

Religious Arguments for Separating Church and State

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Introduction

In the so-called “culture wars” of the late twentieth century, one commonly hears allegations that the separation of church and state reflects and promotes a “secularist” agenda. It is certainly true that most secularists (such as Paul Kurtz, in the 1973 *Humanist Manifesto II*) wish to separate church and state. However, many religious individuals and societies favor such separation also; therefore it is misleading to refer to separation of church and state as a secular or secularist idea. The purpose of this brief survey is to list some of the religious arguments that have been presented in favor of separation, so that religious people may consider those arguments as “friendly” to their faith-commitments, rather than hostile to them.

What I call “religious” arguments for separating church and state needs to be qualified in two ways. First, I mean that these arguments were made by self-consciously religious people (as opposed to secularists), even though the arguments themselves are not narrowly religious in nature. When Hanover Presbytery expressed concern regarding de-population, for instance, this was a practical consideration in the developing colonies, and not a religious concern in the narrow sense of the term. Second, when I mention “religious” arguments, I surely do not suggest that all religious people agreed with these arguments. One of the most significant differences between Catholicism and Protestantism is the difference over whether the church rightly wields any civil power, for instance.¹ Similarly, among Protestants themselves there have been moments when the political realities of the day sometimes expressed themselves on

¹ When William of Ockham published his disagreement with Pope Boniface VIII’s 1302 *Unam Sanctum*, which articulated the Roman Catholic doctrine that the church wields both civil and ecclesiastical power, he was excommunicated, and the Catholic Encyclopedia says that Ockham was frequently considered to be “the first Protestant.” Similarly, in the Syllabus of Errors Condemned by Pope Pius IX (1864), Error number 55, under the sub-heading “ERRORS ABOUT CIVIL SOCIETY, CONSIDERED BOTH IN ITSELF AND IN ITS RELATION TO THE CHURCH,” says: “The Church ought to be separated from the State, and the State from the Church.” Rome, therefore, considers separation of church and state to be a significant error.

denominational lines. During the discussions that ultimately led to the American revolution, for instance, Anglicans in the colonies tended to have Tory sentiments, whereas Presbyterian dissenters to established Anglicanism tended to be Whigs. Therefore, when I mention “religious” arguments for separating church and state, I am merely listing some of the more-important concerns expressed by those particular religious people who favor such separation.² The intended value of such is two-fold: first, to rebut the frequent allegation that separation implies a secularist agenda; and second, to encourage religious people to consider joining the separationist cause.

A definitional note must also be made here. Technically, separation of church from state is not identical to disestablishment, even though the arguments for each are often similar. Disestablishment requires the state not to use its power to establish a religion, but it does not require the church to refrain from interfering with the state. Separation, by comparison, goes beyond disestablishment, by also arguing that the church, *qua* church, has no ordinary responsibility or right to interfere with the state. The Westminster Confession of Faith, for instance, in its chapter on ecclesiastical synods and councils, says: “Synods and councils are to handle, or conclude nothing, but that which is ecclesiastical: and are not to intermeddle with civil affairs which concern the commonwealth, unless by way of humble petition in cases extraordinary; or, by way of advice, for satisfaction of conscience, if they be thereunto required by the civil magistrate” (WCF 34:1).

As a final introductory matter, this essay will follow a conceptual arrangement, rather than an historical arrangement. A very fascinating work could be written, comprehensively gathering in chronological order all the individuals and groups that have contributed to this topic. For the sake of brevity, however, I will discuss six arguments for separating church and state that

² Admittedly, “more-important” implies a value judgment either as to the cogency of these arguments, or to their actual potency in carrying the day, and I would prefer, actually, not to be selective, since selecting among these arguments not only requires judgments I would rather not make, but also causes me to omit some of the ones I personally find to be quite cogent, such as Stuart Robinson’s argument that the “use of religion for state purposes is Pagan in its origin, and, therefore, impossible, in any form of it, to be actualized under Christianity.” Cf. his Note D. to Discourse X, in *Discourses of Redemption* (Richmond: Presbyterian Committee on Education, 1866), p. 476.

religious individuals and groups have made, and will merely cite some, but by no means all, of the proponents of such argumentation.

