

## **Religious Liberty in American Life**

### *Preparing Religious Leaders for Civic Engagement in the 21<sup>st</sup> Century*

**“Congress shall make no law respecting an establishment of religion,  
or prohibiting the free exercise thereof...”**

Religious Liberty clauses of the First Amendment to the U.S. Constitution

“The Religious Liberty clauses of the First Amendment to the Constitution are a momentous decision, the most important political decision for religious liberty and public justice in history. Two hundred years after their enactment they stand out boldly in a century made dark by state repression and sectarian conflict. Yet the ignorance and contention now surrounding the clauses are a reminder that their advocacy and defense is a task for each succeeding generation.”

The Williamsburg Charter

### **A Shared Vision of Religious Liberty**

In the aftermath of the tragic events of September 11, 2001, we are reminded once again that the American arrangement in religious liberty is a precious – and fragile – experiment that must be renewed and reaffirmed in every generation. The inviolable dignity of every human being is protected only when each individual is free to choose in matters of faith. That is why an abiding commitment to religious liberty must be at the heart of our efforts to achieve peaceful co-existence among people of all faiths and none, within the United States and throughout the world.

With just 16 words, the Framers of the First Amendment set forth the guiding principles for America’s bold experiment in religious freedom. We recognize that there was disagreement about how to interpret and apply these principles when they were first adopted in 1791 – and we continue to debate their precise meaning today. But we also affirm the widespread agreement among Americans that the principles of “no establishment” and “free exercise” are intended to protect the freedom of conscience of every citizen and the right of religious people to practice their faith openly and freely without unnecessary governmental interference.

The challenge for 21<sup>st</sup> century America is not only to sustain this remarkable arrangement, but to expand the principles of religious freedom more fully and fairly to each and every person. This is no small task. Today the United States is the most religiously diverse society in the world, and, among developed nations, the most religious. If we are going to live with our deepest differences in our pluralistic society, then we must reaffirm and renew our shared commitment to protect the rights of people of all faiths and none.

### **The Religious Roots of Religious Liberty**

The Religious Liberty clauses of the First Amendment provide the civic framework within which Americans are able to understand one another and to negotiate differences in public life. As fundamental constitutional principles, “no establishment” and “free exercise” are a key part of the charter that binds us together as “We the People.”

Throughout American history, people of faith have in diverse ways contributed to the definition and understanding of religious freedom in our society. The very language of the Declaration of Independence – that we are endowed by our Creator with certain unalienable rights – is a reminder that our Framers understood the blessings of liberty to be a gift of God. In every period of our history – from the “soul liberty” of Roger Williams to the “articles of peace” of John Courtney Murray – theological ideas and religious convictions have shaped our understanding of religious liberty and inspired commitment to First Amendment principles among the faithful.

Theological schools have a religious and civic responsibility to remind seminarians of this rich history, to educate them about the roots of religious freedom in their own tradition, and to prepare them to engage American society with the theological and civic principles needed to uphold religious liberty for all people.

### **The Challenge for Theological Education**

Although every American has a vital stake in upholding the First Amendment, understanding the meaning and significance of religious liberty is of special importance to those who would be religious leaders in the United States. Religious leadership in America’s public square means addressing a wide range of issues critical to the freedom of all faith communities and to the health of the body politic. What limits and protections do the Establishment and Free Exercise clauses place on the interaction of religion and government? How and when should religious voices be raised in the political process, especially when questions of morality and justice are raised in public-policy debates? How may religious organizations and government cooperate to serve those most in need?

Being prepared to address these and many other related questions requires a thorough understanding of the First Amendment, current law, and the history of the role of religion in American society. Moreover, when issues arise that expose deep and abiding differences among our citizens, many Americans look to religious leaders for guidance on how to resolve conflicts in ways that uphold our shared commitment to the guiding

principles of religious liberty and equal justice. Even those religious leaders who choose not to take a highly visible public role must of necessity confront questions about government regulation and potential areas of litigation faith communities may face. Many of their members may seek counsel as they face questions about how to bring faith into the public arena.

If the United States is to sustain and expand the American experiment in religious liberty in this new century, it is vitally important that theological schools include meaningful education about religious liberty under the First Amendment as they prepare people for leadership and ministry in the nation's communities of faith.

### ***Recommendations for Encouraging Emphasis on Religious Liberty in Graduate Theological Education and Religious Communities***

#### **I. Goal: Incorporate emphasis on religious freedom in the curriculum of graduate theological education**

Ways to Reach Goal:

- a. Produce model syllabi for courses on religious freedom and model syllabi for existing courses (such as Church History, Ethics, Public Policy, Theology, Justice, Pluralism, International Human Rights and Community Ministry) that would incorporate an emphasis on religious liberty issues. Summer grants or sabbatical grants could be established that would support the production of such syllabi by theological educators. Disseminate such syllabi widely and establish a group of professors who would promote the syllabi within their academic institutions.
- b. Establish a website for use by theological educators and their students that would feature seminal historical, theological and legal documents relevant to religious freedom as well as commentary on these documents and current religious liberty issues. The website also could contain sections for theological educators that would include model syllabi and lectures on religious liberty issues.
- c. Current accreditation standards of the Association of Theological Schools require a graduate theological education to prepare students to engage a broader public and to provide opportunities for the development of "a comprehensive and discriminating understanding" of religious heritage. Encourage interpretations of these and other standards that would require an emphasis on religious liberty education.
- d. Establish relationships between various field education offices and consortia of groups working on religious freedom issues in Washington, D.C. and/or state capitals. Encourage graduate theological students to consider doing an

internship with one of the groups. Require student papers that reflect on their experience and establish an award for the best paper.

