

SEPARATION OF CHURCH AND STATE?"

1 So much is the phrase code for America's unique religion/politics arrangement that many are surprised it's not in either the Declaration of Independence or the Constitution. The Virginia Baptists liked it: Baptists are separatists, wouldn't knuckle under to state (of Va.) church (Anglican, the official ["established"] church of the colony) laws--for which, before the Revolution, they were (as one victim said) "honored with the dungeon." But an Anglican layman & vestryman, Thos. Jefferson, strongly sided with their cry for religious liberty (such as the Baptists had in R.I. & Pa.), & helped them write their declaration of religious liberty, which proved to be preparation for his drafting the Declaration of Independence....The Baptists & a few other groups, esp. Quakers & Mennonites, were separationists on religious grounds: Enlightenment thinkers, including Jefferson, on rational grounds (persuasion by reason, no intellectual [broad sense] coercion by government).

2 Religious freedom (an inner-life reality) preceded, & pressured for, religious liberty (which is a sociopolitical arrangement forbidding governmental interference with the "free exercise" of religion, in view of the soul's politically independent responsibility to the superior Sovereignty). Note the First Amendment's 2nd clause: "Congress shall make no law prohibiting...the free exercise" of religion. But before that was adopted, note this in the Constitution itself (Art.VI): "no religious test shall ever be required as a Qualification to any Office or public Trust under the United States [Government]." The Founders' "original intent" (neither expanded nor contracted by later "spinning") was not to remove religion from government (as many court decisions since World War II have) but to remove government (for the 1st time in anybody's history) from religion--the unique contribution of America to the world history of statecraft).

3 The 1st clause of the First Amendment removes from the federal government a power all previous & all then-existing nations had claimed, viz. the power to elevate to "established" (official, preferential-legal) status one religion over others: "Congress shall make no law respecting an establishment of religion." This left the states free to make such laws, & eight of them had religious establishments (eg, the Anglican Church in Va. [as above] & till 1833, Congregationalism in Mass.). But power unchecked expands, & our federal structure (history's best of checks & balances) failed to check the Supreme Court, which has unlimited power to check ("declare unconstitutional") actions of Washington's other two branches. The Court, esp. since WWII, has read expansively (expanding its power by a so-called "dynamic"--anti-"original-intent"--reading of the Constitution). In effect, the Court has substituted, for the word "Congress," "No branch of government at any level." Ideologically, this has been achieved by transferring the people's authority to the individual: one "minority" individual, usu. with the help of the American Civil Liberties Union, Americans United for the Separation of Church & state, or a handful of smaller but similar individual-advocacy groups. Ludicrously, not just a minority group but one single individual, feeling "offended," can thus tyrannize over a community. Myopically, the dignity of the individual functions in the highest & lower courts as superior to the people's dignity. A proper Greek wd. to describe this situation--on-the-ground is not "democracy" but "idiocracy" (not in the sense of rule by an "idiot" [the Gk. wd.'s neg. connotation] but in [Kittel] "the basic sense of one who represents his own interests as compared with the official or public interest"--but the Gk. compound is mine). (Another Gk. wd. is tangentially applicable: "anarchy," the negation of public authority, ie government.)

4 The latterday notion that government should be disinterested in, neutral toward, religion is such an overreading of the First Amendment as to tilt government at all levels toward establishing, as a religion (or at least a religion substitute) godless ("secular") humanism. Public education is to leave God out of the world-view (explicative frame, hermeneutical

paradigm), God being confined to religion courses (if any)--in hypocritical contrast to "In God we trust." Atheist public-school teachers are comfortable with the situation: they are free to teach their full view of their fields & of life & the world. Not so theist public-school teachers: they are enjoined to suppress the very heart of the way they see the world. Besides being unfair, this policy is suicidal to the vision, values, & virtues of the God+reason American heritage, of which the danger of amnesia increases along with the increase of realities signaled by such words as pluralism, multiculturalism, & postmodernism.

5 When almost the entire American populace is taught, in our public schools, to think god-lessly (ie, without the God-center&base, in the Enlightenment phrase "within the limits of reason"), the "separation of [two co-equal spheres,] church & state" becomes the marginalization of religion from public life & the trivialization of religion in private life. By permitting only atheist public-school teachers to witness in the classroom to what matters most to them, the courts have violated both of the First Amendment's religion-clauses: 1st clause, secular humanism is the virtual established religion of the public schools; 2nd clause, the suppression of theist speech is in plain disdain of "the free exercise" of religion.

6 The populace should be coerced, by taxation, to fund the education of every child in America--but not, as at present, to support institutions (our public schools) promoting only one religion (viz, god-less humanism). Both of the First Amendment's religion clauses speak to the present debate over "vouchers." In CONTEMPORARY EDUCATION (Summer/97 260-64), Rich.V.Pierard attacks vouchers: Public funds should be directed only "toward the free, democratically managed public schools." Where has he been lately? No longer are religion/p.s. issues determined "democratically," by local/area/state school boards: the courts (with the complicity of teachers' unions) have taken over that function. That take-over triggered the vouchers revolution. Vouchers are reactivating the "free exercise" clause now that the no-establishment clause has failed.... In his THE LUSTRE OF OUR COUNTRY: THE AMERICAN EXPERIENCE OF RELIGIOUS FREEDOM (U. of Cal./98), Jn.T.Noonan, Jr. well makes the point that the religion clause (singular) absolutely forbids federal interference with the "free exercise" of religion, the first half of the clause having to do only with one possible congressional interference, viz with the then-established state churches (state decisions on religion establishment being an instance of an exercise of religion free from federal meddling, thus "free exercise"). Esp. beginning in the 1950s, the "free exercise" range has been contracted, narrowed: states, counties, school districts are now no longer free to make religion decisions they formerly could make--the reverse side of this being the expansion of federal control over religion & of the individual's veto power against religion (the courts siding with individuals who feel "offended" when facing, in the public square, religions they dislike). Under the same circumstances, the "establishment" sub-clause has been expanded, any government recognition of religion being attacked as in violation of "no...establishment."

7 Though secular advocacy groups such as ACLU & AUSCS fear religion's influence on government, the Founding Fathers feared the reverse--so the First Amendment restrains not "church" but "state." Consider some recent losses from government's meddling with religion: (1) loss of life ("Waco": 86 dead); (2) loss of job (The US Supreme Court let stand a lower court's ruling against a San Francisco employee fired for quoting Scripture against "the homosexual lifestyle."); (3) loss of "free exercise" (The Mass. supreme court ordered a father to stop taking his daughter to Sunday school, since the mother was taking her to Jewish instruction during the week.). Take the three instances in reverse & you have a picture of pagan persecution of the early Christians: no worship-freedom, loss of jobs, loss of life. With the increasing paganization of the US, we can expect increasing alienation of Christians from government--a type of "separation of church & state."....When a few years ago all visual evidences of Christianity were removed from the U. of Chicago's Rockefeller Chapel (to obscure its origin), I thought of government's fight to do the same in public buildings--eg, to remove the Ten Commandments from the courtroom of Alabama Judge Roy Moore. Deep trouble ahead.