

## Commonwealth Forum Transcript

### ***Values & the Public Debate: The Role of Religion and Morality in Massachusetts Politics***

**Date:** March 15, 2000

**Location:** Boston, MA

**SUMMARY** The following is a summary of the main points of the forum. It is not an exact transcript and should not be relied upon. This summary was prepared by State House News Service and is re-printed here with their kind permission.

STATE HOUSE, BOSTON, MARCH 22, 2000.....Spiritual undertones and direct references to religion by those who would lead the nation have resurrected a timeless topic – religion and politics. On Wednesday, March 15, MassINC and the Massachusetts Foundation for the Humanities seized on the once again timely subject at the Omni Parker House. Three leading religious and public policy experts sat down to debate current events and discuss how religion and morality affect public judgments. The discussion moved from separation of church and state to school vouchers and public aid to religious organizations to legalizing gay marriages and the impact of a Jewish candidate for governor in 2002.

#### **Moderator:**

**Diego Ribadeneira** Deputy City Editor, *The Boston Globe* Chief Religion Correspondent, 1995 -1999

#### **Panelists:**

**J. Bryan Hehir** Chair of the Executive Committee, Harvard Divinity School  
**Wendy Kaminer** Public Policy Fellow, Radcliffe Public Policy Institute  
**Alan Wolfe** Professor of Political Science, Boston College

**RIBADENEIRA:** It seems something is going on with religion in the form of angry debate these days. Presidential campaigns made statements, George W. Bush visited Bob Jones University and John McCain attacked certain conservative Christian leaders. Is this political expediency or are politicians tapping into a yearning to return to some sense of moral order?

**KAMINER:** It's more appropriate to talk about the role of sectarianism. We're not a country of one religion. We have many different faiths. It's not surprising that all the candidates are Christians - members of the dominant faith. It's a sign of advancement that Alan Keyes, a Roman Catholic, could talk about his faith. John Kennedy certainly couldn't do that in 1960. To the extent that the American people are concerned about values, that doesn't mean they need their leaders to talk about their allegiance to Jesus Christ. They might want to hear a discussion about morality. It is a little suspect. And it is quite exclusionary. There are people in this country that are not Christian and do not get up in the morning and wonder what would Jesus do. Actually, I wouldn't mind if George

Bush asked what Jesus would do. Maybe then we wouldn't have capital punishment in Texas.

**HEHIR:** In terms of what's happening, this is an old question and a serious question. It is not being seriously handled. A large issue is being fairly well mishandled in the public debate. Those with an interest in the integrity of the political order need to be kind of a Greek chorus. There is a place to discuss the question of religion and the political order. We need a little bit better footnotes.

**WOLFE:** My sense is we don't know how to talk about religion and we get it wrong all the time – the media, the politicians and almost everyone who reflects on it. To mention religion is to assume it will serve the cause of conservative Christians. Any introduction of morality and values serves the conservative cause, it is said. Many liberals agreed. The left was extremely afraid that any talk of religion in politics would serve as a cause of reaction, with sectarians imposing their will on everyone else. Americans love god but they hate politics. There is a deep skepticism about the politicization of religion and just about anything. In this election we had a certain kind of payback. People resented the manipulation of religion by Pat Robertson. John McCain tapped into that and got such a big reaction. Now we are beginning to recognize that just to talk about religion does not mean just talking about a conservative agenda.

**KAMINER:** Americans are not wary of mixing government and religion. Many people support charitable choice programs and vouchers. That is mixing government funds with religion. People are supportive of that. That's different from having officials declare their faith. My favorite moment was when Al Gore said he though atheists could be good people too. One of my atheist friends said I never thought I'd be pandered to.

**HEHIR:** You can debate values and public life with religion being part of that conversation. Religious traditions are one place to draw a useful, systematic, long historic tradition of discussing values. In a highly pluralistic society I would begin with that discussion. Use them carefully. Frame them in such a way that someone who does not share my faith might draw something from moral wisdom.

**KAMINER:** That speaks to the civil rights movement.

**RIBADENEIRA:** People in that movement were steeped in their beliefs. It was derived from their core beliefs.

**KAMINER:** They were not necessarily core religious beliefs.

**RIBADENEIRA:** So where are our values derived, if not from religion? This is a discussion my wife and I have. Can you be an atheist and be a good person?

