



Dr. James P. Clements
President, West Virginia University
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August 3, 2012

President Clements:

It has come to our attention that activists with Fairness WV have recently demanded that West Virginia University (WVU) disassociate with the Chick-fil-A that was chosen by WVU's students to serve in the Mountain Lair. I write to strongly encourage you to diligently defend the rights enshrined within the First Amendment and exercise caution in how the university proceeds.

Every American should be free to live and do business according to their faith. Sadly, as recent events seem to indicate, it has become clear that some will defend one's First Amendment right to free speech, but will not permit that person – or the business they operate and ministries they lead – to live life according to that speech.

Yet the First Amendment to the Constitution of the United States, as well as the Constitution to the State of West Virginia, clearly protects the right of Chick-fil-A (or any other business) to express their opinions on marriage and other important political or social issues. Therefore, any retaliation taken against Chick-fil-A on WVU's campus would be a clear violation of Federal law.

Moreover, were your office to approve the disassociation with a company who serves your students by selling chicken, you would undermine the very important lessons of free speech and tolerance that the university seeks to teach to its student body. Indeed, it would undermine the very meaning of the word, "university" as you seek to find "unity" amidst "diversity."

We wonder just how far those who demand the censoring speech are willing to extend their logic in an attempt direct the internal affairs of WVU. For example:

- If the Mountaineer football program is invited to the Chick-fil-A bowl, will you be permitted to accept?
- Are university alumni – like myself – who hold to the same "bigoted" opinion as Mr. Cathy welcome on campus?
- Will Fairness WV permit you to accept donations from businesses and businessmen in the state who, like Mr. Cathy, are married to their first wife and believe that every child is deserving of a mom and a dad?
- When a student organization seeks to use student activity funds to have their meetings catered by a Christian caterer, will they be denied?

Finally, in their letter to you, Fairness WV made scurrilous accusations against the good character of various religious institutions across this country. Some of those organizations have ministry chapters actively caring for the students on your campus. Should you cater to their demands with regard to fried chicken, how long will it be before this same policy – one purportedly used to promote, “nondiscrimination” – is invoked to ask you to remove from campus the Fellowship of Christian Athletes, Cru, Baptist Campus Ministry, InterVarsity Christian Fellowship, Campus Light Ministries, and the myriad other student ministries?

We believe any retaliation the university may take upon Chick-fil-A should be viewed as a pre-emptive attack upon the religious liberty of every WVU student, alumnus, professor, and supporter. Insofar as your office is willing to expose the university to such legal liability, we are prepared to defend the right of these ministries to hear and speak the Truth of the Gospel.

To discuss these concerns and clarify WVU’s position thereto, we request a meeting, in-person, with you at your earliest convenience. Moreover, we would encourage you to invite the leaders of the religious student ministries on your campus into your home to personally convey to them your support and appreciation for the loving work they do in service to Christ and the students and faculty of WVU.

The great seal of West Virginia University bears the words, written in Greek, from 2 Peter 1:5, “Add to your faith, virtue and to virtue, knowledge.” We pray that you will be guided by this instruction and allow faith to foster both virtue and knowledge in the lives of the students that have been entrusted to your care.

Respectfully,

A handwritten signature in blue ink, appearing to read "Jeremiah G. Dys", with a long horizontal flourish extending to the right.

Jeremiah G. Dys, Esq.,
President and General Counsel.