't change the fact that some students haven't been allowed to express their beliefs in these ways. What we have to do is to work together to help all Americans understand exactly what the First Amendment does. It protects freedom of religion by allowing students to pray, and it protects freedom of religion by preventing schools from telling them how and when and what to pray. The First Amendment keeps us all on

common ground. We are allowed to believe and worship as we choose without the government telling any of us what we can and cannot do.

It is in that spirit that I am today directing the Secretary of Education and the Attorney General to provide every school district in America before school starts this fall with a detailed explanation of the religious expression permitted in schools, including all the things that I've talked about today. I hope parents, students, educators and religious leaders can use this directive as a starting point. I hope it helps them to understand their differences, to protect student's religious rights, and to find common ground. I believe we can find that common ground.

This past April a broad coalition of religious and legal groups -- Christian and Jewish, conservative and liberal, Supreme Court advocates and Supreme Court critics -- put themselves on the solution side of this debate. They produced a remarkable document called "Religion in Public Schools: A Joint Statement of Current Law." They put aside their deep differences and said, we all agree on what kind of religious expression the law permits in our schools. My directive borrows heavily and gratefully from their wise and thoughtful statement. This is a subject that could have easily divided the men and women that came together to discuss it. But they moved beyond their differences and that may be as important as the specific document they produced.

I also want to mention over 200 religious and civic leaders who signed the Williamsburg Charter in Virginia in 1988. That charter reaffirms the core principles of the First Amendment. We can live together with our deepest differences and all be stronger for it.

The charter signers are impressive in their own right and all the more impressive for their differences of opinion, including Presidents Ford and Carter; Chief Justice Rehnquist and the late Chief Justice Burger; Senator Dole and former Governor Dukakis; Bill Bennett and Lane Kirkland, the president of the AFL-CIO; Norman Lear and Phyllis Schlafly signed it together -- (laughter) -- Coretta Scott King and Reverend James Dobson.

These people were able to stand up publicly because religion is a personal and private thing for Americans which has to have some public expression. That's how it is for me. I'm pretty old-fashioned about these things. I really do believe in the constancy of sin and the constant possibility of forgiveness, the reality of redemption and the promise of a future life. But I'm also a Baptist who believe that salvation is primarily personal and private, that my relationship is directly with God and not through any intermediary.

People -- other people can have different views. And I've spent a good part of my life trying to understand different religious views, celebrate them and figure out what brings us together.

I will say again, the First Amendment is a gift to us. And the Founding Fathers wrote the Constitution in broad ways so that it could grow and change, but hold fast to certain principles. They knew -- they knew that all people were fallible and would make mistakes from time to time. And I have -- as I said, there are times when the Supreme Court makes a decision, if I disagree with it, one of us is wrong. There's another possibility: both of us could be

wrong. (Laughter.) That's the way it is in human affairs.

But what I want to say to the American people and what I want to say to you is that James Madison and Thomas Jefferson did not intend to drive a stake in the heart of religion and to drive it out of our public life. What they intended to do was to set up a system so that we could bring religion into our public life and into our private life without any of us telling the other what to do.

This is a big deal today. One county in America, Los Angeles County, has over 150 different racial and ethnic groups in it -- over 150 different. How many religious views do you suppose are in those groups? How many? Every significant religion in the world is represented in significant numbers in one American county, and many smaller religious groups -- in one American county.

We have got to get this right. We have got to get this right. And we have to keep this balance. This country needs to be a place where religion grows and flourishes.

Don't you believe that if every kid in every difficult neighborhood in America were in a religious institution on the weekends, the synagogue on Saturday, a church on Sunday, a mosque on Friday, don't you really believe that the drug rate, the crime rate, the violence rate, the sense of self-destruction would go way down

and the quality of the character of this country would go way up?
(Applause.)

But don't you also believe that if for the last 200 years we had had a state governed religion, people would be bored with it, think that it would -- (laughter and applause) -- they would think it had been compromised by politicians, shaved around the edges, imposed on people who didn't really content to it, and we wouldn't have 250,000 houses of worship in America? (Applause.) I mean, we wouldn't.

It may be perfect -- imperfect, the First Amendment, but it is the nearest thing ever created in any human society for the promotion of religion and religious values because it left us free to do it. And I strongly believe that the government has made a lot of mistakes which we have tried to roll back in interfering with that around the edges. That's what the Religious Freedom Restoration Act is all about. That's what this directive that Secretary Riley and the Justice Department and I have worked so hard on is all about. That's what our efforts to bring in people of different religious views are all about. And I strongly believe that we have erred when we have rolled it back too much. And I hope that we can have a partnership with our churches in many ways to reach out to the young people who need the values, the hope, the belief, the convictions that comes with faith, and the sense of security in a very uncertain and rapidly changing world.

