HISTORICAL CHRISTIAN VIEWS ON SEPARATION OF CHURCH & STATE

This section examines how some of the main Christian denominations or church movements in history have viewed the separation of Church and State. As a point of initial contrast, however, it is probably useful to begin with how things worked in Ancient Israel, and so this essay will start from there.

NB: The diagrams and explanations below are necessarily generalizations, and don't always depict all times of a particular denomination (sometimes an average approach, over time is presented). Study each diagram's structure.[1] Some additional, non-political aspects of Church/State relations are also shown (i.e., soft influences, such as teaching, evangelism, etc.).

Key:

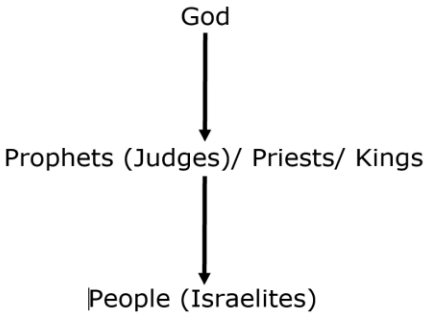
Direct political authority;

Indirect, or lesser political authority;

Influence (moral, ethical, persuasion, evangelism)

† Christian Magistrates (in Lutheranism, leading the earthly kingdom as a Christian republic and welfare State)

Ancient Israel



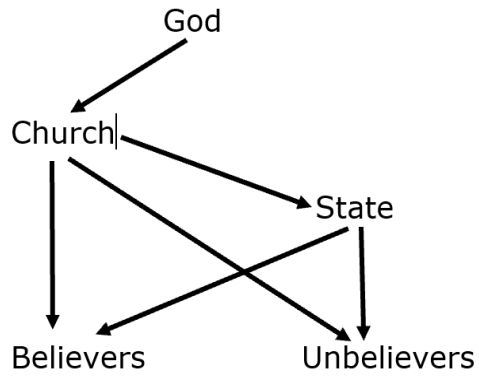
In Ancient Israel, God rules over His chosen people. Some refer to this as a *theocracy* (rule or government immediately by God), something Islamists also claim to have.[2] Note there is no separation of Church and State in Ancient Israel, as the

[1] Most of these diagrams, and some of their explanations, are from two primary sources, JOHN EIDSMOE, GOD AND CAESAR, BIBLICAL FAITH AND POLITICAL ACTION, 10-18 (Wipf and Stock 1997) (with diagrams and explanations); JOHN WITTE JR., GOD'S JOUST, GOD'S JUSTICE, LAW AND RELIGION IN THE WESTERN TRADITION, 10-23 (2006) [hereinafter GOD'S JOUST]; *see also* WITTE, *Introduction*, *in* CHRISTIANITY AND LAW, AN INTRODUCTION 5-26 (John Witte Jr. and Frank S. Alexander eds. 2008) (explanations only, expanding on WITTE'S work in GOD'S JOUST). The Ancient Israel and Evangelicalism diagrams are added by this author.

[2] Compare *theonomy*, the idea that a people should be ruled by God's laws. In a sense, because of God's Sovereignty, the entire cosmos, including every nation on earth, is under His *theocratic* rule (ultimately). Some Christians prefer the idea of *theonomy* as the more apt

same people comprised each. However, the institutions of Priests (for the tabernacle worship system, etc.), Prophets (instructing rulers and citizens in God's ways, etc.), and Kings (coming later in Israel's history, after Judges),[3] although collaborating in serving God, were still separate institutions, with separate individuals assigned to each of them.[4]

Catholicism



In early Catholicism, the Church's authority is slightly above the State's, since it is eternal, while the State's is seen as temporal; the State is subservient and accountable to the Church.[5] If two swords of authority exist, the Church keeps the spiritual one, and merely lends the other to the State for its time of governing. The Church accordingly has an authoritative role in society over believers and unbelievers alike. So does the State, although serving under the Church.[6]

