

## ESSAY

# DEFENDING THE WALL: MAINTAINING CHURCH/STATE SEPARATION IN AMERICA

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I went to the Iowa State Republican Convention on June 28, 1994 for the specific purpose of urging that the Republican Party remain true to mainstream conservative ideas—strong national defense, low taxes, and less government regulation—and avoid the bitter divisiveness over social issues, like abortion, that cost the party the 1992 Presidential election. I knew that the Iowa Republican party organization, like those in Minnesota and Texas, was dominated by the “far right,” so I did not expect my message of the need for a broader, more inclusive Republican Party to be especially popular. It was not.

Even so, I was taken aback by the particulars of the chilly reception I experienced. I was met merely with stony silence when I urged the removal of the anti-abortion plank from the party platform, but my incidental reference to “the basic American principle of separation of church and state” caused the hall to erupt with boos.<sup>1</sup> As I have now learned, the very idea that our nation was founded on the principle that affairs of church and state are and should be separate is under bitter attack from an army of “far right” groups and individuals.

The Reverend Pat Robertson called the doctrine of church/state separation a “lie of the left”<sup>2</sup> and urged his Christian followers to “work together . . . [to win] back control of the institutions that have been taken from them over the past 70 years.”<sup>3</sup> Robertson’s lieutenant, Ralph Reed, said that their mission must be “to

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1. Senator Arlen Specter, Address to the Iowa State Republican Convention. (June 28, 1994).

2. Pat Robertson, *Address at a South Carolina Rally* (November 13, 1993); see Lee Bandy, *Top Christian Conservatives Urge More Political Vigilance*, THE STATE, November 13, 1993, at B1.

3. Pat Robertson, PAT ROBERTSON’S PERSPECTIVE, Fall 1991.

take back this country, one precinct at a time, one neighborhood at a time, one state at a time."<sup>4</sup>

Robertson and Reed sound moderate compared to the Reverend Jerry Falwell, who said in a sermon last year that "Modern U.S. Supreme Courts have raped the Constitution . . . and raped the churches by misinterpreting what the founders had in mind in the First Amendment. . . . We must take back what is rightfully ours."<sup>5</sup>

And even Falwell's remarks are restrained compared to those of Operation Rescue founder Randall Terry: "I want you to let a wave of intolerance wash over you. I want you to let a wave of hatred wash over you. Yes, hate is good. . . . We have a biblical duty, we are called by God, to conquer this country."<sup>6</sup>

As I told the Republicans gathered in Iowa, the seeds of the Republican Party defeat in 1992 were sown at the Houston convention by the indelible videographic image of Pat Buchanan thumping the rostrum and declaring "holy war" in America. A holy war—against whom? Against every person who does not share his religious values and beliefs?

The Republican Party's 1992 defeat did not dampen Buchanan's zeal. In September, 1993, Buchanan proclaimed, "I am not here to talk surrender terms, but to talk about how to fight and win the cultural war for the soul of our country. . . . Our culture is superior. Our culture is superior because our religion is Christianity and that is the truth that makes men free."<sup>7</sup>

I fear that my party has not learned its lesson either. Buchanan's recent remarks came during Pat Robertson's third annual "Road to Victory" conference, which was attended by many national leaders of the Republican Party. Whether they agreed with Buchanan or not, not one of them has been willing to stand up and repudiate this call to cultural and religious civil war, or to speak in defense of core American values like tolerance, diversity, and the separation of church and state.

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4. Russell Chandler, *Robertson Moves to Fill Christian Right Vacuum*, L.A. TIMES, May 15, 1990, at 5.

5. David E. Anderson, *Falwell lashes out at Supreme Court, Hillary*, Religious News Service (March 29, 1993); see also *Religious Right Campaign Assaults Religious Freedom in America*, U.S. Newswire, June 9, 1994.

6. Bob Caylor, *Terry preaches theocratic rule*, THE NEWS-SENTINEL 1 (August 16, 1993); see also *Demagoguery in America*, THE NEW REPUBLIC, Aug. 1, 1994, at 7.