But keep in mind we have a chance to do it because of the heritage of America and the protection of the First Amendment. We have to get it right.

Thank you very much. (Applause.)

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11:37 A.M. EDT

**REMARKS BY THE PRESIDENT
ON RELIGIOUS LIBERTY IN AMERICA**

James Madison High School
Vienna, Virginia
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THE PRESIDENT: Thank you, Secretary Riley, for the introduction, but more for your outstanding leadership of the Department of Education and the work you have done not only to increase the investment of our country in education, but also to lift the quality and the standards of education and to deal forthrightly with some of the more difficult, but important, issues in education that go to the heart of the character of the young people we build in our country.

Superintendent Spillane, congratulations on your award and the work you are doing here in this district. Dr. Clark, Ms. Lubetkin, -- to Danny Murphy, I thought he gave such a good speech. I could imagine him on a lot of platforms in the years ahead. He did a very fine job.

Mayor Robinson, and to the Board of Supervisors -- Chair Katherine Hanley, and to all the religious leaders, parents, students who are here. The teachers, and especially to the James Madison teachers, thank you for coming today.

Last week at my alma mater, Georgetown, I had a chance to do something that I hope to do more often as President, to have a genuine conversation with the American people about the best way for us to move forward as a nation and to resolve some of the great questions that are nagging at us today. I believe, as I have said repeatedly, that our nation faces two great challenges: first of all, to restore the American dream of opportunity and the American tradition of responsibility; and second, to bring our country together, amidst all of our diversity, into a stronger community so that we can find common ground and move forward together.

In my first two years as President, I worked harder on the first question -- how to get the economy going, how to deal with the specific problems of the country, how to inspire more responsibility through things like welfare reform and child support enforcement. But I have come to believe that unless we can solve the second problem, we'll never really solve the first one. Unless we can find a way to honestly and openly debate our differences and find common ground -- to celebrate all the diversity of America and still give people a chance to live in the way they think is right so that we are stronger for our differences, not weaker -- we won't be able to meet the economic and other challenges before us. And therefore, I have decided that I should spend some more time in some conversations about things Americans care a lot about and that they're deeply divided over.

Today I want to talk about a subject that can provoke a fight in nearly any country town or on any city street corner in America -- religion. It's a subject that should not drive us apart. And we have a mechanism as old as our Constitution for bringing us together.

This country, after all, was founded by people of profound faith who mentioned Divine Providence and the guidance of God twice in the Declaration of Independence. They were searching for a place to express their faith freely without persecution. We take it for granted today that that's so in this country, but it was not always so. And it certainly has not always been so across the world. Many of the people who were our first settlers came here

primarily because they were looking for a place where they could practice their faith without being persecuted by the government.

Here in Virginia's soil, as the Secretary of Education has said, the oldest and deepest roots of religious liberty can be found. The First Amendment was modeled on Thomas Jefferson's Statutes of Religious Liberty for Virginia. He thought so much of it that he asked that on his gravestone it be said not that he was President, not that he had been Vice President or Secretary of State, but that he was the founder of the University of Virginia, the author of the Declaration of Independence and the author of the Statutes of Religious Liberty for the state of Virginia.

And of course, no one did more than James Madison to put the entire Bill of Rights in our Constitution, and especially, the First Amendment.

Religious freedom is literally our first freedom. It is the first thing mentioned in the [Bill of Rights]. And as it opens, it says Congress cannot make a law that either establishes a religion or restricts the free exercise of religion. Now, as with every provision of our Constitution, that law has had to be interpreted over the years, and it has been in various ways that some of us agree with and some of us disagree with. But one thing is indisputable -- the First Amendment has protected our freedom to be religious or not religious, as we choose, with the consequence that in this highly secular age the United States is clearly the most conventionally religious country in the entire world, at least the entire industrialized world.

We have more than 250,000 places of worship. More people go to church here every week -- or to synagogue, or to a mosque or other place of worship -- than in any other country in the world. More people believe religion is directly important to their lives than in any other advanced, industrialized country in the world. And it is not an accident. It is something that has always been a part of our life.

I grew up in Arkansas which is, except for West Virginia, probably the state that's most heavily Southern Baptist Protestant in the country. But we had two synagogues and a Greek Orthodox church in my hometown. Not so long ago, in the heart of our agricultural country in Eastern Arkansas, one of our universities did a big outreach to students in the Middle East, and before you know it, out there on this flat land where there was no building more than two stories high, there rose a great mosque. And all the farmers from miles around drove in to see what the mosque was like and try to figure out what was going on there.

This is a remarkable country. And I have tried to be faithful to that tradition that we have of the First Amendment. It's something that's very important to me.