1. Liberty and liberty of conscience

For Protestant Christianity, the doctrine of the conscience plays a very important role. Unlike the Baltimore Catechism of the Catholic Church, where conscience normally appears only in sections dealing with Penance or Confession, some Protestant confessions have an entire chapter devoted to it, such as the Westminster Confession's chapter on "Christian Liberty and Liberty of Conscience." Within this understanding, an action or belief is only morally approved when it is a sincere act, an act that accords with conscientious faith. The conscience is thus "free" from false authority to serve God, the true Authority. Any professed faith or outwardly religious act that is merely done to avoid civil penalties is not an act of any true moral worth. When the beliefs and practices of the church are prescribed by the State with its coercive powers, this does not promote true religion, but hypocrisy. For many Protestants, therefore, one of the best ways to preserve true liberty of the individual conscience is to leave that conscience entirely free, in religious matters, from considerations of civil consequences.

Charles Hodge, one of Princeton Seminary's most important nineteenth-century theologians, put it this way:

"That the only means which the state can employ to accomplish many of the objects said to belong to it, viz., pains and penalties, are inconsistent with the example and commands of Christ; with the rights of private Christians, guaranteed in the word of God, (i.e., to serve God according to the dictates of his conscience), are ineffectual to the true end of religion, which is voluntary obedience to the truth, and productive of incalculable evil...If to this it be added that experience teaches that the magistrate is the most unfit person to discharge these duties; that his attempting it has always been injurious to religion, and inimical to the rights of conscience, we have reason to rejoice in the recently discovered truth, that the church is independent of the state, and that the best state promotes her interests by letting her alone." (PTR 694)

Hodge's syntax is awkward, but if we reproduce his thought in enumerated form, Hodge said that the coercive powers of the state have these six problems:

1. They are "inconsistent with the example and commands of Christ;"
2. They are inconsistent "with the rights of private Christians, guaranteed in the word of God, (i.e., to serve God according to the dictates of his conscience),"
3. They "are ineffectual to the true end of religion, which is voluntary obedience to the truth,"
4. They are "productive of incalculable evil"
5. The "magistrate is the most unfit person to discharge these duties".
6. The use of the coercive powers of the state "has always been injurious to religion, and inimical to the rights of conscience".

The first, second, third, and sixth of these four are all closely related to the idea that a belief or behavior can only please God if it is freely and conscientiously offered, and not done under coercion.

2. State, church, and family each sovereign in its own arena.

Since the late nineteenth century, it has been common to associate "Sphere Sovereignty" with Abraham Kuyper, Prime Minister of the Netherlands from 1901 to 1905. While it is certainly true that Kuyper was an instigator for separation of church and state in the Netherlands, the notion of Sphere Sovereignty antedated him by many decades. Simply put, Sphere Sovereignty is the idea that God, the Lord of all created reality, has instituted three distinct spheres in which and by which He orders reality: Family, Church, and State. Since each is separately instituted by God, it is a violation of God's will for any of these to interfere with the others. Charles Hodge had casually referred to this almost as a commonplace in 1863, saying:

In the first place it assumes that the state, the family, and the church, are all divine institutions, having the same general end in view, but designed to accomplish that end by different means....as God has instituted the family for domestic training and government; the state, that we may lead quiet and peaceable lives, and the church for the promotion

and extension of true religion, the three are to be kept distinctive within their respective spheres.”³

In this form, the doctrine of Sphere Sovereignty teaches not only the separation of church and state, but the separation of church and family, and of family and state. Indeed, opposition was directed against the idea of compulsory education in the early nineteenth century by Southern Presbyterian Theologians such as Robert Lewis Dabney on the ground that such compulsion constituted a violation, on the part of the state, of the sovereign sphere of the family.⁴

3. The Spirituality of the Church

The doctrine of the “Spirituality of the Church” has fallen on hard times since the last quarter of the twentieth century, due to the influence of Jack P. Maddex, who argued that the doctrine, ardently promoted and defended in the antebellum South, was little more than a cover-up to promote slavery by preventing the church from addressing the matter prophetically.⁵

³ “Relation of the Church and State,” *Princeton Theological Review*, vol. 35 no. 4 (1863) 692.

