

**The United States is “a nation with the soul of a church.” G.K. Chesterton**

**“Critics suggest that religion in America is like the proverbial prairie river: a mile wide and an inch deep.” Fowler & Hertzke, p. 30.**

**“It is one thing to say with the prophet Amos, ‘Let justice roll down like mighty waters,’ and quite another to work out the irrigation system.” William Sloane Coffin**

**Course Description:** In Democracy in America, Alexis De Tocqueville wrote of the Americans, “Religion is the first of their political institutions.” This course examines the complex relation between religion and politics in contemporary American society, and so addresses De Tocqueville’s claim. Americans have one of the highest rates of religious affiliation and church attendance in the world. Yet the U.S. Constitution emphasizes strict separation of church and state and forbids the use of religion as a qualification for public office. Some observers think these two facts about the United States are related---that Americans can be free to worship according to conscience because government steers clear of organized religion.

To be sure, church-state relations are not the same as the complex linkage between religion and politics. Religious communities have shaped politics and public policy in the past and in the present. The course explores the relationship between religion and politics in the United States in hopes of understanding better the political influence of churches, temples, and mosques, as well as the American commitment to tolerance and religious freedom. In particular, attention will be given to Supreme Court decisions on church-state issues, to the role of religion in presidential campaigning & governance, and to issues of pluralism, prejudice and tolerance in American society.

**Course Approach:** The scholarly literature on this subject is huge and new developments are breaking all the time. Thus while ample opportunities will be provided for student to discuss course readings, substantial class time will also be devoted to covering topical issues and trends not fully covered by the readings, most notably in burgeoning Internet resources, religious web pages, religious news magazines, and the like. Thus, to do well in this course, you must both **do the reading AND come to class.**

## **Specific Learning Outcomes**

Students will develop critical awareness of the religious factor in historical political development, political culture, voting behavior, lobbying, elite political behavior (Congress and the Presidency), and judicial politics.

- Students will understand the role of religion in American public life and be able to distinguish constitutionally mandated church-state separation from the broader relation between religion and politics. Comparisons with other countries will be discussed.
- Students will examine the growing pluralism of American civic life, studying Muslims, Mormons, and other religious & ethnic minorities including African-Americans, Latinos, and women. While the United States champions religious liberty, examples of intolerance and religious persecution will also be discussed.
- Students will examine debates about church lobbying, church participation in election campaigns, and limits upon church endorsement of candidates for public office.
- Students will analyze whether officeholders and voters may bring religious convictions to bear in public policy making for a diverse society.
- Students will develop their research and writing skills through briefing a Supreme Court case on church-state relations and through in-class oral presentations. This class fulfills in part the Rutgers general education requirement for graduation.

## **REQUIRED BOOKS FOR PURCHASE:** (Barnes & Noble in Hahnes)

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David Smith, **Religious Persecution and Political Order in the United States**. (Cambridge Univ.Press, 2015). Paperback.

**A Wall of Separation? Debating the Public Role of Religion**, by Ted Jelen and Mary Segers (Rowman & Littlefield, 1998), an anthology of important readings for the course. Pb.

David M. O'Brien, **Animal Sacrifice & Religious Freedom: Church of the Lukumi Babalu Aye v. City of Hialeah** (University Press of Kansas, 2004). Paperback.

**Additional Readings:** In addition to the books, there will be a few short articles and newspaper clippings **online** for this course. These are **required** readings.

**A Note about Terminology:** Throughout the course we will examine the political role of a variety of religious congregations: Protestant churches, Catholic parishes, Quaker meeting houses, Jewish synagogues, Hindu or Buddhist temples, Moslem mosques, etc. However, for the sake of brevity, I will use the generic term “churches” to refer to these, even though it is not entirely accurate to do so.

**A Note about Respect for Religious Diversity** (in this, the most diverse university in the entire United States): The course is designed to help students understand the variety of religious voices in American politics, along with the ideologies, approaches, and challenges that characterize them. To a certain degree, I assume some basic knowledge of different religious traditions on the part of students. However, we stand to learn from each other in this course. Members of the class will be resources on the beliefs and practices of different faith traditions. Basically, there is no such thing as a “stupid question.” Please do not hesitate to raise questions in class, or ask for special assistance outside of class.

