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Christian Responsibility in Governing: What to Do When Democracy Gets Complicated

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During the 2016 presidential election campaign, then-candidate Donald Trump made numerous appeals to win over Christian voters who felt as though their religious convictions were no longer welcome in the public square. He pledged to eschew political correctness by saying “Merry Christmas” instead of “Happy Holidays,” to expand efforts to protect the religious freedoms of conservative Christians, and to appoint to the U.S. Supreme Court conservative justices who would strictly apply the Constitution and resist the impulse to legislate from the bench. Partly as a result of these appeals, more than 80% of white evangelicals voted for him, and more than 75% continue to support him today.

Christians still represent the largest religious group in the United States, but survey research from the [Pew Research Center](#) shows that the percentage of Americans who identify as Christians has dropped quickly: in 2007, 78.4% identified as Christian, compared to only 70.6% by 2014. During that same time period, people of faith identifying as Jewish, Muslim, and Hindu increased in number, while the fastest growing group were those who claimed no religious affiliation. In 2014, 22.8% of all Americans identified as Agnostic, Atheistic, or “nothing in particular,” up from 16.1% in 2007.

Zeal among religious adherents is also in decline. Today, fewer believers attend services weekly, pray daily, and/or regularly practice other aspects of their faith. In some of the most populous states, such as California and New York, [fewer than half of the population](#) admitted to being “highly religious.”

This pluralistic trend is also seen in the current Congress, which is the most [religiously diverse](#) in our nation’s history. The majority still overwhelmingly identifies as Christian, but Protestants now represent only 56% of the entire body. Catholics are nearly one-third (31%), and Jews are almost 6%. In addition, among those elected in 2016, three were Buddhists, three Hindu, and two Muslim; surprisingly, ten members (9%) declined to state any faith at all.

Role of Christians as public officials

While many Americans celebrate this increased pluralism, others express concern that an increasingly pluralistic society could give rise to competing visions of the common good. This, in turn, could divide society even further, especially if civil servants seek to impose their private convictions on everyone. This was the concern of former New York Governor Mario Cuomo, who served three terms in office (1983-1994). As a committed Catholic, he explained that he readily embraced his faith's restraint on his own personal life but was reluctant to require others to follow the teachings of the church. [According to Cuomo](#), "the Catholic who holds political office in a pluralistic democracy – who is elected to serve Jews and Muslims, atheists and Protestants, as well as Catholics – bears special responsibility. He or she undertakes to help create conditions under which all can live with a maximum of dignity and with a reasonable degree of freedom, where everyone who chooses may hold beliefs different from specifically Catholic ones and even sometimes contradictory to them..."

Although Cuomo chose to endorse only those values that resonated with the community at large, the U.S. Constitution does not require public officials to set aside their personal faith in order to serve the public. In fact, Article VI prohibits the use of a religious test as a qualification for public office. That means public officials may endorse public policy solutions that are consistent with their religious beliefs or which espouse no particular faith at all. Nevertheless, even though the Constitution prohibits barring believers from public office, public pressure can make it more difficult for believers to be confirmed for administrative or judicial positions. As a recent example, Senate Democrats nearly succeeded in blocking the confirmation of Betsy DeVos, President Trump's pick to head the Department of Education, in part because they believed her conservative Christian beliefs would lead her to reverse Obama-era protections for LGBT students. Similarly, Senator Dianne Feinstein's (D-CA) tough questioning of Amy Coney Barrett, a Catholic judicial nominee for the United States Court of Appeals for the Seventh Circuit, was based on her concern that Barrett's religious convictions would lead her to use her judicial office to undo case precedents that expanded women's reproductive rights.

Limited constitutional protections for Christian officials

Given an increasingly pluralistic world, some worry that Christians who serve the public as government officials will thwart the will of the people and refuse to implement laws that contradict the tenets of their faith. Perhaps the most famous example of this is Kim Davis, the elected county clerk in Kentucky who refused to issue a marriage license to a gay couple following the U.S. Supreme Court's decision in *Obergefell vs. Hodges* (2015). Davis, who was jailed in contempt of court for her refusal to issue marriage licenses as required under state law, [explained](#) that it would violate her conscience to obey a law that contradicted a core tenet of her faith. Her subsequent appeal to the [U.S. Court of Appeals for the Sixth Circuit](#) was summarily rejected.