⁴ “The State Free School System,” in *Discussions of Robert L. Dabney*, vol. iv (1879. rpt., Sprinkle Publications, 1979), pp.191-224. Note also the extended statement by Dabney’s fellow Southern Presbyterian, James Henley Thornwell: ““The provinces of Church and State are perfectly distinct, and the one has no right to usurp the jurisdiction of the other. The State is a natural institute, founded in the constitution of man as moral and social, and designed to realize the idea of justice. It is the society of rights. The Church is a supernatural institute, founded in the facts of redemption, and is designed to realize the idea of grace. It is the society of the redeemed. The State aims at social order; the Church at spiritual holiness. the State looks to the visible and outward; the Church is concerned for the invisible and inward. The badge of the State’s authority is the sword, by which it becomes a terror to evil doers, and a praise to them that do well. The badge of the Church’s authority is the keys, by which it opens and shuts the kingdom of Heaven, according as men are believing or impenitent. The power of the Church is exclusively spiritual; that of the State includes the exercise of force. The Constitution of the Church is a Divine revelation; the Constitution of the State must be determined by human reason and the course of providential events. The Church has no right to construct or modify a government for the State, and the State has no right to frame a creed or polity for the Church. They are planets moving in different orbits, and unless each is confined to its own track, the consequences may be as disastrous in the moral world as the collision of different spheres in the world of matter.” *Collected Writings of James Henley Thornwell*, IV:449.

⁵ Maddex, Jack P. “From Theocracy to Spirituality: The Southern Presbyterian Reversal on Church and State.” *Journal of Presbyterian History* 54, no. 4, 1976. And note also the thorough

While Maddex and his followers are free to speculate about the motives of the Southern Presbyterians, in point of fact the doctrine is a very old doctrine, a doctrine that Stuart Robinson referred to in 1866 as the “Scoto-American Theory,” being rooted, as Robinson said, “in the views of the fathers of the Scottish Reformation, on the ecclesiastical side; and in the views of the fathers of the American Republic, on the civil side”.⁶

The doctrine of the Spirituality of the Church teaches that the Church is created by the Holy Spirit, who rules in human hearts, that the arena of the Church’s concern is the eternal and spiritual well-being of humans, and that the power by which the Church advances is the power of the Holy Spirit, working through the ordinances of His own choice. On this latter point especially, we note that the doctrine teaches that the Church self-consciously does not wage its warfare by earthly means: “The weapons of our warfare are not fleshly,” said the apostle Paul, indicating his sole confidence in the Spirit’s work to accomplish the church’s task (2 Cor. 10:4). But in this passage, Paul implicitly distinguishes the church’s “warfare” from the state’s warfare. Each employs different weaponry, and the church’s weaponry is self-consciously not the coercive powers of the state. This idea is indeed apostolic; it is neither Southern, nor distinctly Presbyterian, nor distinctly nineteenth century, for we find the idea articulated by the Massachusetts Baptist minister John Leland (1754 - 1841), who said:

“It has often been observed by the friends of religion established by human laws, that no state can long continue without it; that religion will perish, and nothing but infidelity and atheism prevail. Are these things facts? Did not the Christian religion prevail during the first three centuries, in a more glorious manner than ever it has since, not only without the aid of law, but in opposition to all the laws of haughty monarchs? And did not religion receive a deadly wound by being fostered in the arms of civil power and regulated by law?”⁷

rebuttal of Maddex’s thesis in Preston Don Graham, Jr., *A Kingdom Not of This World*, Macon: Mercer University Press, 2002.

⁶ Note D. to Discourse X, in *Discourses of Redemption* (Richmond: Presbyterian Committee on Education, 1866): p. 476.

⁷ L. F. Greene ed., *The Writings of John Leland*, reprint edition, New York: Arno Press & The New York Times, 1969, pp. 181-182.