### **COURSE REQUIREMENTS:**

1. Midterm and Final Exams (no makeups). 50%
2. Interview & short written assignment (3 to 5 pp). 15%
3. Oral Report & written Paper on a Supreme Court case on church-state issues. 25%
4. Class Attendance and Participation. Attendance is essential, and students will forfeit one grade point for any two unexcused and undocumented absences. Overall class attendance and participation will be the deciding factors in grading borderline cases (this often affects many students). 10%

The short paper is an autobiographical reflection, five-to-seven pages in length. It is due on January 31st (see below for details). The written brief on your selected Supreme Court case is a term paper, 12 to 15 pages in length, complete with footnotes and bibliography.

**Written Assignments will be graded on style as well as content.** Students must pay attention to style, grammar, sentence structure, spelling, and punctuation. Rutgers Newark has an excellent **Writing Center in Conklin Hall** to help students write better and improve their grades. The phone is 973-353-5847 and the email address is [nwc@andromeda.rutgers.edu](mailto:nwc@andromeda.rutgers.edu) They also have a website. They offer **free** tutoring and workshops for Rutgers-Newark students.

**Academic Integrity:** Plagiarism is a problem here at Rutgers-Newark, so let me state clearly what it is. Anytime you use the written words of another person, even a short phrase, you must put them in quotation marks and provide citation. If you do not, then you are implying that those words are your own, which is plagiarism and is grounds for academic misconduct proceedings. I do not hesitate to report cases of plagiarism to the Dean. Taking direct verbiage from an Internet source **is** plagiarism. And there are new and effective Internet based programs available to instructors to identify such plagiarism. Be careful about Wikipedia; it is not peer-reviewed, and there is recent evidence of corporations manipulating how they are presented in the pages of Wikipedia. The University's policy may be found at <http://academicintegrity.rutgers.edu>

**A Note about Class Participation:** Students are expected to contribute to class sessions through informed and relevant participation in class discussions. Attendance is essential. Participation will be graded not merely on your physical presence but on your general alertness and informed contributions to class discussions. Use of cell phones and hand computers is not permitted during class time for the simple reason that emailing and "texting" distract from the adventure of thinking and learning.

### **Clauses concerning Religion in the Constitution of the United States:**

**First Amendment (1791) - 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 to peaceably assemble, and to petition the Government for a redress of grievances.**

**Article VI (1787) - The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and all executive and judicial Officers, both of the United States and of the several States, shall be bound by Oath or Affirmation, to support this Constitution, but no religious Test shall ever be required as a Qualification to any Office or public trust under the United States.**

**790:385 Religion, Politics, and Public Policy - Biography**

**The first short written assignment is a brief autobiographical report (5 to 7 pages, due almost immediately).** It should address the questions listed here. The report should be based on your own experience and on **an interview with a parent or grandparent or aunt/uncle** about the role of religion in your family.

Do you consider yourself religious, secular, both, or neither?

Were you born into a particular faith tradition---a cradle Catholic, or Jew or Muslim, Hindu, Buddhist, Confucian, Protestant (Baptist, Lutheran, Presbyterian, Episcopalian, Methodist), United Church of Christ, Jehovah's Witness, Quaker, Native American Church, Mormon, Coptic, Orthodox? Please specify.

What was the religion of your parents? Grandparents?

How was this transmitted in your home? Prayers, rituals, traditions, family celebrations of holydays, observance of Ramadan, Passover, Easter, Christmas, Kwanzaa?

Have you attended religious school (parochial school, Sunday school, yeshiva, Islamic study center, or other religious school)?

Have you embraced a religion different from the religion of your family?

Do you consider yourself an agnostic or an atheist?

