

# Liberating Religious Liberty

## A REFLECTIVE BIBLE STUDY

To understand a theologically-based and **positive and inclusive definition** of religious liberty that explains **why religious liberty should not be used as a license to discriminate**

*Rev. Dr. Roland Stringfellow*

*“LET ME NEVER FALL INTO THE VULGAR MISTAKE OF DREAMING THAT I AM PERSECUTED WHENEVER I AM CONTRADICTED.”*

RALPH WALDO EMERSON

## SESSION ONE

### *Defining Religious Liberty*

#### ◆ Goals & Outcomes

- ❖ Reviewing the history and formation of the concept of Religious Liberty
- ❖ Exploring the harm that can result when religious liberty is misapplied

#### ◆ Reflection: What is Religious Liberty?

Religious Liberty sounds like a positive concept. **Religion** has created good in the lives of many people and who doesn't love **liberty**? However, these good sounding words have taken on a different meaning in our contemporary age.

Religious Liberty was at the core of this new nation in the early 1600's. The Pilgrims and Puritans were willing to venture to a new world in part to establish their own independence from the Church of England. They desired to worship their God free from persecution, which they felt was worth the risks of their transatlantic voyage. Unlike our contemporary American culture where people have the freedom to attend one church,

and then find another or not attend church at all, the freedom of religion of the early settlers was not as casual. It held more weight for them. One does not travel across an ocean simply because you want to attend another church. The freedom to practice their religion was equated to finding their lives, despite facing religious intolerance in the New England colonies.

Central to the Pilgrim and Puritan worldview was their sense of their religious and moral authority. They believed their new land was their spiritual inheritance as God's chosen people. The Puritans, in particular, saw themselves as superior because they believed that they had been selected to "purify" Christ's church. Both groups asserted themselves as knowing what was best for the masses. What started out as providing moral guidelines for the Colonial settlers, the Pilgrims and Puritans soon began an oppressive religious system of conformity. They began to practice a theocracy (a government based upon religious principles and authority) which they felt gave them in a moral superiority. Those who did not conform to their way of living were met with persecution. It is an unfortunate situation when the oppressed become the oppressors.

♦ **Scripture: Matthew 18: 23-34**

*"Therefore, the kingdom of heaven is like a ruler who wanted to settle accounts with his servants. As the ruler began the settlement, a man who owed him ten thousand bags of gold was brought to him. Since he was not able to pay, the ruler ordered that he and his wife and his children and all that he had be sold to repay the debt. At this the servant fell on his knees before him. 'Be patient with me,' he begged, 'and I will pay back everything.' The ruler took pity on him, canceled the debt and let him go. But when that servant went out, he found one of his fellow servants who owed him a hundred silver coins. He grabbed him and began to choke him. 'Pay back what you owe me!' he demanded. His fellow servant fell to his knees and begged him, 'Be patient with me, and I will pay it back.' But he refused. Instead, he went off and had the man thrown into prison until he could pay the debt. When the other servants saw what had happened, they were outraged and went and told the ruler everything that had happened. Then ruler called the servant in. 'You wicked servant. I canceled all that debt of yours because you begged me to. Shouldn't you have had mercy on your fellow servant just as I had on you?' In anger the ruler handed him over to the jailers to be tortured, until he should pay back all he owed."*

♦ **Questions: The Oppressed becomes the Oppressor**

1) What causes some people to want to overpower and oppress others even if they themselves have been oppressed?

2) Religious oppression is not new. Is there something unique about religion that empowers some to want to oppress others? If so, what do you think it is?

### ◆ **Reflection: Modern Day Religious Liberty**

In 1990, the Supreme Court stated that the state of Oregon had the right to deny unemployment benefits to those who tested positive for the use of peyote - a hallucinogenic drug used in Native American spiritual rituals.

1993, President Clinton signed into law the **Religious Freedom Restoration Act (RFRA)** that overturned this decision stating that Oregon did not have the right to interfere with religious practice. This gained support from both Liberal and Conservative organizations. The RFRA law was originally intended to protect the religious practices of a minority group and ensure the freedom of Americans to hold difference believes.

Religious Liberty in America is recognized by many as each person being entitled to their own religious beliefs. However, some people wish to use this law to impose their beliefs on others who do not share them. It often seems that those who advocate for protections against religious bias do so with a sense of **self**-empowerment and **self**-entitlement rather than from feelings of genuine concern and a desire to protect others.

States legislatures have worked to enact RFRA legislation. Their argument is that no burden should be placed on an individual's or even a private company's religious conviction and if providing service does so, then those who feel burdened may refuse those services. Examples of this include:

- *Religiously affiliated schools firing women because they became pregnant while not married;*
- *Business owners refusing to provide insurance coverage for contraception for their employees;*
- *Graduate students, training to be social workers, refusing to counsel gay people;*
- *Pharmacies turning away women seeking to fill birth control prescriptions;*
- *Physicians refusing medical care to the child of a same-sex couple*

### ◆ **Questions: Religious Supremacy**

1) Supremacy means to feel superior to others. What is the link between supremacy and harmful religious liberty laws?

2) What are the potential consequences when individuals and/or private companies are allowed the right to deny services to those they believe go against their moral/religious positions?

♦ **Closing Reflection:**

***“Let the peace of Christ rule in your hearts, since as members of one body you were called to peace. And be thankful.”***

Colossians 3:15

As members of the Christian church, we are encouraged to work towards unity and peace as individual parts of the whole body. May we not look down on others but be thankful for them as we recognize that each person is a unique creation of God worthy of human dignity.

