RELIGIOUS CONSERVATIVES UNITE

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Alliances are formed on the basis of mutual interests and needs, and the religious conservative alliance is no exception. There were forces external to each religious community, as well as forces within each community, that made the alliance possible. While today Catholic traditionalists, evangelical Protestants, Orthodox Jews, and others work together on social issues, it was not always that way. It is worth recalling how the current alliance unfolded, especially how Catholics and Protestants put aside theological differences to join forces in the cultural war.

There were two social issues, both the result of Supreme Court decisions, that eventually brought together traditional Catholics, evangelical Protestants and Orthodox Jews: the ruling banning school prayer in 1963 and the legalization of abortion in 1973. However, in neither case was it clear from the beginning that they would figure mightily in making for an alliance. Yale law professor Stephen Carter is right to say that "after the school prayer cases in the 1960s and the abortion decision in 1973, the banner of religious populism was raised once more." But before evangelicals could unite with like-minded Catholics, an awful lot of ugly historical problems had to be resolved.

In the early 19th century, the only real debate over the role of religion in the public schools was whether the government should fund denominational schools run by various Protestant churches or whether there should be "non-sectarian" schools that featured the King James Bible. Most Protestants eventually accepted the latter, being persuaded by Horace Mann that the common free public school system that he envisioned would not be prejudiced toward a specific Protestant denomination. For Catholics, however, it was a lose-lose

proposition.

Not only were Catholic students taught the Protestant version of the Bible, they were assigned textbooks that called Catholics “deceitful,” branding the pope a “man of sin, mystery, iniquity, son of perdition.” Students were also taught that monasteries were “seats of voluptuousness” where “luxurious pleasures” abounded. Assigned texts on Irish Catholics were particularly vicious. *The Irish Heart* taught students that if the Irish continued to come to America, the nation risked becoming the “common sewer of Ireland.” The book said that “the emigration from Ireland to America of annually increasing numbers, extremely needy, and in many cases drunken and depraved, has become a subject for all our grave and fearful reflection.”

It was against this backdrop that Catholic schools were founded. No one was more adamant about the need for Catholic schools than New York Bishop John (“Dagger”) Hughes. But he wanted more than parochial schools—he wanted a slice of state funding for schools to flow to Catholic schools—and that is where he met opposition. In a debate in 1840 before the Common Council, Hughes spoke for three hours: he eloquently outlined the anti-Catholic nature of the public schools and the inequitable conditions that Catholic parents had to endure. The opposition, however, proved to be too much, so he set out to establish a new political party to accomplish his goal. But this didn’t last, so in the end he decided to go it alone. New York Catholics, many of them Irish and destitute, followed the lead of Bishop Hughes and managed to come up with the money needed to fund their own schools.

Matters got worse for Catholics in the 1850s, and it wasn’t just the New York Irish who felt the brunt of things. The nativistic movement was in full swing as the Know Nothing Party gained ascendancy. In Massachusetts, they took control of both houses of the legislature, winning the governor’s office as well. The anti-Catholic bigots quickly approved an

amendment to the state constitution that barred the use of state funds in parochial schools; they also gained Protestant supremacy of the schools by mandating the King James Bible. Things got so bad in San Francisco that in 1855 Catholic kids were whipped in the classroom if they refused to read the Protestant Bible. No wonder Abraham Lincoln said that if the Know Nothings got their way, the Declaration of Independence would read "all men are created equal except Negroes and foreigners and Catholics."

What the Know Nothings had succeeded doing in Massachusetts—barring the use of state funds for sectarian schools—they sought to do everywhere. President Ulysses S. Grant joined this effort, but it wasn't until Senator James G. Blaine of Maine led the charge that Catholics lost in their bid to secure state funding virtually everywhere. While Blaine failed to get a federal amendment barring public monies for sectarian schools, most state legislators followed his lead and enacted "baby Blaine" amendments of their own. By 1890, 29 states had passed such laws. Sadly, the fight to get these amendments overturned continues to this day. Indeed, dozens of states still have Blaine amendments on the books, all of them rooted in virulent anti-Catholic bigotry.

A step backward, followed by a step forward, took place in Oregon in the 1920s. In 1922, an initiative was adopted making it a crime for parents to send their children to anything but a public school. No one even tried to hide the anti-Catholic nature of the initiative, the biggest support coming from various Protestant councils and lodges. And, of course, the Ku Klux Klan was active, showing their love for Catholics. But resistance from Catholic quarters was given, especially by the Society of Sisters of the Holy Names of Jesus and Mary. The Sisters sued, and in 1925 the U.S. Supreme Court agreed with them: it was unconstitutional for the state to create an educational monopoly. In a famous line from this case, the high court emphasized that "*The child is not the mere creature*

of the state; those who nurture him and direct his destiny have the right, coupled with the high duty, to recognize and prepare him for additional obligations."

