

Address by ARL Research Director Albert J. Menendez
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First of all, let me express my thanks for being able to share some thoughts with members of this fine organization, which works to defend the values of public education and the central role of public education in a democracy.

Today, we're going to talk about religion and politics, the two subjects we're all supposed to avoid — at dinner parties at least. A London hostess once warned George Bernard Shaw to avoid these two subjects. He told her they were the only two subjects worth discussing, so he might just as well skip her party.

Back in 1928 when the Democrats nominated New York Governor Al Smith, a Catholic, for president, a lot of Protestant clergy went nearly berserk to prevent a papal takeover of the White House. In Oklahoma City an influential pastor mounted his pulpit at the city's largest church and warned his members: "If you vote for Al Smith, you'll go to hell and you'll all be damned." I guess very few congregants actually thought their eternal salvation was dependent on their presidential vote. At least they couldn't say they weren't warned by the Reverend Mordecai Fowler Ham. A reporter was in the congregation that day, and he made sure the warning made the Monday newspapers. But Oklahomans apparently didn't want to go to hell and they voted heavily for Hoover, as did most Americans. Whereupon the country went to hell a year later.

What is the Religious Right? A basic definition — It is the political wing of conservative, primarily evangelical and fundamentalist Protestant Christianity. By Right it means that parties that look to the past, to more idealized previous periods of history, and take that period as the ideal to restore to the present. It often involves intense resentment and condemnation of present day conditions, particularly in those areas which are central to this movement's concerns (sexual morality, education, law, religion's role in public life, even extending to the conduct of foreign policy and aspects of criminal justice.)

What are some of its characteristics? One is certainly an intolerant spirit, a willingness, often expressed, to criticize or condemn other religious viewpoints and, above all, secular or allegedly irreligious people. If anything characterizes this movement in popular culture, it is this bitter rhetoric. Rep. John Hostettler (R-IN) angrily told the U.S. House last week (6/20) that Democrats are engaged in "a long war against Christianity," because House Democrats tried to pressure the Air Force to mount a more effective campaign against the real and documented instances of religious intolerance against non-evangelicals at the Air Force Academy. There are multiple instances of this inflammatory and mean spirited — some would say un-Christian — rhetoric from this movement during the past 25 years.

Here in California about two decades ago, members of the Fundamentalist Baptist Temple chartered planes to paper the sky with the phrase, "Pray for the death of Justice William

Brennan, baby killer” as the revered U.S. Supreme Court Justice was receiving an honorary degree from Loyola Marymount University.

Secondly, there is an unwillingness to compromise, which is supposed to be the essence of politics, the way things get done in a vast, pluralistic, multi-cultural democracy like the U.S. Theirs is a “take no hostages” approach. Our way or the highway. Only the most sophisticated representatives of the Religious Right — and there are a few — know that compromise is essential.

Thirdly, the Religious Right is a grass roots, Populist, bottom up movement that prefers gathering signatures to force issues to a referendum, where they believe they can corral millions of voters directly from evangelical churches to ballot boxes, to compel acceptance of their posture. They have done this in 19 states on the same sex marriage issue. They have a loathing for what they call elites, such as the courts. Consequently, we can see an escalation in their attacks on an independent judiciary. The Religious Right has made no secret that it wants the entire government — executive, legislative and judicial branches — under their control, at the federal and state levels when possible. Their spokespersons make no apology about that, which is why many of us see them as a threat to democracy, to democratic values and to the protection of minority rights.

There are ironies here. Everyone acknowledges that any group of citizens has a right to seek changes in government policy, including religious conservatives. The problem comes when laws passed threaten the choices, lifestyles and freedom of other individuals.

Ours is a constitutional democracy, not a plebiscitary democracy, where changing and fickle majorities can limit the rights of others by constant use of the ballot box. That is why we revere the courts and see them as an essential brake on legislative passions or executive misconduct. This is what the Founders intended when they established three co-equal branches of government at the federal level and reserved some decision-making powers to the states. The Religious Right wants a government that adheres to what they call Biblical values and norms, though they don’t say who shall interpret them in a manner that achieves a consensus. There’s a problem though. There are 2000 branches of Christianity, Protestant, Catholic, Eastern Orthodox, Anglican, Mormon and others, and three or four bodies of Judaism, none of which agree on what the Bible says or means.