# Liberating Religious Liberty

## SESSION TWO

*The Power and Influence of the Courts in protecting against or promoting harmful Religious Liberty laws.*

### ◆ **Goals & Outcomes**

- ❖ Exploring issues of the Bible, social justice, sexuality, and gender.
- ❖ Understanding how our contemporary courts have played a role in this issue of Religious Liberty

### ◆ **Scripture: Romans 7:1-6**

*“Do you not know, brothers and sisters—for I am speaking to those who know the law—that the law has authority over someone only as long as that person lives? For example, by law a married woman is bound to her husband as long as he is alive, but if her husband dies, she is released from the law that binds her to him. So then, if she has sexual relations with another man while her husband is still alive, she is called an adulteress. But if her husband dies, she is released from that law and is not an adulteress if she marries another man. So, my brothers and sisters, you also died to the law through the body of Christ that you might belong to another, to him who was raised from the dead, in order that we might bear fruit for God. For when we were in the realm of the flesh, the sinful passions aroused by the law were at work in us, so that we bore fruit for death. But now, by dying to what once bound us, we have been released from the law so that we serve in the new way of the Spirit, and not in the old way of the written code.”*

### ◆ **Questions: Released from the Law**

- 1) The Law of Moses stated that a woman was free from her marital vows only if her husband was deceased. In what ways are Christians free from the law of the flesh?
- 2) Based upon the above passage, how is the being **free** from “law of the flesh” a form of religious **liberty**?

## ◆ **Reflection: Religious Liberty goes to court**

Recognition and protections for LGBTQ people have been a long-fought battle in our nation. Currently there are no federal laws that would prevent an “out” LGBTQ person from being fired from their job. Religious conviction or religious teaching is cited most often as the reason for opposition to marriage equality - the federal recognition of civil marriage for same-sex couples.

*The Southern Baptist Convention filed a “friend of the court” brief before the Northern California United States District Court in favor of Proposition 8, the California ballot initiative specifying that marriage must be between one man and one woman. According to this brief, the Southern Baptists have no choice but to oppose same-sex marriage – they are duty bound to defend an understanding of marriage that is rooted in “biblical standards.” Though the ceremonial and civil laws given to Moses in the Old Testament are no longer in force, the brief argues, divinely given moral laws, which are characterized ... as eternal and unchanging, must be obeyed.<sup>1</sup>*

Following the historic Obergefell v. Hodges case granting same-sex couples the right to marry in America in 2015, Justice Samuel Alito cautioned that personal opinions expressed in public against same-sex marriage could lead the “politically correct police” to label individuals or institutions as bigots. This fear of suppression was also expressed by many who felt their traditional view of marriage had been taken away. What some saw as “political correctness,” others viewed as showing respect towards others, especially towards those who have historically not received respect from society.

As celebrations, well-wishes, and marriages began to take place across the nation on that day in June, following the Obergefell v. Hodges decision, a threat to these couples and their families loomed overhead. It was a threat that has been seen in our nation before and many marriage equality activists saw it coming - denying access to marriage licenses on the basis of the “religious conviction.”

*On Monday, a same-sex couple entered the county clerk’s office of Rowan County, Kentucky to ask for a marriage license. Kim Davis, the local county clerk, refused, openly defying the recent U.S. Supreme Court decision legalizing same-sex marriage nationwide. When the couple demanded to know under whose authority she could deny them their legal right, Davis appealed not to the high courts, but to a higher power. “Under God’s authority,” she said defiantly, staring back at the questioner.<sup>2</sup>*

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<sup>1</sup> Jennifer Knust Wright, *Unprotected Texts* (New York: Harper One, 2011): 8.

<sup>2</sup> Jack Jenkins, “The Religious Beliefs of Kim Davis, the Anti-Gay Clerk who Refused to do her Job.” *Think Progress*, September 2, 2015: <https://thinkprogress.org/the-religious-beliefs-of-kim-davis-the-anti-gay-clerk-who-refuses-to-do-her-job-explained->

Many Progressives hoped that once the opponents of marriage equality had their day in court, they would accept defeat and move on. However, it is naive to think that most people accept defeat graciously, especially when the stakes are high. For many, there is nothing higher than the stakes of the moral character of their nation. Some Christian leaders categorize this as a war of “good versus evil” or “light versus dark.” This is language that resonates well with many church-goers. As one article stated, “Another cue Conservative Christians are taking from their Obergefell defeat: Don’t focus too heavily on gay and lesbian peoples’ sex lives. Instead, focus on religious liberty issues that have nothing to do with the bedroom.”<sup>3</sup>

♦ **Questions: Protections from the Courts?**

1) The First Amendment to the United States Constitution prohibits the making of any law respecting an establishment of religion, impeding the free exercise of religion, abridging the freedom of speech, infringing on the freedom of the press, interfering with the right to peaceably assemble ...

Should people have the right to express their opinions without fear of backlash? What are the consequences of this?

2) When you hear those in the judicial system (lawyers, judges, Supreme Court Justices) expressing their political points of view, is that a cause for alarm or just the way things are?

♦ **Closing Reflection:**

***“Come to me, all you who are weary and burdened, and I will give you rest. Take my yoke upon you and learn from me, for I am gentle and humble in heart, and you will find rest for your souls. For my yoke is easy and my burden is light.”***

Matthew 11:28-30

For many, finding true justice (either from law enforcement or the courts) can be difficult if your identity is not valued. Words like “justice” and “freedom” are reduced to unattainable concepts. But Christ invited his followers to come to him when we feel burdened by life and exchange it for rest for our souls. May Christian churches become harbors for those seeking rest when they feel unvalued.

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3b4462bec00d/ <http://thinkprogress.org/lgbt/2015/09/02/3698100/kim-davis-hypocritical-theology/> (Accessed on September 28, 2017).

<sup>3</sup> Ibid.

# Liberating Religious Liberty

## SESSION THREE

### *The Link Between Supremacy and Religious Liberty: Part 1*

#### ◆ **Goals & Outcomes**

- ❖ Showing the commonalities between historical supremacist movements and modern day religious liberty legislation.
- ❖ Showing how a religion can be used to truly liberate – and not suppress – them.

