

The meaning of 'separation of church and state'

By Michael Parkinson

The June 18 statement of the U.S. bishops on "Catholics in Political Life" noted that "the separation of church and state does not require division between



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belief and public action, between moral principles and political choices." Bishop William L. Higi added to this thought in his June 27 column in *The Catholic Moment* by saying that to hold otherwise is actually to hold to "a distortion" of meaning of the separation of church and state.

What exactly is the "separation of church and state" and what does it mean? Frankly, it is not what worldly pundits have pretended it is in their recent attacks on the U.S. bishops. Rather, the separation of church and state actually defends the Church from the type of political attacks that have recently become popular. The true doctrine of separation of church and state has always meant that political powers have no authority over the Church and its affairs. Because of the separation of church and state, the Church is free to pursue its divinely ordained mission to evangelize and to inform society and government with the truth that it holds. Catholics must understand this if they are to engage the world effectively, particularly in light of attacks against the bish-

COMMENTARY

ops for their affirmations that Catholic politicians who publicly reject the Church's teachings on respect for human life should not present themselves for Communion.

How it began

The doctrine of separation of church and state has historical and legal roots that span more than 2,000 years. It has its nascent beginnings in ancient Israel, which practiced the separation of church and state. Although the kings of Israel were powerful rulers, they could not lawfully interfere with the religious duties of the levitical priesthood.

From the beginning, the Catholic Church has held to the doctrine of separation of church and state and in fact is responsible for authoring it as a principle of Western civilization. When the early Church became established in the Roman Empire, powerful forces sought to destroy it through persecution. The emperors of Rome knew nothing of a separation between church and state. Roman emperors ruled in matters of both state and religion. It was therefore deemed an act of treason that the early Church refused to offer incense to pagan gods when ordered to do so by the emperor. It was also an act of treason for Catholics to declare in the creed that we "believe in one Lord, Jesus Christ." In pagan Rome, the emperor alone was supreme lord of all.

Despite generations of perse-

cutation and martyrdom, the Catholic Church grew throughout the known world. Slowly, Roman emperors sympathetic to the Catholic Church began to emerge. Theodosius became the first baptized Catholic emperor of the Roman Empire. Although this event marked the end to the age of persecution, it also came to provide a new challenge for the Church.

In the year 390, Theodosius allowed the brutal repression of a rebellion in the town of Thessalonica. Civilians were rounded up in the circus of Thessalonica and massacred. Emperor Theodosius claimed that as emperor he had the authority to make decisions in matters of state and religion, as had his pagan predecessors. This included matters pertaining to issues of faith and morality. Because of his exalted status, he believed that he was above the authority of the successors of the apostles. This heretical notion was immediately challenged.

Bishop St. Ambrose of Milan, who had had a long-standing friendship with Theodosius, publicly articulated the response of the Church by declaring that "the emperor is within the Church, not above it; in matters of faith and morals bishops judge emperors."

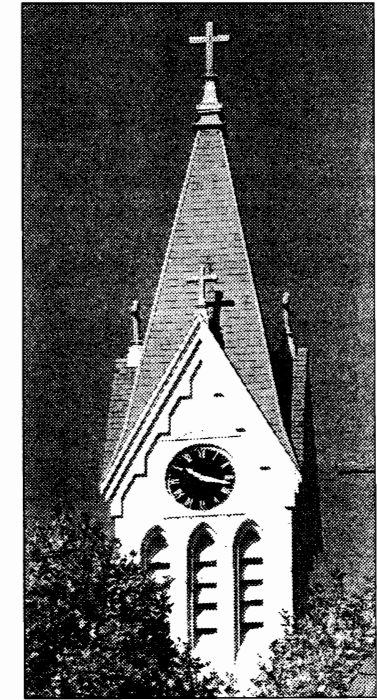
Historians view the clash between Theodosius and Ambrose as one of the most pivotal events in the history of the West. Had the Catholic Church not rejected the false claims of Theodosius, the Church would have come under the illegitimate control of civil and political forces. On the other hand, to challenge an otherwise friendly emperor risked for the Church

and its bishops renewed persecution and death. The Church held firm, and in a remarkable turn of events, the emperor publicly recanted his sin against human life and performed the required act of penance on the steps of Ambrose's cathedral. The doctrine of separation of church and state was thereby established as a cornerstone of Western civilization.

