



Written by [Joe Wolverton, II, J.D.](#) on May 4, 2015

Obama Administration Subtly Shrinks Scope of First Amendment

The naturalization test administered by the U.S. Citizenship and Immigration Service (USCIS) apparently makes a small but significant change to the First Amendment, perpetuating an apparent policy promoted by the White House.

Question 51 of the agency's "[100 Civics Questions and Answers](#)" — offered as a study aid to those seeking citizenship in the United States — asks the following question:



What are two rights of everyone living in the United States:

- freedom of expression
- freedom of speech
- freedom of assembly
- freedom to petition the government
- freedom of worship
- the right to bear arms

Constitutionalists will immediately notice a problem with the wording of the fifth option. The alteration, furthermore, could be a sign of something more sinister at work in the Obama administration. There is a historical analogy that may prove apt.

Well into the 20th century, coal miners in the United Kingdom and the United States sent canaries into coal mines as an early-warning signal for the leakage of toxic gases including methane and carbon monoxide. The canaries, being more sensitive of the presence of such dangerous elements, would become sick before the miners, thus affording the human workers a chance to escape or put on protective respirators before falling ill themselves.

In our own time, as Americans toil to make ends meet in the "salt mines" of the world, there are various groups of our fellow citizens who act as canaries, monitoring the presence of threats to our precious freedoms.

One of our most cherished and essential freedoms is protected by First Amendment: "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof." This is the first of the slate of five freedoms in the First Amendment that are given shelter from assault by the government.

Lately, if the canaries of liberty are to be trusted, not only is the USCIS promoting a non-existent version of the First Amendment, but key members of the Obama administration and the president himself have begun using that same nuance of language when describing our freedom of religion. Each example indicates a shift away from the fullness of the right as expressed by our Founders and toward a



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narrower, more limited definition.

As Bryan Fischer wrote May 1 in [an article published on the Sons of Liberty Media website](#): “The words of the Founders were much more expansive. What the Constitution guarantees is the ‘[free exercise of religion](#).’ What’s the difference? Easy. The right to the free exercise of religion is something we possess 24 hours of every day, seven days of every week. Freedom of worship is a right we possess for only one hour a week, from 11 to noon on Sundays.”

Fischer’s characterization of the distinction is correct. Furthermore, there is much to be feared from such a nearly imperceptible exchange of one phrase for another, especially in light of the subject of that change. From their study of the republics of history that were once paragons of freedom but devolved into dictatorships, our Founding Fathers knew that the descent from self-government to autocracy was gentle and sloping.

As James Madison warned in a speech to the Virginia Ratifying Convention on June 16, 1788: “There are more instances of the abridgment of the freedom of the people by gradual and silent encroachments of those in power than by violent and sudden usurpations.”

Are we experiencing now one of Madison’s “gradual and silent encroachments” with regard to our freedom of religion? The answer seems to be found in the number of coughing canaries flying frantically out of the mineshafts.

Fischer puts it this way:

But by amending the Constitution to read “freedom of worship,” immigration officials have strangled the life out of this fundamental liberty.

President Obama is fond of this linguistic obliteration of the Constitution. In essence, the president has said to the American people, “You have the right to freedom of religion one hour a week, but the other 167 hours belong to the bureaucratic minions of the federal government.”

Beyond the effort to indoctrinate immigrants, for over five years now it seems that the White House and State Department have been subtly shrinking the scope of fundamental liberties.

According to reports published by a few special interest groups, beginning with his speech at the memorial service for the servicemen killed at Fort Hood, Texas by Nidal Hasan on November 5, 2009, President Obama has ceased referring to America’s “freedom of religion” and begun praising our “freedom of worship.” The substitution was parroted in addresses given by Secretary of State Hilary Clinton, as well.

Ashley Samelson, international programs director for the Becket Fund for Religious Liberty, wrote an article in [First Things](#) magazine stating, “To anyone who closely follows prominent discussion of religious freedom in the diplomatic and political arena, this linguistic shift is troubling. The reason is simple. Any person of faith knows that religious exercise is about a lot more than freedom of worship. It’s about the right to dress according to one’s religious dictates, to preach openly, to evangelize, to engage in the public square. Everyone knows that religious Jews keep kosher, religious Quakers don’t go to war, and religious Muslim women wear headscarves — yet ‘freedom of worship’ would protect none of these acts of faith.”

In matters of our inviolable right to practice our religion free of government abridgment, changes in words and phrases are inexcusable. The right to practice a religion involves so many aspects of daily life that would not be covered by the “right to worship,” which is a vague expression without the scope



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sufficient to keep the faithful safe from persecution or proscription.

As [Catholic Online](#) rightly assessed:

Let's be clear, however; language matters when it comes to defining freedoms and limits. A shift from freedom of religion to freedom of worship moves the dialog from the world stage into the physical confines of a church, temple, synagogue or mosque. Such limitations can unleash an unbridled initiative that we have only experienced in a mild way through actions determined to remove of roadside crosses, wearing of religious t-shirts and pro-life pins as well as any initiatives of evangelization. It also could exclude our right to raise our children in our faith, the right to religious education, literature or media, the right to raise funds or organize charitable activities and the right to express religious beliefs in the normal discourse of life.

In the article mentioned above, Samuelson notes that across the globe, the natural right to practice the religion of one's own choosing is being alienated. Samuelson writes, "In France, students at public schools cannot wear headscarves, yarmulkes, or large crucifixes. The European Court of Human Rights has banned crucifixes from the walls of Italian schools."

Surprisingly, even the *Washington Post* took note of the potentially catastrophic variation in the language of freedom. An article on religion in the paper stated, "Knox Thames, director of the U.S. Commission on International Religious Freedom — a Congress-controlled body tasked with monitoring religious freedom abroad — spoke at a recent briefing about the worry, reportedly saying he sees a change in lingo and that it's not an accident."

Using a metaphor similar to the "canary in the mineshaft," during testimony given before the House Subcommittee on International Religions, Human Rights and Oversight, Georgetown professor Thomas Farr warned, "Those of us in the business of sniffing out rats know that this is a rhetorical shift to watch." Farr once led the State Department's International Religious Freedom Office.

This subtle substitution in phraseology is choking many of the civil rights canaries who pride themselves on their ability to detect even a whiff of the foul odor of tyranny. In fact, these fumes are interpreted as precursors of impending permanent policy proposals that will soon waft up from the depths of despotism.

As indicated above, and as sentinels of the safeguards of liberty contained in our founding charter, freedom of worship is a very narrow band in the brighter spectrum of religious freedom guaranteed by the First Amendment. A determined and purposeful loosening of the language of liberty could indicate a contraction of those rights that we hold dear and which permit us to approach deity in the manner we believe to be appropriate.

Is it possible that by replacing the "freedom of religion" with the "freedom of worship" such things as the wearing of religious garments and jewelry, as well as the sending of our children to schools funded and founded by religious orders that teach religion along with other more secular subjects could be forbidden? Furthermore, could the constriction of the freedom foster "climates of impunity, where private religiously-motivated violence isn't prevented and punished?"

As we stand in the defense of all our freedoms, let us be cognizant of the canaries.



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