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RELIGIOUS LIBERTY COMMISSION

Witness Testimonies

The Past, Present, and Future of Religious Liberty in the United States

Capstone Hearing

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Opening Remarks

Prof. Helen Alvaré

Thank you Commissioners for the privilege of addressing this commission.

I appear before you as an attorney and law professor at a public university, who entered the profession due to my strong interest in, and a devotion to, the flourishing of religious freedom in the United States. I speak from a perspective - after 42 years of practice and study and scholarship - of *pride* in the United States' continuing pursuit of religious freedom, even as we have stumbled from time to time. In fact, likely "pride" isn't a strong enough word. I should rather say that I am often moved - even by something as local as the respectful interaction of various religious and nonreligious groups at my own public law school - by the *beauty* of our founding and continuing commitment. A commitment which is still visible in our nation's life, not only in law, but in interactions between neighbors, and in towns and cities across the United States. Even as the news will always be drawn to stories of conflict, there is in fact far more peace among the many religions represented here, thanks in no small part to the manner in which our legal guarantees of religious freedom have shaped our culture. Sometimes, there is even more - there is mutual appreciation and even cooperation between religions and between religions and the state. Though always unsettling, church/state friction is the exception, not the rule. This is an objective good for a nation, and yes, also beautiful.

I have followed the work of this commission, its gathering of a wide array of personal religious testimonies, and the thinking of scholars and religious leaders. These have provided the commissioners exposure to the sweep of relevant history and law, to the positive roles religion has played in our society, and to both the 1000-foot view and the view from the ground - by which I mean from the minds and the hearts and the souls of *particular* Americans of many religions, who have benefited from religious freedom, or who have suffered from a governmental misunderstanding of the scope of this freedom. From time to time this suffering is the result of malice, but more often it arises from misunderstandings flowing from that unfortunate, historically and culturally inaccurate, and constitutionally inapposite Jeffersonian phrase, "separation of Church and State."

In sum, religious freedom is a beautiful ideal, but this commission has embarked upon the laborious and concrete work required to keep such ideals actually aloft.

In the next 10 minutes or so today, allow me highlight a few themes and issues that I hope the Commission will take into consideration as it prepares its final report and recommendations. These concern first, recognizing the positive consequences of religion freedom, including some that I propose to be worthy of *particular* attention for their timeliness, and those that I would propose to be crucially, even *architecturally* related to the ongoing success of the experiment in freedom that is the United States.

Second, and more briefly, I will the address and characterize the negative consequences of misunderstanding our constitutional guarantee of nonestablishment . And third, I will note the due limits of religious freedom.

First, then. Even a quick tour of U.S. history can reveal the positive contributions of religions and religious freedom, but today, we also have evidence at our disposal. We can better quantify religions' contributions to, for example: the rich tapestry of educational, health care and social services institutions religions have founded, often serving the most vulnerable Americans; religious Americans' volunteer hours, and their charitable dollars supporting fellow Americans of any religion or none, in addition to those in need overseas.

Because of my experience as a family law scholar, I would *particularly* highlight religions' contributions to strengthening the *bedrock* of American society – the family. Almost 200 years ago Alexis DeTocqueville observed that the strength of America's families, including by way of their transmission of religious values, played a *large* role in the strength of our democracy. We can confidently say today that deTocqueville was right.

We know today that the family is suffering, but especially among the less privileged. We have less marriage in the United States, and a large percentage of children being reared without the stable presence of their parents. The sexual objectification of women (and increasingly of men) is common. We are also witnessing high rates of nonmarital cohabitation, abortion and divorce. Because children of the poor and those with less educational privilege disproportionately experience many of these struggles, they also suffer more negative outcomes in the realms of education, employment, income and future family formation. This, in turn leads to the widening and hardening of gaps between the haves and the have-nots in a country that prides itself on its social mobility.

But many religions in the U.S. are devoted to forming and sustaining stable families, with precepts and programs and charities empirically associated with good family outcomes. Some, for example, highlight the importance of respecting the link between sexual love and new life, or adults' obligation to put children's needs before their own, or for healthy dating practices. Many religions offer marriage preparation, marriage mentoring, family crisis interventions, support for single and impoverished parents and for the divorced and widowed, help for new parents, and many more services.

In recent years, more than a few lawmakers proceeded on the *opposite* assumption – that is, that religions' sexual and family mores are socially harmful on their face, and should be legally silenced. And on this assumption they proceeded to trample religious freedom. This is not only ironic - given what we now know empirically about the positive outcomes of so many religious ways of living courtship, marriage and parenting – but happily it has also *increasingly* been judged unconstitutional in a series of U.S. Supreme Court and lower federal court opinions vindicating the free speech, associational, church autonomy, and religious freedom rights of religious institutions and individuals.

Family is the place where children learn to love themselves and others – or not – to respect a wide array of differences between people of all ages, conditions, traits, and abilities – or not - to develop capacities for justice, sacrifice and generosity - or not – all indispensable skills for living in a pluralistic, democratic society. Consequently, allowing religions’ family programs, policies and witness to survive by way of religious freedom (both for the individual and for religious institutions) is a profound contribution to U.S. society.

This point further counsels respectful deference by the state to parents’ decisionmaking regarding their children’s religious upbringing. It is worth taking a moment, in fact, to *celebrate* the Supreme Court’s (and now more lower courts’) recent and welcome articulation of the constitutional necessity of this deference, especially by way of the *Mahmoud* opinion. It had always bordered on the absurd to suggest that teachers with no long run connections with, or responsibility for, others’ children, could contradict parents’ faith transmission. Finally, today, the constitutional law on this matter is clearly articulated.

In fact, religions can be among the government’s greatest partners and allies in fostering the ideals and values that our public institutions – including public schools – hope to instill. Our Supreme Court noted this in the case involving Amish parents’ right to religiously home school their children, *Wisconsin v. Yoder*, when it pointed out that *the very value* the mandatory public education law was intended to promote – adult self-sufficiency – was perhaps *most* admirably cultivated by Amish home schooling. This was also noted in a 1996 federal district court case in Nebraska striking down a state law requirement that freshmen at a public university must live in *state-*, not religiously organized- housing. In its opinion accommodating religious freedom, the court emphasized that the values the state sought to promote – pluralistic interaction and mutual interpersonal acceptance among a diverse array of students – would likely *better* be accomplished in the religious housing, which included a *more* diverse array of students than the university’s own dorms, including international students and students of color.