Secretary Riley mentioned when I was at Georgetown. Georgetown is a Jesuit school, a Catholic school. All the Catholics were required to teach theology, and those of us who weren't Catholic took a course in world religion -- which we called Buddhism for Baptists. And I began a sort of love affair with the religions that I did not know anything about before that time.

It's a personal thing to me, because of my own religious faith and the faith of my family. And I've always felt that in order for me to be free to practice my faith in this country, I had to let other people be as free as possible to practice theirs, and that the government had an extraordinary obligation to bend over backwards not to do anything to impose any set of views on any group of people or to allow others to do it under the cover of law.

That's why one of the proudest things I've been able to do as President was to sign into law the Religious Freedom Restoration

Act in 1993. It was designed to reverse the decision of the Supreme Court that essentially made it pretty easy for government, in the pursuit of its legitimate objectives, to restrict the exercise of people's religious liberties. This law basically said -- I won't use the legalese -- the bottom line was that if the government is going to restrict anybody's legitimate exercise of religion, they have to have an extraordinarily good reason and no other way to achieve their compelling objective other than to do this. You have to bend over backwards to avoid getting in the way of people's legitimate exercise of their religious convictions. That's what that law said.

This is something I've tried to do throughout my career. When I was governor for example, -- of Arkansas in the '80s -- you may remember this -- there were religious leaders going to jail in America because they ran child care centers that they refused to have certified by the state because they said it undermined their ministry. We solved that problem in our state. There were people who were prepared to go to jail over the home schooling issue in the '80s because they said it was part of their religious ministry. We solved that problem in our state.

With the Religious Freedom Restoration Act we made it possible, clearly, in areas that were previously ambiguous for Native Americans, for American Jews, for Muslims, to practice the full range of their religious practices when they might have otherwise come in contact with some governmental regulation.

And in a case that was quite important to the Evangelicals in our country, I instructed the Justice Department to change our position after the law passed on a tithing case where a family had been tithing to their church and the man declared bankruptcy, and the government took the position they could go get the money away from the church because he knew he was bankrupt at the time he gave it. And I realized in some ways that that was a close question, but I thought we had to stand up for the proposition that people should be able to practice their religious convictions.

Secretary Riley and I, in another context, have also learned as we have gone along in this work that all the religions obviously share a certain devotion to a certain set of values which make a big difference in the schools. I want to commend Secretary Riley for his relentless support of the so-called character education movement in our schools, which has clearly led -- in many schools that had great troubles -- to reduce drop-out rates, increased performance in schools, and better citizenship in ways that didn't promote any particular religious views, but at least unapologetically advocated values shared by all major religions.

In this school -- one of the reasons I wanted to come here is because I recognize that this work has been done here. There's a course in this school called Combatting Intolerance, which deals not only with racial issues, but also with religious differences, and studies times in the past when people have been killed in mass numbers and persecuted because of their religious convictions.

You can make a compelling argument that the tragic war in Bosnia today is more of a religious war than an ethnic war. The truth is, biologically, there is no difference between the Serbs, the Croats and the Muslims. They are Catholics, Orthodox Christians, and Muslims, and they are so for historic reasons. But it's really more of a religious war than an ethnic war when properly viewed. And I think it's very important that the people in this school are learning that, and, in the process, will come back to the fact that every great religion teaches honesty and trustworthiness and responsibility and devotion to family, and charity and compassion toward others.

Our sense of our own religion and our respect for others has really helped us to work together for two centuries. It's made a big difference in the way we live and the way we function and our ability to overcome adversity. The Constitution wouldn't be what it is without James Madison's religious values. But it's also, frankly, given us a lot of elbow room. I remember, for example, that Abraham Lincoln was derided by his opponents because he belonged to no organized church. But if you read his writings and you study what happened to him, especially after he came to the White House, he might have had more spiritual depth than any person ever to hold the office that I now have the privilege to occupy.

So we have followed this balance, and it has served us well. Now what I want to talk to you about for a minute is that our Founders understood that religious freedom basically was a coin with two sides. The Constitution protected the free exercise of religion, but prohibited the establishment of religion. It's a careful balance that's uniquely American. It is the genius of the First Amendment. It does not, as some people have implied, make us a religion-free country. It has made us the most religious country in the world.

It does not convert -- let's just take the areas of greatest controversy now -- all the fights have come over 200 years over what those two things mean: What does it mean for the government to establish a religion, and what does it mean for a government to interfere with the free exercise of religion. The Religious Freedom Restoration Act was designed to clarify the second provision -- government interfering with the free exercise of religion and to say you can do that almost never. You can do that almost never.

