

Separation of Church and State Protects Both Secular and Religious Worlds

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“According to the Gospel of Saint Matthew, the first book of the Christian New Testament, when Jesus of Nazareth was confronted by the Pharisees, who demanded to know whether, according to his teachings, it was lawful to give “tribute unto Caesar,” Jesus responded: ‘Render therefore unto Caesar the things which are Caesar’s; and unto God the things that are God’s.’” Singer argues that “at this time, the wall of separation....probably remains the best way to insure religious freedom in the United States, protecting both secular and religious worlds.”

In September 1999, Phi Delta Kappan published a special section on “Religion and The Schools.”¹ Essays by Gilbert Sewall, Elliot Wright, Thomas Likona, and Warren Nord, argued in favor of expanding religion’s influence in public education. While their positions appeared reasoned and reasonable on the surface, they were fundamentally flawed by unstated or unconsidered assumptions and selective historical references. The arguments presented by these authors can be seductive in a society undergoing continuous, sometimes disruptive, demographic, technological and cultural change. I believe the appeal of these essays underscores the importance of maintaining the legal barriers that separate church and state in the United States.

Gilbert Sewall, guest editor for the special section, established its direction in the opening article, “Religion Comes to School.” He makes three broad statements about advocates of the separation of church and state. He accuses “freethinkers and separationists” of seeing the “Christian religion” as a “cultural artifact, possibly a sinister one”; he argues that “the accumulated religious wisdom of the centuries” and the “sense of personal meaning and purpose” it engenders are “marginalized in progressive education”; and he charges that anti-religionists “seek to suffocate an important part of human

life that elevates, dignifies, ritualizes, and often defines the human experience.” According to Sewall, the overwhelmingly positive contributions that religious beliefs can make to education in our society and “religion’s motivating role in defining a moral life” are feared, marginalized, denied or suppressed by secular forces.

Sewall’s support for an infusion of religious education and values in the public school curriculum is based on his belief that “(T)he religious impulse of appreciation and respect for human and earthly life, built on the foundation that we are all agents of God and divine creations, is no longer venerated in public schools” and as a result “religion no longer provides a model of character and virtue for all young people. . . .” However, this is a one-sided version of the role religion has played in history and of what constitutes religious values.

In the last millennium, organized religious movements in the west and around the world have been responsible for the torture and murder of heretics, the expulsion and enslavement of non-believers (the Spanish Inquisition and the Atlantic Slave Trade), and the mutilation and oppression of women (parts of the contemporary Islamic world); they have turned their backs on genocide (in Turkey and Germany), collaborated with brutal dictators (throughout Latin America), supported colonialism and imperialism, participated in religious wars (the Crusades, Islamic jihads, the Indian sub-continent), encouraged group suicides (Jonestown) and actively silenced dissenters. These religious actions and the values they represent cannot simply be dismissed as unfortunate, peripheral or outdated. They permeate today’s headlines. The day I started writing this article, *The New York Times* discussed a Vatican order that forced an American priest and a nun to stop their ministry to homosexuals and people with HIV/AIDS because they had not emphasized the church’s position that homosexual acts are “intrinsically disordered’ and evil.”² An open and honest appraisal of the role of religion in United States and world history may discover that the reason “(o)ur secular society diminishes religion’s motivating role in defining a moral life” is not misguided court decisions fostering the separation of church and state, but disgust with the role of many religious movements and leaders in world affairs.

Sewall felt the need to demonstrate that his views have broad support and are not the product of a religious fringe movement. He points out that he and

his co-authors “do not share the same ideas” and “come from different denominational backgrounds: Episcopal, Methodist, American Baptist, and Roman Catholic. The range of views that follows is considerable.” My problem is that the range of views is not very considerable. As a cultural Jew and religious atheist, I am clearly not included in this dialogue, but neither are fundamentalist Protestant sects, practicing Jews, Hindus, Buddhists, Islamic believers, or representatives of hundreds of other religious and philosophical beliefs.

