

Equal Liberty of Conscience

Galatians 5:1, 13-15

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On October 31, 1948, Reformation Sunday, my predecessor in this pulpit, the Rev. Dr. Harold Janes, preached a sermon entitled “Why We Are Protestants.” A couple of years ago the printed version of that sermon came into my possession, and I’ve cherished it as illustrative of the values that have long guided this congregation.

Now, the sermon also has a weakness. It was written prior to the Second Vatican Council of the Roman Catholic Church and the subsequent thawing of enmity between Protestants and Roman Catholics. Thus, there is much anti-Catholic bias evident in the sermon. So, one must filter out the bias.

According to Dr. Janes there are four key Protestant values—salvation is by individual faith and not mediated through the church, religious liberty, the priesthood of all believers, and the holiness of ordinary life. These four values hang closely together, but today I want to talk about religious liberty.

I’m drawn to the topic because it has been much in the news of late with the reactions to the Religious Freedom Restoration Acts that various states have passed or tried to pass. The law in Indiana created an immediate backlash that was stunning in its scope with everyone from NCAA basketball coaches to Wal-Mart to religious denominations and human rights organizations opposing it because of the way it could be used to discriminate against LGBT people (and also because it opened the door for all sorts of other forms of discrimination). It was easy to conclude that this was a sea-change moment in which the broad mainstream opinion in America was revealed to be opposed to discrimination against LGBT persons. As a gay man, it was quite a shock to suddenly see Wal-Mart as an ally.

At its core, however, the recent public debate is not solely about LGBT civil rights. It has been framed as a debate about religious freedom. So, I think it is important for us to explore this topic. What is religious freedom and how should we as people of faith understand this current debate? More on all of that in a moment. Let me first return to that 1948 sermon by Dr. Janes.

This is his description of religious liberty as understood by our Protestant tradition:

[The Protestant] is certain that no one religious group or order has a complete insight into all of God’s truth. Each group sees a part of the truth. “We know in part,” as Paul said. Only as we share our truth with each other is it possible for us to have a growing knowledge of God’s purpose for our lives. . . . Only as we have freedom to search for that truth, without ecclesiastical or political restrictions, will the Lord be able to reveal that truth unto us, and so the true Protestant declares himself in favor of complete religious liberty and echoes the words of Paul, “Stand fast, therefore, in the liberty

wherewith Christ has made us free, and be not entangled again with the yoke of bondage.”

There are key ideas here that I want to develop, but first I want to add a warning that Dr. Janes gave in 1948 that I think is relevant for us in this public debate in 2015. He said, “We [should not] be deceived by those who claim they are interested in religious liberty when they are only interested in liberty to impose their interpretations of religion upon others.”

In order to better understand all these ideas, I want to return to the Epistle lesson for today, from Galatians, for it is also the passage that Dr. Janes quoted in his 1948 sermon. This passage comes as Paul is arguing for the freedom of grace as opposed to what he calls the slavery of the law. Followers of Jesus, according to Paul, do not need to be bound by obedience to the law because they live according to grace and love. We are free, not having to earn our salvation by work and effort. But our freedom is not license to do whatever we personally want. Our freedom is shaped by love, the kind of self-sacrificial love revealed in Jesus. The kind of love that respects and values our sisters and brothers.

The great Scottish scholar William Barclay, commenting on this passage, wrote:

Now Christianity is [a] true democracy, because in a Christian state everyone would think as much of his neighbor as he does of himself. . . . The Christian is the man who through the indwelling Spirit of Christ is so purged of self that he loves his neighbor as himself.

Barclay then picks up on Paul’s final statement:

In the end Paul adds a grim bit of advice. “Unless,” he says, “you solve the problem of living together you will make life impossible and unlivable at all.” Selfishness in the end does not exalt a man; it destroys him.

As both Dr. Janes and William Barclay point out, our Christian tradition of liberty is rooted in the love of neighbor, the removal of selfishness, and humility about our own views. Liberty, then, is a form of love towards others that enables us to live together. This is the essential quality of religious freedom.

When our Pilgrim and Puritan ancestors came to this continent, it was to freely practice their faith. However, once they arrived, they weren’t so good about passing along the same freedom to others. This was particularly a problem for the Puritans. They went to war with the Natives. Burned some they thought were witches. Tried to force Anne Hutchison to conform to the doctrines of the majority. And ran off Roger Williams, who then established Rhode Island, the first colony devoted to complete religious liberty.

It took a while before our tradition fully embraced religious freedom and its attendant doctrines—disestablishment, separation, governmental neutrality. But once we did embrace these notions, they became central to who we are as a people. Our commitment to religious liberty is what underlies our commitment to human rights. Because we value the rights of conscience, even of those who are different from ourselves, we fought for abolition, Native

American's rights, the equality of women, the full inclusion of persons with disabilities, and the equality of lesbians, gays, bisexuals, and persons who are transgender.

