

Commentary: Whose religious freedom is Donald Trump protecting?

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One of my daddy's favorite sayings was, "It depends on whose ox is being gored."

To the assertion by Rev. Ramiro Peña in his [July 30 Baptist Standard opinion article](#) that "Donald Trump is protecting religious freedom in a perilous age," I respond: It depends on whose religious freedom we're talking about.

America was settled by people fleeing religious persecution in England, where the "established church" ruled. When they got over here, they set up an established church of their own and persecuted those who deviated from the "official" religion of their colonies.

But in 1644, Roger Williams—under the conviction that God wants free and not coerced followers—established the colony of Rhode Island, where all would be free to believe, or not believe, as their conscience dictated.

When the U.S. Constitution was being finalized, Virginia Baptist pastor John Leland negotiated an agreement with James Madison, resulting in the opening 16 words of the First Amendment, which ensured religious liberty for all Americans, stated in two co-equal clauses: *Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof.*

Free exercise

Peña's article ignores the balance between the two clauses. In fact, it gives preeminence to the second while ignoring the first.

More than that, though, Peña is following the example of the colonists who wanted "free exercise" applied to their own tribe only, not anyone else's.

So, Peña apparently applauds the president's endorsement of conservative Christians and their agenda—such as hospitals and corporations refusing to provide employees with health care services mandated by the Affordable Care Act and bakers refusing to bake wedding cakes for same-sex couples.

Yet, he turns a blind eye to the president's [immigration ban targeting Muslims](#), attacks on churches providing sanctuary for undocumented immigrants, and attacks on churches providing food and water to immigrants fleeing in the desert. Do these people of faith not have the right to freely exercise *their* religious beliefs?

Johnson Amendment

Peña repeats the president's claim that he has "ended" the Johnson Amendment. But this is not true. The [Johnson Amendment remains intact](#), though the president repeatedly has attacked it.

Further, Peña's claim that the Johnson Amendment prevents churches "from freely exercising their First Amendment rights ... to advocate for causes that reflect their values" is simply wrong. They still are free to preach on the evils of abortion, alcohol and same-sex relations, as well as racial injustice and poverty.

What the Johnson Amendment does is prevent churches from endorsing a political party or candidate. That's it.

What is the effect of this restriction? To help churches keep focused on their central mission—to preach and practice the gospel of Jesus Christ. To protect churches from dividing over partisan politics. Do we really want the aisles of our churches to reflect the aisles of Congress, with Republicans on one side and Democrats on the other?

It also protects church members from being marginalized by the “preaching” of partisan politics from the pulpit. Just imagine, for example, that you support the Republican—or Democrat—candidate for president, and your pastor uses a Sunday morning sermon to criticize that candidate and rain down a chorus of “boos” from the congregation every time that candidate’s name is mentioned. I’ve seen this happen.

White House initiatives

Peña cites the president’s White House Faith and Opportunity Initiative as if it is something new. However, Barack Obama had the White House Office of Faith-Based and Neighborhood Partnerships, and George W. Bush had the White House Office of Faith-Based and Community Initiatives. Each president puts his own brand on it.

The First Amendment guarantees the government will not play favorites when it comes to religion, and it will not interfere with the free exercise of religious beliefs.

But even free exercise has its limits, such as when it bumps up against a customer’s right to be served, an employee’s right to health care or, as in our present circumstances, a government’s right to keep its citizens safe in the midst of a pandemic. These are not always easy issues, and not every restriction applied to religion is necessarily a violation of the First Amendment.

The bottom line, however, is that the two religion clauses of the First

Amendment are co-equal, and they should apply to all people equally and not favor one religious group—even conservative Christians—over another.

Bill Jones is the founding editor and publisher of the Weekly Baptist Roundup. He was the executive director of Texas Baptists Committed until his retirement.