

Major Development in Veteran Pentacle Quest

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On Monday morning, April 23, 2007 Americans United for Separation of Church and State (AU) held a national press conference in Washington, DC to announce a major development in its lawsuit against the US Department of Veterans Affairs for barring the inscription of the Wiccan religious symbol on government-issued memorial markers for deceased veterans.

Following is the result of that Press Conference:

Bush Administration Agrees To Approve Wiccan Pentacle For Veteran Memorials

Monday, April 23, 2007

Settlement In Americans United Lawsuit Comes After Discovery Of A Pattern Of Bias Against Minority Faith

The Bush administration has conceded that Wiccans are entitled to have the pentacle, the symbol of their faith, inscribed on government-issued memorial markers for deceased veterans, Americans United for Separation of Church and State announced today.

The settlement agreement, filed today with the U.S. District Court for the Western District of Wisconsin, brings to a successful conclusion a lawsuit Americans United brought against the U.S. Department of Veterans Affairs (VA) in November.

The litigation charged that denying a pentacle to deceased Wiccan service personnel, while granting religious symbols to those of other traditions, violated the U.S. Constitution.

"This settlement has forced the Bush Administration into acknowledging that there are no second class religions in America, including among our nation's veterans," said the Rev. Barry W. Lynn, Americans United executive director. "It is a proud day for religious freedom in the United States."

Continued Lynn, "Sadly, the refusal of the federal government to recognize the Wiccan pentacle seems to have been built on inexcusable bias, a foundation that has crumbled under the press of this litigation."

In the lawsuit, Americans United represented Roberta Stewart, whose husband, Sgt. Patrick Stewart, was killed in combat in Afghanistan in 2005; Karen DePolito, whose husband, Jerome Birnbaum, is a veteran of the Korean War who died last year; Circle Sanctuary, a prominent Wiccan congregation; Jill Medicine Heart Combs, whose husband is severely ill; and the Isis Invicta Military Mission, a Wiccan and Pagan congregation serving military personnel.

The litigation was coordinated by Richard B. Katskee, AU assistant legal director with oversight by Ayesha N. Khan, AU legal director. They were assisted by other attorneys in the office, including Aram Schvey, AU litigation counsel.

Americans United's attorneys uncovered evidence that the VA's refusal to recognize the Pentacle was motivated by bias toward the Wiccan faith. President George W. Bush, when he was governor of Texas, had opposed the right of Wiccans to meet at a military base in that state. Bush's opinion of Wiccans was taken into consideration when making decisions on whether to approve the Pentacle.

"Many people have asked me why the federal government was so stubborn about recognizing the Wiccan symbol," said AU's Lynn. "I did not want to believe that bias toward Wiccans was the reason, but that appears to have been the case. That's discouraging, but I'm pleased we were able to put a stop to it."

AU's Khan welcomed the settlement.

"It is rank hypocrisy for this administration to claim publicly that it cares about religious freedom and equality but then to quietly and deliberately discriminate against a minority faith like Wicca," she said.

"Until now, this administration's view has been that Wiccans are good enough to fight for their country, but not good enough to be acknowledged with a proper headstone."

Under the terms of the Circle Sanctuary v. Nicholson settlement, the federal government will recognize the right of Wiccans to have the pentacle made available as an emblem of belief for inscription on headstones, grave markers and memorial plaques. The VA will add the symbol to its list of available emblems of belief.

In addition, the VA will make markers bearing the pentacle — an encircled, intertwined five-pointed star — available to the families of Stewart, Birnbaum and others who request them.

AU noted that the VA's list of 38 approved symbols for government gravestones, markers and plaques includes emblems for Christians, Muslims, Atheists, Hindus, Humanists and members of the Eckankar, Serbian Orthodox and United Moravian faiths.

A Wiccan group first petitioned the VA for approval of the pentacle years ago. Officials at the agency dragged their feet on the request but in the interim approved the symbols of six other religions and belief systems. Among them was a Sikh emblem, which the VA approved in just a few weeks.

Wicca is a nature-based religion grounded in pre-Christian beliefs. Circle Sanctuary says the Wiccan religion honors the Divine as both Mother and Father, encompasses love and respect of Nature, celebrates the cycles of Sun and Moon, and encourages adherents to live in harmony with other humans and the greater Circle of Life.

Americans United is a religious liberty watchdog group based in Washington, D.C. Founded in 1947, the organization educates Americans about the importance of church-state separation in safeguarding religious freedom.