

Chapter Seven: Knocking Down the Wall: The Ongoing Attack on Thomas Jefferson's Legacy of Church-State Separation

by Rob Boston

More than 200 years ago, Thomas Jefferson wrote the following in his book *Notes on Virginia*:

The legitimate powers of government extend to such acts only as are injurious to others. But it does me no injury for my neighbor to say there are twenty gods or no God. It neither picks my pocket nor breaks my leg.

Flash forward to the modern era. On June 17, 1998, TV preacher Pat Robertson uttered the following on his television program “The 700 Club”:

I want to say very clearly, ladies and gentlemen, there's no such thing in the Constitution as quote, ‘separation of church and state.’ That term does not exist in the United States Constitution. It existed in the former Soviet Union's constitution but not America.

There are two visions for religious liberty expressed in these quotations. Jefferson's vision is of broad religious and philosophical liberty. Unlike some of his contemporaries, Jefferson had the foresight to see that real religious freedom had to encompass everyone to be meaningful. Real religious liberty had to mean the right to embrace any faith or reject them all, not merely the freedom to choose among competing Christian denominations.

To that end, Jefferson rejoiced that efforts to limit the protections of his pioneering legislation, the *Virginia Statute for Religious Liberty*, to Christians only were rejected. He

was pleased that the legislation protected "the Jew and the Gentile, the Christian and Mahometan, the Hindoo, the infidel of every denomination."

Now consider Rev. Robertson's vision -- state-endorsed orthodoxy, union of religion and government and all the horrors of a state drunk on the powers of religious persecution. Not much of a choice there, right? Perhaps that is why Jefferson is remembered today as a genius and Rev. Robertson is considered a dangerous extremist.

But extremists can still have influence. Extremists can still have power. On most days, it's pretty clear that Robertson and many of the TV preachers who plague this land are rather odd, but that has not stopped them from raising up political armies that have seized control of the Republican Party in nearly half of the states. It has not stopped them from enjoying great influence in Washington and the White House. It has not stopped them from having their view of church-state relations gain increasing favor at the U.S. Supreme Court.

Extreme religious and political groups exist on a continuum. Some are much more dangerous than others. Only a handful, such as those that bomb abortion clinics, actually engage in violence.

The violent groups should concern us, of course, but we should not fret so much over them that we overlook the more probable threat: That organizations hostile to the concept of separation between church and state will see their view prevail politically and in the courts. This is the most serious challenge we face today.

Humanists should never assume that radical Religious Right organizations will fail because they are so extreme. Religious Right groups attack public education, assail our public libraries and try to install censorship; they call separation of church and state "false" and a "lie" and engage in generous amounts of gay bashing and attacks on legal abortion and so on. These extreme views have not reduced

their power one iota. President George W. Bush does not keep these organizations at arm's length, he embraces them as brothers.

To many defenders of church-state separation, it is astounding that attacks on that concept even exist. Church-state separation has given the United States the most diverse and vibrant religious community in the world. According to some scholars of religion, there are as many as 2,000 separate religious denominations active in America. Many are small and somewhat obscure, but they exist and they are free to spread their messages and perhaps someday become not so small and not so obscure -- because of the separation of church and state.

Yet today that concept is under increasing attack in the United States – in the Congress, in the state governments and in the courts. These attacks, which are nothing less than an assault on the legacy of Jefferson himself, have come about due to the increased activism and political influence of the Religious Right.

Jefferson was a perfect example of what, sadly, many Americans today fear: an enlightened thinker. Some readers may be familiar with Jefferson's "Bible" -- that is, his revision of the New Testament. Jefferson removed references to the divinity of Jesus, miracles and other features he considered to be too fantastic to believe.

Jefferson was not an orthodox Christian. In a famous letter to William Short, dated Oct. 31, 1819, Jefferson listed the tenets of Christianity that he found too incredible to believe. These included the immaculate conception of Jesus, his deification, the creation of the world by him, his miraculous powers, his resurrection, the trinity, original sin and the concept of atonement.

