CONTEMPORARY American politics faces few greater dilemmas than deciding how to deal with the resurgence of religious belief. On the one hand, American ideology cherishes religion, as it does all matters of private conscience, which is why we justly celebrate a strong tradition against state interference with private religious choice. At the same time, many political leaders, commentators, scholars, and voters are coming to view any religious element in public moral discourse as a tool of the radical right for reshaping American society. But the effort to banish religion for politics’ sake has led us astray: In our sensible zeal to keep religion from dominating our politics, we have created a political and legal culture that presses the religiously faithful to be other than themselves, to act publicly, and sometimes privately as well, as though their faith does not matter to them.
Recently, a national magazine devoted its cover story to an investigation of prayer: how many people pray, how often, why, how, and for what. A few weeks later came the inevitable letter from a disgruntled reader, wanting to know why so much space had been dedicated to such nonsense.

Statistically, the letter writer was in the minority: by the magazine’s figures, better than nine out of ten Americans believe in God and some four out of five pray regularly. Politically and culturally, however, the writer was in the American mainstream, for those who do pray regularly—indeed, those who believe in God—are encouraged to keep it a secret, and often a shameful one at that. Aside from the ritual appeals to God that are expected of our politicians, for Americans to take their religions seriously, to treat them as ordained rather than chosen, is to risk assignment to the lunatic fringe.

Yet religion matters to people, and matters a lot. Surveys indicate that Americans are far more likely to believe in God and to attend worship services regularly than any other people in the Western world. True, nobody prays on prime-time television unless religion is a part of the plot, but strong majorities of citizens tell pollsters that their religious beliefs are of great importance to them in their daily lives. Even though some popular histories wrongly assert the contrary, the best evidence is that this deep religiosity has always been a facet of the American character and that it has grown consistently through the nation’s history. And today, to the frustration of many opinion leaders in both the legal and political cultures, religion, as a moral force and perhaps a political one too, is surging. Unfortunately, in our public life, we prefer to pretend that it is not.

Consider the following events:

- When Hillary Rodham Clinton was seen wearing a cross around her neck at some of the public events surrounding her husband’s inauguration as President of the United States, many observers were aghast, and one television
commentator asked whether it was appropriate for the First Lady to display so openly a religious symbol. But if the First Lady can’t do it, then certainly the President can’t do it, which would bar from ever holding the office an Orthodox Jew under a religious compulsion to wear a yarmulke.

- Back in the mid-1980s, the magazine Sojourners—published by politically liberal Christian evangelicals—found itself in the unaccustomed position of defending the conservative evangelist Pat Robertson against secular liberals who a writer in the magazine sighed, “see[ml to consider Robertson a dangerous neanderthal because he happens to believe that God can heal diseases.” The point is that the editors of Sojourners, who are no great admirers of Robertson, also believe that God can heal diseases. So do tens of millions of Americans. But they are not supposed to say so.

- In the early 1980s, the state of New York adopted legislation that, in effect, requires an Orthodox Jewish husband seeking a civil divorce to give his wife a get—a religious divorce—without which she cannot remarry under Jewish law. Civil libertarians attacked the statute as unconstitutional. Said one critic, the “barriers to remarriage erected by religious law ... only exist in the minds of those who believe in the religion.” If the barriers are religious, it seems, then they are not real barriers, they are “only” in the woman’s mind—perhaps even a figment of the imagination.

- When the Supreme Court of the United States, ostensibly the final refuge of religious freedom, struck down a Connecticut statute requiring employers to make efforts to allow their employees to observe the sabbath, one Justice observed that the sabbath should not be singled out because all employees would like to have “the right to select the day of the week in which to refrain from labor.” Sounds good, except that, as one scholar has noted “It would come as some surprise to a devout Jew to find that he has ‘selected the day of the week in which to refrain
from labor,’ since the Jewish people have been under the impression for some 3,000 years that this choice was made by God.” If the sabbath is just another day off, then religious choice is essentially arbitrary and unimportant; so if one sabbath day is inconvenient, the religiously devout employee can just choose another.

• When President Ronald Reagan told religious broadcasters in 1983 that all the laws passed since biblical times “have not improved on the Ten Commandments one bit,” which might once have been considered a pardonable piece of rhetorical license, he was excoriated by political pundits, including one who charged angrily that Reagan was giving “short shrift to the secular laws and institutions that a president is charged with protecting.” And as for the millions of Americans who consider the Ten Commandments the fundamentals on which they build their lives, well, they are no doubt subversive of these same institutions.

