



**Middle East Study Tour**

**Part 7**

**"Religious Liberty in the American Political Experience"**

On December 2, 2010, at the invitation of the Arab Group for Muslim-Christian Dialogue, I delivered a major address in Beirut, Lebanon, on the theme "Religious Liberty in the American Political Experience," at the prestigious Makassed Foundation.

We release my remarks today, December 15, which is the anniversary of the passage of the Bill of Rights and the Constitutional guarantee of religious liberty in the United States.

**Religious Liberty in the U.S. Political Experience**  
**The Islamic Makassed Alumni Association**  
**Beirut, Lebanon**  
**December 2, 2010**

**Address by**  
**Rev. Dr. A. Roy Medley**  
**General Secretary**  
**American Baptist Churches USA**

First, to our Muslim hosts, I bring you greetings of peace, As-salaam alaikum, and to our Christian hosts, grace and peace to you from God the Father and our Lord Jesus Christ. We are deeply indebted to you for your kind hospitality and to Dr. Riad Jarjour, especially, who has arranged this opportunity for us to be with you and to Dr. Daouk who so graciously agreed to host us.

As American Baptists, we have been involved in fostering Baptist-Muslim dialogue with the Islamic Society of North America for the past several years in order to build bridges of understanding between Baptist Christians and Muslims in the United States. For us it is a response of obedience to our Lord Jesus who taught, "Blessed are the peacemakers, for they shall be called the children of God" (Matthew 5:9). We are convinced that the world cannot live in peace until Christians, Muslims and Jews have learned to live in peace with respect for one another, working for the common good of all humankind.

As a member of the executive committee of the Baptist World Alliance, let me say that we received with joy and gratitude the Muslim missive to the Christian world, "A Common Word Between Us and You." As our response says, "In adding our voice to [others], we want to embrace your conviction that it is only the movement of human hearts and minds towards love and worship of the One God, creator of us all, that will begin to resolve the huge needs for peace, justice and love of neighbors in our world today." We welcome the gift of this sacred space where our two faiths can meet and dialogue.

*American Baptists Serving as the Hands and Feet of Christ*

Let me introduce to you my colleagues who are with me. We are pleased to have two officers of the denomination with us: Mrs. Patti Stratton is the vice-president of ABCUSA and with her is her husband Jonathan, who pastors the Baptist church in Bowdoinham, Maine; Mr. Jim Ratliff is the other officer and he serves as our Budget Review Officer. In addition we have Dr. Leo Thorne, associate general secretary for Mission Resource Development and his wife, Yvonne, who is a counselor. We are also pleased to have with us several heads of regions of our denomination: Rev. Alan Newton, executive minister of ABC/Rochester-Genesee Region, where there have been extensive relations between local Baptists and Muslims; Rev. Marshall Peters, executive minister of ABC/Mid-America (Iowa and Minnesota) and his wife June, who together served many years with the Baptist churches in Thailand; Dr. Riley Walker, executive minister of ABC/Dakotas, and his wife Joyce, who is a nurse. Finally, we are joined by my wife, Patricia, who is an ordained Lutheran pastor serving in New Jersey.

Let me now turn to the assigned topic, "Religious Liberty in the U.S. Political Experience."

The place of religious liberty in the political life of the United States cannot be divorced from the life and convictions of the early Baptist community in America. The emphasis of Baptist Christians upon religious liberty is rooted in both biblical doctrine and experience.

At the heart of our commitment to religious liberty is a key scriptural principle: we are created in the image of God [*imago dei*] (Genesis 1:27) for relationship with God. In addressing the 400<sup>th</sup> Anniversary Celebration of Baptist Life and Witness in Amsterdam, the Netherlands in 2009, the Rev. Van der Leer reminded us that the Baptist argument for religious liberty is also eschatological and Christological in focus, having as its base the fact that each shall stand before God who shall judge us all. Because we are the creation of God who desires to know and be known by us and because God has invested us with genuine moral choices for which we will stand accountable, we believe that God alone is sovereign in matters of faith.

