



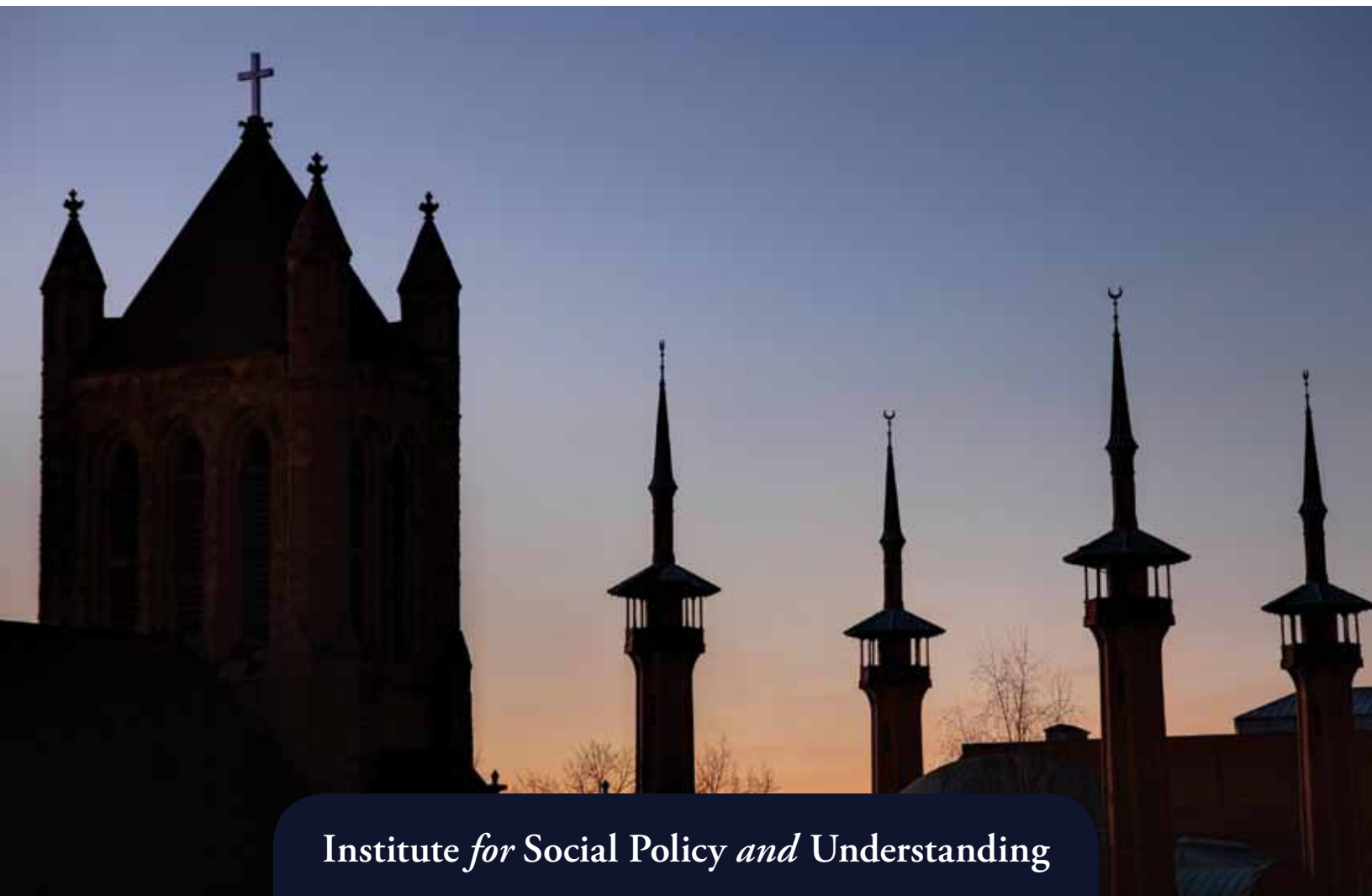
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**REPORT**