#### ◆ **Story: Gun Rights as Religious Liberty?**

*“Cheryl” loved her nephew. She was in the hospital the night he was born and remembered how hefty he was as a baby. “Travis” was now 22, working a good job for the state doing road repairs during the summer months and snow removal during the winter in their part of Wyoming. It was a tradition that the entire family would gather at Cheryl’s mother’s home every Sunday after church for dinner. It was something everyone pitched in to help and they looked forward to it, until the arguments over the gun began.*

*Cheryl’s three children would run around their grandmother’s home playing “hide and go seek.” By the time Travis arrived at the house, he entered with his pistol strapped to his side. Cheryl told Travis that she didn’t mind him having his gun, but was uncomfortable with him having it around her children. Unmoved, Travis would rattle off that it was his right to carry his firearm whenever and wherever he chose. This back and forth would continue for weeks. One Sunday, Travis told Cheryl that it was his God-given right to carry his weapon.*

*“How do you figure that?” Cheryl asked with exhaustion.*

*“God supports the US Constitution and the 2<sup>nd</sup> Amendment is a part of that. We have a biblical obligation to preserve life!” Travis shot back [pun intended] with authority in his voice.*

*After weeks of listening to Travis’ ranting based on the Conservative talk-radio justifications about how “the enemy” wants to come and take away our guns and “freedoms,” with resignation in her voice, Cheryl said, “So basically you are telling me*

*that in order for me and my children to continue to come here on Sundays, we are just going to have to suck it up and deal with your right to “open carry.”*

*“No, that is not what I am saying!” replied her nephew defensively.*

*“Yes, that is exactly what you are telling me. Each time I tell you I don’t feel safe with you carrying your gun where your cousins can see it and possibly have access to it, your ‘rights’ will always trump my feelings for safety.”*

*With that, Travis was silent. In fact most of the family kept silent during dinner. The next Sunday, Travis skipped the family dinner and Cheryl wondered if she had lost the relationship with her nephew. The following week he returned without his gun on his side, but with a box. His grandmother asked him, “What is it that you got there?”*

*“It is a ‘gun safe’. I am going to start keeping my gun locked in here when I come over on Sundays. Would it be alright if I kept the safe here in your bedroom Gram?” Travis replied. At that, Cheryl smiled and she loved her nephew more than ever.*

#### ◆ **Questions: Held Hostage**

1) Have you felt captive by someone else’s political views? If so, how did you handle the situation? Would you do something different the next time it happens?

2) Do you agree with Travis that God supports the US Constitution? Why or why not?

#### ◆ **Scripture - Romans 14:1-3; 13-19**

*Welcome those who are weak in faith, but not for the purpose of quarreling over opinions. Some believe in eating anything, while the weak eat only vegetables. Those who eat must not despise those who abstain, and those who abstain must not pass judgment on those who eat; for God has welcomed them.*

*Let us therefore no longer pass judgment on one another, but resolve instead never to put a stumbling block or hindrance in the way of another. I know and am persuaded in the Lord Jesus that nothing is unclean in itself; but it is unclean for anyone who thinks it unclean. If your brother or sister is being injured by what you eat, you are no longer walking in love. Do not let what you eat cause the ruin of one for whom Christ died. So do not let your good be spoken of as evil. For the kingdom of God is not food and drink but righteousness and peace and joy in the Holy Spirit. The one who thus serves Christ is acceptable to God and has human approval. Let us then pursue what makes for peace and for mutual upbuilding.*

◆ **Questions:**

- 1) What do you think “weak faith” is about?
- 2) Have you encountered a person who is more interested in following the rules of religion out of fear of not being compliant and seems to miss the joy of their relationship with God?
- 3) How can we make peace with people who practice their religion this way?

◆ **Reflection: Revisiting the story of Cheryl and Travis**

In this scenario between Cheryl and her nephew, their conflict boiled down to “*my right*” to bear arms is more important than “*your freedom*” to feel safe. Although they belong to a tightknit family whose members love each other, they could not see eye-to-eye on this political conflict that was made very personal.

Cheryl respected Travis’ “right” to carry his weapon in public (although she ethically may have disagreed with that law), but not around her children who could have access to it or be influenced by gun ownership in a way she disapproves.

The words “rights” and “freedom” are too often used interchangeably, but there is a distinct difference between what Cheryl and Travis are communicating and why they were at an impasse. A more contemporary political use of the word “rights” can carry an aggressive and demanding tone. There was a period in American history when only free white men had rights. This tone sounds like a call to return to this time to “make America great again.” Quite possibly this is the reason why we do not see many people of color as members of militia groups.

Travis’s expression of his “right” to carry his gun sounded more like an expression of a “*duty* to defend and protect.” And rather than expressing her “freedom,” Cheryl expressed how she felt more *captive* by Travis than free to feel safe and comfortable in her mother’s home.

It is quite odd to travel from religious liberty (understood as providing recognition and protection to a religious minority) to a definition of “the right to open carry.” Yet, this is an example of the confusion of terms in the debate over rights and freedoms, particularly when religious justifications or rationales are used. Travis placed his aunt into an “enemy Liberal” camp that is allegedly opposed to “guns and God.” Whereas some people do not see the connection between being anti-gun rights as the same as “anti-God,” there are others who recognize the freedom to “open carry” as akin to the freedom to be a Christian.

A prime example of this position is found in the title of the autobiography of former Arkansas Governor Mike Huckabee, *God, Guns, Grits and Gravy*. Below is an excerpt from his book that captures the idea that people who love “God and guns” are morally superior to the so-called “God-less and weak.”

