Privileged Politics: How the United States Rejects Separation of Church and State in Favor of Christianity

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by

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Abstract

The United States has a convoluted legal relationship with Christianity. While the Constitution urges a clear and concrete separation of church and state, the uncomfortable reality is that American Christians have long enjoyed privileges not afforded to members of minority religions. More troubling, however, is the excessive influence this privilege has on American society, government and law. This paper aims to expose the Christian privilege in the United States and to explore several instances in which Christianity has blatantly affected societal function and the lawmaking process. Examples noted will be in the following categories: government, the calendar, blue laws, tax exemptions, politicians, lobbying, women’s reproductive healthcare legislation, LGBT rights legislation, and educational legislation. The paper will conclude with a discussion on why it is crucial to be aware of privilege and explain the issues involved with a religiously biased government.
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Introduction

Religion has been intertwined into American culture since the country’s founding. The United States, settled as a haven for religious dissenters, has had provisions for religion and religious practice built into every major governing document since the beginning of its democracy. On the surface, these words are inclusive of all religions and state that the government should have no bias in supporting one over the other. However, they curiously seem to only be applied in the case of one faith: Christianity. Christianity is undoubtedly the majority religion in the United States with over 70% of Americans identifying as such (“America’s Changing Religious Landscape”). This has created an environment in which Christian values pervade all aspects of American life, including supposedly non-secular fields like politics and law. America touts its adherence to the separation of church and state, but the reality is much different. In American democracy, the majority, Christians, is awarded privileges in government, politics, law, and society as a whole.

Christian privilege encompasses the idea that being a Christian offers far more benefits than being of a minority faith or identifying as non-religious. As Ellen E. Fairchild describes it, “the benefit of the privilege bestowed on Christians is one of normalcy for the Christian faith while marginalizing those who do not believe or practice a different faith. This normalizing effect is then used to argue that the United States is a Christian nation, and therefore Christians in some way deserve the benefits afforded them” (5). In our country, it is widely regarded as common to be a Christian. Christians rarely face persecution or outward displays of intolerance toward their faith; privileges that are not awarded to those of minority religions. However, one of the most important Christian privileges is the idea that the United States is a “Christian nation”.

From a political and legal perspective, this is undeniably true. Though not all politicians,
attorneys and voters are outspoken about their religious bias, it pervades in almost all aspects of
government; thus creating a country where Christian beliefs and practices frame the status quo.

**Government Promotion**

The government itself has been active in promoting Christianity for much of the United
States' history, normalizing the mixing of national symbols and Christianity through extensive
public relations campaigns. As Kevin M. Kruse explains, "for all our talk about separation of
church and state, religious language has been written into our political culture in countless ways.
It is inscribed in our pledge of patriotism, marked on our money, carved into the walls of our
courts and our Capitol". It wasn’t the founding fathers that created these taglines, or the idea of a
“Christian nation”, but rather political leaders of the 20th century. Post-Great Depression,
Franklin Delano Roosevelt implemented the New Deal in an attempt to boost the ailing
economy. The programs worked, but corporate business leaders felt that they needed to fix their
image in the face of “creeping socialism”. Therefore, a new marketing movement began that
combined elements of Christianity with anti-federal libertarianism. Business lobbyists poured
money and resources into the new effort, spreading the word of the innate relationship between
capitalism and Christianity. With clergymen as spokesmen, the movement grew on a national
scale. It wasn’t long until Christianity forced its way into the White House as a new kind of
moral code. Dwight D. Eisenhower ushered in a new kind of government; one that embraced the
mindset of “freedom under God”. In 1956, “In God We Trust” became the country’s official
motto and confirmed the United States as a nation where Christianity comes first (Kruse).