But beyond inspiring *personally* virtuous character and conduct, and beyond educating the young, and massively assisting the poor, the migrant, the imprisoned, and the sick - religions – with the wind of religious freedom at their back – do more. They are the source of ideas and norms that thinkers as various as George Washington and atheist philosopher Jürgen Habermas and moral psychologist Jonathan Haidt acknowledge promote cooperation, goodness and generosity reaching very private places and *exceeding* what reason or the law alone could demand. Religion is also the source of more than a few of those profound and indispensable commitments that shape the “idea” that is the United States, and of which we are so rightly proud. Our Supreme Court has recognized these contributions dozens of times in cases dating from the early days of our nation through to very recent years. To wit, the idea of irreducible human rights and human dignity that the government does not originate and cannot trample. The idea that every human being is radically equal to every other. The idea that governments and economies are *means to the end* of serving human beings, not the other way around. The idea that there is a higher authority to which governments must answer, thus avoiding a totalizing or totalitarian state. One can find these sentiments too in some nonreligious sources, but I would suggest that it is *quite* difficult to find a *stronger* foundation for

these American convictions than the religious notion that every one of us is created by the same God, and are thus radically equal brothers and sisters, with responsibilities not only to God but to all those whom God loves, that is to one another.

Allow me now to turn briefly to two final points I would like to highlight for the Commission. The first is an affirmation of the importance of the Supreme Court's welcome turn toward interpreting the First Amendment's nonestablishment guarantee. Previously, (and for too long), under the rubric of nonestablishment the Court allowed governmental *disfavoring* of religion, and appeared suspicious of religions' perspectives on American democratic ideals, with the consequence that religion was consigned to social invisibility, to private heads and hearts and spaces. Sometimes this flowed from a simplistic, ahistorical and constitutionally agnostic attachment to the Jeffersonian phrase "separation of church and state." It certainly ignored the dozens of Supreme Court opinions linking religions' presence and religious freedom to the above-described structural virtues and commitments of American society and government. And it suggested insultingly to religious citizens that they had to leave their minds and hearts and souls – which is to say their very persons, and their religious integrity – at the entrance to the public square, which could not *whisper* that our diverse society also included neighbors and co-workers informed by divine teachings and obligations. No, allowing *visibly* religious persons, groups and institutions into the public square, as they are, and to receive equal treatment with the nonreligious, does not coerce the nonreligious to religion, nor favor one religion over others. Instead, it acknowledges equality between citizens and citizen groups – whether religious or nonreligious. It is *not*, in short, an establishment, as our Supreme Court *now* understands.

And one final note. While for the very most part, there is harmony or at least not *disharmony* between religious precepts and the aims of laws and regulations - given that both ordinarily attend to reason - some disharmony and even explicit clashes are inevitable. Religion does not and should not expect to prevail in every case. Religious believers are as aware of this today as they have been throughout the long history and global sweep of church/state relations. Clearly, government can regularly accommodate religion without subverting government's legal and social aspirations. But believers can and do understand that to preserve freedom for *all* Americans, government can set limits to religious conduct beyond which limits truly compelling citizen interests would be trampled, and there are no means less restrictive of religious freedom to safeguard it. This is not an equation that lends itself to precise solutions in every case, but we can take solace from the fact that our Supreme Court and lower courts have managed the dynamic for hundreds of years while overall maintaining the health, peace and prosperity of American society.

Thank you again for the privilege of testifying.

Church and State: Melodies in the Song of Freedom

Clarence Henderson

Good morning,

My name is Clarence Henderson, and I stand before you not just as an advocate—but as someone who lived through a time when America had to confront its own contradictions.

As a young man, I participated in the sit-in movement during the Civil Rights era. We faced hostility, resistance, and injustice—but we did not stand on frustration alone.

We stood on faith.

We believed something deeper than the laws around us—that every human being has value because they are created by God.

That belief gave us the courage to sit when others told us to move...

To stand when others told us to be silent...

And to endure when others tried to break us.

The Civil Rights Movement was not built on political power.

It was built on moral conviction rooted in religious belief.

Faith and Civil Rights

Religious liberty was not incidental to the Civil Rights Movement—it was essential to it.

Churches were the meeting places.

Faith was the language.

Scripture was the foundation.

When Dr. King spoke, he didn't just quote the Constitution—he quoted the Bible.

Because the argument for equality was not simply legal—it was moral.

It was grounded in the truth that all men are created equal—not by government, but by God.

Modern Concern

Today, we face a different kind of challenge.

Not the outright denial of rights—but the gradual erosion of the principles that made those rights possible.

We see increasing division.

We see a tendency to redefine justice without moral grounding.

And we see faith being pushed to the margins of public life.

But when you remove faith from the foundation, you weaken everything built on top of it.

Clarifying the Role of Religious Freedom

Religious liberty is not a threat to civil rights—it is what made civil rights possible.

The same freedom that allowed Black churches to organize, to preach, and to mobilize...

Is the same freedom that must be protected today.

Because once the government gains the authority to limit faith, history shows it will not stop there.

Historical Counterfactual

If religious liberty had not existed during the Civil Rights Movement:

There would have been no safe place to gather.

No moral authority to challenge unjust laws.

No unifying message rooted in something higher than government.

The movement would have been weaker—or may not have succeeded at all.

Bridge to Today

We must be careful not to disconnect the rights we celebrate from the foundation that produced them.

Freedom is not self-sustaining.

It requires:

- Moral clarity
 - Shared values
 - And the freedom to live out those values openly
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Closing

I have seen what happens when a nation denies dignity.

And I have seen what happens when people of faith stand together and say, “This is not right.”

If we want to preserve justice in America, we must preserve the freedom that made justice possible.

Religious liberty is not just part of our history—it is essential to our future.

“We must learn to live together as brothers or perish together as fools.”

This is the greatest nation in the world, and that is why people are dying to get here, and no one is dying to leave.