These examples share a common rhetoric that refuses to accept the notion that rational, public-spirited people can take religion seriously. It might be argued that such cases as these involve threats to the separation of church and state, the durable and vital doctrine that shields our public institutions from religious domination and our religious institutions from government domination. I am a great supporter of the separation of church and state, and I will have more to say about the doctrine later in the book (chapter 6)—but that is not what these examples are about.

What matters about these examples is the language chosen to make the points. In each example, as in many more that I shall discuss, one sees a trend in our political and legal cultures toward treating religious beliefs as arbitrary and unimportant, a trend supported by a rhetoric that implies that there is something wrong with religious devotion. More and more, our culture seems to take the position that believing deeply in the tenets of
one’s faith represents a kind of mystical irrationality, something that thoughtful, public-spirited American citizens would do better to avoid. If you must worship your God, the lesson runs, at least have the courtesy to disbelieve in the power of prayer; if you must observe your sabbath, have the good sense to understand that it is just like any other day off from work.

The rhetoric matters. A few years ago, my wife and I were startled by a teaser for a story on a network news program, which asked what was meant to be a provocative question: “When is a church more than just a place of worship?” For those to whom worship is significant, the subtle arrangement of words is arresting: *more than* suggests that what follows (“just a place of worship”) is somewhere well down the scale of interesting or useful human activities, and certainly that whatever the story is about is *more than* worship; and *just*—suggests that what follows (“place of worship”) is rather small potatoes.

A friend tells the story of how he showed his résumé to an executive search consultant—in the jargon, a corporate headhunter—who told him crisply that if he was serious about moving ahead in the business world, he should remove from the résumé any mention of his involvement with a social welfare organization that was connected with a church, but not one of the genteel mainstream denominations. Otherwise, she explained, a potential employer might think him a religious fanatic.

How did we reach this disturbing pass, when our culture teaches that religion is not to be taken seriously, even by those who profess to believe in it? Some observers suggest that the key moment was the Enlightenment, when the Western tradition sought to sever the link between religion and authority. One of the playwright Tom Stoppard’s characters observes that there came “a calendar date—a moment—when the onus of proof passed from the atheist to the believer, when, quite suddenly, the noes had it.”9 To which the philosopher Jeffrey Stout appends the following comment: “If so, it was not a matter of majority rule.”10 Maybe not—but a strong undercurrent of con-
temporary American politics holds that religion must be kept in its proper place and, still
more, in proper perspective. There are, we are taught by our opinion leaders, religious
matters and important matters, and disaster arises when we confuse the two. Rationality, it
seems, consists in getting one’s priorities straight. (Ignore your religious law and marry at
leisure.) Small wonder, then, that we have recently been treated to a book, coauthored by
two therapists, one of them an ordained minister, arguing that those who would put aside,
say, the needs of their families in order to serve their religions are suffering from a malady
the authors call “toxic faith”—for no normal person, evidently, would sacrifice the things
that most of us hold dear just because of a belief that God so intended it.” (One wonders
how the authors would have judged the toxicity of the faith of Jesus, Moses, or
Mohammed.)

We are trying, here in America, to strike an awkward but necessary balance, one that
seems more and more difficult with each passing year. On the one hand, a magnificent
respect for freedom of conscience, including the freedom of religious belief, runs deep in
our political ideology. On the other hand, our understandable fear of religious domination
of politics presses us, in our public personas, to be wary of those who take their religion
too seriously. This public balance reflects our private selves. We are one of the most
religious nations on earth, in the sense that we have a deeply religious citizenry; but we are
also perhaps the most zealous in guarding our public institutions against explicit religious
influences. One result is that we often ask our citizens to split their public and private
selves, telling them in effect that it is fine to be religious in private, but there is something
askew when those private beliefs become the basis for public action.

We teach college freshmen that the Protestant Reformation began the process of
freeing the church from the state, thus creating the possibility of a powerful independent
moral force in society. As defenders of the separation of church and state have
argued for centuries, autonomous religions play a vital role as free critics of the institutions of secular society. But our public culture more and more prefers religion as something without political significance, less an independent moral force than a quietly irrelevant moralizer, never heard, rarely seen. “[T]he public sphere,” writes the theologian Martin Marty, “does not welcome explicit Reformed witness—or any other particularized Christian witness.” Or, for that matter, any religious witness at all.

