

COMMENTARY

THE TIGHT WIRE

The separation of fact from fiction



FROM THE EDITOR
STEPHEN CRANE

Every time I turn around, someone is claiming that the “separation of Church and State” requires that the two realms must remain wholly independent. Each time I hear someone say it with that familiar indignation, I always want to ask them, “So where in the Constitution do we find this notion of ‘separation of Church and State?’” But I generally hold my tongue.

I’m familiar with the First Amendment – ya know, the one that, among other things, prohibits any law “respecting an establishment of religion, impeding the free exercise of religion, abridging the freedom of speech . . .” Oh, and let’s not forget that pesky one about infringing the freedom of the press, but that’s a topic for another occasion.

But in terms of the Constitution and this separation of Church and State, I challenge anyone to break out the fine-toothed comb and find where in the Constitution this phrase is used. The answer is, you won’t.

But as Mark Twain once said, “Never let facts get in the way of a good story.”

As a former theology major in my college daze, I spent considerable time looking at the historical and cultural context of

religious texts. I found that it provided fascinating insight into meaning and enriched my understanding on multiple levels. And so it is in this case.

The first modern use of the phrase “separation of Church and State” came from a reply written by Thomas Jefferson in response to an 1801 letter from a group of Baptists in Connecticut who were worried that “what religious privileges we enjoy (as a minor part of the State) we enjoy as favors granted (by the state), and not as inalienable rights.” In essence, they felt their religious freedom was not being properly protected by the state’s Legislature.

“Our sentiments are uniformly on the side of religious liberty,” their letter stated, “that Religion is at all times and places a matter between God and individuals, that no man ought to suffer in name, person or effects on account of his religious opinions, and that the legitimate power of civil government extends no further than to punish the man who works ill to his neighbor.”

Jefferson was sympathetic to their concerns.

“Believing with you that religions is a matter which lies

solely between man and his God, that he owes account to none other for his faith or his worship, that legislative powers of government reach actions only, and not opinions,” Jefferson wrote, reassuring them that the First Amendment was in place for their protection – “thus building a wall of separation between Church and State.”

In other words, the intent was not to protect the State from the Church, but to protect the Church from the State.

Does the Church of England ring a bell? State-endorsed religion was the very thing the Puritans fled – and the associated religious persecution. The “inalienable right” of religious freedom was ultimately a sacred – and transcendent – cornerstone of America’s founding principles.

When the two worlds of Church and State inevitably collide, it seems Jefferson’s first order of business was to protect religious freedom – not the other way around.

I wholeheartedly concur, despite the shifting whims of popular opinion. ■

You can contact Stephen Crane at 367-2123 or editor@pinedaleroundup.com.

LETTERS

Judge Neely and constitutional freedoms

Thomas Jefferson wrote: “I never will, by any word or act, bow to the shrine of intolerance, or admit a right of inquiry into the religious opinions of others. . . . We ought with one heart and one hand to hew down the daring and dangerous efforts of those who would seduce the public opinion to substitute itself into that tyranny over religious faith which the laws have so justly abdicated.”

Jefferson is right, for when one’s freedom of conscience is taken away, all other liberties fall.

Our Honorable Judge Neely, who has faithfully served Pinedale for over 21 years, has had a complaint filed against her by the Wyoming Commission on Judicial Conduct and Ethics. They allege that by merely communicating her religious beliefs about marriage and her inability to solemnize same-sex marriages, Judge Neely failed to follow the law and manifested bias or prejudice based on sexual orientation.

Note, Judge Neely has never been asked to perform a same sex wedding nor was her comment in regard to any case before her court. Her case is now before the Wyoming Supreme Court.

The commission argues that Judge Neely should be removed from the bench for purportedly stating that she would not follow the law. But no law requires that any judges or magistrates ‘must’ perform marriages, for the Wyoming statutes clearly state that judges and magistrates “may perform the ceremony of marriage.” Wyo. Stat. § 20-1-106(a).

Effectively, the commission declares that no person who shares her religious beliefs about marriage can be a judge in Wyoming. That is, thus, an unconstitutional religious test for office that violates Wyoming’s Constitution, which strongly states that “no person shall be rendered incompetent to hold any office . . . because of his opinion on any matter of religious belief whatever.”

You should be deeply troubled! If someone can be removed from public office for expressing their beliefs that others in the government do not like, then dear reader, your freedoms are not safe either. This is precisely what Jefferson

fought against and why your support for Judge Neely matters to you.