To be sure, Jefferson was no atheist, but he was far removed from the ultra-conservative Christians of his day who insisted upon a literal interpretation of the scriptures. Jefferson believed in the ability of man's mind and the power

of reason. To his nephew Peter Carr, Jefferson wrote in 1787:

Fix reason firmly in her seat and call to her tribunal every fact, every opinion. Question with boldness even the existence of a God; because, if there be one, he must more approve of the homage of reason, than that of blindfolded fear.

It is sad to reflect that any politician in America who dared to write a letter like that today would see the end of his public career. Americans pretend to venerate Jefferson, but that is because so few know his real views. If Jefferson were alive and running for public office today while expressing these views openly, he could not get elected even as a dog catcher. The spin-doctors and media manipulators would tear him apart with their attack ads and distortion campaigns. And it would work. That is a sad, sad commentary on this nation.

Since Jefferson is so closely identified with the famous metaphor of a “wall of separation between church and state,” opponents of separation of church and state have found it necessary to attempt to first blacken his reputation in order to assault that wall.

Their arguments, though not particularly creative, persuade the uninformed. Jefferson, they say, wasn't really a very important founder. He was in France when the First Amendment was drafted, they assert, and thus didn't really influence the debate.

Of course these assertions are laughable. Jefferson, the author of the *Virginia Statute for Religious Freedom*, influences debates and government policy today, long after his death. At the time the Bill of Rights was drafted, his ideas were of such power that his influence was felt, even from the distant shores of France. The author of the First Amendment, James Madison, was Jefferson's protégé and, if anything, was an even stronger advocate for separation of church and state.

Jefferson's famous 1802 letter to the Danbury Baptists in Connecticut has suffered similar abuse at the hands of the pseudo-historians. We are told that Jefferson didn't really mean it, that the words of his letter do not mean what they plainly say. Some have even attempted to add language to the letter that does not appear in the text.

The late historian Robert Alley of the University of Richmond, who personally examined Jefferson's Danbury letter at the Library of Congress in Washington, did much to debunk these myths. Yet the attack on Jefferson and his ideals goes on. What's even worse is that, in the United States right now, we may be on the verge of dismantling the wall of separation that Jefferson so carefully built.

In 2002 the Supreme Court issued a disastrous ruling that could have far-reaching implications for religious freedom in the nation. For more than 200 years, the country had operated under the principle that religious institutions should be supported with voluntary contributions, not tax funds. In other words, no government money was given directly to houses of worship, religious institutions and schools.

The Supreme Court is now reversing course on this important doctrine. A narrow majority of five justices has allowed government funding of religious schools under certain conditions. The tax money must first be given to a parent, who then turns it over to a religious school to pay for tuition. This ruse, the majority held, means that taxpayer funding of religion isn't really taxpayer funding of religion.

This is an alarming decision on many levels. Not only does it have the potential to do significant damage to our public education system, it ignores what had been a central principle of American life for more than 200 years: The idea that no one will be forced to pay a church tax or anything like it.

Prior to the revolution, many colonists did, in fact, pay church taxes. Many of the original 13 colonies had officially established churches. Every taxpayer was required to support these churches, whether they belonged to them or not. This

system created much resentment. People simply did not want to support religious institutions that in some cases they disagreed with violently.

The church tax system did not work. It spawned resentment, anger and occasionally even violence. That is why leaders like Jefferson and Madison argued that it must be done away with. Observed Jefferson in his famous religious freedom bill, "It is sinful and tyrannical to compel a man to furnish contributions for the propagation of opinions which he disbelieves and abhors."

Yet, thanks to the Supreme Court, this is exactly what we are doing in the United States right now -- in some states, anyway. We are forcing people to pay taxes to support religious schools that teach doctrines many find offensive. Thus, Catholics are supporting Protestant fundamentalist schools that may teach that Catholics are going to Hell. Gay people are supporting schools that condemn homosexuality. Women who advocate equality between the sexes are supporting schools that maintain that women should in all cases be subordinate to men.

