

What is Religious Liberty?

from the Baptist Joint Committee on Religious Liberty

“Religious liberty” is the freedom to believe and exercise or act upon religious conscience without unnecessary interference by the government. Just as religious liberty involves the freedom to practice religion, it also means freedom not to practice religion. If you can’t say “no,” your “yes” is meaningless... In [some] cases, legislatures and courts must step in to determine how to accommodate sincere religious beliefs while protecting other government interests, including protecting those who may not share the same beliefs. So, when government makes exceptions for religious exercise, it must look out for the rights and well-being of others who may be detrimentally affected.

BJC advocates a “golden rule” of religious liberty: Do not ask government to promote your religion if you don’t want government to promote somebody else’s religion; and do not permit government to hinder somebody else’s religion if you don’t want government to hinder your own religion.

How is religious liberty legally protected in the United States?

The U.S. Constitution protects the freedom of religion in a distinct way, allowing people with vastly different beliefs to live peaceably together.

The first 16 words of the First Amendment have two protections for religion. The prohibition on an establishment of religion keeps the government from advancing or privileging religion. The protection of free exercise keeps the government from unnecessarily interfering with religious practice.

The First Amendment keeps government neutral — neither helping nor hurting religion, but allowing people to practice their religion (or practice no religion). Additional protections exist in various federal, state and local laws.

What about the separation of church and state?

The phrase “separation of church and state” is not in the Constitution. It is shorthand for the protections in the First Amendment and for a deeper truth: religious liberty is best protected when the institutions of church and state remain separated and neither tries to perform or interfere with the essential mission and work of the other.

People of faith generally agree that government should not unduly restrict religion. But, government promotion of religion is problematic. When government tries to aid religion — financially or otherwise — it also tends to regulate religion and often waters it down, robbing religion of its vitality. Decisions on religious matters are best left to individuals and houses of worship. As soon as government starts to meddle in religion or take sides in religious disputes — favoring one religion over another — someone’s religious liberty is denied and everyone’s is threatened. The separation of church and state ensures religious liberty in the United States.

Source: Baptist Joint Committee (<https://bjconline.org/religiousliberty/>)