

# Religion and Politics in America: Constitution, Culture, and Theology

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Relations between religion and politics are products of history, not theory. In the United States, both religious doctrine and constitutional law provide normative frameworks for resolving particular questions about church and state, but the enduring patterns are set by a more complex interaction of law, philosophy, and faith that reflects the distinctive circumstances of American history and continues to shape contemporary politics.<sup>1)</sup> Today, Americans are more likely to attend worship and express religious commitments than the citizens of other developed democracies, but their laws and practices enforce a more rigorous separation of church and state than we find in more secular European cultures. While American politicians articulate religious beliefs and values with an openness that would seem out of place in Europe, American citizens often express a religious skepticism about politics that is even stronger than secular European suspicion of politically active religion. These differences reflect the historical fact that American ideas about religion and politics were decisively shaped by the Enlightenment and the Protestant Reformation, while America largely avoided the conflict between Catholic Christendom and modern secularism that was so important in Europe during the nineteenth century. Both secularism and Catholicism are, of course, important parts of American life today, but to understand both constitutional law and religious life in their distinctly American forms, we

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1) This essay originated in a lecture delivered at International Christian University on June 12, 2013. I am grateful to the faculty and students at ICU for their warm reception on that occasion, and for this opportunity to develop the themes of that lecture.

must look to an earlier set of questions about faith and reason that settlers in the eighteenth century brought with them from many parts of Europe to the English colonies along the Atlantic seaboard.

### **Constitution**

The delegates from the thirteen newly independent states who met in Philadelphia in 1789 to draw up a constitution for the United States shared the attitudes and values of enlightened Europeans of their day. They had successfully separated themselves from Great Britain politically, but they drew heavily on the ideas of the English philosopher John Locke to shape the new government. Like Locke, most of them assumed that religion is primarily a matter of ideas that individuals hold about God, morality, and salvation, rather than a body of doctrine maintained by a church. Locke had argued that because law has no power over these matters of conscience, the appropriate relationship between government and religion is one of tolerance—prescribing no beliefs, endorsing no religion, and accepting whatever faith a citizen happens to hold.<sup>2)</sup>

This was a relatively new idea, even in America. Several of the former British colonies had state-supported churches, and this continued for at least 50 years after the American Revolution in the state of Connecticut.<sup>3)</sup> By the time of the revolution, however, most states had ended any official support for their churches, and by 1789, most American leaders, including the religious leaders, would have said that a state church is a bad idea. Far more important was the right to religious freedom, and when Congress drew up the first ten amendments to the constitution to provide a Bill of Rights, the First Amendment made that freedom a matter of fundamental law;

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2) John Locke, "A Letter Concerning Toleration," in Richard Vernon, ed., *John Locke on Toleration* (Cambridge Texts in the History of Philosophy; Cambridge: Cambridge University Press, 2010), 3-46. In practice, Locke's ideas about toleration, which he did not extend to atheists or to Roman Catholics, were more restrictive than his theory might suggest.

3) Mark A. Noll, *A History of Christianity in the United States and Canada* (Grand Rapids: Eerdmans, 1992), 144-148.

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.<sup>4)</sup>

In a characteristically Enlightenment way, the First Amendment links religious freedom to other important individual rights, especially rights in relation to the government. So alongside the prohibition on government interference with ideas and their expression, the Amendment insists that government must not recognize a church that citizens are required to support or encouraged to join, nor can it endorse any set of religious beliefs or practices.

It was at that time that Americans began to think in terms of “the separation of church and state.” Those words are often used as a summary of the American idea of religious freedom, and they are held up as an ideal by dissidents in many parts of the world who see the requirements of religion and the power of government too closely linked in their own countries. The phrase may have originated in a letter written to a group of Baptists in Danbury, Connecticut, by President Thomas Jefferson in 1802. Jefferson’s enlightened version of Christianity often got him labeled as an “atheist” by more orthodox Christians, especially those in the New England states who also disagreed with his politics. But he found a point of agreement with the Connecticut Baptists, who were struggling against the official recognition that their state still gave to its Congregational churches, and when Jefferson wrote about a “a wall of separation between church and state,” he was imagining a structure that both Enlightened reason and Anabaptist piety wanted to see built as high and as solid as possible.<sup>5)</sup>

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4) “Bill of Rights,” Accessed December 10, 2013, [http://www.archives.gov/exhibits/charters/bill\\_of\\_rights.html](http://www.archives.gov/exhibits/charters/bill_of_rights.html)

