



Ethical Action Report



A joint publication of the American Ethical Union and the American Humanist Association

Number 06-03

April 2006

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Civil Rights:

Urge Congress to Renew the Voting Rights Act

Demand that Congress uphold the right to vote.

BACKGROUND

The Voting Rights Act (VRA), first signed into law by Lyndon Johnson in 1965, lifted the barriers to voting for countless Americans by outlawing discriminatory practices such as literacy tests and poll taxes. The impact of the act was tremendous, as minority voter registration increased dramatically. Many people believe that the VRA is the single most effective piece of civil rights legislation ever passed by Congress.

Today a handful of lawmakers are attempting to block renewal of the VRA, claiming that key provisions of the act unfairly single out southern states for federal scrutiny. However, the Supreme Court approved this practice specifically because it targets states with the worst records of discrimination. Moreover, the law does allow these states to lift federal

oversight by showing they have fully complied with the VRA for a decade, a rule that southern lawmakers are trying to circumvent.

The Voting Rights Act provides people a legal recourse when faced with discriminatory voting laws, which, sadly, are still alive and well. Since the VRA was last renewed in 1982, Texas alone had 107 electoral change proposals rejected by the Justice Department. As Thomas Paine once said, the right to vote is the primary right by which other rights are protected. The Voting Rights Act protects this basic right; its renewal must not be further delayed.

ACTION

Urge Congress to renew the Voting Rights Act, which guarantees the constitutional right to vote for all Americans.

First Amendment Rights:

Oppose the Public Expression of Religion Act of 2005 (H.R. 2679)

Urge your congressperson to support the Establishment Clause of the First Amendment.

BACKGROUND

The Public Expression of Religion Act of 2005 (H.R. 2679) would bar courts from awarding attorney's fees to prevailing parties bringing suit under the Establishment Clause of the First Amendment. If passed, PERA would severely discourage or outlaw litigation over government practices that violate the First Amendment, and would prevent concerned citizens from exercising their constitutionally protected rights in court.

The bill purports to "eliminate the chilling effect on the constitutionally protected expression of religion by state and local officials that results from the threat that potential litigants may seek damages and attorney's fees." However, these litigants are only awarded attorney's fees if their claims are found valid and thus unconstitutional.

The threat of lawsuits under the Establishment Clause does not and never has had a "chilling effect" on religious practices; religion is an integral part of many Americans' lives and personal expression of religion is not under threat. But government sanctioned religion infringes on First Amendment rights. The current laws support a system of checks and balances to ensure that the separation of church and state is respected and that all Americans have the freedom to express themselves without coercion.

ACTION

Tell your congressperson to oppose the Public Expression of Religion Act of 2005.

Freedom of Speech:

Support Protections for Government Whistleblowers.

Ask your congressperson to introduce across-the-board legislation protecting free speech for all public employees.

BACKGROUND

In the 5-4 decision on *Garcetti v. Ceballos*, the Supreme Court severely limited the free-speech rights of government employees who report official misconduct. Specifically, the Court ruled that government employees' job-related speech is not protected by the First Amendment, and made it more difficult for public workers to sue their employers when they have been retaliated against for speaking their conscience.

This ruling will have a stifling effect on those that would expose government wrongdoing by making whistleblowers vulnerable to an increased threat of demotion or termination of employment. In this post 9/11 world it is vital that government misconduct be brought to light, not only to safeguard our nation against government negligence and failure but also to protect us against abuses of power that have been justified by the war on terror. The National Security Agency's program - which allows the government to circumvent the routine procedure of acquiring a warrant for domestic wiretapping - was brought to light by a whistleblower, and might not have been otherwise disclosed under the Supreme Court's ruling.

The Committee on Government Reform held a hearing regarding the Ceballos decision and free speech the week of June 26th, but more needs to be done. We need legislation to protect public workers' free speech.

ACTION

Stand up for free speech. Ask your congressperson to introduce legislation that would protect the rights of government whistleblowers.

Separation of Church and State at Risk: Oppose the Faith Based Initiative

Tell your congressperson to respect the separation of church and state.

BACKGROUND

"We want to fund programs that save Americans one soul at a time."
- President Bush, January 2004, in a speech in New Orleans.

The separation of church and state is under fire by President Bush's faith-based initiative. From public education to prison systems and charity work, religious organizations - backed by federal taxes - have become increasingly influential, weakening First Amendment protections against religious coercion or proselytizing by the state.

In 2004, the Congress took its boldest step yet in blurring the line between church and state by voting for provisions in a social services bill that allows faith-based initiatives to engage in religiously based job discrimination. Under the religious exemption to Title VII of the Civil Rights Act, religious organizations are permitted - *with their own private funds* - to

limit their hiring to people of their religion or religious beliefs. However, allowing such hiring practices for federally funded programs is a clear violation of civil rights protections in our country, and amounts to federally subsidized employment discrimination.

Taxpayer dollars should not be used to discriminate against someone because of their religion or religious beliefs. It is both unconstitutional and morally wrong. This initiative constitutes a huge step backwards on First Amendment and civil rights protections in our country.

ACTION

Urge your congressperson to oppose the Faith Based Initiative, which blatantly violates the First Amendment and authorizes government-funded employment discrimination.

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