7. Pat Buchanan, *Conservatives and Middle America*, Address at the Road to Victory Conference (September 11, 1993).

Unfortunately, the very idea that we live in a pluralistic, multi-religious country in which a wall separates the affairs of state and church is under growing assault. Robertson's denunciation of church/state separation as a "lie of the left" echoes the Reverend W.A. Criswell's statement that the doctrine is "a figment of the imagination of infidels."<sup>8</sup> Former Massachusetts Christian Coalition director Patricia Hoffman called it a "bogus phrase."<sup>9</sup> And among the most popular speakers at "far right" gatherings is David Barton, author of the 1992 tract, *The Myth of Separation*—which, according to its back cover, "proves that separation of church and state is a myth by using the quotes of the Founding Fathers and the actual decisions of the Supreme Court."<sup>10</sup>

This assault on tolerance makes it necessary for me (and others) to speak out in support of church/state separation, a principle that we once thought needed no defense. I am unwilling to sit by and see my party or, worse, my country torn asunder by cries of hatred, bigotry and intolerance.

I never have thought that we lived in a country that belonged to any religion or sect, nor have I ever before been alarmed by the prospect that others might attempt to refashion American government as a church-based state. My father, Harry Specter, literally walked across Europe to board a ship bound for America and leave behind the Czar's persecution of Russian Jews. And Harry Specter's brave trek for religious freedom and economic opportunity was one of millions that followed in the tradition of the voyages of the Pilgrim-Separatists, Puritans and Quakers who established America's first communities so they could practice their own faiths without state interference.

It is useful to begin by reviewing the legal and historical evidence which shows that the principle of church and state separation is firmly grounded in the text, history and intent of the Constitution. Next, we must consider the continued importance of the church/state separation principle to our national wellbeing. And finally, it is worth examining what the church/state separation principle means to the increasing participation in the

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8. Report: Chai/Impact Analysis, Chai/Impact, a Service of the Commission on Social Action of Reform Judaism (September 20, 1984); Interview with CBS (September 6, 1984).

9. Liz Galst, *Pious Lies*, BOSTON PHOENIX, July 30, 1993; Liz Galst, *On the Right: A Quiet But Growing Number of Christian Fundamentalists Rejects Pat Robertson's/Jerry Falwell's Theocratic Line*, BOSTON PHOENIX, Apr. 15, 1994, at 2.

10. DAVID BARTON, *THE MYTH OF SEPARATION* at back cover (1989).

political process by people of faith—to make it absolutely clear that a strong defense of church/state separation can also be a strong defense of the role of religion, and religious values, in American life.

*The myth of the “Myth of Separation”.*

David Barton and his adherents begin their argument that the principle of church/state separation is a made-up doctrine foisted on America by an unprincipled Supreme Court<sup>11</sup> by pointing out the fact that those words do not appear in the text of the First Amendment. Indeed, Barton’s book repeatedly states that most people believe those words are in the Constitution, as if to suggest that some grand conspiracy is preventing Americans from discovering what their Constitution actually says.

However, the absence of those words from the text of the Constitution is hardly proof that the doctrine of church-state separation is not constitutionally grounded. The Constitution doesn’t use the words “fair trial” either, yet we certainly view that right as protected by the Fifth, Sixth and Fourteenth Amendments.

The First Amendment reads, “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof. . . .”<sup>12</sup> The text establishes two sharp demarcations between government and religion: government cannot establish religion, indeed it cannot even pass any law “respecting” (i.e., having anything to do with) an establishment of religion (the “establishment” clause); and government cannot interfere with anybody’s practice of their religion (the “free exercise” clause). These two restrictions on government—not to create, or establish, religion and not to interfere with individual religious freedom—are appropriately summarized by the phrase “separation of church and state.”

Many conservative scholars argue that constitutional text must be interpreted in accordance with the “original intent” of the founders. While I have some problem with “original intent” as an exclusive vehicle of constitutional interpretation, even “original intent” jurisprudence provides an unambiguous basis for viewing

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11. “[T]he separation doctrine is of recent origin, having been introduced into widespread legal use only through the revolution spawned by the Court’s unprecedented use of the Fourteenth Amendment.” *Id.* at 14.

12. U.S. CONST. amend. I.

absolute church/state separation as the intended operative effect of the First Amendment.