We have had a lot more fights in the last 30 years over what the government establishment of religion means. And that's what the whole debate is now over the issue of school prayer, religious practices in the schools and things of that kind. And I want to talk about it because our schools are the places where so much of our hearts are in America and all of our futures are. And I'd like to begin by just sort of pointing out what's going on today and then discussing it if I could. And, again, this is always kind of inflammatory -- I want to have a noninflammatory talk about it.

First of all, let me tell you a little about my personal history. Before the Supreme Court's decision in Engel against Vitale, which said that the state of New York could not write a prayer that had to be said in every school in New York every day, school prayer was as common as apple pie in my hometown. And when I was in junior high school, it was my responsibility either to start every day by reading the Bible or get somebody else to do it. Needless to say, I exerted a lot of energy in finding someone else to do it from time to time, being a normal 13-year-old boy.

Now, you could say, well, it certainly didn't do any harm; it might have done a little good. But remember what I told you. We had two synagogues in my hometown. We also had pretended to be deeply religious and there were no blacks in my school, they were in a segregated school. And I can tell you that all of us who were in there doing it never gave a second thought most of the time to the fact that we didn't have blacks in our schools and that there were Jews in the classroom who were probably deeply offended by half the stuff we were saying or doing -- or maybe made to feel inferior.

I say that to make the point that we have not become less religious over the last 30 years by saying that schools cannot impose a particular religion, even if it's a Christian religion and 98 percent of the kids in the schools are Christian and Protestant. I'm not sure the Catholics were always comfortable with what we did either. We had a big Catholic population in my school and in my

hometown. But I have been a part of this debate we are talking about. This is a part of my personal life experience. So I have seen a lot of progress made, and I agreed with the Supreme Court's original decision in Engel v. Vitale.

Now, since then, I've not always agreed with every decision the Supreme Court has made in the area of the First Amendment. I said the other day I didn't think the decision on the prayer at the commencement, where the Rabbi was asked to give the nonsectarian prayer at the commencement -- I didn't agree with that because I didn't think it involved any coercion at all. And I thought that people were not interfered with. And I didn't think it amounted to the establishment of a religious practice by the government. So I have not always agreed.

But I do believe that on balance, the direction of the First Amendment has been very good for America and has made us the most religious country in the world by keeping the government out of creating religion, supporting particular religions, interfering, and interfering with other people's religious practices.

What is giving rise to so much of this debate today, I think, is two things. One is the feeling that the schools are special -- a lot of kids are in trouble, and a lot of kids are in trouble for nonacademic reasons, and we want our kids to have good values and have a good future.

Let me give you just one example. There is today, being released, a new study of drug use among young people by the group that Joe Califano was associated with -- Council for a Drug-Free America -- a massive poll of young people themselves. It's a fascinating study and I urge all of you to get it. Joe came in a couple of days ago and briefed me on it. It shows, disturbingly, that even though serious drug use is down overall in groups in America, casual drug use is coming back up among some of our young people who no longer believe that it's dangerous and have forgotten that it's wrong and are basically living in a world that I think is very destructive.

And I see it all the time. It's coming back up. Even though we're investing money and trying to combat it in education and treatment programs, and supporting things like the D.A.R.E. program. And we're breaking more drug rings than ever before around the world. It's very disturbing because it's fundamentally something that is kind of creeping back in.

But the study shows that there are three major causes for young people not using drugs. One is they believe that their future depends upon their not doing it -- they're optimistic about the future. The more optimistic kids are about the future, the less likely they are to use drugs.

Second is having a strong, positive relationship with their parents. The closer kids are to their parents and the more tuned in to them they are, and the more their parents are good role models, the less likely kids are to use drugs.

You know what the third is? How religious the children are. The more religious the children are, the less likely they are to use drugs.

So what's the big fight over religion in the schools and what does it mean to us and why are people so upset about it? I think there are basically three reasons. One is, most Americans believe that if you're religious, personally religious, you ought to be able to manifest that anywhere at any time, in a public or private place. Second, I think that most Americans are disturbed if they think that our government is becoming anti-religious,

instead of adhering to the firm spirit of the First Amendment -- don't establish, don't interfere with, but respect. And the third thing is, people worry about our national character as manifested in the lives of our children. The crime rate is going down in almost every major area in America today, but the rate of violent random crime among very young people is still going up.

So these questions take on a certain urgency today for personal reasons and for larger social reasons. And this old debate that Madison and Jefferson started over 200 years ago is still being spun out today -- basically as it relates to what can and cannot be done in our schools. And the whole question, specific question, of school prayer, although I would argue it goes way beyond that.

