
An Assessment of the Origin and Importance of Civil Law

There is no easy answer to the question of religious liberties vs civil laws. This debate goes as far back as greek times, when Sophocles wrote Antigone. This greek play explored the conflict but in the end gave no definitive answer to who was right. However, as time progressed, the answer became more and more clear. Civil law should take precedence over religious law due to it's consistent, unbiased protection for a majority of the people.

Civil laws were created to keep people safe and the government stable, therefore religion should not interfere with it. In Antigone, Creon's actions were all in the state's best interest. When Creon addressed the Chorus, he stated that "No one values friendship more highly than I; but we must remember that friends made at the risk of wrecking our Ship are not friends at all" (Episode 1, Lines 158-159). Creon's main concern is the state so he won't let anything get in the way of him doing his duty. Furthermore, when Antigone breaks the law, Creon doesn't show her any special treatment just because they are related. When Creon found out Antigone was guilty, he said "Who is the man here, she or I, if this crime goes unpunished?" (Episode 2, Lines 382-383). In order to protect the state Creon cannot biasly treat his relatives any differently. Antigone tried to convince Creon that she only did it for the Gods and "there are honors due all the dead" (Episode 2, Line 413), but Creon's judgement remained firm. Even though Antigone had good intentions, Creon had to punish her in order to keep the state stable. The law is designed from the start with people's safety in mind, therefore it cannot make exceptions or dangers may arise.

Religious liberties are used as an excuse to break the law, discriminate against others, and not do your job. Kim Davis is an example of people doing actions like these due to the fact she used religion to not do her job while simultaneously discriminating against others. In "Drawing the Line Between Civil and Religious rights" by Linda Greenhouse, many prominent people gave their opinion on Kim Davis's actions. For example presidential candidate Donald Trump stated "Whether you like the decision or not, you have to go along with the Supreme Court" (Greenhouse). This quote shows even if you agree with a law, you still need to follow it. Also, Gov. John Kasich of Ohio said "I respect the fact that this lady doesn't agree, but she's also a government employee. She's not running a Church" (Greenhouse). This means that Kim Davis has the right to opinion, not the right to not do her job. Finally, Michael Gerson wrote in The Washington Post "There is no serious case to be made for the right of public officials to break laws they don't agree with, even for religious reasons" (Greenhouse). Because Kim Davis is in the position of a public official, by not doing her job she is breaking the law. While Kim Davis is a more extreme example, it does not change the fact that you should not use religion as grounds to break the law.

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While civil laws are consistent and absolute, religious laws vary so they would not be a good standard to base society upon. For example, interpretations of religious laws between different religions. In “Religious Morality vs. Civil Law: Religious Conflicts over Neutral Civil Laws” by Austin Cline, The extreme end of the religion Islam was shown. Cline wrote that in Iran “anyone can get away with murder by claiming that the victim was morally corrupt” (Cline). Because Iran is a theocracy, even if you break kill a man you can still get away scot-free if you claim it was for your religion. This action goes against christianity's belief of “thou shalt not kill” (Bible). While there is a clear inconsistency between two different religions, people of the same religion don't agree on some topics either. While Donald Trump (christian) does not agree with Kim Davis's actions, Mike Huckabee (christian) does. Linda Greenhouse wrote at the rally “the just-released Ms. Davis appeared with Mike Huckabee” (Greenhouse). Even though Donald Trump and Mike Huckabee share the same religion, they do not share the same opinion on Kim Davis's actions. Due to these inconsistencies, the consistent civil law should be relied upon.

Some might say that civil laws should not be used because they restrict people's religious rights. The First Amendment states “ Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.” (First Amendment). This means that you have the freedom to practice your own religion without fear of another religion being forced upon you. This also means you can not use your religion to affect other's politically due to a separation of church and state. Overall in the U.S, you can practice a religion with very few restrictions.

In “Religious liberty vs. civil rights: A balancing act” by Richard Wolf, Sally said “What ends up happening is that religious beliefs trump the Constitution, and people can pick and choose what laws they want to obey” (Wolf). This perfectly describes why civil rights should be used over religious liberty. Civil laws maintain order and protect people, they do not discriminate against people unlike religious laws, and they are consistent. It's fine to believe in a religion, it is not fine to use your religion to break the law, endanger others, or treat people differently.

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