In 1960 - The Sit-in lasted 176 days in Greensboro, and I am honored that I was there to put Jim Crow on trial, and because of my religious liberty, Jim Crow was found guilty.

Thank you.

Helen Aguirre Ferré

Religious Freedom is Democracy's Antidote to Totalitarianism By

Helen Aguirre Ferre*

I would like to thank the Religious Freedom Commission and Chairman Dan Patrick, Lieutenant Governor of Texas, for this invitation to speak on such an important topic of relevance to preserving the proper and important role of religion in the United States of America.

Religious freedom is regularly under attack in the United States. It is not always overt; often, it appears in more subtle ways—what Florida Attorney General James Uthmeier has aptly described as a “secularist gloss upon the First Amendment,” where people are penalized for living out their faith. This is not what our Founding Fathers envisioned in the Declaration of Independence or the United States Constitution, both of which were deeply influenced by a moral and religious understanding of human nature and purpose.

This challenge is growing as we see increasingly aggressive efforts by proponents of expanded government power, if not outright coercion, in our daily lives. They understand that prayer is powerful, and they fear it, because people of faith are ultimately bound to

God, not the state. Personal responsibility, free will, and conscience shape our relationship with our Creator. Wherever genuine faith flourishes, a overreaching state, one that

demands total loyalty, can never fully trust individuals whose ultimate allegiance is to God.

As a result, there are ongoing efforts to chip away at religious liberty by distorting the concept of the separation of church and state, turning it into a justification for excluding or denying faith in public life. Perhaps the most egregious examples of this erosion of First Amendment protections were seen during the COVID-19 pandemic.

Across the country, religious practice became one of the central First Amendment battlegrounds during COVID-19, prompting repeated intervention by the courts, including the U.S. Supreme Court. In states like New York and California—and even in parts of

Florida—governments imposed clear double standards, allowing businesses to operate under one set of rules while restricting places of worship far more harshly.

In *Roman Catholic Diocese of Brooklyn v. Cuomo*, challenged the strict and unequal limits on religious gatherings, even in private homes, while retail stores and other “essential”

businesses were permitted to operate under less restrictive standards. The Supreme Court rightly ruled that the government cannot treat religious exercise more harshly than comparable secular activities. Notably, however, the decision was narrowly decided, 5–4.

Similarly, in *Tandon v. Newsom*, the Court struck down California’s restrictions on in-home religious gatherings, reinforcing that religious activity must be afforded the same protection as comparable secular conduct.

Even in the “Free State of Florida,” some municipalities in Miami-Dade County and the Tampa area imposed limits on religious services, with some faith leaders threatened with fines or arrest. A pastor in Tampa was arrested in March 2020 for holding services, though charges were later dropped. Across the country, places of worship were not deemed “essential” to American life.

While the Supreme Court ultimately strengthened religious liberty, particularly during emergencies, the broader challenge did not end there.

Pro-life Americans have been vilified by segments of government and media. Parents who speak out at school board meetings against the indoctrination of their children have faced verbal, legal, and even physical abuse. Churchgoing families attending traditional Latin

Mass have, at times, been unjustly scrutinized. The 2023 FBI Richmond memo is a telling example.

Produced by the FBI’s Richmond, Virginia field office, the memo—titled “Interest of Racially or Ethnically Motivated Violent Extremists in Radical-Traditionalist Catholic Ideology”—sparked widespread concern for linking traditional religious beliefs with extremism. It relied on biased sources, such as the Southern Poverty Law Center, to define so-called

“extremist” groups. The memo even discussed the potential use of informants within religious communities, raising serious concerns about government intrusion into religious life. When the government begins to view people of faith as potential threats, we should all be concerned.

The truth is that prayer and religious practice serve as a natural check on the expansion of government power. The principles of free will and moral responsibility rooted in faith reinforce the understanding that our unalienable rights come from our Creator. This is a foundational truth explicitly stated in the Declaration of Independence.

Defending the family, protecting the right to pray, and fostering a virtuous life are not just private matters; they are essential to sustaining a healthy civic culture and a functioning republic. Religious liberty must be protected in education, healthcare even in times of emergency.

Florida under Governor Ron DeSantis worked with state legislators to take several important steps to advance these goals:

1. **Protecting the Family** – The Parents’ Bill of Rights affirms parents’ authority over their child’s moral upbringing and religious education, including the ability to review and object to instructional materials.

2. **Moment of Silence in Schools** – Public schools are required to set aside one to two minutes each day for students to pray or reflect quietly.
3. **Protections for Places of Worship** – Religious institutions are designated as “essential,” preventing emergency orders from imposing stricter standards on them than on businesses.
4. **Medical Conscience Protections** – Individuals and healthcare providers are protected from being compelled to act against their religious beliefs, including mandates related to COVID-19 measures or participation in procedures such as abortion or sterilization.
5. **Volunteer School Chaplains Program** – School districts may offer optional counseling services through chaplains, with parental consent and clear guidelines.
6. **Education Funding that Follows the Child** – Public education funding should be neutral toward religious institutions, allowing families to choose the best educational setting—public, charter, private, religious, or homeschool.

Beyond policy, strengthening civil society is essential. Churches, synagogues, and other faith-based institutions provide education, community support, and moral guidance that strengthen, not weaken, our communities.

We also must return to the cultivation of core virtues: prudence, justice, fortitude, and temperance. These values help restrain the abuse of power and encourage leaders to serve rather than dominate. Faith, in a democratic society, is not meant to control government but to inform it and inspire civic participation.

Defending the right to pray, to worship, and to raise families grounded in faith is one of the most effective safeguards against government overreach. It preserves freedom for everyone—believers and nonbelievers alike.

Faith does not seek power for itself; it limits the power of the state by forming morally grounded citizens. It is no coincidence that totalitarian regimes often seek to suppress religion.

During his 1998 visit to Cuba, Pope John Paul II—later canonized as Saint John Paul II—urged the people, “No tengan miedo” (“Do not be afraid”). Having lived under both Nazi and communist oppression in Poland, learned that fear is a primary tool of tyranny—but courage, rooted in faith, is its greatest adversary. It is a lesson worth applying.

*Helen Aguirre Ferre is Administrator of Government and Public Policy of the Adam Smith Center for Economic Freedom at Florida International University.