Religions that most need protection seem to receive it least. Contemporary America is not likely to enact legislation aimed at curbing the mainstream Protestant, Roman Catholic, or Jewish faiths. But Native Americans, having once been hounded from their lands, are now hounded from their religions, with the complicity of a Supreme Court untroubled when sacred lands are taken for road building or when Native Americans under a bona fide religious compulsion to use peyote in their rituals are punished under state antidrug regulations. (Imagine the brouhaha if New York City were to try to take St. Patrick’s Cathedral by eminent domain to build a new convention center, or if Kansas, a dry state, were to outlaw the religious use of wine.) And airports, backed by the Supreme Court, are happy to restrict solicitation by devotees of Krishna Consciousness, which travelers, including this one, find irritating. (Picture the response should the airports try to regulate the wearing of crucifixes or yarmulkes on similar grounds of irritation.)

The problem goes well beyond our society’s treatment of those who simply want freedom to worship in ways that most Americans find troubling. An analogous difficulty is posed by those whose religious convictions move them to action in the public arena. Too often, our rhetoric treats the religious impulse to public action as presumptively wicked—indeed, as necessarily oppressive. But this is historically bizarre. Every time people whose vision of God’s will moves them to oppose abortion rights are excoriated for purportedly trying to impose their religious views on others, equal calumny is implicitly heaped upon...
the mass protest wing of the civil rights movement, which was openly and unashamedly religious in its appeals as it worked to impose its moral vision on, for example, those who would rather segregate their restaurants.

One result of this rhetoric is that we often end up fighting the wrong battles. Consider what must in our present day serve as the ultimate example of religion in the service of politics: the 1989 death sentence pronounced by the late Ayatollah Ruhollah Khomeini upon the writer Salman Rushdie for his authorship of *The Satanic Verses*, which was said to blaspheme against Islam. The death sentence is both terrifying and outrageous, and the Ayatollah deserved all the fury lavished upon him for imposing it. Unfortunately, for some critics the facts that the Ayatollah was a religious leader and that the ‘crime’ was a religious one lends the sentence a particular monstrousness; evidently they are under the impression that writers who are murdered for their ideas are choosy about the motivations of their murderers, and that those whose writings led to their executions under, say, Stalin, thanked their lucky stars at the last instant of their lives that Communism was at least godless.

To do battle against the death sentence for Salman Rushdie—to battle against the Ayatollah—one should properly fight against official censorship and intimidation, not against religion. We err when we presume that religious motives are likely to be illiberal, and we compound the error when we insist that the devout should keep their religious ideas—whether good or bad—to themselves. We do no credit to the ideal of religious freedom when we talk as though religious belief is something of which public-spirited adults should be ashamed.

The First Amendment to the Constitution, often cited as the place where this difficulty is resolved, merely restates it. The First Amendment guarantees the “free exercise” of religion but also prohibits its “establishment” by the government. There may have been times in our history when we as a nation have tilted too far in one direction, allowing too much religious sway over politics.
But in late-twentieth-century America, despite some loud fears about the influence of the weak and divided Christian right, we are upsetting the balance afresh by tilting too far in the other direction—and the courts are assisting in the effort. For example, when a group of Native Americans objected to the Forest Service’s plans to allow logging and road building in a national forest area traditionally used by the tribes for sacred rituals, the Supreme Court offered the back of its hand. True, said the Justices, the logging “could have devastating effects on traditional Indian religious practices.” But that was just too bad: “government simply could not operate if it were required to satisfy every citizen’s religious needs and desires.”

A good point: but what, exactly, are the protesting Indians left to do? Presumably, now that their government has decided to destroy the land they use for their sacred rituals, they are free to choose new rituals. Evidently, a small matter like the potential destruction of a religion is no reason to halt a logging project. Moreover, had the government decided instead to prohibit logging in order to preserve the threatened rituals, it is entirely possible that the decision would be challenged as a forbidden entanglement of church and state. Far better for everyone, it seems, for the Native Americans to simply allow their rituals to go quietly into oblivion. Otherwise, they run the risk that somebody will think they actually take their rituals seriously.