Allowing tax money to go to religion is bad enough. What's even worse is requiring it to go to religion. Yet there are four justices on the Supreme Court right now who seriously argue that, under certain conditions, government may be required to fund religious enterprises. Failure to do so, these justices believe, is a form of discrimination. The only thing that has kept this regressive notion from becoming the law of the land is that four justices does not constitute a majority on the nine-member Supreme Court. One of the recent additions to the court, John G. Roberts or Samuel Alito, could side with this bloc and shift the balance.

The situation may only get worse. President George W. Bush has advocated giving religious organizations billions in taxpayer dollars, supposedly so they can solve various social problems that have vexed our nation for many years. Bush embraces a simplistic solution for many difficult problems: When in doubt, go to church. Thus, under the Bush plan,

alcoholics and drug addicts can end their dependency through religious conversion. Local churches can help the unemployed find jobs. Teenagers will learn to forgo sexual activity through church-run programs that teach nothing about contraceptives but stress the idea that God wants you to remain pure. Poor people will be partnered with local churches that will help them get back on their feet. Prison inmates will be rehabilitated once they find God. Under Bush's grand scheme, all of this religious activity will be paid for with tax funds.

This is a massive expansion of religion into what has traditionally been seen as a government duty -- helping the poor, the needy and the less fortunate. Some would argue that it is an attempt to take a responsibility that should belong to the government and force it on to houses of worship.

The problems with this approach are numerous. Who will decide which religious groups get the money? We cannot possibly fund them all, as there are too many. Will we have a government Department of Religious Disbursements, where bureaucrats weigh competing proposals from religious organizations and write checks based on personal preference or, more likely, majority power? What will happen when the Church of Scientology requests a share of the funding?

What happens when a family, let's assume a Roman Catholic family, is told it must get its assistance from a Protestant church or a Muslim group? Will these people be preached to there or pressured to change their religion?

A needy person's religious views should be irrelevant. The so-called "faith-based initiative" makes them paramount. An individual who is poor, hungry or in need of shelter should be able to get help without first having to sit through a sermon. Yet when we have turned the job of caring for the poor over to houses of worship, who will make certain that those in need are not subjected to policies that abuse their dignity and violate their basic rights?

President Bush has been promoting this plan since he took office, although Congress has yet to pass it. In frustration, he is using back-door channels to implement the plan anyway, mostly by ordering agencies of the federal government to begin directing funds to religious groups.

Bush is very clever in the way he promotes these schemes. In May of 2003, he sent officials from the Department of Interior to Boston to announce a preservation grant for Old North Church, which housed the famous lanterns that signaled Paul Revere just before the American Revolution. Houses of worship have traditionally paid for their own upkeep and repair. Bush changed the rules, aware that few would complain because the church in question is historic. In this way, Bush and members of his administration are introducing the concept of state-supported religion. A plan to refurbish historical mission churches in California quickly followed – even though most of those churches are owned by the Catholic Church and hold services every Sunday.

As we wrestle with the issue of government funding of religion, another equally compelling church-state issue waits in the wings. If the Religious Right and its allies in the legislatures and the courts have their way, we will see big changes here as well. This is the issue of “civil religion,” or the tendency of the government to employ religious language and symbols to promote national goals.

Bush, backed by various Religious Right leaders, has led this charge. Joined by numerous political leaders, Bush has promoted the state's use of religion to promote political or national causes. On Sept. 11, 2001, the United States was attacked by a radical fringe group of terrorists who call themselves Muslims. One of the reasons they attacked America is because they hate the fact that we are a secular nation.

The ironic response to that, among some people in the population and our political leaders, has been to criticize America's policy of secularism. Two days after the attacks,

Pat Robertson and Jerry Falwell went so far as to assert that America had been attacked because it had turned its back on God. According to Falwell's theology, an angry God had lifted his veil of protection from America, thus opening the door to the terrorist attack.

To Falwell, Robertson and their followers, secularism is a dirty word. That's because they do not understand what secularism is. "Secular" does not mean anti-religious or irreligious. It means non-religious. There is an important difference there. A non-religious state, a secular state, allows all religious and philosophical beliefs to prosper but endorses none. An anti-religious state persecutes religion or oppresses it. The United States is not an anti-religious state

Freedom never prospers in theocratic states. The United States was attacked by extremists who recognize no division between religion and government. Americans could have responded to that by embracing our policy of separation between church and state even more tightly and rejoicing in the wisdom of Thomas Jefferson. Instead, too many commentators and political leaders framed the conflict as a crusade and implied that only an officially Christian America could defeat radical Islam.