Erika Bachiochi

Hello, my name is Erika Bachiochi. As a Catholic legal scholar who teaches, researches, and writes at the intersection of constitutional law, political philosophy, women's history and Catholic social teaching, I am deeply honored to address this august commission regarding the contribution of religious faith to the historic achievement of women's civil and political rights.

For as long as I can remember, I've been interested in questions of women's freedom and equality. After a short stint as a Marxist feminist in college, I experienced a profound religious conversion back to my baptismal faith. I therefore come to these questions having been on the other side of them, so to speak.

Today, I am the happily married mother of seven children, as well as a classical school founder, a Fellow at the Ethics and Public Policy Center here in Washington, and a Professor of Practice at the School of Civic and Economic Thought and Leadership at Arizona State University. There I teach a course called Women and Rights in Western Political Thought and have published three books and many academic articles on the subject about which I speak to you today.

Too often, when we hear the phrase "women's rights" we think immediately of abortion rights. This association in our time is an egregious one given the ardent opposition of our nation's earliest women's rights advocates to the inhumane practice of abortion. In my short remarks today, I want to re-introduce the historic account of women's rights as properly grounded in Biblical and natural law principles, even as today, in our upside-world, the words 'women' and 'rights' are too often employed as their very opposites.

Like the American founders, the early women's rights advocates well understood that human beings are not autonomous bundles of rights to do whatever they please. Rather, the civil and political rights the early women's movement sought were always and everywhere understood to be intrinsically correlated with women's capacities and responsibilities. As Lucy Stone in 1892 said of the movement under her leadership: "We are all getting to be women's rights advocates or rather investigators of women's duties."

Now, to be sure, the American founders did not themselves think that the Bible or "the laws of nature" demanded women's civil and political rights. And so, the emergence of women's rights -- like the emergence of full citizenship for Black Americans -- was a historic achievement, one that was grounded in the very firmest of foundations.

Indeed, the early movement built their rights claims on the Biblical foundation that women were rational creatures made in God's image who were therefore personally accountable to Him. They eventually persuaded the nation that, as equally responsible to God and specially endowed with responsibilities for the nurture and care of their families and communities, they too should receive a fulsome education and participate in the obligations and privileges of citizenship.

As leading suffragist and president of the Christian Woman's Temperance Union, Frances Willard said of the franchise she worked state by state to procure: "The Ten Commandments and the Sermon on the Mount are voted up or down in every election." She knew the women in her time would vote them up.

The women's movement had emerged in the mid 19th century on the heels of both the industrial revolution and the Second Great Awakening. The existential interdependence of husband and wife as they labored together for centuries in the agrarian household had begun to fray in the new economy, as much traditional work was displaced by the era's new machines. As Catholic philosopher Edith Stein put the point in 1930, "The nineteenth-century industrial Revolution revolutionized average domestic life so that it ceased to be a realm sufficient to engage all of women's potentialities."

The Second Great Awakening, for its part, had inspired middle class Christian women to speak out against both the ongoing horrors of slavery (alongside abolitionists like Frederick Douglass) as well as the deracinating impact of industrialization, particularly harsh for women and children at the margins of society. They organized public campaigns against child labor, illiteracy, intemperate use of alcohol, domestic abuse, marital rape, and the sexual double standard that, to their mind, had contributed to growing rates of prostitution, infanticide and abortion.

They sought to elevate women, just as Christianity had from its origins – calling both women and men to their family and social responsibilities, not the least of which was marital chastity.

Alongside our nation's first female physicians, these early women's advocates condemned the growing practice of abortion in the harshest of terms. These women sought the freedom *not* to end the life of an unborn child to whom they knew mothers (and fathers) owed duties of care. Rather, they sought the freedom not to be forced, by physical coercion or economic circumstance, into marriage, prostitution, or unwanted sex. And so, they worked in their communities to ensure far better medical care and opportunities for women. Indeed, much like the American Revolution itself, it was *unbounded*, *unjust* and *arbitrary* rule that these women came together to denounce.

Among the most influential women of the antebellum period are names we scarcely recognize today. Take, for instance, the great abolitionist Sarah Grimke who in 1838 penned the deeply influential Letters on the Equality of the Sexes. Translating Genesis from the original Hebrew --

and echoing St. Augustine -- Grimke writes that "Dominion was given to both over every other creature, but not over each other." Woman, she says, was given as man's divine partner and 'helpmate' because she was "in all respects his equal... gifted with intellect and endowed with immortality. She was "a moral and responsible being" and "the glory of God was the end of her creation." Grimke's interpretation of Genesis would be echoed at the first national women's rights conventions in the 1850s, grounding women's equal moral status in the Imago Dei.

Paulina Davis, another deeply religious woman whose name has been lost to history, served as the President of the first two national women's rights conventions in 1850 and 1851. She also collected convention speeches into the aptly named publication, *Woman's Rights Commensurate with her Capacities and Obligations*. Echoing Grimke's Letters, Davis stated that the Fall described in Genesis 3 had "inverted the order of human things." Calling upon the "Messiah, the Prince of Peace, [who] took the form of a servant," Davis bemoaned how "[p]ower which is properly only the servant of Goodness, is every where its master." This view of "equal companionship" in marriage and the shared interests of men and women is present throughout these conventions, as is the view that "every mature soul is responsible directly to God."

These women, thereby, sought to resist their era's depiction of women as fragile and weak. Thus, in addition to arguing that women ought to receive the kind of education that would facilitate their full human maturation, the early movement sought: *property and contract rights*, to justly recognize and remunerate their contributions inside and outside the household; *custody rights*, so they wouldn't be forced to abandon their children to escape domestic abuse; *rights of access to the trades and professions*, so they would not feel pressured into an ill-suited marriage or prostitution just to survive; *the right to decline unwanted sex* against the legally sanctioned prerogative of their husbands; *the quintessentially American right to not be taxed or otherwise governed without political representation*; and as time wore on, *just workplace laws and protection*.

But the religious and natural law foundations of women's 19th and early 20th century advocacy has been lost in our time, and an inhumane concept of women's rights has emerged. As I argue in my 2021 book, *The Rights of Women*, by elevating the status-bearing goods of the market over the culturally-essential goods of the home, modern feminism has lionized market equality over

the early movement's insistence on moral equality. And in doing so, it has recklessly undermined the true interests of women and the very purpose of rights.