Over a nine year period in the late-eighteenth century, the Hanover Presbytery in Virginia sent five overtures to the Virginia legislature appealing for separation of church and state. On October 24, 1776, they said this to Virginia's lawmakers:

Neither can it be made to appear that the gospel needs any such civil aid. We rather conceive that when our blessed Saviour declares his kingdom is not of this world, he renounces all dependence upon State power, and as his weapons are spiritual, and were only designed to have influence on the judgment and heart of man, we are persuaded that if mankind were left in the quiet possession of their unalienable rights and privileges, Christianity, as in the days of the Apostles, would continue to prevail and flourish in the greatest purity by its own native excellence and under the all disposing providence of God.”⁸

The doctrine of the Spirituality of the Church, therefore, insists that dis-establishment is the consistent belief that the Spirit's power is the only power necessary for the church to accomplish her mission in the world. This doctrine believes the power of the church and the power of the State are inimical, and therefore should be separated.

4. The theocracy of Israel was typological, and not an economy to be continued.

A not-infrequent objection to religious arguments for separating church and state is the Israelite theocracy: “How can it be right to separate church and state when God plainly instituted a church-state in Israel?” To this, many religious people have replied that theocratic Israel was a typological institution, designed to prefigure the Kingdom of God in its final, eschatological form, when Christ returns to judge the living and the dead, and to slay his enemies by the sword of his mouth. Theocratic Israel is therefore *not* a type to be emulated by other governments, governments *not* miraculously given constitutions by the finger of God at Sinai, governing people *not* miraculously delivered from bondage to the Egyptians.⁹

⁸ Cited in Charles F. James, *Documentary History of the Struggle for Religious Liberty in Virginia*. Lynchburg, VA: J. P. Bell Company, 1900, p. 223.

⁹ It might also said that many defenders of separation of church and state have denied that church and state are confused in theocratic Israel. Many have argued that even in the Israelite theocracy, the priesthood and monarchy were rigidly separated, the monarch having no authority over the

This view was articulated by many of the Southern Presbyterians, including Thomas E. Peck, who said: “We have, as yet, made no allusion to the history of the Old Testament... because the dispensation which it is its main purpose to reveal and to illustrate was altogether peculiar, and was designed to be temporary.”¹⁰ Similarly, Charles Hodge of Princeton said: “And when reasoning from the word of God, we are not authorized to argue from the Old Testament economy, because that was avowedly temporary, and has been abolished; but must derive our conclusions from the New Testament.”¹¹

4b. Criminality and immorality must be distinguished.

If indeed it is the case that Israel’s theocracy was a temporary and typological institution, then other civil institutions need not emulate her, and specifically, they must not emulate her confusion of criminality and immorality. Since Israel as a theocracy anticipated the eschatological state, where the righteous and the wicked are separated, it was appropriate to that theocracy to punish with civil punishments all wrongdoing of any sort. But other states need not and should equate immoral acts with criminal acts. Blasphemy and idolatry, for instance, and possibly unbelief, are among the morally worst acts a creature can commit; but such acts are not and need not be criminal acts because they do not necessarily subvert public order.

Religious people who resist separation ordinarily confuse criminality and immorality. Since religious people embrace a theistic worldview, they believe, rightly, that all sin is sin, and

Levitical priesthood and the Levitical priests having no authority over the affairs of state. Cf. Stuart Robinson, Note D. on Discourse X, *Discourses of Redemption* (Richmond, Presbyterian Committee on Education, 1866), pp. 474-488, esp. 477: “Much as has been said of the mingling of the civil and ecclesiastical in the Mosaic constitution, it is a fact that in that constitution only of all ancient governmental constitutions was the distinction between the civil and ecclesiastical power carefully distinguished, as Gillespie, of the Westminster Assembly, has abundantly shown.” Robinson apparently here refers to The First Book of George Gillespie’s *Aaron’s Rod Blossoming; or The Divine Ordinance of Church Government Vindicated* (1646. Rpt. Sprinkle Publications, 1985, chapters I-III, pp. 1-18.

¹⁰ “Church and State,” *The Miscellanies of Thomas E. Peck*, 1895, vol. 2: 269.