Although the U.S. Supreme Court declined to take up the case, it is not likely that Davis would have succeeded in her request to be granted a legal exemption, even if she had been granted her day in the nation's highest Court. While the First Amendment to the U.S. Constitution guarantees that "Congress shall make no law...prohibiting the Free Exercise [of religion]," a provision which has often led the U.S. Supreme Court to require accommodations for religious believers who are uniquely burdened by government requirements, Article VI of the U.S. Constitution also states that "Senators and Representatives,... 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.” Because she is a government actor, the Court would likely have ruled instead that Davis’s primary obligation was to uphold its own constitutional ruling. Legislatures have the ability to accommodate government officials who have religious objections to enforcing a law, but there is currently no Court precedent that would provide an automatic First Amendment exemption for an official seeking to avoid this responsibility.

In contrast, the Court has emphatically declared that civil law supersedes religious exercise. The first instance of this is seen in *Reynolds v. United States* (1878). In this case, George Reynolds argued that he should be exempted from the federal Morrill Anti-Bigamy Act because his Mormon religion required him to take multiple wives in order to remain in good standing with God. If he failed to commit polygamy, he would be punished by the church in this life and risk damnation in the next. As a result, he argued that he should be exempted from the Anti-Bigamy Act because it unduly burdened his constitutional right to freely practice his religion. In considering this claim, the Court acknowledged that the Constitution protects the right of religious believers to freely practice their faith. However, [what is “it” referring to?] the Court noted that if a person could be excused from every law that conflicted with her or his religious beliefs, the religion would become “superior to the law of the land, and, in effect, to permit every citizen to become a law unto himself. Government could exist only in name under such circumstances” ([98 U.S. 167](#)).

Nevertheless, in issuing rulings akin to giving “to Caesar what belongs to Caesar, and to God what belongs to God” (Mark 12:17), the Court has expanded protections for religious minorities so that they are often exempted from non-criminal laws. Today, for example, believers do not have to salute the flag (*West Virginia State Board of Education v. Barnette*, [319 U.S. 624, 1943](#)); may be eligible for unemployment benefits if they cannot work on their Sabbath (*Sherbert v. Verner*, [374 U.S. 398, 1963](#)); and may educate their teenagers at home, instead of sending them to school (*Wisconsin v. Yoder*, [406 U.S. 205, 1972](#)). In addition, the Court has ruled that candidates for public office at the state level do not have to first declare a belief in God in order to be eligible for the position (*Torcaso v. Watkins*, [367 U.S. 488, 1961](#)), nor are clergy banned from serving in public office (*McDaniel v. Paty*, [435 U.S. 618, 1978](#)).

But, in other cases, the Court has declared that government may constrain private religious behavior, including that of public officials. Public school teachers, for example, may not lead students in corporate prayer (*Engle v. Vitale*, [370 U.S. 421, 1962](#)); direct students in a daily Bible reading (*School District of Abington Township, Pennsylvania v. Schempp*, [374 U.S. 203, 1963](#)); or teach Creationism as part of a science curriculum (*Edwards v. Aguillard*, [482 U.S. 578, 1987](#)). In addition, clergy may not give an invocation at a public school gathering (*Lee v. Weisman*, [505 U.S. 577, 1992](#)), and students may not use the school public address system to pray corporately before a football game (*Santa Fe Independent School District v. Doe*, [530 U.S. 290, 2000](#)).

Finally, city officials may not erect a stand-alone nativity scene at Christmas (*County of Allegheny v. ACLU*, [492 U.S. 573, 1989](#)), and public buildings may not feature displays of religious imagery if they are devoid of historical and/or cultural context (*McCreary County v. American Civil Liberties Union of Kentucky*, [545 U.S. 844, 2005](#)). This latter case parallels a case in Alabama, wherein a federal district court ordered the removal of a granite monument of the Ten Commandments from the rotunda of the Alabama Judicial Building – a decision that Alabama Supreme Court judge Roy Moore refused to enforce. A state panel subsequently removed him office, but [Moore remained unapologetic](#):

“I cannot forsake my conscience. I will not neglect my duty. And I will never, never deny the God upon whom our laws and our country depend.”

Disobedience among Christian public servants

Is this, then, what we can expect to see in an increasingly pluralistic and religiously diverse society? Will Christian believers who serve in public office increasingly refuse to comply with the law if they are not granted religious exceptions or when a policy violates their consciences? This is probably not likely, and, as a general rule, would be unwise.