So, we find ourselves in a curious position. On one hand, our government leaders criticize fundamentalist Muslim nations for not adopting secularism. On the other, they work to undercut secularism in the U.S. government.

President Bush promised to instill separation of religion and government in the post-Saddam Hussein government of Iraq. Yet, at the same time, he labors constantly to undermine that concept in America. The irony is rich.

Thomas Jefferson and James Madison would see the danger in Bush's approach. In Madison's day, in Colonial Virginia, the government took it upon itself to determine orthodoxy. The colony maintained strict laws regulating religious expression. The Anglican Church was established by law. The statutes were so extreme that other religious groups were not even allowed to meet.

As early as 1642, a group of Congregationalist ministers who had settled in the state were forced to leave. Baptists were fined or imprisoned for their religious views. Preachers had to receive a license from the state. All citizens were forced, through taxation, to support the established church.

Virginia's leaders undoubtedly thought they were doing God's work, but they were not. They were merely engaging in oppression. Young Madison knew that. His life was profoundly changed after he saw what he called several "well meaning men" languishing in prison merely because they had challenged state orthodoxy and insisted on worshipping their own way. Madison, a perceptive man with a sharp intellect, could sense the growing undercurrent in colonial society -- an undercurrent of agitation for religious liberty. Inspired by Jefferson, Madison would tap this source and turn it into a great battering ram for religious freedom. That battering ram would topple state-established churches in Virginia and spark the beginnings of religious freedom in the United States.

Today, sadly, many in America either are indifferent to that legacy or mock it openly. Perhaps our great experiment in religious liberty has worked too well. Many people have forgotten the lesson of history. The stories of state-sponsored religious oppression from the past seem like simply that -- stories. They are abstractions. One reads about them in history books, but of course it was all so long ago. We've advanced beyond that now.

But have we? In 18th century colonial America, people were often forced to pay taxes to support the local church. In 21st century America, people can now be forced to pay taxes to support local church schools.

In 18th century colonial America, some political leaders, in conjunction with church officials, proclaimed that the United States was God's favored nation. It was God's will, they proclaimed, that the country grow and prosper. In the 21st century, we hear the same "God and country" rhetoric. Since taking office, President Bush has issued numerous

proclamations calling for prayer, more than any other president. Ironically, he issued one after the disastrous Hurricane Katrina. Perhaps he should have spent more time coordinating an effective government response.

Bush's speeches and the speeches of many other political leaders are laced with sectarian references. The idea that America has some sort of privileged or special relationship with God is common among our politicians.

It is a curious development. The United States government remains officially secular, but culturally secularism has never really taken root. People remain distrustful of the concept and many tend to equate secularism with hostility to religion. The opponents of separation of church and state have been quick to feed this misconception.

Pat Robertson, Jerry Falwell and their ilk obviously do not like Jefferson and Madison's handiwork. In recent years, more politicians and newspaper columnists have begun echoing their view. They have asserted that we've taken church-state separation too far, that we've somehow excluded God from public life, that we need to get back to God and country.

Few of these commentators have been so misguided as to assert, as Falwell and Robertson did on national television Sept. 13, that the terrorist attack was a form of punishment on the nation for its sinful ways -- the adoption of church-state separation chief among them. But many have come very close to that, cloaking their rhetoric in a slightly more palatable dress.

Humanists need to say, boldly and without apology, that those who hold this view are wrong. The United States has been successful because of the separation of church and state, not in spite of it -- and we tamper with that policy at our peril.

The Religious Right's arguments against church-state separation boil down to a handful. They recycle them constantly -- even though none of these arguments were persuasive to begin with. But Humanists can expect to hear

these assertions more and more -- from members of Congress, in state legislatures, in newspaper columns and letters -- in the months and years to come.