If so, how do you develop views on morality and ethics (right and wrong)? **What are the sources of your moral convictions?**

**What is the connection between your religious beliefs and your political convictions?**

**Write an essay distilling your reflections on the role of religion (or non-religion) in your family. Be sure to base at least some of your reflections on your interview with another family member. The report should be typed and double-spaced. It is due Wednesday, January 31st. In fairness to those who submit papers on time, the grades of late papers will be lowered.**

**Please bring two copies of the paper to class on January 31st, one to be handed in to the instructor, the other to be kept by you.**

## COURSE OUTLINE AND READINGS

- Week 1:  
Jan. 17      **Introduction.** Distribution of syllabus and short essay assignment  
(autobiographical report) due on Wednesday, January 31st.  
Short takes on the role of religion in the 2016 presidential election.
- Week 2:  
Jan 22-24    **The Role of Religion in American History and Culture**  
Fowler & Hertzke, chs. 1 and 7. Smith, chs. 1 and 2.  
Segers & Jelen, *A Wall of Separation*, pp.53-69.  
How does religion function in American society?  
Why has it flourished in the United States?  
Is America “a Christian nation” (as some suggest)?
- Week 3:  
Jan. 29-31    **Religious Pluralism in the United States**  
F/H, chs. 2, 3, 10. Smith, ch. 8-9 (Jewish & Islamic experience in USA).  
2014 U.S. Religious Landscape Study, by PEW Research Center, May 2015.  
Available on line at [www.pewresearch.org](http://www.pewresearch.org)  
Why is religious pluralism both valued and criticized?  
How find common ground amidst religious diversity?  
**Autobiographical Report due Wednesday, January 31st.**
- Week 4:  
F.5-7        **The Constitution and the Framers**  
*Wall of Separation*, pp. 69-77, and pp. 126-139 (Jefferson & Madison)  
A. J. Reichley, “Religion and the Constitution,” will be sent by email.  
Film, “The Supreme Court’s Holy Battles,” PBS  
Question: The First Amendment religion clauses are a solution to a problem.  
What is that problem?
- Week 5  
Feb.12-14    **Religious Persecution in the United States**  
Smith, *Religious Persecution & Political Order in the U.S.*  
Chs. 3-4. Joseph Smith & the Rise of Mormonism.  
Also chs. 5-6 on Jehovah’s Witnesses.  
Film in Class: “The Mormons,” PBS: Frontline (excerpts)  
Religious Liberty in theory but not in practice?

- Week 6: **The Politics of Religion in the Legal System**  
F.19-21 Fowler & Hertzke, chs. 8 and 9.  
Question: When are religious practices so disagreeable or harmful that the Government should prohibit them? When are religious beliefs and practices so fundamental that they require secular expression?
- Week 7: **Churches and Courts: Religious Freedom and Church-State Issues I**  
F.26 Film in class: ‘The Lord Is Not on Trial Here Today,’ the story of Vashti McCollum and religious instruction in the public schools. Religious establishment and religious liberty in the Supreme Court case, *Illinois v. McCollum* (1948).
- Feb. 28<sup>th</sup> **Midterm Exam**
- Week 8: **Churches and Courts: Religious Freedom and Church-State Issues II**  
M.5-7 David O’Brien, Animal Sacrifice and Religious Freedom: Church of Lukumi Babalu Aye v. City of Hialeah, pp. 1-161.
- Mar.12-14 **Spring Recess**
- Week 9: **Religion and the Political Process: Lobbying and Voting**  
M.19-21 Fowler & Hertzke, chs. 4 and 5.  
What, if anything, is objectionable about church lobbying in American politics?  
Should clergy tell church members how to vote?  
Should churches distribute voter guides at election time?
- Week 10: **Religion & the Political Process: Lobbying and Voting (Continued)**  
M.26-28 An explosion of national religious advocacy groups in the United States. The global reach of religious advocacy groups. Religious freedom in global politics. F/H, chapter 5 (continued).

