

Taking Freedom of Religion Seriously

by **M. Linda Jaramillo**
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History books that describe the founding of this nation tell only a part of the story. While they give a general accounting of the designing of our governing structure, they can't fully describe the emotions, experiences, and opinions of our founding parents. It's hard to imagine the intense dialogue and debate that went on among the authors. Even if we don't know what went on in the backroom negotiations about what to include in the first U.S. Constitution, we can surmise what was important to them. We know they yearned for freedoms that they sorely missed.

Freedom of religion was undoubtedly a high priority since it is named in the First Amendment, "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof." Just like many of the other provisions of the Constitution, this historic statement has endured the test of time, both in the courts and public opinion. A true testament and benefit of a democracy is built on a balance of power; one that allows us to challenge the imposition of local and state laws that do not respect nor adhere to our foundational governing documents.

The State of North Carolina has imposed a marriage law that prohibits the free exercise of religion by clergy. This law says that clergy cannot sanctify a wedding without a state-issued marriage license, which of course, is only available to marriage between one man and one woman. This requirement is not only a violation of the free exercise of religious practice, it criminalizes clergy, placing them in jeopardy of being prosecuted with the possibility of a jail sentence or a fine.

For these reasons, the United Church of Christ filed a law suit challenging this North Carolina marriage law as unconstitutional.

Seventy years ago, in 1944, the Federal Council of Churches of Christ in America (a predecessor body of the National Council of Churches in the USA) issued this statement:

“Religious Liberty shall be interpreted to include freedom to worship according to conscience and to bring up children in the faith of their parents; freedom for the individual to change his religion; freedom to preach, educate, publish and carry on missionary activities; and freedom to organize with others, and to acquire and hold property, for these purposes.”

“Freedom to worship according to conscience” includes the right to bless that which we hold sacred including holy matrimony for those who have chosen to join in a partnership and commit their lives to one another. This right of blessing should be open to all regardless of their sexual orientation or gender identity.

As a clergy person, I have earned the privilege of serving God and the United Church of Christ; a responsibility that I do not take lightly. It would be an honor to bless such a holy union in North Carolina or in any other state in this country. While I am committed to my ministry, I also take my responsibility as a citizen of this nation seriously. When the government infringes upon my religious freedom to serve this church that I love, I must speak out.

The courageous legal action taken by the United Church of Christ protects the free religious exercise of United Church of Christ clergy, whether or not they agree with the Church’s affirmation of equal marriage rights. It also defends the exercise of religious freedom of every other faith tradition in this nation. We join the founders of the United States Constitution and previous Christian leaders by taking freedom of religion very seriously.



ABOUT THE AUTHOR

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