*I travel to New York City every week to host my TV show on the Fox News Channel. Because the show originates from there, most people*

*think that I surely must live there. I'm quick to say, "I don't live there and won't unless they will let me duck hunt in Central Park." I'm quite certain that isn't going to happen since it's all but impossible to own a gun in New York City, much less legally use it. Unless you're a cop or a crook, you probably don't possess a firearm in New York City. In fact, you've probably never seen one in person.*

*And while there are some really wonderful churches in New York City, I get the impression that the total number of the people who faithfully attend church is a small fraction of the population. It's not completely Sodom and Gomorrah, but the traffic at 3 a.m. Sunday is more intense than at 11 a.m. That ought to tell you something.*

*I feel a bit more disconnected from people who have never fired a gun, never fished with a cane pole, never cooked with propane, or never changed a tire. If people don't put pepper sauce on their black-eyed peas or order fried green tomatoes for an appetizer, I probably won't relate to them without some effort.<sup>4</sup>*

Huckabee illustrates in his book a contempt for others who do not share his point of view. This harsh rhetoric can create political enemies. This is how Travis initially approached his aunt. Fortunately, in the end, Travis was able to see beyond his politics on gun rights and recognize the wounded feelings of his aunt who loves him.

#### ◆ **Reflection: Bleeding Heart Liberals**

The “Liberal” or Progressive response to religious liberty is not always virtuous. Those who identify their politics and religious beliefs as Progressive can find it easy to wag their fingers at the supremacist and sanctimonious activities from Conservatives. The “bleeding hearts” want to run to the aid of the marginalized minorities. They like to see themselves as bearers of justice and that their practice of Christianity is more connected with the mission of Jesus the Christ.

These descriptors do not completely describe everyone who self-identifies as “Liberal,” just as the characterization given earlier of religious Conservatives does not define all who self-identify as “Conservative.” An African-American cannot be held responsible for all the negative actions of their race, but they cannot turn a blind eye to them either. They must be concerned and, when prompted, correct negative deeds with positive ones. This should be the responsibility of all members of a particular group – to work towards constructive outcomes that cause no harm.

#### ◆ **Questions: Christian Values**

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<sup>4</sup> ABC News via THIS WEEK, “Excerpt: ‘God, Guns, Grits and Gravy,’ by Mike Huckabee,” January 16, 2015, <http://abcnews.go.com/blogs/politics/2015/01/excerpt-god-guns-grits-and-gravy-by-mike-huckabee/> (Accessed on February 19, 2016).

- 1) Does Mike Huckabee have a valid point about not feeling an affinity with people who have different religious and social values than his (such as gun rights)?
- 2) Have you witnessed those who identify as Progressive or Liberal Christians practicing exclusion towards other people? If so, what are some examples?
- 3) What are the consequences of prioritizing **personal** (albeit mainstream) Christian values when we create **public** policies for American culture?

♦ **Closing Reflection:**

***“If it is possible, so far as it depends on you, live peaceably with all.”***

Romans 12:18

To live at peace with those you disagree with can seem like an impossible task. However, it is possible to look beyond our arguments in order to see the person in front of you – flesh and blood just as you are. Peace is possible when we are able to recognize our common humanity in spite of our differences.

# Liberating Religious Liberty

## SESSION FOUR

### *The Link Between Supremacy and Religious Liberty: Part II*

#### ◆ **Goals & Outcomes**

- ❖ Showing the commonalities between historical supremacist movements and the modern day religious liberty legislation.
- ❖ Showing how a religion can be used to truly liberate others and not suppress them.

#### ◆ **Reflection: God and Guns**

In the previous session, we began the exploration of how an individual's religious or political conviction can be forcibly imposed upon others in a stance of "might makes right." Religiously Conservative leaders like Mike Huckabee will use the name of "God" in order to give a "righteous" sheen to their causes – like gun rights. Gun rights have nothing to do with God or belief in God, yet because of the Liberal /Conservative divide in our country, many on the Conservative side have co-opted "God" and "God's approval" on an issue like gun rights. Many will argue that Christians who are supportive of same-sex marriage have also co-opted "God's love" for all people to justify their position. However, it is always wrong for anyone to claim the name of God to justify exclusion of one group of people. Slavery in America was once seen as a "religious" endeavor to maintain God's curse of Ham<sup>5</sup> over African people.

America is a pluralistic society – meaning that we are a country made up of various people with different beliefs and perspectives. When some argue that the laws of our country should be based upon God's principles (a theocracy) – whose God are they referring to? While some would argue that it is godly to defend one's family with firearms, others would say it is ungodly to use weapons of any sort to harm another. We each relate to God in our own unique way. Many feel comfortable having a religion

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<sup>5</sup> The curse of Ham is referenced in Genesis 9:20-27 and explained in detail in David M. Goldenberg, *The Curse of Ham: Race and Slavery in Early Judaism, Christianity, and Islam* (2003, Princeton University Press).

with many rules, while others adhere to this single rule: “Love God with all your heart, mind and strength and love your neighbor as yourself.”

♦ **Reflection:** *What is the link between historical racial supremacy and modern day harmful Religious Liberty laws?*

***Birth of a Nation***

D.W. Griffith’s 1915 silent film “The Birth of a Nation” centered during one of the most divided periods of our nation’s history – The Civil War and Reconstruction.



The film is a story of a group of men, dissatisfied with the government interference in their “private” business affair (that is, slavery).

They met in secret in order to devise of plan to maintain their power and preserve their “way of life” through fear tactics and violence.

***Christian Dominionism*** (the belief that “America is a Christian nation”)

In 1994, fifty-five fundamentalist Christian leaders assembled secretly behind locked gates to plan their ‘short term’ solution for the problem of lesbian and gay Americans.<sup>6</sup>

Their plan was to preserve their “way of life” by promoting a Conservative Christian supremacy that would expand its influence into government, business, medical practice, education and religion. The goal was for their supremacy to be solidified as a matter of public policy and law.

While they did not encourage direct violence against LGBTQ people, they have mischaracterized these individuals, and this has led to the spiritual, emotional, and physical death of those who have been the victims of their “moral” campaign.