The immediate historical genesis of the First Amendment was the battle which raged in the 1785-86 session of the Virginia legislature over whether to continue a tax levy for the support of the clergy. The leaders of the successful fight against the levy were James Madison and Thomas Jefferson. Madison argued eloquently in his classic "Memorial and Remonstrance against Religious Assessments" that true religion did not require the state's support, and that society's interests demanded freedom for all in matters of belief:

Whilst we assert for ourselves a freedom to embrace, to profess and to observe the Religion which we believe to be of divine origin, we cannot deny an equal freedom to those whose minds have not yet yielded to the evidence that has convinced us.<sup>13</sup>

Heeding Madison and Jefferson, the Virginia legislature not only abolished the religious levy, it even adopted the Bill for Religious Liberty which Jefferson authored.<sup>14</sup> Jefferson's Bill was unambiguous in its disavowal of state established religion, providing that "no man shall be compelled to frequent or support any religious worship, place or ministry whatsoever. . . ."<sup>15</sup> As the Virginia legislative battle makes clear, Jefferson's Bill meant, literally no use of tax dollars in support of "any" religious worship, place or ministry *whatsoever*.<sup>16</sup>

After the Constitution was drafted and ratified over the next two years, part of the first order of business for the Congress was fashioning a Bill of Rights, including a provision for religious freedom. Jefferson was absent in Europe and thus did not participate in the drafting of the Constitution, but he wrote back that his main disappointment with the document was its lack of a provision to secure religious liberty. The task of drafting that provision fell to Jefferson's Virginian ally, James Madison, who was the principal draftsman of the Constitution.

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13. JAMES MADISON, *Memorial and Remonstrance against Religious Assessment* reprinted in 8 THE PAPERS OF JAMES MADISON 300 (Robert A. Rutland, William M.E. Rachal, Barbara D. Ripel, and Fredrika J. Teute, eds. 1973).

14. The Bill was formally adopted in 1786. See ACTS PASSED AT A GENERAL ASSEMBLY OF THE COMMONWEALTH OF VIRGINIA 26-7 (Dunlap & Hayes 1786); 2 THE PAPERS OF THOMAS JEFFERSON 549 (Julian P. Boyd, ed. 1950).

15. THOMAS JEFFERSON, A BILL FOR ESTABLISHING RELIGIOUS FREEDOM (1779) reprinted in 2 THE PAPERS OF THOMAS JEFFERSON 546 (Julian P. Boyd, ed. 1950).

16. *Id.* (emphasis added).

On June 8, 1789, Madison offered this proposal for a constitutional amendment on religious liberty: "The civil rights of none shall be abridged on account of religious belief or worship, nor shall any national religion be established, nor shall the full and equal rights of conscience be in any manner, or on any pretext, infringed."<sup>17</sup> This language was changed several times before it coalesced into the form adopted by the Congress and ultimately ratified as the First Amendment. But it is clear that Madison's intent, as expressed in his "Memorial and Remonstrance," was an amendment that made clear that "religion," or the "duty towards the Creator," must be "wholly exempt from [the] cognizance" of civil society.<sup>18</sup>

Madison's later writings leave little doubt that he viewed the First Amendment as embodying the doctrine of church/state separation. In an undated essay probably written during Jefferson's presidency, Madison spoke of the "strongly guarded. . . separation between religion and government in the Constitution of the United States." And in a letter dated March 2, 1819, Madison commented on the strength that American religion derived from "the total separation of the church from the state."<sup>19</sup>

Perhaps the best known expression of the "original intent" of the First Amendment is contained in Thomas Jefferson's 1802 letter to the Danbury, Connecticut Baptist Association. Addressing this religious group, Jefferson wrote:

Believing with you that religion is a matter which lies solely between man and his God; that he owes account to none other for his faith or his worship, that the legislative powers of the government reach actions only, and not opinions, I contemplate with sovereign reverence that act of the whole American people which declared that their legislature should 'make no law respecting an establishment of religion or prohibiting the free exercise thereof,' thus building a wall of separation between church and State.<sup>20</sup>

Jefferson has always been viewed as the single most important source of the meaning of the First Amendment; a unanimous

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17. 5 THE WRITINGS OF JAMES MADISON 377 (Gaillard Hunt, ed. 1904).

18. JAMES MADISON, MEMORIAL AND REMONSTRANCE AGAINST RELIGIOUS ASSESSMENTS reprinted in 8 THE PAPERS OF JAMES MADISON 299 (Rutland et al., eds. 1973).