Pastor Kevin Rose
Pinedale

Community rallies for good causes

The generosity of Sublette County was in evidence Tuesday night as some 300 people attended the lasagna dinner and silent auction benefit for Lisa Parra. We are truly blessed to live in a community like this that rallies around someone in need.

Kickin’ Cancer, a premier fundraiser in Sublette County, is set for June 11 at the Sublette County Fairgrounds. Plan to attend this very worthwhile event.

Doug Vickrey
Daniel

Free speech must be protected

Regarding Ruth Neely, a wrong is being committed that affects not only Judge Neely and the Pinedale community but all citizens in the whole state of Wyoming. Certain parties who seem to have an agenda – and some in responsible positions who agree with them – have taken steps to remove (fire) Ruth Neely from a job that she has worked at and performed faithfully for over 20 years. She is well respected in her community for her good character and honesty, and for the service she has rendered over all these years.

Why, you say, is this happening? Well, early in December 2014, Ruth Neely received a phone call, I understand, as she was decorating a Christmas tree in her home; a newspaper reporter asked her a question; Ruth answered the question.

Just before Christmas, Dec. 22 (Wow, isn’t that good timing?), the wrong got underway to take Judge Neely’s job from her. What had she done? She spoke! That’s all this whole thing hinges on – she spoke! She exercised her free

speech. If her free speech can be, not only trampled on, and her constitutional rights be overridden by lesser law or something like a rule or procedure that is not even a law, then we, the people, have a huge problem on our hands because we have lost our free speech!

You will see a lot of smoke, mirrors, speculation, condemnation, etc. about what is going on, but keep focused on what is real. Again, it is all about free speech, and if one Wyoming citizen’s free speech can be eliminated, even to the point of losing their job, then you or I or anyone in the state could suffer the same fate. This is a real big problem. We will have to be very careful of every word we say.

Folks, this wrong needs to be headed off as it appears they are not bringing it through the pass. We in Pinedale and our brothers and sisters all across the state need to rise up to stop this wrong. We can write to the editor; we can maybe influence those who are involved in this override to stand down; and above all, we can still speak out freely for what is right.

Rich Boettcher
Pinedale

Political correctness is not correct

OK, folks . . . now we have seen the sickness of our own politicians. First off, our Gov. Mead says its now OK to marry men to men and women to women. If someone objects to this disgusting practice, they are vilified.

Now we have a local judge whom is not only honest but has very moral values – something our politicians have no clue about. When people hopefully wake up and make a stand about the loss of freedoms we have to endure because of a minority of disturbed people, then things can be on the right moral track.

Judge Neely has done the right thing in this

“case.” I fully support her and hope the so-called judicial commission gets smacked upside the head for its political correctness.

Political correctness is NOT correct, but if it garners votes, guess that’s OK, huh?

Kris Wittlieff
Pinedale

Poor journalism by agenda-driven reporter

One of your reporters made a call to Municipal Judge Ruth Neely asking if she would marry a same-sex couple. She answered, “No, due to religious beliefs, I would not but there are others in the area that will.”

Even though Judge Neely did let the caller know there were others in the area that would perform same-sex marriage, the caller, your reporter, chose to ignore that fact. Obviously, Mr. Donovan had another agenda. The call was a deliberate opportunity to file a complaint that would discredit, demean, perhaps destroy a longstanding member of the Wyoming court system using religious beliefs as his leverage and stripping Judge Neely of basic constitutional rights.

Good newspapers report the news. They do not set out to deliberately injure individuals nor do they allow their reporters to do so.

Perhaps your newspaper should be investigated for the integrity of calls, written articles and attacks on Christian values – the very values that created and have sustained America.

The shame is on you and your reporter, not on a public servant who has served many years without complaints having been lodged against her.

Ellie Wisner
Cody

CORRECTION

In the article about Sheriff Stephen Haskell’s 12-person jury trial, it incorrectly states he was charged with buying and receiving “stolen” property – the charge is unlawful receipt of property. The reporter regrets the error.

LETTERS TO THE EDITOR AND GUEST OPINIONS

The opinions expressed in the editorial pages are not necessarily those of the *Pinedale Roundup*. The *Pinedale Roundup* always welcomes letters to the editor and guest opinions. Please e-mail them to editor@pinedaleroundup.com, mail them to *Pinedale Roundup*, P.O. Box 100, Pinedale, WY 82941 or drop them off at the *Roundup* office in the Summit Building. Please include the name, phone number and hometown and limit letters to 350 words or fewer. Letters will be run and edited at the discretion of the *Pinedale Roundup*.