THE PRICE OF FAITH

When citizens do act in their public selves as though their faith matters, they risk not only ridicule, but actual punishment. In Colorado, a public school teacher was ordered by his superiors, on pain of disciplinary action, to remove his personal Bible from his desk where students might see it. He was forbidden to read it silently when his students were involved in other activities. He
was also told to take away books on Christianity he had added to the classroom library, although books on Native American religious traditions, as well as on the occult, were allowed to remain. A federal appeals court upheld the instruction, explaining that the teacher could not be allowed to create a religious atmosphere in the classroom, which, it seems, might happen if the students knew he was a Christian. One wonders what the school, and the courts, might do if, as many Christians do, the teacher came to school on Ash Wednesday with ashes in the shape of a cross imposed on his forehead—would he be required to wash them off? He just might. Early in 1993, a judge required a prosecutor arguing a case on Ash Wednesday to clean the ashes from his forehead, lest the jury be influenced by its knowledge of the prosecutor’s religiosity.

Or suppose a Jewish teacher were to wear a yarmulke in the classroom. If the school district tried to stop him, it would apparently be acting within its authority. In 1986, after a Jewish Air Force officer was disciplined for wearing a yarmulke while on duty, in violation of a military rule against wearing headgear indoors, the Supreme Court shrugged: “The desirability of dress regulations in the military is decided by the appropriate military officials,” the Justices explained, “and they are under no constitutional mandate to abandon their considered professional judgment.” The Congress quickly enacted legislation permitting the wearing of religious apparel while in uniform as long as “the wearing of the item would [not] interfere with the performance of the member’s military duties,” and—interesting caveat!—as long as the item is “neat and conservative.” Those whose faiths require them to wear dreadlocks and turbans, one supposes, need not apply to serve their country, unless they are prepared to change religions.

Consider the matter of religious holidays. One Connecticut town recently warned Jewish students in its public schools that they would be charged with six absences if they missed two days instead of the officially allocated one for Yom Kippur, the holiest
observance in the Jewish calendar. And Alan Dershowitz of Harvard Law School, in his controversial book *Chutzpah*, castigates Harry Edwards, a Berkeley sociologist, for scheduling an examination on Yom Kippur, when most Jewish students would be absent. According to Dershowitz’s account, Edwards answered criticism by saying: “That’s how I’m going to operate. If the students don’t like it, they can drop the class.” For Dershowitz, this was evidence that “Jewish students [are] second-class citizens in Professor Edwards’s classes.” Edwards has heatedly denied Dershowitz’s description of events, but even if it is accurate, it is possible that Dershowitz has identified the right crime and the wrong villain. The attitude that Dershowitz describes, if it exists, might reflect less a personal prejudice against Jewish students than the society’s broader prejudice against religious devotion, a prejudice that masquerades as “neutrality.” If Edwards really dared his students to choose between their religion and their grade, and if that meant that he was treating them as second-class citizens, he was still doing no more than the courts have allowed all levels of government to do to one religious group after another—Jews, Christians, Muslims, Sikhs, it matters not at all. The consistent message of modern American society is that whenever the demands of one’s religion conflict with what one has to do to get ahead, one is expected to ignore the religious demands and act... well... rationally.

Consider Jehovah’s Witnesses, who believe that a blood transfusion from one human being to another violates the biblical prohibition on ingesting blood. To accept the transfusion, many Witnesses believe, is to lose, perhaps forever, the possibility of salvation. As the Witnesses understand God’s law, moreover, the issue is not whether the blood transfusion is given against the recipient’s will, but whether the recipient is, at the time of the transfusion, actively protesting. This is the reason that Jehovah’s Witnesses sometimes try to impede the physical access of medical personnel to an unconscious Witness: lack of consciousness is no defense. This is also the reason that Witnesses
try to make the decisions on behalf of their children: a child cannot be trusted to protest adequately.