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description of Israel and as an ideal standard today. The confusion of the terms is very common, and they are often used interchangeably (incorrectly). In this author's view, *theocracy* refers to *who* governs (God), and *theonomy*, to *which law* governs (God's). God's law, it seems, has multiple shapes. In my view, it is not restricted to the actual Mosaic code, but includes the natural law, use of Scriptural analogy, biblical equity, and more; c*f.* E.J. Hutchinson, *Theocracy Without Theonomy?* THE CALVINIST INTERNATIONAL, June 10, 2014 https://calvinistinternational.com/2014/06/26/theocracy-without-theonomy/ (offering a different vernacular, in which *theonomy* is seen as rule strictly under the Mosaic code, while *theocracy* is broader, including natural law, in contrast to the framework I've given above).

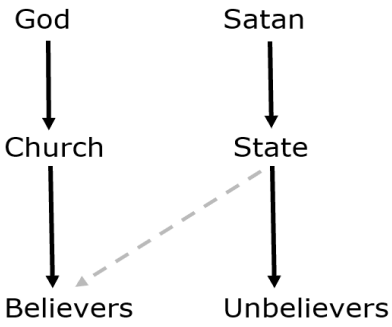
[3] Judges (as in actual civil dispute resolvers), and other civil magistrates (officials) were almost always also a part of Israel's civil governing structure, and this is assumed. *See Dt*. 1:13-17 (appointment of leaders and case judges); *2 Chron*. 32:3, 6 (King Hezekiah's officials, and military leaders serving with him); *2 Chron*. 34:29 (elders serving with King Josiah).

[4] *See 2 Chron*. 26:16-21 (King Uzziah burning incense in violation of priestly functions).

[5] EIDSMOE, *supra* note 1, at 12-13.

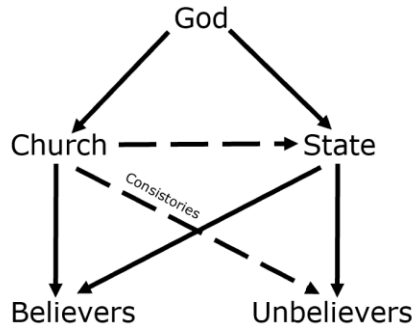
[6] *Id.* at 12 (citing Papal Bull, *Unum Sanctum*, in 1302). John Eidsmoe's illustration seems to depict the Catholic Church most closely in its heyday of the Papal Revolution in the late 11th – 13th Centuries. John Witte Jr., in contrast, examines at least four separate epochs in earlier Church history, including (1) *earliest separatism* (with obedience to Roman authority up to the limits of one's conscience), (2) *attempted influence* met by *harsh persecutions* (mid-1st century onward), (3) *state embrace* (c. 380 AD), given Constantine's conversion (312 AD), leading to (4) *syncretism* of Roman and Christian ideals (*caesaropapism*), in which the Church had substantive influences in shaping culture and State (the imperial authority), but yielded to State control, procedurally and politically. GOD'S JOUST, *supra* note 1, at 10-11. In effect,

Anabaptism



In Anabaptism (a very early Baptist branch), the State is thought of as the tool of Satan, and should be avoided by the Church; and although believers generally acknowledge some submission to State authority may be inevitable, they seek to avoid it, living independently of State influence.[7] *Separatism* is a common hallmark of this view today, and has many expressions including among the *Amish* (U.S.), *Christian Brethren*, and some *Mennonites* (among others).[8] *Pacifism*, a belief common to some Christians that seeks to avoid involvement in wars, is a related offshoot.[9] However, Baptists today are more likely to emulate Lutheran or Evangelical expressions indicated below than the initial Anabaptist one.

Calvinism



In Calvinism, the Church and State are on an equal horizontal level under God, as God is the author of each Church and State: The Church is not seen as above the State, nor the State above the Church, and believers are citizens of both realms.[10]

Christianity became the "imperial cult [religion] of Rome," living under imperial rule, but with clergy serving as hierarchical agents of kings in the West (*circa* late 4th – 10th Centuries). *Id.*

[7] EIDSMOE, *supra* note 1, at 13-14;

[8] GOD'S JOUST, *supra* note 1, at 20-21 (naming some Christian groups).