It therefore follows that Baptists believe that faith cannot be compelled by any external force. Faith that is not freely chosen and freely embraced is not faith. I am delighted to note that "A Common Word Between Us and You" also reaffirms the importance of religious liberty in matters of faith. For Baptists, religious liberty means the freedom to accept, deny or change one's religious faith. Apart from these basic rights, liberty is a lie.

This theological conviction that faith is genuine only if freely embraced is the organizing principle of Baptist life and thought. Consequently, Baptists have consistently sought to safeguard the encounter of the creature with her/his Creator, of the beloved with the Lover. The Baptist emphases upon what we call soul freedom/soul competency and religious liberty are all means of safeguarding the holy encounter between the soul and its sovereign Lord. Not without reason, Baptists have preferred the term "religious liberty" to the alternative language of "religious tolerance" as the more robust statement of the freedom of each to believe or not believe as they will.

Because of this core theological conviction about the necessity of freedom for faith to be faith, Thomas Helwys, one of the founders of the Baptist movement, wrote the following to King James in 1612 in protest of religion imposed by the state: "For men's religion to God is between God and themselves. The King shall not answer for it. Neither may the king be judge between God and man. Let them be heretics, Turks, Jews, or whatsoever, it appertains not to the earthly power to punish them in the least measure." (*A Short Declaration of the Mystery of Iniquity*) Given the circumstances of his day, what is truly amazing in his plea for liberty is that he plead not only for the rights of dissenting Christians, but also for the rights of Muslims, Jews and even heretics to practice their faith or lack of faith without fear of punishment by the state.

Baptist experience is another source of our conviction concerning the importance of religious liberty. As a minority group, early Baptists suffered persecution in both England and the American colonies at the hands of the state. In England, Baptist worship services were often raided and closed down. Baptist preachers were jailed. For his defense of religious liberty, Thomas Helwys was thrown into prison where he died.

Helwys was not the only Baptist advocate for religious liberty. As a persecuted people, they held such liberty to be sacred and they risked even their lives in defiance of state-imposed faith. I think you will especially appreciate the argument of Leonard Busher. In 1614 he, too, wrote to King James: "I read that a bishop of Rome would have constrained a Turkish emperor to the Christian faith, unto whom the emperor answered, 'I believe that Christ was an excellent prophet, but he did never, so far as I understand, command that men should, with the power of weapons, be constrained to believe his law; and verily I also do force no man to believe Mohamet's law.' Also I read that Jews, Christians, and Turks are tolerated in Constantinople, and yet are peaceable, though so contrary the one to the other. If this be so, how much more ought Christians not to force one another to religion? **And how much more ought Christians to tolerate Christians, when as the Turks do tolerate them? Shall we be less merciful than the Turks?**" (*Religion's Peace*)

In the emerging American colonies, Baptists were forbidden to exercise their faith, to hold public worship, or to practice believer's baptism as opposed to infant baptism. Here, too, Baptists were jailed, publicly whipped, and persecuted for their faith by the state and the state-established church. Roger Williams, the founder of Baptist life in America, was exiled from the Massachusetts Bay Colony in the dead of winter because of his beliefs and would have perished except for the hospitality of Indian tribes whom he had earlier befriended. Roger Williams would then go on to found the colony of Rhode Island where religious liberty was guaranteed by the charter of the colony.

But in most of the early colonies in New England and the South, religious liberty was curbed. Therefore, Baptists from both theological conviction and experience, sought to secure the blessings of religious liberty for all persons. Baptists such as Isaac Backus and John Leland led the effort to place religious liberty in the founding documents of our nation. Hence, the first ten amendments to the Constitution of the United States which we call the *Bill of Rights* enshrine key principles of religious liberty for our country.