The machinery of law has not been particularly impressed with these arguments. There are many cases in which the courts have allowed or ordered transfusions to save the lives of unconscious Witnesses, even though the patient might have indicated a desire while conscious not to be transfused.* The machinery of modern medicine has not been impressed, either, except with the possibility that the Witnesses have gone off the deep end; at least one hospital’s protocol apparently requires doctors to refer protesting Witnesses to psychiatrists.20 Although the formal text of this requirement states as the reason the need to be sure that the Witness knows what he or she is doing, the subtext is a suspicion that the patient was not acting rationally in rejecting medical advice for religious reasons. After all, there is no protocol for packing consenting patients off to see the psychiatrist. But then, patients who consent to blood transfusions are presumably acting rationally. Perhaps, with a bit of gentle persuasion, the dissenting Witness can be made to act rationally too—even if it means giving up an important tenet of the religion.

And therein lies the trouble. In contemporary American culture, the religions are more and more treated as just passing beliefs—almost as fads, older, stuffier, less liberal versions of so-called New Age—rather than as the fundaments upon which the devout build their lives. (The noes have it!) And if religions are fundamental, well, too bad—at least if they’re the wrong fundaments—if they’re inconvenient, give them up! If you can’t remarry because you have the wrong religious belief, well, hey, believe something else! If you can’t take your exam because of a Holy Day, get a new Holy Day! If the government decides to

* In every decided case that I have discovered involving efforts by Jehovah’s Witness parents to prevent their children from receiving blood transfusions, the court has allowed the transfusion to proceed in the face of parental objection. I say more about transfusions of children of Witnesses, and about the rights of parents over their children’s religious lives, in chapter 11.
destroy your sacred lands, just make some other lands sacred! If you must go to work on your sabbath, it’s no big deal! It’s just a day off! Pick a different one! If you can’t have a blood transfusion because you think God forbids it, no problem! Get a new God! And through all of this trivializing rhetoric runs the subtle but unmistakable message: pray if you like, worship if you must, but whatever you do, do not on any account take your religion seriously.

That rhetoric, and that message, are the subjects of this book. This book is not about law, but about attitudes—the attitude that we as a political society hold toward religion. It is not a call to tear down the wall between church and state or to impose oppressive religious regimes on each other willy-nilly. It is an effort to understand our instincts and our rules and our rhetoric, to figure out why it is that religion is seen as worse than other forces that mold people’s minds, and to try to discover whether there might be a way to preserve the separation of church and state without trivializing faith as we do today.

In the pages to follow, I will present the case for taking religion seriously as an aspect of the lives and personas of the tens of millions of Americans who insist that religion is for them of first importance. I will, in the process, take up a number of social issues that often generate fierce religious debate. On many issues, I defend outcomes that are the same ones that our secular culture reaches. For example, I support the ban on organized public school prayer and the refusal to teach scientific creationism in the biology classroom. But I hope to defend these positions without resort to the antireligious fervor that often characterizes the liberal case. In other situations, I defend positions that liberals tend to reject—for example, broad parental rights to exempt children from educational programs on religious grounds and participation by parochial schools in private school voucher programs—but I hope to do so without resort to the sort of liberal-bashing that often characterizes the rhetoric of the religious right.

In the first part of the book, chapters 2 through 5, I assess
and seek to understand some of the many ways in which our culture has come to belittle religious devotion, to humiliate believers, and, even if indirectly, to discourage religion as a serious activity. I explain how democracy is best served when the religions are able to act as independent moral voices interposed between the citizen and the state, and how our tendency to try to wall religion out of public debate makes that role a harder one to play. At the outset, I argue that we should stop the steady drumbeat, especially in our popular culture, for the proposition that the religiously devout are less rational than more “normal” folks and that we should avoid the pat assumption, all too common in our rhetoric, that religion is more dangerous than other forces in American society and must therefore be more carefully reined in (chapter 2). I point out how politicians on both right and left, by trying to turn God into a supporter, and with the connivance of religious leaders, have contributed to this trivialization (chapters 3 and 4). I also assess the risk that the more powerful religions might try to oppress the less powerful, a legitimate fear too often ignored by those who complain that secularism is growing too dominant, but sometimes exaggerated by those who insist that religions are inherently dangerous (chapter 5).

The second part of the book, chapters 6 through 10, discusses the constitutional status of American religion. I strongly defend the separation of church and state, but insist that it is possible to maintain that crucial separation while treating religious beliefs with respect, and treating religious believers as something other than irrational (chapter 6). My principal solution is for the courts and the society they serve to ensure that legislation does not infringe on religious freedom unless the burden is absolutely essential (chapter 7)—a tricky problem that I pursue by examining the treatment of religious objections to laws against discrimination and other regulations of the welfare state (chapter 8). I further investigate the constitutional issues by entering the quagmire of the role of religion in public education. The battle over the teaching of scientific creationism is a backdrop for a discussion of
whether, as critics charge, the classroom has become hostile to religion (chapter 9), and whether we can find better ways to deal with the religious concerns of parents (chapter 10).