[9] *Id.*

[10] EIDSMOE, *supra* note 1, at 14.

In Calvinism, the Church's influence over unbelievers and at times even over the State apparatus, was extensive, as shown by the strong dashed-line arrows above.[11] If the State exceeded its limited, God-given authority, believers were expected to resist it.[12]

The Church saw itself as having a great duty to renovate the State and the world.[13] In early Calvinism, the Church also intentionally used the State's coercive power to advance its Christian social agenda: the Church could and did employ the State's sword to punish believers and unbelievers alike (including heretics).[14] The State also dutifully passed laws to serve and advance the Church in its global Christian work and agenda.[15]

In early Calvinism, the Church also exercised *direct* political authority over citizens, including unbelievers, through its system of *consistories*. These were elected bodies of Church and State leaders serving in local communities to help build a Christian Commonwealth.[16] Calvin's idea, starting in Geneva, was to have this Christian Commonwealth, locally and everywhere, in which Church and State shared leadership and collaborated in shaping a Christian society.[17]

In time within Calvinism, the Church's strong influences over the State and its unbelieving citizens, started to fade. Consistories began shifting their focus away from civil government toward local Church oversight and similar concerns in many Calvinist denominations, but it kept a strong voice in instruction the State on law and policy.[18] Today, Calvinism does not seek the use of the State's sword or its legislative

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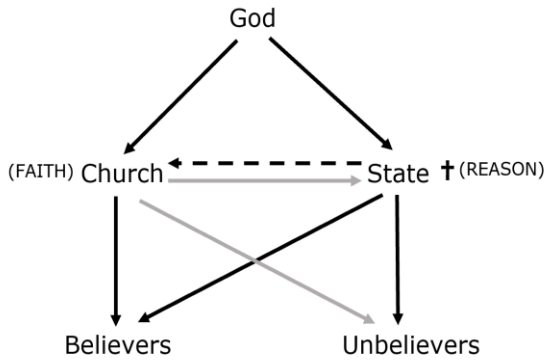
[11] *Id.* Some would draw this line of influence stronger, with a solid line (*see id.*), which reflects the view more in early Calvinism. *See infra* note 18.
[12] *Id.* In contrast is the pacifism of Anabaptists.
[13] *Id.*
[14] *Id.*
[15] *Id.* (Eidsmoe, showing the State to be an instrument of the Church in early Calvinism); GOD'S JOUST, *supra* note 1, at 22. Witte alternatively depicts this State-Church relationship as more a complementary arrangement in which they seek together to establish a Christian Commonwealth. *See infra* notes 16-17 and accompanying text. Both depictions are likely accurate within, or at different times within, Calvinism. Witte additionally points out in Lutheranism, the State also enacted laws impacting the Church. However, these were less strict, allowed greater religious diversity and dissent, and reflect more the idea of an institutional Church as subordinate to the State and it's Christian Magistrates (rather than, in Calvinism, as a legislative arrangement in which the Church either dominated the State's job or collaborated with it to advance Christendom). *See id.* (hence, this situation is drawn differently for Lutheranism in the diagram below).
[16] GOD'S JOUST, *supra* note 1, at 21-22. The Church's direct political authority in Calvinism, however, was likely less than the Church's in Catholicism, but more than the Lutheran Church's. *See id.* (comparing).
[17] *Id.*; EIDSMOE, *supra* note 1 at 14 (Calvin was both a Church ruler and Statesman in Geneva).
[18] *Id.* Given the Calvinist Church's strong early influence over State, including use of its sword, its Church's authority over the State could be drawn as a solid line (⟶). *See* EIDSMOE, *supra* note 1 at 14 (solid line). But because of the common collaboration of Church and State in building a Christian Commonwealth, and a gradual erosion of the Calvinist Church's political authority over time, we chose instead a strong dashed line (— — —▸), to depict its average

faculties to advance its agenda, although it would appreciate State initiatives and laws guarding its rights and freedoms to do so itself, allowing the Church to advance the gospel.