**Christian Calendar**

The first application of Christian privilege in the United States that will be discussed is
the calendar. The label “Christmas break” may have gradually morphed into “winter break” for
many school systems, but the dates of holiday breaks for American students and workers have always been chosen in favor of Christians. Christian students can expect to receive time off to celebrate Christmas, Easter, and the like. The same cannot be said for students of other religious denominations. The calendar is the basis of American society, regulating school attendance and business operation. Therefore, Christian Americans are awarded an advantage in society by having their religious holidays acknowledged. Tricia Seifert explains: "it is not by chance that the work week is set from Monday through Friday, with Sunday designated as the day of rest. Nor is it coincidence that one of the major holidays on which most public and private businesses are closed is Christmas, one of the central Christian holidays" (12). In organizing the calendar based on Christian holidays, Christianity is symbolically and literally celebrated above all other religions in the United States.

Blue Laws

The American calendar also awards privileges to Christians on a weekly basis. The United States’ workweek doesn’t include a weekend break simply because of tradition or precedent, but rather because Sunday is considered the Christian day of rest. The United States even has laws designating Sunday as a day of rest based on Christianity called “blue laws”. A blue law, in U.S. history, is a law forbidding certain secular activities on Sunday. Blue laws originated in early America, particularly within Puritan, bible-oriented communities. Historically, blue laws restricted all types of work on Sundays, as well as any buying, selling, traveling, public entertainment, or sports. Some blue laws lapsed after the American Revolution, but a number of said laws still exist and haven’t been struck down by state legislature (“Blue Law”). For example, Indiana is one such state the remains under the jurisdiction of Christian law. During the early 19th century, activists led the charge to enact and enforce blue laws preventing
"immoral" activities on Sundays, including alcohol consumption. In 21st century Indiana, alcohol sales continue to be prohibited on Sundays. The state legislature has tried multiple times to overturn the ban with little success as recently as early 2016. The issue in Indiana has become entangled in debates over business cost and profit for liquor stores versus convenience stores, but the origins of the ban remain the same (Lazerus). The problem is exacerbated by the fact that the Supreme Court refuses to label these laws as biased toward Christians.

Despite overwhelming historical evidence of Christian bias and mounting concerns about separation of church and state, the Supreme Court has ruled to protect Christian blue laws several times. According to numerous courts, laws restricting activities on Sundays are not automatically unconstitutional even if they arise from religious underpinnings. In the most notable case, *McGowan v. Maryland*, the court upheld that a local law restricting the sale of goods on Sunday was constitutional and served a purpose outside of the realm of religion. The court “further noted that an economic harm, rather than a harm to religious freedom, had taken place so there was no First Amendment violation” ("Sunday Alcohol Sales: History and Analysis"). The inherent privilege in blue laws is apparent in upholding a weekly schedule that favors Christian ideals. By ignoring the religious origins of these laws and listening only to economic complaints, states with blue laws and the Supreme Court push a fundamentally Christian agenda. Blue laws continue to keep the country functioning as a “Christian nation” with Sunday as the holy day.

**Tax Exemptions**

The next example of Christian privilege in the United States is religious tax exemptions. Tax exemptions for religious institutions in the United States have existed since 1894. In 1894, the Wilson-Gorman Tariff Act was passed, one of the earliest legal references to the tax-exempt status enjoyed by “charitable “ organizations (Arnsberger et al., 106). While the law was later
declared unconstitutional, it set the precedent for tax legislation that excused religious organizations from taxes for years to come. Though this legislation did not specify a religion, during the 1890s and early 20th century, when the legislation was drafted, the religious landscape was overwhelmingly Christian. In 1890, Catholicism became America’s largest denomination with 7.3 million members. Methodists were not far behind, totaling 7.1 million members. These two denominations alone encapsulated 23% of the population of the United States ("Faith in America"). In context, it is clear that tax exemptions for religious organizations in the United States are more accurately depicted as tax exemptions for Christian religious organizations.

Since their origins, tax exemptions for religious organizations in the United States have been a point of serious contention. Much of the controversy stems from their intended purpose. According to the IRS, organizations such as churches may obtain the exemption because they promote the “advancement of religion”. In 1970, Walz v. Tax Commission of the City of New York further explained this reasoning when the presiding justices ruled that these exemptions are granted on the basis that churches are “beneficial and stabilizing influences on community life”, and therefore are in the public interest. The case in question arose when a real estate investor sued, questioning the legality of churches sitting on valuable land without paying property taxes. The court defended religious tax exemptions by saying that churches promote the greater good and are therefore equivalent to charities.