Roger Williams is the key early American person who promoted the equal liberty of conscience. Williams was kicked out of Massachusetts by the Congregationalists and went off to found Rhode Island and the first Baptist church in America. I had ancestors who took that journey with him and were founders of that first colony and that first church devoted to complete liberty of conscience. When, almost four hundred years later, I left the Baptist tradition in which I was raised and made the reverse journey of my ancestors, joining the United Church of Christ, it was for the same reason—freedom. Contemporary Baptists, particularly in the South, had largely abandoned their centuries-old commitments to separation of church and state and individual liberty and replaced those with an effort to assert conformity to established doctrine and to legislate their own particular views. This I could not abide, as my ancestors could not abide.

Baptists abandoned their historic principles because they gained too much secular power, and power corrupts. But that should not mean we forget the essential role that Baptists historically played in the American democratic experiment. And should you want to read an inspiring call to religious freedom from a Baptist perspective, I recommend the great sermon “Baptists and Religious Liberty” preached on the steps of the U. S. Capitol in May 1920 by Dr. George W. Truett the legendary pastor of First Baptist Dallas.

For Roger Williams the core problem was the same as that which St. Paul referenced—how are we to live together in love. Williams was troubled by the settlers' treatment of the Native Americans and by the human tendency to impose the ideas of a majority upon a minority. He was troubled by these things because they violated individual consciences, and he held individual consciences to be “infinitely precious” demanding respect from everyone. Writing about Roger Williams, the philosopher Martha Nussbaum says, “Williams thinks of consciences as delicate, vulnerable, living things, things that need to breathe and not to be imprisoned.” Therefore it is essential for consciences to have that breathing space. In a just society, everyone will respect each other's conscience, and give each other space.

From these ideas would develop the American tradition of religious liberty. And should you want to read a history of the development of that tradition and all its complexities, I highly recommend Martha Nussbaum's book *Liberty of Conscience: In Defense of America's Tradition of Religious Equality*. In it she presents the six principles that have guided America's complicated history balancing religion with the public life of a pluralistic democracy. There is much to say about that constitutional and legal tradition, but my focus today is upon the religious roots of liberty.

Essential to the American tradition derived from Roger Williams is the idea of a public space in which everyone's views are allowed to interact. For this public space to exist, everyone must be granted equality and mutual respect. It does not mean that you have to agree with everyone else, quite the contrary. It means that in the public sphere you cannot try to impose your views on someone else. Instead, you must grant them the respect and the equality that is their fundamental human right. You must acknowledge their dignity, their conscience. Or, as St. Paul put it in the letter to the Galatians, quoting an even more ancient text, “You shall love your neighbor as yourself.”

And this, my friends, is why I'm so deeply troubled by the recent misuse of the concept "religious freedom." Let me state emphatically, and so that I am not misunderstood—in the public sphere no one has a religious right to discriminate against another human being.

Discrimination, not treating another person with the respect that they are entitled to, refusing equal treatment—these things are direct contradictions of religious liberty. They are hostile to it.

It is brazen dishonesty to wrap your biases in the language of religious freedom. It risks substantial harm to the Republic. To the entire American democratic experiment. And even to the Christian gospel.

It is Orwellian to use a term to describe its exact opposite. This dishonesty must be resisted.

Religious liberty, as historically understood, as rooted in the biblical tradition, as enshrined in our Constitution, demands equality of all persons, demands mutual respect of all persons, demands that in the public sphere everyone be treated the same.

Now, that does not mean that these issues are simple. They are in fact quite complex, with broad gray zones that can be difficult to interpret. Legislators and judges must constantly examine those areas where the values of our society create complexity and conflict. They must examine and decide with reason and compassion, nuance and patience.

And there is a clear difference between the public sphere and the private spheres of religious practice. Essential to our American tradition of religious liberty is the idea that internally a group can establish its own doctrines and practices. Yet as we engage in the public sphere, we must accommodate one another. There is, therefore, a difference between the pizza place that wants to treat customers differently based upon religious beliefs and a religious school who only wants to hire those who align with their doctrines. We may disagree with the doctrines. We may encourage dialogue within and among religious traditions in hopes that those doctrines might change. But it is essential to religious freedom that the rights of religious institutions be understood as different from the rights of businesses engaging in the public sphere.

The task of ensuring the equal liberty of conscience for all falls not to our public officials, but to us. It is a social practice. It begins with overcoming selfishness and our human tendency to exclude those who are different from ourselves. It manifests in kindness and hospitality. It is guided by humility and generosity. For it is rooted in the commandment "You shall love your neighbor as yourself."

You were called to freedom. Do not use your freedom as an opportunity for self-indulgence. Love one another.