# ISPU

## A PORTION OF THE PEOPLE: *Islam in a "Christian" America*

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## Introduction

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*And I've said before that one of the great strengths of the United States is—although as I mentioned, we have a very large Christian population—we do not consider ourselves a Christian nation or a Jewish nation or a Muslim nation; we consider ourselves a nation of citizens who are bound by ideals and a set of values.*

– President Barack Obama<sup>1</sup>

In 2010, almost nine full years after the 9/11 terrorist attacks, a surge of outrage over plans to build a Muslim community center in lower Manhattan swept the United States. In addition to physical recreation facilities, an auditorium, a library, and other amenities, the center would include a mosque.<sup>2</sup> This seemingly innocuous project drew criticism because of its proximity to the site of the former World Trade Center and, despite being two blocks away, was soon given an inaccurate but politically powerful nickname: the “Ground Zero Mosque.” Critics were eager to interpret the project as an insult,<sup>3</sup> an offense, and a sacrilege. But any possibility that this was an honest expression of concern solely about the center’s proximity to Ground Zero was foreclosed by a sudden increase in vocal opposition to proposed mosques as far from Ground Zero as Tennessee, Wisconsin, and even California.<sup>4</sup> Moreover, deliberate efforts were made to delegitimize American Muslims and deny them the protections of the Constitution. Bryan Fischer (director of Issue Analysis for Government and Public Policy, the American Family Association), argued that “[p]ermits should not be granted to build even one more mosque in the United States of America.”<sup>5</sup> Going even further, Lieutenant Governor Ron Ramsey (R-TN) argued that Islam may not be a religion, but a cult, and therefore not protected by the First Amendment. And U.S. Representative Peter King (R-NY) recently held a hearing of the House Committee on Homeland Security on the topic of “The Extent of Radicalization in the American Muslim Community and that Community’s Response,” an approach that Representative Keith Ellison (D-MN), the only Muslim member of Congress, accurately criticized as blaming all Muslims.

Such efforts to demonize specific subgroups and deny their legitimacy as citizens of the country in which they reside have often been a prelude to harsher political treatment that goes beyond the merely verbal. As one small effort to counteract this dangerous tendency, we argue here that the United States is not a “Christian” nation in the political sense and that its history and laws provide a space for people of all religions to live freely and practice their faith openly.

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Using two related lines of argument, we will show (1) that many of the country’s key founders were not “orthodox” Christians and rejected the idea that the country they were creating was politically based on a Christian identity and (2) that important foundational documents of the American republic, including but not limited to the Constitution, clearly eliminate the possibility that the U.S. was meant to be a Christian nation in a political sense. To briefly summarize, there is no defensible interpretation of America’s founding that supports the claim of a Christian polity or a demand for the exclusion of non-Christian faith traditions. People of all faiths are not merely distinct sets deserving of toleration, but are part and parcel of America—a portion of “We the People.”<sup>6</sup>



## The Ecumenicism of Key Founders

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From a broad perspective, the new country's founders were all Christians who grew up in an almost monolithically Christian culture and thus were familiar with Christian doctrines and theologies. But while at least nominal Christians, in that they were not adherents of another religion, the question remains as to whether they were *orthodox* Christians bent on creating a country with a Christian *political* identity.

Those who support the idea of a Christian nation claim that this was their identity and goal. For example, many place great reliance on historian M. E. Bradford's claim that of the fifty-five delegates to the Constitutional Convention, "all but three were orthodox members of one of the established Christian communions."<sup>7</sup> Political commentator David Limbaugh asserts that the concept of inalienable rights is "a product of 'biblical theism.'"<sup>8</sup> D. James Kennedy and Jerry Newcombe make the bold—but entirely unsubstantiated—claim that upon declaring independence from Britain "the thirteen colonies ... articulated a carefully thought-out Christian philosophy of government."<sup>9</sup>

Orthodox Christians believe that Jesus is the son of God (the Savior) and a part of the Trinity. Religious traditions that reject his divinity are seen as false and, consequently, inferior in both truth value and as a source of morality and virtue. From this perspective, many of the key founding fathers were distinctly unorthodox. It has become popular to identify them as deists<sup>10</sup>; however, *theistic rationalist* is a better term. According to historian Gregg Frazer:

