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Freedom of Conscience Fallacy

By Freddy Davis

In July of 2012, two men came into Masterpiece Cakeshop in Lakewood, Colorado, and requested a custom wedding cake celebrating their same-sex marriage. The owner, Jack Phillips, declined the request based on his religious beliefs that marriage should only be between a man and a woman. He did, though, offer to design them custom cakes for other occasions, or to sell them anything else in his shop.

The two gay men took offense and reported him to The Colorado Civil Rights Commission. In their ruling, based on the Colorado Anti-Discrimination Act, the Commission found that the bakery had discriminated against the couple, and specified particular actions that the bakery was required to follow. The bakery responded by appealing the ruling – first to state court, and, after losing there, to the U.S. Supreme Court.

In a 7-2 decision, the Supreme Court ruled that the Commission expressed prejudice against the bakery and nullified their decision. The Court did not rule, however, on the broader questions regarding anti-discrimination laws, free exercise of religion, and freedom of speech.

The problem didn't end there, however. After the decision was handed down, another customer came in and wanted Jack to make a cake celebrating his gender transition. When he politely declined, the Civil Rights Commission once again went after him. After a short legal process, they decided that they didn't want a repeat of the previous situation, so they dropped their complaint.

But that still didn't end the problem. Following the Commission's decision to drop the case, the transgender man decided to sue Jack himself. Now he is facing a third lawsuit for following his religious beliefs.

This issue, though, is not only about Jack. There have actually been a number of legal actions brought against Christians in other professions who have been taken to court based on this same principle. So the question becomes: Can a private individual exercise freedom of conscience as they carry out their work in the world?

What is the Issue?

In examining this issue and the way it plays out in modern society, the different points of view that motivate each side of the debate are expressions of two different worldviews. These two different views of reality represent the modern clash between Christian Theism and Naturalism.

Christian Theism expresses the belief that, as person's made in the image of God, individual human beings have a free will and should be allowed the opportunity to express it based on the principle of freedom of conscience. Naturalists, on the other hand, understand human beings to be nothing more than naturally evolved animal creatures who have evolved the ability to be self-conscious. That self-consciousness allows individuals to assign private meaning to events that happen in life, and to be able to judge them as good or bad based on the conclusions personal they draw. In the case of the same sex marriage debate, the feelings of discrimination that certain people feel because of their same sex attractions are judged by them to be good (right, moral), so those who

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oppose it are judged to be bad (wrong, immoral).

When boiled down to its very essence, the debate on this topic actually concerns the true nature of reality. That is, are human beings really free will creatures who have the right to freedom of conscience, or are they naturally evolved animal creatures who can legitimately be controlled based on the principle of the law of the jungle (those with the power make the rules)?

The Presuppositions of Conflicting Notions about Freedom of Conscience

Biblical Theism

Freedom of conscience does not mean that everyone's understanding of what is right and wrong is correct. It also doesn't mean that acts individuals take based on their beliefs are automatically acceptable in society. It simply means that people cannot be forced to act contrary to their sincerely held religious beliefs.

According to biblical Theism, the human ability to have freedom of conscience is based on the belief that God created mankind "in his image." That is, God, himself, is understood to be a person who has the ability to weigh options and make decisions; and in creating man, he has given us that ability, as well. Simply having this ability says nothing about what is objectively right and true. That is determined on a different basis. But as people come to a personal determination concerning what they think is true, they have the ability to choose what belief they will follow.

Of course, the Bible is clear that objective truth does exist, and it is based on the very character of God himself. Additionally, God has revealed this truth to humanity and laid out the rewards and conse-

quences regarding individual choices. The main point here, though, is that human beings do have the freedom to make those choices.

The concept of freedom of religion, as expressed in the U.S. Constitution, is based upon this biblical principle. The idea is that just as God allows individuals to make free will choices regarding what they believe about him, the government should also respect that free will as it regards matters of faith. Expressed another way, it should not force people to make choices that run contrary to their beliefs. The Bible has numerous verses that speak to human freedom of conscience. The following verses are all taken from the ESV.

Romans 8:5-8

For those who live according to the flesh set their minds on the things of the flesh, but those who live according to the Spirit set their minds on the things of the Spirit. For to set the mind on the flesh is death, but to set the mind on the Spirit is life and peace. For the mind that is set on the flesh is hostile to God, for it does not submit to God's law; indeed, it cannot. Those who are in the flesh cannot please God.

Romans 14:5-6

One person esteems one day as better than another, while another esteems all days alike. Each one should be fully convinced in his own mind. The one who observes the day, observes it in honor of the Lord. The one who eats, eats in honor of the Lord, since he gives thanks to God, while the one who abstains, abstains in honor of the Lord and gives thanks to God.

Romans 14:23

But whoever has doubts is condemned if he eats, because the eating is not from faith. For whatever does not proceed from faith is sin.

1 Corinthians 6:12

"All things are lawful for me," but not all things are helpful. "All things are lawful

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Contact Information

If you wish to contact us directly, you may do so by the following methods:

321 Anton Dr., Tallahassee, FL 32312

E-mail:

info@marketfaith.org

Phone: 850-383-9756 (Tallahassee, Florida)

Fax: 850-514-4571

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for me," but I will not be enslaved by anything.

1 Corinthians 10:29

I do not mean your conscience, but his. For why should my liberty be determined by someone else's conscience?

Galatians 5:1

For freedom Christ has set us free; stand firm therefore, and do not submit again to a yoke of slavery.

Galatians 5:18

But if you are led by the Spirit, you are not under the law.

Colossians 2:16

Therefore let no one pass judgment on you in questions of food and drink, or with regard to a festival or a new moon or a Sabbath.