According to the Pew Research Center (2014), the “U.S. is a Christian-dominated society.” Since Christians are in the majority, it is disingenuous to claim that they are a marginalized group and thus the victims of oppression. We need to understand being Christian as “Christian privilege” much the same way that one has other privilege and power based on being a member of the dominant group.

♦ **Questions: Supremacy and Dominionism**

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<sup>6</sup> Mel White, *Holy Terror: Lies the Christian Right Tells to Deny Gay Equality* (New York: Magnus Books, 2006): 121.

- 1) How has white supremacy been a dominating force in America?
- 2) How has Christian Dominionism influenced American society?

♦ **Scripture – Daniel 3:1-18**

*King Nebuchadnezzar made a gold statue ninety feet high and nine feet wide and set it up on the plain of Dura, in the province of Babylon; then he sent messages to all the princes, governors, captains, judges, treasurers, counselors, sheriffs, and rulers of all the provinces of his empire, to come to the dedication of his statue.*

*When they had all arrived and were standing before the monument, a herald shouted out, “O people of all nations and languages, this is the king’s command: “When the band strikes up, you are to fall flat on the ground to worship King Nebuchadnezzar’s gold statue; anyone who refuses to obey will immediately be thrown into a flaming furnace.” So when the band began to play, everyone—whatever his nation, language, or religion—fell to the ground and worshiped the statue. But some officials went to the king and accused some of the Jews of refusing to worship. “Your Majesty,” they said to him, “you made a law that everyone must fall down and worship the gold statue when the band begins to play, and that anyone who refuses will be thrown into a flaming furnace.*

*But there are some Jews out there—Shadrach, Meshach, and Abednego, whom you have put in charge of Babylonian affairs—who have defied you, refusing to serve your gods or to worship the gold statue you set up.” Then Nebuchadnezzar, in a terrible rage, ordered Shadrach, Meshach, and Abednego to be brought in before him. “Is it true, O Shadrach, Meshach, and Abednego,” he demanded, “that you are refusing to serve my gods or to worship the gold statue I set up? I’ll give you one more chance. When the music plays, if you fall down and worship the statue, all will be well. But if you refuse, you will be thrown into a flaming furnace within the hour. And what god can deliver you out of my hands then?”*

*Shadrach, Meshach, and Abednego replied, “O Nebuchadnezzar, we are not worried about what will happen to us. If we are thrown into the flaming furnace, our God is able to deliver us; and he will deliver us out of your hand, Your Majesty. But if he doesn’t, please understand, sir, that even then we will never under any circumstance serve your gods or worship the gold statue you have erected.”*

♦ **Questions:**

- 1) In the story of King Nebuchadnezzar religious extremism led him to punish anyone who did not worship in his prescribed way. Why do you think King Nebuchadnezzar did not give his three faithful stewards “a pass” on this harsh decree of the death penalty for not worshipping his image?

2) What is the impact upon the people when religious leaders allow power and dominance to guide their leadership?

◆ **Reflection: *Strange Bedfellows: The Development of the Religious Freedom Restoration Act***

Using fear as a motivator to get people to do as you wish has proven to be an effective tool. However, even fear and smear campaigns can only go so far before they begin to lose their effectiveness. During the years of the “American Culture Wars” that began in the late 1950’s with the Civil Rights Movement and continued through the 1990s and 2000s, our country saw the rise of charismatic leaders like Jerry Falwell, Pat Buchanan, and Pat Robertson who realized that if Conservative Christians were ever to see the change in America they desired, they would have to do more than influence government from the outside, they would have to put their own people in office or get involved themselves.

If religious leaders were going to be successful in promoting their Conservative strategy for America, they would need to make alliances with other religious leaders who shared their theocratic vision of America. The perceived threat from the Civil Rights Movement, the proposed Equal Rights Amendment, the Supreme Court’s decision in *Roe v Wade*, and the Gay Liberation Movement made Conservatives fearful of “losing their country.” They believed they would need to begin influencing the courts and law makers to create legislation that would protect their interests.

The past few years have seen various state sponsored RFRA’s (Religious Freedom Restoration Acts) and Super RFRA’s (even harsher restrictions on citizens than most RFRA’s) that are astonishingly aggressive towards women and LGBTQ people. The RFRA’s of Indiana, North Carolina, Michigan, and Kansas, to name a few, have attempted to reinstitute a segregated society, even as citizens of those states for have called for an end to this injustice.

Manifestations of supremacy and discrimination under the guise of religion have been a common practice in our country since its formation. Notably during the Civil Rights Era, when people objected to laws that would integrate stores, schools, and housing, they did so based on their religious conviction that the races were to be separate. The United States even witnessed a religiously affiliated university refuse to admit students who engaged in interracial dating.

In those instances, it was argued by religious Conservatives that requiring court ordered integration violated their religious liberty; their racism and bigotry were glossed over as they claimed to stand on their convictions. Religious liberty was not about ensuring fairness for all citizens, but keeping them “**safe**” from their perceived “**enemies.**”

Unfortunately, ignoring racist, sexist, homophobic, transphobic, and classist motives within their arguments to protect the freedom of religion is the epitome of being self-righteous. Fundamentalists claim that their opponents will label them as bigots for

clinging to their old beliefs (in the words of Justice Samuel Alito) and soon they will no longer be protected in the practice of their faith. The irony is that our nation **already** guarantees them protection to practice their religion. It is typical of those who practice supremacy to want their rights protected at the expense of disenfranchising others.

♦ **Questions:**

Both Conservatives and Liberals can exhibit religious extremism. Have you witnessed religious extremism from either group? Are there ways for a person to find common ground with those who hold different religious and political views than their own?

