

Oklahoma HUMANITIES

SUMMER 2011

Politics and the Pulpit



SPECIAL FEATURE:
RELIGION & POLITICS
IN AMERICA

WHEN MATH & SCIENCE
RULE THE SCHOOL

SECRETS FOUND IN A
CHOCTAW JOURNAL

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Oklahoma HUMANITIES

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The opinions expressed in *Oklahoma* Humanities are those of the authors. Any views, findings, conclusions, or recommendations expressed in the magazine do not necessarily represent those of the National Endowment for the Humanities, the Oklahoma Humanities Council, its Board of Trustees, staff, or donors.

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ON THE COVER

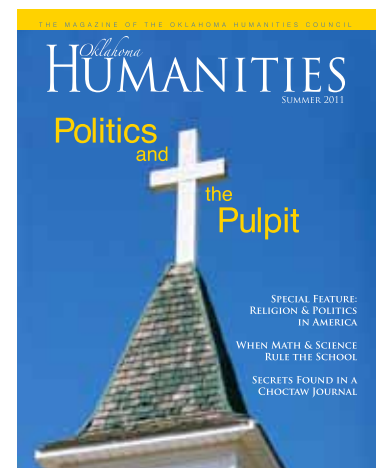
Peace Lutheran Church in Beaver, OK. Internationally renowned photographer Mike Klemme has spent the last 25 years photographing assignments in nearly 50 countries. His latest book is *Celebrating Enid!*, which illustrates the history and promise of a thriving northwest Oklahoma community. [www.mikeklemme.com]

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From the Executive Director
ANN THOMPSON

At press time, the U.S. Congress is debating the federal budget, including funding appropriations for our country's two cultural agencies, the National Endowment for the Arts (NEA) and the National Endowment for the Humanities (NEH). Creation of the NEA and NEH was the culmination of many years of effort. It didn't come easily, but on March 10, 1965, President Johnson asked the 89th Congress to establish the National Foundation on the Arts and Humanities, an act he predicted would give the Members an "honored place" in history.

This Congress will consider many programs which will leave an enduring mark on American life. But it may well be that passage of NEH appropriations, modest as it is, will help secure for this Congress a sure and honored place in the story of the advance of our civilization.

The Federal/State Partnership line item in the NEH budget provides funding to state humanities councils (like ours), which turn those dollars into local programs, in my town and yours. That line item is a vital infusion of dollars—and long term benefits—to Oklahoma communities. In 2010 the Oklahoma Humanities Council granted \$285,700 to local communities who matched those dollars with cash and in-kind donations of \$1.5 million. That is a return on investment of 441%—certainly a sound investment of federal funds.

The investment our federal government makes in the cultural lives of its citizens may be relatively small in dollar amounts (\$167.5 million was appropriated to NEH in FY 2010), but is huge when considering the impact it makes on the quality of lives and communities nationwide. Thousands of communities would suffer if this small but critical piece of federal funding were reduced.

The economic sustainability of a community is directly tied to its cultural life. State humanities councils are expert at providing cultural resources through a time-proven and efficient system that works for our country.

LETTERS

HISTORY AND HEROES

What a great, great article ["A Funny Thing Happened in Line at the Water Fountain," Jay Hannah, Winter 2011]. History and heroes are so important to us—and, wrapped in stories, they both ground us and inspire us.—John deSteiguer, Oklahoma Christian University

TEEN SCENE

I love your magazine. I read it cover to cover as soon as I get it. My 13-year-old daughter, a history buff, read the article "A Funny Thing Happened in Line at the Water Fountain." She loved it so much, she shared it with her friends. How exciting for teenagers to get inspired by history! I was particularly fascinated by Gene Rainbolt's reflections [May 2010] on his trip to India. Great magazine.—Brenda Wheelock, Norman

DOWN MEMORY LANE

Oh, my! The special edition celebrating 40 years of OHC was exceptionally well presented! Jay Hannah's story was a walk back into worse times and better memories. His [photographs] included shadows of many men and women whose guidance and efforts gave us the opportunities we have today. This edition is a keeper.—Donna McSpadden, Chelsea

SCHOOL DAYS

I truly enjoyed Jay Hannah's article on studying history. It lured me in with familiar markers—D'Nealian cursive, Big Chief tablets—then got serious about the practical and philosophical benefits of the study of history, wending with a smile. What an unexpectedly wonderful treat! —Lou Kohlman, Oklahoma City

WADING IN

What a great and eloquent read! Jay Hannah's vivid literary images summoned a flood of my own grade school images, as well as the movie *Dead Poets Society*. I drank deeply every word. —Tom Loy, Chairman & CEO, MetaFund

LITERARY LESSONS

Thank you for Jay Hannah's beautiful article about the value of learning history. It was replete not only with autobiography, artfully turned phrases, and expertly painted verbal portraits but, most importantly, with genuine, take-em-with-me lessons. A treat, indeed. —Adam Cohen, Sr. Vice Pres. & General Counsel, Oklahoma Medical Research Foundation

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Want the latest news on OHC events? Join our e-news mailing list and receive information as it happens. Go to our website, look under "News" on the left side of the home page, and click on "Join Our Mailing List." We appreciate the opportunity to provide you with up-to-the-minute news and event information from the humanities community.

OHC PRIVACY POLICY

Protecting your privacy is extremely important to us. For detailed information on our privacy policy, call us at (405) 235-0280 or go to our website: www.okhumanitiescouncil.org

POETIC JOURNEY

I have just finished reading the article by Jay Hannah—pure poetry. Upon the entrance at one of the doors of the National Archives Building in Washington is inscribed: “The past is prologue.” That seems to be exactly what Hannah is saying. The article carries the reader on a fascinating journey through the past.—Vickie Sheffler, Northeastern State University

TRUE TO TYPE

I just received the winter issue of your magazine—it is so well done. Love the type treatment on the cover.—Susan Grossman, Norman

READING ASSIGNMENT

I just finished reading “Assignment: Define ‘The Humanities’” and wanted you to know how much I enjoyed it! The timeline throughout the 40th anniversary article was great fun.—Stacy O’Daniel, Oklahoma City

The Oklahoma Heritage Association recently honored *Oklahoma* Humanities magazine with the 2011 Oklahoma Heritage Distinguished Editorial Award for Preservation of State and Local History. The Association stated: “*Oklahoma* Humanities magazine helps readers connect with the Oklahoma experience through educational articles, historical images, contemporary art, and images from world-renowned photographers. Still relatively young, the magazine is making its mark by preserving the history of our state through masterful storytelling while exploring human experiences and dialogue.”



OKLAHOMA HERITAGE Association
GAYLORD-PICKENS Museum



Editor Carla Walker [right] accepts the 2011 Oklahoma Heritage Distinguished Editorial Award for Preservation of State and Local History, presented to the Oklahoma Humanities Council for *Oklahoma* Humanities magazine. Shannon L. Rich [left], president, Oklahoma Heritage Association, presented the award.

SEND US YOUR FEEDBACK

Send your letters and opinions to the Editor at:
carla@okhumanitiescouncil.org. Include “Letter to the Editor”
in the subject line of your message. We look forward to hearing from you.



From the OHC Board of Trustees
ANN NEAL, CHAIR

Why should you advocate for funding for the humanities? Attorney and author Jim Noles recently asked a similar question in his article, “What the Heck is a ‘Humanity?’” He notes that the humanities must mean something because there is an entire National Endowment for the Humanities (NEH) set aside to promote public engagement with disciplines like history, literature, jurisprudence, philosophy, and ethics. Noles defines the humanities as “those fields of study that explain and celebrate what it means to be human and, in doing so, enrich and enhance our lives.”

So what? Why do we need to understand what makes us human? Perhaps we should consider the absence of what the humanities offer us: the lessons of history (which help us avoid the mistakes of the past); the wisdom found in the study of law, philosophy, and ethics (which guides our government in decisions that maintain our freedoms); the collective literature and art history of the world (that, perhaps better than any other field of study, helps us understand and participate with cultures other than our own). Where we could find common ground and understanding, we would instead lose connections with others—in our communities, in our state, and in our world.

In practical terms, it comes down to dollars and sense (pun intended). In a democratic society—whose economic success relies on effective interaction with other nations—how can we turn our backs on this segment of knowledge that both maintains American ideals and helps us navigate business and foreign affairs?

Funding for the humanities is a worthy cause. Let your U.S. senators and congressmen know that NEH and the work of the Oklahoma Humanities Council are important to our future. If you don’t, who will?

HONORING EXCELLENCE IN THE HUMANITIES

OHC honored seven awardees at the annual Oklahoma Humanities Awards on February 24th at the Oklahoma History Center in Oklahoma City. Their achievements demonstrate how the humanities expand our worldview and change people's lives every day. *[Photos include Ann Thompson, OHC Executive Director, and Ann Neal, Chair, OHC Board of Trustees.]*



Photos by Steve Stacey

Dr. Peter C. Rollins received OHC's highest honor, the Oklahoma Humanities Award, for his record of teaching, research, and outreach as a scholar in the humanities.



Dr. Sara Jane Richter was honored with the Public Humanities Award for her dedication to providing outstanding public programming across the state, particularly in the Oklahoma Panhandle region.



The Inasmuch Foundation received the Community Support Award for its years of sustained financial support of cultural programming across Oklahoma. Pictured is Inasmuch President and CEO Robert J. Ross.



Newkirk Journey Stories was recognized as Outstanding OHC Project, an award that honors public programming made possible by an OHC program or grant. Pictured are Susan Smith, Caryl Morgan, Karen Dye, and Carol Kaspar.



Laura Raphael and Cindy Hulsey of the Tulsa City-County Library received the Community Leadership Award for "Novel Talk: Smart Conversations for Serious Readers," a program using literature to explore and understand the human condition.



Dr. Anita R. May received the inaugural Trustees Award for thirty years of dedication and service as the former Executive Director of the Oklahoma Humanities Council.



The American Indian Resource Center of the Tulsa City-County Library was honored with the Humanities in Education Award for achievements in language preservation through development of its Native Language Supplemental Packet. Pictured is Coordinator Teresa Runnels.



Call For Nominations

Nomination forms and guidelines for the 2012 Oklahoma Humanities Awards are posted on the OHC website: www.okhumanitiescouncil.org. Deadline for nominations is September 1, 2011.

POETRY OUT LOUD

Renae Perry of Stillwater High School is the 2011 Oklahoma state winner of *Poetry Out Loud* (POL), a national poetry recitation contest sponsored by OHC in partnership with the Oklahoma Arts Council, the National Endowment for the Arts, and the Poetry Foundation.

Renae's teacher, Kim Kane, of Stillwater High School wrote to us about her experience as school coordinator for the *Poetry Out Loud* competition: "When I was asked to be the sponsor of *Poetry Out Loud*, I thought, *How can I turn this down?* As our high school's competition approached, I enjoyed watching each of our poets grow in confidence. I loved seeing them become one with their poems and take their performances very seriously. I told them it does not matter if you win because you already have and you will have this memory forever. The pride each student felt as they stepped backstage after their recitation made it all worth it."

On her experience of competing in *Poetry Out Loud* and what she learned in the process, Renae Perry commented: "I feel like the ultimate goal of reciting is to express the feelings and thoughts of the poet, more than anything, and exhibit meaning that is both pure and multi-layered—sort of like bullet-proof glass. Achieving this goal is a great challenge, because the hardest lesson I have had to learn, and am still learning, is how to make the performance less about myself and what I am doing and more about the poet and their piece of art."

Six regional finalists competed in this year's state finals. Names, schools, and prizes are posted on the OHC website: www.okhumanitiescouncil.org/poetry-out-loud. For information on how your school can participate, contact Manda Overturf: manda@okhumanitiescouncil.org.



Renae Perry [center], state finals winner of the 2011 *Poetry Out Loud* competition, is pictured with judges [left to right] Rilla Askew, author and Artist in Residence, University of Central Oklahoma; Beverly Davis, OHC Board Member; Paulette Black, Program Officer, Kirkpatrick Foundation; and Dr. James Zeigler, Associate Professor of English, University of Oklahoma.