Lutheranism



In Lutheranism, one can see similarities with Calvinism, and some important differences as well. State and Church are both seen as institutions coming from God, but the separation of Church and State is sharper and stronger.[19] The State exercises greater authority over the Church in Lutheranism (in contrast to the opposite influence – Church over State – seen in Calvinism).[20] In early Lutheranism, the State played a significantly greater role in society, while the Church's role was intentionally

level of authority through a wider span of Church history. Today, Calvinist Church influence is probably best shown by a light gray line (⟶), depicting its influence upon the State toward good and just policies and laws, and upon unbelievers, with the gospel.

[19] This comports with Luther's *Two Kingdoms* doctrine: (1) God's eternal kingdom (governed by the gospel and spiritual authority, with only believers in it), and (2) the temporal kingdom of this world (governed by kings and temporal authorities, who use the sword to restrain sin, and with both believers and unbelievers in it). Both are instituted by God. *See* Anders Nygren, *Luther's Doctrine of the Two Kingdoms*, JOURNAL OF LUTHERAN ETHICS, (Aug. 1, 2002, Vol. 2, Issue 8), https://www.elca.org/JLE/Articles/931 (noting the temporal one was also *not secular*). Some Calvinists in the past and at present also hold to a modified two kingdoms doctrine, including today the Radical Two Kingdoms (R2K) idea. *See* Matthew Tuininga, *The Two Kingdoms Doctrine: What's the Fuss All About? Part One*, REFORMATION 21, ALLIANCE OF CONFESSING EVANGELICALS (September 2010), http://www.reformation21.org/articles/the-two-kingdoms-doctrine-whats-the-fuss-all-about-part-one.php (part 1 in a series of 3).

[20] Witte goes so far as to suggest the Church was *subordinate* to State authority in Luther's scheme. GOD'S JOUST, *supra* note 1, at 17, 19, 21. Given the State's apparent upper hand over the Church, some (*see* WITTE, *supra* this note), would likely draw the State's authority over the Church using a solid line (⟶), especially in early Lutheranism. But seeing an increasing separation of State and Church, and growing secularization of the State in Lutheran society over time, we have chosen this smaller dashed line instead (⇢), to depict a more average State impact, overall. State influence over the Church varies in many Lutheran societies today, and is generally less than it was (*see infra*, note 35 and accompanying text).

restricted or diminished.[21] This was largely the result of Luther's strong reaction against a dominating Church in Catholicism.[22]

Specifically, the Church in Lutheranism had a smaller role and impact on government and civil affairs, in comparison to Calvinism.[23] It could not wield the State's sword (its coercive power) to advance its agenda around the world, and to rule over both believers and unbelievers.[24] The Church could still evangelize unbelievers (see gray line in diagram above), but it exercised no direct political authority over them.[25] The Church also kept its moral prophetic voice of influence upon the State, exhorting and warning it, preaching against tyranny and injustice, and supplying virtue in State laws by teaching the moral principles of Natural Law, including its reflection in the Ten Commandments. [26] It sought to achieve this strong Christian influence on the State, however, relying largely on the language of reason.[27]

The State in Lutheranism, however, was not supposed to be a secular one, as some have imagined (see the ✝ symbol next to State in the diagram above).[28] Instead, Luther sought (and somewhat achieved), a large network of Christian local magistrates (each a *Landesvater, paterpoliticus*: "father of the community"); these were kind, spiritual, almost pastoral political fathers, serving in their local communities, as vice-regents of God.[29] This quilting of Christian community leadership helped create a kind of Christian Republic or Commonwealth, similar to Calvin's vision; in fact, this idea became the foundation of political life in the Germanic span of the Holy Roman Empire for about three centuries.[30]

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[21] *Id.* at 19-20. In Lutheran society, laws impacting religious practices and beliefs almost certainly allowed for greater dissent and variety than in Calvinist society. *Id.* at 19-22, EIDSMOE, *supra* note 1, at 14.