5) “Jefferson’s Letter to the Danbury Baptists,” accessed December 9, 2013, <http://www.loc.gov/loc/lcib/9806/danpre.html>. Although the First Amendment rule against established religion was already in force when Jefferson wrote his letter

Like the renunciation of war in the Japanese Constitution, the “separation of church and state” has become a fundamental part of American constitutional identity. Such constitutional principles, however, are both symbols of identity and loci for contested interpretations. In the American case, the ambiguity is compounded by the fact that the words themselves do not occur in the constitutional documents. The American people do not “separate” church and state in the literal way that the Japanese people renounce war. Instead, they impose on their legislature two restrictions—one against establishing religion and the other against prohibiting its free exercise. The limits thus set are wide, and Americans argue constantly about what those two constitutional provisions mean and how each one is related to the other. Is the government establishing religion if it provides education by supporting schools that are run by churches? Is the government establishing religion if it allows prayers at public ceremonies or sets up a Christmas display on public property? Is the government interfering with the free exercise of religion if it requires church supported medical centers to provide birth control or abortion advice? Is the government interfering with the free exercise of religion if it requires church property to conform to local building codes or if it prohibits discrimination when churches hire their employees? Is the government establishing religion when it provides chaplains for its soldiers, or is it restricting free exercise when it fails to provide them for its prisoners? All of those questions continue to appear in various forms in American life, and no simple statement about “separation of church and state” will resolve them. The basic framework of the constitutional requirements, however, has remained stable from the beginning, and it is unlikely to change in the future. The questions of law about the meaning of “establishment of religion” and “free exercise” are very important questions to the people who are involved in these cases, but they do not

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in 1802, the prohibition was understood at the time to apply only to the Federal government, not to individual states. Only after the American Civil War in the mid-nineteenth century was it settled that the prohibition also applied to the states.

change the general terms on which religion is part of American life. To understand church and state, we should look to the interactions between theology, culture, and politics, rather than to the questions before the courts.

### **Culture**

The “wall of separation” that Jefferson had in mind was primarily intended to protect the individual conscience from intrusions by the power of the state. For the Enlightened leaders who met in Philadelphia to draw up the constitution, religion was best understood as a set of ideas held by individuals. People are religious, according to this Enlightenment understanding, because they have individually become convinced that the propositions set forth in scripture or in religious traditions are true, much as they might become convinced of the truth of Newton’s physics or Locke’s epistemology. On this model, a church is a voluntary association of people who happen to hold the same religious ideas, not a community of faith whose worship and sacraments are essential to salvation or a tradition whose continuity is essential to the transmission of religious truth.

This Enlightenment individualism is quite different from our contemporary psychological and sociological understandings of the ways that people acquire their ideas and commitments and the ways that communities and societies hold themselves together. The Enlightenment understanding was perhaps also quite different from the reality of American life at the time. While church participation was relatively low at the time of the American Revolution, many Americans were formed by the religious culture of Puritan New England, the independent, local communities of Presbyterians in New Jersey and Pennsylvania, or the aristocratic Anglicanism of Virginia. Many of the political leaders at the constitutional convention were committed to their own Christian denominations, and others participated in the character-forming rituals of Masonic lodges, instead of or in addition to those of the Christian churches. Those who lived through the American Revolution also

developed strong local patriotic cultures in the places where they lived. The Revolution was a long war, lasting at least fifteen years from the first skirmishes to the final peace treaty, and the many British Loyalists who fled to Canada or returned to England would testify to the growing power of the civic commitments that drove them from Boston, New York, or Philadelphia during those years.

The question was whether these various religious, fraternal, civic, and philosophical commitments could be brought together into a national culture and community that would encompass the thirteen new states along the Atlantic coast as well as the thinly scattered settlements across the interior. At the end of the American Revolution in 1783, it was not at all clear that this would happen. But perhaps by the time of national mourning that followed George Washington's death in 1799 and certainly by the time Americans began to speak in the 1840s of their "manifest destiny" to occupy the continent and lead the world, America did create a civic culture with its own mythology, its recognized saints and heroes, and its annual calendar of celebrations.<sup>6)</sup> This civic culture was severely tested by the American Civil War in the 1860s, but it emerged from that conflict with a new set of myths and heroes, especially Abraham Lincoln himself, and a new sense of its place in the history of the world.

