



David Callaway "Religious Liberty" Transcript

Episode 47

Announcer 0:04

Welcome to the post COVID church podcast with your host, Stuart Kellogg.

Stuart Kellogg

Welcome. Today we're talking about one of the most basic American rights one that is under increasing attack. It's a battle, all followers of Christ must understand the freedom of religion. Now, the fact is, Christianity has never had special legal protection in America... ever. But we've had cultural advantages from our founding, until now. Perhaps that's why religious liberty is so important.

David Callaway is the religious freedom specialist for the Freedom Forum, where he guides the organization's first amendment work on religious liberty. For the past five years, he's been overseeing the Georgia rights responsibility respect project, working to promote religious freedom and religious literacy in public schools. Welcome to the post COVID church podcast. David.

David Callaway:

Thank you so much, Stuart, I'm glad to be here.

Stuart:

The freedom forms focus is fostering First Amendment freedoms for all, how does the freedom from do that?

David 1:21

Absolutely. We do that through a number of initiatives, educational programs, like my own, where we work with teachers or school districts on how to teach about religion, academically and constitutionally. We also have a program called Newseum Ed, which does media literacy and fake news work with social studies teachers from across the country. And we are continuing to do a lot of the same types of work we've done through outreach programs that work like this, in order to help Americans understand why the First Amendment is important. And the key things they need to know about it.

Stuart 1:59

Our first amendment, is an amazingly unique part of this nation's foundation, but it doesn't specify special protection for Christians.

David 2:09

That's correct. Yeah.

So it is religious freedom broadly. And this was not exactly a totally new idea in the founding of nations, but it was certainly unique to America, to codify it into law from our beginning. It's what is special about America and it's one of the reasons I think, we can point to why America has significantly more religious people or people who identify as religious than other similarly developed Western nation.

From the beginning, we said, "Hey, we're going to codify this into law." And that was because in America, we wanted to found a nation, unlike any other nation that had been founded before, where we were not all founding a nation that that we all shared the same experience, we didn't all come from the same background or believe all the same things. And so it was really important that we enshrine the same values, but we were gonna do differently is that we were going to we were all going to agree on the same values. And for us, we see that in the First Amendment.

And so to be an American, what that means is that you are granted your right to believe and to practice to a great extent as we can allow your deepest beliefs. But I am granted that right as well. And we may disagree. And so that then sets up this kind of challenge for us as as citizens of a diverse democracy, and how do we navigate the equal right that we both been given across that difference?

Stuart

Would you agree that Christianity has never been under such assault in America?

David 3:43

In America, you know, there's I think that could be read as true. I am kind of, of the opinion that most of the New Testament authors, most of Jesus's disciples would probably be pretty surprised at the success of Christianity. But I think it's absolutely true.

You know, like, like, for example, for the first time in this country's history, white Christians are no longer in a majority, white Christians have have lost the majority in the last 10 years. Um, and, you know, something that's been, particularly for evangelicals for a long time, for for decades and decades, we've seen the decline in mainstream Protestant Christianity. But for a long time, evangelicals were immune to that declining trend. And in the last 10 years or so, that switch, something's happened where now evangelicals are seeing their numbers decline as well.

But I think it's important to recognize, okay, so what does it mean now that my viewpoint might be in the minority, but that's it's different where you're from. So I'm here in Georgia. The vast majority of Georgians are religious, our Christian are Methodists, and Baptists in particular. In most say state places, employment or in schools here, Georgia, Christianity isn't threatened. I think you know, when you think about some of the kind of more national trends or you know, some of those other aspects, that's where we see some of the decline.

Stuart 5:11

Well, now, you mentioned Georgia in the Bible belt. But looking at two companies based there, Coca Cola and Delta. If an evangelical employee stands up and says, "I believe in the biblical definition of marriage, that's between a man and a woman", they would have a price to pay. Do you disagree?

David 5:33

So I can't say cuz I, you know, I just don't know. Why it probably depends on the context. I think there are certainly lots of contexts where that would probably be okay. And there'll be at

least people who agree, but I do agree that there are certain contexts in those companies where that wouldn't be okay. For that individual who wants to express that belief, that person shouldn't be punished alongside someone expressing the opposite beliefs should not be punished.

