

Genesis 12:1–3 (CEB)

The LORD said to Abram, “Leave your land, your family, and your father’s household for the land that I will show you. ²I will make of you a great nation and will bless you. I will make your name respected, and you will be a blessing. ³I will bless those who bless you, those who curse you I will curse; all the families of the earth will be blessed because of you.”

2 Corinthians 5:14–17 (CEB)

¹⁴The love of Christ controls us, because we have concluded this: one died for the sake of all; therefore, all died. ¹⁵He died for the sake of all so that those who are alive should live not for themselves but for the one who died for them and was raised.

¹⁶So then, from this point on we won’t recognize people by human standards. Even though we used to know Christ by human standards, that isn’t how we know him now.

¹⁷So then, if anyone is in Christ, that person is part of the new creation. The old things have gone away, and look, new things have arrived!

The free expression of religion. God’s gift and America’s.

The U.S. Constitution was born in the Philadelphia Constitutional Convention of 1787. The purpose of the gathering was to create a true national government to replace the weak alliance of thirteen sovereign states reflected in the Articles of Confederation adopted after the end of the war with Great Britain.

Though nearly all the delegates understood and appreciated the weaknesses in the Articles, many were very wary of any sort of national power. Four men – Hamilton, Jefferson, Jay, and Madison – pushed and dragged the delegates into adopting a document that provided for a much stronger federal government. They were successful and the Convention concluded in September 1787. They weren’t really finished however. There was talk of a second convention, which Madison feared would undo the work of the first. For that reason, he quickly moved on to seeing that certain rights were embedded in the Constitution. Madison himself thought a bill of rights or something like it wasn’t really needed, as he much more feared the trampling of rights by a popular majority in the various states than abuses of the new federal government.¹ Nonetheless, prodded by his mentor, Thomas Jefferson, Madison set about to draft a series of rights for adoption.

The first draft of these rights was done solely by Madison. He envisioned their being placed within the Constitution itself but was persuaded that they should stand alone. James Ellis writes:

Madison’s predominantly political motives in the summer of 1789 have, for understandable reasons, faded into oblivion over the ensuing years, so that what we remember are the amendments enshrined in the current Bill of Rights. Madison’s original list of amendments contained the standard set of rights we have come to expect, most of which were already recognized in many of the state constitutions. The major ones included the right of free speech, a free press, freedom of religion, freedom from unwarranted searches and seizures, the right to a jury trial within a reasonable period of time, and the explicit presumption that powers not delegated to the federal government were reserved for the states. Madison bundled several of these rights together in what became nine draft amendments. The House unbundled several of his

¹ Ellis, Joseph J. (2015-05-12). *The Quartet: Orchestrating the Second American Revolution, 1783-1789*, Knopf Doubleday Publishing Group. Kindle Edition.

composite paragraphs to produce seventeen amendments, subsequently reduced to twelve by the Senate, and then to ten in the state ratification process.²

The Bill of Rights has become a nearly sacred creed among Americans, a bulwark against the overreach of the federal government and the tyranny of the majority. None of these are more fundamental to our understanding of liberty and self-government than the first amendment:

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

The philosophy and perspective underlying the freedom of religion clauses are reflected in the much longer Virginia Statute on Freedom of Religion written by Jefferson in 1777 and adopted by the state of Virginia in 1786. It disestablished the Church of England as the state church of Virginia and guaranteed the free exercise of religion. I've reprinted the statute in its entirety in the page five textbox and modernized some of the spelling. You'll see that it is grounded on the freedom of conscience, for in the first clause is stated, "Almighty God hath created the mind free."

The first amendment divides religious freedom into two statements: the national government can't establish a religion (though states could and did) and cannot prohibit the free exercise of one's religion. Both are clear and both are blessings to us all.

The Establishment Clause

At the time of its founding, America was largely alone as a nation without a national church. England, France, Spain and the rest all had national churches supported by the government. But the founders of America specifically forbade such a national church or religion. The historian Paul John suggests that this was as much an accident of history as anything else. The last quarter of the eighteenth century was a time of very low church attendance in America. Had the nation been founded a few decades later at the time of the Second Great Awakening, Johnson claims, we would have had a national church.

But we didn't and we don't, though America was a distinctly and formatively Protestant nation. Protestantism was deep in the national marrow and had always been so; as much a political philosophy as a religion, with its political and religious prejudices as well. It is remarkable that thirteen British colonies gave birth to such a pure expression of religion freedom.

The free exercise of religion

One of the first things I learned in school was that our forefathers (it was never foremothers) came to America to escape religious persecution. Later, I learned that the truth was that they brought their own prejudices with them. This is no great surprise to me now as I've gained a deep appreciation for the hold that original sin has on us all. The prejudices, biases, and various "isms" may change but they always lurk in our hearts in one form or another. The colonists in the English colonies were no different. Some of those prejudices came into play in the presidential election of 1960 when John Kennedy was running to be the first Roman Catholic president. Looking back now, it seems like a non-event. Who'd care? But it was a big deal at the time and the roots of the anti-Catholic prejudices go back to the founding of America. In his recent book, *Inventing Freedom*, Daniel Hannan provides a very readable account of the prejudices that characterized the English-speaking world at the time:

In Great Britain, Northern Ireland, North America, and, later, Australia, South Africa, and New Zealand, Protestantism was understood primarily in political rather

² Ibid.

than theological terms, as a guarantor of free speech, free conscience, and free parliaments. These were not the prejudices of a Whig elite, but deep and popular convictions, regularly refreshed by news of persecution in Europe, nourished by fear of the Spanish Inquisition, and invigorated by the stories of French Huguenots, Flemish Protestants, and other refugees who settled throughout the Anglosphere.