So while the United States was consolidating a constitutional system that prohibited state support for any one of the many churches, it was in some ways, unofficially and alongside those churches, creating a cultural system that had many of the characteristics of a religion. The sociologist Robert Bellah has, in fact, called this patriotic tradition the "American civil religion."<sup>7)</sup> From the beginning, it has existed alongside the more readily recognizable religious traditions in America—first alongside the many different forms of Christianity and the small Jewish community that had been present almost from the beginning, and then alongside the growing

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6) Nathan Hatch, *The Democratization of American Christianity* (New Haven: Yale University Press, 1989).

7) Robert Bellah, "American Civil Religion," *Daedalus* 96 (1967): 1-21.

number of African, Islamic, Buddhist, Hindu, Sikh, and other traditions that are now represented in the American population. People from all of these traditions may participate in the American civil religion, Bellah says, without any sense of divided loyalty. The civil religion is, of course, heavily influenced by the virtues and values of the Christian traditions that have been prominent in American history, and some other traditions are wary of this pervasive Christian influence. But if the civil religion is often shaped by Christianity, it also imposes constraints on Christianity and the other religious traditions that have become part of American society. Government may not be allowed to limit the free exercise of religion, but civil religion frames certain public expectations about the way religious life will be conducted. No law forbids aggressive proselytizing, or denigrating other religions, just as no law requires religious communities to affirm their patriotism simultaneously with their affirmations of faith. But civil religion creates a strong expectation that religious communities will exercise their freedom in accordance with these norms, however much they may otherwise differ in belief, culture, and history.

Civil religion also connects religion and patriotism in ways that are sometimes a bit shocking, even to European Christians who are quite familiar with the idea of a national church. Visitors to America are often surprised to find that the flag of the United States has a prominent place in the sanctuary of many churches. Despite the constitutional separation of church and state, most Americans do not find this presence of a symbol of the state near the center of the church's worship strange. Indeed, it is so familiar that most of them do not even notice it. Of course, there are theological problems with this, as many American Christians would recognize upon reflection; but the interesting thing is how in this matter as in many others, civil religion permeates the practices of American religion, all without any legal status or indeed any formal institutional existence at all. It is impossible to understand church and state in America without understanding that this cultural establishment of religion sits quite comfortably in the minds of many Americans alongside the legal

separation of church and state. This is a logical contradiction that would surely have troubled Jefferson and the enlightened thinkers who created the American constitutional system, but it is an inescapable part of American life.

### **Church or Sect?**

So there is a political tradition of Enlightenment individualism in the United States, and there is a civil religion that is uniquely the product of American culture. Both of these influence relationships between church and state, but the role of religion in American life is also strongly influenced by two different theological understandings of how the Christian community relates to society. One view, which acquired a prominence in America that it never achieved in the European lands where it originated, sprang from small Christian groups that stood apart from the Protestant state churches that emerged in Germany, England and Scandinavia. These groups emphasized the fellowship of local congregations and often distrusted the clerical leadership of larger church bodies. As a result, they were often excluded from participation in politics or chose to withdraw themselves from it. Sociologically, their characteristics were described by Max Weber and Ernst Troeltsch.<sup>8)</sup> They were ascetic in their practices and thrifty in their habits, with high standards for their membership and limited outreach into the wider society. This sectarian Protestantism was often persecuted in the European lands where it originated, even when the rulers and authorities were themselves Protestant. Its adherents see themselves as witnesses against the abuses that always accompany political power, and they regard all politics with suspicion.

Another view prevailed in regions where Protestant leadership

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8) See Max Weber, "The Protestant Sects and the Spirit of Capitalism," in H. H. Gerth and C. Wright Mills, eds., *From Max Weber* (New York: Oxford University Press, 1946), 302-322; Ernst Troeltsch, *The Social Teaching of the Christian Churches*, 2 vols. (Louisville: Westminster John Knox Press, 1992), 328-343, 691-730.

supplanted the Catholic hierarchy and allied itself with secular rulers or, indeed, provoked a civil revolution to complement the ecclesiastical reform. Here, what Troeltsch would call the “church-type” persisted, with its aim to encompass the whole society and all its relationships. Especially in the Calvinist or “Reformed” Protestantism that took hold in Geneva, Scotland, the Netherlands, and among the Puritan revolutionaries in England, this church saw itself as the vanguard of a transformation that would bring society as whole into conformity with Christian expectations in a way that no previous Christian era had achieved. For these communities, secular authority is more than a necessary source of order. Political relationships provide a tool that can be used for redemptive purposes.