19. James Madison, *Letter to Robert Walsh* in 8 MADISON'S WRITINGS 432 (Gaillard Hunt, ed. 1908).

20. Thomas Jefferson, *Letter to Danbury, Connecticut Baptist Association* in THE COMPLETE JEFFERSON 518-19 (Saul K. Padover, ed. 1943).

opinion of the Supreme Court more than a hundred years ago described him as “the acknowledged leader of the advocates of the measure” and described his Danbury letter as “an authoritative declaration of the scope and effect of the amendment thus secured.”<sup>21</sup>

The framers’ writings leave no room for doubting that church/state separation was very much a part of their original intent. The Supreme Court noted this again nearly fifty years ago in reaffirming the validity of Jefferson’s metaphoric ‘wall of separation:’

The ‘establishment of religion’ clause of the First Amendment means at least this: Neither a state nor the Federal Government can set up a church. Neither can pass laws which aid one religion, aid all religions, or prefer one religion over another. . . . No tax in any amount, large or small, can be levied to support any activities or institutions whatever they may be called, or whatever form they may adopt to teach or practice religion. Neither a state nor the Federal Government can, openly or secretly, participate in the affairs of any religious organizations or groups and *vice versa*.<sup>22</sup>

Interestingly, it is *Everson*—which allowed state supported payments for busing to religious schools—that David Barton and his adherents excoriated for its role in fixing the concept of a wall of church/state separation in American jurisprudence.<sup>23</sup> But consider what the four Supreme Court Justices who *dissented* in *Everson* had to say about the First Amendment: “It was to create a complete and permanent separation of the spheres of religious activity and civil authority by comprehensively forbidding every form of public aid or support for religion.”<sup>24</sup>

In 1947 it was the view of every justice of the Supreme Court (and this was not the “liberal” Warren Court of the 1960s) that the First Amendment establishes a firm policy of separation between government and religion—a view firmly grounded in the text of the First Amendment itself, in its historical circumstances, in the many contemporaneous writings of its framers, and in earlier decisions of the Supreme Court. The pronouncement in *Everson* that the constitution establishes a “wall of separation”

21. *Reynolds v. United States*, 98 U.S. 145, 164 (1878).

22. *Everson v. Board of Education*, 330 U.S. 1, 16 (1947).

23. BARTON, *supra* note 10, at 42 (claiming that *Everson* represented a reversal of “150 years of established legal practice under the Constitution”).

24. 330 U.S. at 31-32 (Rutledge, J., for himself and Justices Frankfurter, Jackson and Burton).

between church and state was not new doctrine; it was an expression of what the First Amendment meant when it was adopted, and what it always had been understood to mean.

Going beyond text and history, a variety of other arguments are advanced by Barton against the validity of the church/state separation doctrine. These arguments range from the technical<sup>25</sup> to the absurd.<sup>26</sup> It is not my purpose here to dissect or discredit each of those arguments, but they all proceed from flawed and highly selective readings of both text and history. For example, when Barton argues that the Fourteenth Amendment cannot be read to extend the applicability of the First Amendment to state governments, his book omits the critical text of the "due process" clause of the Fourteenth Amendment that makes most of the Bill of Rights, including the First Amendment, applicable to the states.<sup>27</sup>

Barton's great concern over text apparently also does not make him wonder why the founders of this nation, most of them religious Christians, made no reference to Christianity in any of the nation's three seminal documents: the Declaration of Independence, the Constitution or the Bill of Rights. Could it be that those men of faith were wise enough to recognize that both the nation and their own institutions of faith would best flourish if their affairs were kept separate?

Probably the best refutation of Barton's argument simply is to quote his own exegesis of the First Amendment: "Today," Barton says, "we would best understand the actual context of the First Amendment by saying, 'Congress shall make no law establishing one Christian denomination as the national denomination.'"<sup>28</sup> In keeping with Barton's restated First Amendment, Congress could presumably make a law establishing all Christian denominations as the national religion, and each state could pass a law establishing a particular Christian church as its official religion.

All of this pseudoscholarship would hardly be worth discussing, let alone disproving, were it not for the fact that it is taken so

25. BARTON, *supra* note 10, at 26-29, 167-71 (arguing that the First Amendment only applies to the federal government, so it does not apply to state laws).