Therefore, it behooves every Humanist to familiarize himself/herself with these claims and know how to respond to them. These objections are:

Separation of church and state leads to a decline in religion's influence on society: This claim would surprise Jefferson and Madison. They saw church-state separation as the best guarantor of a vibrant religious community. In their view, separation would lead to more religious activity, not less. They saw this as a good thing, aware that having many different religions in the nation would keep one from consolidating power. Thus, Jefferson spoke of the desirability of "a multiplicity of sects" and Madison once reflected on the fact that religious activity in the colonies increased after established churches were done away with.

Separation of church and state means that children cannot pray in school: This is a common claim made by television preachers and those who follow them. It is erroneous. The Supreme Court banned mandatory, school-sponsored forms of religious activity in public schools in 1962 and 1963. Prior to these rulings, young people could be forced to recite the Lord's Prayer or engage in Bible reading every day. The court said it is not the appropriate role of government to inculcate religion. Jefferson would have agreed. He did not favor force in matters of religion.

Not all religious activity is banned in public schools. Students have the right to pray on their own time before, during or after school. They can meet with fellow students for prayer. They can read the Bible or any other religious book during free time. They can invite their friends to go to church with them. The First Amendment protects all of this activity. Coercive, state-sponsored programs of prayer are not protected.

The lack of formal religious activity in public schools and by extension the application of church-state separation

has spawned undesirable social consequences: This was the crux of the Falwell-Robertson argument on Sept. 13, 2001. They said the nation has offended God by expelling him from public schools, and in turn God retaliated by lifting his “veil of protection,” thus opening us up to a horrific terrorist attack.

This is a rather simplistic claim, and we've seen it before in American history. During the Civil War, some pastors claimed that the conflict was God's punishment on the nation. The way to get back in God's favor, they argued, was to add references to God, Jesus Christ and Christianity to the Constitution. The Religious Right has never been above using national tragedies to promote its narrow agenda.

The problems that afflict American life today – crime, poverty, racial tensions and so on – have complex roots and will require complex solutions. It is simplistic and foolish to blame every bad thing that has happened since 1962 on a single Supreme Court ruling.

Church-state separation means that religion is accorded second-class status in society: We hear this one a lot lately. Many fundamentalists are adept at crying persecution. Again, Jefferson and Madison would have known why this assertion is specious. Separation of church and state protects religion. It puts it out of the government's reach. In the United States, religious leaders oversee tax-free empires that bring in billions every year. Houses of worship routinely receive exemptions from laws that other organizations must follow. Churches can discriminate in hiring. No one else can. And that's as it should be.

Religious groups are free to influence the political system and do so all of the time. They speak out on issues like abortion, welfare, stem-cell research, tax cuts and many others. Many religious groups lobby on Capitol Hill and in state legislatures.

Consider political campaigns. Candidates speak openly about their religious beliefs and seek votes among churchgoers. Even the Democrats are trying to get religion these

days. Certainly politicians do not consider religion to be a taboo subject. Quite the opposite. They are well aware that in a nation that is overwhelmingly religious, appearing in church on Sunday can have a real payoff at the polls. Europeans are often surprised at the amount of religiosity in American political campaigns. Most Americans simply shrug it off. They are used to it.

Our television airwaves are infested with preachers. Humanists may not like what these preachers have to say, but most would defend to the death their right to say it. Groups like the Jehovah's Witnesses and Mormons frequently go door to door in our neighborhoods, seeking converts. American society, unlike others in the world today, makes no attempts to place curbs on this type of activity, nor should it. Any such curbs would be clearly unconstitutional and unacceptable.

Religious Right arguments against church-state separation are simply not credible. In fact, Jefferson's own words answer all of these criticisms quite handily. Jefferson authored Virginia's *Statute for Religious Freedom*. He had thought a lot about religious liberty before he wrote that legislation. In 1780, when he was serving as governor of Virginia, Jefferson received a letter from a French diplomat in America seeking information about the customs and culture of the people living in Virginia.

Jefferson's reply is so detailed that eventually, years later, it became a book titled *Notes on Virginia*. In the section dealing with religious freedom, Jefferson notes that before Virginia passed its religious liberty law, other colonies had experimented with ending state-supported religion.