In 1953, when Troy Smith started operating the Top Hat, a small root beer stand in Shawnee, Oklahoma, little did he know that it would go on to become SONIC, America's Drive-In. Always the entrepreneur, Troy worked to expand his business and joined with business partner Charlie Pappé from Woodward, Oklahoma. Together they turned the four Top Hat Drive-Ins into SONICs and formed a system for franchising the chain that now serves millions of people across the United States.

Under the leadership of Cliff Hudson, chairman of the board and chief executive officer, SONIC franchises and operates the largest chain of drive-in restaurants in the country, with more than 3,500 SONIC Drive-Ins from coast to coast. Their drive-in experience, unique menu, and personalized Carhop service position SONIC as one of the highly differentiated concepts in the quick-service restaurant industry. The world headquarters of SONIC are located in lower Bricktown in Oklahoma City.

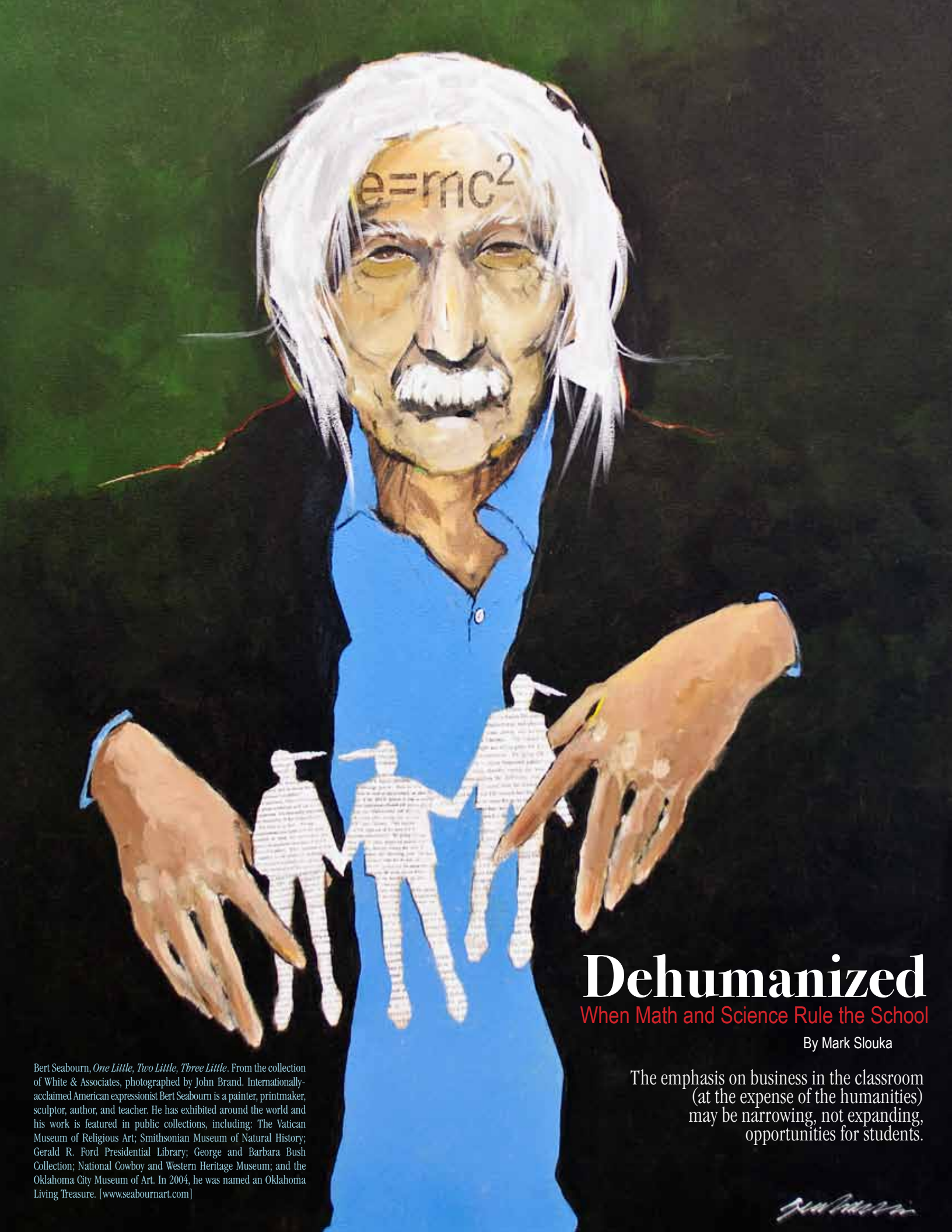
"SONIC has sustained a long relationship with the Oklahoma Humanities Council (OHC)," said Hudson. "We recognize their commitment of connecting people through education and conversation, and the enrichment this brings to the lives of Oklahomans." Most recently, Sonic has been directly involved in OHC's *Lincoln Essay Contest*, which engages students with democratic ideals and one of the most important leaders in American history, Abraham Lincoln.

Just like the 398,929 different drink combinations at SONIC, the Oklahoma Humanities Council offers a multitude of programs to serve the people and youth of Oklahoma. SONIC is delighted to offer support to the Oklahoma Humanities Council.



Cliff Hudson

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$$E=mc^2$$

Dehumanized

When Math and Science Rule the School

By Mark Slouka

The emphasis on business in the classroom (at the expense of the humanities) may be narrowing, not expanding, opportunities for students.

Bert Seabourn, *One Little, Two Little, Three Little*. From the collection of White & Associates, photographed by John Brand. Internationally-acclaimed American expressionist Bert Seabourn is a painter, printmaker, sculptor, author, and teacher. He has exhibited around the world and his work is featured in public collections, including: The Vatican Museum of Religious Art; Smithsonian Museum of Natural History; Gerald R. Ford Presidential Library; George and Barbara Bush Collection; National Cowboy and Western Heritage Museum; and the Oklahoma City Museum of Art. In 2004, he was named an Oklahoma Living Treasure. [www.seabournart.com]

Seabourn

Many years ago, my fiancé attempted to lend me a bit of respectability by introducing me to my would-be mother-in-law as a future Ph.D. in literature. From Columbia, I added, polishing the apple of my prospects. She wasn't buying it. "A doctor of philosophy," she said. "What're you going to do, open a philosophy store?" I ducked into low-grade irony. More like a stand, I said. I was thinking of stocking Kafka quotes for the holidays, lines from Yeats for a buck-fifty.

And that was that. I married the girl anyway. It's only now, recalling our exchange, than I can appreciate the significance—the poetry, really—of our little *pas de deux*. What we unconsciously acted out was the essential drama of American education today.

It's a play I've been following for some time. It's about the increasing dominance—scratch that, the unqualified triumph—of a certain way of reckoning value. It's about the quiet retooling of American education into an adjunct of business. The play's almost over. I don't think it's a comedy.

STATE OF THE UNION

Then there's amortization,

the deadliest of all;

amortization

of the heart and soul.—Vladimir Mayakovsky

Despite the determinisms of the day, this I feel is true: That we are more nurture than nature; that what we are taught, generally speaking, is what we become; that torturers are made slowly, not minted in the womb. As are those who resist them. I believe that what rules us is less the material world of goods and services than the immaterial one of whims, assumptions, delusions, and lies; that only by studying this world can we hope to shape how it shapes us; that only by attempting to understand what used to be called, in a less embarrassed age, "the human condition" can we hope to make our condition more human, not less.

All of which puts me, and those in the humanities generally, at something of a disadvantage these days. In a corporate culture hypnotized by quarterly profit margins, the gradual sifting of political sentiment is of no value; the verticality of wisdom has no place.

In our time, orthodoxy is economic. Popular culture fetishizes it, our entertainments salaam to it (how many millions for sinking that putt, accepting that trade?). Everything submits; everything must, sooner or later, pay fealty to the market. If humanity has suffered under a more impoverishing delusion, I'm not aware of it.

That education policy should reflect the *zeitgeist* shouldn't surprise us. By bringing education to heel, the market is well on the way to controlling the one business that might question its assumptions. The problem, of course, is that by its success we are made vulnerable. By downsizing what is most dangerous (and most essential) about our education, namely the deep civic function of the humanities, we're well on the way to producing a nation of employees, not citizens. Thus is the world made safe for commerce, but not safe.

We're pounding swords into cogs. They work in Pyongyang too.

CAPITAL INVESTMENT

This is exactly what life is about. You get a paycheck every two weeks. We're preparing children for life.—Dist. of Columbia Schools Chancellor Michelle Rhee

What do we teach, and why? One might assume that in an aspiring democracy like ours the answer would be straightforward: We teach whatever contributes to

the development of autonomous human beings; we teach to expand the census of reasoning, independent-minded individuals both sufficiently familiar with the world outside themselves to lend their judgments, compassion, and breadth (and thereby contribute to the political life of the nation), and sufficiently skilled to find productive employment. In that order. It is only secondarily about producing workers.

I'm joking, of course. Education in America today is almost exclusively about the GDP. It's about ensuring that the United States does not fall from its privileged perch in the global economy.

In an article by *New York Times* editorialist Brent Staples, we learn that American education is failing "to produce the fluent writers required by the new economy." The sin of omission here is both telling and representative. Might there be another reason for seeking to develop fluent writers? Could clear writing have some relation to clear thinking, and thereby have some political efficacy?

At times, the failure of intelligent voices like Staples's to see the political forest for the economic trees is breathtaking. In a generally well-intentioned editorial, Staples's colleague at *The Times*, Nicholas Kristof, argues that we can't "address poverty or grow the economy" unless we do something about the failure of our schools. "Where will the workers come from," Kristof worries, "unless students reliably learn science and math?"

And the beat goes on. *Times* editorialist Thomas Friedman begins a piece on the desperate state of American education by quoting Bill Gates. Gates, Friedman informs us, declared that "American high schools are obsolete." It's "not just about current capabilities," Friedman concludes, quoting the authors of *The Only Sustainable Edge*, "it's about the relative pace and trajectories of capability-building."

Sustainable edges. Returns on capital investment. Trajectories of capability-building. When it comes to education in America, this is the conversation and these are its terms. From the local PTA meeting to the latest Presidential Commission on Education, the only real criteria for investment—in short, the alpha and omega of educational policy—is jobs. Cue the curtain.

THE CASE FOR THE HUMANITIES

Only the educated are free.—Epictetus

Rain does not follow the plow. Political freedom, whatever the market evangelists tell us, is not an automatic by-product of a growing economy; democratic institutions do not spring up in the tire tracks of commerce. They require a different kind of tending.

The case for the humanities is not hard to make, though it can be difficult. The humanities, done right, are the crucible in which our evolving notions of what it means to be fully human are put to the test; they teach us not what to do, but how to be. Their method is confrontational, their domain unlimited, their "product" not truth but the reasoned search for truth.

They are thus, inescapably, political. Why? Because they complicate our vision, pull our most cherished notions out by the roots, flay our pieties. Because they grow uncertainty. Because they expand the reach of our understanding (and therefore our compassion), even as they force us to draw and re-draw the borders of tolerance. Because out of this self-building might emerge an individual formed through questioning and therefore unlikely to cede that right; an individual resistant to coercion, to manipulation and demagoguery. The humanities, in short, are a superb delivery mechanism for what we might call democratic values.

This, I submit, is value—and cheap at the price. This is utility of a higher order. Considering where the rising arcs of our ignorance and deference lead, what could represent a better investment?

Like an elephant on a see-saw, the problem today is disequilibrium. Why is every Crisis in American Education cast as an economic threat and never a civic one? Our focus is on economic indicators. There are no corresponding “civic indicators,” no generally agreed-upon warning signs of political vulnerability, even though the inability of more than two thirds of our college graduates to read a text and draw rational inferences could be seen as the political equivalent of runaway inflation or soaring unemployment.