**KAMINER:** I hope so because I'm an atheist. The thought is we need religion to instill virtue in us. Obviously I don't believe in that. Religion is enormously powerful in shaping people. You get values from your family. You don't need religion to believe in a golden rule. I get my values from the ACLU and I wouldn't call that a religion.

**HEHIR:** I am willing to argue there is a conceptual way to define a core set of values. Martin Luther King Jr. appealed to the natural law tradition and the Constitution. It's

almost impossible to weave out of the King speeches a profound Biblical faith that carried him forward. I don't think you could totally secularize King.

**KAMINER:** I don't think you can separate your emotional life from your ability to reason. There's something called instinct.

**HEHIR:** I believe in instinct. I like to filter it through reason.

**WOLFE:** Al Gore was appealing to the general sensibilities of most Americans. Americans are simply not sectarian about their religion. Maybe that's where we disagree. Many leaders are highly sectarian. In the country, we deal with a free society where people intermarry and don't even know how to describe their religious affiliation. People say I was born this, but married this, and my kids are this. I was struck by George Bush's answering Jesus as his favorite philosopher. It was obviously a prepared answer. Would people say that's too sectarian? Does that make non-Christians feel uncomfortable? Or do people think he means Jesus in a cosmic sense. For a lot of Americans, Jesus is a broad inclusive figure that stands for compassion and values like forgiveness. I don't think Americans want their politicians to be sectarian but that they want them to reflect religious values.

**KAMINER:** When people hear about charitable choice programs, they imagine money going to religious groups they like. I am waiting to hear how much money they will send to the Nation of Islam? I think people will object to that. Down the road with charitable choice we're going to see a lot of sectarianism.

**HEHIR:** That speaks to needing standards.

**KAMINER:** People are not going to like money going to religious groups they see as abhorrent.

**WOLFE:** This is secondhand but Pierce Brosnan, who plays James Bond, decided to send his kids to a Catholic school. At the parents' conference, the teacher says, how do you think we're doing? He said this is fabulous and our daughter is so happy but couldn't you de-emphasize the religion a little bit. People are sending their kids to Catholic school but don't want the religion. They want the uniforms and the discipline. A lot of this is contradictory but it reflects the way Americans really feel about religion. I can appreciate religion in America because I'm not religious. If I wanted to see a religion spread, I'd be enormously upset about religion in the United States. I'm not fearful of religion playing a more prominent role in public life.

**KAMINER:** I don't expect people to be compartmentalized, but we do need to talk about separation of church and state. People are not thinking as hard as they should be about the consequences of government supporting religion. That's what I'm afraid of. That is often what it comes to mean.

**HEHIR:** That discussion goes on all the time. It doesn't cut things as clearly as the term separation implies. We clearly are not lacking in a debate about church and state. It's a complex cost benefit judgment.

**KAMINER:** We have seen the churches set up an independent arm because the money can't go to sectarian institution. That changed in 1996 with charitable choice. The law requires some semblance of separation of the charitable arm from the church.

**HEHIR:** I can say that 62 percent of Catholic Charities' funding is tied to federal and state funds. Catholic Charities is an arm of the Bishop of the Diocese. That's a fact.

**WOLFE:** In New York, in response to the creation of the state university and the city university, the private universities said it would be unfair to expand at their expense. Catholic universities received funds by establishing new governing boards. One university rejected the aid and maintained its board.

**KAMINER:** We are seeing something different with the voucher debate. You could see a major transfer of government funds to the schools.

**HEHIR:** Through the children. You're right to be concerned given the premise you argue from. An absolutist position never quite captures the debate.

**KAMINER:** I don't think it's absolutist to be careful about saying we ought to be careful about how much money we should give to religious institutions.

