

dom, including their ability to foster dialogue on religious questions, an essential part of education for a pluralistic society.

In short, church-state legislation and litigation are eroding the other condition I mentioned as necessary for the health of church, state, and civil society: our sense of community. Individualism and community are always in tension. In our culture the balance has always tipped toward individualism but not to the utter exclusion of community. Today, however, I believe our sense of community is more at risk than church-state separation. We see growing fragmentation among Christians, Jews, people of other faiths, and secularists – with radical, liberal, moderate and/or fundamentalist factions in each. I believe church-state legislation and litigation are both an effect and a cause of

that fragmentation. So long as there are radical religionists, atheists, and secularists bent on imposing their will by political means, pragmatism and community-building cannot completely replace legislation and litigation for the protection of church-state separation. But these are not always the best tools for the job, and they should not be allowed to close off opportunities for neighborly, common-sense problem-solving.

While we defend the separation of church and state, we should also work to build bridges across it. With power shifting and institutions changing in the emerging civil society, we need to widen our resources of dialogue and community. As members of both constituencies, church and state, American Christians are well placed to begin building those bridges.

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My guess is that no part of our United States Constitution has been so misunderstood as the First Amendment clause, “Congress shall pass no law respecting an establishment of religion, or prohibiting the free exercise thereof.” Read carefully and in context, the clause is obviously intended to forbid *Congress* from involving itself with churches which the various states had already *established*. For in 1791, when the amendment was adopted, several states had “established churches” which were being supported by public taxes. In proposing

that amendment they intended to forbid Congress from meddling with their established churches.

North Carolina had, indeed, in its constitution of 1776, disestablished the Anglican Church. Virginia delayed several years after the revolution, until in 1786, in an extremely close vote, they disestablished that church.¹

¹Patrick Henry, Richard Henry Lee and George Washington, among other leaders, favored supporting religion through taxation.

Other states, however, notably Massachusetts, Connecticut and New Hampshire, taxed every citizen to support the church (although one by one they permitted taxpayers to designate what denomination they wanted to receive their tax). Indeed, it was not until 1833 that Massachusetts finally stopped taxing its people to support religion.

As so much in this life, the issue is one of balance: a strict separation of church and state has never been achieved. Nor should it be. The secular law forbids polygamy. It prohibits religious rites offensive to moral standards, such as Dionysian revels. It enforces Sunday "blue laws." It exempts religious institutions from taxation. Its courts resolve disputes over ownership of church property. Its judges order medical treatment for ill children in spite of parental beliefs. It provides chaplains for prisoners, legislators, and servicemen. The secular law even permits tax funds to transport pupils to sectarian schools.

Which of these obvious involvements of the state in religion would you abolish to achieve a pristine "separation of church and state?"

Again, the issue is one of balance. Certainly, not one of us would want to "prohibit the free exercise" of religion in the sense the framers of the amendment to the Constitution contemplated it. I am concerned, however, that we have gone so far separating

religion from public life that we are instituting, especially in our schools, not freedom *of* religion but freedom *from* religion.

It's tough for a school to achieve total neutrality toward religion without slipping into antagonism toward religion, or worse, treating it as irrelevant. Otherwise put, when the state uses its law to require school attendance and ordains a curriculum of studies which every child is required to pursue, the state is implicitly telling its pupils "this is what your government considers important to your life." When the study of religion is excluded from the curriculum, what can the student conclude other than that his government considers religion of little or no value to his life – that it is irrelevant or merely a superstition.²

I would argue that one cannot understand our Western civilization without a serious consideration of the religion that made it possible. I would argue, too, that when Count de Tocqueville in 1835 concluded "Americans consider religion indispensable to the maintenance of republican institutions," he was not writing about religion as a mere academic study but rather as a set of beliefs requiring standards of moral conduct

²Of course the law does not forbid the teaching of religion, including Christianity, in a factual way which excludes a worship aspect. But most public school officials live in such fear of lawsuits filed by quibblers of one ilk or another that they decline to address religious study at all.

or “right” behavior, positing good and bad, right and wrong.

Indeed, can it be pure coincidence that the current way of corporate scandals should involve the first generation of top management schooled in moral relativism and situational ethics?

But here we come acopper. For as Dr. Dunn correctly points out, under current court rulings, the public schools cannot indoctrinate any religion. Nor would you and I want them to force-feed sectarianism of any stripe (even Moravianism!). Yet any society requires a moral consensus if it is to survive, and religion is historically the practical means of inculcating morality.

A uniform public school system such as ours worked well in earlier days. Now, however, we are faced with the need to instill moral standards in a fractious, pluralistic society that includes various faiths as well as various denominations of the Christian faith.

Perhaps we need to step back and consider that the aim of our school system is

not to perpetuate a monopoly of our public school system, but rather the aim is to educate young people. And perhaps the way to do this in a diverse population is to allow parents to choose what school approach is best for their children. Let the parents choose a parochial school, a conventional public school, a classical academy, a Montessori school, or whatever they prefer – and you immediately find that religious instruction is removed from contention.

Of course, the state would need to continue to ensure the curriculum and ensure, too, a standard of quality through uniform standardized tests. The state would issue scholarship vouchers which the parent could “spend” at the school they thought best. We have ample precedent for this in the GI Bill and in Pell grants, both of which allow the recipient to choose his school (even a theological seminary).

In this way education for our young people could again include the moral and religious instruction without which no civilization can long endure, in a way of which their parents approve.

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