If we lack the awareness to right the imbalance between the vocational and the civic, if education in America—despite the heroic efforts of individual

might wander off to while reading, what unapproved questions might float to the surface. It’s been said before: in the margins of the page, over the course of time, for the simple reason that we shape every book we read and are slightly shaped by it in turn, we become who we are. Which is to say individuals just distinct enough from one another in our orientation toward “the truth” or “the good” to be difficult to control.

This “deep” civic function of the humanities, not easily reducible to the politics of left or right but politically combustible nonetheless, is something understood very well by totalitarian societies, which tend to keep close tabs on them, and to circumscribe them in direct proportion to how stringently the population is controlled. This should neither surprise nor comfort us. Why would a repressive regime support a force superbly designed to resist it? Rein in the humanities effectively enough and you create a space, an opportunity. Dogma adores a vacuum.



teachers—is no longer in the business of producing the kinds of citizens necessary to the survival of a democratic society, it’s in large part because the time-honored civic function of our educational system has been ground up by the ideological mills of both the right and the left into a radioactive paste called values education and declared off-limits. Consider the irony. Worried about indoctrination, we’ve short-circuited argument. Fearful of propaganda, we’ve taken away the only tools that could detect and counter it. “Values” are now the province of the home. And the church.

How does one “do” the humanities value-free? How does one teach history without grappling with what that long parade of genius and folly suggests to us? How does one teach literature other than as an invitation, a challenge, a gauntlet—a force fully capable of altering not only what we believe but how we see? The answer is, of course, that one doesn’t. One teaches some toothless, formalized version of these things, careful not to upset anyone.

Even a desiccated, values-free version of the humanities has the potential to be dangerous, though, because it is impossible to say where the individual mind

MATHANDSCIENCE

Nobody was ever sent to prison for espousing the wrong value for the Hubble constant.—Dennis Overbye

Nothing speaks more clearly to the relentlessly vocational bent in American education than its long-running affair with math and science. Whatever the question, math and science (so often are they spoken of in the same breath, they’ve begun to feel singular) are, or is, the answer: a solid return on capital investment, a proven route to “success.” Everything else can go fish.

I see no contradiction between my respect for science and my discomfort with its ever-greater role in American culture, its ever-burgeoning coffers, its symbiotic relationship with government, with industry, with our increasingly corporate institutions of higher learning. Protected from criticism by the firewall of economic efficacy, and terms like “progress” and “advancement,” the sciences march under the banner of the inherently good. And this troubles me.

It troubles me because there are many things “math and science” do well, and

some they don't. And one of the things they don't do well is democracy. Which hasn't prevented some from arguing precisely the opposite by suggesting that science's spirit of questioning will automatically infect the rest of society.

In fact, it's not so. Science, by and large, keeps to its reservation, which explains why scientists tend to get in trouble only when they step outside the lab. That no one has ever been sent to prison for espousing the wrong value for the Hubble constant is precisely to the point. The work of democracy involves espousing those values that in a less-democratic society *would* get one sent to prison. To maintain its "sustainable edge," a democracy requires its citizens to actually risk something, to test the limits of the acceptable; the "trajectory of capability building" they must devote themselves to is the one that advances the capability for making trouble. If the value you're espousing is one that could never get anyone, anywhere, sent to prison, then strictly democratically speaking, you're useless.

To put it simply, science addresses the outer world; the humanities, the inner one. Science explains how the material world is now for *all* men; the humanities, in their indirect, slippery way, offer the raw materials from which the individual constructs a self—a self *distinct* from others.

One might, then, reasonably expect the two, each invaluable in its own right, to receive equal attention and respect. Not so. In fact, not even close. The call is always for more investment in "math and science." And then a little more. The "American Competitiveness Initiative" calls for doubling federal spending on research grants in the physical sciences over ten years, at a cost of \$50 billion. The federal government is asked to pay the cost of finding 30,000 math and science teachers.

Whether the bias trickles down or percolates up, it's systemic. Classes in history and art and foreign languages are cut back to make room for their more practical, "rigorous" cousins. The Howard Hughes Medical Institute announces its selection of twenty professors who will use their million-dollar grants to develop fresh approaches to teaching science. Nothing remotely comparable exists in the humanities.

Popular culture, meanwhile, plays backup, cementing bias into cliché. Mathandscience becomes the all-purpose shorthand for intelligence; it has that all-American aura of money about it.

STATE OF PLAY

We want our students to take into their interactions with others, into their readings, into their private thoughts, depth of experience and a willingness to be wrong. Only a study of the humanities provides that.—Marcus Eure, English Teacher, Brewster High School

No assessment of the marginalized role of the humanities today is possible without first admitting the complicity of those in the fold. Outmanned, outfunded, perpetually on the defensive, we've adapted by embracing a number of survival strategies, among them camouflage, mimicry and—altogether too believably—playing dead. None of these is a strategy for success.

Happily ignoring that the whole point of reading is to force us into an encounter with the other, high schools and colleges provide students with mirrors of their own experience, lest they be made uncomfortable, effectively undercutting diversity in the name of diversity. The rest bend to the prevailing winds, shaping their curricula to appeal to the greatest number, a strategy suitable to advertising, not teaching.

Thus we encourage anemic discussions about Atticus Finch and racism but race past the bogeyman of miscegenation; thus we debate the legacy of the founders,

but tactfully sidestep their issues with Christianity; thus we teach *Walden*, if we teach it at all, as an ode to Nature and ignore its full-frontal assault on the tenets of capitalism. Thus we tiptoe through the minefield, leaving the mines intact and loaded.

Which makes it all the more impressive that there remain individuals who stubbornly hold the line, who either haven't noticed or don't care what's happened to the humanities in America, who daily fight for relevance, and achieve it. What could be more in the American grain?

Let the few stand for the many. Historian Drew Faust seems determined as president of Harvard to call attention to the distorting force of our vocational obsession. Don Randel, president of the Mellon Foundation, the single largest supporter of the humanities in America, speaks of the humanities' unparalleled ability to force us into "a rigorous cross-examination of our myths about ourselves."

Public high school English teacher Marcus Eure, teaching in the most conservative county in New York State, labors "to dislocate the complacent mind," to teach students to parse not only what they are told but how they are told. His course in rhetoric—enough to give a foolish man hope—nudges students to redefine their notion of "correct" to mean precise, logical, nuanced, and inclusive. His unit on lying asks students to read the "Yes, Virginia, there is a Santa Claus" letter from *The Sun* and Stephanie Ericsson's "The Ways We Lie," then consider how we define lying, whether we condone it under certain circumstances, how we learn to do it. "Having to treat Santa Claus as a systemic lie," Eure notes, "even if we can argue for its necessity, troubles a lot of them."

As does, deliberately, Eure's unit on torture, which uses Michael Levin's "The Case for Torture" to complicate the "us versus them" argument. Inevitably, the question of morality comes up, as does the line between catharsis and desensitization. Eure allows the conversation to complicate, to cut a channel to a video game called *The Sims*, which many students have played and casually killed simulated human beings. The students argue about what it means to live in a society that produces, markets, and supports such products.

Challenged to defend the utility of his classes, Eure asks his questioner to describe an American life in which the skills he is trying to inculcate are unnecessary. Invariably, he says, there is no such life; every aspect of life—every marriage, every job, every parent-teacher meeting—hinges in some way on the ability to understand and empathize with others, to challenge one's beliefs, to strive for reason and clarity.

Muzzle the trumpets, still the drums. The market for reason is slipping fast. The billboards in the Panhandle proclaim GOD, GUNS AND GUTS MADE AMERICA FREE. Today, the Marcus Eures of America resemble nothing so much as an island ecosystem, surrounded by the times. *Like* that ecosystem, they are difficult, unamenable, and necessary, and, also like that ecosystem, their full value may not be fully understood until they've disappeared, forcing us into a bankruptcy none of us wish to contemplate.

Perhaps there's still time to reinstate the qualifier to its glory, to invest our capital in what makes us human. ☛

Copyright © 2009 by *Harper's Magazine*. All rights reserved. Excerpted from the September issue by special permission. Mark Slouka is a novelist, creative writing professor at the University of Chicago, and contributing editor for *Harper's Magazine*. His latest book is *Essays from the Nick of Time: Reflections and Refutations* (Graywolf Press, 2010).

George Catlin, *Hít-íchoo-ític-knee, Strapping Turtle, a Half-breed*, Smithsonian American Art Museum, Gift of Mrs. Joseph Harrison, Jr.



Found in Translation

Revelations from the Peter Pitchlynn Journal

The journal of a Choctaw chief reveals the secrets of tribal law and the legacy of a dying language.

By Marcia Haag, with Henry Willis

In 2006, while researching Choctaw writers of the nineteenth century, Dr. Phillip Carrol Morgan found a small, four-by-seven-inch journal in the archives of the University of Oklahoma Western History Collections. Stitched together with twine, the edges were frayed; the front page, worn and stained, was nearly unreadable. The inventory note read: “Personal journal of Peter P. Pitchlynn, no date.”

Peter Pitchlynn was an early Principal Chief of the Choctaw Nation in Oklahoma. He was also one of the negotiators of the infamous Treaty of Dancing Rabbit Creek, which sealed the fate of the Choctaw people’s removal to Indian Territory in 1830. Pitchlynn was born in Mississippi in 1806 to a white father and Choctaw mother. He attended both the Choctaw Academy in Kentucky and the University of Nashville. His education would prove important: as a Choctaw man with full tribal status through his mother, and a man who fluently spoke and wrote both Choctaw and English, he became an important political leader at an early age. He fiercely opposed the removal of the Choctaws to Indian Territory; but when removal became inevitable, he led a party of his people to southeastern Oklahoma, where he was instrumental in establishing the new Choctaw Nation and a public school system. He was a delegate from the Choctaw Nation to Washington until his death in 1881.

Finding a handwritten document by someone as important as Pitchlynn was exciting indeed. Dr. Morgan secured a copy of the journal and brought it to the two people he believed could translate and make something of it—Henry Willis, a native speaker and member of the Choctaw Nation of Oklahoma, and me, Marcia Haag, Associate Professor of Linguistics at the University of Oklahoma. Henry and I have collaborated for several years on projects to preserve the Choctaw language, including two volumes of Choctaw pedagogical grammars. We agreed with great eagerness to translate the document, completely

cognizant that it would be historically important, no matter what it contained, and that it would be a long slog under the best of conditions.

The journal's 109 unnumbered pages are handwritten in the Choctaw language. When Dr. Morgan brought us the document, he thought it might be inventory records. He was most interested in the appearance of the name *J.L. McDonald*, the Choctaw intellectual who was one of the subjects of his research. Indeed, the journal lists many historically famous names, such as Greenwood Leflore, the last Great Chief of the Choctaws in Mississippi, and Israel Folsom, who became a Presbyterian minister in Oklahoma and helped establish schools for girls. There are also many Choctaw names such as Koi humma (Red Lion), Ofi nowa (Walking Dog), and many *hopaii* or shamans.

The first lines of the journal read: "The elected Assembly met on the fifth day of the year 1826." As we made our way through the document, it became apparent that this was a criminal and civil code, ratified at a series of meetings by a group of authorized delegates. Now—we know that the Choctaws held a large convention of the three Mississippi districts to formulate a kind of constitution that would encode their laws, and that Peter Pitchlynn was the secretary of this convention. Was it possible that these were the proceedings of that convention and not a "personal journal" at all?

Our problem in answering that question is the obscurity of information: the convention is mentioned only in passing in Angie Debo's history of the Choctaws (*The Rise and Fall of the Choctaw Republic*) and in David Baird's biography of Pitchlynn (*Peter Pitchlynn, Chief of the Choctaws*). To our knowledge, no one had ever seen the notes from this convention or discovered who attended. Whatever happened at the convention was immediately swept away by events that took the Choctaws away from their homeland and to Oklahoma. It seemed this piece of Choctaw history had been lost. Henry Willis and I are convinced that these are the lost notes of that forgotten convention.

