



April 10, 2024

**A Lutheran Response
to
The Erosion of Religious Liberty Rights in Minnesota**

Honorable Governor Walz, Speaker Hortman and Majority Leader Murphy,

As Lutheran Christians, we, the undersigned, are dismayed at recent efforts to restrict the inalienable right of Minnesotans to live out their faith in their daily lives -- a right that is explicitly acknowledged in The Declaration of Independence as well as our Federal and State Constitutions. Indeed, consistent with these Constitutional guarantees, these religious liberty rights were also fully acknowledged by the Minnesota Human Rights Act (MHRA) until August 1 of 2023.

On that date, however, a portion of our religious liberty protections were effectively nullified as the Legislature and Governor acted to add gender identity as a protected class without a corresponding change of language to the list the religious exemptions allowed under the Act. Assuming this was a simple drafting error, an amendment was offered to restore these protections. This offer was rejected in both House and Senate committee hearings. In addition, comments by legislators have indicated that the failure to include the exemption language, and thus to restrict our religious liberty, was intentional. And so, religious entities, for the first time, have become exposed to legal claims of discrimination based on gender identity. In effect, this change now allows the MHRA to be used as a legal weapon against any religious organization that does not share the same transsexual ideology that the State has recently adopted. This is without precedent and deeply disturbing.

As Lutherans, we have a well-developed and long-practiced doctrine which offers us clear guidance as we live out our Christian lives within the society in which we minister. Among other things, this doctrine, the Two Kingdoms Doctrine, identifies the State as a good and God-pleasing entity designed to restrain evil and promote good (Romans 13) to which we should submit, both out of love for God and love for our neighbor. In our American context, that submission extends not just to following the laws of the land, but

also to being active participants in the governing process by exercising our civic duty. Thus, we have always viewed the relationship of Church and State as one of mutual respect.

Over the course of our state's history, that mutual respect has been demonstrated in various ways. On the Church's part, it has meant acting as good, contributing members of the communities in which we are located, and, as far as possible, limiting our official speech to only those issues to which the Scriptures speak in a clear and unambiguous way. It has also meant that we resist temptations to engage in partisan politics. On the part of the State, it has meant acknowledging the Church as an institution that complements the State in creating and maintaining a culture of peace and harmony, where each religion is allowed the freedom to live out its beliefs in the public sphere. It has also meant that the State has refrained from commenting on or passing judgments on the doctrinal content of religious faiths and from inserting itself into the internal affairs of the various religions.

In Minnesota, this mutual respect has proven to be both durable and effective in maintaining a rich and harmonious public life, in which people have been free to live their lives in a way that is consistent with their most deeply held religious beliefs.

It is, however, this rich and harmonious life that is now threatened by the recent actions of the State. In choosing to remove a religious exemption to the MHRA, the State has signaled its willingness both to interfere in the internal governance of the Church, and in so doing, to sit in judgment of the content – the doctrines – of our Lutheran faith, especially in regard to the sexual order God has built into His creation (Genesis 1-2). It is to this interference that we object. We remain committed to our confession of faith and will continue to teach and practice according to the teachings of Christ's Church.

Therefore, we urge the State of Minnesota and its elected leaders to pull back from this act of hostility directed at the Church and its members. We urge both the executive and legislative branches to reconsider their actions and restore the religious exemption related to matters of gender identity within the MHRA. In so doing, we wish to be very clear that our desire, is not to impose our beliefs on others but rather to return to that delicate yet effective balance between the interests of the Church and of the State which had existed for many years prior to the changes enacted in the 2023 legislative session. Our desire is simply to return to that previous state of mutual respect that has allowed our State to thrive in the past --- a State marked by the blending of a civic community that respects the human dignity of all its members, and a religious community that is free to live out its understanding of a God-pleasing life – a life that honors the Truth taught in the Holy Scriptures, and which compels us to love and serve our neighbor.

To that end, we will continue to remember our elected leaders in our prayers and will continue to honor them as they serve the people of our State.

Respectfully,

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