¹¹ “Relation of the Church and State,” *Princeton Theological Review*, vol. 35 no. 4 (1863) 692.

all sin deserves to be punished. What they fail to distinguish, however, is private sin from public sin, immorality from criminality. In the process, they also fail to distinguish which institution (state, family or church) is responsible to discipline which sins. That is, even if we grant, as I do, that all sin deserves to be punished, this does not in itself say anything regarding by whom the punishment should be administered. To illustrate, if my neighbor's child, over in his backyard, does something that I would punish my children for, does this mean that I have any rightful authority to punish *his* child? No. On the other hand, if his child were to take a course from me at Grove City College, and if my syllabus indicated that late work would be penalized one letter grade, then I would indeed have authority to punish my neighbor's child for this particular malfeasance. His child would not be under my jurisdiction as a parent, but in this case would be under my jurisdiction as a professor.

Surely, God will eventually enter into final judgment with his creation, and will call every creature to accountability, and will meet out punishment according to what people have done in the body (2 Cor. 5:10). This judgment and punishment will be deserved. But God will be the executor of this punishment; not the state, nor the church, nor the family. And since final judgment is exclusively God's prerogative, the question becomes one of what kinds of judgment does God grant to which institutions in this life. Parents have disciplinary authority over their children; the church has disciplinary authority over its members; and the state has disciplinary authority over those within its borders, whether citizens or not. But what kinds of sins may each institution punish, and with what kinds of censures? May a father give his son a speeding ticket? May the church fine its members for delinquency in registering their automobiles? May the state incarcerate people for believing in the "wrong" deity, or no deity at all? What kinds of censures may these institutions inflict upon those under their jurisdiction? May the family employ capital punishment, hanging disobedient teenagers? May the church fine or incarcerate its people? May the state excommunicate someone?

Religious people who believe in separation believe that each of these three institutions has its own jurisdiction, and that each has its own laws to enforce, and each has its own censures. Thus, a parent may rightly decide that young children must go to bed by 8 p.m., but the State or church may not make any such decision. The family has its own rules, necessary to its own

peace and order, but neither the state or church may interfere with these under ordinary circumstances. Similarly, the church has jurisdiction only over its own members, and may only require obedience to the commands of Christ, because people who join the church do so as followers of Christ. Thus, the church may not require that a person vote for a particular political candidate, join a particular political party, or choose to be a citizen of a particular nation. While the state may not require children to go to bed at 8 p.m., it may indeed impose a curfew requiring citizens under a certain age to be off the streets by eleven p.m. Regarding censures, the family may use a variety of censures, including non-abusive corporal punishment; the state may use fines, incarceration, corporal or capital punishment (though most western democracies have chosen not to employ corporal punishment in the last century or so), and the church may withhold the sacraments.

Confusion on this point often centers around a misunderstanding of Paul's comments about the civil magistrate in Romans 13, where he refers to the magistrate as one who is a terror to evil conduct. Many religious people conclude, therefore, that the magistrate's duty is to punish *all* evil conduct, as the Bible describes "evil". In its historical context, however, this interpretation is unlikely. The particular magistrate to whom Paul refers is the Roman authority, who knew nothing of the law of Moses or the commands of Christ, and yet Paul referred to this pagan Roman magistrate as a "minister of God for your good." The "evil" spoken of by Paul is societal evil, evil of a public nature that threatens the well-being of the commonwealth or its individual citizens. From what we know of first-century Roman law, it appears that Paul rightly assumed that the magistrate would punish crimes against persons and crimes against property. If the magistrate did this, Paul was content that he was serving his divinely-instituted role fine. Many other behaviors might well be sinful and immoral, but they are not and need not be criminal. In the late eighteenth century, John Leland, the Massachusetts Baptist, addressed this important distinction:

What leads legislators into this error, is confounding sins and crimes together -- making no difference between moral evil and state rebellion: not considering that a man may be infected with moral evil, and yet be guilty of no crime, punishable by law. If a man worships one God, three Gods, twenty Gods, or no God -- if he pays adoration one day in a week, seven days or no day -- wherein does he injure the life, liberty or property of

another? Let any or all these actions be supposed to be religious evils of an enormous size, yet they are not crimes to be punished by laws of state, which extend no further, in justice, than to punish the man who works ill to his neighbor.¹²

Leland reflected common views in his day: That states exist to preserve the natural or inalienable rights of humans, frequently considered to be life, liberty and property as referred to by Leland. Thus, an act is criminal when it harms another's person or property, or restrains his liberty; but other acts are tolerable by the state.

