

## Garnett on the \"Ministerial Exception\"

Michael Sean Winters | Apr. 14, 2011 Distinctly Catholic

One of the most controversial church-state issues facing the country is how to apply laws that protect civil rights to religious organizations that have First Amendment rights to be free from government interference. Notre Dame law professor Rick Garnett, who is arguably the most thoughtful conservative Catholic scholar in the United States today (and I would make that argument), in [an essay at Liberty Magazine](#) [1], looks at the "ministerial exception" that allows churches to choose whomever they want as their ministers, free from any legal constraints imposed by the government.

This is an important issue, and one that liberals tend to get wrong these days because too many liberals no longer read Locke. Religious toleration and the rights of conscience are at the heart of our political life and we neglect them at our peril. And, that peril is real. The Church does have enemies who would be happy to force us to do things we cannot, in good conscience do. It is up to Catholics (and Methodists and Lutherans) to decide what informs a Catholic (or Methodist or Lutheran) conscience, not the government. Kudos to Garnett for making such an erudite defense of this most basic liberal principle.

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[1] <http://www.libertymagazine.org/index.php?id=1729>