This is one of the inherent contradictions in Religious Right rhetoric. Who will be dominant when disputes among the factions inevitably occur? The Protestant wing is overwhelmingly dominant, but there is a small Catholic wing in the Religious Right, particularly at the intellectual level, and even a tiny Orthodox Jewish wing. But the Protestant wing is clearly in control. Witness the Ten Commandments legal controversy, the Air Force Academy investigations of intolerance, and even the stem cell research issue, where Orthodox Jews have broken with their Religious Right allies by denying that “personhood” or “humanhood” exists in a seven-day-old embryo.

In the Air Force controversy, the Religious Right and its GOP allies basically blocked a comprehensive inquiry into religious bigotry at a tax supported military academy that clearly

falls under the provisions of Article VI of the Constitution, which prohibits religious tests for public office. The First Amendment's ban on religious establishment also comes into play here. The final report issued on June 22 is a whitewash which slaps the wrists of the offenders at Colorado Springs. Maybe that's why applications are down 22% this year and why a Lutheran chaplain resigned after being sent (or reassigned) to Okinawa when she complained about overt acts of religious discrimination. (I guess being sent to Okinawa is the 21st century U.S. Military equivalent of being sent to Siberia.)

The Ten Commandments controversy was decided on Monday by the Supreme Court. Unfortunately, it was not a clear cut decision, which means that communities still will not have much direction in resolving such disputes. Basically, the Court held 5-4 that the Texas monument is okay, because it is older (44 years), is mixed in with some other legal insignia, and, as Justice Breyer, the swing vote, said, it was relatively hidden from view and not terribly controversial. That is hardly solid ground for a legal judgment, in my view. In the companion Kentucky case, a 5-4 majority (including Breyer, this time) held that a new (six year old) monument had been erected solely to promote religion, something the Constitution clearly forbids the government from doing. The county commissioners in McCreary and Pulaski counties even specified the Protestant King James Version.

Justice Sandra Day O'Connor, in her concurring opinion, made a statement that I believe will go down in history. She said, "Those who would renegotiate the boundaries between church and state must therefore answer a difficult question: Why would we trade a system that has served us so well for one that has served others so poorly?" Why, indeed?

The Religious Right insisted that posting a version of the Ten in public places and centers of law and government is constitutional, even though it wasn't done during the first two centuries of the Republic. These religious insignia were not found in government buildings at the time the Constitution was written. Most of them were erected as a result of Cecil B. DeMille's campaign to promote interest in his Hollywood blockbuster film in the late 1950s. Furthermore, the version erected almost everywhere is a paraphrase of the Protestant version of the Commandments.

Remember there are three versions in Genesis and Exodus in the Hebrew Scriptures, not just one. Remember also that Jews insist that a preliminary passage referring to the exodus precede the Commandments, and that the proper translation of "thou shalt not kill" is "thou shall not murder." The Catholic and Lutheran versions, based on the Vulgate translation of St. Jerome which Martin Luther accepted, number the Commandments differently from the primary Protestant version. Allowing government to endorse one religion's version of a sacred document is tantamount to allowing government to endorse one religion over another or to assert that one religion's translation, numbering and arrangement are better than others.

Of course, the government of George Bush, through his solicitor general, argued that the Commandments weren't really religious anyway; they were just historical and emblematic of America's religious heritage. Truly religious people, who should be concerned about authenticity in religious matters, should have been outraged. But this reveals another Religious Right characteristic: the ability to anesthetize public opinion and package its more sinister

designs in a palatable format. The political party that it now controls is incapable of severing the link, either, because of fears of the next election.

This brings me to another characteristic of the Religious Right: Its desire to subordinate politics to its control and its remarkable success in doing so. The modern Religious Right — it has antecedents in extremist religious movements that precede the Civil War — began in 1979 when Jerry Falwell, a Virginia preacher, founded the Moral Majority. (The very name implies sanctimony and self-righteous arrogance). The precipitating issue, oddly enough, was not abortion or gay marriage, but IRS regulation of faith-based private schools. The movement gained strength, slowly at first, but persistently, as its adherents gradually captured the Republican Party. One can argue that the Republicans were willing hostages, since the GOP has always received its largest vote support from white Protestants in the North and West. What changed the equation, and has revolutionized U.S. politics, is the near overnight conversion of the white Protestant South from Democrat to Republican, with a few years of indecision in between (the brief Jimmy Carter moment).