In the second essay, “Religion in American Education, A Historical View,” Elliot Wright argues that Supreme Court decisions limiting religion’s role in public education have been misapplied and would puzzle early American educational thinkers who did not distinguish between religious and moral education. He believes that our schools should adopt “universalized versions of the Golden Rule and the Ten Commandments” to promote moral and ethical behavior by young people.

While Wright is correct that the height of the “wall” separating religion and the schools has increased during the last two hundred years, he fails to explain the reasons that the courts and the public have accepted this practice. A major concern of the authors of the Declaration of Independence, the Constitution and the Bill of Rights was defending the rights of religious minorities, particularly dissenting Protestant sects, in an era when established churches used state power to collect revenues and enforce behavior and beliefs. In 1802, President Thomas Jefferson wrote to the Danbury Baptist Association in Danbury, Connecticut, “I contemplate with sovereign reverence that act of the whole American people which declared that their legislature should make no law respecting an establishment of religion, or prohibit the free exercise thereof, thus building a wall of separation between church and state.”³

Despite Jefferson’s sentiments state and local governments were not bound by the freedom of religion clause in the Bill of Rights until after the Civil War and the passage of the 14th Amendment and it was not until after World War II that the Supreme Court actively enforced the provision. In the intervening period, American society grew increasingly diverse, as millions of Roman Catholic, Eastern Orthodox, and Jewish immigrants arrived in the United States. Some of the earliest battles for religious freedom were led by Roman Catholics who resented the use of the Protestant King James version of the Christian

New Testament in public schools. Significantly, Christian minority sects also faced discrimination. Amish pacifists were imprisoned during World War I for refusing to violate their religious beliefs and support the war effort and it was the Jehovah's Witnesses who precipitated Supreme Court action in the 1940s when they charged that public school regulations violated the religious freedom of their children.⁴

What the courts have done since World War II is to recognize that Jefferson's principle has had to expand to accommodate a changing world and to protect American citizens from being forced to recite prayers they do not believe in, support publicly sponsored displays they find intrusive, and accommodate their private lives to the sexual and reproductive dictates of powerful religious groups.⁵ Breaking down the wall between church and state could also open the way for educational vouchers and public funding to private and parochial school. This would seriously threaten the future of public education in the United States.

Wright's position promoting "universalized versions of the Golden Rule and the Ten Commandments" in the public schools is also flawed in many respects. The Ten Commandments is a Judeo-Christian document that is not universally held; a number of the commandments are decidedly religious in nature (e.g., outlawing idolatry); non-religious sections (e.g., honor your father and mother) do not require examining religious values; and the commandments proscribe behavior that many religious people advocate (e.g., the death penalty). Christians in good standing with their churches who presumably follow the Golden Rule have committed some of the shocking crimes in human history during wars against each other. If preaching and proclamations of religious faith insured moral behavior, the United States would have been spared the recent debacle of leaders of the executive and legislative branches of the federal government, from both major political parties, confessing to a multitude of mortal sins.

I found Thomas Likona's article, "Religion and Character Education," the most troubling of the four. His call for including religion in "character education" contains specific curriculum proposals for public education, making it the most important and potentially damaging of the pieces.

In the article, Likona argues that his goal, and the goal of public schools, should be to build moral character, and that this requires restoring "religion to its rightful place in the study of history and culture." However, he also has

a history of defining moral character according to his personal religious prescriptions, what he has called “chastity education” in the past, and of using character education as a forum to promote Roman Catholic religious beliefs about human sexuality.⁶

Likona offers a series of proposals to help “character educators incorporate religion in their efforts in ways that recognize religion’s contribution to our culture, support the process of student character development, and honor the First Amendment. . . “ I believe his proposals promote a religious agenda that discourages both critical thinking and open classroom discourse.

While Likona claims that public schools should help “students understand the role religion has played in our moral beginnings as a nation,” his examples paint an unambiguously positive role for religious groups and beliefs. There is no mention of the trials of Anne Hutchinson and other religious dissenters, the Salem Witch trials, or the Biblical defense of slavery. Likona conveniently rewrites the history of religion in the United States so that actions he supports demonstrate the “power of this religious vision,” while actions he opposes and people who preach “hatred and injustice” in the name of religion, and of Christianity, are declared betrayers rather than true believers.