The first two principles are contained in the first amendment and are known respectively as the "Establishment Clause" and the "Free Exercise Clause." The "Establishment Clause" states, "Congress shall make no law respecting an establishment of religion." This clause has been interpreted consistently by the courts of the United States to mean that the federal government has no authority to establish a national church such as is the practice in Europe. And it also means that it does not have the authority to establish one faith over another in public life. If America can in any way be termed a Christian nation, which, by the way, many of us as Christians would quickly challenge, it can be so only by heritage and culture but not by law.

The Constitution itself provides that "No religious test shall ever be required as a qualification of any office or public trust under the United States." Unlike in England where the sovereign holds as one title among others, "defender of the faith," the president of the United States has no such charge or authority.

Baptists and others have referred to these provisions as "separation of church and state." The origins of this phrase lie with that early Baptist Roger Williams of whom we spoke earlier, who referred to a "hedge or wall of separation." Likewise, both James Madison, the father of our constitution, and Thomas Jefferson, who spoke of the separation of church and state. The Baptist Joint Committee for Religious Liberty, an organization founded by the Baptists of America to serve as a watchdog for religious freedom, notes in one of its articles, "...the separation of church and state serves both religion clauses in the First Amendment. It operates not only to insist upon non-establishment, but also to ensure the free exercise of religion.... Properly understood, separation calls for 'neutrality'—even, to use Chief Justice Warren Burger's words, 'benevolent neutrality'—toward religion, not in any sense hostility."

Some would argue that separation of church and state hinders the public role of faith and its values. However, the Baptist Joint Committee notes that “the separation of church and state does not require a ‘segregation’ of religion from public life. In fact, even John Leland and Isaac Backus, for all their insistence upon the principle of separation, were thoroughly involved in public policy debates and attempts to influence legislation in their day.” None of us as citizens are required to leave our faith or our religious values at the door when we enter the political realm. In fact, there is a strong presence of the religious community—Christian, Jewish and Muslim—in Washington, DC, and our goal is to advocate for government policies that reflect our religious values. But “advocate” is the operative word. We as religious bodies and people have every right to speak for or against any proposed legislation before Congress. The National Council of Churches, the Islamic Society of North America, the National Association for Evangelicals and the Roman Catholic Bishop’s Conference all have been active in advocating for immigration laws that are fair and just and reflect our religious values of love, mercy and justice. What no religious group has is the right to mandate a particular law. Our voices mingle with those of others, and decisions are made in light of the will of the citizenry to whom the politicians are accountable through regular elections. Certainly, our elections over the past few decades speak to the ability of religious people to dramatically influence the course of legislation as evidenced in the power of the religious right in the Republican Party base.

So, negatively, the government is constrained by our Constitution from imposing faith demands upon the citizenry, but positively, it is charged to protect the religious rights of each person. The protection of the individual’s religious rights is contained in the second clause, the “free exercise clause” we spoke of earlier which states that Congress can not “prohibit the free exercise” of religious practices. This clause coupled with the “freedom of speech” clause also contained in the First Amendment provides strong protection for the practice of religious faith in the United States

Working in tandem with the “free exercise clause,” the Fourteenth Amendment secures the “equal protection of the laws” for every person and prevents the singling out of any person or group for discrimination due to religion or other factors such as race or gender. This amendment guarantees equality before the law for every citizen. The protection provided by these two provisions is robust. For example, the U.S. Congress could never outlaw the wearing of the hijab in public, as did the French legislature. But on the other hand, neither could Congress require it of women. Likewise, businesses must reasonably accommodate the religious practices of employees. Not long ago, Somali Muslims who work in the meat cutting industry sued their employer and won because the employer was not allowing time for them to pray according to the dictates of their faith.

On the other hand, in the 1960s, the Supreme Court struck down state-mandated prayer in public school systems as unconstitutional. The law cannot forbid students from praying on their own, nor can student-organized religious clubs be forbidden from acts of prayer in their gatherings. The law is designed to protect students from state-imposed prayer that might violate their religious or non-religious conscience. Needless to say, this ruling has stirred controversy within the U.S. public.