So let me tell you what I think the law is and what we're trying to do about it. Since I like the First Amendment, and I think we're better off because of it, I think that if you have two great pillars -- the government can't establish and the government can't interfere with -- obviously there are going to be a thousand different factual cases that will arise at any given time, and the courts from time to time will make decisions that we don't all agree with. But the question is, are the pillars the right pillars, and do we more or less come out in the right place over the long run.

The Supreme Court is like everybody else, it's imperfect -- and so are we. Maybe they're right and we're wrong. But we are going to have these differences. The fundamental balance that has been struck, it seems to me, has been very good for America. But what is not good today is that people assume that there is a positive-antireligious bias in the cumulative impact of these court decisions with which our Administration -- the Justice Department and the Secretary of Education and the President -- strongly disagree. So let me tell you what I think the law is today and what I have instructed the Department of Education and the Department of Justice to do about it.

The First Amendment does not -- I will say again -- does not convert our schools into religion-free zones. If a student is told he can't wear a yarmulke, for example, we have an obligation to tell the school the law says the student can, most definitely, wear a yarmulke to school. If a student is told she cannot bring a Bible to school, we have to tell the school, no, the law guarantees her the right to bring the Bible to school.

There are those who do believe our schools should be value neutral and that religion has no place inside the schools. But I think that wrongly interprets the idea of the wall between church and state. They are not the walls of the school.

There are those who say that values and morals and religions have no place in public education -- I think that is wrong. First of all, the consequences of having no values are not neutral. The violence in our streets is not value neutral. The movies we see aren't value neutral. Television is not value neutral. Too often we see expressions of human degradation, immorality, violence and debasement of the human soul that have more influence and take more time and occupy more space in the minds of our young people than any of the influences that are felt at school anyway. Our schools, therefore, must be a barricade against this kind of degradation. And we can do it without violating the First Amendment.

I am deeply troubled that so many Americans feel that their faith is threatened by the mechanisms that are designed to protect their faith. Over the past decade we have seen a real rise in these kind of cultural tensions in America. Some people even say we have a culture war. There have been books written about culture war, the culture of disbelief -- all these sorts of trends --

arguing that many Americans genuinely feel that a lot of our social problems today have arisen in large measure because the country, led by the government, has made an assault on religious convictions. That is fueling a lot of the debate today over what can and cannot be done in the schools.

Much of the tension stems from the idea that religion is simply not welcome at all in what Professor Carter at Yale has called the public square. Americans feel that instead of celebrating their love for God in public, they're being forced to hide their faith behind closed doors. That's wrong. Americans should never have to hide their faith. But some Americans have been denied the right to express their religion, and that has to stop. That has happened and it has to stop. It is crucial that government does not dictate or demand specific religious views, but equally crucial that government doesn't prevent the expression of specific religious views.

When the First Amendment is invoked as an obstacle to private expression of religion, it is being misused. Religion has a proper place in private and a proper place in public because the public square belongs to all Americans. It's especially important that parents feel confident that their children can practice religion. That's why some families have been frustrated to see their children denied even the most private forms of religious expression in public schools. It is rare, but these things have actually happened.

I know that most schools do a very good job of protecting students' religious rights, but some students in America have been prohibited from reading the Bible silently in study hall. Some student religious groups haven't been allowed to publicize their meetings in the same way that nonreligious groups can. Some students have been prevented even from saying grace before lunch. That is rare, but it has happened and it is wrong. Wherever and whenever the religious rights of children are threatened or suppressed, we must move quickly to correct it. We want to make it easier and more acceptable for people to express and to celebrate their faith.

Now, just because the First Amendment sometimes gets the balance a little bit wrong in specific decisions by specific people doesn't mean there's anything wrong with the First Amendment. I still believe the First Amendment as it is presently written permits the American people to do what they need to do. That's what I believe. Let me give you some examples and you see if you agree.

First of all, the First Amendment does not require students to leave their religion at the schoolhouse door. We wouldn't want students to leave the values they learn from religion, like honesty and sharing and kindness, behind at the schoolhouse door, and reinforcing those values is an important part of every school's mission.

Some school officials and teachers and parents believe that the Constitution forbids any religious expression at all in public schools. That is wrong. Our courts have made it clear that that is wrong. It is also not a good idea. Religion is too important to our history and our heritage for us to keep it out of our schools. Once again, it shouldn't be demanded, but as long as it is not sponsored by school officials and doesn't interfere with other children's rights, it mustn't be denied.

For example, students can pray privately and individually whenever they want. They can say grace themselves before lunch. There are times when they can pray out loud together. Student religious clubs in high schools can and should be treated just like

any other extracurricular club. They can advertise their meetings, meet on school grounds, use school facilities just as other clubs can. When students can choose to read a book to themselves, they have every right to read the Bible or any other religious text they want.