5. The proof of history, that the blending of church and state has had disastrous consequences.

My more-cynical friends who are professional historians occasionally remind me that if history teaches us anything, it is that history does not teach us anything, and the point is ordinarily well-taken. If love is blind, history is blinder yet, and there is no obtuseness like historical obtuseness. A devout Roman Catholic will persist in believing that the Spanish Inquisition, in which Jewish parents were required to present their children to be baptized by a Trinitarian formula, or otherwise be exiled or executed, was a highwater day in the history of the Church. A conservative Protestant culture warrior will look back to the pre-1960s Eisenhower era as "the good old days," days in which African-Americans could not ride in the front seats of public transportation or eat in many restaurants.

However, when all is appropriately conceded to that unusual blindness that we call historical blindness, many, perhaps most, will concede that the mixture of church and state has been historically disastrous for both.¹³ The nature of internal politics and international diplomacy requires that the state be a compromising (and therefore compromised) institution. Purity to an ideology (or an ethic) is nearly impossible for a surviving state, and if the church weds herself to a compromising and compromised institution such as the state, it will inevitably be compromised herself, as history all-too-frequently proves. Indeed, many secular observers of the history of religion suggest that religion is dangerous precisely *because* it weds itself and its

¹² From *The Yankee Spy*, John Leland writing under the pen name of Jack Nipps, Boston, 1794.

¹³ I certainly suspect that many learned Catholic writers would disagree with this assessment, writers such as Richard John Neuhaus and Rodney Stark.

agenda to that of the state, and then employ the state's coercive powers to kill, exile, punish, or marginalize the church's perceived enemies.¹⁴ And surely, if the Church employs the coercive powers/weapons of the state, she subverts herself and her spiritual ends.¹⁵

6. "Practical" Considerations

Initially, it may appear contrary to my thesis to mention practical considerations for separating church and state, since the topic is "religious" arguments for separating church and state. In fact, the practical considerations are very important to the thesis, because the fact that religious people constructed practical arguments is itself very significant. The religious factors in the early Republic did not argue exclusively, or even primarily, from their own distinctive religious principles. Many religious people did not believe that their particular religion required any distinctive approach to political theory. This very fact is itself separationist in its implications. Religious societies and political societies were judged to be sufficiently separate that one could construct arguments regarding one without appealing to the other. As William Cunningham said: "God has not prescribed His written word as the only rule to be followed by nations and their rulers in establishing and administering civil government; and He has not given them in His word sufficient materials to guide them authoritatively in determining all the questions which, with reference to this matter they may be called upon to entertain and dispose of."¹⁶

Note, for instance, the large number of practical concerns enumerated by the Hanover Presbytery when it overtured the Virginia legislature for dis-establishment in 1776:

We beg leave farther to represent that religious establishments are highly injurious to the temporal interests of any community...such establishments greatly retard population, and

¹⁴ Sam Harris. *The End of Faith: Religion, Terror, and the Future of Reason* (Norton: 2005).

¹⁵ This is the substantial thesis of Jacques Ellul, *The Subversion of Christianity*, trans. Geoffrey Bromiley (Grand Rapids, MI: Eerdmans, 1996), and informs also Ellul's *Anarchy and Christianity* trans. Geoffrey Bromiley (Grand Rapids, MI: Eerdmans, 1991).

¹⁶ *Discussions on Church Principles*. First ed., 1863. Reprint by Still Waters Revival Books, Edmonton, 1991, pp. 196-97.

consequently the progress of arts, sciences, and manufactories: witness the rapid growth and improvements of the Northern provinces, compared with this.¹⁷

When state and church unite, inevitably they depopulate; they effectively exile from the region those whose religious principles are contrary to those of the state. And, Hanover rightly reasoned, this depopulation has very negative practical consequences, because individuals whose insights, abilities, and labors might have contributed to progress in “arts, sciences, and manufactories” now depart, taking their potential with them.