James 1:22-25

But be doers of the word, and not hearers only, deceiving yourselves. For if anyone is a hearer of the word and not a doer, he is like a man who looks intently at his natural face in a mirror. For he looks at himself and goes away and at once forgets what he was like. But the one who looks into the perfect law, the law of liberty, and perseveres, being no hearer who forgets but a doer who acts, he will be blessed in his doing.

James 2:12

So speak and so act as those who are to be judged under the law of liberty.

2 Peter 2:19

They promise them freedom, but they themselves are slaves of corruption. For whatever overcomes a person, to that he is enslaved.

Naturalism

Naturalism is the belief that the only thing that exists is the natural universe, operating by fixed natural laws. It does not recognize any form

of transcendent reality, so the only possibility for the existence of mankind is that somehow life emerged out of non-life, then one strand of that life evolved to ultimately form the human animal. While the human animal is acknowledged to have the most complex brain of all living creatures, it is still understood to be naturally evolved based on the natural laws of the universe.

Further, Naturalism asserts that for reasons not understood by science, man developed in a way that created the possibility (or the illusion) of self-consciousness and free will. Regardless of the nature of actual reality, mankind, at the very least, operates "as if" self consciousness and free will are objectively real attributes. With that, the matter of morality becomes an issue the human species must engage. There is no other creature that operates in the arena of morality.

That being the case, a problem arises. While human beings have an understanding of, and a need to deal in, moral terms, there is no possible objective way to determine what is moral and what is immoral. For there to be such a thing as objective moral truth, there must be some objective moral law-giver who exists outside of the natural universe who could give it. However, Naturalism doesn't acknowledge the existence of any kind of transcendent reality, so that is not considered a possibility.

With that being the case, the only possibility for defining morality is for human beings to do it themselves. Still, there must be some principle upon which to create a moral framework – something that represents the most basic principle of life. Most Naturalists have identified that basic principle as being the survival of life itself (also expressed as "the survival of the species").

With that as a starting place, morality is defined as that which promotes survival, and immorality becomes that which works against survival.

But even with that, there is still a problem. Different people judge the best way to promote survival in different terms. There must still be a way to create consensus so that people are not working against each other – as that would work against survival. The ultimate arbiter, then, becomes the wielding of power – the ones who can dominate society get to create the moral rules (the law of the jungle).

Ultimately, though, the actual moral rules are based on the arbitrary preferences of those in power. There is no other possibility.

Is the Secularist view of Freedom of Conscience True?

In a nutshell, the secularist (Naturalist) view is not true – it cannot be true. There are three very important reasons why naturalistic beliefs cannot support freedom of conscience.

First, there is no basis in science to support it. Since Naturalism believes everything in existence came about by the operation of natural laws, it requires that science be able to account for everything – including how freedom of conscience could have naturally developed in the human species. While naturalistic evolutionary theory asserts that freedom of conscience is an evolutionary development, it doesn't make that assertion based on any scientific data. It makes it based on its naturalistic presuppositions, and does so because, by fiat, it doesn't allow any other possibility.

The second reason Naturalism cannot support the existence of freedom of conscience is because the naturalistic point of view exists in opposition to human nature. No matter where you go in the world, and no matter the worldview or cultural foundation in varying societies, every human being has a sense that morality exists. The way different people and societies define what is right and wrong may differ, but everyone, without exception, believes that there are beliefs that are objectively right and wrong. However, for an objective morality to actually exist, there must be some objective standard upon which to base the beliefs. Naturalism does not allow for that possibility. Thus, it must posit right and wrong on the basis of the most basic fact that it does allow – the existence of life itself. Thus, survival of the species becomes the bottom line (though even that is an arbitrary assertion). Objectively, it is unable to account for the human moral sense.

Finally, Naturalism cannot support the existence of freedom of conscience because it promotes beliefs that operate in opposition to human experience. Every human longs to breathe free, and will jump at every opportunity to make it a reality. And when freedom is curtailed, people chafe at the restrictions. The desire to exercise individual freedom of conscience is an innate part of the human person. Based on naturalistic beliefs, however, the priority must be on the collective, rather than on the individual. It operates based on the belief that those in power must rule based on their belief about what promotes the survival of the collective – and if individuals get out of line, they must be reigned in. Freedom of conscience works against that belief, so it must be curtailed.

What is the Answer?

People who hold a naturalistic worldview have a strong tendency to fear opposing ideas, and generally seek to impose their beliefs on others, rather than to dialog freely. The promotion of freedom of conscience makes it more difficult to control a society, which is a necessity when the collective has priority over the individual. When a society is built on principles that do allow for freedom of conscience, it takes a lot more work to come to a consensus, or to reach a final decision on matters of societal importance.

Additionally, allowing people freedom of conscience does not provide a judgment on the rightness or wrongness of any particular moral stand. A societal grouping can just as easily select a path that might be considered immoral, as it can one that is moral. When dealing with this topic alone, it is not the moral rightness itself that is primary, but the underlying belief about how society arrives at its final decision. That is to say, the principle of freedom of conscience needs to be held in higher regard than any particular policy outcome. Thus, even wrong beliefs must be allowed as long as they don't infringe the freedom of conscience

of others. This does not mean just any act that anyone wants to commit can be allowed, but the belief itself cannot be suppressed.

In today's politically correct world, freedom of conscience is anathema. Political correctness demands conformity of thinking and beliefs. But that approach does not comport with actual human nature. Being offended is not an excuse for curtailing other people's freedom of conscience. You can legitimately curtail people's behavior for the sake of the collective, but you cannot interfere with their beliefs. In the arena of beliefs, the individual must take priority over the collective.

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