Teachers can and certainly should teach about religion and the contributions it has made to our history, our values, our knowledge, to our music and our art in our country and around the world, and to the development of the kind of people we are. Students can also pray to themselves -- preferably before tests, as I used to do.

Students should feel free to express their religion and their beliefs in homework, through art work, during class presentations, as long as it's relevant to the assignment. If students can distribute flyers or pamphlets that have nothing to do with the school, they can distribute religious flyers and pamphlets on the same basis. If students can wear T-shirts advertising sports teams, rock groups or politicians, they can also wear T-shirts that promote religion. If certain subjects or activities are objectionable to students or their parents because of their religious beliefs, then schools may, and sometimes they must, excuse the students from those activities.

Finally, even though the schools can't advocate religious beliefs, as I said earlier, they should teach mainstream values and virtues. The fact that some of these values happen to be religious values does not mean that they cannot be taught in our schools.

All these forms of religious expression and worship are permitted and protected by the First Amendment. That doesn't change the fact that some students haven't been allowed to express their beliefs in these ways. What we have to do is to work together to help all Americans understand exactly what the First Amendment does. It protects freedom of religion by allowing students to pray, and it protects freedom of religion by preventing schools from telling them how and when and what to pray. The First Amendment keeps us all on common ground. We are allowed to believe and worship as we choose without the government telling any of us what we can and cannot do.

It is in that spirit that I am today directing the Secretary of Education and the Attorney General to provide every school district in America -- before school starts this fall -- with a detailed explanation of the religious expression permitted in schools, including all the things that I've talked about today. I hope parents, students, educators, and religious leaders can use this directive as a starting point. I hope it helps them to understand their differences, to protect student's religious rights, and to find common ground. I believe we can find that common ground.

This past April, a broad coalition of religious and legal groups -- Christian and Jewish, conservative and liberal, Supreme Court advocates and Supreme Court critics -- put themselves on the solution side of this debate. They produced a remarkable document called "Religion in Public Schools: A Joint Statement of Current Law." They put aside their deep differences and said: we all agree on what kind of religious expression the law permits in our schools. My directive borrows heavily and gratefully from their wise and thoughtful statement. This is a subject that could have easily divided the men and women that came together to discuss it. But they moved beyond their differences -- and that may be as important as the specific document they produced.

I also want to mention the over 200 religious and civic leaders who signed the Williamsburg Charter in Virginia in 1988. That charter reaffirms the core principles of the First Amendment -- we can live together with our deepest differences and all be

stronger for it.

The charter signers are impressive in their own right and all the more impressive for their differences of opinion -- including Presidents Ford and Carter, Chief Justice Rehnquist and the late Chief Justice Burger, Senator Dole and former Governor Dukakis, Bill Bennett and Lane Kirkland, the president of the AFL-CIO, Norman Lear and Phyllis Schlafly signed it together, Coretta Scott King and Reverend James Dobson.

These people were able to stand up publicly because religion is a personal and private thing for Americans which has to have some public expression. That's how it is for me. I'm pretty old-fashioned about these things. I really do believe in the constancy of sin and the constant possibility of forgiveness, the reality of redemption and the promise of a future life. But I'm also a Baptist who believes that salvation is primarily personal and private, that my relationship is directly with God and not through any intermediary.

Other people can have different views. And I've spent a good part of my life trying to understand different religious views, to celebrate them and figure out what brings us together.

I will say again, the First Amendment is a gift to us. And the Founding Fathers wrote the Constitution in broad ways so that it could grow and change, but hold fast to certain principles. They knew that all people were fallible and would make mistakes from time to time. As I said, there are times when the Supreme Court makes a decision, if I disagree with it, one of us is wrong. There's another possibility: both of us could be wrong. That's the way it is in human affairs.

But what I want to say to the American people, and what I want to say to you is that James Madison and Thomas Jefferson did not intend to drive a stake in the heart of religion and to drive it out of our public life. What they intended to do was to set up a system so that we could bring religion into our public life and into our private life without any of us telling the other what to do.

This is a big deal today. One county in America, Los Angeles County, has over 150 different racial and ethnic groups in it -- over 150 different. How many religious views do you suppose are in those groups? How many? Every significant religion in the world is represented in significant numbers in one American county, and many smaller religious groups -- in one American county.

We have got to get this right. We have got to get this right. And we have to keep this balance. This country needs to be a place where religion grows and flourishes.

Don't you believe that if every kid in every difficult neighborhood in America were in a religious institution on the weekends, the synagogue on Saturday, a church on Sunday, a mosque on Friday, don't you really believe that the drug rate, the crime rate, the violence rate, the sense of self-destruction would go way down and the quality of the character of this country would go way up?