To grapple with the writing itself, we had to become familiar with Pitchlynn's handwriting and word spellings. In this we were quite lucky. The handwriting is legible and since Pitchlynn had been so well educated, he was literate in both English and Choctaw. He had adopted Cyrus Byington's orthography, the written system of letters and word spellings for the language. Byington was a Presbyterian missionary who came to the Choctaws in 1821, bringing both Christianity and education. He was the first great non-native student and linguist of the Choctaw language. Byington developed an orthography, directed the preparation of the Choctaw dictionary, still the best resource extant, and Choctaw translations of much of the Bible. His is the official orthography of the Choctaw Nation of Oklahoma.

The first order of business was to transcribe the handwriting into an identically organized typed version, warts and all. We resisted the temptation to clean up the manuscript. Because of its historical value, it is important that Pitchlynn's words be faithfully rendered, including his strikeouts, insertions, misspellings, omissions, and margin notes. Instead, we placed footnotes to help readers navigate the Choctaw. We understand that few readers will be able to read Choctaw at this level, but those who can should be helped to apprehend the manuscript as efficiently as possible.

It is impossible to overstate how important the intuitions of the native speaker are. As Henry explains, a word can have so many different nuances: "The construction of the writing is somewhat difficult to follow, because you have to transpose the word order, which is different from the English. If we didn't look at the words right, we could translate it differently than the way it really was." We worked for hours getting the context right so that we could pick just the right English word.

The Choctaw Confederates

By Adam Goodheart

Peter Pitchlynn as Elder Statesman

Doakville, Indian Territory, February 1861—During the first week of February, while gentlemen from across the South convened in Montgomery, Ala., to establish a new nation, a meeting of another, far older nation was happening 500 miles to the west. Instead of taking place under the lofty dome of a neoclassical capitol, this one was held in a simple wooden council house, on the red clay banks of a muddy creek near what is now the Texas-Oklahoma border. Here the tribal leaders of the Choctaw Nation gathered to debate their future.

The Choctaws on the eve of the Civil War were a heterogeneous, sometimes fractious people, poised at an intersection of races and cultures, of new ways and old ones. Now the Choctaws' elected representatives—like the leaders of many other Native tribes across the South—faced a momentous decision: whether to remain loyal to the United States or cast their lot with the new and untested Confederate States of America.

The United States had not always been quite loyal to the Choctaws. In the previous century, the tribe, then living mostly in what is now Alabama and Mississippi, had been one of the first to sign a treaty of friendship with the newly independent American colonies; in the War of 1812, they had fought bravely alongside Gen. Andrew Jackson against the British at New Orleans. In 1831, General Jackson—by then president—had repaid his debt by making the Choctaws the first Indian nation to be forced west along the Trail of Tears. Thousands died on that journey. (*continued on page 29*)

Adam Goodheart is a lead writer for *The New York Times*' Civil War series "Disunion," from which this article is excerpted. His new book, *1861: The Civil War Awakening*, has just been published by Alfred A. Knopf.



PP Pitchlynn, Speaker of the National Council of the Choctaw Nation and Choctaw delegate to the government of the United States. Library of Congress, LC-USZ62-58502.



Peter Pitchlynn Collection,
Box 6, Folder 4, Western History Collections,
University of Oklahoma Libraries, Norman, OK

The journal is composed of 23 entries, beginning with a meeting in January 1826 and concluding with a four-day meeting in August 1828. Beginning with the third meeting, Pitchlynn opens each entry with *Chabta Yakni Ahepvtukla* (“Choctaw Land of the Potato Eater People”), the northeast district also known as *Okla Tvmvup*, one of the three Choctaw districts in Mississippi. Each entry is followed by a list of the persons present who agreed to the proceedings. Pitchlynn writes the name of each (there is no other sample of handwriting, so we know the participants did not sign for themselves) and the name is followed by an X as the participant’s mark.

The first several pages of the journal describe the convention’s organization, rules for membership, and rules for voting on what are called “laws” or “amendments.” As the sessions unfold, Choctaw representatives take up matters of appropriations, relations with the U.S. government, and inheritance laws. There are practical laws dealing with animal ownership, proper kinds of fences, appropriations for the education of young people as metalsmiths and manufacturers of cotton products, and the disbursement of funds.

They then move to the criminal code, which covers animal theft, murder, bodily harm, rape, and infanticide. The details of the crimes against people and property can be very specific, as in this example from the August 27, 1828 session: “Any individual who deliberately scratches out the eye of another, harming him, and it was premeditated, he shall be fined the appropriate amount of thirty-five dollars. Or, if not, he shall receive thirty-five lashes until the victim has been appeased.”

One theme that occurs repeatedly through the journal is the authority of the Choctaw Lighthorsemen (*tvsbka isuba ominili*). According to Angie Debo’s history, this arm of law enforcement was established in Mississippi in the early 1820’s under the influence of Chief Greenwood Leflore. Interestingly, Pitchlynn himself was made its head in 1824. The Lighthorsemen were granted a high degree of autonomy. In particular, the captain could evaluate a situation and, on his own authority, arrest or even kill a wrongdoer when justified. This can be inferred from a passage in the June 1827 entry: “If an authorized lawman is present while some man in a drunk condition is carrying a sharpened weapon, a gun, all axes and knives, all potential weapons; if he was standing there, definitely with one of these, breaking the law when he does so, the lawman may kill him, and if he does, he is covered in his action.” Law enforcement and judicial systems were most often one and the same. In Henry’s estimation, this document is important in that it establishes the authority of the Lighthorsemen while the Choctaws were in Mississippi.

In light of historical developments, the document’s mention of marriage between white men and Choctaw women is revealing. Pitchlynn himself had a white father, as did many of the influential men at that time. The journal states that a white man may marry a Choctaw woman and be counted with the Choctaws, but he may not inherit property or take it out of the tribe. The journal is silent about the reverse, Choctaw men who had liaisons with white women.

Another set of laws concerns slavery. Choctaws owned slaves; those slaves accompanied them to Oklahoma and were counted in the tribe after emancipation. When they wrote this slavery law in 1828, conventioners were adamant that no person living among them—Choctaw or white, man or woman—have relations with a black slave. Punishment was a severe whipping. The law provided money for informants who caught an interracial couple; the \$50 fine, a lot of money at that time, was levied against the slave owner, presumably for not being properly vigilant.

The Choctaws’ attitude toward relations with slaves was different from that of their white counterparts, who notoriously fathered legions of mixed children who were counted as slaves and presumably met with indifference by their natural fathers. Choctaws, we surmise, were appalled at the idea that their children and grandchildren might be slaves. Hence, they were caught between a desire for economic gain from slave labor and the knowledge that allowing slaves to live among them would result in mixed-race births. They sought to prevent such births through strong laws prohibiting relations. Oral histories relate that women of related tribes and their half-black infants were killed rather than permitted to create a class of slaves.

For Henry, it was particularly interesting to contemplate how Choctaws interpreted law at that time—for instance, how one crime of larceny was different from another. “Most of the laws seem to be good at explaining *why* they were *what* they were,” he says. “There were different levels of punishment for murder and other crimes. For crimes such as petty larceny, the judge had discretion to use his own judgment.”

There is so little real documentation of what Choctaw people thought during this time period, let alone in their own words and writing. Scholars have depended on reports written by whites, inferences from other documents, and their own speculation. Here, in Peter Pitchlynn’s small journal, is a chance to find out not what we *imagine* the Choctaws thought and said, but what they *did* think and say. This historically significant record gives us a rare glimpse of Choctaw culture, language, and laws.

We hope that this work will be of interest to Indian law scholars, American historians, linguists, and, most importantly, to the Choctaw people, who now have a direct connection to the last days of their tribal life in Mississippi—before everything changed forever. 🐾

Haag and Willis’s translation is under review for publication. Images of the original manuscript can be viewed on the Western History Collections website: <http://digital.libraries.ou.edu/whc/nam/manuscript.asp?mID=2194&sID=3>.

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On June 27, 2009, the Smithsonian Institution traveling exhibit *Journey Stories* made its Oklahoma debut at the Creek Council House Museum in Okmulgee. From there, the exhibit traveled to five other rural Oklahoma communities: Newkirk, Sand Springs, Miami, Durant, and Chandler. By the end of the exhibit's Oklahoma tour in April 2010, almost 12,000 visitors—from our state and across the country—had learned how immigration and transportation shaped American history and culture.

The Oklahoma Humanities Council (OHC) is the only organization in the state to which this exciting and educational partnership with the Smithsonian is available. Through the Museum on Main Street (MoMS) program, OHC brings the prestige of Smithsonian exhibitions to small towns, providing critical funding and capacity-building workshops that help rural institutions make lasting improvements to their organizations. Communities benefit from hosting a Smithsonian exhibit in numerous ways: citizens and local groups work together, visitors learn new perspectives, and community pride soars!

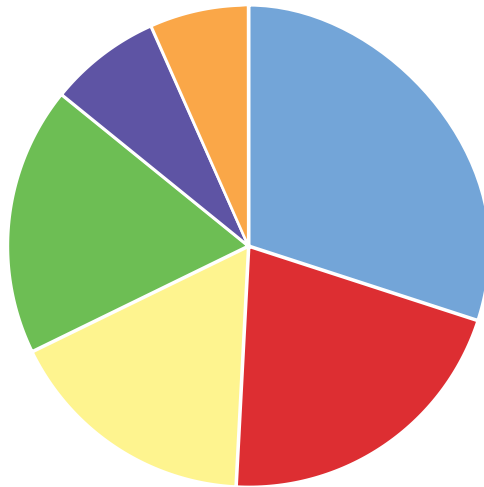
OHC is proud of its Museum on Main Street program and appreciates the dedication and hard work of each host community in making the *Journey Stories* tour a success. Plans are well underway for the next traveling exhibit, *Key Ingredients: America by Food*. Watch for it this fall—it may be coming to a town near you!



SUMMARY OF ACTIVITIES FOR THE YEAR ENDING OCTOBER 31, 2010

Expenses

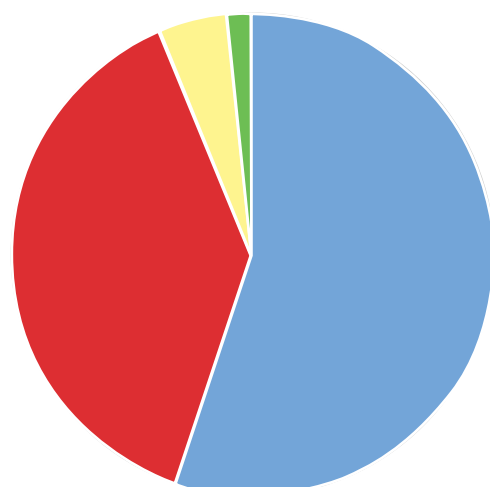
- Total Expenses \$1,047,298
- Program Services \$313,707
- Council-run Programs \$217,990
- Management \$178,394
- Regrants \$187,663
- Partnerships/Program Contracts \$80,000
- Fund Development \$69,544



Revenue

Total Revenue \$1,450,676

- National Endowment for the Humanities \$797,106
- *Gifts \$573,992
- Interest and Other \$61,030
- State of Oklahoma \$18,547



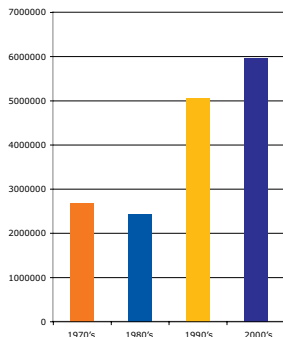
Note: These figures are from the audited financial statements for the time period of November 1, 2009 through October 31, 2010. For a complete listing of grants awarded, visit: www.okhumanitiescouncil.org/grants. *Includes one-time gift from Humanities in Oklahoma, Inc.

CELEBRATING 40 YEARS OF SERVICE TO OKLAHOMA

In celebration of our 40th anniversary, we reflect on our past four decades of service to the state of Oklahoma. From these charts, one can see how far we have progressed and our potential for the future. *Audience figures include nationally syndicated programs funded by OHC grants.

