



Written by [James Heiser](#) on July 19, 2010

## Obama Retreats From “Religious Freedom” to “Freedom of Worship”

The wisdom of the Founding Fathers of the American Republic was such that the preservation of religious liberty was enunciated in the first clause of the First Amendment of the Bill of Rights: “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof.” The application of those 16 words has often been a matter of debate, but the preservation of freedom of religion has been understood as numbered among the fundamental liberties of free people living under the U.S. Constitution.



Now, however, a shift in terminology by President Obama and Secretary of State Clinton is being interpreted by some observers as heralding a threat to this constitutionally guaranteed right.

Earlier this year, Ashley Samelson, international programs director for the Becket Fund for Religious Liberty, wrote for *First Things* that the Obama administration was abandoning the traditional wording of “religious freedom” to the far narrower terminology of “freedom of worship.” [As Samelson wrote her February 22 \*First Things\* article:](#)

“Freedom of worship” first appeared in a high profile speech in Obama’s remarks at the memorial for the victims of the Fort Hood shooting last November, a few months after his Cairo speech. Speaking to the crowd gathered to commemorate the victims, President Obama said, “We’re a nation that guarantees the freedom to worship as one chooses.” Given the religious tension that marked the tragic incident, it was not an insignificant event at which to unveil a new way of referring to our First Freedom.

Shortly after his remarks at Ft. Hood, President Obama left for his trip to Asia, where he repeatedly referred to “freedom of worship,” and not once to “freedom of religion.”

Not long after his return, “freedom of worship” appeared in two prominent speeches delivered by Secretary Clinton. In her address to Georgetown University outlining the Obama Administration’s human rights agenda she used “freedom of worship” three times, “freedom of religion,” not once. About a month later, in an address to Senators on internet freedom at the Newseum, the phrase popped up in her lingo once again.

The shift in terminology, though subtle, is very significant, because it can justifiably be interpreted to imply that religious freedom is restricted to the rites conducted in places of worship if only “freedom of worship” is being upheld. “Religious freedom” is a much broader concept, extending to the expression of one’s beliefs in many areas of life. Again, in the words of Samelson:

To anyone who closely follows prominent discussion of religious freedom in the diplomatic and political arena, this linguistic shift is troubling.



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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.

Those who would limit religious practice to the cathedral and the home are the very same people who would strip the public square of any religious presence. They are working to tear down roadside memorial crosses built to commemorate fallen state troopers in Utah, to strip "Under God" from the Pledge of Allegiance, and they recently stopped a protester from entering an art gallery because she wore a pro-life pin.

The change of terminology is beginning to draw attention from members of the religious press. [As Randy Sly observed in an article for Catholic Online:](#)

Mark Twain used to say, "The difference between the almost right word and the right word is really a large matter — it's the difference between the lightning bug and the lightning." As Catholics, this is an area where we must remain vigilant. These small changes can be used to change our perception of rights and freedoms. In retrospect, the past hundred years gives us a number of significant issues in which this has already happened to one degree or another. Abortion, contraception, marriage, the family, and gender have all been re-engineered to fashion a new worldview.

What may seem an innocent shift in language now could possibly end up as a "tipping point" for our religious freedom. Make no mistake; this is the goal and desire of the many inside and outside our current administration.

Such concerns are not limited to conservative religious circles; as Rev. Chris Duckworth, a pastor of the Evangelical Lutheran Church in America serving in Washington, D.C., [declared](#),

I don't share the Orwellian fears held by Chuck Colson (in a disturbing, anti-homosexual, leaping-to-conclusions video [here](#)) and others that this change of terminology reflects a clear intent by a liberal government to quash religious freedom and eradicate religion from the public square. But I do believe that words are important, and that if this change is more than mere semantics, it could have a significant impact in how our government, through both foreign and domestic policy, engages matters related to the personal and corporate religious practices of people worldwide. As someone who believes that the practice of religion extends far beyond the act of worship, I'd be concerned if the administration is making a policy change in favor of "freedom of worship" rather than the broader, Constitutional, and much more comprehensive "freedom of religion."

The potential implications of a change from "religious freedom" to "freedom of worship" may have already begun to play out on the very grounds of the U.S. Supreme Court.

In May 5, a school teacher of Arizona, Maureen Rigo, traveled with students to the Supreme Court and, according to [press reports](#) and a letter of complaint filed with the Court, found that their religious liberties did not extend to prayer on the grounds of the court.

After arriving at the Oval Plaza, they stood off to the side at the bottom of the steps, bowed their heads, and quietly prayed amongst themselves to God.

Even though they were not obstructing traffic, not demonstrating, and praying quietly in a



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conversational tone so as to not attract attention, a court police officer approached the group and told them to stop praying in that public area immediately. The prayer was stopped based on a statute, 40 U.S.C. §6135, which bars parades and processions on Supreme Court grounds.

The Alliance Defense Fund (ADF), which [describes itself](#) as a “legal alliance of Christian attorneys and like-minded organizations defending the right of people to freely live out their faith,” has gotten involved in Rigo’s case, sending a letter to officials of the Supreme Court. The ADF’s July 15 letter observes, in part, that the wording of the cited statute clearly cannot apply to quiet, public prayer:

Here, the application of 40 U.S.C. §6135 to prevent quiet, conversational-level prayers (like Rigo’s) is unconstitutional because it is unreasonable, overbroad, and viewpoint discriminatory. 40 U.S.C. §6135 reads as follows:

It is unlawful to parade, stand, or move in processions or assemblages in the Supreme Court Building or grounds, or to display in the Building and grounds a flag, banner, or device designed or adapted to bring into public notice a party, organization, or movement.

The wording of the statute does not seemingly contemplate quiet prayers like Mrs. Rigo’s. Such prayers are “not designed or adopted to bring” Mrs. Rigo “into public notice.” Indeed, Mrs. Rigo’s prayers were not communicated to anyone outside of God and her very small group. Her prayers were akin to routine conversations conducted by any other small group of persons touring the Supreme Court grounds. Likewise, Mrs. Rigo was not engaged in a parade, procession, or assembly. She was speaking in a conversational level to those around her with her head bowed.

Subtle changes in legal terminology can mean an enormous change in public policy. A change from “freedom of religion” to “freedom of worship” could mark the transition from a faith which has implications for life in the public square to an expression of beliefs that must be hidden from public view.



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