These theological alternatives are older than the events that provide the founding stories for American civil religion and older than the Enlightenment origins of American constitutional law. Indeed, it may seem that they belong to a past that few contemporary Americans would know, except perhaps for well informed members of the religious groups that trace their origins to these sixteenth century arguments. Nevertheless, the influence of this past on American attitudes is pervasive. It arguably runs much deeper than either Enlightenment law or civil religion, and it accounts for much of what is distinctive in American politics. The lines of division in American politics are not between Left and Right, nor between secular and religious, but between Reformers and Sectarians. What makes America the most religious nation in the developed world is not that its people go to church more than other people do, but that they see their politics in these religious terms. By comparison to this American political theology, all European politics is intensely secular, as is politics in Japan and in the other developed democracies of Asia. Europe and Japan are secular and enlightened. America is, as the British writer G. K. Chesterton said, “The nation with the soul of a church.”<sup>9)</sup>

Or perhaps we should say that America is a nation that is always trying

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9) G. K. Chesterton, “What I Saw in America,” in *Collected Works*, vol. 21 (San Francisco: Ignatius Press, 1990), 45.

to decide whether its soul is the soul of a church or the soul of a sect. What makes the United States different from many countries with long Christian traditions is that many of its Christian denominations have their origin in the dissenting groups that broke away from the dominant Anglican, Lutheran, or Reformed churches within a century or two after the Reformation. Mennonites, Brethren, and Amish grew and prospered in America, where there was open space for them to build their alternative Christian communities. Methodists and Baptists, minorities in their European homelands, became the largest American Protestant denominations during the nineteenth century, and although these churches became familiar and accepted parts of American life, many of them continued to see themselves as witnesses against a corrupt society long after they had entered the cultural mainstream.

These groups prized their independence and regarded any ties between church and state with suspicion. As we have seen, Jefferson did not coin that phrase about a “wall of separation” between church and state for Enlightenment legislators. He was writing to a group of Baptists in Danbury, Connecticut.

Such independent, evangelical Protestant groups made themselves at home in the new atmosphere of religious freedom that found expression in the First Amendment. Their congregations were centers of mutual assistance, only loosely bound to hierarchies and doctrine. They had none of the old sense of responsibility for a geographical parish that characterized Anglican churches on both sides of the Atlantic and the established Congregational churches of New England. These Methodists, Baptists, and other independents tended to see their churches standing against the surrounding culture, rather than as part of it.

One reason for America’s ability to assimilate waves of Lutheran, Catholic, and Jewish immigrants during the nineteenth century was that this sectarian model of local identity and legal tolerance was adopted by new groups as they arrived.<sup>10)</sup> Like the Methodists, Baptists, and

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10) Alexis de Tocqueville, *Democracy in America* (Garden City, NY: Doubleday,

Mennonites before them, they found that the emphasis on local community and the independence from legal regulation suited their needs. Most accepted the American model at the level of their local congregations, even if their hierarchy resisted it at the level of doctrine. From a sociological perspective, Catholics, Orthodox Christians, Jews, and now Muslims have all become Baptists on their way to becoming Americans. They absorbed the attitudes and values that gave them a sense of independence from society and its institutions. Their religious identity became part of their sense of American individualism. Religious diversity poses few problems for America because sectarian religions do not compete to define the national identity.

One thing that goes with these sectarian values, however, is a suspicion of politics and government. Government may be necessary, but it should be kept small, and the best way to live your own life is to stay beyond its reach. These attitudes may seem unrealistic in the world of the modern welfare state, but they are deeply embedded in American thinking. This provides at least a partial explanation for the movement in American politics today that rejects government regulation of financial markets and government participation in health care, despite the evidence that non-governmental solutions have not worked for these problems.

Sometimes, then, America is a nation with the soul of a sect. It believes that what is most important in life and faith is incompatible with the compromises and coercion that are essential to participation in political life. Not all Americans who share this way of thinking would recognize its history. Many of them would not think of themselves as particularly religious. But the suspicion of government that reappears whenever there are large changes in American politics grows from religious history, not from political ideologies.

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1969), 450. "Though Americans are divided into very many sects, they all see their religion in the same light."

### **Transformation**

Secularism is not all there is to American political theology, however. There are others who see politics as the instrument of social transformation. For these Americans, the nation has indeed the soul of a church, and not a sect. It has the soul of a church in the sense that religion gives life to the political body, transforming it into an anticipation of the kingdom of God. In the American context, this is more than the idea of an established church that would maintain moral order and assist the state in the task of suppressing evil. The English Puritans who went to Massachusetts were not content to reform the Church of England. They wanted to build a holy commonwealth that they had been unable to create at home.