Democratic regimes, imperfect though they may be, provide ample opportunities for Christians to choose likeminded leaders and to lobby officials to effect change. This means that few Christians today will find themselves having to subvert patently evil policies, as some had to do in Nazi Germany or what others did when slavery was legal in parts of the United States, prior to the Civil War. Moreover, the presumption is that faithful believers will obey the law rather than undermine it. The universal church still largely subscribes to the idea posited by St. Augustine that people are simultaneously citizens of Heaven as well as citizens of Earth, and that Christians cannot use their freedom in Christ to exempt themselves from submitting to the authority of earthly rulers, especially if they are an extension of the ruling authority themselves. As the Apostle Paul notes in Romans 13:1-2:

Let everyone be subject to the governing authorities, for there is no authority except that which God has established. The authorities that exist have been established by God. Consequently, whoever rebels against the authority is rebelling against what God has instituted, and those who do so will bring judgment on themselves. (NIV)

Civil governments should not be viewed as instruments of God’s righteousness, bringing about only that which has been divinely decreed as good; but, rather, they should be viewed as examples of God’s common grace. Just as God “causes the sun to rise on the evil and the good, and sends rain on the righteous and the unrighteous,” (Matthew 5:45), civil government prevents humankind from operating out of pure self-interest. This staves off the condition where “everyone does what is right in their own eyes,” (Judges 17:6) and prevents society from devolving into a Hobbesian state of nature, wherein life is “solitary, poor, nasty, brutish, and short.” Flawed though it may be, civil government is better than the absence of government, and even bad governments can be instruments to promote justice and restrain evil.

Undoubtedly, though, there may be times in which public servants find themselves torn between allegiance to God and allegiance to government, but in democratic regimes where people influence policy, these instances should be rare. Even in non-democratic regimes, the presumption is that people will obey the law so they might live quiet and peaceful lives (1 Thessalonians 4:11). Accordingly, there are only a few instances in Scripture wherein God seemingly rewarded people for disobeying government decrees. For example, God blessed the Egyptian midwives for refusing to murder newborn Hebrew boys (Exodus 1:17-20); God protected Shadrach, Meshach, and Abed-nego from dying when they were thrown in a furnace for defying the king’s order to worship a false deity (Daniel 3); and God kept Daniel from being eaten when he was thrown in a pit of lions for disobeying orders prohibiting people from petitioning or praying to anyone other than the king (Daniel 6).

Instead, Scripture includes numerous stories wherein God elevated people to high positions not so that they could undermine the law, but so that they could use their influence to accomplish good and thwart evil. For instance, Joseph used his government office to keep his people from starving to death (Genesis 41-47), Esther used her royal position to save the Jews from extermination (Esther 7), and Gamaliel used his position of respect to persuade the Council of Pharisees to release Peter and the apostles before they were put to death (Acts 5).

While these examples may inspire a call to service, religious believers who serve their neighbors in an official capacity should first exercise humility by recognizing that none of us are exempt from the self-interest that plagues humanity. Often, our desire to “turn over the temple tables” (Matthew 21:12-13) is grounded in pride and a desire for power, rather than genuine zeal for God or a selfless desire to correct injustices committed against others. Indeed, the authors of the Declaration of Independence noted that it is prudential to tolerate abuses and injustices rather than cast off established governments. Rebellion is only warranted when leaders become despots, inflicting injury upon their own people and resisting calls for correction—as those early American patriots argued had happened in the relationship between the colonies and their English king.

Today, many Christians – particularly conservative ones – fear that a pluralistic society will result in laws that are more tyrannical than democratic. They note, for example, that policy changes are enacted via judicial decree without regard to public opinion and our deeply polarized institutions enact laws without regard for minority viewpoints or without adequately accommodating sincere religious objectors. They feel that the political system is no longer responsive to their viewpoints and that they have to take increasingly drastic measures in order to be heard.

Nevertheless, if Christians are to successfully govern in an increasingly diverse and pluralistic society and actively love neighbors who view the world quite differently, they must learn to live and work within the constraints of our system—not rebel whenever they do not get their way. As noted by [Winston Churchill](#), “[m]any forms of Government have been tried, and will be tried in this world of sin and woe. No one pretends that democracy is perfect or all-wise. Indeed, it has been said that democracy is the worst form of Government except for all those other forms that have been tried from time to time....”

Understanding that conditions would be far worse in a different type of regime, Christians would be wise to do what they can to build up the house of democracy by encouraging collaboration and compromise, strengthening responsiveness to injustices, and securing protections for persons and communities who maintain countercultural convictions, even when they diverge from their own. In doing so, they would be doing their part to establish a more perfect union, thus securing the blessings of liberty for themselves and their posterity.

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