The third part of the book offers a criticism of liberal political theory for its treatment of religion and offers a brief sketch of a more sensitive alternative (chapter 11). I use this alternative to consider the way religion should figure in policy debates over issues that require us to define and place value on life—euthanasia, abortion, and the death penalty (chapter 12). The concluding chapter (chapter 13) warns of the dangers of religious dominance and also sketches a series of possible futures for our law and politics, depending on what attitudes toward religious belief we as a society choose to adopt.

**SOME DEFINITIONS**

It will be useful before proceeding to pause for some definitions and clarifications. When I refer to religion, I will have in mind a tradition of group worship (as against individual metaphysics) that presupposes the existence of a sentience beyond the human and capable of acting outside of the observed principles and limits of natural science, and, further, a tradition that makes demands of some kind on its adherents. I emphasize the group because, as will become clear, the most difficult problems in the relationship of religion to our political and legal cultures arise because of conflicts that will often develop between the understanding of reality conveyed by the state and the very different understanding developed by a religious community struggling together toward the ultimate. It makes no difference whether the tradition in question believes that supernatural events actually occur or that this sentience cares about, or even pays attention to, the human realm, as long as, in the words of William James, it involves human beings “as they apprehend themselves
to stand in relation to whatever they consider divine,” and as long as, as Emile Durkheim put it, the people involved “share beliefs and practices relative to sacred things,” which combine to unite them “into a single moral community.”

Some scholars object to efforts at defining religion, and their words tend to be firm. “[Amy definition of religion would seem to violate religious freedom in that it would dictate to religions, past and future, what they must be,” writes one. Another worries that “the very act of defining religion may impermissibly dictate the terms of a religion’s form and existence.” The trouble is that it is not possible to have a conversation about religion unless I first make sure that the reader knows what I mean. I understand that the definition I have proffered excludes any number of competing traditions and thus represents a monstrous presumption—a federal court once bought itself serious scholarly criticism by choosing a definition similar to mine—but it is important to be clear.

When I make reference to people who live faith-guided lives, I have in mind individuals who look to their religious traditions for instruction, or at least influence, not only about how they should behave, but about moral truth. Certainly there are religious traditions that do not make demands in the conventional sense, but adherents to those traditions rarely suffer the trivialization and abuse that I describe in this book. Also, when I refer to the religious mainstream, I have in mind the definition adopted by Wade Clark Roof and William McKinney in their classic study of America’s mainline religions: “the dominant, culturally established faiths held by the majority of Americans.”

GOD-TALK

The reader might have perceived that many of the political examples I have discussed so far (although not the judicial ones)
are situations in which the right is “using” religion and the left is fearful of its use. There are, as I note in chapter 4, just as many examples of the shoe on the other foot. However, there is a point here that serves as a subtext for much of what follows. In recent decades, religious argument has seemed largely a captive of the right, whereas the left, which once gloried in the idea that God stands for social progress, has more and more shied away from it. This imbalance may be less a result than a cause of the fact that more and more religiously devout people have come to see their natural home as the Republican party.

American liberals have made a grievous error in their flight from religious dialogue. Many observers attribute the Democrats’ electoral difficulties during the 1980s to the relentlessly materialistic character of their campaign rhetoric. (Bill Clinton appears to represent change in this respect.) Of Michael Dukakis’s devastating defeat by George Bush in 1988, Garry Wills observes: “For many Americans, the coldly technological ‘Massachusetts miracle’ was not only godless but the enemy of God.” Michael Lerner argues that liberals have “framed their intellectual commitments around a belief that the only things that really move people are economic entitlements and political rights”; they miss the fact that “human beings have a deep need to have their lives make sense, to transcend the dynamics of individualism and selfishness that predominate in a competitive market society and to find a way to place their lives in a context of meaning and purpose.”