The most widely owned book in Britain in the seventeenth and eighteenth centuries after the Bible was Foxe's *Book of Martyrs*, a grisly account of the tortures and executions visited upon Protestants, especially during the six-year reign of Queen Mary I [the Catholic queen]. . . .

Anti-Catholic prejudice was not doctrinal— it had little to do with whether one believed in transubstantiation or in praying for the souls of the dead. Rather, it was based, like so many prejudices, on a sense of being under threat.

In 1570, Pope Pius V had called for a rising against the Protestant queen Elizabeth I, and none of his successors had repealed the bull, *Regnans in Excelsis*, that formally deposed her and absolved her subjects of any allegiance to their monarch.

That memory, and that threat, were constant influences upon England's— later Great Britain's— foreign policy. For the next two and a half centuries, the country was in a state of semipermanent war with the Catholic powers of the age: first Spain, then France, occasionally both at the same time. . . .

It is easy, with hindsight, to say that these fears were baseless. We know that Britain was ultimately triumphant— emphatically so— in its struggles with its neighbors. But this fact was not apparent to contemporaries, who felt that they were engaged in a life-and-death struggle. As the Earl of Essex told the Privy Council in 1679: "The apprehension of popery makes me imagine that I see my children frying in Smithfield."

The magisterial historian of the seventeenth century, J. P. Kenyon, likened the atmosphere to that of the Cold War, which was still at its height when he was writing. Just as Western communists, even the most patriotic among them, were bound to be seen as potential agents of a foreign power, and just as some suspicion fell even upon mainstream democratic socialists, so seventeenth-century English-speaking Catholics were feared as fifth columnists, and even those High Church Anglicans whose rites and practices appeared too "Romish" were regarded as untrustworthy.

In retrospect, we can see that such suspicions were almost certainly unfounded. Even the most biased Whig-Protestant historians readily admitted as much. Lord Macaulay, the greatest of them all, was in no doubt that, had the French or the Spanish invaded, the Catholic squire would have responded every bit as patriotically as his Protestant neighbors, holstering his old pistols and marching to his king's assistance. But that squire's Protestant neighbors, lacking the benefit of hindsight, were less willing to take the risk.

Were he writing today, Kenyon might have drawn a parallel, not with the Cold War, but with the status of Islam in the West. Like English-speaking Catholics in the early modern period, Muslims are often on the receiving end of a prejudice that is more political than religious in inspiration. Non-Muslims don't complain about the practice of hajj any more than Protestants used to complain about the practice of confession. Most anti-Muslim animosity has the same root as the older anti-Catholic animosity, namely the fear that devotees might, in the last analysis, be disloyal to their country. . . .

British Catholics eventually overcame these prejudices by making great play of their patriotism, praying ostentatiously for the monarch of the day and flying the flag from their churches. By the nineteenth century, the charge of divided loyalties had been comprehensively refuted by the long lists of Catholics among Britain's war dead. In the popular phrase of the time, Catholics had "proved their loyalty." A similar process will probably take place among Muslims in the Anglosphere, who will eventually understand that even the most baseless accusations need to be answered patiently and courteously.

It isn't surprising that the British colonists brought these fears, and anxieties, and prejudices with them to the Americas. Thus, as I said, it is nearly miraculous that the constitutional delegates adopted so strong and clear an expression of religious

freedom. But as Hannan suggests above, the fears and prejudices of our forebears haven't been eliminated – only the target has changed.

Protecting the Free Expression of Religion

I encounter Christians, many on social media, who seem terrified of all things Muslim, so much so that I think outlawing the practice of Islam would be perfectly ok with them. But such impulses, understandable though they may be, have to be suppressed. Our freedom to practice our religion as our consciences demand is one of America's greatest gifts.

In his overview of this sermon series, Rev. Arthur Jones reminded the preachers of a quote from Martin Niemöller, German Lutheran pastor who opposed Hitler and the Nazis as they rose to power. He was imprisoned by the Nazis from 1937 to 1945 in the Sachsenhausen and Dachau concentration camps. He is most remembered for the following:

First they came for the Socialists, and I did not speak out—
Because I was not a Socialist.
Then they came for the Trade Unionists, and I did not speak out—
Because I was not a Trade Unionist.
Then they came for the Jews, and I did not speak out—
Because I was not a Jew.
Then they came for me—and there was no one left to speak for me.

We all have a stake in protecting religious freedoms. Christians as much as anyone else. America was not founded as a Christian nation, in as much as Christianity was not forced on anyone. There were both Jews and Muslims in the colonies. Their consciences were to be protected. God had made them free too. There was no one excluded from the protections of the first amendment.