But don't you also believe that if for the last 200 years we had had a state-governed religion, people would be bored with it, they would think it had been compromised by politicians, shaved around the edges, imposed on people who didn't really consent to it, and we wouldn't have 250,000 houses of worship in America? I mean, we wouldn't.

It may be perfect -- imperfect, the First Amendment,

but it is the nearest thing ever created in any human society for the promotion of religion and religious values because it left us free to do it. And I strongly believe that the government has made a lot of mistakes which we have tried to roll back in interfering with that around the edges. That's what the Religious Freedom Restoration Act is all about. That's what this directive that Secretary Riley and the Justice Department and I have worked so hard on is all about. That's what our efforts to bring in people of different religious views are all about. And I strongly believe that we have erred when we have rolled it back too much. And I hope that we can have a partnership with our churches in many ways to reach out to the young people who need the values, the hope, the belief, the convictions that comes with faith, and the sense of security in a very uncertain and rapidly changing world.

But keep in mind we have a chance to do it because of the heritage of America and the protection of the First Amendment. We have to get it right.

Thank you very much.

July 12, 1995

MEMORANDUM FOR: THE SECRETARY OF EDUCATION
THE ATTORNEY GENERAL
SUBJECT: Religious Expression in Public Schools

Religious freedom is perhaps the most precious of all American liberties -- called by many our "first freedom." Many of the first European settlers in North America sought refuge from religious persecution in their native countries. Since that time, people of faith and religious institutions have played a central role in the history of this Nation. In the First Amendment, our Bill of Rights recognizes the twin pillars of religious liberty: the constitutional protection for the free exercise of religion, and the constitutional prohibition on the establishment of religion by the state. Our Nation's founders knew that religion helps to give our people the character without which a democracy cannot survive. Our founders also recognized the need for a space of freedom between government and the people -- that the government must not be permitted to coerce the conscience of any individual or group.

In the over 200 years since the First Amendment was included in our Constitution, religion and religious institutions have thrived throughout the United States. In 1993, I was proud to reaffirm the historic place of religion when I signed the Religious Freedom Restoration Act, which restores a high legal standard to protect the exercise of religion from being inappropriately burdened by government action. In the greatest traditions of American citizenship, a broad coalition of individuals and organizations came together to support the fullest protection for religious practice and expression.

RELIGIOUS EXPRESSION IN PUBLIC SCHOOLS

I share the concern and frustration that many Americans feel about situations where the protections accorded by the First Amendment are not recognized or understood. This problem has manifested itself in our Nation's public schools. It appears that some school officials, teachers, and parents have assumed that religious expression of any type is either inappropriate, or forbidden altogether, in public schools.

As our courts have reaffirmed, however, nothing in the First Amendment converts our public schools into religion-free zones, or requires all religious expression to be left behind at the schoolhouse door. While the government may not use schools to coerce the consciences of our students, or to convey official endorsement of religion, the government's schools also may not discriminate against private religious expression during the school day.

I have been advised by the Department of Justice and the Department of Education that the First Amendment permits -- and protects -- a

greater degree of religious expression in public schools than many Americans may now understand. The Departments of Justice and Education have advised me that, while application may depend upon specific factual contexts and will require careful consideration in particular cases, the following principles are among those that apply to religious expression in our schools:

Student prayer and religious discussion: The Establishment Clause of the First Amendment does not prohibit purely private religious speech by students. Students therefore have the same right to engage in individual or group prayer and religious discussion during the school day as they do to engage in other comparable activity. For example, students may read their Bibles or other scriptures, say grace before meals, and pray before tests to the same extent they may engage in comparable non-disruptive activities. Local school authorities possess substantial discretion to impose rules of order and other pedagogical restrictions on student activities, but they may not structure or administer such rules to discriminate against religious activity or speech.

Generally, students may pray in a nondisruptive manner when not engaged in school activities or instruction, and subject to the rules that normally pertain in the applicable setting. Specifically, students in informal settings, such as cafeterias and hallways, may pray and discuss their religious views with each other, subject to the same rules of order as apply to other student activities and speech. Students may also speak to, and attempt to persuade, their peers about religious topics just as they do with regard to political topics. School officials, however, should intercede to stop student speech that constitutes harassment aimed at a student or a group of students.

Students may also participate in before or after school events with religious content, such as "see you at the flag pole" gatherings, on the same terms as they may participate in other noncurriculum activities on school premises. School officials may neither discourage nor encourage participation in such an event.

The right to engage in voluntary prayer or religious discussion free from discrimination does not include the right to have a captive audience listen, or to compel other students to participate. Teachers and school administrators should ensure that no student is in any way coerced to participate in religious activity.