- Week 11:  
April 2-4
- Religious Convictions & Presidential Elections: 2016 Presidential Campaign**  
*Wall of Separation*, pp. 88-108 and pp. 140-159 (JFK & Mario Cuomo).  
The campaign rhetoric of the 2016 campaign. (By this time, there may be solid analyses of the remarkable, unusual 2016 campaign as well as the presidency of Donald Trump). Some pertinent questions about religious liberty in the 2016 campaign: Is there any reason a Mormon should not be President? Or a Muslim, or a Catholic, or a Jew or a non-believer? How might we evaluate President Trump's rhetoric and use of social media?
- Week 12:  
April 9-11
- Religion and Political Elites: The Presidency and Congress**  
Fowler/Hertzke, ch. 6.  
Jeff Walz, "Jimmy Carter and the Politics of Faith," in Rozell & Whitney, *Religion & the American Presidency* (Palgrave MacMillan, 2012), pp. 157-173.  
Barack Obama, Farewell Address in Chicago in 2017, available online at [WhiteHouse.gov](http://WhiteHouse.gov).  
What is the connection between religious beliefs, public morality, and public policy in a pluralistic democracy? Can a lawmaker constitutionally bring his religious beliefs to bear in formulating public policy?
- Week 13  
Apr.16-18
- The Use and Abuse of Religious Liberty: the Kim Davis Case**  
Sidebar: Affordable Health Care, contraception, & religious freedom. F/H, p. 142.  
In reaction to the Supreme Court 2015 ruling in *Obergefell v. Hodges* that the Constitution guarantees the right to same-sex marriage, county clerks in several states refused in conscience to issue marriage licenses to same-sex couples. We will review the case of Kim Davis, a Kentucky county clerk who was jailed for contempt of court because she refused, on religious grounds, to issue such licenses. Her case illuminates the dilemma of public officials whose sworn duty to enforce the law conflicts with fidelity to religious beliefs. In such cases, what should public officials do? Should they obey and comply, or resign in protest? Was Kim Davis a defender of religious liberty or a civil rights denier? Short film.
- Week 14:  
Apr23, 25  
Apr. 30
- Summation and Review**  
Fowler/Hertzke, ch. 12  
Review of course materials for final exam.  
General Question: Is religion subversive and dangerous or does it play a constructive role in a secular liberal democracy such as the United States?  
**FINAL EXAM – according to University schedule.**

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How was this transmitted in your home? Prayers, rituals, traditions, family celebrations of holydays, observance of Ramadan, Passover, Easter, Christmas, Kwanzaa?

Have you attended religious school (parochial school, Sunday school, yeshiva, Islamic study center, or other religious school)?

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Do you consider yourself an agnostic or an atheist?

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**What is the connection between your religious beliefs and your political convictions?**

**Write an essay distilling your reflections on the role of religion (or non-religion) in your family. Be sure to base at least some of your reflections on your interview with another family member. The report should be typed and double-spaced. It is due Wednesday, February 1st. In fairness to those who submit papers on time, the grades of late papers will be lowered.**

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## COURSE OUTLINE AND READINGS

- Week 1: **Introduction.** Distribution of syllabus and short essay assignment  
Jan. 18 (autobiographical report) due on Wednesday, February 1st.  
Short takes on the role of religion in the 2016 presidential election.
- Week 2: **The Role of Religion in American History and Culture**  
Jan 23-25 Fowler & Hertzke, chs. 1 and 7.  
Segers & Jelen, *A Wall of Separation*, pp.53-69.  
How does religion function in American society?  
Why has it flourished in the United States?  
Is America “a Christian nation” (as some suggest)?
- Week 3: **Religious Pluralism in the United States**  
Jan.30-Feb.1 F/H, chs. 2, 3, 10.  
2014 U.S. Religious Landscape Study, by PEW Research Center, May 2015.  
Available on line at [www.pewresearch.org](http://www.pewresearch.org)  
Why is religious pluralism both valued and criticized?  
How find common ground amidst religious diversity?  
**Autobiographical Report due Wednesday, February 1<sup>st</sup>..**
- Week 4: **The Constitution and the Framers**  
F.6-8 *Wall of Separation*, pp. 69-77, and pp. 126-139 (Jefferson & Madison)  
A. J. Reichley, “Religion and the Constitution,” Dana Library Reserve.  
Film, “The Supreme Court’s Holy Battles,” PBS  
Question: The First Amendment religion clauses are a solution to a problem.  
What is that problem?
- Week 5 **Religious Persecution in the United States**  
Feb.13-15 Smith, *Religious Persecution & Political Order in the U.S.*  
Chs. 1-4. Joseph Smith & the Rise of Mormonism  
Film in Class: “The Mormons,” PBS: Frontline (excerpts)  
Religious Liberty in theory but not in practice?

