

Another voice

A new Va. Statute for Religious Freedom

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In 1786, our state passed the Virginia Statute for Religious Freedom, which disestablished the Anglican Church. The statute rejected the notion of supporting certain religious denominations and excluding certain people by law from participating in the political process, at least based on their profession of faith. The statute made a monumental contribution to the cause of liberty in the state and helped inspire the disestablishment clause in the U.S. Constitution, which says, “Congress shall make no law respecting an establishment of religion.”

Through this amendment, the country decided to distance itself from Mother England and reject the practice of exalting a certain denomination of the church through the power of the national government.

But neither document went so far as to establish an “a-theocracy” in its place and eliminate religious influence from the government. The Virginia Statute and the U.S. Constitution rejected any prior commitment to certain religious groups and their ongoing status, but never pretended that religion and its deconstruction provide no contribution to the people’s concept of government or deserve no provisional representation in public.

Since those days, secular forces have worked to create their own hegemony by separating religious people, along with their ideas and symbols, from representation in the government. Secular jurists like Hugo Black and Felix Frankfurter found religion destructive to the government and sentenced its activities to the margins of society, using the United States Supreme Court to erect a “wall between church and state,” which is “high and impregnable.”

In subsequent cases, the court tried to maintain the wall, but its decisions lacked consistency in trying to do the impossible — separate religious affections from the nation’s statutes (morals), symbols, ceremonies and policies. Eventually, in 1971 the court admitted its wall was more like a “line,” which seemed “blurred, indistinct, and variable,” and in recent cases, it has shown more sympathy toward religious people by granting them some access to public facilities and funding.

Today the court’s decisions no longer display the open hostility of the wall, but still labor under an unfair and unclear distinction that seeks to privilege secularity.

This is why the citizens of our state need to support a New Virginia Statute for Religious Freedom. Secularism is now the enemy of religious freedom, not the Anglican Church.

The new statute is needed to update the old in light of the current threat to religious liberty and provide clear direction to the nation as it did in the past. The purpose of the statute is found in granting religious people access to the public square and recognizing the importance of religion in our civil lives.

The statute rejects the muddled thinking of the Supreme Court in its attempt to define, distinguish and untangle what is secular and sacred, playing a ridiculous name game. It finds a better and fairer distinction by rejecting any guarantees that ensure a permanent place of privilege for any specific religious profession, while honoring and representing the valuable contribution of religion in shaping the civil government.

All of this might not matter if the government stayed within its original, limited role, but the situation has changed dramatically. In an age of large and increasing government, religious people can no longer sit back in their decreasing margin in society and watch their communities fold while the state promotes secularity.

The time is right to press the issue with the election of politicians like Barack Obama and Tim Kaine, who recognize the importance of their own religious affections in shaping their political lives.

You can check out the new statute and its rationale at our Web site: newvastatute.org. Please join us and help our effort to pass the statute.

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