Still, although the Democrats have generally ceded “God-talk” to the Republicans, one must be wary of attributing too much influence to the emergent religious right. The Reverend Pat Robertson’s effort to gain the 1988 Republican presidential nomination was of interest mainly to the mass media, which continue to regard deep religious devotion as a troubling curiosity. With minor exceptions, the evidence that the much-feared Moral Majority, Inc., (now defunct) and other similar groups ever had much influence on actual government policy is thin (see chapters 3 and 13) The journalist Mark Silk reports the reason for
the group’s demise: “By the time the elections of 1986 returned the Senate to the Democrats, Jerry Falwell had put the Moral Majority on hold and largely withdrawn from secular politics; his public backing now did candidates more harm than good.”

As one observer has noted, “Clearly, the upsurge of fundamentalism in this country has not put the fear of God into General Motors.”

To be sure, Robertson’s Christian Coalition, an umbrella group for conservative Christians that is far better organized than Moral Majority, has become a political force to be reckoned with, less because of the scary religious rhetoric of the 1992 Republican Convention than because of the success of many of the Coalition’s candidates in local elections. (See chapters 5 and 13.) But ideological religious organizations, like other interest groups, ultimately will have impact only insofar as the issues that form the core of their political passions are issues about which millions of other citizens are also concerned. In other words, even if one thinks that the Christian Coalition’s positions are a threat, no problem arises unless millions of voters share them. Given the general public revulsion at the calls for a jeremiad emanating from Houston during the 1992 Republican Convention, that is not currently a serious prospect.

Still, religious belief is resurgent in America, especially within religions that offer clear rules of right and wrong, such as those described as conservative and fundamentalist (which are not the same thing). Despite repeated proclamations that religion has lost its importance, most Americans insist that their religious faith is a compelling force in making moral decisions. Thus liberalism, if it is to retain substantial political influence and demonstrate that the 1992 presidential election was no fluke, will have to find a better way to cope than simply saying to religious people, in effect, that they are superstitious primitives for believing that prayer can work.

It must be added, of course, that many of the examples I discuss in this book will square with a widely shared intuition—
that is, many readers will not immediately find them problematic. To the extent that the intuition is a suspicion of what might appear to be moves toward religious domination of our public institutions, it is one that I essentially share. If it is an intuition that is concerned about the world’s, and the nation’s, woeful history of oppression of disfavored religious groups, then it is an intuition to be celebrated, for religious pluralism and equality—never mere “toleration”—should be essential parts of what makes American democracy special.

At the same time, the intuition is worth considering in more detail, for it can press too far. In holding, as we must, that relish part of the purely private arena that the state must never disrupt, we run the risk of disabling the religiously devout from working seriously in the realm of policy. I speak here not simply of arguments for or against the adoption of any government policy, although that will, of necessity, be part of my subject. My concern, more broadly, is with the question of what religiously devout people should do when they confront state policies that require them to act counter to what they believe is the will of God, or to acquiesce in conduct by others that they believe God forbids. The intuition of our contemporary political and legal culture is that they should do nothing. Sometimes, as with the Native Americans whose rituals were threatened by logging, the message seems to be that they should, if necessary, change their religion; but if they protest on religious grounds, they are somehow acting in an illiberal manner.

Thus, in some of its aspects, this intuition is what I mean most fundamentally to challenge, for it encourages a tendency to say of religious belief, “Yes, we cherish you—now go away and leave us alone.” It is an intuition that makes religion something that should be believed in privacy, not something that should be paraded; and if religion is paraded, it is this same intuition that assures that it likely will be dismissed. This intuition says that anyone who believes that God can heal diseases is stupid or fanatical, and the same intuition makes sure that everyone
understands that this belief is a kind of mystic flight from hard truths—it has nothing to do with the real world. The same intuition tells the religious that those things that they know to be true are wrong or irrelevant, as with the Jehovah’s Witnesses who fear that they will be denied salvation if forced to accept blood transfusions. At its most extreme, it is an intuition that holds not only that religious beliefs cannot serve as the basis of policy; they cannot even be debated in the forum of public dialogue on which a liberal politics crucially depends.

The intuition says, in short, that religion is like building model airplanes, just another hobby: something quiet, something private, something trivial—and not really a fit activity for intelligent, public-spirited adults. This intuition, then, is one that in the end must destroy either religion or the ideal of liberal democracy. That is a prospect that can please only those who hate one or the other or both.