e. Establish a program that would send graduate theological students to a law school to take first year courses, most prominently constitutional law and First Amendment principles. This program would differ from a joint degree program because the theological students would not earn a law degree but would gain substantial knowledge about the legal system and culture.

f. Establish a scholarship program whereby graduate theological students selected by the faculty would attend a leadership retreat on religious freedom issues. The multi-year program could draw on students from across the United States. Faculty sponsors would attend.

g. Establish a scholarship program whereby graduate theological students selected by the faculty could attend a “January term” religious liberty conference in Washington, D.C. or in state capitals. The students would discuss religious freedom issues with representatives of various religious organizations and interest groups as well as elected and appointed leaders in government. The multi-year program would draw on students from across the United States. Faculty sponsors would attend. Explore using technology to make the program accessible to those who could not travel to the event.

h. Establish awards for research and writing by faculty and students on religious liberty.

## **II. Goal: Raise Consciousness and Encourage Understanding of Religious Freedom within Graduate Theological Faculty and Other Religious Communities**

Ways to Reach the Goal:

a. Encourage those who advocate an emphasis of religious freedom within theological education to become active in various professional societies such as the Society for Christian Ethics, American Academy of Religion and the Catholic Theological Society of America. These advocates could attend conventions, join committees and plan panel discussions that would highlight the importance of religious freedom issues for those engaged in ministry.

b. Establish continuing education courses through graduate theological schools such as, “Should You Take the Tax Money? A Minister’s Guide to Faith-based Initiatives”; “Politicians in the Pulpit? Religion and Election Day”; “Using Civic Space for a Sacred Purpose: A Minister’s Guide to the Religious Use of Public Property”; “Shall We Pray? A Minister’s Guide to Religious Expression in the Public Schools”; “Fighting City Hall: A Minister’s Guide to Facing Zoning Battles and Other Regulatory Issues.” Create a website (or a section of the website

mentioned above) that posts the written documents used in these courses and the transcripts of the sessions.

c. With the help of the faculty at particular institutions, plan faculty workshops on religious freedom issues. A model could be established that could be replicated at other schools.

d. Take relevant continuing education courses to localities that are or recently have been in the midst of conflict over religious freedom issues. Modesto, California schools, for example, recently experienced a conflict over adding sexual orientation to a safe school policy. Strong objections to the school's proposed policy came from certain parts of the leadership of the religious community. With the help of the First Amendment Center, the community was able to change the dialogue over the issue and come to consensus on this issue and future steps that would help avoid similar conflict in the future. The First Amendment Center's work could be packaged as a program that could reach many communities in crisis.

e. Commission research on joint theological and law degree programs. Such research could survey graduates and faculty in these schools to discover information such as the career path of the joint degree students, the extent to which their academic experience prepared them for their careers, and the differences and similarities among the various degree programs. A final report could offer suggestions for optimal integration of these programs based on this data.

f. Earn a place for a religious liberty discussion on the agenda of graduate student gatherings like those of the National Conference of Community and Justice. Engage students of diverse faith and theological perspectives on issues of religion and government.

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This document is a product of the Freedom Forum First Amendment Center and the Pew Forum on Religion and Public Life. It grew out of the discussions and work of a conference of leaders in theological and civic education brought together to consider religious liberty in American life and the ways in which religious leaders may be prepared for civic engagement. The leaders listed below participated in this conference. Their valuable comments and suggestions have helped to shape the document. Although they share in the spirit of the project, they were not asked to draft or approve the finished document that remains the sole product of the First Amendment Center and the Pew Forum. The participants' names and affiliations are listed for identification purposes only.

**Conference Participants:**

John Carlson, *Ph. D Candidate, University of Chicago Divinity School, Pew Forum on Religion and Public Life*  
Richard Cizik, *Vice President for Governmental Affairs, National Association of Evangelicals*

Lant Davis, *Assistant to the President, Louisville Presbyterian Theological Seminary*  
John Ferguson, *Religious Freedom Specialist, Freedom Forum First Amendment Center*  
Kathleen Flake, *Assistant Professor of American Religious History, Vanderbilt University Divinity School*  
Kevin Hasson, *President, Becket Fund for Religious Liberty*  
Charles Haynes, *Senior Scholar, Freedom Forum First Amendment Center*  
Robin W. Lovin, *Maguire Professor of Ethics, Perkins School of Theology, Southern Methodist University*  
Luis Rivera-Rodriguez, *Associate Professor of Theology, McCormick Theological Seminary*  
Melissa Rogers, *Executive Director, Pew Forum on Religion and Public Life*  
David Saperstein, *Director, Religious Action Center for Reform Judaism*  
Fernando Segovia, *Professor of New Testament and Early Christianity, Vanderbilt University Divinity School*  
James C. Skedros, *Associate Professor, Holy Cross Greek Orthodox School of Theology*  
Russ Spittler, *Professor of New Testament, Fuller Theological Seminary*  
Max Stackhouse, *Stephen Colwell Professor of Christian Ethics, Princeton Theological Seminary*