



## Foundation for Individual Rights in Education

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April 19, 2005

President Shirley M. Tilghman  
Office of the President  
1 Nassau Hall  
Princeton University  
Princeton, New Jersey 08544

### URGENT

*Sent by U.S. Mail and Facsimile (609-258-1615).*

Dear President Tilghman:

As you can see from our Directors (including FIRE co-founders and Princeton University alumni Alan Charles Kors and Harvey Silverglate) and Board of Advisors, FIRE unites civil rights and civil liberties leaders, scholars, journalists, and public intellectuals across the political and ideological spectrum on behalf of liberty, due process, legal equality and—in the matter of the Princeton Faith and Action student group—voluntary association, freedom of speech, and religious liberty on America's college campuses. Our web page, [thefire.org](http://thefire.org), will give you a better sense of our identity and activities.

We consider this matter to be of the utmost urgency, with the most essential legal and moral values at stake. We understand that Princeton University has refused to approve recognition for a Christian student organization, Princeton Faith and Action (PFA), because: (1) the group is affiliated with an outside religious organization not recognized for chaplaincy by the university and (2) the dean of religious life believes that the members of PFA can work with already existing groups that do “similar things.” FIRE also understands that Princeton requires all religious student groups that seek to gain official recognition get an arbitrary “approval” from the dean of religious life before being permitted to apply for recognition. These violations of Princeton's own written guarantees of freedom of speech, association, and religion are inexcusable at one of the nation's leading liberal arts institutions.

The following is our understanding of the facts, drawn from student reports and other sources. Please correct any factual errors, if they exist. Matt Bennett is the founder and president of Christian Union, a non-profit ministry founded in 2002

that is dedicated to working with and providing resources to Christian and non-Christian students at the eight Ivy League universities. Between January of 2002 and the autumn of 2004, Bennett had corresponded with Dean of Religious Life Thomas Breidenthal to discuss the process of attaining recognition for Christian Union as a campus chaplaincy at Princeton. During their correspondence, Dean Breidenthal never gave Christian Union an opportunity to submit an official application for chaplaincy as outlined in the university's "Policy Statement Regarding Recognition of Campus Ministers," nor was the group's potential for chaplaincy evaluated based on the criteria listed in that policy.

In September of 2004, Dean Breidenthal informed the Reverend Richard Linderman, a Christian Union Advisory Board member, that he had decided not to recognize Christian Union for chaplaincy. Dean Breidenthal stated that the reasons for this decision were that: (1) Christian Union was a relatively new organization and needed to develop a track record; (2) another campus chaplain had complained about Christian Union scheduling a Bible study at the same time as one of that chaplain's meetings; and (3) Christian Union had met with Vice President of Campus Life Janet Dickerson without first notifying Dean Breidenthal.

During January to February of 2005, Manna Christian Fellowship (MCF), a recognized student group, attempted to reserve a room on campus to host a Sunday morning event as part of an April conference organized by the Christian Union in Princeton, New Jersey. Dean Breidenthal informed MCF that it could not host Christian Union's Sunday event because it would be a "violation of University policy" to reserve the room for an "outside group." Dean Breidenthal instead directed MCF to tell Christian Union to reserve a room through Princeton's Conference Services. Christian Union attempted to do so, but its request was denied because Conference Services required that the organization have prior approval from the dean of religious life.

Since Christian Union could neither attain recognition as a chaplaincy nor reserve spaces on campus, by March of 2005 Princeton students associated with Christian Union had organized into a group called Princeton Faith and Action (PFA) in order to seek recognition as an official student organization. When the group's leaders approached the Student Government Student Group Recognition Committee (SGRC) to apply for official recognition, they were instructed to meet with Dean Breidenthal to get his approval first.

On April 7, 2005, Cameron Young and Rachel Blair, the president and treasurer of PFA, respectively, met with Dean Breidenthal to discuss recognition for PFA. At the meeting, Dean Breidenthal denied PFA approval to apply for recognition with the SGRC. His reasons were that (1) recognizing PFA would mean "recognizing Christian Union de facto" and (2) the members of PFA could engage in similar activities with existing campus religious groups.