26. Howard Phillips, *Pat Robertson Adds Perspective*, CONSERVATIVE DIGEST 97 (January, 1986) (asserting that the words "separation of church and state" do not appear in the U.S. Constitution but do appear in the [former] Soviet Constitution); BARTON, *supra* note 10, at 45 (same).

27. BARTON, *supra* note 10, at 169.

28. *Id.* at 28.

very seriously by so many people. I was booed in Iowa when I mentioned church/state separation because I touched a raw nerve. Led by the firebrands of the “far right,” millions apparently believe that a conspiracy involving some combination of the left, modern U.S. Supreme Courts, the Jewish element in the ACLU, homosexuals, non-believers, enemies of God, atheistic secular humanists, the antifamily movement, non-Christian people and atheistic people, and infidels has been unleashed to rape the Constitution and rape the churches by misinterpreting the First Amendment.

There is, of course, no conspiracy—only a Constitution that provides, as it has for more than 200 years, that our government can neither establish religion nor interfere with its free exercise. But the virulent assault mounted today against that principle requires its defense not only on historical terms but also on utilitarian ones. Even as we are satisfied that church/state separation is well grounded in the text and intent of the First Amendment, an adequate defense of the principle requires us to refamiliarize ourselves with how we benefit as a nation—a nation of religious people—from the maintenance of the wall which separates church and state.

#### *Why separate church and state?*

Those on the “far right” see, with some accuracy, a society where moral values are in decline, where crime is rampant and violence abounds, and where family structures are deteriorating. Not without some reason, they believe this social decline is linked with the country’s “retreat” from religious values. They argue that if we put prayer back in the schools and God back in public life, there will be fewer teen pregnancies, crime rates will decline and violence will diminish.

While I do not agree that prayer in the schools is the answer to our social ills, the questions raised are legitimate and, in this moment of national confrontation over church/state separation, worth answering. What is it that we gain by prohibiting official school prayers or other establishments of public religion? Where is the real value that we derive from church/state separation?

Again, it is useful to look at history, as the Supreme Court did in its *Everson* decision. What was it that the founders saw in their world that generated their determination that in America church and state must be separate?

A large proportion of the early settlers of this country came here from Europe to escape the bondage of laws which compelled them to support and attend government-favored churches. The centuries immediately before and contemporaneous with the colonization of America had been filled with turmoil, civil strife, and persecutions, generated in large part by established sects determined to maintain their absolute political and religious supremacy. With the power of government supporting them, at various times and places, Catholics had persecuted Protestants, Protestants had persecuted Catholics, Protestant sects had persecuted other Protestant sects, Catholics of one shade of belief had persecuted Catholics of another shade of belief, and all of these had from time to time persecuted Jews. In efforts to force loyalty to whatever religious group happened to be on top and in league with the government of a particular time and place, men and women had been fined, cast in jail, cruelly tortured, and killed. Among the offenses for which these punishments had been inflicted were such things as speaking disrespectfully of the views of ministers of government-established churches, non-attendance at those churches, expressions of non-belief in their doctrines, and failure to pay taxes and tithes to support them.

These practices of the old world were transplanted to and began to thrive in the soil of the new America. The very charters granted by the English Crown to the individuals and companies designated to make the laws which would control the destinies of the colonials authorized these individuals and companies to erect religious establishments which all, whether believers or non-believers, would be required to support and attend. An exercise of this authority was accompanied by a repetition of many of the old-world practices and persecutions. Catholics found themselves hounded and proscribed because of their faith; Quakers who followed their conscience went to jail; Baptists were peculiarly obnoxious to certain dominant Protestant sects; men and women of varied faiths who happened to be in a minority in a particular locality were persecuted because they steadfastly persisted in worshipping God only as their own consciences dictated. And all of these dissenters were compelled to pay tithes and taxes to support government-sponsored churches whose ministers preached inflammatory sermons designed to strengthen and consolidate the established faith by generating a burning hatred against dissenters.<sup>29</sup>

It is in the contrast between this history of religious strife and persecution and our own 200 years of experience under a consti-

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29. *Everson*, 330 U.S. at 8-10.

tution that separates church and state where we find the real value of keeping church and state apart. We are one of the most heterogenous societies that has ever existed, and we have managed to grow in a way that makes our diversity our strength. While American history is not devoid of religious persecution or discrimination (as Catholics, Mormons and Jews, among others, can attest), it is a history where in the end the national commitment to tolerance has always won out over oppression.