As with the sectarian vision, this idea of social transformation has not remained the sole property of its original authors. In fact, in recent American politics, the most interesting development has been the adoption of these transformative ideas of politics by those who come from churches with a sectarian, individualist heritage. Baptists and independent, evangelical congregations have been the main source of membership and leadership for the movement that is often called “the new religious right.”<sup>11)</sup> The political label, however, is misleading. For conservative Protestants, what is new here is not a political program that we could label “right” or “left.” What is new is that these Christians now see politics as an instrument that people of faith can use to ensure that God’s will is done.

For them, this is a new way of thinking about politics, and it is a change in thinking that has generated many changes in American political life in recent decades. The emphasis for the new religious right is frankly on winning, rather than on witness. The new message is that it is not necessary to stand on the margins of society as a witness to a different way of life. If people want society to live by higher moral standards, they should put their energies into organizing and voting.

In the early days of the movement, its leaders called it “The Moral

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11) Clyde Wilcox, *God’s Warriors: The Christian Right in Twentieth-Century America* (Baltimore: The Johns Hopkins University Press, 1991).

Majority," but it was the conservative political strategist Ralph Reed, director of an organization called the Christian Coalition, who had the key political insight: In a democracy where most people do not vote, you do not need a moral majority.<sup>12</sup> A well-organized minority will do. It does not take 51% of the adult population to change the high school textbooks or elect a legislature that will vote for more restrictive laws on abortion and gay marriage. If only 30% of the people vote, 16% will be sufficient to accomplish your purpose.

While the candid emphasis on electoral strategy is perhaps new, there is nothing unusual in American history about religious groups using politics in the hope of social transformation. The abolition of slavery, the campaigns to prohibit alcoholic beverages, the civil rights movement, and a variety of anti-war movements have had their roots in religion. Most often, these movements begin with a heavy emphasis on direct action and personal transformation. People take to the streets as evidence that their own hearts and minds have been changed. But there is a limit on what direct action can accomplish, and most American reform movements have at some point decided that it would be nice to have the coercive power of law to complete what moral transformation leaves undone.

It is a strategy that religious activists have turned to since the days of abolitionism, for both liberal and conservative causes, and for all sorts of goals. It was not Ralph Reed who said most clearly what politics as an instrument of moral reformation is all about. It was Walter Rauschenbusch, a German immigrant, Baptist preacher, and the great theologian of the Social Gospel. At the beginning of the twentieth century, Rauschenbusch surveyed America's political and social landscape and declared that what we have today is a society that makes good people do bad things. Poverty and lack of education lead to crime, abuse, and addiction. Profit motives lead employers to exploit their workers and enrich themselves by persuading people to buy things that they do not really need. What we

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12) Ralph Reed, *Active Faith: How Christians are Changing the Soul of American Politics* (New York: Free Press, 1996).

need is a society that will make bad people do good things, a society where laws will compel selfish people to think about the common good and ensure that greedy people can only get rich by inventing new ways to meet real human needs.<sup>13)</sup>

This is in some ways a peculiarly American idea, with a characteristically American confidence that good intentions and good organization always lead to good results. But it also reflects an older, theological conviction that forms one of the two poles of American religious life: Political power in the hands of the right people is an instrument of God's purposes.

### **The Enduring Alternatives**

So the problem of religion and politics in the United States does not arise from the constitutional separation of church and state, nor is it a problem about the particular questions of religious freedom and government entanglement that are constantly being argued in our courts. Those questions will always be with us, but the law provides a framework for settling them as they arise. Civil religion, likewise, exerts a pervasive influence on American life, providing a shared treasury of myths and heroes and elevating national ideals and achievements to universal significance. The effects of civil religion are, however, ambiguous. It can be a unifying force that transcends political differences, but in times of deep ideological division, it can also become contested territory, as each party claims the legitimating power of civil religion for itself and attempts to exclude the others from it.

The central, recurrent problem of religion and politics in America is found in the sharply divided understandings of politics that are built into the history of American religion. On one hand, there is the American suspicion of and separation from politics derived from the radical Reformation. On the other hand, there is the American conviction, which

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13) Walter Rauschenbusch, *Christianizing the Social Order* (New York: Macmillan, 1913); Gary Dorrien, *Social Ethics in the Making: Interpreting an American Tradition* (Boston: Wiley-Blackwell 2008), 99-104.

goes far beyond any European ideas about a state church, that a people shaped by religious values can become God's people, and their society can become God's kingdom on earth.