In reality, the majority of the funds generated by churches do not go to charitable purposes, but rather operating expenses. A calculation of the resources expended by 271 U.S. congregations found that, on average, 71 percent of expenditures went toward institutional costs such as minister’s salaries. Similarly, the Church of Jesus Christ of Latter-day Saints only gave .7 percent of its annual income to charity between 1985 and 2008 (Bekiempis). While proponents
of exemptions will argue their worth on morality, in actuality, tax exemptions award inherent economic advantages to religious organizations, specifically Christian churches. Of the roughly 350,000 religious congregations in the United States, only 12,000 are non-Christian organizations ("Fast Facts about American Religion"). The remainder of the overwhelmingly Christian religious organizations are free from taxation, leaving them able to bring in hefty profits, employ impressive political sway, and grab lucrative parcels of land with no property taxes.

The privilege of tax exemptions for those 338,000 Christian churches takes a significant toll on the United States economy. Churches reportedly generate some $100 billion in donations annually, all of which is untaxed. The real donation total remains unknown, as churches are not required to fill out the tax return form that other charitable organizations are, nor can the IRS audit religious organizations without treasury approval. The Secular Coalition for America argues that if these donations were subjected to a 35% gift tax, it could supply up to $8.75 billion in revenue for the federal government (Bekiempis). Ryan Cragun, associate professor of sociology at the University of Tampa, with colleagues Stephanie Yeager and Desmond Vega, attempted to calculate the revenue lost by exempting churches from taxation. The total money churches pocket from federal income tax breaks, state income, property, and investment tax breaks is estimated at $71 billion (2012). It appears that Christian churches save and earn billions of dollars just for being churches, not for any actual, significant charitable contributions.

Tax exemptions are also concerning to some because of their political implications. The IRS clearly states that all tax-exempt organizations are prohibited from "directly or indirectly participating in, or intervening in, any political campaign on behalf of (or in opposition to) any candidate for elective public office" ("Tax Information for Churches and Other Religious
Organizations”). This should mean that churches are not able to become politically involved. However, large Christian organizations, including churches, are notoriously conservative; teaching and supporting beliefs that align very clearly with certain politicians and political parties. A 2012 paper in the Rutgers Journal of Law & Religion argued that the United States Catholic Conference of Bishops' tax-exempt status “should be revoked because of their flagrant political lobbying and electioneering - from refusing Holy Communion to pro-choice Catholic pols to issuing partisan voter guides” (Bekiempis). Christian houses of worship are typically politically biased, yet they continue to receive a massive tax break from the United State’s government. This is in direct conflict with the IRS’s guidelines for exemptions.

**Politicians**

Another instance of Christian privilege in the United States is evident within the country’s political representation. According to the Pew Research Center, a startling 92% of the members of Congress identify as Christian. The next largest percentage is comprised of Jews, who make up around 5%. Only one member is identified as being unaffiliated with any religion (“Faith on the Hill”). Almost all American presidents have identified as Christian, with only two proclaiming no formal affiliation (“Almost all U.S. presidents have been Christian”). A look into the current presidential race reveals that all candidates belong to a sect of Christianity, excluding one (“Your guide to the 2016 presidential candidates”). It is clear that Christian privilege holds enormous sway over who is considered a feasible political candidate. In fact, non-Christians are often discouraged from running for elected office or considered unfit to run or lead. Such is the attitude surrounding many misconceptions about the president, Barack Obama.

Christian privilege extends so far into the political sphere that accusing a public official of not being Christian has become synonymous with insult. A Washington Post article explains
this in regard to President Barack Obama, by relaying that “even though President Obama nods to his Christian faith regularly in both serious and light-hearted settings, a large number of Americans still believe he is a Muslim. According to a CNN/ORC poll, 29 percent of Americans say they think that Obama is a Muslim, including 43 percent of Republicans” (Cox). Obama has personally claimed his adherence to the Christian faith, but his opponents and many average Americans continue to believe he is of Islamic faith. Implied here is not only a mistrust of an elected official, but also the idea that Obama supposedly being a Muslim makes him less appealing. Those who believe that Obama is Muslim use the term as a way to insult his character, insinuating that he is a less-capable or untrustworthy president if he is indeed Muslim. This is a well-defined illustration of Christian privilege, in that Americans are using a political official’s religious affiliation to judge the validity of his tenure as president.