Continued challenges

New challenges to the separation doctrine recurred in the Middle Ages as unscrupulous laity tried to use the Church for political gain. This occurred in England as well as on the continental mainland of Europe.

In the early 1200s, King John of England made a bid to undermine Church authority. Unlike Theodosius, he did not claim to be above Church doctrine in matters of faith and morals, but, rather, he claimed that the Church's freedom was superseded by the economic and political interests of the kingdom. In an effort to increase his war budget, King John levied heavy taxes against his nobility and seized Church lands. After meeting with the nobility, Cardinal Archbishop Stephen Langton of Canterbury drafted a document known as the "Magna Carte," or "Great Charter." The Magna Carte enshrined the truth proclaimed by the Church that no ruler has the right to enact laws that are contrary to divine justice. Therefore, government was by nature limited, the rights of the individual inviolable, and the freedom of the Church a natural right. In 1215, King John capitulated and signed the Magna

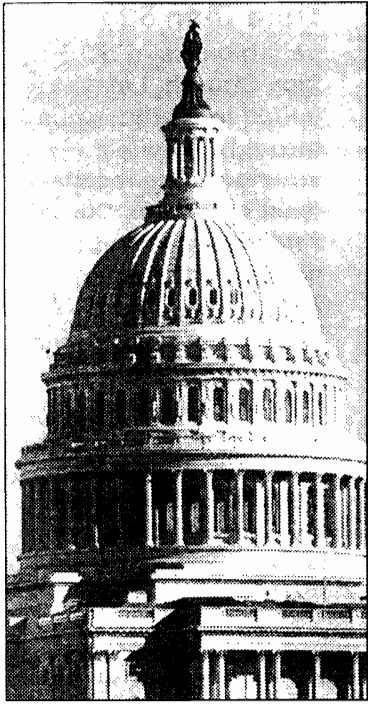


(CNS file photo by Don Blake)

Carte. It became the foundational constitutional document for the entire English-speaking world. Its first article guaranteed that the Catholic Church in England was "forever" free. This was the first codification of the doctrine of separation of church and state in English constitutional law. Centuries later, English colonialists in America drafted a similar provision into the U.S. constitution, stating that "Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof." It is no coincidence that this provision in the U.S. Constitution appears also as a first article, the first article of the U.S. Bill of Rights. The founders of this country were

(Continued on Page 9)

The meaning of 'separation of church and state'



(CNS file photo by Don Blake)

(Continued from Page 8)

skilled lawyers and historians who knew their English constitutional heritage and the importance of the Magna Carte.

On the mainland of Europe, the Church also was challenged. In the year 1075, the King of Germany, Henry IV, the most powerful ruler of all Europe at the time, wanted bishops within Germany to be politically loyal to him. He therefore claimed the right to personally appoint bishops himself. Pope St. Gregory VII, in a dramatic clash that was reminiscent of the clash between St. Ambrose and Theodosius, not only excommunicated Henry IV, but proceeded to journey across the Tyrolean and Austrian Alps towards Germany in an effort to bring peace to the German lands which had been thrown into tur-

moil by the events. Henry, recognizing his impending defeat at the hands of his alienated Catholic nobility, intercepted the pope at the pope's temporary mountain residence at Canossa in January of 1077. He begged absolution of the pope by standing barefoot in the snow outside the pope's residence for three days. Reconciliation was obtained and further crises averted.