**RIBADENEIRA:** We're seeing some people work several jobs to send their kids to school.

**WOLFE:** When the vouchers argument becomes a debate about racial equality, I would go out of my way to be sympathetic. I consider myself a liberal. A principled stand against any help to those parents will do damage to the quest for economic justice. What about arguments about diversity? A good society encourages pluralism. We don't talk about religious diversity. A good society will want it and do what it can to promote it. If that means indirect subsidies to religious institutions, it will forward the goal. I would worry about anyone who said all our schools or hospitals must conform to certain kinds of liberal goals. Good liberal Democrats have to make choices.

**KAMINER:** That simplifies it. I don't think you're saying, let's use tax dollars to support white supremacist schools that don't take African Americans. I don't think you are. Let schools exist in a pluralistic society with private funding. It is not wrong to oppose vouchers. They have the potential to do a lot of damage to public schools.

**HEHIR:** That's a separate question. There's whether it is Constitutionally possible and whether it's good public policy. There's a fair amount of support that it's good public policy and a tougher debate about the Constitution.

**KAMINER:** That's funny because I would have said the opposite.

**RIBADENEIRA:** Are we going to hear more and more about vouchers in the campaign?

**KAMINER:** A state court just struck down vouchers. Bush is for it and Gore is, so far, against it because of his concern for public school teachers.

**RIBADENEIRA:** Is there a practical relationship between the state and the church that can placate people's concerns?

**HEHIR:** I would call the state secular, rooted in the secular soil of human nature. We need some kind of common political authority to come together as a society. Then look at the society that grows up around the state. That's where you find religion. The third step is what's permissible and what's useful. Permissibility leaves out the point of what kind of collaborative social fabric will best meet people's needs. I don't want to stultify that argument in rigid, rigid policies.

**KAMINER:** There are some very negative consequences that flow from allowing the government to fund religious activities. The state ought to be secular and not play favorites with religious groups. The reason I fear government funding is it raises the specter of government favoritism. This is a majoritarian country with a majoritarian religion. Majoritarian forces will direct money to be more supportive of one religion over others.

**HEHIR:** Majoritarianism is not unique to religion. Just as we handle it in one area we ought to be able to handle it in this area with formal criteria. If the criteria are universal, it seems there's a very good chance to force people to meet tests to get government money.

**KAMINER:** You make it simpler than it is. There's a case in Texas where they're challenging prayer before football games. Some people don't share the dominant religion. We have terrible fights about religious liberty and what it means – does it mean say the prayer or not say the prayer?

**WOLFE:** Those are tough questions. But one could be afraid of minoritarianism. A minority can impose its will on the majority by appealing through the courts. Sweeping judgments leave the majority feeling disenfranchised in their own country and that's not a good thing. As afraid of majoritarianism as many are, there are all kinds of uncomfortable questions about relying on the courts as liberals have so often done. In conservative Christian communities they say they're a religious minority to secular humanists. Just like African Americans want to voice and women want to voice, we want to voice. It doesn't apply in this local community but nationally you can understand why people say their country has been taken from them.

**KAMINER:** Liberals rely on the courts to enforce minority rights because there's nowhere else to go. The role of the courts is to enforce the Bill of Rights. And that is what protects minority rights.

**WOLFE:** Most people get their rights by moving. What goes on in Massachusetts is completely different from what goes on in Texas. So you have a safety valve. People would move because they would rather live in California than Oklahoma because they're homosexuals and feel more comfortable there.

**KAMINER:** So your saying it's OK for the Constitution to mean different things in different states. That's completely unacceptable. Can we have racial discrimination in California but not New York? We shouldn't have a homogenous culture but we are

supposed to be one nation under law, if not under god. What does the first amendment mean if it doesn't apply to everyone?

**HEHIR:** Your analysis of the role of the law amazes me. Courts may disagree for 50 or 100 years.

**KAMINER:** But courts don't say it's OK to have different sets of Constitutional rights.

**WOLFE:** It's contentious and in areas of enormous contention, a good case can be made for federalism.

**HEHIR:** The point that we can't adjudicate universal principles through the courts seems not right. We have done that through civil rights. We ought to be able to do it with charitable choice. There is the question of getting one result in the courts and another in the Legislature. That's the fabric of Constitutional democracy. Saying secular humanism is the dominant force in the country is overstating the case. It gives it far too much credence to say that it is.

