Can America Have Separation of Church and State?

Anti-religious fervor is rising in the United States. In January, the FBI <u>circulated an internal document</u> that <u>targets</u> traditional Catholics for investigation because of their views on such topics as open borders or LGBT issues, and <u>other examples</u> of anti-religious sentiment <u>abound</u>.

Many today <u>suggest</u> that religion should not affect politics in the United States. This has led to many wild claims, including notions that <u>churches should be taxed</u> and that the United States has <u>never been a religious country</u>.

However, any student of history will understand that in order to know where we are going, we must know where we have come from. During this time of political and cultural turmoil, it is perhaps even more important for us to understand how and why the United States has arrived to its present situation with the state and the church.

Long before the Declaration of Independence was signed, European North America was <u>populated by religious refugees</u> fleeing persecution in Europe. The 1620 <u>Mayflower Compact</u> begins:

"Having undertaken for the Glory of God, and Advancement of the Christian Faith, and the Honour of our King and Country, a Voyage to plant the first Colony in the northern Parts of Virginia; Do by these Presents, solemnly and mutually, in the Presence of God and one another, covenant and combine ourselves together into a civil Body Politick."

William Bradford, a member of the Plymouth colony, <u>said</u> of the 1620 arrival in <u>History of Plymouth Plantation</u>, "Being thus arrived in a good harbor and brought safe to land, they fell upon their knees & blessed the God of heaven, who had brought

them over the vast & furious ocean."

And as the nation grew, the question of whether (and where) to draw the line between government and society arose. Is the government separable from the beliefs, religion, and customs of the people?

In 1644, Roger Williams, founder of the Providence Plantations in New England and co-founder of the First Baptist Church in America, wrote <u>The Bloudy Tenent of Persecution</u>, for Cause of Conscience, Discussed in a Conference Between Truth and Peace in which he made the argument for a wall of separation between church and state. This book started a notorious back-and-forth of publications with John Cotton, author of <u>The Bloudy Tenent</u>, Washed, and Made White in the Bloud of the Lamb, which argued in favor of a government that enforced homogenous religion. Williams' book and subsequent responses were fundamental philosophic sources for John Locke, the First Amendment, and several of Thomas Jefferson's writings.

This type of back-and-forth was crucial to the founding tenets of the United States and helped bring about our modern legal doctrine of the (formal) separation of church and state, and there are numerous early examples of this separation. For instance, Thomas Jefferson said in his *Notes on the State of Virginia*, "It does me no injury for my neighbour to say there are twenty gods, or no God. It neither picks my pocket nor breaks my leg."

However, there are also examples where the representative body of the people chose to advocate for religion. For instance, throughout the Revolutionary War, Congress annually proclaimed days of fasting and of thanksgiving. And in 1776, Congress implored the American people to "confess and bewail our manifold sins and transgressions, and by a sincere repentance and amendment of life, appease his [God's] righteous displeasure, and through the merits and mediation of Jesus Christ, obtain his pardon and forgiveness."

Another <u>example</u> takes place the next year in 1777. At the time, English-language Bibles were controlled by the British government and had to be imported into the United States. Bibles began to run low as a result of a British blockade, so Congress authorized the import of additional Bibles. Four years later, Congress created a committee to oversee the production of Bibles, known as Aitken Bibles, in America. And the committee ultimately gave approval for the domestically produced Bible in 1782.

Then, in 1854, James Meacham used the government's actions during this Bible shortage to defend against an accusation that the government had violated the separation of church and state. He <u>said</u>, "I do not deem it out of place to notice one act of many to show that Congress was not indifferent to the religious interests of the people and they were not peculiarly afraid of the charge of uniting Church and State."

Religion is even ingrained in the laws we use in America. As Joseph Story, a Supreme Court Justice from 1812–1845, <u>states</u>:

"One of the beautiful boasts of our municipal jurisprudence is, that Christianity is a part of the common law. ... There never has been a period, in which the common law did not recognise Christianity as lying at its foundations."

Today, every single U.S. state mentions God or the divine in their state constitution. Despite debating the precise definition of a Christian nation, 45 percent of Americans say the country should be a Christian nation. Most Protestant and Catholic parents say they want their children to share their faith. And 63 percent of Americans still identify as Christian.

In modern discourse, asking the question whether there should be a separation of church and state misses the point of the debate entirely. A more appropriate question is "Why does our representative government so closely reflect religious values?" The answer, as evidenced above, is that a representative government can never truly be separate from the people and the people's beliefs.

The reason that our representative government is so closely aligned with religion is because our *society* is closely aligned with religion. The United States cannot, and will not, ever have a true separation from the church because the United States is, and always has been, deeply religious.

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