Now, private companies are not beholden to the First Amendment. So that's really important. And they can do whatever they like. And some of them say, you know, we want to follow it. But then when it gets to the nitty gritty, they they definitely side in their favor.

You know, there are places in this country like Utah is a great example where in 2015, Utah passed a bill, often called the Utah compromise, although I hear a lot of people don't like it, like hearing it called the Utah compromise, because neither side often feels like if they compromise, they feel like they got what they wanted. Where it was LGBTQ activists, and the predominantly conservative Utah legislature coming together, and finding a way to create a bill that expanded protections for both religious people and LGBTQ people. So for example, in that bill, there's protections for a person who expresses a belief like that, that they can't be punished by the government. But there are also protections in the bill that help LGBTQ people from being discriminated against and housing and employment. And so both, you know, groups were able to find, like allies and been produced something that that created expanded freedoms for everyone and didn't end up limiting themselves. So I think those opportunities are out there. And those are the kinds of things we want to look to as good examples.

Stuart 7:17

My guest, David Callaway, the religious freedom specialist for the Freedom Forum. Secularists say it's fine to go to church have your religion, just don't bring into the public square. But of course, Christ called followers to impact culture. That's the rub. Right?

David 7:35

And I should say, while I absolutely agree with that, that reading, regardless of that, the American history allows for importantly, the bringing of your faith into the public square, like American law, American history, precedent, all of it. And that's good for a lot of reasons. One, because how are you as an individual, you know, in the West, we often think about religion as balkanize thing that that, you know, some people do on Wednesdays and Sundays, but that's it.

But one, even for the people who only think about religion on Wednesdays and Sundays, but they're still influenced, that's not a lot of people. All of us are your influence on our daily lives, both in sacred and mundane ways, by our religious beliefs. And so, to enter into the public square and leave those behind is practically impossible. I mean, I don't know how most people do it. So I think it people who encourage that are misguided, you know, I think we should be able to bring our full selves to the public square, including our religious beliefs, and that's what the constitution enshrines. And the Free Exercise Clause, you know, that that as much as you know, we can, we're going to let people exercise their their religious beliefs, not just in their home, you know, in the public sphere.

Stuart 8:54

But those taking on that religious belief, aggressively, they have more sway now, don't they?

David 9:02

You know, it's the unaffiliated have certainly increased. Yeah, I mean, this is the huge change where a lot of called the unaffiliated or religious nuns—as in N o n e s. It's important to know that only a small percentage of those people identify as either atheist or agnostic, the vast

majority. Now, something in the 25% 26% of Americans identify as non affiliated. Less than 10% of Americans identify as atheist or agnostic.

So most of those are people who, you know, maybe grew up in a religious tradition and just no longer participate in it and don't feel comfortable as identifying in that in the first place. So more people growing up without religion being as central of a part of their lives as it has from from most people in the past. Americans have increasingly felt that religion has played a smaller and smaller role in their lives over the last two decades. You can just watch that go up until now. And then that's when we have this total reversal, where, in fact, with very dramatic reversal, where many, many Americans are turning to religion or returning to religion or in reinvesting in their religious traditions at this time. And that's just fascinating to me, it's such a dramatic reversal of a trend on this issue. And I'm very curious to see how that plays out.

Stuart 10:22

And that's what this project is all about. And one of the great opportunities for the post COVID Church is reaching those people who have realized there's something bigger than me.

David 10:33

Exactly, exactly. People want community, right. I think they want community at this moment. And nothing builds community better than religion.

Stuart 10:41

I think you'll agree: The biggest Flashpoint now in our culture is sexuality. Those who believe the Bible's definition of marriage is that between a man and a woman are facing increased hostility, if not persecution. Is that simply the price Christ promised followers would pay?

David 11:00

You know, I do think there is a certain level where any religious tradition is not always going to be with the mainstream. And for Christianity in particular, that's, that's, I think, difficult from an institutional knowledge standpoint, because for so long, Christianity has been a part of the ways in which not just this country works, but lots of the Western world work. And so this new shift, it can often be quite, quite jarring.

There's a really good quote that says, you know, "When you're used to privilege, equality feels a lot like oppression." And I'm not saying that's exactly where we're at right now. But there is this there is this kind of shift for for many Christians, where they no longer feel like they're they're in the majority, and they feel like their views are being persecuted and for for that, I would say, that's an opportunity to empathize with the other and understand.

