

Editorial: De-tune the religious liberty dog whistle

February 25, 2016

The Princess Bride, one of the most delightful movies of my daughters' childhood, contains numerous quotable lines and snippets of dialog.

✘ Marv Knox Over and over when villain Vizzini's schemes fail, he exclaims, "Inconceivable!"

Finally, hero Inigo Montoya replies: "You keep using that word. I do not think it means what you think it means."

Inigo's response comes to mind several times a week. That's when presidential candidates, pollsters and political whipper-uppers say the term "religious liberty."

It does not mean what they think it means.

Over the past couple of years, "religious liberty" has become what is known in political parlance as a dog whistle.

You know how a dog whistle works: It sounds on a frequency only dogs can hear, and they come running. Likewise, a political dog whistle sends a coded message intended to fetch a cultivated constituency. The word or term sounds innocuous and blows right past normal listeners. But to the targeted group, it means something entirely different, and that meaning motivates them powerfully.

Take, for example, "states' rights." Constitutionally, it refers to guarantees in the Tenth Amendment, which reserves for the states all powers not delegated to the federal government. But to opponents of civil rights, "states' rights" was a dog whistle calling them to support segregation.

To agitate and motivate

Unfortunately, “religious liberty” has become a dog whistle to agitate and motivate conservative Christians who fear losing absolute majority control over the United States. In their ears, it has been deconstructed from its common meaning and inspires them to support candidates and causes who wish to redefine religious liberty to the detriment of all people, Christians included.

Historically, theologically and constitutionally, religious liberty has meant guaranteeing people of all faiths and no faith the absolute right to follow the dictates of their consciences. Baptists, who began their faith journey as a persecuted religious minority a little more than 400 years ago, have been stalwart champions of true, broad religious liberty.

Our forebears embraced religious liberty early and championed it courageously. Many suffered ostracism and persecution for practicing and holding to their Baptist beliefs—refusing to baptize their infants, resisting registration as ministers and throwing off other religious shackles. Some languished in prison, and others died there.

But Baptists refused to hoard religious liberty for themselves. Roger Williams founded Rhode Island Colony to guarantee religious liberty for not only Baptists, but also other Christians, people he called “Turks” and we call Muslims, and atheists and other freethinkers. One hundred fifty years later, a Baptist pastor named John Leland helped secure absolute religious liberty for all Americans by convincing James Madison to write it as the first freedom guaranteed in the First Amendment: “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof”

First freedom twisted

Unfortunately, the First Amendment’s first freedom has been twisted of

late, particularly by those who attempted to turn the law of the land to favor conservative Christianity.

Brent Walker, executive director of the Baptist Joint Committee for Religious Liberty, illustrated this upside-down treatment of religious liberty in [a sobering assessment](#) of the legacy of the late Supreme Court Justice Antonin Scalia.

“Justice Scalia’s thinking on the two clauses in the First Amendment that protect religious liberty—no establishment, that government can’t try to help religion; free exercise, that government shouldn’t try to hurt religion—he watered both of those down and pretty much deferred to the will of the majority rather than upholding the rights of the minority as many of us think the First Amendment was intended to do,” Walker told radio host Welton Gaddy.

Scalia “led the charge” in 1990’s *Employment Division v. Smith* “that pretty much gutted the protections in the free exercise clause,” Walker said. And regarding the First Amendment’s “no establishment” clause, Scalia “never saw an establishment case that he really liked.”

Consequently, the clause prohibiting government from establishing or propping up religion has been eroded, while the clause guaranteeing all religions the right to exercise their faith freely has been unraveled.

Such a perspective might have been expected from Scalia, a devout Roman Catholic, whose faith looks favorably upon hundreds of years of church-state collusion. But it is unconscionable for Baptists, other free-church Christians and people of other faiths, who inherently should recognize the danger of knocking down what Thomas Jefferson described as the “wall of separation” between church and state.

Faith & freedom

To be authentic, faith must be free. And for faith to be free, government should butt out.

(Isn't it ironic the people who claim to distrust government are happy to allow government to regulate faiths with which they do not agree and also to turn to government to help them with their causes? Don't they know what government supports, government will control?)

Now, politicians who prey on fear are using the religious liberty dog whistle to call out to people frightened by the increase of Muslims in their communities. They're sounding the whistle to people who think the world will be better if they have the opportunity to promote their version of religion by posting the Ten Commandments on public property. They're sounding the signal to Christians who despise people with different opinions and believe public officials should be able to ignore the law they have sworn to uphold when they don't agree with how it is interpreted.

The list could go on and on, but the ideas would remain the same. If "religious liberty" isn't good news for all people of all faiths, it isn't good news. If "religious liberty" aids and abets one faith or one branch of one faith, it's not liberty.

Baptists and others of goodwill should shout down the dog whistle of "religious liberty" when it agitates people to discriminate against others, to think less of others, to hate or despise others.

"Religious liberty" does not mean what people who use it for a dog whistle think it means.