Now, *Campaigns & Elections* magazine, the savviest political journal in the U.S., says that the Religious Right controls the Republican Party in 30 states and has significant influence in about ten others. The conservative, evangelical states are the major strongholds, as expected, but a vacuum in Republican organization has led to Religious Right takeovers in Washington and Oregon, the most secular states in the union, where a majority of the population are not members of any organized religious community.

This means that it is highly unlikely that a moderate Republican, if there are any left, could win the party's nomination for president in 2008. The Religious Right has a virtual veto power over Republican nominees, as it has had for years over the content of the party's platform. This has added to the harshness of the rhetoric in D.C. Now the Religious Right and its allies can accuse Democrats of bigotry against "people of faith" (meaning themselves) when the Democrats oppose some of Bush's radical, extreme judicial nominees. People have a right to oppose nominees whose legal record indicates an unwillingness to apply the law fairly to all people, including gays and the disabled, without having their principled actions labeled religious prejudice.

Going back to the nominating process, we saw how fast the Religious Right swung into action to save the faltering candidacy of George W. Bush five years ago after his crushing defeat by John McCain in the New Hampshire primary. After Bush spoke at anti-Catholic Bob Jones University and received a barrage of justified criticism for his insensitivity, the Religious Right went into high gear, mobilized and turned out the troops to give the Texas governor a victory in the Palmetto State. The rest is history.

Another defining characteristic of the Religious Right is its lamentable distortion of history. This is sad because our history is something shared by all of us. Of course, we can disagree about the relative importance of certain historical events. But when the Religious Right asserts that separation of church and state is a myth, a lie concocted by infidels like Thomas Jefferson, they are out of bounds. They are in fact lying about our history. Those who have read the debates concerning the adoption of our Constitution, including Article VI, which bans

religious tests for public office, know that separation of the institutions of government and religion was the desired goal of the Founders. The same is true at the Constitutional Convention debates over the precise wording of the First Amendment, which forbids all acts respecting an establishment of religion and guarantees the free exercise of religion to all inhabitants of the USA. The Founders wanted a country that was different from the European nations, which to one extent or the other favored one religion over others and made second-class citizens of dissenters from the established church. In the U.S. religion was deemed a private matter, with no civil penalties attached to those who were in the minority or even to those who did not choose to affiliate themselves with any religion. The U.S. Supreme Court, in the 1879 *Reynolds* case, said that Jefferson's phrase: "wall of separation between a church and state" was "an authoritative declaration of the scope and effect of the [first] amendment." (*Reynolds v. United States*, 98US164).

Today's Religious Right sees the First Amendment as an obstruction to their designs on political power, which frankly, it is! But they also see it as restricting their rights and freedoms, which it manifestly is not. About 175 years ago, a perceptive French nobleman, Alexis de Tocqueville, spent nearly a year visiting the U.S. and then wrote a book about his visit entitled, *Democracy in America*. It is, and remains, a classic. He had much to say about the state of religion in the new republic. He relates that he discussed the remarkable vitality of American religion with members of the clergy of all faiths. And he wrote, "To a man they assigned primary credit for the peaceful ascendancy of religion in the country to the complete separation of church and state."

Let's look now at some specific influences the Religious Right has had on the government and public policies of the U.S.

U.S. policy on family planning information and aid overseas has been compromised. The U.S. has blocked comprehensive efforts in this field since Bush became president. Votes at the UN and pressure on our allies have increasingly isolated the U.S. from the progressive democracies of Europe and many Third World nations as well. We often vote with Islamic fundamentalist regimes on so-called family values issues. A Religious Right senator, Sam Brownback of Kansas, has held up the appointment of a well-qualified Republican diplomat, not because she lacks experience, but because she is pro-choice. Her appointment to a European Security group is being blocked solely because of her personal views on a subject unlikely to come up in her job.

Uncritical support is also given to U.S. military adventures in Iraq and elsewhere. The *Washington Post* reported just last week that U.S. evangelical missionaries are pouring into Iraq, following the soldiers as it were, and not only offending the Muslim majority with their aggressive tactics but deeply offending the 800,000 Christians who have lived in Iraq since the days of the Apostles. (Incidentally, six Christians were elected to the Iraq parliament in the recent elections. There are no Muslims in the U.S. Congress.) According to the *Post*, many of the U.S. evangelicals are openly criticizing and ridiculing the Iraqi Christians, mostly Chaldean Catholics, who use Aramaic, the very language of Jesus, in their worship, and other Eastern Orthodox Christians, calling them inauthentic and not true Christians. It is a fact that no

Christian churches were ever bombed in Iraq until after the U.S. invasion, which some Iraqis see as a foreign religious crusade.