Obama is one of many cases in which a reportedly non-Christian public official has stirred controversy among the electorate. In 2002, Al Gore selected Senator Joseph Lieberman, an Orthodox Jew, as his running mate. Thus, “rather than focusing on his credentials, members of the media largely concerned themselves with Senator Lieberman’s ethnicity as an Orthodox Jew”. There was also a “resurgence of anti-Semitic sentiment and jokes as a result of this choice” (Scholosser, 46). While Obama was only perceived by the public to be a Muslim, Lieberman is a manifestation of the effects of Christian privilege on who can feasibly run for office. The American public saw Lieberman as a “Jew” rather than as a candidate. Christian privilege asserts that only Christian candidates are seen as likeable and viable options for office. In these cases, the candidates were not taken seriously due to their either perceived or held religion. However, Christian bias even extends to the point of insinuating that citizens of certain faith backgrounds should be restricted from holding office.
Ben Carson, a former 2016 presidential candidate, is one such individual who believes that Christian privilege extends far enough to prohibit those of certain faith background from running for office. On September 20, 2015, the Republican hopeful stated: “I would not advocate that we put a Muslim in charge of this nation”. Rather than said comment sinking his presidential goals, “his campaign has watched grass-roots support grow and donations pour in”, indicating that a portion of the American electorate agrees with Carson (“Ben Carson Finds Momentum in Provocative Remarks”). Mr. Carson’s presidential bid soon ended, but the persistent problem with such comments is that they promote the mindset that such statements are not outright religious discrimination. Proponents of Carson argue that he is looking out for the best interests of the country or prohibiting the undue application of religion to law. This, however, is an example of Christian privilege: the idea that other religions are somehow “dangerous” or “unfit” to be represented in politics. What Carson and many of his contemporaries fail to realize is that Christian policies directly shape political agendas and law on a regular basis with little to no interference from those of different faiths.

**Lobbying**

Beyond its manifestation in the politicians themselves, Christian privilege also exists in the American political world in the form of lobbying. There are several Christian lobbying organizations that have successfully fought using large budgets and legal power for legislation that favors their specific interests in court. One such organization, the Alliance Defending Freedom (ADF), is an excellent example of the influential Christian sway over law-making bodies. From 2012 to 2013, the tax-exempt group raised $38,943,749. $7.7 million of that came from only one donor. These numbers are concerning because of the extreme religious mission and actions of ADF. The ADF exists “to advance a conservative evangelical Christian legal
agenda, fighting against what it calls the “concocted” “constitutional ‘right’ to abortion,” laws that promote “social approval of homosexual behavior,” and the “myth of the so-called ‘separation of church and state’” (Israel). ADF does this through extensive involvement in prominent legal cases. Some of ADF’s most notable actions include: filing an amicus brief in opposition to the challenged campaign finance restrictions in Citizens United v. FEC, providing funding and moot court preparations for attorneys in Hurley v. Irish-American Gay, Lesbian, and Bisexual Group of Boston (which allowed St. Patrick’s Day Parade organizers in Boston to exclude LGBT groups) and Boy Scouts of America v. Dale (which confirmed the right of some private organizations to discriminate on the basis of sexual orientation), and giving six-figure funding to the attorney of Terri Schiavo in a high-profile right-to-die case (Israel).