For example, Likona specifically highlights the religious inspiration of anti-slavery abolitionists, but ignores the religious claims of Southern slave holders. In the 1840s and 1850s, northern and southern Baptist, Presbyterian and Methodist denominations split over the issue of slavery. According to Eric Foner, “(m)any southern clergymen, in the course of offering a religious defense of slavery, also argued that inequality and hence the submission of inferior to superior was a ‘fundamental law’ of human existence.”⁷ One Virginian minister was noted for sermons to enslaved Africans where he used the Bible to justify their position of servitude. He told audiences, “I now come to lay before you the duties you owe to your masters and mistresses here on earth. And for this you have one general rule, . . . that is to do all service for them as if you did it for God himself.... (I)f you are faulty towards them, God himself will punish you severely for it in the next world.”⁸

United States Representative Charles Pinckney of South Carolina, in a defense of slavery, asked: "Is there a single line in the Old or New Testament either censuring or forbidding it? I answer without hesitation, no....The Jews in the time of theocracy, and the Greeks and Romans, had all slaves...This

world was formed by a great and omnipotent being,...nothing is permitted to exist here but by his will."⁹

Thomas R. Dew, in debates before the Virginia legislature, cited I Corinthians 7:20-21, I Timothy, 6:1-2, and I Peter, 2:18-20 from the Christian New Testament to justify slavery.¹⁰ Southern use of the Bible to defend the enslavement of Africans was so widespread that Harriet Beecher Stow parodied it in *Uncle Tom's Cabin* when Simon Legree taunted Tom saying, "Here, you rascal, you make believe to be so pious -- didn't you never hear, out of yer Bible, 'Servants, obey yer masters?'"¹¹

Even more troubling for me is Likona's search for a platform to promote his religious views on human sexuality. In this article he equates healthy teenage sexual activity with drug abuse and defines it as high-risk, anti-social behavior. He reiterates earlier charges, without supportive research, that sex education and condom availability programs have failed. While he is ostensibly discussing character education, I believe his real concern is mandating the teaching of sexual abstinence in public schools. At one point, he recommends that public school students from religious backgrounds introduce into discussion the question, "How does God intend for me to use the gift of my sexuality?", so that their teachers can explain to classes that "in the view of major world religions, God did not intend sex to be part of the relationship of unmarried people."

The prohibition of "sex outside of marriage" is also used by religious groups to brand homosexual relationships as offensive to God and to justify the oppression of homosexual youth. Leviticus 20.13 states that "if a man lie with mankind, as with womankind, both of them have committed abomination: they shall surely be put to death; their blood shall be upon them."¹² This sentiment was affirmed in 1 Corinthians 6:9 where Paul warns that ..."the unrighteous shall not inherit the kingdom of God" and includes "fornicators, idolaters, adulterers, the effeminate, 'nor abusers of themselves with mankind.'"¹³ Likona believes that public school teachers can present religious objections to same-sex relationships, while emphasizing that "tolerance" requires that "we must respect the dignity and human rights of all people," even though we do not approve of their "behavior choices." Given the harshness of the Biblical injunctions and level of homophobia in our society, I am not convinced that students will understand this distinction.

Likona wants public schools to “draw upon religion as a way to engage students in considering the question, Is there moral truth?” But given his arguments so far and his concern with “our culture’s moral relativism,” it is apparent that Likona already has an answer that he wants to promote -- a religious version of knowledge based on faith and absolute received truth.

In the concluding article, “Science, Religion, and Education,” Warren A. Nord argues that by limiting religion’s role in public schools, educators exclude students from “conversations” about the relationship between science and religion. Nord, however, misplaces the blame for this situation. Religions, especially some versions of Christianity, have excluded themselves from the dialogue by demanding that religion be accepted as an alternative truth, not subject to empirical investigation or rules of evidence, and with a veto over efforts to achieve scientific understanding. Until organized religions in the United States are prepared to acknowledge that they are philosophical and institutional systems whose origins can be explained through anthropological and historical study, there cannot be the kind of conversation advocated by Nord. At this point, the wall of separation being challenged in these articles probably remains the best way to insure religious freedom in the United States, protecting both secular and religious worlds.