Effectively, Hanover Presbytery was making an early argument for what we would now call “pluralism”: a culture that deliberately welcomes people with a broad variety of beliefs (or unbeliefs), because of the cultural benefit that comes from such a broad array of talented people. We can never know who will become the next Marie Curie (effectively exiled from Warsaw to Paris in 1891), the next Albert Einstein (who renounced his German citizenship and moved to the U.S. in 1933), the next Mstislav Rostropovich (exiled from the Soviet Union in 1974), the next Alexander Hamilton (who, abandoned by his father, and with a deceased mother, escaped his native Nevis for New Jersey in 1772). What we can know is that many significant contributors to the human condition did so while exiled (for various reasons) from their native countries.

An Irony

Since the rise of the so-called Moral Majority in the late 1970s, it has been common for fundamentalists and evangelicals to employ the powers of the state in an effort to establish their moral and religious agenda. This is a very unusual matter, because historically, this was a Roman Catholic position, resisted by the Reformers. Boniface VIII’s *Unam Sanctum*, in 1302, articulated the doctrine that the church had two swords, a spiritual sword and a physical sword. Within twenty years, William of Ockham published his objections to this notion that the church should wield civil power, and for his efforts he was excommunicated, and the Catholic Encyclopedia indicates that Ockham was often referred to as “the first Protestant.” What is interesting to me is to observe fundamentalists embracing essentially a Roman Catholic doctrine

¹⁷ Charles F. James, *Documentary History of the Struggle for Religious Liberty in Virginia*. op. cit., p. 223.

of the relation of church and state, since in other ways fundamentalists have ordinarily been somewhat stridently anti-Catholic.

Conclusion

While religious individuals and groups have not expressed a unanimous opinion about separation of church and state, many of the most vigorous and influential arguments for their separation was made by such religious individuals and groups. That is, the commonly-expressed notion that separation of church and state reflects a “secularist” agenda betrays a remarkable ignorance of Christian history and the development of Christian doctrine. In a free republic, we welcome continued discussion of such a vital public issue, and we invite to that discussion all viewpoints and their proponents. But neither this discussion, nor any other matter of vital public policy interest, will be aided by ignorance or misrepresentations of historical reality.

Interestingly, the geographic bounds of the Hanover Presbytery in the late 18th century embraced much of central Virginia, including the abode of one Mr. Thomas Jefferson. But the secularist Jefferson was not the only voice petitioning the Virginia legislature for disestablishment and religious liberty. Hanover Presbytery’s five overtures over the course of nine years were likely as influential as any authored by Mr. Jefferson, who joined his secularist reasons to the religious ones authored by Hanover Presbytery. The Virginia legislature did not overlook Hanover Presbytery’s religious reasons, and we need not and should not today.

For Further Reading

Those interested in the religious arguments for separation as those arguments actually entered the public record through constitutional, legislative, and judicial actions will surely wish to read the fascinating record compiled by Marci A. Hamilton and Rachel Steamer, “The Religious Origins of Disestablishment Principles” (Benjamin N. Cardozo School of Law, Jacob Burns Institute for Advanced Legal Studies Working Paper No. 171, 2006, which can also be downloaded from the Social Science Research Network at <http://ssrn.com/abstract=941419>). Those interested in a more-comprehensive study than I could accomplish in this brief scope will wish to read D. G. Hart’s compelling *A Secular Faith: Why Christianity Favors the Separation of Church and State* (Chicago: Ivan Dee, 2006). To see how the principle of separation was

tested historically, especially among religious individuals in the border states during the American Civil War, see the interesting *A Kingdom Not of This World: Stuart Robinson's Struggle to Distinguish the Sacred from the Secular during the Civil War*, by Preston D. Graham, Jr. (Mercer University Press, 2002). A finely-nuanced and historically-informed discussion of the question of why civil laws need not conform to a distinctively biblical ethical framework, will be found in Kyle Swan, "Law, liberty, and Christian morality," *Religious Studies* 43 (Cambridge: 2007), 1-21.