

Faith, Family, and Failure: The Legal Cost of Excessive Parental Autonomy and Religious Freedom

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In the United States, the rights of parents to raise their children according to their religious beliefs are deeply rooted in constitutional tradition. The First Amendment guarantees freedom of religion, and courts have long recognized the importance of protecting familial autonomy. However, these protections become controversial when parental religious beliefs are used to deny children access to medical care, education, and other basic needs. While the Constitution protects religious freedom and parental rights, these liberties should not extend to the point where children are deprived of basic life necessities that would improve their overall welfare.

The Supreme Court has consistently affirmed that parents have a fundamental right to make decisions regarding the upbringing of their children. In *Meyer v Nebraska*, the Court held that the Fourteenth Amendment's Due Process Clause protects a parent's ability to control their children's education by striking down the law that banned the teaching of foreign languages to students in Nebraska. This idea was later reinforced in the landmark case *Pierce v. Society of Sisters*, which upheld the constitutional right of parents to direct the education of their children, emphasizing the inability of states to force children into a uniform education model. Beyond education, *Troxel v. Granville* affirmed a parent's ability to have control over the care and custody of their child.

Nowhere is the conflict between parental rights and the state's responsibility to protect children more evident than in the realm of medical care. While religious freedom and parental autonomy are both protected by the Constitution, these rights can conflict with the government's

duty to ensure a child's health and safety. Seth Johnson, a 7-year-old from Minnesota, died of acute pancreatitis. His parents—Timothy and Sarah Johnson—were charged with misdemeanor child neglect when it was found that instead of calling an ambulance for their son when he collapsed on the ground, they simply prayed for him. Many states have retained laws that allow parents to claim religious exemptions from medical care even when a child is seriously ill. The Child Abuse Prevention and Treatment Act (CAPTA) required states to permit religious exemptions in order to have access to federal funds. Under these guidelines, it was permissible for parents to opt for religious exemptions that are federally recognized; this federal requirement was repealed in 1996. According to Pew Research Center, 34 states still allow religious exemptions to child abuse and neglect laws. However, there can be troubling consequences to broad religious exemptions. Children cannot consent to or reject medical care, and it is the government's responsibility to ensure that a child does not suffer or die of a preventable illness. *Prince v. Massachusetts* enforces the idea that the government holds broad authority over the regulation of actions and treatments of children. Despite this, the preventable deaths of children are largely ended with acquittals, reinforcing a system that tolerates preventable harm in the context of religious exemptions. This is seen in the preventable passing of children from the Followers of Christ Church in Idaho, who were treated with faith healing as opposed to medical care. Idaho provides a broad, faith-based shield against criminal prosecution for clear child neglect, as do many other states, such as Alabama and Utah.

However, it is critical to recognize that arguments in favor of broad religious exemptions are not without constitutional support. The free expression of religion is a key component of the First Amendment. Prosecutions in cases of religiously motivated neglect are further complicated by legislative ambiguity. Defense attorneys frequently invoke First Amendment protections,

framing a case as one of religious persecution rather than child protection. This gray area in legal policy creates concern about infringing on constitutional liberties. It is important for judges to consider the sincerity of religious beliefs, as well as the degree of harm to the child in medical cases. However, it is unclear how the sincerity of religious beliefs is to be determined.

The United Nations Convention on the Rights of the Child (CRC), ratified by every UN member except the United States, is proof of a contrasting global policy. The CRC emphasizes the perspective that children are independent rights holders, entitled to their own rights and views regarding their education and healthcare; U.S. resistance to ratification stems from concerns regarding parental rights. The CRC has accomplished many milestones since its creation; it safeguards children from violence and exploitation by giving them more authority over their lives. Although the CRC holds no authority in the United States, it illustrates the global consensus that activities related to children's welfare cannot solely be determined by parental ideologies.

Ultimately, the question is the extent to which society values the individual rights of children over their parents' belief systems. Children are not the property of their parents; they are citizens with their own rights and entitlements. While the Constitution protects religious freedom and parental rights, these liberties should not extend to the point where children are exposed to preventable harm and suffering. A consistent legal framework obviates exemptions that excuse child neglect is important for the welfare of a child.

Works Cited

- Baude, Emily. "Plymouth Couple Sentenced to 1 Year after 7-Year-Old Son's Death." KSTP.com 5 Eyewitness News, March 8, 2023.
<https://kstp.com/kstp-news/local-news/plymouth-couple-to-be-sentenced-for-7-year-old-sons-death-tuesday-afternoon/>.
- Child abuse linked to faith or belief | metropolitan police. Accessed May 31, 2025.
<https://www.met.police.uk/advice/advice-and-information/caa/child-abuse/faith-based-abuse/>.
- Swan, Rita. "Faith-Based Medical Neglect: For Providers and Policymakers." Journal of child & adolescent trauma, October 9, 2020. <https://pmc.ncbi.nlm.nih.gov/articles/PMC7545013/>.
- "What Is Religious Child Maltreatment?" Child. Accessed May 30, 2025.
<https://childfriendlyfaith.org/what-is-religious-child-maltreatment/>.
- Convention on the rights of the child | ohchr. Accessed May 31, 2025.
<https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-child>.
- "Letting Them Die: Parents Refuse Medical Help for Children in the Name of Christ." The Guardian, April 13, 2016.
<https://www.theguardian.com/us-news/2016/apr/13/followers-of-christ-idaho-religious-sect-child-mortality-refusing-medical-help>.
- "The Child Abuse Prevention and Treatment Act (CAPTA)." The Administration for Children and Families. Accessed May 30, 2025.
<https://acf.gov/cb/law-regulation/child-abuse-prevention-and-treatment-act-capta>.