This is as it should be. When God came to Abraham four millennia ago, it was so that all the families would be blessed through him (Genesis 12:3). And all means all. Yes, the Israelites were told to keep other religions out of Israel and to not intermarry with pagans for that very reason. But that was an accommodation to Israel's task – not God's larger goal. Paul had to remind constantly his fellow Jews that God had not chosen them for their own sake, but for the sake of the whole world – and now the time had come to bring the Gentiles into the fold, to fulfill the promises made by God through the prophets of old (see Micah 4 for example). When John the Baptizer sees Jesus approaching along the Jordan River, he exclaims, "Behold, the lamb of God that takes away the sin of the world" (John 1:29). The World! As Paul wrote to the Corinthians, "He died for the sake of all so that those who are alive should live not for themselves but for the one who died for them and was raised" (2 Corinthians 5:15).
And all means all.

I grew up in a world where pretty much everyone claimed to be Christian. Today's pluralistic world has taken some getting used to. But I've come to think that Hauerwas and Willimon were right when they said in *Resident Alien* that the Christian community would be stronger for it. You see, anyone who goes to church now is a volunteer. There's just no reason to be a prisoner, as there is no social stigma attached to staying away from church. And I also know that we must all strive to protect religious freedom in a country which is not only pluralistic, but increasingly secular. We will have to work to hold our place in the public square, but we must fight the fight, for the Good News we bring is meant for the rescue of all.

Finally, we will have to be advocates for the religious freedoms of those who hold beliefs vastly different from our own. The Supreme Court recently ruled, 9-0, that Muslim men in prison can keep their beards if it would violate their consciences to shave it off. That was a ruling all Christians should applaud. Religious freedom is guaranteed for all Americans – *and all means all.*

The Virginia Statute for Religious Freedom (1786)

Whereas, Almighty God hath created the mind free;

That all attempts to influence it by temporal punishments or burthens, or by civil incapacitations tend only to beget habits of hypocrisy and meanness, and therefore are a departure from the plan of the holy author of our religion, who being Lord, both of body and mind yet chose not to propagate it by coercions on either, as was in his Almighty power to do,

That the impious presumption of legislators and rulers, civil as well as ecclesiastical, who, being themselves but fallible and uninspired men have assumed dominion over the faith of others, setting up their own opinions and modes of thinking as the only true and infallible, and as such endeavoring to impose them on others, hath established and maintained false religions over the greatest part of the world and through all time;

That to compel a man to furnish contributions of money for the propagation of opinions, which he disbelieves, is sinful and tyrannical;

That even the forcing him to support this or that teacher of his own religious persuasion is depriving him of the comfortable liberty of giving his contributions to the particular pastor, whose morals he would make his pattern, and whose powers he feels most persuasive to righteousness, and is withdrawing from the Ministry those temporary rewards, which, proceeding from an approbation of their personal conduct are an additional incitement to earnest and unremitting labors for the instruction of mankind;

That our civil rights have no dependence on our religious opinions any more than our opinions in physics or geometry,

That therefore the proscribing any citizen as unworthy the public confidence, by laying upon him an incapacity of being called to offices of trust and emolument, unless he profess or renounce this or that religious opinion, is depriving him injuriously of those privileges and advantages, to which, in common with his fellow citizens, he has a natural right,

That it tends only to corrupt the principles of that very Religion it is meant to encourage, by bribing with a monopoly of worldly honors and emoluments those who will externally profess and conform to it;

That though indeed, these are criminal who do not withstand such temptation, yet neither are those innocent who lay the bait in their way;

That to suffer the civil magistrate to intrude his powers into the field of opinion and to restrain the profession or propagation of principles on supposition of their ill tendency is a dangerous fallacy which at once destroys all religious liberty because he being of course judge of that tendency will make his opinions the rule of judgment and approve or condemn the sentiments of others only as they shall square with or differ from his own;

That it is time enough for the rightful purposes of civil government, for its officers to interfere when principles break out into overt acts against peace and good order;

And finally, that Truth is great, and will prevail if left to herself, that she is the proper and sufficient antagonist to error, and has nothing to fear from the conflict, unless by human interposition disarmed of her natural weapons free argument and debate, errors ceasing to be dangerous when it is permitted freely to contradict them:

Be it enacted by General Assembly that no man shall be compelled to frequent or support any religious worship, place, or ministry whatsoever, nor shall be enforced, restrained, molested, or burdened in his body or goods, nor shall otherwise suffer on account of his religious opinions or belief, but that all men shall be free to profess, and by argument to maintain, their opinions in matters of Religion, and that the same shall in no wise diminish, enlarge or affect their civil capacities.

And though we well know that this Assembly elected by the people for the ordinary purposes of Legislation only, have no power to restrain the acts of succeeding Assemblies constituted with powers equal to our own, and that therefore to declare this act irrevocable would be of no effect in law; yet we are free to declare, and do declare that the rights hereby asserted, are of the natural rights of mankind, and that if any act shall be hereafter passed to repeal the present or to narrow its operation, such act will be an infringement of natural right.

