



Written by [Alex Newman](#) on February 14, 2013

Obama Bid to Deport Homeschool Refugees May Threaten U.S. Rights

[Homeschooling advocates are up in arms](#) after Obama's Justice Department, led by [disgraced](#) Attorney General Eric Holder, claimed that a ban on home education was not a violation of fundamental human rights and that, as such, the [ruthlessly persecuted Romeike family](#) should be deported to Germany. Experts say deporting the innocent homeschoolers to face barbaric German authorities — infamous worldwide for lawlessly abducting homeschooled children and jailing home-educating parents — would be bad enough. Particularly troubling for Americans in general, however, is that the case could set a dangerous precedent for U.S. freedom, too.



The Romeikes, who fled [outrageous persecution in Germany](#) so that they could homeschool in peace and freedom in America, were [awarded asylum](#) in the United States by a federal immigration judge in 2010. They had fled from their native land two years earlier to escape the [extreme punishments](#) meted out to homeschoolers there. According to U.S. law, persecuted members of particular social groups — home educating families or Christians, for example — are supposed to be allowed to stay in the Land of the Free to avoid further persecution in their homelands.

With help from the U.S.-based [Home School Legal Defense Association](#) (HSLDA), the Romeikes, evangelical Christians who refused to surrender their children to the German government's "education" system in the face of a [Nazi-era ban on homeschooling](#), were granted political refugee status. The family, which currently lives and homeschools in Tennessee, argued successfully in court that they were being persecuted for their beliefs and homeschooling by German authorities — officials who [refuse to respect human rights and engaged in a vicious campaign that included massive fines, threats to remove parental custody, and jail time](#).

"We can't expect every country to follow our Constitution. The world might be a better place if it did," [noted](#) U.S. Immigration Judge Lawrence Burman in his ruling, which was celebrated by human rights activists worldwide. "However, the rights being violated here are basic human rights that no country has a right to violate. Homeschoolers are a particular social group that the German government is trying to suppress. This family has a well-founded fear of persecution." In his verdict, the judge called the ruthless German persecution "repellent to everything we believe as Americans."

For the Obama administration and [disgraced](#) Justice Department chief Holder, however — despite [numerous international agreements enshrining parental rights](#), as well as, of course, the U.S. Constitution and Supreme Court rulings — a ban on home education is perfectly acceptable. After the asylum ruling, the administration immediately sprang into action to help the German government crush the Romeike family and to ensure that other homeschooling refugees fleeing Germany would have to



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find somewhere else to go. Most of the German victims have [fled to neighboring countries, all of which allow home education](#).

With the Romeikes, first, the Department of Homeland Security — which, ironically, is at the same time [working fiendishly to provide amnesty to millions of illegal immigrants](#) — disputed the asylum decision with the Board of Immigration Appeals. The Obama administration argued, among other points, that the family should be promptly deported even though the children may be seized by authorities and the parents jailed if they are forced to return to Germany. The family appealed that decision, but the attorney general has decided to seek the deportation of the Romeike family anyway. The case, *Romeike v. Holder*, is currently before the Sixth Circuit U.S. Court of Appeals.

Homeschooling leaders in the United States, while deeply concerned about the fate of the Romeikes and hundreds of other persecuted German home-educating families, are also sounding the alarm about the legal arguments being made by the Obama administration — specifically how they relate to Americans' freedoms. The German government, of course, continues to enforce and justify its draconian ban on the right to homeschool by claiming the purpose is to “counteract the development of religious and philosophically motivated parallel societies.” Essentially, authorities there argue that everybody must think the same.

Incredibly, however, the U.S. Justice Department claimed in court filings that such policies do not constitute a violation of fundamental human rights, at least not as long as everybody's rights are infringed upon equally. In other words, the U.S. government is basically arguing that a total ban on homeschooling does not violate fundamental rights. In its response to the family's appeal, Holder also claimed that there was no religious persecution involved because not all homeschoolers are religious and not all Christians choose to educate their children at home.

“This argument demonstrates another form of dangerous ‘group think’ by our own government. The central problem here is that the U.S. government does not understand that religious freedom is an individual right,” [explained](#) attorney and HSLDA Chairman Michael Farris, an internationally respected expert on human rights law and home education. “One need not be a part of any church or other religious group to be able to make a religious freedom claim. Specifically, one doesn't have to follow the dictates of a church to claim religious freedom — one should be able to follow the dictates of God Himself.”

In a statement posted on the organization's website, Farris noted that the U.S. Supreme Court has already made it clear that religious freedom is an individual right. The current administration, however, does not seem to understand that. “They only think of us as members of groups and factions,” the HSLDA founder and constitutional law professor continued. “It is an extreme form of identity politics that directly threatens any understanding of individual liberty.”

Another part of the administration's argument is that the Romeike family is not being persecuted as part of a “particular social group” with “immutable characteristics” that cannot or should not be required to change. Basically, DOJ is saying that because the family can choose not to homeschool, they do not deserve political asylum. In his online statement, however, Farris rips apart the argument by drawing a hypothetical comparison: What if the government claimed, for example, that it could force Orthodox Jewish children to eat pork for part of the week because they could eat kosher food the rest of the time?

“This argument necessarily means that the United States government believes that it would not violate



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your rights if our own government banned homeschooling entirely,” noted Farris. “After all, you could teach your children your own values after they have had 22-26 hours of public school indoctrination aimed at counteracting religious and philosophical views the government doesn’t like.”

That argument leads logically to deeply troubling conclusions. “When the United States government says that homeschooling is a mutable choice — they are saying that it is a characteristic that a government can legitimately coerce you to change,” Farris explained. “In other words, you have no protected right to choose the education for your children. Our nation could remove your ability to homeschool and your choice would be mutable — since the government has the authority to force you to implement their wishes.”

Farris concluded his analysis by warning that the Obama administration and Holder’s Justice Department in particular are making extremely dangerous claims that could represent a real threat to the fundamental liberties of all Americans. “We should understand that in these arguments by the U.S. government, something important is being said about our own liberties as American homeschoolers,” he explained. “The Attorney General of the United States thinks that a law that bans homeschooling entirely violates no fundamental liberties.”

While the ultimate fate of the Romeike family remains unclear — a decision in the case is not expected for about another year — the implications of the case are far-reaching. Indeed, homeschooling advocates around the world say that it is important for free Americans to stand up for the human rights of persecuted German homeschooling families, and that by doing so, U.S. liberties are being protected in the process.

As *The New American* [reported last year from the first ever Global Home Education Conference](#) in Berlin, homeschooling leaders, human rights activists, attorneys, policymakers, families, and more from across the globe are increasingly united in their [resolve to protect the rights of parents to raise their children in accordance with their religious and philosophical views](#). Worldwide, aside from [Sweden](#), [Germany](#), and some full-blown dictatorships, the trends appear largely favorable.

However, with the outrageous arguments being advanced by the Obama administration in the Romeike case, home-education advocates say the time to get involved in defense of educational liberty is now. If the president and his [extremist allies](#) get their way — they are already [pushing for federalized, universal pre-school](#), while [bribing states into accepting the national “Common Core”](#) school curriculum — the parental rights of all Americans could be in serious jeopardy.

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