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October 4, 2008: Biden's Take on the Wall of Separation

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Title: Biden's Take on the Wall of Separation

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10/4/2008--Amy Sullivan posted a comment on the Time Magazine website on Thursday discussing Senator Joe Biden's response to Katie Couric's question about the wall of separation between church and state. Biden told Couric that the purpose of the wall is "to keep government out of religion." Fair enough. But Biden said something quite different at the beginning of his answer: "The best way to look at it is to look at every state where the wall's not built. Look at every country in the world where religion is able to impact the governance. Almost every one of those countries are in real turmoil." I don't think that any American wants religion to impact "the governance," at least not in the formal sense that clerics have governmental authority as in Iran, or that religious institutions have a formal role in the government. There have been very few cases that even raise issues like that. In *Larkin v. Grendel's Den Inc.* (1982), the Supreme Court struck down a Mass. law that gave churches and schools a veto over liquor license applications within five hundred feet on the ground that religious institutions could not be given government authority. This line of cases is not very controversial today and has nothing much to do with whether the words "under God" should remain in the Pledge of Allegiance. On the other hand, no one denies that religion can legitimately impact "the governance" in the general sense that religious beliefs influence the policies that people want to see followed. Many Catholics followed the Bishops in opposing the end of welfare, for example. Other religious believers oppose gay marriage on the ground that the Bible forbids it. Biden's words make me wonder just what he thinks the Establishment Clause means. And I wonder the same thing about Senator Barack Obama.