Significantly, the idea of separation has roots in Christian theology. According to the Gospel of Saint Matthew in the first book of the Christian New Testament, when Jesus of Nazareth was confronted by the Pharisees, who demanded to know whether, according to his teachings, it was lawful to give “tribute unto Caesar,” Jesus responded “Render therefore unto Caesar the things which are Caesar’s; and unto God the things that are God’s.”¹⁴ In the Massachusetts Bay Colony in the 1630s, Roger Williams cited this passage from the New Testament to challenge church-state ties that were used to silence religious dissenters.¹⁵

A similar idea was expressed by Pope John Paul II in a 1996 statement on the relationship between human evolution and Roman Catholic teachings. John Paul II declared that science and religion did not contradict each other because they discussed non-overlapping magisteria or areas of knowledge.¹⁶

The implications of the arguments presented in this special section for expanding the role of religion in public education go far beyond the use of religion to introduce students to moral values. These positions threatens long established American legal precedents that protect religious freedom; justify

government aid to religious schools; provide ammunition to groups who want to restrict human sexual and reproductive freedom; and undermine efforts to promote respect for cultural diversity and the rights of homosexuals. They also weaken efforts to teach students a scientific and critical approach to thinking, that supports conclusions based on evidence, and recognizes that our knowledge of the world can never be considered absolute.

¹ Gilbert T. Sewall, "Religion Comes to School," Elliot A. Wright, "Religion in American Education," Thomas Lickona, "Religion and Character Education," and Warren A. Nord, "Science, Religion, and Education," *Phi Delta Kappan*, September 1999, pp. 10-33.

² Gustav Niebuhr, "Finessing a Conflict Regarding Homosexuality," *The New York Times*, September 25, 1999, p. A12.

³ Thomas Jefferson to Danbury (CT) Baptist Association, January 1, 1802, cited in William Dudley, ed., *The Bill of Rights, Opposing Viewpoints* (San Diego: Greenhaven Press, 1994), p. 135.

⁴ Dudley, *op.cit.*, pp. 118-122.

⁵ Justice Hugo Black, *Everson v. Board of Education of Ewing Township*, 330 U.S. 1 (1947), cited in Dudley, *op.cit.*, pp. 130-136.

⁶ Thomas Lickona, "Where Sex Education Went Wrong," *Educational Leadership*, November 1993, pp.

⁷ Eric Foner, *The Story of American Freedom* (New York: Norton, 1998), p. 64.

⁸ William L. Katz, *Eyewitness, A Living Documentary of the African American Contribution to American History* (New York: Touchstone, 1995), pp. 134-135.

⁹ Thomas Bailey and David Kennedy, eds., *The American Spirit, Volume 1*, 5th edition (Lexington, MA: D.C. Heath, 1984), p. 203-205.

¹⁰ Richard Hofstadter, *Great Issues in American History, Volume 1*, (New York: Vintage, 1958), pp. 314-320.

¹¹ Harriet Beecher Stowe, *Uncle Tom's Cabin*, cited in Bailey, *op.cit.*, p. 380.

¹² *The Holy Scriptures* (Philadelphia, The Jewish Publication Society of America, 1958), pp. 143-145.

¹³ *The Holy Bible, King James Version* (New York: Ballantine, 1991), p. 1017.

¹⁴ *Ibid.*, , p. 872.

¹⁵ Roy B. Chamberlin and Herman Feldman, eds., *The Dartmouth Bible* (Boston: Houghton Mifflin, 1961), p. 976.

¹⁶ Stephen Jay Gould, *Leonardo's Mountain of Claims and the Diet of Worms* (New York: Harmony, 1998), pp. 269-283.