Many of us would argue that the separation of church and state and the strong support of the religious liberty of all has been a manifest blessing to our society. Again, to quote the Baptist Joint Committee for Religious Liberty, “The institutional and functional separation of church and state has resulted in a vibrant religion, a lush pluralism and a vital democracy. History teaches and contemporary geo-politics reveals that nations that abjure a healthy separation of church and state wind up with tepid, attenuated, majoritarian religion, at best, or a theocracy, at worst.” “Vibrant religion, a lush pluralism, and a vital democracy,” are three significant blessings to our country. Americans by and large rank among the most religiously active of any western democracy. Likewise, the separation of church and state has allowed people of many faiths and no-faith to live in harmony with one another in community where each is free to practice his or her faith but not free to restrict the practice of another faith by a neighbor.

Now, as indicated above in the discussion of the unconstitutionality of state-mandated prayer in school, there are areas of tension around the exercise of religious liberty. Let’s examine briefly just two more.

First is the place of religious symbols displayed on government (not private) property. This issue is especially heightened at this time of year when we begin the seasons of Advent and Christmas. Over the past several decades, the courts have placed restrictions upon the display of manger scenes or other Christian symbols on government property as contrary to the separation of church and state. The cultural history of the U.S. has obviously been heavily influenced by the Christian faith and for many the presence of nativity displays and Christmas carols in government settings has been a part of the public celebration of Christmas. However, as we have become increasingly pluralistic in religious demographics, such displays have become problematic, hence the court rulings.

Other forces have been at work as well, primarily economic ones, that have undermined apart from any court decrees the religious nature of these religious festivals and made of them feasts of consumption. So we find two Christmases, and, for that matter, two Easters celebrated in the States. One is religious where the Christian faithful gather to celebrate the birth of Jesus as the Son of God and his resurrection, and the other secular/materialistic which focus on Santa and the Easter Bunny. For many Christians, this has been a wrenching shift from a culture that reinforced their faith and they point with anger to the court rulings. My own perspective is that, while the court rulings have rightfully sought to make government "benevolently neutral" in the matter of such displays on government property, that which has most seriously compromised the meaning of these religious observances has been the corrosive impact of unabated materialism. The court rulings do not restrict the right of display on private property; hence our house is adorned with Christian symbols at Christmas and Easter while our Jewish neighbors display the Star of David and the Menorah during their holidays. Likewise, our Muslim neighbors are free to mark their holidays in appropriate ways on their property.

A second controversial issue is the matter of the controversy around the proposed Islamic Center at Ground Zero in New York. This firestorm, stoked by the media, burned around the time of the observance of the terrorist attacks of September 11, 2001. The "equal protection clause" and the "free exercise of religion clause" in the end guarantee that the Muslim community, like any other religious community, has the right to build a house of worship in any locale they please as long as they meet the same zoning and other standards that are imposed upon all apart from religious faith. Legally, there was never a question about their right and I was pleased to join in a national press conference with many other faith leaders from the Jewish, Christian and Muslim traditions during the height of the controversy to reinforce the importance of religious liberty in our nation's laws and practices.

The debate was never a legal one, but one of appropriateness in the face of the sensibilities it raised. Even the Muslim community in America was divided over whether building in that locale was appropriate. Some in the Muslim community in my own county issued a statement that while they believed the supporters had every right to build in the proposed locale; they did not think it was wise to do so given the feelings of the victims' families. But in this matter, there is legal recourse for the proponents.

In spite of these tensions and others which could be named, the constitutional guarantees have by and large provided the robust protection of religious liberty that Baptist Christians long sought and worked for in the United States. Separation has been good for both state and religion. The personal guarantees of the exercise clause and equal protection under the laws have afforded Americans of every religious tradition the right to practice their faith without fear or interference by the forces of the state. And at the same time we have retained every right to advocate for our faiths and their values in the public square while not being able to command any regarding them. There is a robust public presence of many faith traditions in our nation, and yet we are able to live together in relative peace and security.

As Baptists we would contend that in an era when religious conflict threatens the peace of many nations, religious liberty is a gift of mercy that provides common ground for the common good.