I look at Ireland torn asunder by centuries of Catholic-Protestant strife; I look at Lebanon reduced to near rubble by Christian-Moslem conflict, and conflict among Moslem sects; I look at the hundreds of thousands killed in India and Pakistan in battles between Moslems and Hindus, and Hindus and Sikhs; I look at the slaughter of Moslems by Orthodox-Christian Serbs that is going on right now in Bosnia; and I look, with the most personal interest, at six million Jews whose lives were taken in Germany for no reason other than their religion—and I thank God that I live in a country where political battles are fought between Republicans and Democrats, or between liberals and conservatives, but not between Protestants and Catholics or between Christians and Jews.

Faith is, by its very definition, something deeply held and of overarching importance; its very presence invokes passion. So long as faith remains a matter for the prayer and devotion of individuals, it is possible for men and women of different faiths to live together in harmony. But when faith becomes entangled with government, when laws become a manifestation not just of public policy but also of religious belief, when we vote for or against candidates because we think we are doing God's will, when the people of a heterogeneous society start arguing over whether theirs is a Protestant country, or a Catholic country, or a Christian, Muslim, or Jewish country—history shows that wars begin and blood starts to flow.

The central problem with basing public policy on faith or religious belief is that, inevitably, there is the question of whose faith or religious belief. Put prayer in the schools and inevitably it becomes a question of whose prayer. Let us remember that most American Catholics began sending their children to parochial schools *not* because there was no prayer in America's public schools, but because the prayer that was there was the *wrong kind*

*of prayer.*<sup>30</sup> If we institutionalize school prayer, can we seriously expect that religious groups will not want to have some control over about the form and content of those prayers? Indeed, who other than religious groups could we possibly expect to fashion prayers and forms of devotion?

Inevitability, whenever we begin to permit our public institutions to be used to support religious observance, the particular religious observance will be inconsistent with, and perhaps contradictory to, the faith of at least some citizens whose tax dollars support those institutions. When we create the fact, or even just the perception, that the instruments of government are being used to support one person's faith and not another's, or one person's faith more than another's, we make the citizenship of some people just a little less valuable than the citizenship of others. And, in doing that, we risk the fabric of toleration that permits our nation of diverse people and different creeds to thrive as one.

*What place for people of faith?*

When we accept that we are a nation where church and state are separate, we must recognize that we are a nation that has become great through the works of men and women of religious faith. Indeed, it was the almost uniformly Protestant-Christian framers of our Constitution and Bill of Rights who had the peculiar genius to create a nation-state not premised on any one religion but with freedom for all. As author-historian Garry Wills observed, "No other government in history had launched itself without the help of officially recognized gods and their state-connected ministers."<sup>31</sup> Our constitutional ideal of religious/state separation, inspired by our Protestant forbearers, made the United States a "new thing on earth."<sup>32</sup>

Religious faith has been present, in one form or another, in most of the epochal moments of this nation. The "inalienable rights" of Americans that justified the Declaration of Independence were "endowed by their Creator." Washington invoked God's blessing for his outmanned Revolutionary armies and Lincoln repeatedly looked to God for support in the dark moments of the Civil War. The Abolitionist movement of the 1830s and 40s

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30. GARRY WILLS, *UNDER GOD* 382 (1990).

31. *Id.* at 383.

32. *Id.*

largely grew out of Northeastern Quaker and Protestant religious societies in the same way that the Civil Rights movement of the 1960s was born in Baptist churches across the South. The history of our country forces us to acknowledge the enormous power of those inspired by religious faith, and the enormous potential for good that such power entails.

Moreover, the values that strongly religious persons bring to the political table are frequently values much needed in matters of policy and government. An emphasis on family, a preference for personal responsibility over government authority, a reverence for human life—these are all values of the “religious right” (and, obviously, of many others) that are very welcome in our political life. Ralph Reed said that the Christian Coalition agenda is “to get policy that is more family friendly. . . . [like] lower taxes, smaller government and government that lives within its means.”<sup>33</sup> That is an agenda that I and most Republicans (for that matter, most Americans) endorse, and I will do all that I can to encourage those who support that agenda and those values to participate to the fullest extent in the political process.