♦ **Closing Reflection:**

***“If a brother or sister is naked and lacks daily food, and one of you says to them, “Go in peace; keep warm and eat your fill,” and yet you do not supply their bodily needs, what is the good of that?”***

James 2:15-16

The practice of the Christian faith does not have much impact if the people only surround themselves with others who look like them, act like them, send their children to the same schools, etc. While it is comfortable to spend time with people who have the same outlook and worldview as we do, it is very isolating.

When it comes to dealing with the impact of harmful religious liberty laws on the lives of people, there may be some Liberals who live with an idealist view of the world and wonder why “we just all can’t get along?” Most Liberals will fight to end an oppressive system in order for another person to have the right to be free. There tends to be optimism among Liberals who hold a vision of peace and unity among people.

Many roads can lead to enlightenment and salvation if you live as a good person. Whereas Fundamentalists may view their religion as offering strict guidelines for life and strict rules for membership (which might be seen as something positive for them), Liberal religion tends, in its claims to be all inclusive, to be less strict in terms of who is “in” and who is “out,” calling for the love and tolerance of all people. So, it is good to be optimistic while at the same time respecting the “rights” of others to express their approval or disapproval of things they see in the world. It is good to be comfortable with agreeing to disagree and leaving a debate there.

People cannot live on an island in order to avoid the corruption they perceive around them. They can’t allow the other side (Conservative or Liberal) to manipulate the courts, government and the church for their own self-serving agenda. They must choose to get involved and believe in the mantra “Let us be the change we want to see in the world.”

# Liberating Religious Liberty

## SESSION FIVE

### *The Real Harm of biased Religious Liberty Laws*

#### ◆ **Goal & Outcome**

- ❖ **Understanding the role that “authority” plays in developing Religious Liberty laws.**

#### ◆ **Story**

*“Danita” was filled with joy when her home pregnancy test indicated she was going to have a baby. She shared the news with her husband and they celebrated that evening. Danita knew she needed to begin prenatal care, but she did not have a regular OB/GYN. A friend recommended she go to St. Dominic’s Hospital to begin her care.*

*The first few visits went well and Danita began to make preparations for the arrival of her baby. However, close to the end of her first trimester, she felt something was wrong. She wasn’t feeling well and was cramping frequently. Danita returned to the hospital for an examination. After she waited in her room for of a couple hours, the examining nurse returned and told her everything looked fine and she should take aspirin for any further cramping. The following day her cramping became so unbearable, she had a co-worker rush her back to St. Dominic’s. Feeling feverish and light-headed, Danita passed out while still en route to the hospital. Danita woke up to find her husband and mother at her bedside. They both had looks of deep concern on their faces.*

*“What’s wrong?” Danita asked. Her husband just looked away. Her mother told her that she had lost her baby. “But they told me just yesterday that everything was fine. What went wrong?” Danita asked through her tears. Her husband spoke, “There were some complications. The baby was not going to make it and had you not come in when you did, we would have lost you too.”*

*In disbelief, Danita asked, “Couldn’t they have figured this out yesterday when I came in? Why did it have to come to this?” Her mother softly replied, “Baby, this is a Catholic hospital. They told us it is against their policies to end a pregnancy and*

*things would have to take their own natural course. “I don’t understand” said Danita. “If they knew there was a problem with the baby, why would they have let me die? How is that their decision to make?”<sup>7</sup>*

♦ **Scripture: Romans 13:1-7**

*Let everyone be subject to the governing authorities, for there is no authority except that which God has established. The authorities that exist have been established by God. Consequently, whoever rebels against the authority is rebelling against what God has instituted, and those who do so will bring judgment on themselves. For rulers hold no terror for those who do right, but for those who do wrong. Do you want to be free from fear of the one in authority? Then do what is right and you will be commended. For the one in authority is God’s servant for your good. But if you do wrong, be afraid, for rulers do not bear the sword for no reason. They are God’s servants, agents of wrath to bring punishment on the wrongdoer. Therefore, it is necessary to submit to the authorities, not only because of possible punishment but also as a matter of conscience. This is also why you pay taxes, for the authorities are God’s servants, who give their full time to governing. Give to everyone what you owe them: If you owe taxes, pay taxes; if revenue, then revenue; if respect, then respect; if honor, then honor.*

♦ **Questions: Who determines what is *right* and *wrong*?**

- 1) What emotions are invoked in you after reading the story of “Danita?”
- 2) Clearly, the hospital staff had a firm policy about women in Danita’s situation, a policy which they didn’t communicate to her. How would you respond to the question: “How is that a decision that the hospital is allowed to make?”
- 3) Based upon the passage found in Romans 13 that instructs people to submit to authority, does this give the hospital staff the right to make a decision about the life of “Danita” and her baby and not tell her?
- 4) The Romans 13 passage focuses on what is “right” and “wrong.” If Danita’s choices were limited based on another group freedom to practice their religion, how do we resolve this conflict of interest? Can you think of examples of how two opposing sides came to a resolution over an issue of morality?

♦ **Reflection: Who is *right* or *wrong* when it comes to Religious Liberty?**

It shows injustice and insensitivity to a person who is not informed of her rights, as in the case of “Danita.” The case that was an important catalyst for our modern day religious liberty arguments was the Employment Division, Department of Human Resources of Oregon v. Smith case in 1990 that was decided at the U.S. Supreme Court. Known to some as the “Peyote” case, the question of the free exercise of religion was

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<sup>7</sup> This scenario is based on an actual event. The names have been altered. Permission is on file with Roland Stringfellow.

determined. Peyote is a cactus plant that can produce hallucinogenic effects when consumed.

The Court “determined that the state could deny unemployment benefits to a person fired for violating a state prohibition on the use of peyote, even though the use of the drug was part of a religious ritual.”<sup>8</sup> This was an unusual case for the Court to side with the State of Oregon against the religious practice of a group. Governments have made allowances for alcohol to be used during religious rituals, but the Court determined it had no legal recourse to support the employees’ claim of wrongful termination.

