FOREWORD

The First Amendment Law Review was formed in the Spring of 2002 for the purpose of promoting and protecting the rights and freedoms granted by the First Amendment to the Constitution of the United States of America. This initial volume is a first step in that long endeavor.

In opening a space for individuals to engage in an ongoing discussion of the meaning and limits of the First Amendment, the First Amendment Law Review consciously takes no position on the issues raised. It is our purpose to provide a neutral forum where scholars can mutually explore the First Amendment and articulate ideas as broad and diverse as the citizens who fall under its protection. Toward that end, we actively solicit balanced perspectives and encourage opposing dialogue.

The inaugural year of the First Amendment Law Review was marked by two primary achievements. The first was the publication of papers in the volume before you. The second was the production of the symposium entitled “Separation of Church and States: An Examination of State Constitutional Limits on Government Funding for Religious Institutions” held in March of 2003 and co-sponsored by the Pew Forum on Religion and Public Life. Both of these activities were made possible through the tireless efforts of truly exemplary individuals.

The liberties offered to the American people in the First Amendment are at once exalted and challenged, beloved and vilified, easily understood and quickly confused. First Amendment issues often touch the heart of our national identity and personal passions, sparking loud and sincere debate. Rather than shy away from this discussion, it is our hope that the continued efforts of the First Amendment Law Review will lead to a rich and varied exploration of the “freedom of conscience rights” protected by the First Amendment. As Justice Robert Jackson once said, “freedom to differ is not limited to things that do not matter much. That would be a shadow of freedom.”

Jason Bradley Kay
Editor in Chief
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