

# RELIGIOUS FREEDOM?

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In August and September 2015, Rowan County, Kentucky, Clerk Kim Davis became a hero to homophobic bigots by refusing to carry out her duties as a public official: she categorically refused to issue marriage licenses to homosexual couples, asserting that her religious beliefs precluded her doing so. She refused to resign and was sent to jail for contempt of court on September 3.

Many religious fundamentalists described this contretemps as an issue of religious freedom. Mike Huckabee, a well-known conservative, stated, "Having Kim Davis in federal custody removes all doubt of the criminalization of Christianity in our country."<sup>1</sup>

The logic of this definition of *religious liberty* has no relation to the normal sense of *freedom to exercise one's religious beliefs*. Instead, it implies *freedom to impose one's beliefs on the public while working for that public*.

Let's examine how rational people would view the behavior of county clerks who refused to issue marriage licenses to couples (and refused to resign) based on their interpretation that the couple have violated or continue to violate the following religious restrictions:<sup>2</sup>

- Committing adultery between men and women
- Lying about virginity
- Not bleeding when a woman is losing her virginity
- Being an engaged female virgin but having been raped
- Having sex with a woman who is menstruating
- Eating a blood sausage
- Eating a cheeseburger or any other dish mixing meat and milk products
- Eating ordinary leavened bread during Passover
- Eating pork
- Eating shrimp, crab or lobster
- Having an uncircumcised penis
- Working on the Sabbath
- Cursing their parents
- Planting more than one type of seed in a field
- Wearing clothing made of more than one type of fiber
- If a man, cutting the hair over one's temples or cutting the edges of one's beard
- Speaking in church

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<sup>1</sup> (Jackson, 2015)

<sup>2</sup> Paraphrasing or quoting directly from a list in (RationalWiki, 2015)

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While we're at it, how about some restrictions that are not in the Bible?

- Using birth control
- Having had an abortion

And, given the degree of hostility expressed by rightwing zealots toward Islam, how about a county clerk who refuses marriage to anyone who violates his (presumably not her) Islamic standards.<sup>3</sup>

- Not being a Muslim
- Opposing the spread of Islam
- Being an atheist
- Arguing about Islam without adequate knowledge
- Being friends with anyone who discusses Islam without adequate knowledge
- Trying and failing to write a religious poem that is more beautiful than those in the Qur'an
- Writing something and claiming that it is from Allah

Then again, if a Mormon were to refuse to relinquish responsibilities as a public servant while imposing tenets of the Church of the Latter Day Saints, perhaps we'd see restrictions on granting marriage licenses to people who drink or have drunk alcohol, coffee or tea or used tobacco.<sup>4</sup>

In Jewish lore, we don't criticize or look down on non-Jews for not following Jewish religious customs (except for the Seven Noahide Laws) or try to impose them on gentiles.<sup>5</sup> For example, it is forbidden to light a fire on the Sabbath, but gentiles are permitted to do so without doing anything wrong – hence the custom of hiring a “Sabbath Goy” to relight a fire that has gone out during the Sabbath. Gentiles who eat shrimp with bacon are doing nothing wrong. Observant Jews who own a Kosher restaurant don't have to serve forbidden foods, but you've *never* heard of Jews in America congregating around a burger joint demonstrating against cheeseburgers.

Finally, the resistance to gay marriage mirrors historical bigotry about marriage between people with different shades of pink and brown skin. Few today outside the ranks of the KKK and the neo-Nazis would justify refusal of a public official to carry out her duties based on her rejection of “inter-racial” marriage, whether based on interpretation of religious texts or not.<sup>6</sup>

So think about these principles:

- Following one's religious principles in private life and in one's community without harming others – that's religious freedom.
- Imposing one's beliefs on non-believers – that's bigotry.
- Staying a civil servant while violating the law of the land – that's stupidity.



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<sup>3</sup> (RationalWiki, 2015)

<sup>4</sup> (Church of Jesus Christ of Latter-Day Saints, 2012)

<sup>5</sup> (Rich, 2011)

<sup>6</sup> (Kirell, 2013)

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## Works Cited

- Church of Jesus Christ of Latter-Day Saints. (2012, Feb 21). *Why don't Mormons drink coffee, tea, or alcohol? What is the Mormon Church's law of health and proper diet?* Retrieved 09 06, 2015, from mormon.org | worldwide: <https://www.mormon.org/faq/law-of-health>
- Jackson, D. (2015, Sep 5). *Kim Davis emerges as lightning rod for religious freedom among some Republicans*. Retrieved 09 06, 2015, from Religion News Service: [http://www.religionnews.com/2015/09/05/kim-davis-emerges-as-lightning-rod-for-religious-freedom-among-some-republicans/#h\[\]](http://www.religionnews.com/2015/09/05/kim-davis-emerges-as-lightning-rod-for-religious-freedom-among-some-republicans/#h[])
- Kirell, A. (2013, Mar 27). *Bet You Can't Tell The Difference Between These Actual Anti-Interracial And Anti-Gay Marriage Quotes*. Retrieved 09 06, 2015, from MEDIAite.com | Columnists: <http://www.mediaite.com/online/bet-you-cant-tell-the-difference-between-these-actual-anti-interracial-and-anti-gay-marriage-quotes/#0>
- RationalWiki. (2015, Sep 3). *List of actions prohibited by the Bible*. Retrieved 09 06, 2015, from RationalWiki: [http://rationalwiki.org/wiki/List\\_of\\_actions\\_prohibited\\_by\\_the\\_Bible#Things\\_that\\_don.E2.80.99t\\_go\\_anywhere\\_else](http://rationalwiki.org/wiki/List_of_actions_prohibited_by_the_Bible#Things_that_don.E2.80.99t_go_anywhere_else)
- RationalWiki. (2015, Sep 3). *List of actions prohibited by the Qur'an*. Retrieved 09 06, 2015, from RationalWiki: [http://rationalwiki.org/wiki/List\\_of\\_actions\\_prohibited\\_by\\_the\\_Qur%27an](http://rationalwiki.org/wiki/List_of_actions_prohibited_by_the_Qur%27an)
- Rich, T. R. (2011). *Jewish Attitudes Toward Non-Jews*. Retrieved 09 06, 2015, from Judaism 101: <http://www.jewfaq.org/gentiles.htm>