**KAMINER:** Not everyone is going to be happy with the result. Conservative Christians do feel besieged by sex and violence and feminism and social change. That's an accurate perception. That gets translated into a sense of religious oppression which is not so accurate.

**HEHIR:** I have never been able to get excited about school prayer.

**KAMINER:** Maybe you weren't an atheist child forced to say one every day.

**WOLFE:** That issue has sort of dropped out.

**AUDIENCE QUESTION:** It's good to have this debate. I believe that money is the twin soul mate of government and religion. I wonder why does money remove the spirituality of religion? The church depends on the government for financial support.

**WOLFE:** We will be surprised by how many religions decline government support due to the regulations that accompany it and because they can't really carry out their missions.

**KAMINER:** Some churches don't want to be tied by government standards and they don't want government bureaucrats looking at their books.

**AUDIENCE QUESTION:** We are talking about funding and school prayer. Is that what we mean by morality?

**HEHIR:** We have been focused on the church-state question. The larger question is where to go to frame the moral arguments that frame laws. It should be framed in universal values. Can you develop from a faith-based argument a moral argument not based in religion?

**KAMINER:** A primary venue of the secular state to enforce its moral code is the criminal justice system. It's one of the more immoral agencies in public life. As it enforces moral

codes, the system itself is so thoroughly immoral and ignores values in the way it treats people accused of crimes and denies people lawyers. It's one place where you don't see compassion and tolerance. It's incredibly punitive.

**WOLFE:** You're right. I was in San Antonio talking to Catholics before a death penalty case and they said fry her. It was really startling how quick the transition was made. I thought it was going to be a turn point but I was completely wrong and George W. Bush was completely right.

**AUDIENCE QUESTION:** One of the functions of MassINC is to talk about applying these issues in this Commonwealth?

**WOLFE:** In Massachusetts, I don't see the same burning issues that have captured South Carolinians. If there's any bridge, this is the place where almost all of the great battles over church and state in history have been fought. It attracted the first Puritans, against whom many of the deists and dissenting sects decided we needed the First Amendment. They said we better get religious liberty into this Constitution or we are going to be in serious trouble. Massachusetts welcomed Catholic immigrants to the US and it was a culture war over schools and hospitals. It was long and it was bloody. This state has achieved something with respect to Catholic Protestant accommodation in which it can be proud, especially in comparison to Ireland. It has proved the possibility of going from intense religious conflict to one in which accommodation is involved.

**KAMINER:** We do have a recent history of ethnic strife. Are there overlaps between bigotry? Think about ways Muslims are subject to religious profiling. Congress voted down a resolution expressing tolerance toward Muslims. It may be that it never got to a vote because some passages were considered too inflammatory. Mentioning Oklahoma City was too inflammatory. Congress couldn't get it together to pass a very vanilla resolution.

**HEHIR:** I was born here but have been in Washington for 20 years. My grasp of the details is less sure than I would like. We re-debated capital punishment. I oppose its reinstatement. But that's an item. What is not represented here is none of the three of us have what one might call a minimalist conception of the state in social policy. I endorse an activist state. You don't have a conception here where you are saying, as Ed Meese said, the role of the state is to raise a police force and an army.

**AUDIENCE QUESTION:** What about the Greater Boston Interfaith Organization? It includes synagogues, unions, community development corporations. People are bringing their faith and values to work for things like education and affordable housing. How do you respond to this?

**HEHIR:** I think it's a wonderful example of how the fabric of society has religious components that are not exclusively religious. Through religious institutions you derive social capital that is irreplaceable.

**WOLFE:** A lot depends on how it's done. There is a risk in interfaith efforts. If they become too political or identified with the left, they run the same risk as conservative Christians do on the right. It's important to be inclusive politically.

**KAMINER:** You can be non-partisan but it's not reasonable to ask people not to be political. Of course they will run into opposition but I would hate to see people like this act like presidential candidates and just try to occupy the center.

**AUDIENCE QUESTION:** Organizations start with communities of people who identify issues they will work with. They don't start with liberal issues but bread and butter issues. In Boston it's the rent and housing that no one can afford anymore.

**HEHIR:** There are conservative groups that do some valuable things. Many of those groups also would not take a dime of money under any circumstances. The notion that all religious wisdom tilts left doesn't match the history.