[22] Luther exhibited great disdain for the Catholic Church and its hierarchy (he burned its works of Canon Law); although apparently, many Protestants continued to see value in Canon Law edicts, using it to develop principles of common and civil law. *Id.* at 16-17. *See also* Nygren, *supra* note 19, at paras. 13, 17 (Luther opposing Roman Catholic views on secular authority); Tuininga, *supra* note 19 (Luther responding to Catholic social structure).

[23] GOD'S JOUST, *supra* note 1, at 16-19, 21; EIDSMOE, *supra* note 1, at 14-15.

[24] GOD'S JOUST, *supra* note 1, at 18; EIDSMOE, *supra* note 1, at 15. This again stems largely from Luther's Two Kingdoms doctrine, with both State and Church under God, and each serving different functions. GOD'S JOUST, *supra* note 1, at 18; EIDSMOE, *supra* note 1, at 15. Luther shared Augustine's view that the State's purpose is to restrain sin and evil in fallen humanity. *Id.*; *see also* Nygren, *supra* note 19 (indicating this spiritual task of the State).

[25] GOD'S JOUST, *supra* note 1, at 18.

[26] *Id.* at, 18-19. Luther and Calvin shared similar views that the State should fashion its laws from God-ordained Natural Law, and tailor it to local circumstances. *Id.* at 18-19, 21.

[27] Luther separated faith and reason along Church-State lines, ascribing faith to the Church, (with some occasional uses of reason), but ascribing to the State reason alone. EIDSMOE, *supra* note 1, at 15.

[28] *See* GOD'S JOUST, *supra* note 1, at 18-19, 21 (discussing ideas of a Christian Republic, and Commonwealth); Nygren, *supra* note 19 (the earthly kingdom was not a secular one, and government serves to restrain sin).

[29] *See* GOD'S JOUST, *supra* note 1, at 19-20.

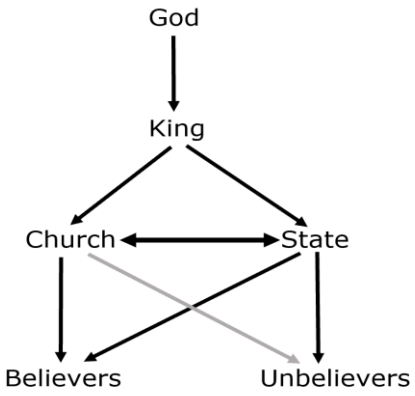
[30] *Id.* at 20; WITTE, *Introduction*, *in* CHRISTIANITY AND LAW *supra* note 1 at 19.

The big shift in Lutheranism was that most of the social welfare, hospice, charity, and educational services previously provided by the Catholic Church were simply transferred to the State; i.e., to such local Christian magistrates.[31]

In sum, a stark difference between early Lutheran and Calvinist societies was the strong role of the Church in Calvinist society, using the State's legislative capacity, and at times its sword, to achieve its agenda. In contrast was the more prophetic, teaching role of the Church in Lutheran society.[32] In a similar way, many social welfare and educational services traditionally provided by the Roman Church were shifted in Lutheranism to the State, as roles for local Christian magistrates.[33]

In Luther's social structuring, this shifting in roles and strengths from Church to State made sense, given a corps of successive local Christian magistrates already situated in the State. In that scenario, a very strong Church was likely not as necessary in Luther's intended scheme. In Luther's view, the Church should serve as the spiritual, guiding voice to Christian magistrates, who would in turn implement a Christian, State-based social agenda, along the lines of the Church's spiritual influence and its social teachings.[34] In time, however, the State seemed to dominate the Church (i.e., having even a State-run Church). However, this is not so much the current situation, in which Church and State seem to act more independently of each other in primarily Lutheran societies.[35]