Theistic rationalism was a hybrid, mixing elements of natural religion, Christianity, and rationalism, with rationalism as the predominant element. Accordingly, the founders believed in a benevolent, active, and unitary God who intervenes in human affairs. Consequently, they also believed that prayers are heard and effectual. They believed that the key factor in serving God is living a good and moral life, that promotion of morality is central to the value of religion, and that the morality engendered by religion is indispensable to society. Because virtually all religions promote morality, they believed that most religious traditions are valid and lead to the same God.<sup>11</sup>

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For our purposes, that final sentence is a most significant point. If the founders—at least some of the most influential among them—believed that “virtually all religions promote morality [and] are valid and lead to the same God,” they would be exceedingly unlikely to propose a system of government that has a special relationship with just one of them. In fact, there is abundant evidence that some of the most prominent founders did in fact believe in the general validity of all religions, in terms of teaching morality. For example Benjamin Franklin, one of only six men to sign both the Declaration of Independence and the Constitution, explicitly subordinated the particulars of various faiths to the goal of morality and denied that Christianity was a unique path to that goal: “Morality or Virtue is the End, Faith only a Means to obtain that End: And if the End be obtained, it is no matter by what means.”<sup>12</sup>

Franklin also explicitly welcomed Muslims to participate in the American public square, speaking approvingly of the construction of a building whose purpose was to provide a pulpit to speakers from any faith;

Both house and ground were vested in trustees, expressly for the use of any preacher of any religious persuasion who might desire to say something to the people at Philadelphia; the design in building not being to accommodate any particular sect, but the inhabitants in general; so that even if the Mufti of Constantinople were to send a missionary to preach Mohammedenism to us, he would find a pulpit at his service.<sup>13</sup>

John Adams, the most forceful voice for declaring independence and the new country’s second president, was a prolific letter writer. In those letters, he frequently expressed both his doubts about the doctrine of the Trinity and his belief that that differing religious traditions shared a common moral basis: “Where is to be found Theology more orthodox or Phylosophy more profound than in the Introduction to the [Hindu] Shast[r]a?”<sup>14</sup>

Adams also found such moral principles in the Roman deities:

[Juno] was the goddess of honesty, justice, decency, and right ... She presided over all oracles, deliberations, and councils. She commanded all mortals to pray

to Jupiter for all lawful benefits and blessings. Now, is not this (so far forth) the essence of Christian devotion?<sup>15</sup>

In another letter, he states his belief that the identifying label of *Christian* applies not just to those who hold a particular set of doctrinal or theological beliefs, but to any good person at all: “I believe with Justin Martyr, that all good men are Christians, and I believe there have been, and are, good men in all nations, sincere and conscientious.”<sup>16</sup> In a letter to American diplomat Mordecai Noah, he clearly implied a substantial equivalence among Christianity, Judaism, and Islam:

It has pleased the Providence of the first Cause, the Universal Cause, that Abraham should give religion not only to Hebrews but to Christians and Mahomitans, the greatest part of the modern civilized world.<sup>17</sup>

Muslims, Jews, and others might find it odd, at the least, to be called *Christian*; however, if they were good, sincere, and conscientious people, Adams would have gladly welcomed them as fellow believers, rather than exclude them from the new nation. His successor Thomas Jefferson, who had worked with him and Franklin to draft the Declaration of Independence, also had unorthodox and broadly ecumenical religious ideas:

[E]very religion consists of moral precepts, & of dogmas. in the first they all agree. all forbid us to murder, steal, plunder, bear false witness Etc. and these are the articles necessary for the preservation of order, justice, & happiness in society. in their particular dogmas all differ; no two professing the same. these respect vestments, ceremonies, physical opinions, & metaphysical speculations, totally unconnected with morality, & unimportant to the legitimate objects of society. yet these are the questions on which have hung the bitter schisms of ... Trinitarians, Unitarians, Catholics, Lutherans...Etc. among the Mahometans we are told that thousands fell victims to the dispute whether the first or second toe of Mahomet was longest; & what blood, how many human lives have the words ‘this do in remembrance of me’ cost the Christian world! ... it is on questions of this, & still less importance, that such oceans of human blood have been spilt ... the practice

of morality being necessary for the well being of society, he has taken care to impress it's precepts so indelibly on our hearts, that they shall not be effaced by the whimsies of our brain. hence we see good men in all religions, and as many in one as another. [I] think it enough to hold fast to those moral precepts which are of the] essence of Christianity, & of all other religions.<sup>18</sup>

His strange perspective on Islam's internal debates notwithstanding, Jefferson thought that *whatever they may be*, internal theological debates were irrelevant to the "essence... of all... religions." That is, he valued chiefly the common moral principles that united all religions and disregarded sectarian dogmas that divided them. In other words, at least according to him, a "Christian" United States would be a nation based on a set of moral precepts held by all religions, with all their adherents being welcome citizens of the nation.

Jefferson makes this welcome even more explicit when discussing the passage of the Virginia Act for Establishing Religious Freedom, which he authored:

The bill for establishing religious freedom ... met with opposition; but ... was finally passed; and a singular proposition proved that its protection of opinion was meant to be universal. Where the preamble declares that coercion is a departure from the plan of the holy author of our religion, an amendment was proposed, by inserting the word "Jesus Christ," so that it should read "a departure from the plan of Jesus Christ, the holy author of our religion." The insertion was rejected by a great majority, in proof that they meant to comprehend, within the mantle of its protection, the Jew and the Gentile, the Christian and Mahometan, the Hindoo, and infidel of every denomination.<sup>19</sup>

Further support for the leading founders' broadly inclusive religious views is the terminology they used when speaking to Native Americans. It is one thing to include Jews and Muslims, as Yahweh, Allah, and God the Father, at least in theory, all refer to the same identifiable scriptural figure: the God of Abraham. Traditional Native American religions are, however, wholly outside the Abrahamic tradition. Yet presidents Washington, Jefferson, and Madison all addressed God as "the Great Spirit" when addressing unconverted Native Americans, implying that

the Great Spirit they worshipped was the same as, and none other than, the same God that Christians worshipped. Washington, addressing the Cherokee Nation in 1796, concluded with: “I now send my best wishes to the Cherokees, and pray the Great spirit to preserve them.”<sup>20</sup>