Graduation prayer and baccalaureates: Under current Supreme Court decisions, school officials may not mandate or organize prayer at graduation, nor organize religious baccalaureate ceremonies. If a school generally opens its facilities to private groups, it must make its facilities available on the same terms to organizers of privately sponsored religious baccalaureate services. A school may not extend preferential treatment to baccalaureate ceremonies and may in some instances be obliged to disclaim official endorsement of such ceremonies.

Official neutrality regarding religious activity: Teachers and school administrators, when acting in those capacities, are representatives of the state and are prohibited by the establishment clause from soliciting or encouraging religious activity, and from participating in such activity with students. Teachers and administrators also are prohibited from

discouraging activity because of its religious content, and from soliciting or encouraging antireligious activity.

Teaching about religion: Public schools may not provide religious instruction, but they may teach about religion, including the Bible or other scripture: the history of religion, comparative religion, the Bible (or other scripture)-as-literature, and the role of religion in the history of the United States and other countries all are permissible public school subjects. Similarly, it is permissible to consider religious influences on art, music, literature, and social studies. Although public schools may teach about religious holidays, including their religious aspects, and may celebrate the secular aspects of holidays, schools may not observe holidays as religious events or promote such observance by students.

Student assignments: Students may express their beliefs about religion in the form of homework, artwork, and other written and oral assignments free of 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.

Religious literature: Students have a right to distribute religious literature to their schoolmates on the same terms as they are permitted to distribute other literature that is unrelated to school curriculum or activities. Schools may impose the same reasonable time, place, and manner or other constitutional restrictions on distribution of religious literature as they do on nonschool literature generally, but they may not single out religious literature for special regulation.

Religious excusals: Subject to applicable State laws, schools enjoy substantial discretion to excuse individual students from lessons that are objectionable to the student or the students' parents on religious or other conscientious grounds. School officials may neither encourage nor discourage students from availing themselves of an excusal option. Under the Religious Freedom Restoration Act, if it is proved that particular lessons substantially burden a student's free exercise of religion and if the school cannot prove a compelling interest in requiring attendance, the school would be legally required to excuse the student.

Released time: Subject to applicable State laws, schools have the discretion to dismiss students to off-premises religious instruction, provided that schools do not encourage or discourage participation or penalize those who do not attend. Schools may not allow religious instruction by outsiders on school premises during the school day.

Teaching values: Though schools must be neutral with respect to religion, they may play an active role with respect to teaching civic values and virtue, and the moral code that holds us together as a community. The fact that some of these values are held also by religions does not make it unlawful to teach them in school.

Student garb: Students may display religious messages on items of clothing to the same extent that they are permitted to display other comparable messages. Religious messages may not

be singled out for suppression, but rather are subject to the same rules as generally apply to comparable messages. When wearing particular attire, such as yarmulkes and head scarves, during the school day is part of students' religious practice, under the Religious Freedom Restoration Act schools generally may not prohibit the wearing of such items.

I hereby direct the Secretary of Education, in consultation with the Attorney General, to use appropriate means to ensure that public school districts and school officials in the United States are informed, by the start of the coming school year, of the principles set forth above.

THE EQUAL ACCESS ACT

The Equal Access Act is designed to ensure that, consistent with the First Amendment, student religious activities are accorded the same access to public school facilities as are student secular activities. Based on decisions of the Federal courts, as well as its interpretations of the Act, the Department of Justice has advised me of its position that the Act should be interpreted as providing, among other things, that:

General provisions: Student religious groups at public secondary schools have the same right of access to school facilities as is enjoyed by other comparable student groups. Under the Equal Access Act, a school receiving Federal funds that allows one or more student noncurriculum-related clubs to meet on its premises during noninstructional time may not refuse access to student religious groups.

Prayer services and worship exercises covered: A meeting, as defined and protected by the Equal Access Act, may include a prayer service, Bible reading, or other worship exercise.

Equal access to means of publicizing meetings: A school receiving Federal funds must allow student groups meeting under the Act to use the school media -- including the public address system, the school newspaper, and the school bulletin board -- to announce their meetings on the same terms as other noncurriculum-related student groups are allowed to use the school media. Any policy concerning the use of school media must be applied to all noncurriculum-related student groups in a nondiscriminatory matter. Schools, however, may inform students that certain groups are not school sponsored.

Lunch-time and recess covered: A school creates a limited open forum under the Equal Access Act, triggering equal access rights for religious groups, when it allows students to meet during their lunch periods or other noninstructional time during the school day, as well as when it allows students to meet before and after the school day.

I hereby direct the Secretary of Education, in consultation with the Attorney General, to use appropriate means to ensure that public school districts and school officials in the United States are informed, by the start of the coming school year, of these interpretations of the Equal Access Act.

WILLIAM J. CLINTON