September 15, 2005

The Honorable Arlen Specter
Chairman
United States Senate Judiciary Committee
711 Hart Senate Office Building
Washington, D.C. 20510

The Honorable Patrick Leahy
Ranking Member
United States Senate Judiciary Committee
433 Russell Senate Office Building
Washington, D.C. 20510

Dear Senators Specter and Leahy:

We write as American citizens who feel an obligation to preserve for future generations the constitutional protections we have enjoyed, and as religious leaders with a deep and abiding concern for justice in the lives of individuals and our nation. We urge you to vote against the confirmation of John Roberts as the next Chief Justice of the United States.

Our next Chief Justice must not only be exemplary in character and intellect. That person must also be committed to upholding the principles, laws, and remedies that have allowed this nation to move closer to the ideals of equal justice for all. Unfortunately, it is increasingly evident that John Roberts has spent much of his career trying to undermine those protections, with little regard to the impact of his ideology on Americans' lives and opportunities.

Despite our country's history of egregious efforts to keep racial and ethnic minorities from voting, Judge Roberts helped orchestrate efforts to try to make it harder to challenge discriminatory voting systems and procedures. In addition, he has consistently opposed affirmative action efforts, once declaring that such programs were bound to fail because they required the "recruiting of inadequately prepared candidates." Generations of accomplished Americans who have taken advantage of educational and economic opportunities that would otherwise have been denied to them are living proof that Roberts has been wrong, as well as wrong-headed, when it comes to efforts to diminish the impact of historical and continuing discrimination.

Roberts urged his colleagues in the Reagan administration to "go slowly" on proposed fair housing legislation, claiming that such legislation represented "government intrusion." We profoundly disagree with the ideology that equates government efforts to protect individuals from discrimination in housing with "intrusion." We believe that America achieves its highest ideals when we protect the most vulnerable in our communities.

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As religious leaders, we have a special respect and concern for the religious liberty that allows us to worship freely and without government coercion. We know that separation of church and state, embodied in the First Amendment to our Constitution, safeguards that liberty. We are deeply concerned about the evidence that John Roberts has, throughout his career, opposed federal court rulings that upheld the important principle of government neutrality toward religion. The Constitution demands that our government remains neutral on religion and practice so that all faith traditions may flourish.

Our sacred texts and traditions, as well as our understanding of our nation's core democratic and constitutional principles, demand that we advocate for human dignity for all people, especially for those who have been systematically marginalized and oppressed. We do not find in John Roberts' record evidence that he would uphold the constitutional and legal principles that have advanced the cause of justice in America.

We respectfully urge you to consider carefully the record of Judge John Roberts and hope that you will join us in opposing his confirmation as Chief Justice of the United States.

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