**AUDIENCE QUESTION:** Should gay and lesbian marriages be legalized?

**KAMINER:** Sure – absolutely. I understand homophobia intellectually and the resistance, but I am having a hard time relating to the obsession with other people's sex lives.

**WOLFE:** I was on the fence for some time until I read an editorial against gay marriage from someone opposed to all marriage and I said uh hah. When gay people say everyone else can get married but we can't and we want to, they are expressing a discrimination that is heinous and demeaning. Society can't tolerate it.

**HEHIR:** I would not support gay marriage. I would support gay rights and a whole range of issues that go to basic human needs. It illustrates that when you get into the range of law and morality you're going to get into sexuality and deal with it as you have to deal with other questions like hunger and thirst and need for housing. We will argue about that.

**AUDIENCE QUESTION:** There's talk of a gubernatorial candidate in 2002 who is Jewish. How will that play? People do think that that's an issue.

**RIBADENEIRA:** It would be an issue. And I take responsibility because the media would make it an issue whether or not the people did. It would become an issue that the candidate would have to address. Ideally the issue of a person's faith would not come into play. It would be inevitable.

**HEHIR:** The idea that Catholics would forget the Kennedy experience - if it happens it's inconceivable to me. I look at the contributions of the Jewish community at the national level – you could do a lot worse than that. We ought to be tilted in the direction of precisely protecting the rights of others. The fastest growing religious community in the country is Muslim. The Jewish community has lived among us for years.

**KAMINER:** It will be something of an issue. I said that Chuck Schumer, the New York senator, would not win in New York because he's Jewish, but he did. It's very hard to predict. People are driven by ethnic and religious loyalties somewhat unconsciously. It feeds into their subjective evaluation. It operates on some level the way race and sex operate on some level.

**WOLFE:** Wisconsin has two Jewish senators. It's inconceivable to me that Massachusetts can't keep up. As Wisconsin goes . . .

**AUDIENCE QUESTION:** The panel has separated public policy out of this. At the State House, when we talk about the anti-aid amendment, the issue moves to attacks of bigotry and members of the House and Senate call each other names. They say the positions have some legacy in anti-Catholic hatred.

**HEHIR:** There are always memories in a political community. The days of the cultural wars are not terribly far behind us. I must say people could come down on a lot of sides on that issue. In the Catholic church – not so much now – there was a whole argument that said we should not take aid because it would get in the way of what we want to do. If they resort to invective against each other, it doesn't speak well for their speech writers.

**KAMINER:** What you are hearing is people are not that secure about religious tolerance. Look at the debate on the choice of the House chaplain which is being cast as being anti-Catholicism. I think it's just about politics. The conservative Republicans have their guy they want to give it to. At the same time some of the charges that this represents some kind of bigotry are sincere.

**WOLFE:** The chaplain issue has been in the papers a lot. I basically agree with Wendy's take. Americans don't think in historical terms but there are historical templates. It does matter that Bob Jones University has its history. It does matter that Dennis Hastert went to the same university as Billy Graham. This could happen in Massachusetts as well.

**AUDIENCE QUESTION:** It was mentioned that people are looking for religions that are not really religions. Is there an attraction to fundamentalism? The cases on the religion clause are very messy. Free exercise for one person is endorsement to another. Will the Supreme Court come out with one clear interpretation?

**WOLFE:** The rise of fundamentalism does address it. Fundamentalism was an anti-institutional thing. It never really had a public face. That changed with the rise of the moral majority and Christian conservative groups. A lot of conservative Protestants hold that for their religion to be what they want it to be, it shouldn't be corrupted by politics.

**KAHMINER:** I am not suggesting the court will issue one definitive decision that we will follow blindly. The court has issued many decisions on race discrimination. It's their job to enunciate Constitutional principles. Different judges may apply the same principles differently to the same or different sets of facts. Not everyone is going to be happy. We have the bar case about a racial display. It's something we have to fight about in court. Different people have different answers.

**RIBADENEIRA:** I want to thank Alan and Wendy and Brian and the audience for coming out. Hopefully it's been worthwhile.