So why was I booed in Iowa? Let me suggest two reasons. First, people heard only part of what I had come to say. When those in the hall heard my appeal to Republicans to remove the abortion issue from the party platform, and my reference to church/state separation, they may have tuned out the rest of my remarks. Perhaps they did not listen to me say that the Republican Party needs

the enthusiasm, the perseverance and dedication of the ‘far right.’ There is a valued place in our Party for those with deep moral and religious convictions just as there is an important place in our daily lives for emphasis on morality. . . .<sup>34</sup>

More importantly, I believe that when I made my remarks critical of their views on abortion and church/state separation, some in the hall no longer *were able* to hear what I had to say. What I intended as the basis for an intramural dialogue among Republicans they heard only as apostasy. I became a non-believer—a man to be shunned.

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33. Ralph Reed, Interview on Nightline (ABC) (June 23, 1994); see also *Life of the Grand Old Party; Energized Coalition Enters Another Political Phase*, THE WASH. POST, Aug. 14, 1994, at 1.

34. Senator Arlen Specter, Address at the Iowa Republican Convention (June 28, 1994).

It is in this kind of intolerance that I find the continuing danger posed by some of those on the "far right"—not because I do not agree with most of what they stand for, but because of their immediate rejection of me and others who do not agree with *all* of what they stand for. When Randall Terry says that he and his followers "don't want equal time. . . . [and] don't want pluralism,"<sup>35</sup> when Gary North says that "there is no religious neutrality,"<sup>36</sup> and when Robert Simonds says that only Christians should hold office because "Government and true Christianity are inseparable,"<sup>37</sup> they exhibit an aspect of the "far right" that is ultimately incompatible with American democracy. We must reject those views of the "far right" that are premised on the position that they and their adherents have a monopoly on truth and virtue, and that those who disagree may have no voice or legitimacy.

When those on the "far right" insist that they are so much in the right that there can be no reasoned disagreement, they take themselves out of the legitimate realm of political participation. As George Washington wrote in 1790 to the Hebrew Congregation of Newport, Rhode Island:

It is now no more that toleration is spoken of, as if it was by the indulgence of one class of people, that another enjoyed the exercise of their inherent natural rights. For happily the Government of the United States, which gives to bigotry no sanction, to persecution no assistance, requires only that they who live under its protection should demean themselves as good citizens, in giving it on all occasions their effectual support.<sup>38</sup>

Thanks to Washington, Jefferson, Madison and our other founders, those of us privileged to live in America are the beneficiaries of a society where the right to a faith of one's choosing is not doled out at the sufferance of one class or group to another, but where instead tolerance—of different faiths, of different races, of different cultures, beliefs and practices—is recognized as the very rock upon which the nation is built. As our forbearers knew and history has shown, there is no reason why religious faith need be at odds with religious tolerance—and no reason why those of devout faith should not come, in a spirit of toler-

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35. Bob Caylor, *Terry Preaches Theocratic Rule*, THE NEWS-SENTINEL, August 16, 1993, at 1.

36. Interview with Bill Moyers, series for PBS entitled, "God and Politics," (December 1987).

37. Robert Simonds, *HOW TO ELECT CHRISTIANS TO PUBLIC OFFICE* iii (1985).

38. George Washington, *Letter to Hebrew Congregation of Newport, Rhode Island* in 31 WRITINGS OF WASHINGTON 93n.65 (John C. Fitzpatrick, ed. 1939).

ance, to bring their energies, values and beliefs to work for the common good.

Our nation was founded and populated by a diverse people whose experiences of oppression and intolerance made them insist that tolerance of difference, especially religious difference, be inherent in our national fabric. As a result of this wisdom, six million American Jews, five million American Muslims, smaller numbers of American Hindus, Buddhists, Parsees, and tens of millions of Americans who adhere to no religious group, have every bit as valid a claim to this nation's soil and citizenship as those in Buchanan's jihad—and so do tens of millions of Catholics and Protestants who do not experience their faith in quite the same way as Buchanan's adherents. Our nation has no place for holy wars.