“The *Smith* decision outraged the public. Many groups came together. Both Liberal (like the American Civil Liberties Union) and Conservative groups (like the Traditional Values Coalition) as well as other groups such as the Christian Legal Society, the American Jewish Congress, the Baptist Joint Committee for Religious Liberty, and the National Association of Evangelicals joined forces to overturn laws if they burden a religion.”<sup>9</sup>

Even though a political accord was struck in the creation of the Religious Freedom Restoration Act (RFRA), which was applauded by many different religious groups, there was no shared understanding of how the law would be interpreted. On the Right, the RFRA was seen as a tool to defend their religious beliefs against the perceived threats of anti-religious Liberals. On the Left, RFRA was seen as providing a means to ensure the legal protection for a religious minority to practice its religion without threat of persecution.

The Religious Freedom Restoration Act “applies standards that are more protective of the exercise of religion than the constitutional standard. It prohibits government from ‘substantially burdening’ a person’s free exercise of religion, even if the burden is the result of a generally applied rule, unless the government demonstrates that the burden is the least restrictive means of furthering a compelling government interests.”<sup>10</sup> These conflicting objectives quickly brought an end to any dream that there would be harmony around this issue. In fact, this issue has led to a further “ramping up” of the political bickering.

#### ◆ **Questions: Finding Common Ground?**

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<sup>8</sup> Legal Information Institute, “Employment Division v Smith,” *Cornell Law School*, <https://www.law.cornell.edu/supremecourt/text/494/872> (Accessed on February 19, 2016).

<sup>9</sup> Fredrick Clarkson, “When Exemption is the Rule: The Religious Freedom Strategy of the Christian Right.” Political Research Associates. <http://www.politicalresearch.org/2016/01/12/when-exemption-is-the-rule-the-religious-freedom-strategy-of-the-christian-right/#sthash.UpBWoEhB.KlFK4ZF7.dpbs> (Accessed on January 23, 2016).

<sup>10</sup> Jay Michaelson, “Redefining Religious Liberty: The Covert Campaign against Civil Rights.” Political Research Associates. (Somerville: Political Research Associates, 2013): 20.

1) For a time, the “Peyote” case brought together political opponents to fight together for religious liberty. Are there other social issues that you are aware of where opponents have joined forces to accomplish a shared goal?

2) Since agreement on so many issues today is difficult to obtain, should we as citizens and as members of different Christian churches simply be content to remain separated from each other based on our disagreements over political and social issues?

♦ **Closing Reflection:**

***“For God is a God not of disorder but of peace.”***

I Corinthians 14:33

It is easy to give up and not try to find common ground with those we disagree with. Yet *the fruit of the Spirit is love, joy, peace, patience, kindness, generosity, faithfulness, gentleness, and self-control.* These are the signs of those who the followers of God.

# Liberating Religious Liberty

## SESSION SIX

### *Finding a Way Forward*

#### ◆ **Goals & Outcomes**

- ❖ To help provide common sense and unbiased ways to discuss fairness and equality
- ❖ To learn ways to counteract dissension within the Christian church

#### ◆ **Story**

*Monica was rarely found without a smile on her face because of the love she felt for her partner and their children. Nothing made her happier than the day she and Renata got married. She now felt that she and her family could come out of the shadows and become “normal, run-of-the-mill” people. However when she and her family moved to the affluent Richfield district, her positive outlook was replaced with anxiousness. Richfield was a predominately politically “right-leaning” area filled with beautiful new homes and the top-rated schools for the area. It was no secret that many of its residents moved there when the complexion of their previous neighborhoods began to grow darker. Being a woman of color, Monica could be pretty outspoken when it came to dealing with racism head-on, but when it came to defending her marriage and her children, she was admittedly more protective for their safety. Her wife assured her not to worry and that the move would be a great benefit for her and the kids.*

*While unpacking the contents of the final box for the kitchen, Monica noticed the face of a little girl peeking through the patio door.*

*“I see you looking into our home. Hello! What is your name?”*

*“Uh, I’m not supposed to be here,” answered the startled child.*

*“It’s ok. Which house do you live in?” Monica asked warmly.*

*Quickly she replied, “I’m not supposed to be here. I have to go.”*

*“Wait, do you want a cookie? I have an open package right here.”*

*“NO! Daddy says it is wrong. Everything you do is wrong.” And with that, the little girl ran back to her side of the fence.*

*At the corner grocery store located a couple of blocks of her home, Monica took her children shopping with her to get a few things for the upcoming week. At the checkout, her daughter wanted a pack of bubble gum and asked her mother’s permission. Monica agreed and told her to hand the pack to the cashier. The cashier, who had not greeted this family as she had done with the previous customers, refused to take the gum from the little girl. Monica asked if there was a problem, to which the cashier replied without looking at or acknowledging her question, “Your total is \$52.15.”*

*“Excuse me! I asked you a question!” Monica loudly replied. The manager arrived and asked what the problem was. “Your employee is very rude and ignored my little girl and ...” Interrupting her, the manager replied, “If you and your ‘modern family’ do not care for the service you receive here, there are always other markets you can shop. In fact, that may be for the best.”*

*Stunned and humiliated, Monica left the groceries and left the store. It was one thing for a child’s ignorance of differences to impact Monica’s family, but it was quite another story for an adult to show blatant disdain for her children. When she got home, she shared with her wife the two incidents and how it made her and the children feel. Very warmly and lovingly, Renata reassured her not to worry and that these were isolated incidents.*

*Unfortunately, Renata was proven wrong. Not only did this family feel isolated that day, but also that week, that month, and even that year. Monica lost her smile.*

♦ **Scripture – I Corinthians 12:21-26**

*The eye cannot say to the hand, “I have no need of you,” nor again the head to the feet, “I have no need of you.” On the contrary, the members of the body that seem to be weaker are indispensable, and those members of the body that we think less honorable we clothe with greater honor, and our less respectable members are treated with greater respect; whereas our more respectable members do not need this. But God has so arranged the body, giving the greater honor to the inferior member, that there may be no dissension within the body, but the members may have the same care for one another. If one member suffers, all suffer together with it; if one member is honored, all rejoice together with it.*

♦ **Reflection: The Human Cost of RFRA Laws**

The impact of harmful Religious Freedom Restoration Act (RFRA) legislation is being felt in many states. Some may try to downplay what is happening by focusing on florists and photographers, but these refusals are causing injury to many individuals and their families. Families, like Monica's, are made to feel hidden and insignificant. This is the human cost of promoting these laws and restrictions.