Okay, so that from this experience is what I'm feeling right now, many others who are different than me have felt that experience for a long time, how can we ensure that neither one of us has to be in that spot, right. And I think that's the the value of religious freedom is that when used correctly, it's a it's a tide that raises all ships, when used as a shield to defend religious freedom. Protecting your right to believe your deepest beliefs, protects everyone's rights to do so.

So you know, an example I often give is here in Georgia, a town council was considering to permit the the building of a mosque, and an armed militia of individuals showed up outside and council postponed and then quietly denied the permit later. And that's how it was reported as

mosque denied permit to be built. But from the government standpoint, it should say place of worship, because it doesn't matter. The government doesn't care if it's a mosque, or a temple or a church. It just cares that it's a place of worship. And so for some people, they might see that as a victory, hey, great, you know, these people who I disagree with, they don't get, you know, a foothold in my area. But that's a short term view, because what the real victory is, is for the ability of the government to deny anyone a place of worship, right, and we don't want that.

So I think thinking in that long term view of saying, "Hey, now we're in the place where our views are not part of the majority", how can I protect those rights are those views but in the ability to, to express those and believe those freely, while also ensuring that I don't tear down, you know, my protections in the future. If the trend continues into the next 20-30 years, then Christians will find themselves in a significantly less impactful place than they are even now. And that's probably scary for a lot of people. And so you don't want to be in the position of tearing down religious freedom rights for others, and then find, "Oh, now that those others are in the in positions of power, they're not interested in protecting my rights", right? So I think that's really critical to keep in mind.

Stuart 14:05

My guest, David Callaway, the religious freedom specialists for the Freedom Forum.

We've seen some very public cases, for example, the Colorado cake baker who refused to design a cake for a gay couple. And I think it's important to note, he sold cakes in the shop to anybody, but he refused to use his artistic talents to design a cake for a gay couple's wedding. Your feeling is, hey, there can be accommodation. But in many cases, those who are taking on businesses or individuals with fundamental biblical beliefs, don't want to accommodate they just want to crush.

David 14:43

Yeah, that's it's really tough. And I think that's the key. The key question moving forward. So one, I want to say that cases like the cake baker, are really really rare in the grand scheme of religious freedom disagreements. There are hundred and hundreds of more instances where say this, this clash happens. And then the two parties find a way to figure it out. And I think that's kind of why that's again, the ideal is to recognize that, that every day in America in maybe not every day, but but lots every week, this is happening in some capacity, maybe not exactly an a cake, maybe it's a photographer or, or what have you. And they're there, people are navigating those without getting into the courts.

And often the courts are involved, prosecutors will go out and find ideal candidates and or set up scenarios to litigate the, you know, situations. And so I think that's important to kind of separate the constructed nature of some of these cases, and the real experience. And so that real experience of accommodation, you know, there are certainly people out here who, on both sides who are unwilling to accommodate. So let's let's talk about Utah, for example. One of the the provisions of that bill is that, as a county clerk, if you are issuing marriage licenses, there has to be someone on staff who's willing to issue those licenses to a same sex couple. It doesn't have to be you. In many county clerks in Utah are of the LDS faith and might find that to go against their religious beliefs. And so you as a couple, you know, say you're a same sex couple and you go up to the window, you know, to have your marriage license signed that that county official brings it to the back, it gets notarized in the back and brought back up to you the couple and it's all taken care of. And for the couple they get their certificate and for the the clerk it's notarized by someone else in the back. So they don't feel like they individually have to have their rights violated. That's an accommodation.

No one perfectly wins that right? Because for some people, they're gonna say, "No, the LGBTQ couple should see it notarized in public in front of everyone. Everyone should have to do it. No exceptions whatsoever." And some people are going to say, "No, the county should not issue anything sex marriage certificates whatsoever", right? And those two groups can continue to fight. And that's fine. But I just don't think that's, that doesn't. That's adding to the divisiveness that's in our society right now. And again, these two groups are in Utah is an example of saying, "How can we find a way for everyone to get what they want, or almost all of what they want, and be able to still keep their dignity?" Like that's, I think, really important, because for the religious individual, that relationship with their God is so important. And what I asked that person is to say, take that feeling of significance and apply it to how the LGBTQ person feels about the issue and just pretend for a moment that that's how strongly they feel about that. And for the LGBTQ person, you know, for that sense of integrity, and that deeply sense, since important sense of self worth and public sphere, take that feeling and apply it to the religious person and say, okay, we both like we want to, to keep our dignity in this both of us, how can we do that? Those are the kinds of solutions and ways of thinking about this that I think are most valuable. I

Stuart 18:11

I guess the biggest problem is, is that you have many who say those who hold the biblical view on, for example, marriage, they're bigots, it they should be forced to sign those certificates because that's the law.