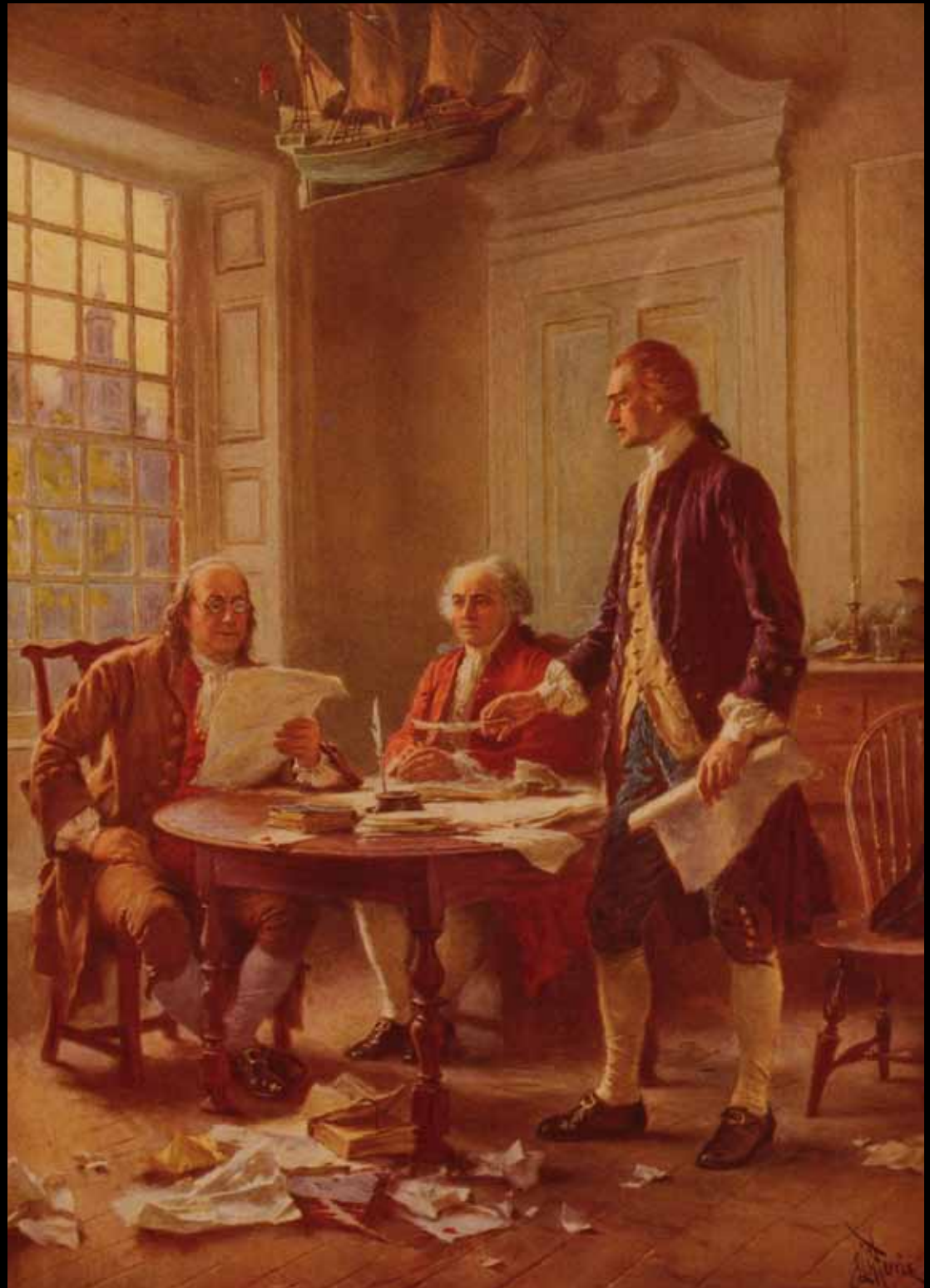
Jefferson made a similar statement when he, as president, also addressed the Cherokees;

My children, I thank you for your visit and pray to the Great Spirit who made us all and planted us all in this land to live together like brothers that He will conduct you safely to your homes, and grant you to find your families and your friends in good health.<sup>21</sup>

Madison used the same terminology when speaking to Native Americans, calling the Great Spirit “the father of us all.”<sup>22</sup>

This use of language by men indisputably among the top tier of influential founders, contrasts sharply with what we would expect from Trinitarian Christians, who consider Native American religions pagan and their deities false. Famed eighteenth-century Christian preacher Jonathan Edwards, for example, believed that Native Americans were “Satan’s peculiar people, and their religion nothing more than devil worship.”<sup>23</sup> But instead of exhorting them to relinquish their ancestral beliefs and adopt Christianity, the leading fathers repeatedly emphasized the commonality between “red” listener and “white” speaker as children of the same God, who was simply addressed by different names.

In summary, while many of the founders were devout Trinitarian Christians who would have balked at the notion that people of other faiths could be “good Christians,” the country’s key founders were not identifiably so orthodox, for they chiefly valued the common morality that they believed undergirded all religions. It is inconceivable that such men, among whom are the “Father of the Country” (Washington), its leading voice for independence (Adams), the author of the Declaration of Independence (Jefferson), and the “Father of the Constitution” (Madison), —who collectively are also the first four presidents—would support and help create a country based on a conception of Christianity that they rejected. To them, all good people of the world’s religions worshipped the same Providential God, and thus all of them would be welcome citizens in the new American republic.