U.S. domestic policy is now dominated by policies dictated by the Religious Right, whether funding abstinence-only sex education programs that apparently fail to accomplish their objectives, according to empirical data, or by funneling \$2 billion a year into faith-based initiatives. These faith-based programs are a scandal because they do not protect employees from religious discrimination in hiring and advancement or recipients of aid from religious proselytizing. The majority of Americans say they disapprove of this, and Congress has refused to endorse it, but Bush does it anyway, under executive privilege, and gets away with it. This is just the first step toward vouchers for faith-based schools — a dispute that goes back at least 150 years in U.S. history. This so-called conservative administration wants to ignore 37 state constitutions which prohibit public financing of religious institutions. While claiming to believe in state's prerogatives, they ignore these provisions because they prevent the implementation of their national agenda. And make no mistake about it, the Religious Right has a national agenda, not just one in the South, the border states, Indiana and Kansas, which they dominate, but for the other 31 states as well.

The Religious Right places religion (their own, that is) before science in a host of policies affecting the FDA and education. Forcing schools to teach creationism or intelligent design in all biology classes is a primary goal and they intend to press that for years to come.

One scholar, Esther Kaplan, wrote recently, "Faith healers, fake data and censorship are the hallmarks of the Christian science in the Bush administration."

There exists also a cynical, and shameful, misuse of religion to achieve political ends. A religious veneer is now being placed on purely partisan projects and goals.

Because the Religious Right's influence within churches is growing by leaps and bounds, public officials are being pressed to change their policies or face denial of church rites and sacraments or even expulsion. A Catholic judge in Florida who allowed an abortion for a teenager foster child was asked to absent himself from communion. The Florida judge who ordered Terri Schiavo's feeding tube removed was told to withdraw from his lifelong membership in a Baptist church near Tampa. The Religious Right can use pressures not available to other political entities in trying to enforce their rules on those of their flock who honestly and in good conscience disagree with them.

The National Day of Prayer, passed by Congress as a public law and signed by President Truman in 1952, has been turned into a Republican, Religious Right cheerleading event. It has become so blatant that Mormons were forbidden to participate in a public event in Salt Lake City, and Muslims need not apply anywhere. Catholics have withdrawn and set up their own prayer observance for the past two years.

President Bush's use of religious rhetoric to justify his policies has gone far beyond the practice of any other chief executive, provoking even Ron Reagan, Jr. to lash out at public

religious hypocrisy during his father's burial last June. It's one thing to ask for divine guidance for your policies, but it's another to claim divine approval for them.

There are also clear signs of religious and political bias in the U.S. military, something unthinkable in years gone by. Religious bias pervades offices of the Pentagon, the Air Force Academy, and the Chaplaincy Corps. According to one scholar, evangelicals dominate the military chaplaincy. For example, while 28% of troops are Catholic, only 8% of chaplains are. *The New York Times* found recently that 90% of the officer corps is Republican and vocal about it. In the past the military was scrupulously nonpartisan and religiously tolerant. Civilian control of the military was a given. Generals usually did not vote. Dwight D. Eisenhower said he had never voted in a presidential election until he voted for himself in 1952.

People who care about a secular democracy that protects religious expression and celebrates religious diversity have ample reasons for concern. I've painted a pretty depressing but, I think, accurate picture of the U.S. political landscape today. But we must not despair. As novelist Graham Greene observed, despair is the greatest vice. Countries have gone to the brink of chaos before and turned back to sanity.

We can join organizations that seek to preserve democratic values and religious tolerance. We can stay alert and informed. We can take solace in the words of President John F. Kennedy, who said, "I believe in an America where religious intolerance will someday end — where all men and all churches are treated as equals — where every man has the same right to attend or not attend the church of his choice — where there is no Catholic vote, no anti-Catholic vote, no bloc voting of any kind — and where Catholics, Protestants, and Jews, at both the lay and pastoral level, will refrain from those attitudes of disdain and division which have so often marred their works in the past, and promote instead the American ideal of brotherhood."