Another mixed result, this time reversed—one step forward, two steps backwards—was rendered in the 1947 *Everson* decision. Public monies, the Supreme Court ruled, could be spent to provide bus transportation for parochial school students (it was seen as a safety issue), but there was a hitch: the establishment clause, said Justice Hugo Black in the majority decision, requires that neither the federal nor state governments "can pass laws which aid one religion, aid all religions, or prefer one religion over another."

Since the Founding, it had been understood that if a law benefited all religions, it could pass constitutional muster. But now the high court was saying something novel: even if all religions benefited equally, it was still unconstitutional for the government to aid religion. Black came up with the idea that the establishment clause "was intended to erect a wall of separation between church and State" that must be kept "high and impregnable." Jefferson, of course, had penned the "wall" metaphor in a letter he wrote to Danbury Baptists in 1802, but it took until 1947 before such a notion became law.

Two years later, it looked like federal aid to education would be provided to parochial schools. A bill authorizing such aid passed the Senate easily, but it ran into trouble in the House. Entering the fray was New York Archbishop Francis Cardinal Spellman, an avid supporter of federal aid for parochial education. His main opposition came from Eleanor Roosevelt.

The former First Lady wrote in her syndicated column that religious schools "should not receive federal funds; in fact, no tax funds of any kind." In another article, she lectured the Cardinal that the political activities of church leaders "lead people to believe that they are not interested mainly in

the spiritual side of the church, but that they have a decided interest in temporal affairs." Spellman shot back accusing her of "a record of anti-Catholicism," a charge that was hardly unfounded given the former First Lady's affection for the work of Paul Blanshard, a notorious anti-Catholic bigot. A compromise of sorts was brooked when Cardinal Spellman settled for funding of "auxiliary services," such as non-religious textbooks, and other "incidental expenses involved in education." Mrs. Roosevelt, though suspicious, accepted the new proposal.

The Protestant opposition to any kind of school choice initiative, whether it be in the form of vouchers or tuition tax credits, fizzled in 1963. This was when the Supreme Court outlawed the public recitation of prayers in the schools; it sent a shock wave through evangelical and fundamentalist quarters. The upshot was the founding of Christian schools. Just as Catholics had founded parochial schools when faced with implacable odds, many Protestants—now faced with adversity—came to the same conclusion and established their own schools. By 1975, Christian schools were being established at the rate of three a day.

Not everyone, however, was on board yet. At the Southern Baptist Convention in 1978, a resolution was adopted asking President Jimmy Carter to veto any bill that allowed for tuition tax credits, citing First Amendment objections. By the mid-1980s, however, Southern Baptists were pressing President Ronald Reagan to permit tuition tax credits. To show how remarkable this about-face was, consider what Richard Land, head of the Christian Legal Society, said in 1997. Explaining his support for a school choice program in Milwaukee that allowed for state funding of religious schools, Land said of the group's brief that "This case is not about tuition tax credits and vouchers. It is about religious freedom and government discrimination against religion."

Two years later, Richard Cizik, director of the Washington

office of the National Association of Evangelicals, admitted that his organization had “really done a 180” on school choice initiatives. But the big news was the alliance between Catholics and evangelicals on this issue. Commenting on this development in 1999 was Grant Wacker, professor of religious history at Duke University Divinity School: “One of the most remarkable changes of the 20th century is the virtual evaporation of hostility between Protestants and Catholics.” Wacker understands why. “I don’t think it’s because Baptists have come to have a great respect for Tridentine theology,” he said. “It’s because they see Catholics as allies against graver problems.”

Wacker is exactly right. The religious conservative alliance is not propelled by theological convictions, but by social developments. No longer at each other’s throats, Catholics and evangelicals find common cause against secular supremacists who want to reorder the schools. It is not Protestants who are fighting to keep the Blaine amendments on the books these days—it’s secular activists.

Nathan J. Diament, director of public policy for the Union of Orthodox Jewish Congregations of America, puts the blame where it is deserved: He cites the American Civil Liberties Union, the American Jewish Congress, and the NAACP (against the wishes of most blacks) as the principal culprits.

The Catholic League has a proud record of establishing alliances with people across faith lines. The culture war cannot be won by our side by going it alone. Fortunately, we have progressed to the point where theological differences do not act as a deterrent to working together on social and cultural issues.