Thank you.

NOTES:

terms: 'child-murder' 'the highest crime in the calendar' 'the crying sin of the age' 'a degradation of the medical profession'.

Indeed, in their social, legal and political claims, these early women's rights advocates made strong appeals to Genesis and the natural law tradition, to the virtues of men and of marriage, to the inherent dignity of children (born and unborn), to a single – high – standard of chaste sexual norms, and to the distinctive goods and shared responsibilities of motherhood and fatherhood. Though internal philosophical disagreements grew as the movement wore on, the antebellum period spoke in one voice about women's distinctive familial and social responsibilities and the God-given natural rights that enabled their fulfillment.

In an important speech reprinted in local papers and delivered at the first national convention, Lucretia Mott, known in her time to be the beloved leader of the antebellum movement, defends both sexual difference and woman's responsibility to develop her own capacities. She writes, "We would admit all the difference, that our great and beneficent Creator has made, in relation of man and woman, nor would we seek to disturb this relation....We are satisfied with nature." But, she argues, women, like men, have a duty to develop their God-given powers and human capacities for the good. To become a "true woman," Mott argues, she must "understand her duties, physical, intellectual, and moral" and cultivate her powers as a moral and responsible being.

Antoinette Blackwell turned in the convention to the interpretation of various texts in the New Testament arguing that "the submission enjoined upon the wife, in the New Testament, is not the unrighteous rule predicted in the Old." She said that it was a Christian submission "due [also] from man toward man, and from man toward woman," quoting several Scriptural passages, including "Yea, all of you be subject to one another (Eph 5:21)." With regard to the Scriptural

injunction that in marriage man is the “head” of the woman, she responds: “True, but only in the sense in which Christ is represented as head of His body, the Church...The mystical Head and Body, or Christ and His Church, symbolizes oneness, union. Christ so loved the Church he gave himself up for it...So ought men to love their wives. Then the rule which grew out of sin, will cease with the sin.”

Just as these women bemoan a degeneracy of femininity (e.g., slavish dependency and moral weakness) as distinctive from true, mature, responsible, strong womanhood, they also bemoan faux (e.g., tyrannical) masculinity as distinct from true, mature, responsible manhood. Neither degeneracy is from God. Both are to be resisted and transformed to uphold a true vision of human integration for both men and women.

Dr. Akshar Patel

Chairperson, Members of the Committee, thank you for the opportunity to speak today.

My name is Akshar Patel, and I am honored to represent BAPS, the largest Hindu organization in the United States. I am here to share the experience of immigrant Hindu Americans—an experience rooted in faith, service, and a deep appreciation for the opportunities this country provides—and to reflect on how religious liberty has enabled our community, like so many others throughout American history, to flourish.

My personal journey reflects that of many Hindu Americans in this country. I immigrated to America legally, I attended graduate school here, started a family, and was afforded the opportunity to lay down roots in my community. Living here, I am fortunate to be able to serve my patients as their physician, serve my family, and serve my community, using my faith as my foundational driving force.

Hindu Americans are a hard-working and law-abiding community. Many of us, or our parents and grandparents, came to this country seeking opportunity, freedom, and the chance to build a better life. Over the decades, we have established roots in communities across the nation, contributing to the economy, participating in civic life, and raising families grounded in both American values and our cultural heritage.

BAPS, the organization I represent, opened its first Hindu house of worship, or mandir, in Flushing, New York, in 1974. From that single mandir, we have grown to over 100 mandirs across the United States. This growth reflects something truly special about America. It is a testament to the American promise and to the power of religious liberty: that an immigrant community can come here legally, work hard, establish itself, build meaningful relationships with neighbors, and flourish while peacefully practicing its faith.

Throughout American history, religious liberty has allowed diverse communities to not only survive, but thrive. For Hindu Americans, this freedom has meant the ability to build mandirs, celebrate festivals, teach our children our values, and contribute openly to the broader society without fear. It has allowed us to transform faith into action, strengthening both our own community and the communities around us.

At the heart of Hinduism is the principle of service. Our faith teaches us that serving others is a form of devotion to God. My guru, Pramukh Swami Maharaj, has said, “In the joy of others, lies our own.” This belief guides the work of BAPS and Hindu organizations across the country. Service is not just an activity for us. It is a responsibility and a way of life.

Through BAPS, we have worked to support communities across the United States in meaningful ways. For example, we have organized nationwide health fairs that provide medical screenings, health education, and access to care for thousands of individuals, regardless of background or

income. We have also conducted disaster relief efforts, mobilizing volunteers and resources to support victims of hurricanes, floods, and wildfires; offering food, supplies, and rebuilding assistance in times of crisis. Additionally, our volunteers regularly participate in food drives and community outreach programs, helping to address hunger and support vulnerable populations in cities and towns across the country.

These efforts reflect how religious liberty does more than protect faith; it empowers communities to serve, uplift, and strengthen the nation as a whole. And in return, we have largely been embraced by our neighbors, forming bonds of trust, friendship, and mutual respect.

However, in recent years, we have become increasingly concerned about a growing wave of anti-religious and specifically anti-Hindu sentiment. Acts of hate directed toward Hindu Americans and our places of worship have created fear and uncertainty within our community. In the past year alone, there have been four hate attacks on BAPS mandirs. These incidents are deeply troubling, not only because they target places of worship, but because they threaten the very religious liberty that has enabled our community to flourish.

For many in our community, this is a new and unsettling reality. Mandirs that once felt like sanctuaries of peace and unity are now places where security is a concern. Families who came to this country seeking freedom of religion are now worried about practicing their faith openly.

I am here today not only to share our concerns, but also to reaffirm our faith in the values of this nation. The same religious liberty that has allowed generations of Americans from many different faiths to build, contribute, and thrive must be protected for future generations. I was afforded this wonderful opportunity when I came to this country 20 years ago. It is my hope and wish that my 7-year-old son, and many children like him, will get to experience this same freedom and liberty to practice their faith, enrich their communities, and serve their neighbors, as our faith asks of us.