David 18:25

To me, what it means to be an American is a shared commitment to the First Amendment and an understanding that, again, you as an individual have your right to both believe your deepest beliefs and then all the other freedoms of the First Amendment flow from that right like what do you need speech or press for if you're not guaranteed your deepest beliefs in the first place, are all kind of paired together with this this responsibility to protect that right for other people because that's how you protect it for yourself. So when you as a liberals trying to totally eliminate or disenfranchised speech, like you're talking about where someone's expressing a view about about the biblical definition of marriage against the First Amendment, that's unAmerican. But the opposite is equally true, right? That's the other side of it. It's both, it's you know, it can't go the other way, either. And we are I'm not a free speech absolutist. I think it's kind of crazy. But I do think we are benefited by the understanding that you get to say what you are that we are better off by allowing each other to speak our deepest beliefs than we are to prohibit that.

Stuart 19:32

Finally, David, you certainly have been in the middle of it. You've seen how quickly culture has shifted just in the last decade. And the Christian faith is increasingly marginalized or attacked. What do you see a decade from now?

David 19:46

It's that's really tough. You know, if COVID hadn't happened, I would say I think the trend would continue. They may still see where we see the general society moving towards a more secular viewpoint than it has in the past. I shouldn't say as it's just as a side note, this is actually the opposite trend we see at the Supreme Court. And so for the last three kind of Chief Justices, you go back to what Burger goes into the 1980s. And to Rehnquist and Roberts, we see an increase in the number of victories that religious plaintiffs are able to, to secure. So it's like about 50%, in the 80s. And then in the Rehnquist court, it jumps to about 60%. And the

Roberts Court, religious plaintiffs brought court cases and Supreme Court have won something like 86% of the time. That's a huge number.

But that's and that's, that's the opposite trend of what we see in cultures, the secularizing of a culture. With COVID, the really interesting thing, you know, here again, because I think what it did is, I think there are many challenges to religion right now, one of them, I think it's the rise of social media and how it gives us this fake sense of community. This kind of, like, pseudo community that gets a lot of people enough of the way they are, but it's not actually real, it doesn't do things like a religious community does, like a church or temple or, or what have you.

And I think COVID might have helped people see some of that they really desired true community of individuals who weren't just there on the internet, but they're in their lives to support them. And in recognition, of course, you know, with with for many, a lot of a lot of deaths, you know, and how to how to kind of re-look at the world through those lens. I'm very curious, as we get back to normal, I think there will be lots of things that have changed and lots of things that will eventually find their way back to average. And it's really hard to know at this point, but I think that there is an opportunity for not just Christians, but for all religious people right now. This is the moment where, for the more than any time in the last decade or two decades, there has been interest from from the American public in wanting to participate in religion. And so for a lot of people, you shouldn't let that opportunity to go if that's interesting.

Stuart 22:05

Opportunity. It's what we talk a lot about here on the post COVID church project: opportunity for the church, to have more influence and to fulfill its mission. My guest today, David Callaway, religious freedom specialist from the Freedom Forum. How can folks find out more about your organization?

David 22:24

You can go to a Freedom Forum. org, where we have a ton of resources constantly being updated about all five freedoms of the First Amendment. Also, you can follow us on Twitter @1stForAll and that's where you'll see our latest events and news.

Stuart 22:40

Thank you so much, David, for sharing with us today on the post COVID church podcast.

David:

Thank you so much. I had a great time.

Stuart

And I'd like you to share as well. Questions, comments, anything having to do with the Post COVID church podcast, just email at stuart@thepostcovidchurch.org. The website is www.thepostcovidchurch.com On it, links to the podcast also all the archive material from ... well, more than a year of materialthat I think you'll find interesting. Also for the most recent podcasts such as this one, transcripts makes it easy to find the information.

Thank you so much for listening. Please tell your friends. I'm Stuart Kellogg.

Announcer 23:37

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