Yet there always seems to be someone who is injured in the "name of national security" or even in the "name of Jesus." In other words, both the government and the church are esteemed in the eyes of people as having the authority to determine the value of its citizens and members. It is actually the leaders of these institutions who are granted the powers to be the arbitrators of "who is in" and "who is out" and who is a part of "*We the People*." If the U.S. Constitution is the guide for those in government to keep their focus while governing, the Bible should be the guiding light for the Christian leader to understand how to care for the people. The passage from I Corinthians 12 provides direction on how to deal with members of a community who are labeled as "not acceptable."

◆ **Questions: Discrimination and Dissention**

1) Have you or someone you know have faced public discrimination because of their sexual orientation or gender identity as Monica and her family experienced?

2) The passage from I Corinthians states that "*there should no dissention in the body.*" How should members in the Christian church deal with political or social dissention among its members in order to keep unity?

◆ **Reflection:**

The Government, according to the U.S. Constitution, is responsible for establishing justice, providing domestic tranquility and a common defense, and promoting the general welfare of the people. The Church should honor and care for its members and protect the body against dissension. Yet our human nature can often time trump either of these sacred documents. There are some, like the "*I have no need of you*" persons mention in I Corinthians 12, who would maintain that it is okay to avoid people who are different because we may feel unsafe when we do not "keep to our own kind." In order to rise above our nature that tells us to fear the "other," we need to listen to the hope and optimism found in these documents (The Constitution and the Bible) and allow their inspiring words to resonate within our spirit.

According to the ACLU, businesses in many states are already barred by law from discriminating against customers based on their sexual orientation, as well as race,

religion, or other legally protected categories. Many Conservative Christians believe their faith and values have been under attack since the Culture Wars of the 1950's and 60's as the "minorities" in America gain greater legal rights. Conservative Christians have aggressively stepped up their game in the last twenty to thirty years because this "war" is very personal for them. Arizona State Sen. Steve Yarbrough, a sponsor of the state's religious freedom bill proclaimed, "This bill is not about allowing discrimination. This bill is about preventing discrimination against people who are clearly living out their faith."<sup>11</sup>

◆ **Question**

1) What are some examples from American history where we have practiced "keeping to your own kind?"

2) Do you think this had strengthened or weakened our communities? Why?

◆ **Reflection: Defending True Religious Freedom**

Looking beyond the "battle" and "war" between Liberals and Conservatives to define religious liberty, how do we discover a common ground on which to meet? Conservatives have done an excellent job of giving definition to what they believe and hold as valuable. Progressives seem to have more difficulty articulating their beliefs. This may be due to the "belief" that everyone is entitled to their own beliefs; thus, trying to coalesce around a cluster of values and beliefs tends to be difficult. But gay theologian Rev. Dr. Mel White provides suggestions on how to merge all these varied values into a unified agreement about religious liberty.

- ❖ "We value the U.S. Constitution as the bedrock of our democracy; therefore we will resist all efforts to put the Bible in its place.
- ❖ We value our Religious Freedom; therefore we will resist all efforts to make this a 'Christian nation'.
- ❖ We value the separation of Church and State; therefore we will resist all efforts to bring down the 'wall of separation'.
- ❖ We reclaim the Bible as a primary source of our Progressive moral values and we will resist fundamentalist efforts to claim the Bible as their own.
- ❖ We reclaim our faith to help empower and inform our Progressive moral values and will resist any fundamentalist efforts to define God for us.

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<sup>11</sup> Simon Brown, "Church & State". Database: Religion and Philosophy Collection, April 2014, Vol. 67, Issue 4: 7.

- ❖ We reclaim the values of the Jewish Prophets: Justice and Mercy; therefore we will resist injustice and seek to be more merciful to those who suffer injustice.
- ❖ We reclaim the primary value of Jesus' love; therefore we will resist thoughts, words and actions that are unloving and put nonviolence into practice with our friends and enemies alike"<sup>12</sup>

This is a powerful and compelling list and contains ideas that most Progressives, Moderates, and possibly many Conservatives could support. This would be a great first step for Progressive religious leaders to coalesce around as a central set of beliefs that defend true religious freedom.

◆ **Questions: Defending Religious Freedom**

1) Based upon the suggestion provided by Mel White, how would you define true religious freedom?

2) What are ways that you or your church can help protect the rights of people impacted by biased religious freedom laws?

◆ **Closing Reflection:**

***“Do not worry about anything, but in everything by prayer and supplication with thanksgiving let your requests be made known to God. And the peace of God, which surpasses all understanding, will guard your hearts and your minds in Christ Jesus.”***

Philippians 4:6-7

Defending the rights of others who are the targets of laws and policies that would diminish their humanity can seem like rolling a huge stone up the side of a mountain. It takes much strength, determination, and patience for the times you lose your grip and the stone tumbles back to the ground. Nonetheless, we are given the encouragement to trust God in the work of justice. God is able to open locked doors and hearts that are closed. Through our efforts, we can be the presence of God in places that are in need of peace and reconciliation. We can go to God in prayer and ask for all we need to do the work of justice in our churches and wider community. May it be so.

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<sup>12</sup> Mel White, *Holy Terror: Lies the Christian Right Tells to Deny Gay Equality* (New York: Magnus Books, 2006): 261-309.