Dr. Paul Brintley

Good morning,

My name is Dr. Paul Brintley. I serve as a pastor, overseeing a network 15 of churches, many of which include immigrant families—particularly Haitian believers—who came to this country because they believed America was different.

I remember standing with members of my congregation during COVID, when churches in our state were told to close their doors while other institutions remained open. These were not just buildings being closed—these were lifelines.

I watched families who had fled instability in other nations ask me a question I never thought I would hear in America:

“Pastor, why is the government telling us we cannot gather to worship God?”

For them, this wasn’t political. It was deeply personal. They had seen what happens when governments begin deciding when and how faith can be practiced.

And as a pastor, I faced a defining moment:

Would I treat faith as something optional and adjustable—or as something essential and protected?

That experience clarified something for me:

Religious liberty is not theoretical. It is lived—or it is lost.

Faith + Society

Religious freedom has never been a barrier to justice in America—it has been one of its greatest drivers.

The same biblical truth that I preach every Sunday—that every person is made in the image of God—has historically fueled movements for human dignity, equality, religious freedom and reform.

It is why people of faith built schools, hospitals, and charities.

It is why they stood against slavery.

It is why they marched for civil rights.

Religious liberty does not divide—it forms conscience. And a society without conscience cannot sustain freedom.

Clarifying the Misconception

There is a growing narrative in our country that religious freedom is simply “a license to discriminate.”

That is a fundamental misunderstanding.

Religious freedom is not about imposing belief—it is about protecting the right to live according to belief.

When people of faith are pushed out of the public square, we don’t get neutrality—we get a vacuum. And that vacuum is quickly filled by whatever ideology holds power at the moment.

We are blessed, The founders did not create a system to exclude faith—they created one to prevent government from controlling it.

Pulpit Responsibility

I will also say this plainly as a pastor:

We in the church must take responsibility as well.

There has been a weakening in some areas of pastoral leadership—where speaking truth has been replaced by silence, and conviction has been replaced by caution.

But historically, the strength of this nation has been tied to pulpits that shaped moral clarity—not avoided it.

Historical Counterfactual

Let me address the question posed by this committee:

What would America look like if religious liberty had been restricted 250 years ago?

If pastors had been told what they could preach...

If Scripture had been removed from public life...

If faith had been confined to private silence...

There would have been no moral framework to declare that all men are created equal.

But we are blessed: There would have been no abolition movement.

But we are blessed: No civil rights movement as we know it.

But we are blessed: No shared conviction that rights come from God—not government.

In short, there would be no America as we recognize it today.

Call to Action

Religious liberty must remain protected not just in word—but in practice.

As an Ambassador of the North Carolina Faith and Freedom Coalition, I have the honor of assisting elected officials and candidates run their campaigns, standing on Biblical Values. I give them a platform to reach out to voters.

We often hear that faith should stay out of public life—but the data tells a very different story.

According to national research, nearly **two-thirds of Americans still identify as Christian**. That means biblical values are not on the fringe—they are rooted in the lives of millions of everyday citizens.

And while not everyone votes strictly based on faith, about **1 in 4 Americans say their religion strongly influences how they vote**, with many more saying it plays at least some role. That is not a small group—that is a significant and meaningful voting bloc.

What's even more important is this:

The data shows that **those who actively practice their faith—those who attend church regularly—are among the most consistent and reliable voters in the country**.

So the question is not whether values matter in elections.

The question is whether we are willing to live out those values not only in our churches—but in our civic responsibility.

This should be encouraging, not controversial.

For candidates, it means you do not have to shy away from a biblical worldview expressed through principles like dignity of life, personal responsibility, strong families, and moral clarity. These are not extreme ideas—they are widely shared convictions held by millions of voters.

And for people of faith, it is a reminder:

Your voice matters.

Your vote matters.

And your values matter—

When people of faith participate, they help shape a more thoughtful, values-informed public square.

So the opportunity before us is simple—

Not to impose belief, but to **faithfully represent it**.

From the pew to the polls, the path forward is not retreat—it is responsible engagement.

That means:

- Protecting the free exercise of faith in public life
- Ensuring churches are not treated as non-essential
- Safeguarding the rights of individuals and organizations to live according to sincerely held beliefs

And doing so **for all people of faith**—equally and without coercion.

Closing

Because when a nation begins to treat faith as something to be managed instead of protected, it does not become freer—it becomes more fragile.

And if we want to preserve freedom in the next generation, we must protect the very foundation that made it possible in the first place.

Ladies and gentlemen, I sit here today in the greatest nation in the world that allows us the freedom to worship as we desire.

We

Are

Blessed

Thank you.

Church and State: Partners in Solving Today's Problems

Heather Rice-Minus

Good morning, Lieutenant Governor Patrick, Dr. Carson, and members of the Commission. Thank you for the opportunity to speak with you today. My name is Heather Rice-Minus, and I serve as President and CEO of Prison Fellowship. Prison Fellowship is the nation's largest Christian nonprofit equipping the Church to serve currently and formerly incarcerated people and their families, and to advocate for justice and human dignity. Our work is grounded in the belief that all people are created in God's image and that no life is beyond redemption. Our mission is to encounter Jesus with those impacted by incarceration, and we envision a revival of the Church inside and outside prison that brings justice, mercy, and hope to our culture.

This year marks the 50th anniversary of Prison Fellowship. For five decades, we have partnered with churches, volunteers, and correctional leaders to support rehabilitation, restore families, and promote safer communities. Our ministry was born from the extraordinary journey of Chuck Colson, a former White House counsel in the Nixon administration who, after serving seven months in federal prison for a Watergate-related crime, experienced a profound personal transformation and felt called by God to serve the incarcerated and their families. Today, our work offers a clear example of how faith-based social services strengthen the United States by addressing some of our most pressing social challenges.

We appreciate President Trump's creation of the commission and its focus and would like to speak specifically to the right of all Americans to freely exercise their faith without fear of government censorship or retaliation. Religious liberty plays a foundational role in making our work possible. The First Amendment guarantees the free exercise of religion, and those protections do not end at the prison gate. Every incarcerated individual retains the right to religious expression, and that right should be carefully protected. For more than two decades, the Religious Land Use and Institutionalized Persons Act, or RLUIPA, has helped ensure that people in prisons are not subjected to unjustified barriers when practicing their faith. By requiring governments to use the least restrictive means before limiting religious exercise, RLUIPA enables faith-based organizations like Prison Fellowship to serve individuals in meaningful ways.