Most recently, ADF has become involved in a series of “bathroom bills”. These bills, now law in several states, restrict bathroom access on the basis of biological sex. Despite the seemingly innocuous language used in these bills, opponents argue that they are cloaked measures intended to restrict the rights of transgender individuals. North Carolina in particular has faced monumental backlash over its “bathroom bill” and the perceived negative effects on the state’s LGBT community (Yan). ADF has been pushing for such bathroom restrictions as early as 2014 by sending copies of model “bathroom bills” to state assemblies (Michaels). Several states including North Carolina have used ADF’s example bills to create their own versions with uncomfortably similar wording. According to Samantha Michaels writing for Mother Jones, “ADF says on its website that it "refrains from participating in or promoting any type of legislation" and "does not lobby government officials." Yet its lawyers have offered testimony and legal analysis to state legislatures...in favor of restrictive bathroom bills and against legislation that protect gay and transgender people from discrimination".
The power of ADF and organizations like it signal a concerning trend in the American legal system. Because ADF has an enormous amount of money to fund its causes, it has the ability to directly change laws and sway court decisions. As ADF itself has admitted, the organization’s aims to decrease the separation between church and state appear to be succeeding. The power and influence of ADF are examples of Christian privilege in the political process. ADF, thanks to its donors, has the ability to effectively force the legal system into making decisions based on Christian grounds. Most troubling, perhaps, is the fact that ADF’s lobbying works. In all cases involving LGBT discrimination mentioned above, the side favoring “Christian values” won. For example, the case of Terri Schiavo remained in court for 6 years, and even elicited an executive order from the governor favoring ADF’s position (Gray). ADF is a case of the incredible dominance of Christianity in the creation and implementation of laws in the courtroom and within the government as a whole.

**Legislation: Women’s Reproductive Healthcare**

As the cases in which ADF has become involved reveal, there are key political realms wherein the effects of Christian privilege can be seen most plainly. Those political realms typically encompass three major issues: women’s reproductive healthcare, LGBT rights, and education. Restricting women’s access to abortion is a Christian issue and one example where Christian privilege has often prevailed over the rights and opinions of non-Christians. In Texas in 2013, “when the Texas legislature debated and passed a law—now under review by federal courts—designed to sharply reduce access to legal abortion in the nation’s second most populous state, Senator Dan Patrick asked his colleagues, “If you believe in God, how would God vote if he were here?”” (Jacoby, 105). Patrick’s claim reflects the idea no only that abortion is immoral, but that abortion is a sin under Christian doctrine. The widespread popularity and support behind
laws and rulings that prohibit women’s access to birth control are clear overvaluations of
Christianity in the political realm. Christian political privilege is evident in the ability for a
prominent political party to push successful laws, such as laws defunding Planned Parenthood in
2016, only on the basis of Christian morality and the largely Christian “pro-life” stance (Arkin).

Recently, Indiana has come into the spotlight regarding the abortion debate. On March
24th, 2016, Governor Mike Pence signed House Bill 1337 into law. HB 1337 prohibits a woman
from terminating a pregnancy because the fetus could be born with a disability and restricts a
woman from seeking an abortion based on the race or sex of the fetus. The law also contains
regulations such as requirements for aborted or miscarried fetuses to be cremated (Schneider and
Cook). Opponents of the law are vocal in their dissent, claiming that the law is another attempt
by legislators to restrict access to abortion in Indiana, and that prosecutions under such laws in
other states are close to nonexistent. There is no requirement for a woman to disclose her
motivation for terminating a pregnancy (Lewin). Indiana’s HB 1337 was indeed alarming to
many, but the manner in which Governor Pence signed the bill also exposed clear Christian
influence and privilege. Pence, an evangelical Christian, said in a statement: “by enacting this
legislation, we take an important step in protecting the unborn, while still providing an exception
for the life of the mother. I sign this legislation with a prayer that God would continue to bless
these precious children, mothers and families” (Schneider and Cook). The implications of
Pence’s statement are vast and troubling. Pence’s words seem to indicate that the bill was passed
with religious interests in mind. By passing the bill in such a manner, Pence has made it clear
that he believes that he has made the right decision strictly based on his own religious mindset.
As Pence is an elected official, it appears the power of Christian privilege supersedes the rights
of his constituents against the bill.
The Supreme Court itself has sided with the voices of Christianity regarding the contentious topic of women's rights. Most notably of recent was *Burwell v. Hobby Lobby Stores, Inc.* In this case, Hobby Lobby sued for the right to deny certain types of birth control to its employees, including IUDs and emergency contraception. Hobby Lobby sued on the basis that its first amendment rights were being violated ("Burwell v. Hobby Lobby Stores"). When the Court ruled in favor of Hobby Lobby, it was yet another permeation of Christianity into government and the lives of the non-Christian. Not only did the court give legal recognition to corporations, but it also set precedent for possible religious discrimination or the imposition of Christianity onto others. If Hobby Lobby employees wished to get birth control because they did not share the same religious beliefs as their employers, they would now be forced to look elsewhere and even foot the bill. This court case seemed to astute observers to be more about Christian freedom than religious freedom.

