

Downside UP

A Voice of Contemporary Political Economy, Volume IX, Issue 7: December/January 2009
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Christmas, Public Prayers, and Gay Marriage Under Church and State

'Tis the season to be crazy, la, la, la, la, la, la, la, la! You got to sing it to understand the joke. In Ashland, Oregon, a school had a "giving tree," but someone complained that it was religious and a violation of the constitutional separation of church and state. In Pendleton, at city hall, there were some huge carved angels hanging around; fortunately for the city, it ran out of room at the same time someone complained. They are now in a window at Curves!

I, as some of my readers have to their chagrin discovered, have a strong religious conviction. Both my wife and I have actually spent a lot of our time in retirement over the last eight years studying Judeo-Christian theology and religious history. The commitment, however, has in no way undercut nor impinged upon our commitment to the First Amendment to the Constitution and its principles of religious freedom. That is because there is no real conflict between the two. Rather, the incessant conflict in our society about church and state as regards Christmas, public prayer, gay marriage, and other such matters springs distortedly from ignorance and extremism on both the religious right and left.

It's time to parse these issues, revealing how reasonable it is, or should be, to resolve them.

The First Amendment

The words in the First Amendment actually say: "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof." No "Church." No "State." No "Separation." Those words are elsewhere from Thomas Jefferson. Nor has there ever been any significant question about every American's right to "the free exercise of religion." The conflict is all about "establishment" and it is from those vague words about "no law respecting an establishment" that come Jefferson's rendering.

As in Biblical studies, you have to understand the context to understand the words. What the American Founders were concerned about was not the existence of religion but state support for, and especially funding of, State Churches -- specific religions or denominations over others. That was the Church of England, not only in England but also five colonies from New York to Georgia. That was Puritan Massachusetts. John Adams, one of the other greatest Founders of the Republic and Jefferson's alter ego, agreed on this point. A devout Congregationalist and heir of the Puritans, Adams went so far as to advise against prayer in the Continental Congress in consideration of the diversity of religious points of view -- although, at the time, he was thinking more of Baptists than Muslims!

In short, "Separation of Church and State" has come to be the accepted interpretation of the "Establishment" clause, and official funding or support of religious beliefs at taxpayer expense – including buildings and public lands -- has come to be the interpretation of the interpretation. It is sound and practical approach if we pay enough attention.

Christmas

The fact is that Christmas is not Christian. That's a little overdone but for Christians at least down to the Middle Ages, Easter – the celebration of the Messiah resurrected -- was the big celebration. The birth of Jesus was hardly noted. The date is pagan and most likely tied to celebration of the winter solstice. The Christmas tree is medieval German. For many Christians – but not enough – Christmas as celebrated in the United States is nearer to the Anti-Christ, a celebration of commercialism, consumerism, and greed.

So I say, non-Christians and over-reacting Christians, let the pagans worship trees. Christmas is a national holiday of the same ilk as Thanksgiving. Nobody worries about Thanksgiving displays. People like the extra days off. Let churches take advantage of Christmas just the way they do Thanksgiving as a means of getting people in their doors. Even angels or other spirits are pretty common across all religions.

On the other hand, everyone should get excited about crèches, nativity (birth of Jesus) scenes on public property. As Jefferson and Adams understood, when you start down the road of sponsoring one religious belief or any religion at all, there is no turning back; the pantheon of religions is endless. Canada tries to solve the problem by financially supporting every religion that requests it but I don't see how they manage it – perhaps it's just that they are so much more civil than we could ever be. I will never forget the student who came to me after class one day saying that she would not be attending the next class because it was a Wican holiday. Go for it, kid. That was New York state law. Witches counted too.

Christians on the political right need to stop trying to impose their particular religion on everyone else, be it crèches on the public green or crosses in the court house. School and public officials, on the other hand, need to draw a line on crèches and crosses but not give in to every complaint about trees and Santa Clauses. Celebrate national holidays – like Cinco de Mayo, the Mexican holiday -- from lots of different cultures without making the celebrations religious.

Public Prayer

Public prayers bring out the same duality between imposing religion (from the right) and failing to understand the Constitution (among public officials). Fundamentalists can get all worked up about what they see as a banning of religion from public life when the real issue is their imposition of public prayer on everyone else. The Supreme Court has never said one word that would ban private or personal prayer in the public schools or in any other public venue. What they have banned is state-sponsored public prayer. And that does not just refer to teachers or public officials saying prayers in classrooms or at school board meetings. It means not allowing anyone at an event open to the public to give a prayer that cannot be avoided without leaving the event – e.g. a high school football game or a city council meeting.

This is not brain surgery. It is no more complicated than the display of religious art (like Pendleton's carved angels) or the difference between promoting religion and teaching about religion in public schools and colleges: you can tell a lot from the intentions of the protagonists. The Christian right pretends to advocate for religion in general but is really advocating for their prayers and their religion. Just the way my public elementary school in Massachusetts in 1950 every day prayed the Congregationalist version of the Lord's Prayer suggested by Jesus. It was darn well not the version "those Catholics" used. (Adams would not have approved of what my town did.)

By the time a prayer is ecumenical enough not to be promoting religion, it has lost its meaning. It's better to give it up. Pray to yourself or quietly with your friends in a corner of the lunch room. Jesus suggested praying by yourself in a "closet." For me, even in a private setting with a diverse audience – such as a secular private college graduation or a VFW meeting -- it is just plain embarrassing to have a person ending a prayer with "in Jesus's name" or "in the name of the Father, the Son, and the Holy Ghost."

Gay Marriage

In the same ball park and just as simple – or should be – is the hottest current church-state issue: gay marriage. Under the same Constitutional principles which apply to religious symbols and prayers, there is a simple solution: separate the State interest in certifying a legal joining of two people for purposes of taxes, property ownership, and employment benefits, from the religious question of sanctity.

Here again, both ends of the spectrum, pro- and anti- gay marriage, have it all wrong. Many countries with Christian as well as non-Christian traditions require a civil process for any man and woman to join together as a legally sanctioned entity. Everyone has to do it. You don't get to file a joint income tax without it. The United States already requires "marriage" licenses. Why not do the same for two men or two women in what today's lingo calls a "civil union." Talk about "Big Government"! Get the State out of the marriage business.

The gay political movement has made a huge mistake in fixating on "marriage" and asking the State to sanction what is a religious act. Why bother? Get your civil union. Then go find a church, synagogue, mosque, or whatever to marry you. Plenty of churches already will. Embrace civil unions not in defeat, because so many states in this country have banned gay marriage or repealed legislative approvals of gay marriage. Do it because the fight for state-sanctioned marriage is as wrong-headed as public prayer -- and a waste of energy. Polls actually suggest that most Americans would accept civil union laws allowing two men or two women to join together legally.

At the extremes, anti-religious hawks and pro-religious zealots should back off, and public officials should ignore them both. That's good Constitutionalism – and a lot less stressful.

Ronald Woodbury is the writer, publisher, editor, and general flunkey for all of *Downside Up*. While publication benefits from the editorial advice of his wife, one of his daughters, and occasional other pre-publication readers, they will, for their own privacy and sanity, remain anonymous.

Woodbury has B.A., M.A., and Ph.D. degrees in history, economics, and international affairs from Amherst College and Columbia University. In addition to many professional articles, he has published a column, also called "Downside Up," in the Lacey, WA, *Leader*. After a 36-year career as a teacher and administrator at six different colleges and universities, he retired with his wife to St. Augustine, Florida, and has recently moved to Pendleton, OR. He has two daughters, one a physician and one an anthropologist/writer, and six grandchildren.

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