When the students asked Dean Breidenthal why recognizing Christian Union would be a problem, he told them that the issue was "confidential" and refused to discuss it. He further told them that he did not want PFA to become an "arm of the Christian Union on campus." When the

students pointed out that other religious student organizations existed on campus without corresponding recognized chaplaincies, the dean stated that his hope was for such groups (such as the Seventh-Day Adventists and the Muslim student group) to eventually become campus ministries with full-time chaplains.

The dean suggested that, as an alternative, the students work with MCF to organize their activities. According to the students, when they explained that they already attempted to do so, the dean responded: “Not Christian Union conferences. I don’t want you to be a way for Christian Union to hold their conferences on campus.”

At the close of the meeting, the students expressed concern that requiring religious student groups to gain special approval was discriminatory since other student groups do not have the same requirements. The dean’s response was that this was “the way things were done” at Princeton.

Dean Breidenthal’s decision to forbid PFA from associating with the ministry of its choice denies PFA members the right of free association and threatens the freedoms of association and religion of all of Princeton’s students. Furthermore, Dean Breidenthal’s decision appears to have been based on an earlier decision to not recognize Christian Union for reasons entirely unrelated to the normal procedure for recognizing a ministry for campus chaplaincy.

Princeton’s “Policy Statement Regarding Recognition of Campus Ministers” states that:

Princeton University seeks to promote the presence of a vigorous and diverse religious community on campus, to foster interfaith dialogue, understanding and co-operation within that community, and to encourage its active participation in the public discourse of the University. To this end, **Princeton University welcomes the presence of a wide range of denominational and non-denominational ministries reflecting all faiths and religious traditions.** [Emphasis added.]

The policy further states that:

All applications for recognition originate from a religious council, church or other religious body. **The University does not consider applications from individuals. The sending agency submits its application in writing to the Dean of the Chapel and of Religious Life, along with a resumé of the individual it is nominating, a written commitment to pay his or her salary as campus minister, and evidence of medical insurance.** Recognition is conferred by the Dean, in consultation with the Vice-President for Campus Life. [Emphasis added.]

Christian Union was not given the opportunity to send an application as detailed in the policy. In fact, it would have been futile to do so, since Dean Breidenthal had already made it clear in conversations and in several emails that he would not consider Christian Union for recognition. As he stated in a February 21, 2005, email, “authoriz[ing] use of a campus venue [for Christian Union’s conference]...would not be consonant with this office’s decision not to recognize Christian Union as a Princeton University Ministry.” **This revealing statement indicates that Dean Breidenthal had ruled out a chaplaincy for Christian Union before the group had even submitted an application.**

This ongoing violation of the freedom of association and religious liberty of Princeton’s religious students is unconscionable in light of the clear statements protecting students’ rights in the university’s statement on “Rights, Rules and Responsibilities.” If Dean Breidenthal is right and this is indeed “the way things are done” at Princeton, the university is in violation of its own policies on “Campus Associations and Activities,” which promise that:

**Students engaging in extracurricular activities on campus are free to form organizations devoted to a wide variety of objectives,** and, as individuals or members of organizations, to express their views on issues of University and public interest.... **University recognition will not be withheld from any group pursuing lawful objectives** merely because its aims may seem unorthodox. [Emphasis added.]

Dean Breidenthal’s apparently arbitrary method of decision-making simply cannot be reconciled with Princeton’s promises.

Princeton’s policies also state that:

**Student organizations may invite outside speakers of their choice, and are free to hold meetings and in other ways to express their views,** subject only to prudent conditions regarding the protection of people and property and to reasonable regulations concerning time, place, and notice of meetings and other public exercises.... **These policies are intended to safeguard the rights of students and student organizations to freedom of association.** [Emphasis added]

Dean Breidenthal’s prohibition on MCF’s hosting Christian Union for a Sunday conference event on campus violates the guarantee to student organizations that they may “invite outside speakers of their choice.” Instead of “safeguard[ing] the rights of students and student organizations to freedom of association,” Princeton’s actions have threatened the rights at least two religious groups on campus. Indeed, the fact that religious student groups must obtain the arbitrary approval of Dean Breidenthal grants him the power to censor religious groups without restriction or recourse. Non-religious student groups are not required to undergo such an

administrative litmus test in order to apply for recognition. This policy constitutes a shameful and illiberal double standard.