**Legislation: LGBT Rights**

In the arena of LGBT rights, prominent examples of Christian privilege in 21st century politics are pieces of legislation called religious freedom restoration acts (RFRAs). Indiana recently found itself on the forefront of this issue last year when it passed a state RFRA. Indiana's law, effective on July 1st, 2015, allows any corporation (now defined as a "person") to refuse to offer business on the grounds of a religious objection (General Assembly of the State of Indiana, 2). In application, the law may be used to deny services to a same-sex couple if the business does not wish to support them. Hence, the law places the interests of the religion above the interests of the consumer. Indiana's law is another representation of Christian privilege in legislation. No other religion opposes same-sex marriage as vehemently and publically as Christianity, thus rendering RFRA's as a defense of Christian values. On the basis of religious
freedom, such laws appear to be a maneuver to promote the furtherance of specifically Christian ideals.

Indiana experienced monumental backlash over the implementation of its RFRA, but this hasn’t dissuaded other states from following suit. On March 31, 2016, Mississippi signed its own version of an RFRA called a “religious liberty accommodations act”. The legislation builds off of Indiana’s precedent, asserting that business owners are allowed to discriminate against same-sex couples under the guise of their religious beliefs. However, Mississippi’s legislation takes these so-called protections even farther. The act “protects doctors who refuse to provide counseling, sex-reassignment surgery, fertility treatments and other services based on their religious convictions…companies and schools to establish sex-specific policies regarding dress and bathroom use…state employees to recuse themselves from licensing or overseeing a same-sex marriage…and it gives foster and adoptive families license to “guide, raise or instruct” children as they see fit” (Kaplan). Unfortunately, this act intended to protect liberty does nothing more than infringe upon it in the name of Christianity. The law addresses specifically Christian religious beliefs, which comes as no surprise in a state where less than 2% of adults identify as members of non-Christian religions (“Religious Composition of Adults in Mississippi”). Each section of the law makes discrimination legal if that discrimination is grounded in conservative Christian teachings. First are the Kim Davis-esque protections for Christians who don’t wish to serve same-sex couples. Next, come policies that will negatively affect transgender people in medical facilities, schools, and companies. Last, and perhaps most jarring, are the new regulations overseeing adoption. LGBT organizations have been quick to note that these regulations could mean that gay or transgender children can legally be sent to dangerous, and typically Christian, conversion therapy (Kaplan).
As indicated in these examples, the Supreme Court decision on same-sex marriage has made waves across the country, angering many conservative Christians, but also revealing many instances of the exclusive privilege still held by those Christians. An excellent example of this and the repercussions of RFRA laws can be seen in the case of Kim Davis. Kim Davis, America’s highest profile county clerk, drew national attention in the summer of 2015 for refusing to serve marriage licenses to same-sex couples. Davis said her deeply held “Christian beliefs made it impossible for her to issue marriages licenses to same-sex couples after the U.S. Supreme Court legalized gay marriage” (Associated Press). Davis’ stance led to several lawsuits and five days in jail for defying court orders after she was ordered to complete her duties, but in the end, the excuse of Christianity won over the rights of same-sex couples.