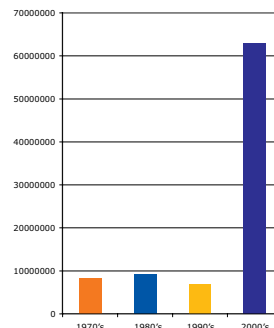
NEH Grant Funding

- 1970s - \$2,677,893
- 1980s - \$2,432,240
- 1990s - \$5,068,183
- 2000s - \$5,974,816



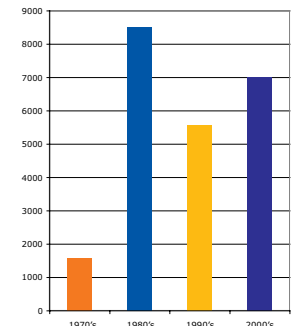
Audience Served

- 1970s - 8,207,781
- 1980s - 9,280,071
- 1990s - 6,977,975
- 2000s - 62,926,393



Programs

- 1970s - 1,564
- 1980s - 8,501
- 1990s - 5,582
- 2000s - 7,018



WHY I GIVE TO OHC

While serving on the executive committee of the Northwestern OSU Foundation Board of Directors, I traveled to meetings in Alva from my home in Enid once per month—for eleven years. To avoid the monotony and boredom of the drive, I began to scout all the different routes for the trip. I drove through every small town in Northwest Oklahoma.

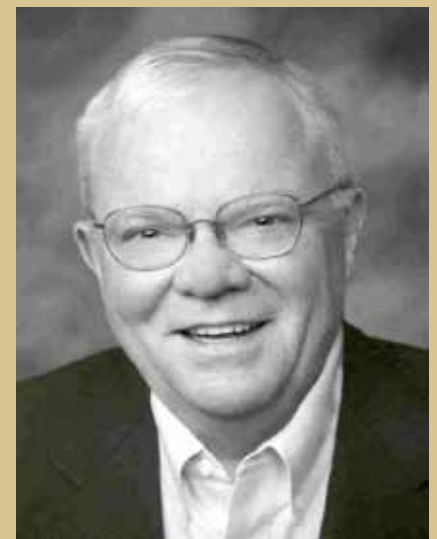
After I was appointed to the Board of the Oklahoma Humanities Council (OHC) by Governor Henry, I learned that some of these small towns were benefitting from grants and humanities programs sponsored by OHC. I knew these programs were a boon to rural communities, so in my travels I began to stop at schools and libraries to drop off brochures on the educational opportunities that OHC could help underwrite.

I was surprised that many of these organizations had not really heard about OHC and the good works we

make happen every day. Pretty soon, applications from schools, libraries, museums, and community festivals started to pour into our office and we were pleased to help fund most of them. Next came the wonderful thank-you notes from grateful librarians, teachers, and community leaders.

It still amazes me that small grants from OHC can make such a big difference in small-town Oklahoma. A little seed money from the Council encourages funding from local donors and businesses and, together, we make a big impact on the cultural life of individuals and communities. That is one of the many reasons I give to OHC and I would encourage all of you to consider OHC in your gifting plans.

To make a secured gift, contact the Council at
(405) 235-0280 or visit:
www.okhumanitiescouncil.org/donate



John K. Martin, Treasurer, OHC Board of Trustees
Giving back to his community and our great state

POLITICS AND THE PULPIT ★★★★★★★★★★

AN INTRODUCTION BY EDITOR CARLA D. WALKER

"If the man doesn't believe as we do, we say he is a crank, and that settles it." —MARK TWAIN, *Following the Equator* (1897)

Religion and politics. Inject either of these subjects into idle conversation and it quickly turns to contentious debate. In America, religion and politics are almost inseparable. Contrary to our idealized assumptions, the "wall of separation" has cracks.

Religion is meddling in politics! Politicians are legislating religion!

We're never far from the breaking news of "politics and the pulpit." Party platforms and the rhetoric of election campaigns are not "just politics." From immigration to welfare, issues are often rooted in religious and moral convictions. Conversely, what we now assume as fundamental civil rights, our political due, were once the spiritual causes of The Church.

Why, then, would the Oklahoma Humanities Council wade into such controversy? If not us, who? What better framework than the humanities (the context of history and literature, the insight of ethics and jurisprudence) to inform an intelligent, considered conversation? But how can we effectively address the broad topic of "politics and the pulpit" in light of the exploding religious diversity of our country—and taking into account that there is a significant segment of equally thoughtful people who have doubts or deny the existence of a Higher Power?

Perhaps we begin by revisiting a few related facts of our history. Freedom of religion factored prominently in the founding of America, stemming from a strong Judeo-Christian tradition. As noted by authors Martin H. Belsky and Joseph Bessler-Northcutt, "In Western culture, the all-embracing character of the divine-human relationship has been cast primarily in the terms of Jewish and Christian traditions. These traditions have been the most influential voices in shaping American cultural discourse" (*Law and Theology*, 2005). That fact neither discounts the pre-existence of Native American religions when the *Mayflower* Pilgrims landed nor the growing presence of Hinduism, Buddhism, Islam, and other world religions in the U.S. today.

But for the sake of this discussion, we acknowledge what scholar Robert Bellah calls the "American Civil religion" ("Civil Religion in America," *Daedalus*, 1967). Although we value personal privacy when it comes to religious beliefs, Bellah notes that there are common attitudes among a majority of Americans that factored significantly in the development of our civic institutions and give religious dimension to all of American life, including politics. Though not strictly Christian, these commonly-held attitudes include an ultimate sovereignty of God and an obligation to "carry out God's will on earth." This, says Bellah, is the motivation behind the national motto, "In God We Trust," as well as the phrase "under God" in the Pledge of Allegiance.

Further evidence of this religious legacy in national rituals includes: the oath of office, which is administered to U.S. presidents with their hands on the Bible and ends with the words "so help me God"; federally-funded chaplains for both Houses of Congress; opening legislative sessions with prayer; and national observance of religious holidays. It is no wonder, then, that politicians frequently invoke an imperative of civil religious morality to galvanize the country and gain support for their agendas.

Though freedom of religion was a driving force in establishing American identity, the Founding Fathers saw an equal need for freedom *from* religion on the part of government. The idea of "separation of church and state" is rooted, some suggest, in the two religion clauses of the First Amendment, which legal scholars refer to as the Establishment Clause and the Free Exercise Clause. It states: "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof. . ."

U.S. Supreme Court decisions have reflected a delicate balance between "neutrality" (to show no government partiality toward differing religions or non-religion) and "accommodation" (allowing for free expression of religious practices). Chief Justice Warren Burger recognized this difficult challenge in the 1984 *Lynch v. Donnelly* decision: "In every Establishment Clause case, we must reconcile the inescapable tension between the objective of preventing unnecessary intrusion of either the church or the state upon the other, and the reality that, as the Court has so often noted, total separation of the two is not possible."

As Allen Hertzke notes in the first of three essays that follows this introduction, "separation of church and state" is generally assumed but highly contested. Over decades, the U.S. Supreme Court has amended and revised its view of First Amendment religious freedoms, as well as the political rights of individuals, churches, and states to advocate, protest, practice, and regulate those freedoms. Justices have come and gone, and their views have fluctuated along the continuum of "neutrality" and "accommodation." The fact that there continues to be case after case where the rights of The State grate against the religious rights of The People is evidence that the discussion on politics and the pulpit is far from over.

In the following three articles we see a mix of religious views and scholarly opinion. The authors offer historical context for our review and thoughts on the current interaction of politics and religion in America. Though it is our most extensive coverage of a particular subject in the three-year history of this publication, at best it is a limited sampling and we acknowledge that. We fully expect—and welcome—your letters and emails, and have reserved extra space to print them in our next issue.

The page corners of this section are marked "Perspectives/Forum." As the Oklahoma Humanities Council, we're providing a "forum" for conversation based on the "perspectives" of scholars whose opinions are informed by a lifetime of humanities education and inquiry. The authors' assignment was brief and near impossible: write an essay on the topic of "politics and the pulpit," and keep the length to around 2000 words. What follows are their distinguished efforts.

If you have not yet read Mark Slouka's essay on the value of the humanities [*pages 8-11*], we suggest you begin there, for he offers timeless truths that are worth remembering when entering any contentious discussion. He reminds us that "[the humanities'] method is confrontational . . . their 'product' not truth but the reasoned search for truth."

Any reasoned search for truth will provoke us—and it will not be decided by reading only three authors. Slouka proclaims that the humanities are "a superb delivery mechanism for what we might call democratic values." We agree. One of those democratic values is civil discourse, which calls for calm, considerate dialogue and an open mind. Let the conversation begin . . . 🐣

RELIGIOUS LIBERTY AND THE CONFUSION OVER “SEPARATION”

BY ALLEN D. HERTZKE

The separation of church and state is an evolving American ideal.

Religious liberty is rightly viewed as the “first freedom” in the American experience, both for its pivotal role in the nation’s history and its place in the Constitution itself. The first sixteen words of the American Bill of Rights embody this exceptional stature: “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof.” The adoption of the First Amendment represented a true innovation in the history of the West, a break from a millennia-old pattern of established state churches, state-enforced religious doctrine, and various persecutions of minorities or dissenters.

But did this constitutional language require or result in the “separation of church and state”? If so, what does that mean in practical terms? Historical context provides a clearer understanding of the idea of separation of church and state and how its meaning has evolved—and been used or misused—by various thinkers and actors.

We can trace the origins of the image of a “wall” separating church and state, which Thomas Jefferson famously invoked, much earlier to Roger Williams, the great religious champion of “freedom of conscience.” Because Williams believed that “soul liberty” was a gift from God, any attempt by the state to coerce belief was a violation of divine purpose. Such radical views got Williams convicted of sedition and heresy by the Massachusetts General Court in 1635. Banished from that colony, he went on to found Providence (Rhode Island) as a haven for religious dissenters. In 1644 he wrote vivid denunciations of the “bloody” persecution that flowed from state religious establishments, conjuring the colorful metaphor of a “hedge or wall of separation between the *garden of the church and the wilderness of the world*” (emphasis added).

In other words, to Williams there must be a barrier protecting the church from intrusions by the state. John Locke buttressed this argument in his influential 1689 “Letter Concerning Toleration,” which made the case that political authorities both corrupt the church and undermine civil government when they dictate affairs of faith. This helps us understand why established churches in the colonies fiercely opposed Baptists, dissenters, and other religious minorities. When these dissenters spoke of separating church and state, they meant the prevention of a “state church” and the consequent corruptions and persecution that such establishments inevitably produced.

The Establishment Clause of the First Amendment, consequently, was meant to be *in service* of the Free Exercise Clause. We see evidence for this in congressional debates over James Madison’s proposed constitutional language that spotlighted religious liberty as the aim of *both* constitutional provisions. Actions of the early government indicate that people at that time did not see the prohibition of a state church as curbing the activities of religious institutions or preventing generalized government support for, or recognition of, religion. The same year Congress passed the First Amendment (1789), it adopted the following provision in the Northwest Ordinance governing new territories: “Religion, morality, and knowledge, being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged.”

Madison originally tried to include states under the ambit of the constitutional prohibition against religious establishments, but that was a bridge too far, as some states still recognized official churches, though in milder forms than before. Struggles over these lingering establishments erupted into national politics in 1800 as Baptists and other religious minorities flocked to the presidential campaign of Thomas Jefferson, a long-

Allen Hertzke is Presidential Professor of Political Science at the University of Oklahoma and an internationally recognized expert on religion and politics. His most recent book is *Freeing God’s Children: The Unlikely Alliance for Global Human Rights*. Hertzke is a frequent news commentator for media outlets such as *The New York Times*, *Time Magazine*, BBC World Service, PBS, and National Public Radio.

“Difference of religion breeds more quarrels than difference of politics.”—WENDELL PHILLIPS, Speech (1860)

time advocate for church-state separation, against the perceived defender of the established order, incumbent John Adams.