Both of those ideas are part of the Christian tradition, but they are difficult to reconcile theologically and even more difficult to reconcile politically. American politics is sharply divided today, not just because Americans disagree about questions of policy, but because they have a disagreement that is at its root a religious disagreement about what the nation and its government is for. Is the state the result of human sin, something that good people should not rely on and something they should avoid as far as possible? That was what the sectarian Protestants believed, and many Americans today believe the same thing, even if they do not understand where those ideas came from. Or is the state an instrument of God's purposes, which God's people can use to create a society that will be an example for the rest of the world? That is what the Puritans who founded the colonies in New England believed, and today, too, many Americans believe that, even if they do not understand where those ideas came from.

Indeed, political strategists in America today are fascinated by the way that the religious right used the idea of religious commitment so effectively during the 1990s. They have abandoned the strategies of compromise that used to win elections by seeking the middle ground and bringing large numbers of voters to the polls. Instead, they seek to mobilize a "base," a core group of voters who believe in their cause with something like a religious commitment. In effect, the new strategy is to turn your own voters into fervent believers in politics as a tool of God's will, while provoking your opponents into sectarian withdrawal. Politics, which used to be defined as "the art of the possible," depends now on the appearance of ultimacy. This is something that could only have happened in America, with its unique religious history. It is certainly quite different from the politics of consensus that prevails over ideological differences in Japan, and it is equally different from the secular divisions between Left and Right that are found in Europe.

It seems, then, that in order to prevent our politics from becoming permanently polarized into competing ideological commitments or collapsing into sectarian withdrawal, Americans must turn to a religious perspective that allows us to take politics seriously on its own terms. We must learn to see politics not as an ultimate decision, but as a continuing task. The theologian Reinhold Niebuhr outlined that approach to politics over fifty years ago, in the midst of a Cold War when global politics was polarized between Western democracy and Soviet communism. Then, as now, there were those who wanted to withdraw from that conflict into a sort of sectarian neutrality. And there were those, especially in America, who saw the conflict as a religious choice, in which Christian commitment and American interests led to the same conclusion.

Niebuhr, by contrast, suggested that what faith provides is not the answer, but a set of questions that can be posed to all of the competing ideologies:

We have now come to the fairly general conclusion that there is no "Christian" economic or political system. But there is a Christian attitude toward all systems and schemes of justice. It consists on the one hand of a critical attitude toward the claims of all systems and schemes, expressed in the question whether they will contribute to justice in the concrete situation; and on the other hand a responsible attitude, which will not pretend to be God nor refuse to make a decision between political answers to a problem because each answer is discovered to contain a moral ambiguity in God's sight. We are men, not God; we are responsible for making choices between greater and lesser evils, even when our Christian faith, illuminating the human scene, makes it quite apparent that there is no pure good in history; and probably no pure evil, either.<sup>14)</sup>

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14) Reinhold Niebuhr, "Theology and Political Thought in the Western World," *The Ecumenical Review* 9 (1957): 253-254.

Political choices are religiously significant. That is why a secular approach to church and state that attempts to eliminate conflict by completely separating religious commitment from political participation will not work. The American understanding of religious freedom has always allowed citizens to speak freely on behalf of moral choices that they believed their faith required.

What Niebuhr's Christian realism reminds us, however, is that ultimate moral and religious commitments do not translate simply or directly into policy choices. It is in the nature of politics that its questions remain open and have to be revisited again and again, as we learn the actual results of our choices and see the unintended consequences of our previous decisions. Because politics is about limited choices made by imperfect people, one of the most important parts of the political task is making sure that those who come after us will have the resources to understand our mistakes, the opportunities to assess them in open discussion, and the freedom to correct them. Freedom of religion has been an important part of maintaining that critical and responsible attitude toward political decisions throughout American history. But the role of the theologians may be even more important today than it was when Niebuhr wrote those lines about being critical and responsible in the midst of the Cold War. If American politicians are no longer able to teach us what politics is, then our theologians must at least remind us that politics is not theology.

**Abstract**

The legal status of religion everywhere reflects the development of religious traditions and institutions, shared cultural experiences, and prevailing ideas about law, government, and individual freedom. While the United States is often presented as a guide to reconciling the demands of democracy, diversity, and religious commitment, it is not a universal ideal, or even a model for all developed democracies. The American experience is a unique combination of Enlightenment politics, Protestant Christianity, and constitutional democracy that is unlikely to be repeated. The historical interaction of those elements, however, offers important insights into contemporary American politics and may suggest realistic ways to understand the relationship between religion, law, and society in other contexts.