Our sister states of Pennsylvania and New York...have long subsisted without any establishment at all. The experiment was new and doubtful when they made it. It has answered beyond conception. They flourish infinitely. Religion is well supported.... if a sect arises, whose tenets would subvert morals, good sense has fair play, and reasons and laughs it out of doors, without suffering the state to be

troubled with it. They do not hang more malefactors than we do. They are not more disturbed with religious dissensions than we are. On the contrary, their harmony is unparalleled, and can be ascribed to nothing but their unbounded tolerance, because there is no other circumstance in which they differ from every nation on earth. They have made the happy discovery that the way to silence religious disputes is to take no notice of them.

Listen to what Jefferson is saying here: Leave religious matters to religion. Leave the affairs of state to the government. It sounds reasonable, and it's sad to realize that not everyone shares Jefferson's wisdom. Some of the people who do not share that vision occupy important positions today -- in the White House, in the Congress, on the Supreme Court.

In 1985, the late Supreme Court chief justice William H. Rehnquist wrote in a dissent to a case dealing with "moments of silence" in public schools, "The wall of separation between church and state is a metaphor based on bad history, a metaphor which has proved useless as a guide to judging. It should be frankly and explicitly abandoned."

Rehnquist believed he knew more about church-state separation than the men who pioneered the concept. But he was wrong. How do we know that Rehnquist was wrong and Madison and Jefferson right? In the United States, we can just take a look around. We can see the evidence of the vision of Madison and Jefferson all around us. In the cities and towns of America, where houses of worship representing hundreds of different denominations -- from mega-churches with thousands of members to storefront churches with just a handful -- not only exist but in many cases flourish.

We can see the evidence in the public opinion polls that routinely show that the United States is among the most religious nations in the world. We see the statistical data that proves that, far from hindering religion, separation of church and state gives it vitality.

What really bothers many supporters of the Religious Right is not that so many Americans are irreligious or atheistic -- because not many are -- but that many Americans refrain from adopting the extreme, fundamentalist interpretation of religion embraced by the Religious Right.

Opinion polls disclose that Americans are a spiritual people, but they are not necessarily a dogmatic people. Most Americans believe that great truths can be found in different religions and reject that idea that only one faith has a lock on truth.

Americans also like the idea of blending religious traditions. Polls show that on any given Saturday or Sunday, about 40 percent of the population attends a religious service. Does that mean the other 60 percent are non-believers? Not at all. Many of these people have created a personal spirituality that may be uniquely their own or may be a blend of religious traditions they have been exposed to over the years. People feel comfortable creating this type of spiritual expression only in an atmosphere of religious freedom. Church-state separation gives them that freedom. Where the state imposes orthodoxy, it simply is not possible.

The idea of a home-grown spirituality infuriates the Religious Right. They don't like to see people make decisions about religion outside of rigid, hierarchical frameworks. They insist that the Bible holds all of the answers and that people cannot deviate from that system and expect salvation.

But here's the problem with that view, and here also is the genius of the separation of church and state: Ultimately, the Religious Right and those who espouse the doctrine of so-called biblical inerrancy are not advocating for a system of religion based on the Bible. They are advocating for a system based on their interpretation of the Bible. And their interpretation of the Bible can differ from ones held even by other self-proclaimed fundamentalists.

Both Falwell and Robertson claim to be interpreting the Bible literally. That is, they believe the Bible is without error

and speaks authoritatively on all issues. Yet Falwell and Robertson do not interpret the Bible in the same way, even though both men are Baptists. In the end, despite all of their proof texting, and for all of their hoisting of large Bibles with the words of Jesus in red, neither Falwell or Robertson can prove that he is right. The best they can do is say, “My interpretation of the Bible leads me to believe I am correct.”

Here is why that is a problem: Down the street lives someone else who says, “My interpretation of the Bible leads me to believe that you are wrong, and my view is the correct one.” A little further down the block lives someone else who says, “Your arguments are incomplete because you have neglected to take into account the *Book of Mormon*.” A few more doors down lives a Jew who says, “What New Testament? We’re still waiting for the Messiah.” Across the street is a Roman Catholic who asserts, “You need to augment your interpretation of the Scriptures with the teaching magisterium of the Church of Rome.” And four houses down from there is a Muslim who says, “We recognize Jesus as a moral teacher, but the fact is, there is no God but Allah, and Mohammed is his prophet.”