## The Absence of Christianity in Key Founding Documents

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If this nation were truly based on Christianity, we would expect to find some fairly clear, even if not explicit, recognition of this “fact” in some of the founding documents. However, any such references are either wholly absent or present only in the most tenuous of ways. This is in distinct contrast to the language found in many of the states’ original colonial charters. The Twelfth Article of the Charter of Maryland, for example, required that the charter never be interpreted in such a way that “God’s holy and true Christian Religion ... may in any wise suffer by Change, Prejudice, or Diminution.”<sup>24</sup>

The Charter of Connecticut was designed to promote a system whereby:

Our said People Inhabitants there, may be so religiously, peaceably and civilly governed, as their good Life and orderly Conversation may win and invite the Natives of the Country to the Knowledge and Obedience of the only true GOD, and He Saviour of Mankind, and the Christian Faith, which in Our Royal Intentions, and the adventurers free Possession, is the only and principal End of this Plantation.<sup>25</sup>

The Charter of Delaware was ecumenical to a limited extent, for while it allowed freedom of conscience to anyone “who shall confess and acknowledge One almighty God, the Creator, Upholder and Ruler of the World,” it limited participation in the government only to those “who also profess to believe in Jesus Christ, the Saviour of the World.”<sup>26</sup>

The frequency of such expressions in colonial charters highlights the lack of any such expressions at the federal level either during the Revolutionary War or after. The Declaration of Independence contains only the barest of theistic references: it claims that our rights come from “the Creator,” refers to “the laws of nature and nature’s God,” and appeals to “the Supreme Judge of the World.” These phrasings are more attuned to Enlightenment rationalism than to Christian scripture. In fact, in an 1825 letter to fellow Virginian Richard Henry Lee, Jefferson states that he referred primarily to the leading political philosophers and the general sentiment of the times while drafting the Declaration, which contains no actual reference to religious or scriptural authority:

All [the Declaration’s] authority rests then on the harmonizing sentiments of the day, whether expressed in conversation, in letters, printed essays, or in the elementary books of public right, as Aristotle, Cicero, Locke, Sidney, &c.<sup>27</sup>

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The United States' first attempt to produce a governing document that would bind the states together—the Articles of Confederation—is a distinctly secular document in its effective articles, each of which is directed solely to matters of secular governance. Its sole theistic reference comes at the end: claiming the approval of “the Great Governor of the World” for its authors' efforts. This statement is hortatory rather than politically substantive and, again, is the type of phrase more commonly found among Enlightenment rationalists than orthodox Trinitarians. When the Articles of Confederation failed to promote federal unity, the drafters of its replacement, the United States Constitution, went one step further and avoided even a minimalistic nod to spiritual authority. The Constitution contains no theistic references at all in its seven articles, beyond the strictly formalistic use of “the year of our Lord” in noting the date on which they completed their work. This point is worth emphasizing, as this time they did not even bother to claim God's approval of their handiwork. God, regardless of the name used, was no longer a relevant part of their political interests, purpose, and process.

Those who argue that the founders were consciously engaged in a godly quest for a spiritually sound political system often like to point to Franklin's recommendation, made when the Constitutional Convention was so deadlocked as to be on the point of dissolution, that they take a day off for a day of prayer. Less noticed and commented on, however, is the fact that his recommendation was simply ignored; not even voted down, but so ignored as to never be brought to a vote. The delegates simply moved forward to resolve their differences through argument and compromise, rather than pausing to turn to God, as those consciously engaged in a religiously oriented task would normally do.

The relentlessly secular nature of these two documents reveals that the founders did not seek to create a Christian nation, to gather together and support believers in Christ only, or even to promote the glory of God. If such had been their purpose, they could have used the readily available and common statements to that effect found in the colonial charters. This absence of religious references did not go unnoticed by critics. William Williams—a signer of the Declaration of Independence, a member of the committee that drafted the Articles of Confederation, and a delegate to the Constitutional ratifying convention in Connecticut—unsuccessfully proposed a new preamble that would have recognized God's “universal providence” and acknowledged that all legitimate authority was “ordained of, and [im]mediately derived from God.”<sup>28</sup> Presbyterian



minister John Mason complained that “the Federal Constitution makes no acknowledgment of that God who gave us our national existence.”<sup>29</sup>