Not until the reign of terror under King Henry VIII of England did the doctrine of separation of church and state fall under the weight of persecution. For reasons of political expediency, Henry VIII wanted to divorce his wife. He claimed that his position as king gave him the authority to act in his country's best interests, and therefore he, and not the Church, had the power to declare whether his Catholic marriage was valid. Henry forced his subjects to sign the "Act of Supremacy" which declared Henry to be the supreme head of the Church in England. While many lay people, priests and bishops capitulated, many others did not. Sir St. Thomas Moore and Bishop St. John Fisher, among others, chose to be executed rather than to sign the act denying the doctrine of separation of church and state. Thereafter began generations of persecution of the Catholic Church and of Protestant sects by the British crown. It resulted in the pilgrims coming to this country to settle at Plymouth Rock. Catholics fled from England and eventually Ireland. The first law of religious toleration in the new world was established by Catholic settlers in Maryland under Lord Baltimore in 1642 in an effort to restore the separation doctrine. The Maryland law stated that no person could

be bothered "in respect of his or her religion nor in the free exercise thereof." Later, the First Amendment of the Constitution followed along the same principles, firmly re-establishing the separation of church and state under federal law.

Today's fraud of words

Those in the world who today attack the Catholic Church and its bishops for allegedly violating the doctrine of separation of church and state because of the Church's insistence that Catholic politicians be subject to Church teaching are in fact foisting a fraud of words upon the minds of the laity in the Church and upon the American public. Such attacks on the Church are in fact attacks on the very doctrine of separation of church and state which such critics falsely claim to be defending. The object of the attacks is to subjugate the bishops and the minds of the Catholic laity to the dictates of political and state power. Such persons deem the political arena, and not the Church, to be the forum which is ultimately to inform the conscience of the faithful. Rejecting the doctrine of separation of church and state, they seek instead to promote the ideology of secularism, which holds that matters of faith and morals must be removed from political and social discourse. Those who refuse to accept the tenets of secularism are often labeled by the secularists as anti-democratic, anti-freedom and, in some instances, even as threats to the state.

Those who today claim to be Catholic and yet publicly reject and even flaunt the admonishments of the Church through its

bishops to be faithful to the truths of the Church in matters of faith and morals are not mere passive independent thinkers, but are indeed aggressive purveyors of the notion that Catholic politicians and statesmen are above the Church. As politicians, they would seek the "Catholic vote" while establishing a dangerous precedent, claiming their right to set themselves against the Church as "Catholic" leaders. As rulers of state, there is no reason to believe that they would not act out their secular ideology through legislation and administrative force whenever and wherever it becomes politically expedient to do so and, in the process, to encourage the laity by example to compromise and abandon their faith for the sake of "pluralism."

The 20th century was spared many clashes between "Catholic" political rulers and the Church. Hitler, although baptized Catholic as an infant, repudiated the faith at an early age and did not present himself for Communion during his political career. After the Church condemned Nazism in the 1937 encyclical, *Mit Brennender Sorge*, Hitler did not seek to assert himself as a Catholic who conscientiously disagreed with Church teaching. Other infamous "Catholics" likewise recognized that they could not publicly claim to be Catholic while at the same time repudiating the doctrines of the Church. The recent phenomena in the United States to the contrary is a spectacle the likes of which has not been seen in many generations.

As bishops in the United States come under increasing attack for their affirmation that Catholics who publicly reject the Church's teaching on the sanctity of human life should not present

themselves for Communion, the need for support and understanding among the faithful for their bishops must increase. The bishops are defending not only the integrity of the Church in its mission for the salvation of souls, but they also are defending the highest ideals in Western political tradition. Indirectly, they are protecting the freedom of other religious groups as well. In the 2000 presidential campaign, candidate Joe Lieberman was excommunicated by his synagogue because of his campaign statements. Religious liberty demands that such religious groups be allowed to regulate their own affairs without being accused of "interfering in politics." But if the Catholic Church, as the largest religious body in the United States, is to fall under pressure by secular forces, then it is all the more likely that smaller religious groups in the U.S. will be increasingly threatened.

Revilement and persecution are not easy things for any Catholic to bear. It is not an easy thing for Catholics who are bishops. Hopefully, the recent admonishments of the U.S. bishops to Catholic politicians will finally fall on receptive ears, but to the extent they do not, the faithful should be prepared to come to their bishops' defense in the public forum, not only for the sake of the Church but also for the sake of the ideals of religious liberty upon which the founders of this country emphatically stood.

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