



North Shore Chapter of Americans United for Separation of Church & State

FAQ (Frequently Asked Questions)

Q. What is the Mission of Americans United?

A. Americans United (AU) is a nonpartisan organization dedicated to preserving the constitutional principle of church-state separation as the only way to ensure religious freedom for all Americans.

Q. Who are your members and how are you funded? Do you accept any government funding?

A. Americans United is a national organization with members in all 50 states. We are headquartered in Washington, D.C., and led by the Rev. Barry W. Lynn, executive director. AU has more than 75,000 members from all over the country. They include people from all walks of life and from various faith communities, as well as those who profess no particular faith. We are funded by donations from our members and others who support church-state separation. We do not seek, nor would we accept, government funding.

Q. Is Americans United affiliated with any other group?

A. No. Americans United is an independent organization. We have no formal ties to any other organization, although we often work in concert with like-minded religious, educational, civic and public policy groups to achieve common goals. AU is non-partisan and has no ties to any political party.

Q. Does Americans United oppose religion?

A. No. Americans United does not take positions on theological questions and does not oppose any group because of its religious beliefs. AU works to defend the free exercise of all religions as protected by the Constitution; and we oppose any effort to use government power to force anyone to support, take part in or fund religion.

We do oppose efforts by the Religious Right to impose its theological views on the public by governmental action. The Religious Right's attempt to force all Americans to accept its religious doctrines as law is one of the greatest threats to religious freedom today.

Q. Does Americans United get involved in elections?

A. As a tax-exempt, non-profit organization, Americans United may not intervene in partisan politics. AU has been critical of religious groups that violate the letter and spirit of federal tax laws, so we are careful to make sure we are always in compliance with them ourselves. We refrain from making any statements supporting or opposing any candidate or party, including publishing voter guides about candidate stances on church-state issues.

Q. Do you get involved with church-state issues in other countries?

A. No. Americans United defends separation of church and state in the United States. While we deplore the lack of religious freedom in countries where religion and government are joined, we are not an international organization and thus do not directly address overseas issues.

Q. Where is the “separation of church and state” in the Constitution?

A. The First Amendment's religion clauses state: “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof...” The Establishment Clause forbids more than the establishment of a national religion; it also forbids laws or actions *respecting* an establishment of religion. As James Madison, Father of the Constitution, put it “The Constitution of the U.S. forbids everything like an establishment of a national religion.”

In a January 1, 1802 letter, President Thomas Jefferson wrote of the intended relationship between religion and government: "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 prohibit the free exercise thereof, thus building a wall of separation between church and state."

The Establishment Clause sets up a line of demarcation between religion and government in our society, and the Supreme Court determines where the line is drawn to accommodate liberties in our ever-changing society. Although the exact language is absent, the Supreme Court has repeatedly determined that the Constitution does indeed call for separation between church and state.

Jefferson's "wall of separation between church and state" was first noted by the Supreme Court in an 1878 opinion by Chief Justice Morrison Waite. Justice Hugo Black later reaffirmed the wall's significance in the landmark case *Everson v. Board of Education* (1947). Black wrote "In the words of Jefferson, the clause against establishment of religion by law was intended to erect 'a wall of separation between church and state.'" The wall forbids government to actually or effectively favor one religion over another, favor religion over non-religion and vice-versa. Requiring neutrality removes the authority of government from religious practice and protects each citizen's right to express his or her personal beliefs.

Q. What is a "law respecting an establishment of religion"?

A. The Supreme Court has used a variety of methods to decide if a government action amounts to religious establishment. Unconstitutional actions typically lack a secular purpose or have the principal effect of advancing or inhibiting religion. Religiously motivated actions violate the basic idea that government should concern itself only with civil matters and leave religion to the individual's conscience. Expressive actions, such as prayer at government-sponsored events or religious symbols on government property, are invalid if they effectively endorse or disapprove of religion. Justice Sandra Day O'Connor designed the "endorsement test" to thwart government actions that link one's religion to his or her standing in the political community. In her words, government endorsement of religion sends a "message to non-adherents that they are outsiders, not full members of the political community," and the "accompanying message to adherents that they are insiders, favored members of the political community."

Q. Doesn't the First Amendment only apply to the federal government?

A. Not anymore. When the Bill of Rights was ratified in 1791, it was clearly intended to apply only to the federal government. However, ratification of the Fourteenth Amendment in 1868 set the course for applying the Bill of Rights to the states. The amendment reads in part "...No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law..." In 1940, in a case called *Cantwell v. Connecticut*, the Supreme Court ruled that the First Amendment's Free Exercise and Establishment Clauses must be applied to the states. Since that time, all government action "respecting an establishment of religion," whether at the federal, state or local level, is subject to review under the U.S. Constitution.

Q. How do I contact Americans United?

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