After months of contentious arguments, the Republican governor of Kentucky sided with Davis by signing an executive order making it legal for Davis and others to refuse to sign a same-sex marriage license on the basis that “the presence of their name on the form implies their personal endorsement of and participation in same-sex marriage” (Associated Press). By releasing such a statement, the governor in effect chose Christianity over the rights of same-sex couples. While same-sex couples can still receive marriage licenses in the state of Kentucky, those licenses may be in defiance of state law, which establishes that Kentucky marriage licenses must have a signature from a county clerk. Beyond the guidelines of the law however, lie the implications of such an executive order. Though marriage equality is now law, state governors are still taking action to ensure that Christian ideals and those who claim to follow Christianity are given special exceptions. Kim Davis has the privilege to refuse to sign a paper that same-sex couples have been fighting for decades to access.

Legislation: Education
Christianity has even found its way into laws about education. Christian theories about the origin of life have slowly permeated into state education curriculums, environments that are supposed to be unbiased. In Louisiana, creationism has often been regarded as on par with the secular theory of evolution. This relationship began in 1981, when the governor of Louisiana passed "Equal Time" Legislation. The "Equal Time" bill "required that schools provide balanced treatment for evolution and creationism emphasizing that both were theories" (Aguillard, 183). The law eventually made its way to the Supreme Court, where it was ruled unconstitutional on the basis that it violated the Establishment Clause. Clearly, Louisiana lawmakers were determined to slip Christian theory into public schooling.

The Court opinion still didn't sway the state of Louisiana, which formulated another bill promoting similar interests called the "Louisiana Science Education Act" in 2008. Instead of the outward endorsement of creationism, the purpose of the LSEA is maintained by its proponents as encouraging teachers to use "supplemental textbooks and other instructional materials to help students understand, analyze, critique, and review scientific theories in an objective manner, as permitted by the city, parish, or other local public school board" (Rosenau). In effect, the LSEA fosters the use of creationism as a legitimate scientific theory and allows teachers to use any materials they feel are necessary to teach the origin of life, even the bible. In no instance has the law been utilized to promote reincarnation or other non-Christian ideas about the life cycle. The LSEA makes it clear that Christians, not other religions, deserve the right to pass their beliefs on to students and are even coyly protected to do so under law.

Outside of Louisiana, Christian colleges and universities are actually incentivized for promoting their beliefs; even when those beliefs directly contradict federal law. Christian college and universities are given tax-exempt status for being both religious and educational institutions.
However, there's a serious problem with incentivizing these schools, considering that some of the values these schools are founded upon now break federal law. This problem was first brought to light in the 1980s, when Bob Jones University was stripped of its tax-exempt status. The University lost the incentive in 1970 when the IRS concluded it could no longer justify the exemption because the school practiced racial discrimination by denying admission to applicants engaged in interracial marriage or dating. Bob Jones University sued, but lost the case under the ruling that "entitlement to tax exemption depends on meeting certain common law standards of charity -- namely, that an institution seeking tax-exempt status must serve a public purpose and not be contrary to established public policy" ("Bob Jones University v. United States").

Curiously, the IRS has not said the same about Christian colleges and universities that prohibit same-sex relationships. In effect, modern day Christian colleges and universities are denying federal marriage laws while getting a tax break for it.

In 2015, Obergefell v. Hodges "held that the Due Process Clause of the Fourteenth Amendment guarantees the right to marry as one of the fundamental liberties it protects, and that analysis applies to same-sex couples in the same manner as it does to opposite-sex couples" ("Obergefell v. Hodges"). This ruling made same-sex marriage legal across the country. Nevertheless, many tax-exempt Christian colleges and universities across the country still claim without consequence that biblical teaching does not allow their students to take part in or accept homosexual marriage. Maple Springs Baptist Bible College and Seminary is one example. Within the Christian schools undergraduate catalog is a list of rules students must pledge to follow in order to be a student at the institution. One rule states that students "must "ascribe to the biblical standards for human sexuality of heterosexual relationships within the context of marriage" or risk dismissal" (Richman). Maple Springs' opinion on homosexuality mirrors the
attitude toward interracial marriage held by Bob Jones University, yet the school continues to uphold these guidelines while remaining sheltered from taxation. Maple Springs is only one example, as a number of schools within the Council for Christian Colleges and Universities have found themselves in a similar position (Eber).