The one specific reference to religion in the core Constitution, in fact, wholly undercuts the “Christian nation” thesis. Article VI, section 3, specifies that “no religious test shall ever be required as a qualification to any public office or trust under the United States.” This sole substantive reference to religion, which creates an inviolable rule that matters of religious belief can *never* be used to exclude someone from holding any political office, passed unanimously at the Convention.<sup>30</sup> The idea was so uncontroversial that delegate Roger Sherman thought an explicit ban was redundant, “the prevailing liberality being a sufficient security against such tests.”<sup>31</sup>

It is important to distinguish between the federal government and the states here. As the colonies transformed themselves into states during the Revolutionary War, each rejected its colonial charter and drafted its own constitution. Eleven of the thirteen state constitutions contained a religious test for public office, and nine created religious establishments (although by 1791 only three states still maintained “active religious establishments”).<sup>32</sup> Despite this, the delegates who represented those states at the Constitutional Convention in 1787 easily, and with little debate, approved the “no religious test” clause. Whatever they may have seen as fit for their own states, they overwhelmingly wanted to preserve broad religious freedom in their *collective* political character.

Notably, neither the extant notes taken during the Constitutional Convention debates nor the eighty-five essays comprising *The Federalist Papers* credit Christianity or the Bible for the principles contained in the Constitution.<sup>33</sup> Yet the Constitution was written in the name of “We the People” and ratified by conventions held in each state (rather than by the state governments themselves). In other words, the citizens of the founding era approved of and ratified this document’s lack of religious references and banning of religious tests. We are not claiming that a majority of Americans in 1789 were non-Christian; rather, we are claiming but that the majority of a predominantly Christian citizenry consciously chose to approve a strictly secular Constitution.

Oliver Ellsworth, a Pennsylvania delegate to the Constitutional Convention, clearly stated the founders' general attitude toward the mingling of politics and religion:

The business of civil government is to protect the citizen in his rights ... civil government has no business to meddle with the private opinions of the people ... I am accountable not to man, but to God, for the religious opinions which I embrace ... Legislatures have no right to set up an inquisition and examine into the private opinions of man.<sup>34</sup>

His argument echoed the words of Madison's famous "Memorial and Remonstrance," uttered just two years earlier:

The Religion then of every man must be left to the conviction and conscience of every man; and it is the right of every man to exercise it as these may dictate. This right is in its nature an unalienable right. It is unalienable, because the opinions of men, depending only on the evidence contemplated by their own minds cannot follow the dictates of other men.<sup>35</sup>

This idea was soon added to the Constitution in the form of the First Amendment, which included two complementary religion clauses: the Establishment Clause and the Free Exercise Clause. The former forbids all government efforts to support or promote a particular religion or sect (although there is debate about whether it allows the government to favor religion in general), and the latter prohibits it from constraining any individual's choice of what religion to follow or to follow none of them. Jefferson famously claimed that these two clauses built "a wall of separation between Church & State."<sup>36</sup>

While some conservative Christians object to the "wall of separation" metaphor—conservative scholar Daniel Dreisbach (professor of justice, law and society, American University) goes so far as to call it "mythical"<sup>37</sup>—the United States Supreme Court has adopted and adhered to it in its First Amendment jurisprudence. Its earliest and perhaps clearest statement concerning the Establishment Clause's constraining power was handed down in the 1947 case of *Everson v. Board of Education*, in which Justice Hugo Black wrote:

The “establishment clause” of the First Amendment means at least this: Neither a state nor the Federal Government can set up a church. Neither can pass laws which aid one religion, aid all religions, or prefer one religion over another.<sup>38</sup>

It may seem strange that it took over 150 years for such a definitive ruling to be made. The reason for this was that the Bill of Rights originally applied only to the federal government. With the passage of the Fourteenth Amendment, however, the Supreme Court began to apply its guarantees to state governments by “incorporating” those guarantees through the provisions of the amendment’s Due Process clause.