- Week 6: **The Politics of Religion in the Legal System**  
F.20-22 Fowler & Hertzke, chs. 8 and 9.  
Question: When are religious practices so disagreeable or harmful that the Government should prohibit them? When are religious beliefs and practices so fundamental that they require secular expression?
- Week 7: **Churches and Courts: Religious Freedom and Church-State Issues I**  
F.27-Mar.1 David O'Brien, *Animal Sacrifice and Religious Freedom: Church of Lukumi Babalu Aye v. City of Hialeah*, pp. 1-161.  
**Midterm Exam, Wednesday, March 1<sup>st</sup>.**
- Week 8: **Churches and Courts: Religious Freedom and Church-State Issues II**  
M.6-8 Film in class: "The Lord Is Not on Trial Here Today," the story of Vashti McCollum and religious instruction in the public schools. Religious establishment and religious liberty in the Supreme Court case, *Illinois v. McCollum* (1948).  
Film in class: "Islam: Empire of Faith," Part I.
- Mar. 13<sup>th</sup> Spring Break.
- Week 9: **Religion and the Political Process: Lobbying and Voting**  
M.20-22 Fowler & Hertzke, chs. 4 and 5.  
What, if anything, is objectionable about church lobbying in American politics?  
Should clergy tell church members how to vote?  
Should churches distribute voter guides at election time?
- Week 10: **Religion & the Political Process: Lobbying and Voting (Continued)**  
M.27-29 An explosion of national religious advocacy groups in the United States.  
The global reach of religious advocacy groups. Religious freedom in global politics. F/H, chapter 5 (continued).

- Week 11: **Religious Convictions & Presidential Elections: 2016 Presidential Campaign**  
 April 3-5 *Wall of Separation*, pp. 88-108 and pp. 140-159 (JFK & Mario Cuomo).  
 The campaign rhetoric of the 2016 campaign. (By this time, there may be solid analyses of the remarkable, unusual 2016 campaign as well as the presidency of Donald Trump). Some pertinent questions about religious liberty in the 2016 campaign: Is there any reason a Mormon should not be President? Or a Muslim, or a Catholic, or an atheist?
- Week 12: **Religion and Political Elites: The Presidency and Congress**  
 April 10-12 Fowler/Hertzke, ch. 6.  
 Jeff Walz, "Jimmy Carter and the Politics of Faith," in Rozell & Whitney, *Religion & the American Presidency* (Palgrave MacMillan, 2012), pp. 157-173.  
 Barack Obama, Farewell Address in Chicago in 2017, available online at WhiteHouse.gov).  
 What is the connection between religious beliefs, public morality, and public policy in a pluralistic democracy? Can a lawmaker constitutionally bring his religious beliefs to bear in formulating public policy?
- Week 13 **The Use and Abuse of Religious Liberty: the Kim Davis Case**  
 Apr. 17-19 Affordable Health Care Act, contraception, and religious freedom. F/H, p. 142.  
 In reaction to the Supreme Court 2015 ruling in *Obergefell v. Hodges* that the Constitution guarantees the right to same-sex marriage, county clerks in several states refused in conscience to issue marriage licenses to same-sex couples. We will review the case of Kim Davis, a Kentucky county clerk who was jailed for contempt of court because she refused, on religious grounds, to issue such licenses. Her case illuminates the dilemma of public officials whose sworn duty to enforce the law conflicts with fidelity to religious beliefs. In such cases, what should public officials do? Should they obey and comply, or resign in protest? Was Kim Davis a defender of religious liberty or a civil rights denier? Short film.
- Week 14: **Summation and Review**  
 Apr 24, 26 Fowler/Hertzke, ch. 12  
 May 1st Review of course materials for final exam.  
 General Question: Is religion subversive and dangerous or does it play a constructive role in a secular liberal democracy such as the United States?