In response to a post-election letter of congratulations from a group of Baptists in Danbury, Connecticut, in 1802, Jefferson penned his famous interpretation—or, to some, misinterpretation—of the Constitution’s religion provisions:

I contemplate with sovereign reverence that act of the whole American people which declared that their legislature should “make no law respecting an establishment of religion, or prohibiting the free exercise thereof,” *thus building a wall of separation between Church & State* (emphasis added).

Though Jefferson was in France when the First Amendment was adopted, his “wall of separation” phrase has come to be seen by many as definitively capturing the meaning of the Constitution. Moreover, courts and public authorities today often invoke the metaphor to prevent public recognition of faiths or even to restrict the freedom of religious persons and the autonomy of their institutions. Yet during his presidency, Jefferson attended worship services held in the House chambers and other federal buildings, indicating that even he did not interpret the separation as strictly as his heirs do today.

To understand the influence of Jefferson’s dictum, it is useful to highlight the evolution and uses of the term “separation of church and state.” In his magisterial book by the same title, Columbia Law scholar Philip Hamburger documents how, from the mid-nineteenth century onward, the “wall of separation” increasingly became a tool, a bludgeon, deployed by majority Protestants against Catholics and their perceived institutional power. Donald Drakeman similarly traces how the Supreme Court first cited Jefferson’s “wall” in cases against Mormons in the nineteenth century, then applied it more broadly from the 1940s onward. More recently, Stanford law professor Michael McConnell has documented the multitude of ways that religious rights are undermined by intrusive authorities intoning separation.

Whether church-state separation really captures the essence of the First Amendment remains highly contested. A generation ago a distinguished lineage of scholars made the case that the Establishment Clause did embody certain separationist principles. Some, like Leonard Levy and Leo Pfeffer, reflected liberal Jewish conceptions of how a strictly secular state best protected non-Christians; others, like J.M. Dawson, represented traditional Baptist fears of the state’s suffocating embrace.

Even if we accept that some kind of separation of church and state is inherent in



“Too often politics and spirituality have been separated, polarized, and even put into competition with one another. We have been buffeted by private spiritualities that have no connection to public life and a secular politics showing disdain for religion or even spiritual concerns. That leaves spirituality without social consequences and a politics with no soul.”

—JIM WALLIS, *God's Politics: Why the Right Gets It Wrong and the Left Doesn't Get It* (2005)

our constitutional order, that doesn't automatically tell us what that means in concrete cases, such as whether preachers can promote political causes from the pulpit (they can), whether religious clubs in public schools are constitutional (they are), or whether educational vouchers for religious schools violate the Establishment Clause (they don't). As we see with Hamburger, Drakeman, and McConnell, a growing scholarship contends that the doctrine of separation of church and state has warped our First Amendment jurisprudence by pitting the two religion clauses against each other.

People today often pronounce the separation of church and state as if that automatically ends the debate, decides the issue, or prevents things they don't like. But a metaphor cannot be expected to clearly guide constitutional practice.

Indeed, the one thing that legal advocates across the spectrum agree on is that establishment case law is a mess. It is a mess, I would submit, because Jefferson's wall metaphor, which the Court momentarily cited in 1947 when it began applying the Establishment Clause against state and local laws, has not proven a clear and fruitful guide to deciding actual cases. Indeed, as American University Law professor Daniel Dreisbach notes, what was originally meant as a restriction on *the state* has often become a means of restricting the activities of religious people, communities, and institutions. Further, we increasingly see public officials, not just courts, misapplying separation of church and state to deny voluntary religious practices.

If we understand the Establishment Clause as *servicing* expansive free exercise, misunderstanding and misuses melt away. Nothing in the constitution says that ministers or churches cannot speak to public policy issues. Rather, it is the IRS code that enacts restrictions on the extent of political activity by non-profit religious organizations. Those IRS restrictions might make sense or, as Tocqueville suggested, ministers might be wise to avoid partisan politics, but those are different issues from the constitutional ones.

We fight like cats and dogs in the U.S. over church-state relations, but we actually have large areas of agreement when seen in the context of massive global persecution and inter-religious violence. By keeping in mind the mutually supportive purposes of the Constitution's religion clauses, we can avoid unnecessary controversies and maintain those areas of broad agreement.

Unfortunately, there is a huge degree of misunderstanding and outright ignorance about the origins and meaning of the First Amendment. That's why we see so many cases in which public officials, acting on what they think is enforcing the separation of church and state, trample on the free exercise of religious persons and communities. Consider these cases from Professor Dreisbach's files: Staff at a senior citizen center near Savannah, Georgia, instructed residents that praying aloud before meals was a violation of church-state separation because such meals were federally subsidized. A FEMA videographer documenting tornado rescue efforts in Mississippi demanded that church volunteers remove their Salvation Army t-shirts to avoid anything faith-based in the video. Idaho authorities cited the U.S. Constitution to strike down a charter school curriculum that used primary sources (the Bible, the Koran, and the Book of Mormon) to teach about the role of religion in history, literature, and the arts—even though the Supreme Court explicitly decreed that teaching *about* religion is constitutional, even laudable.

These cases flout the origins and inspiration of the First Amendment and make no sense from the standpoint of contemporary constitutional jurisprudence. Because many public decisions never reach the courts, those in authority—from the local teacher to the zoning official to state parks director—need to realize that they are crucial interpreters of the Constitution. Better education on our constitutional heritage will help such authorities operate with a deeper, richer, more expansive understanding of religious freedom. This awareness, in turn, will enable them to avoid needless mistakes that result in disputes, inter-religious tensions, and lawsuits.

But let us conclude by considering an uplifting, and characteristically American, story of the First Amendment heritage rightly upheld. Sikhs, who trace their faith to the fifteenth-century Punjab region of India, wear distinctive turbans that signify fidelity to God. Drawing upon our nation's rich heritage of struggles for liberty of conscience, American Sikhs spearheaded last year a remarkably broad faith-based alliance—Protestants and Catholics, Jews and Muslims—that overturned a 1923 Oregon law preventing public school teachers from wearing religious garb (which of course prevented Sikhs, Orthodox Jews, and Muslim women of cover from teaching in Oregon). This law was the legacy of an anti-Catholic campaign by the Ku Klux Klan, which misused the “separation of church and state” as a slogan to justify its bigoted aims. As one Sikh leader told me, fighting the Oregon law was important because it was a blot on an otherwise admirable American tradition that at least tries to avoid forcing people to choose between sacred duties and citizenship benefits. In France, he said, he couldn't get a driver's license or teach in public schools without removing his turban and thus violating his faith. Here, he said, *you can be who you are*, and we have to keep it that way.

Signifying the common ground of the campaign, a *Seventh Day Adventist* organization subsequently gave its annual religious freedom award to the *Baptist* state senator who sponsored the law sought by *Sikhs*. At the awards ceremony the senator remarked that, when the legislative votes were tabulated, the Sikh representative exclaimed, “Wouldn't Roger Williams be proud!” Indeed. This story teaches us how a proper understanding of the spirit of our First Amendment heritage enables us to overcome differences and realize common aspirations. In other words, *E Pluribus Unum*—Out of Many, One. ☺



Twenty-five years ago I arrived in Oklahoma with one very simple but improbable mission—to build a liberal Protestant congregation in America’s most conservative state. I had no idea how difficult or how satisfying that would turn out to be. I ran into resistance right off the bat—first, for simply uttering the “L” word. Even though I was born in Oklahoma City and grew up next door in Kansas, I was unaware that in Oklahoma the word *liberal* is often used as an epithet. So like a fool, I used it repeatedly in my interview with the search committee at Mayflower Congregational Church. It’s a wonder they hired me!

One elderly woman approached me after the interview, gravely concerned about what my plans were for her beloved church.

“I wish you wouldn’t use that word,” she said with a pained expression.

“What word do you mean?” I responded.

“You know—*that* word.”

Still clueless, I said, “No, I’m afraid I don’t know what word you mean.”

“Liberal,” she said as if uttering an obscenity.

“Oh, I see. But you may not understand what I mean when I use it to describe a church.”

“I don’t care,” she responded, “I’d rather you not use it at all.”

“Well, okay, then what word would you prefer that I use?”

“Conservative,” she said without hesitation and walked away.

I went home that night and told my wife that this was going to be harder than we thought.

There is a great deal of misunderstanding about what it means to call a church “liberal.” Characteristics of a liberal church include a greater freedom to interpret the Bible in a non-literal or metaphorical way, an emphasis on faith as a way of life, not as a set of creeds and doctrines demanding total agreement, and a more expansive definition of the old religious word “sin” to include, not just the consequences of individual moral choices, but the injustices of society itself. Often this means questioning the decisions we make collectively about our reasons to go to war, the educational failures that perpetuate poverty, the ever-expanding gap between rich and poor, and the absence of basic human rights around the world. In other words, liberal churches cannot avoid mixing politics and religion.

On reflection, I realize how confused most Christians are about politics, how ill-equipped we are to distinguish partisan politics from what I call the *politics of the gospel*. When I spoke out in opposition to U.S. plans to go to war with Iraq, as I did in both the first Gulf War and our current war in Afghanistan, some of our more conservative members thought that I was acting as an apologist for the Democratic Party. When I explained that my position on this, as well as a host of other social issues, comes from my primary allegiance to the Gospel, they didn’t buy it.

I noticed a strange dichotomy. My congregation almost never gets upset when I am theologically “liberal” (for example, using historical context to interpret creeds and doctrines, rather than traditional orthodoxy). Even if they disagree, they seem patient and even admire my courage. But if I comment on political policies that I believe will increase poverty, encourage violence, and shortchange the children we claim to love above all things, they become furious. “Please Reverend,” they say as they file past to shake my hand after church, “no politics from the pulpit.”



Please Reverend, No Politics from the Pulpit

BY ROBIN MEYERS

With the Bible in one hand and a newspaper in the other, this minister preaches the *politics of the gospel*.

Rev. Dr. Robin R. Meyers is senior minister at Mayflower Congregational UCC Church, Oklahoma City, and professor of rhetoric in the philosophy department at Oklahoma City University. He is the author of five books, including his latest, *Saving Jesus from the Church: How to Stop Worshiping Christ and Start Following Jesus* (HarperCollins, 2009).

“What is morality in any given time or place? It is what the majority then and there happen to like, and immorality is what they dislike.”—ALFRED NORTH WHITEHEAD, *Dialogues of Alfred North Whitehead* (1953)

When a minister hears this, he or she knows what it really means: “No politics that I *disagree* with from the pulpit.” In a state as conservative as Oklahoma, the conservative Republican position is the normative one; therefore, the distribution of voter guides in churches or the endorsement of “God’s candidates” from the pulpit (which occurs regularly around election time in Oklahoma) is not thought to be a violation of the separation of church and state. But if a preacher speaks highly of a Democratic candidate or a policy favored by the Democratic Party, the response is often swift and urgent: *No politics from the pulpit!*

It’s true that the IRS prohibits churches from endorsing candidates, but those policies are not always uniformly enforced. An Episcopal church in California was recently investigated to determine if its tax-exempt status should be revoked because the preacher opposed the invasion of Iraq from his pulpit. Yet countless preachers *supported* the same war from their pulpits and no investigations were launched—nor should they be, since the *individual* opinions of preachers are protected by the First Amendment.

In all fairness, church members have the right to be concerned about politics from the pulpit, whether from the Left or Right. As a great believer in the separation of church and state, I have helped enforce strict policies at Mayflower to avoid crossing that line. I never endorse a candidate from the pulpit. I never indicate that I have divine knowledge of God’s preferences when it comes to candidates or issues. No one can bring campaign literature to church, hold a fundraiser, or otherwise use our member mailing lists or facilities to solicit votes. We are so strict about this, in fact, that other churches consult us when making decisions about activities that might threaten their tax-exempt status. In this way, we are very “conservative.”

None of this, however, should compromise a minister’s First Amendment right to free speech. As the senior minister at Mayflower, I never speak for anyone else in my congregation, and certainly not for all Christians. I speak as a free man in a free pulpit. In my opinion, Christianity in our time is more threatened by irrelevancy than by activism. The silence of Christians in the run-up to our disastrous war with Iraq, for example, astonished me. The largest anti-war demonstrations in the history of the planet took place around the world, but most American Christians were either silent or openly supportive of the war. It was almost impossible to express dissent without being called unpatriotic, even unchristian.