Anglicanism

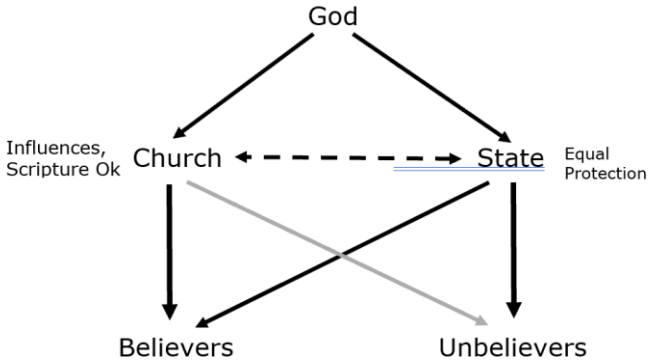


[31] *Id.*, at 18-20.
[32] *Id.*, at 18-19; EIDSMOE, *supra* note 1, at 15 (Calvin's sword). It was not a wimpy role to Luther; it included rebuking magistrates when necessary, and standing up as a voice against tyranny and injustice. Nygren *supra* note 19; GOD'S JOUST, *supra* note 1 at 18.
[33] *Id.*, at 18-19.
[34] *Id.* Students should consider how this shifting of social services away from the Church and to the State may have unintentionally (for Lutherans) led the way for modern, *secular* welfare States (vastly different from the Christian Commonwealth Luther envisioned). Has this shift caused some confusion or overemphasis on the State's role in social welfare today? *See* Nygen, *supra* note 19 (indicating such a secular shift or confusion should not have happened (author's note: but it seems it surely did)).
[35] The official State-Church in many European countries is still Lutheran (i.e., Finland, Denmark, Sweden). This is not so in other countries (in the U.S., in Southeast Asia, and in Africa), that continue to have a viable Lutheran Church. Is a State-Church a good idea?

In Anglicanism, King Henry VIII separated the Church in England from Rome (the pope), and became its supreme head with the Supremacy Act (1534).[36] The king took over legal care of the poor, education, and similar social welfare functions previously held by the Catholic Church (similar to, yet indicating an even stronger State role than in Luther's vision).[37] The king ran both the State (Commonwealth), through Parliament, and the Church, as the supreme authority over each, claiming his appointment by God; the king and State of course held a sword to enforce English Church orthodoxy.[38]

The above seems to best describe the situation in early Anglicanism. Gradually, between spurts of repression (Stuart kings) and greater toleration (1689 Bill or Rights and Toleration Act), religious toleration of other Protestants, and later Catholics and Jews (via Acts of 1829, 1833), was finally secured.[39] In time in England, this meant the role of each king and State over Church also diminished (the solid lines should become dashes). In England currently, the Church of England and monarch seek to continue exerting some moral influence over the State and its citizens. Other expressions of Anglicanism around the world today, perhaps resemble more current Lutheran or Evangelical illustrations, in this author's view.

Evangelicalism



Modern Evangelicals, says John Eidsmoe, should strike a better position than those classically held above.[40] It should lie somewhere between Calvinism and Lutheranism. I generally support his view, especially in religiously pluralistic societies. In this intermediate stance, the Church still influences culture, law and the State, using virtuous ideas best for all in society, but it should not enforce its spiritual authority over either believers or unbelievers by using the State's sword (in contrast to Calvin's view).[41] At the same time, the State must not interfere with the Church's work (unless it is committing crimes and illegal acts against generally applicable law).

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[36] GOD'S JOUST, *supra* note 1 at 23.
[37] *See id.* (giving history).
[38] *Id.*
[39] *Id.*
[40] EIDSMOE, *supra* note 1, at 15-16 (I have adapted this illustration from his text).
[41] *Id.*

Instead, the State must respect, accommodate and facilitate the Church's functioning and role in society. It must sustain a legal structure that allows the Church to do its work in society, including evangelism (as part of the free exercises of religion), charity for the poor, and influencing public policy and law toward true justice.[42] It must not abuse or injure the Church on secularist or other grounds, as is too commonly seen in many countries currently.

[42] *Id.*