These protections matter because faith-based programming contributes directly to rehabilitation and public safety. When incarcerated individuals can participate in religious services, mentorship, and spiritual formation, they often develop a renewed sense of purpose and hope. These qualities are essential for successful reentry, and maintaining strong religious liberty protections helps ensure that these transformative opportunities remain available.

At Prison Fellowship, we believe that preparation for reentry begins inside prison and continues after release. Our programs help individuals experience the life-changing love of Christ and equip them to become responsible, productive leaders, using their time in prison to grow, change, and embrace a brighter future. The Prison Fellowship Academy is our most intensive in-prison program. This voluntary, yearlong initiative, offered at no cost to the government, combines mentoring, community-building, and faith-based instruction to help participants develop values such as community, affirmation, productivity, responsibility, restoration, and integrity. These values support personal transformation while reinforcing accountability.

Research supports the positive role of faith-based engagement. Studies indicate that individuals who participate in educational or rehabilitative programming are significantly less likely to recidivate.¹ Religious participation, in particular, is associated with improved mental health, reduced misconduct, and a greater sense of purpose.² Opportunities for worship, mentorship, and pastoral care provide participants with direction during incarceration, which can help them develop stronger family relationships, enhanced life skills, and greater community stability after release.

The results of the Prison Fellowship Academy reflect these findings. A recent study in Texas found a 6% recidivism rate among our graduates, which represented a 53.8 percent reduction when compared to a matched comparison group. More than 6,000 people have completed the Academy. Faith-informed programming also contributes to safer correctional environments. Participation in religious activities fosters respect and healthier relationships among incarcerated individuals, benefiting both participants and staff. These outcomes then extend beyond prison walls, as transformed individuals are more likely to return home prepared to contribute positively to their communities.

An estimated 95% of prisoners will eventually be released, with hundreds of thousands of individuals returning to their communities each year.³ Their successful reintegration is critical to strengthening neighborhoods across the country. Yet many returning citizens face significant barriers to employment, housing, and education. Without support, these challenges can increase the likelihood of reoffending. Faith-based organizations help bridge these gaps by providing community connections and practical assistance. Prison Fellowship's Angel Tree program is one example of this impact. Approximately 1.5 million children in the United

¹ Lois M. Davis, *Higher Education Programs in Prison: What We Know Now and What We Should Focus on Going Forward*, RAND Corporation, (August 2019), https://www.rand.org/content/dam/rand/pubs/perspectives/PE300/PE342/RAND_PE342.pdf; Robert Bozick, et. al., *Does Providing Inmates with Education Improve Post-Release Outcomes?*, RAND Corporation (July 2018), https://www.rand.org/pubs/external_publications/EP67650.html.

² Sung Joon Jang & Bryon R. Johnson, *Religion and Rehabilitation as Moral Reform: Conceptualization and Preliminary Evidence*, 14 Am. J. Crimin Justice. 1-27 (2022).

³ Derek Mueller & Rich Kluckow, *Prisoners in 2023*, Bureau of Justice Statistics (Sept. 2025), <https://bjs.ojp.gov/document/p23st.pdf>; Eric Martin & Marie Garcia, *Reentry Research at NIJ: Providing Robust Evidence for High-Stakes Decision-Making*, National Institute of Justice (April 2022), <https://nij.ojp.gov/topics/articles/reentry-research-nij-providing-robust-evidence-high-stakes-decision-making>.

States have a parent in prison.⁴ Angel Tree partners with local churches to support these children and strengthen family relationships year-round. By encouraging connection and stability, programs like Angel Tree help reduce intergenerational cycles of incarceration and promote healthier communities. To date, Angel Tree has served more than 12 million children through Angel Tree Christmas, and over 120,000 children have attended an Angel Tree camp.

Additionally, each April, we lead Second Chance Month to highlight the importance of successful reentry. At Prison Fellowship, we view second chances as a way to balance accountability with the opportunity for growth. When individuals take responsibility for their actions and engage in rehabilitation, policies that reward progress help them demonstrate meaningful change.

During this Easter season, Scripture reminds us that “if anyone is in Christ, the new creation has come: the old has gone, the new is here.” This is the transformation we see every day in our work. And Micah 6:8 reminds us, we are called to ‘act justly, love mercy, and walk humbly.’ Second chances are not new. They are rooted in the Christian story of redemption we celebrate at Easter, and they reflect a balance that strengthens both individuals and their communities.

Scripture also calls us to “seek justice and encourage the oppressed” (Isaiah 1:17). Faith-based social services strengthen the United States by addressing both individual transformation and community well-being. When individuals return home equipped with values, support networks, and a renewed sense of purpose, neighborhoods become safer, and families become stronger. As you consider the future of religious liberty, it is important to recognize that protections like RLUIPA enable this work to continue. Ensuring that incarcerated individuals can freely exercise their faith allows faith-based organizations to provide programming that supports rehabilitation. Continued implementation of reforms such as the First Step Act, which expands access to evidence-based programming, can further strengthen these efforts.

Director Marshall and Deputy Director Smith’s recognition of the role of faith-based programming within the Bureau of Prisons is opening the door to more faith and community-based programs than ever before. We are proud that the Bureau of Prisons has designated the Prison Fellowship Academy as an Evidence-Based Recidivism Reduction program under the First Step Act. Additionally, over 30 BOP wardens have joined the Warden Exchange, Prison Fellowship’s leadership development program designed to help corrections professionals envision and build healthier prison cultures. Since 2013, Prison Fellowship has equipped over 820 state correctional leaders across the nation to reimagine prison, casting a vision for a safer environment that improves well-being for both those incarcerated and staff. Thanks to the Bureau’s new leadership, 2026 represents the first year that the federal system has participated in this transformative and free program.

⁴ Laura M. Maruschak, et. al., *Parents in Prison and Their Minor Children*, Bureau of Justice Statistics (March 2021), <https://bjs.ojp.gov/content/pub/pdf/pptmcspil6st.pdf>.