We read the prophets’ words about “beating swords into plowshares” or listen to sermons on how the Prince of Peace renounced violence in the Sermon on the Mount—and yet Christians are among the most pro-war segment of the American population. The late Jerry Falwell even went so far as to say that “God is pro-war.” That must come as quite a shock to the other religious traditions of the world!

Indeed, Christians would be shocked if they knew more about their own religious tradition. Most people don’t know that for the first 200 years of the established church no follower of Jesus was allowed to put on the uniform of an army. The poor were taken care of through the redistribution of wealth (Acts 4) and women were given prominent leadership roles. This alternative existence, this Great Reversal,

was a direct challenge to the patriarchal and hierarchical brutality of the Roman Empire, the *Pax Romana* or “peace of Rome” that came through military might.

The first followers of The Way (they did not call themselves Christians) met “underground,” scratching the sign of the fish on doorposts to mark the location of their secret meetings. They were subversive in the best sense of the word, celebrating what they believed that God had done to establish a new era, a kingdom of justice and mercy. They had to move around to avoid persecution, arrest, and even execution. In other words, the early church was a dangerous challenge to the status quo. Today, the majority of Christians defend the status quo, often labeling as “un-American,” “unpatriotic,” or “socialist” all those who dare to deviate from the conventional wisdom of the “majority” empire, the *Pax Americana*.

At the heart of this malaise, and painfully evident in our arguments over “politics from the pulpit,” is our limited understanding of the biblical notion of *covenant*, our responsibility to be in relationship with and responsible for one another. Religion in America mirrors the hyper-individualism of the age and a time of hyper-polemical hysteria. Since it is now possible to tune into 24-hour cable news programs that are driven by ideology, rather than by responsible journalism, Americans can watch only the programs that confirm what they already believe. FOX will keep conservatives fired up, and MSNBC will keep liberals fired up about FOX.

It isn’t much different on Sunday morning. Whether you are a “progressive Christian” or a “born-again evangelical,” you attend the church whose approach will confirm your pre-existing opinions and beliefs. Obviously, not much spiritual growth takes place when people just circle the wagons and lob sound bites at one another. “I’m right because you are wrong” is a logical fallacy, not to mention mean-spirited. Equally dangerous is our current political strategy: *Vote for me—or, at the very least, be very afraid to vote for the other guy.*

Perhaps the time has come to move to the next level of both political and spiritual maturity. Christians are charged with teaching a gospel so radical that it was once called *The Great Offense*. Instead of thinking about all political decisions as a matter of partisan loyalties or as weapons in the culture wars, we ought to think about how they affect *people*. Preachers may disagree on the impact of particular political movements or policies, but they cannot forsake their primary obligation to advocate for the people whom they serve.

A preacher ought to write sermons with the Bible in one hand and the newspaper in the other. If public policy will cause more poverty, or lead to unnecessary war, or harm an already suffering planet, then how can that preacher not speak “truth to power?” Politics is, after all, about power—who has it, how it is exercised, and to what effect. Speaking out on the way we order and conduct our public life is a matter of conscience. Such sermons should not be labeled “Democratic” or “Republican”; they are matters of faith.

We live in a nation founded on that forgotten covenant in America we call *The Common Good*. Just as God is beyond human comprehension, so should the Gospel be beyond strictly partisan politics. Christians should speak out against injustice, prejudice, bigotry, and our addiction to violence. These issues go beyond political labels.

“The wave of the future is not the conquest of the world by a single dogmatic creed but the liberation of the diverse energies of free nations and free men.”—JOHN F. KENNEDY, Address at the University of California, Berkeley (1962)

A Republican president freed the slaves. A Democratic president reformed welfare. Are you confused? Good. Sometimes a conservative approach works; sometimes a liberal approach is needed. One size does not fit all.

When Martin Luther King, Jr., wrote his “Letter from a Birmingham Jail,” it was in response to a group of Georgia ministers who had denounced his non-violence campaign to end racial segregation in America. They urged him to slow down, keep the peace, and *wait* for gradual change. They even accused him of fomenting violence and behaving in ways that were undignified and unchristian. They sought to discredit his movement by calling him an “outside agitator” and an “extremist.”

King’s response was to remind them that justice delayed is justice denied, and that freedom is never voluntarily given by the oppressor; it must be demanded by the oppressed. The “wait” they insisted on sounded like “never” to him. As for the label “extremist,” he was most eloquent in his response:

Was not Jesus an extremist for love: “Love your enemies, bless them that curse you, do good to them that hate you, and pray for them which despitefully use you, and persecute you.” Was not Amos

an extremist for justice: “Let justice roll down like waters and righteousness like an ever flowing stream.” Was not Paul an extremist for the Christian gospel: “I bear in my body the marks of the Lord Jesus.” Was not Martin Luther an extremist: “Here I stand; I cannot do otherwise, so help me God.” And John Bunyan: “I will stay in jail to the end of my days before I make a butchery of my conscience.” And Abraham Lincoln: “This nation cannot survive half slave and half free.” And Thomas Jefferson: “We hold these truths to be self evident, that all men are created equal . . .” So the question is not whether we will be extremists, but what kind of extremists will we be. Will we be extremists for hate or for love? Will we be extremists for the preservation of injustice or for the extension of justice?

It is my fervent hope that more preachers can speak freely for the politics of the gospel: to heal the sick, bear the burdens of the poor, and treat every human being as a child of God. That congregations can work together—across differences—to embrace the values we have in common. That Americans can move beyond labels to embrace others regardless of their political or religious identities. On that happy day, perhaps the only label that will truly fit is *faithful*. 🕯️



Nathan Brown

Religion in Society

Striking the Balance

BY MARTIN H. BELSKY

Martin H. Belsky is Dean and Randolph Baxter Professor of Law, University of Akron School of Law, and former Dean and Professor of Law, University of Tulsa College of Law. He is a noted speaker and scholar on the subjects of law and religion and the Supreme Court. His books include *The Rehnquist Court* (editor, Oxford University Press, 2002) and *Law and Theology* (co-author, Carolina Academic Press, 2005).





Religious freedom in America—the delicate balance between separation and accommodation

The separation of church and state is an ideal that has shaped American identity, politics, and history from our country's beginning. In more recent years, we have witnessed a shift in court decisions, particularly in those by the United States Supreme Court, away from strict separation. What are the implications of this new reality?

SOME HISTORICAL PERSPECTIVE

The First Amendment of the U.S. Constitution provides that "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof." In the then new United States, the federal government was prevented from establishing a state religion or discriminating against anyone because of religious practices. The intent of both the "establishment" and "free exercise" provisions was to protect religious freedom, including those of minority religions or no religion. In the twentieth century, these principles were expanded beyond the federal government to also apply to state and local governments at all levels.

Beginning in the 1960s, the Supreme Court applied these limitations rigorously. First, in questions regarding the Establishment Clause, the Court outlined a three-part review: A law, regulation, or policy (1) had to have a valid non-religious or secular justification, (2) had to be neutral towards religion or non-religion, and (3) could not foster an "excessive entanglement" of government with religion. These guidelines were later reiterated in *Lemon v. Kurtzman* (1971) and are often referred to as the Lemon test.

Second, to determine if actions interfered with the Free Exercise Clause, the Court mandated a "strict scrutiny" standard, described in *Sherbert v. Verner* (1963): Any government action that substantially infringed on a religious practice would be invalid unless the government could show (1) a "compelling government interest" for the provision and (2) that the restriction must be "narrowly tailored" or the least restrictive method to achieve that compelling interest.

Under the tests outlined above, many statutes and policies were found to be in violation of one or more of the standards and were ruled unconstitutional. In the next two decades, Supreme Court decisions found that:

Mandating the reading of Bible verses at the beginning of each school day was intended to "promote religion" and so invalid (*School Dist. of Abington Township, Penn. v. Schempp*, 1963).

Government could not provide funds for programs in parochial schools as it would "entangle" government with the religious institution (*Lemon v. Kurtzman*, 1971).

Amish parents could not be required to send their kids to school after the eighth grade (*Wisconsin v. Yoder*, 1972).

A person could quit his defense factory job and obtain unemployment benefits because of an "honest conviction" that his religion barred him from doing war-related work (*Thomas v. Review Board*, 1981).

In subsequent years, the Supreme Court loosened its standards for review, finding that a rule or regulation does not violate the Establishment Clause unless it explicitly indicates government "endorsement" or favoritism of religion, or actually "coerces" someone to be involved in a religious activity. The Court also carved out an exception to the "compelling government interest" and "narrow tailoring" tests, stating that the Free Exercise Clause does not protect an individual from his or her obligation to comply with a "neutral law of general applicability." This exception, some say, dealt a blow to religious freedom and the separation ideal. Under these broader interpretations, actions or regulations that once would have been ruled unconstitutional were upheld:

A serviceman/rabbi could be discharged for wearing his skullcap [yarmulke] in violation of a military regulation that barred wearing headgear indoors while on duty (*Goldman v. Weinberger*, 1986).

Sacramental use of peyote could be barred under a general state anti-drug law (*Employment Division v. Smith*, 1990)—a case cited as a pivotal point where the Court departed from its "strict scrutiny" tests and weakened application of the Free Exercise clause by ruling that religious practices were not exempt from "neutral laws of general applicability."

Providing government funds to religious schools and student organizations, as a part of general program funding available to all organizations and schools, was deemed neutral and not a violation of the Establishment Clause (*Rosenberger v. Rector*, 1995).

Requiring a moment of silence during the school day for private prayer was considered neither an endorsement nor coercive, and therefore valid (*Brown v. Gilmore*, Fourth Circuit, 2001).

PUSH ME, PULL YOU

As the interpretation of the First Amendment has evolved from a strict separation of religion and government to a more flexible approach, pundits and politicians have pushed back and religious freedom has become the frequent subject of public policy debates. For instance:

After the Supreme Court ruled that the military could prohibit religious headgear, Congress debated the issue and passed legislation that would allow military personnel to don religious symbols (Public Law 100-180, 1987).

In response to the *Smith* ruling that a general anti-drug law could preclude a religious practice, Congress passed the Religious Freedom Restoration Act (RFRA) and the Religious Land Use and Institutionalized Persons Act (RLUIPA) to reinstate "strict scrutiny" tests. Applying these new acts, the Supreme Court effectively reversed its earlier position and held that a general anti-drug law could not bar the sacramental use of a hallucinogenic tea (*Gonzales v. O Centro Espirita Beneficente Uniao*, 2006).

"The day that this country ceases to be free for irreligion, it will cease to be free for religion."
—JUSTICE ROBERT H. JACKSON, Dissenting opinion, *Zorach v. Clauson* (1952)

In *Lynch v. Donnelly* (1984), the Supreme Court said that holiday displays sponsored by the government are constitutional in certain circumstances if they are inclusive and not focused on one religion. Two decades later, the Court changed its position when it ruled that public display of a religious symbol was permissible in some instances and not in others (*Van Orden v. Perry*, 2005).

Legal scholars warned that decisions like *Smith*, *Lynch*, and *Van Orden*—along with many other decisions dating from the 1980s to present—breached the long-held “wall of separation” between church and state and that this broader “accommodation” of religion will lead to battles of degree: How do we decide if public religious displays are “inclusive” or focus “too much” on one religion? When do we allow religious symbols in the public sphere, and when are such symbols nothing more than an endorsement of a particular set of beliefs? How should we apply our faith-based principles to avoid faith bias?

MAKING IT PERSONAL

As part of my personal beliefs, I struggle both for a strict separation of the secular from the sectarian and for protection of minority perspectives. I acknowledge that my attitude may be based on a particular bias: I am a member of a religious minority—a very small minority. I am Jewish.

In my opinion, religious understanding by the majority and not mere tolerance of the minority is what is necessary for a true faith-based and not faith-biased society. Very often, the seeming insensitivity or lack of understanding by the majority stems not out of prejudice but from a simple lack of knowledge about the tenets of others’ faiths.