The Free Exercise clause has also been repeatedly interpreted to protect citizens from federal and state attempts to constrain the exercise of their religious beliefs. The Supreme Court has been imperfect in this regard, but its rare failures have led to vigorous condemnation and even to the reversal of former rulings. For example, in 1943 the Supreme Court ruled that children of the Jehovah’s Witnesses sect could be required to salute the flag in school, although doing so violated their religious beliefs;<sup>39</sup> three years later, it admitted its error and ruled that their right to religious freedom trumped the government’s interest in instilling patriotism.<sup>40</sup>

In general, the Supreme Court has treated religious freedom as nearly absolute, provided that religiously motivated conduct conforms to generally applicable secular laws. One of the most notable cases involved Santeria, a syncretic faith combining elements of both Christianity and Afro-Caribbean religious beliefs brought to the Americas by slaves. One of its elements, ritualistic animal sacrifice, so disturbed the sensibilities of one Florida city that it banned the possession of animals for sacrifice or slaughter. Although most Americans might view animal sacrifice as bizarre and gruesome, in 1993 the Supreme Court unanimously struck down the city’s ban by ruling it unconstitutional, for it had been:

enacted by officials who did not understand, failed to perceive, or chose to ignore the fact that their official actions violated the Nation’s essential commitment to religious freedom.<sup>41</sup>

If the Constitution’s religion clauses protect an exotic faith like Santeria—the beliefs and practices of which undoubtedly disturb many traditional Christians—it certainly protects Islam, one of the three traditionally recognized Abrahamic faiths. When taken together, the religion clauses of the First Amendment create a private space for a person’s conscience to be free of legal or political interference; a place where the individual’s religious conscience can neither be forced toward a particular faith nor prevented from gravitating toward any other set of beliefs. The First Amendment clauses complement the Religious Test clause to guarantee fully, in both the public and private spheres, the rights of individual conscience.

As a final piece of evidence, we can look at one of the United States’ most important early documents: the 1797 Treaty of Tripoli. One of the Barbary treaties negotiated in an effort to protect American merchant ships from privateers authorized by the Berber states of North Africa, it contains the following statement:

[T]he Government of the United States of America is not, in any sense, founded on the Christian religion [and] has in itself no character of enmity against the laws, religion, or tranquility, of Mussulmen [Muslims].<sup>42</sup>

This is the most explicit statement on the matter available and, moreover, was written by members of the founding generation. As it was unanimously ratified by the Senate it can be taken as an authoritative statement of the government’s general view at that time. If the Founding Fathers had viewed the United States as a “Christian nation” in the public sense, they would have immediately objected to such a definitive statement to the contrary. Regardless of how strongly some people today press the claim that the United States was founded as a Christian nation, the existence of such statements from the founding generation obviously carry greater weight.

## Conclusion

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We would like to conclude with these eloquent words from President Barack Obama:

Islam has always been a part of America's story... [S]ince our founding, American Muslims have enriched the United States. They have fought in our wars, they have served in our government, they have stood for civil rights, they have started businesses, they have taught at our universities, they've excelled in our sports arenas, they've won Nobel Prizes, built our tallest building, and lit the Olympic Torch. And when the first Muslim American was recently elected to Congress, he took the oath to defend our Constitution using the same Holy Koran that one of our Founding Fathers—Thomas Jefferson—kept in his personal library...

So let there be no doubt: Islam is a part of America. And ... America holds within her the truth that regardless of race, religion, or station in life, all of us share common aspirations—to live in peace and security; to get an education and to work with dignity; to love our families, our communities, and our God. These things we share. This is the hope of all humanity.<sup>43</sup>

His words that “Islam is a part of America” echo those of Isaac Harby, who wrote to then-Secretary of State James Monroe that American Jews “are by no means to be considered a *Religious sect*, tolerated by the government; they constituted a portion of *the people*.”<sup>44</sup> This is true for all people in the United States, regardless of their religious faith or lack of it. All are a part of this country. All are a portion of “We the People.”

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