For 50 years, Prison Fellowship has witnessed the impact of faith in action. We have seen individuals transform their lives, parents reconnect with children, and communities benefit from successful reentry. These outcomes demonstrate how protecting religious liberty empowers faith-based organizations to serve the common good. By preserving these freedoms, we can continue to strengthen families, improve public safety, and build healthier communities across the United States.

Thank you for your time and for your commitment to protecting religious liberty and supporting faith-based social services.

Sister Mary Elizabeth, SV

Chair Patrick and members of the Commission, thank you for inviting me today to share what motivates my religious community, the Sisters of Life, to serve the most vulnerable among us, and how a recent threat to our religious freedom could have seriously impeded it.

The Sisters of Life were founded in 1991 to promote a sense of the sacredness of human life in society. Through prayer and service, we bear witness to the inherent dignity of every human life, created in the image of God.

Each of our Sisters has encountered a Love that is so great—so beautiful and true—a Love that captivated her heart and called her to respond. This Love became incarnate in Jesus Christ. We, as Sisters of Life, offer our lives to the Lord, so that others may come to know and experience this great Love, who we believe is the source, the meaning, and the destiny of every human life.

Our community engages in a variety of apostolic works in order to share this Love. Today, I am going to highlight our mission serving courageous women who are pregnant and in crisis: in need of support, friendship, and practical compassion. We also serve women who are seeking hope and healing after experiencing an abortion. We are blessed to see, time and again, how Jesus's perfect love and tender mercy casts out fear and makes all things new.

We believe that every human being is sacred, unique, and infinitely loved by God. We want every person we encounter to know their own dignity, as a beloved son or daughter of God, especially the pregnant women we serve. Once a woman experiences that she is loved and believed in, she can do anything. But only if she has meaningful support and options available.

Such was Nichole's story. When Nicole found out she was pregnant, she felt overwhelmed and afraid. She was already a single mother, working 12-hour shifts in a factory to make ends meet and she was barely getting by. She had previously had an abortion and didn't want to go through that again, remembering the pain and regret it caused, but she felt like she had no other option. So, she obtained the abortion pills, but didn't take them.

Her boyfriend kept saying, "It's your choice." Nicole told us, what she really needed to hear was: "I'll be with you every step of the way, no matter what!"

She found us through a friend. In our first conversation, Nicole shared a weighty list of needs, from a mortgage, to baby clothes, school fees, and a broken washing machine.

We packed up our van and hosted a baby shower at her home, providing her with a crib, stroller, car seat, clothes, and everything she needed for her baby. We called upon local friends who supported Nicole with meals, car rides, groceries, community, and friendship.

Receiving this tangible support, Nicole was empowered to discard the abortion pills she had contemplated taking and instead to make a leap of faith and welcomed her baby into the world. She named her daughter “Emma Grace.” “Emma” because it means “my God has answered me.” And “Grace” because He answered when she least expected it.

Supported and daring to dream again, Nicole began school to become a paramedic. It wasn’t easy, but she graduated with honors and got a job driving an ambulance, an accomplishment she would have never dared to dream of before she became pregnant with Emma, who recently turned 5 years old. Nichole is now reaching out and sharing her story with other women in her position and connecting them with our Sisters. Speaking with Nicole last week, she told me: “I can’t imagine my life without Emma, she brings me so much joy. She gave me a new beginning and I am so much the better for it!”

Nicole’s story is one of countless examples of how Christ’s redeeming love has changed lives over the course of our community’s existence. Through locations such as our Visitation Mission in Manhattan, we build relationships with each woman who seeks us out, listening to her hopes and fears. We desire to meet her needs--emotional, spiritual, and practical—so that she may have the greatest freedom to choose life for both herself and her child.

Our large network of Co-workers of Life enables us to provide all this support free of charge and regardless of a woman’s religious affiliation.

The support we provide continues far beyond a mother’s decision to give birth to her baby. Some reside with us during pregnancy, childbirth, and for whatever time each woman needs—often several months—after her infant’s birth.

Melanie was one such woman and her story shows how God's love poured out overflows into the next generation. Eighteen years after Melanie's son, Zion, was born he came to see us. The doorbell rang at our midtown Manhattan convent, the Sister who answered found a group of tall, strong, college aged young men. The one in front had a huge smile and said: "Hi, Sister! I was born here."

Zion explained that his mom had told him about us and the convent where she lived when he was born. All his life, he had wanted to come back and see it for himself. He was proud of his mom, knowing some of the sacrifices she had made to bring him into the world. So, as a college freshman on a football scholarship, he found himself in New York City with his teammates—the football players crowded in the front foyer of the convent to meet the Sisters.

Zion recently graduated from Yale and moved to NYC. He comes to volunteer at the convent where he spent the first few months of his life. How beautiful that God allowed our religious mission to inspire others, Zion, his team-members and classmates at Yale, and all who are touched by Zion's goodness.

Ours is just one of thousands of religious ministries seeking to be such a light to the world—to create a society in which people are cared for, valued, and protected. Together, we sacrifice for the vulnerable, uplift the downcast, and enable human flourishing. But not everyone understands or shares our commitment to the sanctity of human life at all stages.

In 2022, the State of New York passed a law targeting our ministry. It allowed government officials to force pregnancy centers, *but only those that do not perform abortion*, to turn over internal documents, including sensitive information about the women we serve.

Our missions are a place where women can feel safe with the knowledge that their stories are kept confidential. Many are in search of refuge from abusive partners and situations. We could not in good conscience break trust with the women who come to us for help. Because we could not comply with the new law, we faced the threat of serious financial and legal punishments.

We sued the state of New York, with the help of the Becket Fund for Religious Liberty, eventually winning a court order protecting us and allowing us to continue providing for the needs of the women who seek our help.

Through this experience, we learned that we must value religious liberty as a society enough to continue prioritizing it anew for each succeeding generation.

Most acts of charity by religious groups go unnoticed by the world at large. But it is through these actions—motivated by the love of God—that the world is changed, one heart at a time.

Protecting religious ministries, by protecting religious freedom is one of the best ways our policymakers can promote true human flourishing. Thank you for all you are doing to ensure we can keep reaching out to serve those in need.