Some accommodation for differences is essential. For instance, without exemption for religious practices, “neutral laws of applicability” could conceivably bar circumcision or kosher slaughtering because those practices violate “general laws” regulating health and animal cruelty. Pressing the point further, general laws about identification—particularly in line with mounting regulations on air travel—could ban the wearing of religious headscarves or veils.

And I ask myself: *If I am quiet, if I do not “make waves” or advocate for my religious views, might that inaction be misconstrued as an admission that my conscientiously held beliefs are not merely different, but wrong?*

FINDING A BALANCE

Society can and should set limits on an individual’s behavior. The Bill of Rights grants us many freedoms, but sometimes they must be limited for the common good or to protect community standards. The right to have a pet does not mean that you can allow your dog to wander without a leash. The privilege to drive



Randy Alvarado

your own car does not mean that government can’t limit how fast you drive or prohibit you from driving while intoxicated. So how do we fairly make these applications when it comes to religious freedoms?

The key is transparency. Making issues visible, discussing them openly, allows us to determine logical but inclusive boundaries. Dialogue—and, yes, sometimes a clash of principles—is necessary as society grapples to accept or reject particular applications of a tenet. Only by making the conflict of values overt can these attitudes be first exposed, then questioned, and then hopefully resolved. In a true democracy, competing ideas must be given space to be tested. ☛

LEAVE A LEGACY

By making a gift provision in your will or trust—often referred to as a planned gift—you can defer a contribution, relieve the tax burden on your estate and, in some cases, retain an income stream during your lifetime, while still creating a lasting legacy to benefit the Oklahoma Humanities Council. We encourage you to discuss planned gift options with your professional advisor. For information, contact Traci Jinkens, OHC Marketing & Development Director: (405) 235-0280 or traci@okhumanitiescouncil.org.

Still, many of the 20,000 or so Choctaws—especially those whose families had intermarried with whites—now considered themselves not just Native Americans but also Southerners. A significant number of tribal leaders owned black slaves. Just a few years after the move west, the General Council had passed laws forbidding any public expression of “the most fatal and destructive doctrine of abolitionism”; barring slaves from learning to read and write; and refusing to let any free blacks settle within the Nation’s territory. In 1856, the tribe became an object of particular revulsion among Northern abolitionists when reports spread that a Choctaw lynch mob had burned alive an enslaved woman accused of complicity in the murder of her master.

Strong ties bound the Choctaws to the Union, whether willingly or otherwise. Not least among these were bonds of financial self-interest. Even as the tribal council met in Doaksville, one of its leading members was absent in Washington, preparing to reap the rewards of many years of skillful diplomacy on behalf of his people.

Peter Pitchlynn—who possessed only one-quarter Native American ancestry—conformed to very few white stereotypes about Indian chiefs. Tall, courtly, and debonair, he read Shakespeare and Milton and hobnobbed with Henry Clay. Once, he happened to find himself aboard an Ohio River steamboat with Charles Dickens, who was touring the United States. Pitchlynn sent Dickens his calling card by way of introduction, and the two were quickly engrossed in conversation about the poetry of Sir Walter Scott. “He was a remarkably handsome man,” the great novelist wrote afterward, “with long black hair, an aquiline nose, broad cheek bones, a sunburnt complexion, and a very bright, keen, dark, and piercing eye . . . as stately and complete a gentleman of Nature’s making, as ever I beheld.”

For more than two decades, Pitchlynn had lobbied the federal government for reparations to compensate the Choctaws for their lost tribal lands. He had haunted the halls and cloakrooms of the Capitol and circulated among the dining rooms of the congressional boardinghouses. Now he seemed on the verge of success, with Congress poised to enact a bill awarding \$3 million to his nation.

Not long afterward, Pitchlynn would describe the dilemma facing the tribe:

The Choctaws are completely tied up, by Treaties, with the government of the United States. . . . By these very same treaties, we now have a complete title and right to the land we now live on and all our invested funds are now in the hands of President Lincoln. These treaties are

the only guarantees we have for our country and our monies. If we now violate them by joining the secessionist, we lose that guarantee.

Union and Confederacy would each try to leverage Indian power, and Indian grievances, for its own benefit. Ultimately, different Native American tribes chose very different allegiances. The Choctaws’ Cherokee neighbors would wage a kind of civil war within the Civil War, with different groups fighting for Union and Confederacy. The nearby Delawares went solidly for the North: by one reckoning, some 85 percent of the tribe’s eligible males enlisted in the Union army.

As for the Choctaws, their tribal council at Doaksville passed a series of resolutions on Feb. 7:

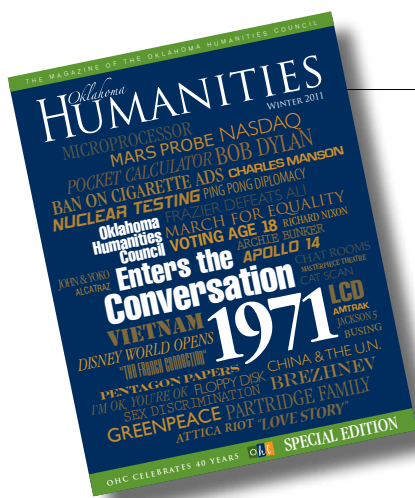
That we view with deep regret and great solicitude the present unhappy political disagreement between the Northern and Southern States of the American Union . . .

That in the event a permanent dissolution of the American Union takes place, our many relations with the General Government must cease, and we shall be left to follow the natural affections, education, institutions, and interests of our people, which indissolubly bind us in every way to the destiny of our neighbors and brethren of the Southern States.

Two days later, in far-off Washington, the Senate passed a bill awarding the tribe \$1.2 million. (The House would later reduce this to \$500,000.) Pitchlynn, unaware of the developments in Indian Territory, set off for home to share news of his short-lived triumph. He would remain a staunch Unionist throughout the war—but three of his sons, like many other young Choctaws, would soon ride off to fight for the Confederacy.

In 1865, another momentous meeting would take place in Doaksville. On June 23, the Confederate general Stand Watie—who was also principal chief of the Cherokees—rode into town with the remnants of his cavalry brigade and surrendered to Union officers. But it was not until the following year that the Choctaw nation formally abolished slavery and signed a treaty with the United States. 🐾

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CALENDAR

Don't miss these outstanding events supported by OHC grants. You can find hundreds of cultural activities on our website: www.okhumanitiescouncil.org/calendar.

WILD WEST SHOW

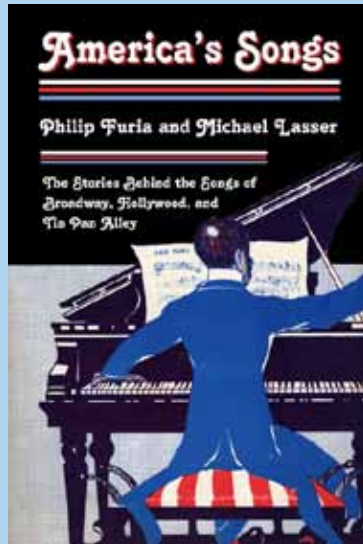
Pawnee Bill's Original Wild West Show
June 11, 18, & 25, 7:30 p.m.
Pawnee Bill Ranch, Pawnee
Info: 918/762-2513



Don't miss this annual re-enactment of Pawnee Bill's Original Wild West Show, featuring trick roping, riding, shooting, cowboy songs, and more. Spectators get a glimpse of the past as entertainers recreate the original Wild West show using Pawnee Bill's original route books and programs—the only authentic Wild West Show in existence. Character re-enactments and much of the narration is taken directly from archival material.

LECTURE

Abraham Lincoln and the Songs of the Civil War
September 22, 7:00 p.m.-8:30 p.m.
Rose State College, H. B. Atkinson Theater
6420 SE 15th, Midwest City
Info: 405/736-0259 www.rose.edu



Join Michael Lasser, nationally-renowned guest lecturer and author, as he examines the popular songs of the Civil War—abolitionist songs, patriotic anthems, portrayals of men at war, even love songs. The concert-style presentation merges music with history and a touch of anthropology. Lasser will discuss how these songs of War reveal the cultural values of the 1860s, the nation, and its leader, President Abraham Lincoln.

EXHIBIT

Cherokee Female Seminary Exhibit
May 16-August 7
Cherokee Heritage Center
21192 S. Keeler Dr., Tahlequah
Info: 918/456-6007
www.cherokeeheritage.org



Cherokee Female Seminary students gather outside the school. Courtesy the Cherokee Heritage Center.

The *Cherokee Female Seminary Exhibit* establishes a visual memoir of the Cherokee Nation's long-held commitment to education. Exhibit themes explore the rich history of the first institute for higher education built for women west of the Mississippi River. Visitors will gain insight on Cherokee culture and heritage, as well as the day-to-day activities in which seminary students participated. Exhibit features include computer-generated technology that brings the burnt remains of the building back to life.

2011 OKLAHOMA CHAUTAUQUA

It's All Make Believe: Hollywood's Golden Age May 31-June 4, Lawton • June 7-11, Tulsa • June 14-18, Enid



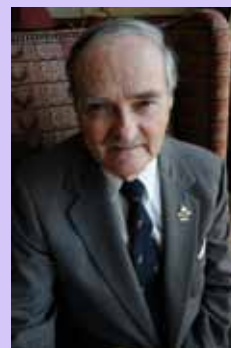
Joseph Bundy as character Paul Robeson (1898-1976): One of the first African-American graduates of Rutgers Univ. His career highlight was "Ol' Man River" in *Show Boat*.



Hank Fincken as character W.C. Fields (1880-1946): The teenage vaudevillian whose juggling and skits took him from Broadway's *Ziegfeld Follies* to movies.



Karen Vuranch as character Louella Parsons (1881-1972): Columnist whose entertaining and sometimes vicious pen pioneered the "celebrity gossip" market.



Bill Worley as character Walt Disney (1901-1966): Cartoonist-turned-film-master, who was a technical innovator and recipient of 26 Oscars.



Doug Mishler as character D.W. Griffith (1875-1948): Actor, director, and film tycoon, whose career spanned Nickelodeon to epic films.

Hollywood conjures images of starlets, adventure, and opulence. This year's chautauqua explores the beginning of the motion picture industry and characters that represent its determination, influence, and prejudice. Programs are free and open to the public. For information on specific events, contact the Arts & Humanities Council of Tulsa at: www.ahct.org. Oklahoma Chautauqua is a partnership of OHC and the Arts & Humanities Council of Tulsa.

End Notes From the Editor

~ Carla Walker

For a few years now, the buzz word in the publishing industry has been “curation.” As users—in our case, readers—cast about on an ever-swelling sea of media (newspapers, magazines, television, websites, blogs, and social networking platforms), the trend for content providers is to cater to smaller, niche audiences. Much like an exhibit curator, media providers act as content specialists, sorting through an overwhelming volume of writing and images, and providing editorial commentary when necessary to bring insight and meaning to their audiences.

Never before has that concept had more meaning for me than in “curating” this particular issue of our magazine. The word “synchronicity” came up often because wonderful source materials that seemed tailor-made for our readers just kept appearing. Much of the content is original work, written and photographed just for us by some exceptional professionals. Other pieces came from generous authors, artists, photographers, and sources (i.e., *The New York Times*, *Harper’s Magazine*, and the Smithsonian American Art Museum) that made an exception—against their policies—to allow us to share their work with you. We have literally shoehorned in more content than ever before to bring you the “best of the best.”

Chris Anderson, editor in chief of *Wired* magazine, recently spoke to Columbia Journalism School on the future of the media industry. As reported on the School’s website, Anderson said that, while blogs and the web may provide immediate, up-to-the-minute content, “magazines offer a distinctive experience of thoughtful, curated content that constitutes an event when a new issue is released.”

We hope this issue—and every issue of *Oklahoma Humanities* magazine—is “an event” for you.



Photo by John Brand, *Monarch on Lantana*, [www.brandphotoart.com]



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