The fact that Christian colleges and universities are still discriminating based on sexual orientation while continuing to receive tax-exempt status reveals another troubling instance of Christian privilege. Several schools, including Maple Springs, have anti-homosexual statements in their student conduct rules and guidelines. Other schools have gone as far as expelling students for embracing LGBT identities. Some report that, "even at comparatively liberal Christian schools, expression of LGBT identity is strictly monitored" (Joyce). Likewise, upwards of 9 institutions within the Council of Christian Colleges and Universities have denied LGBT student groups the ability to gain official school club status. Research indicates that the majority of religious colleges and universities in the United States are Christian ("United States"). It follows then the lack of government response to this issue continues to benefit Christian educational institutions. Christian colleges and universities are allowed to defy federal law by refusing to accept marriage equality as the status quo, all while getting a tax break for it. The excuse espoused by many is that these institutions are simply expressing their religious beliefs. Regardless, the privilege of contradicting the law and continuing to profit from it is apparent.

School choice outside of the post-secondary realm is another contentious topic affected by laws enacting Christian privilege. While every American family has the right to attend the school of their choosing, some states are now enacting "voucher programs", or regulations that allow parents to take their child’s educational tax allocation and use it to fund a private or religious education (Brown). Not only does this toe the line between the separation of church and
state, but also it strongly promotes Christian privilege in academics. About 70% of private schools are affiliated with Christianity, meaning that these tax dollars are going to fund an almost entirely Christian school base (Broughman and Swaim, 2). Christian students are now allowed to pick any school of their choosing and receive a religious education tailored specifically for them on the government's tab. Secular and non-Christian students do not have the same privileges and are thus placed at a disadvantage. For example, an atheist student would not be able to participate in a voucher program, as there are close to no atheist-specific educational institutions. Therefore, atheists and other non-Christians have a significantly smaller pool of schools to go to and may receive a lesser education because of it. While "school voucher" regulations have been struck down in some states, they continue to thrive in others, including Indiana ("Indiana Choice Scholarships"). Christian students receive an education tailored to their beliefs at every level of schooling.

**Conclusion**

Every American has the ability to practice his or her religion freely and without interference. The United States is a country full of diverse viewpoints, cultures, and religions that are all given the benefit of democratic freedom of expression. Christianity is one such religion that can be immensely fulfilling for individuals and families who choose to practice it. However, Christianity is also the majority religion in the United States, affording significant privileges to those who follow the faith. To be Christian in the United States is to live in a society built around one's own beliefs. This can make life difficult for those individuals, organizations, schools and even businesses without Christian identification. The problem is not with Christianity as a belief system, but with the overwhelming favoritism given to Christianity in the realms of government, law, and beyond.
The Constitution of the United States guarantees many things to its citizens, including that church and state will remain separate. This means that religious observance of any kind in America should be a strictly personal decision and should not be promoted or favored by the government. Unfortunately, the examples in this assessment demonstrate that America is not abiding by these rules. Governments on the local, state, and federal levels have taken steps to implement Christian legislation and have made a strong statement about the importance of Christianity over other religious. Even politicians in America are expected to be outwardly Christian, and are often mocked if they are not. Perhaps most concerning, however, are the numerous instances of legal discrimination that continue to take place under the guise of Christianity. It is no secret that there are privileged politics taking place in the United States.

Citizens, representatives, senators, judges, and other elected officials need to take a hard look at the constitutionality of much of the religiously motivated political behavior America is engaging in. In order to create a welcoming country for all, the United States must insure that all opinions and viewpoints are valued and that no one group is awarded unconstitutional power over another. It is crucial for the country’s fair and balanced democracy that America keeps a strong divide between church and state. There are many changes that can be made to level the playing field for all religious adherents, but first the populace must become informed about the nature of religious privilege and aware of how much it has tipped the scale of neutral government in America. According to the founders of the United States, following any religion is a personal decision and should not influence government, law, or American democratic society. As founding father James Madison once wrote in a letter to Edward Livingston, “religion & Govt. will both exist in greater purity, the less they are mixed together”.