Many religious adherents are probably convinced that their system offers truth, that their path is the right one. They have their inspired writings, their moral leaders, their important figures. They believe these doctrines with great passion and zeal. Their sincerity is real, which is all the more reason why none must be permitted to claim the imprimatur of the state.

In time, reason will triumph over extremism. History shows this to be the case. But it can take a long time for reason to triumph, and many good people may have to suffer and even die in the interim. So, despite the difficulties we are experiencing in America right now, despite the slow but steady chipping away of Jefferson's wall, Humanists should retain a sense of optimism (even as they continue to defend that wall). The day will come when Americans will finally understand that separation of church and state does not

weaken our nation; it gives it strength. And perhaps they will see that a nation that is secure enough to allow complete religious freedom is mature, confident and ready to take on all challenges.

A nation that realizes that government and religion do not need a mutual dependence severs that tie and, in the process, strengthens both institutions. In the United State we see the results of that every day. We are the oldest, most stable democracy in the world and a nation of unparalleled religious freedom and diversity.

Perhaps it is not too naïve to hope that diversity will also work to our benefit. Jefferson spoke of the desirability of having many religions in America because it keeps power out of the hands of one large group. We see that expanding diversity now and can hope that in time it will spawn a chorus of voices that will celebrate what's good about America. And one of the things that is very good about America is the principle that makes that chorus possible in the first place: the separation of church and state.

That chorus may eventually drown out the voices of the nay-sayers who attack the legacy of Thomas Jefferson and his wall of separation between church and state. It is a dream -- but one well worth having.

During his presidency, Jefferson refused to issue proclamations calling for days of fasting and prayer. He was criticized for this. Toward the end of his presidency, he explained why he would not do so. Writing to Samuel Miller in 1808, he said

I do not believe it is for the interest of religion to invite the civil magistrate to direct its exercises, its discipline or its doctrines; nor of the religious societies, that the general government should be invested with the power of effecting any uniformity of time or matter among them. Fasting and prayer are religious exercises; the enjoining them an act of discipline. Every religious society has a right to determine for itself the times for these exercises and the objects proper for them, according to their own particular tenets; and this right can never be safer than in their own hands, where the

Constitution has deposited it...Everyone must act according to the dictates of his own reason, and mine tells me that civil powers alone have been given to the President of the United States, and no authority to direct the religious exercises of his constituents.

Jefferson laid down the best arguments for separation of church and state that the world has ever known. The tragedy is that today we in America, instead of celebrating and embracing Jefferson's vision, all too often mock and abuse it. We may, in fact, be on the verge of abandoning it entirely.

Yet a glimmer of hope remains. Even if that happens, it will probably not be forever. Jefferson's ideas are too powerful to remain in abeyance for long. His assertions have inspired entire nations; his wisdom still speaks to many today. His insights, many penned more than 200 years ago, today remain even more relevant and just as powerful. His ringing words speak down to us through the ages. If only we will listen.

Bibliography

Alley, Robert S., ed., *James Madison on Religious Liberty* (Buffalo, NY, Prometheus, 1985).

Cousins, Norman, ed., *In God We Trust: The Religious Beliefs and Ideas of the American Founding Fathers*, (New York, Harper, 1958).

Kramnick, Isaac and R. Laurence Moore, *The Godless Constitution: The Case Against Religious Correctness*, (New York, Norton, 1997).

Miller, Robert T. and Ronald B. Flowers. *Toward Benevolent Neutrality: Church, State and the Supreme Court*, (Waco, TX, Baylor University Press, 1992).

Padover, Saul K., ed., *Thomas Jefferson on Democracy*, (New York, Mentor, 1958).

Rob Boston has served as assistant director of communications for Americans United for Separation of Church and State since 1987. He is the author of three books

on church-state relations and is a long-time member of WASH.