If Princeton is to allow expressive organizations to exist on its campus at all, it should allow religious organizations to exist, to define their missions, to select their own members, and to establish policies, practices, and associations with other groups in pursuit of their goals. No group can control the delivery of its message if it is unable to determine its expressive purpose, membership, and activities. This principle is explained well by the U.S. Supreme Court's decision in *Boy Scouts of America v. Dale*, 530 U.S. 640 (2000). In this decision, the Court pointed out that "implicit in the right to engage in activities protected by the First Amendment is a corresponding right to associate with others in pursuit of a wide variety of political, social, economic, educational, religious, and cultural ends." This right, the Court proclaimed, is "crucial in preventing the majority from imposing its views on groups that would rather express other, perhaps unpopular, ideas."

In addition, the Court has ruled that public institutions are required to grant religious organizations equal access to campus facilities (*see Widmar v. Vincent*, 454 U.S. 263 (1981)), and are also required to grant religious organizations equal access—on a viewpoint neutral basis—to student fee funding. *See Rosenberger v. University of Virginia*, 515 U.S. 819 (1995) and *Board of Regents v. Southworth*, 529 U.S. 217 (2000). As a private institution with policies guaranteeing freedom of association on campus, Princeton should follow the Court's example in protecting the same fundamental freedoms guaranteed by the First Amendment, lest students at one of the nation's most prestigious universities be left with fewer rights than they would have had at their local community college.

Princeton should be aware that FIRE has successfully concluded religious liberty and freedom of association cases at other private universities facing similar situations. For example, at the Catholic University of America (CUA), FIRE defended the right of students to organize an NAACP chapter on campus after CUA attempted to prevent its recognition by claiming its existence would be "redundant" and that it would violate the university's adherence to Catholic beliefs by being "pro-choice." After FIRE reminded CUA of its obligation to legal equality and its own promises of students' rights to freedom of association, CUA decided to recognize the NAACP student chapter. You may wish to read more about FIRE's efforts to defend free speech, religious freedom, and freedom of association on these and other campuses across the nation at [thefire.org](http://thefire.org).

FIRE requests that Princeton University act immediately to correct this ongoing injustice by officially recognizing Princeton Faith and Action as well as any other faith-based groups that may have been denied the right to recognition by the dean of religious life for similar reasons. Only by doing this can Princeton restore to its students the essential rights of freedom of religion and association guaranteed by its own policies. FIRE furthermore requests that Princeton administrators review the institution's legal and moral obligations to treat expressive student

organizations equally and according to the university's promises. Honoring the rights and dignities of its students does not mean that Princeton endorses the particular message or associations of any particular student group—it signifies only that the university recognizes and respects the basic liberties that belong to all of its students.

We hope to see this matter resolved with fairness, common sense, and respect for the principle of legal equality. Because of the urgency of this situation and the continuing violation of religious students' rights, we request that you that you respond to us by 5 p.m. on Tuesday, April 26, 2005.

Sincerely,

A handwritten signature in blue ink, appearing to read "D. French".

David French  
President

cc:

Christopher R. Eisgruber, Provost, Princeton University  
Janet Dickerson, Vice President for Campus Life, Princeton University  
Nancy Weiss Malkiel, Dean of the College, Princeton University  
Tom Breidenthal, Dean of Religious Life, Princeton University  
Kathleen Deignan, Dean of Undergraduate Students, Princeton University  
Members of the Board of Trustees, Princeton University  
Cameron Young, President, Princeton Faith and Action, Princeton University  
Matt Bennett, President, Christian Union