

Separation of Church & State? *An Analysis of Religious Liberty in America*

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Introduction

During his political career, President Barack Obama has proclaimed that “Whatever we once were, we are no longer a Christian nation,”¹ and while on a 2009 visit to Turkey, a location he said he chose to send a clear message, announced that Americans “do not consider ourselves a Christian nation.”²

President Obama’s statements refute that of his presidential predecessors, who unanimously disagree.³ John Adams, a Founding Father and second President of the United States declared “The general principles on which the fathers achieved independence were... the general principles of Christianity....I will avow that I then believed, and now believe, that those general principles of Christianity are as

¹ Aaron Klein, *Obama: America is ‘no longer Christian’*, June 22, 2008, WorldNet Daily (at: <http://www.wnd.com/index.php?fa=PAGE.view&pageId=67735>).

² Ivan Watson, *Obama says U.S., Turkey can be model for world*, April 6, 2009, CNN (at: <http://www.cnn.com/2009/POLITICS/04/06/obama.turkey/index.html>).

³ David Barton, *Is President Obama Correct: Is America No Longer a Christian Nation?*, April, 2009, WallBuilders (at: <http://www.wallbuilders.com/libissuesarticles.asp?id=23909>)

eternal and immutable as the existence and attributes of God.”⁴ George Washington in his farewell address of 1796 exclaimed “Of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports...and let us with caution indulge the supposition, that morality can be maintained without religion.”⁵

In America today, statements like those made by President Obama generally fly under the radar without refutation or are accepted simply because the citizenry, in particular younger generations, lack knowledge about American history and its foundation. For example, how many citizens know that the phrase “wall of separation between Church and State,” coined by Thomas Jefferson is not in the First Amendment to the Constitution or present in any other founding document, yet this phrase has been turned on its head, removed from its context, and used by an activist judiciary to remove religious activity from the public square.

The goal of this paper is to provide insight into Christianity’s influence on American history and to provide the intellectual ammunition necessary to share the

⁴ John Adams, *The Works of John Adams, Second President of the United States*, Charles Francis Adams, editor (Boston: Little, Brown and Company, 1856), Vol. X, pp. 45-46, to Thomas Jefferson on June 28, 1813. as cited in David Barton, *Is President Obama Correct: Is America No Longer a Christian Nation?*.

⁵ James D. Richardson, *A Compilation of of the Messages and Papers of the Presidents, 1789-1897* (Published by Authority of Congress, 1899), Vol. 1, p. 220. as cited in William J. Federer, *America’s God and Country Encyclopedia of Quotations*, (Copella, Texas: FAME Publishing Inc., 1994), pg. 661.

truth with others because “A nation which does not remember what it was yesterday, does not know what it is today, nor what it is trying to do.”⁶

America: A Christian Nation

What is the definition of a Christian nation? A nation whose laws compel everyone to strictly adhere to the Christian theology, or a nation whose leaders and public officials are Christian, or even a nation entirely composed of Christians? The correct answer would be none of these.⁷ The answer is that America is a Christian nation because Christianity “has so largely shaped and molded it.”⁸

Christianity’s influence on our government and society throughout our country’s storied past is undeniable. When trying to determine where the Founders

⁶ Lyndon B Johnson, *Public Papers of Presidents of the United States Containing the public Messages, Speeches, and Statements of the President* (Washington, DC: Government Printing Office, 1965), Book II: July 1 to December 31, 1964, pg. 884. as cited in David Barton, *The Role of Pastors & Christians in Civil Government*, (Aledo, Texas: WallBuilder Press, 2010), pg. 1.

⁷ Supreme Court Justice David Brewer said “Neither is it Christian in the sense that all citizens are...Christians. On the contrary, all religions have free scope within our borders. Numbers ... profess other religions, and many reject all. Nor is [America] Christian in the sense that a profession of Christianity is a condition of holding office or... engaging in public service, or essential to recognition either politically or socially...The government is independent of all religions. Nevertheless, we constantly speak of this republic as a Christian nation-in fact, as the leading Christian nation of the world. David J. Brewer, *The United States A Christian Nation* (Philadelphia: John C. Winston Company, 1905, pg. 13, 40. David Barton, *Is President Obama Correct, Supra*.

⁸ Ibid.

drew their inspiration for the constitution, political scientists analyzed 15,000 writings from the Founding Era to determine the sources used by the Founders around the time of America's conception.⁹¹⁰ Of the 15,000 writings analyzed, approximately 3,154 quotations were identified back to their original source.¹¹ Of these 3,154 quotes, the results showed that the Bible was cited 34% of time time, four times more often than the second most quoted source.¹² Couple this with the fact that twenty-four of the fifty-six signers of the Declaration of Independence had degrees from schools that in modern America would be considered seminaries or Bible Colleges.¹³ It is unlikely, especially considering the actions of our Founders while in governmental position, that a near homogenous religious group of seminary educated patriots wanted their newly formed government to be wholly devoid of Christianity and its principles.

In 1779 George Washington informed Delaware Indian Chiefs that “You do well to wish to learn our arts and ways of life, and above all, the religion of Jesus

⁹ Donald S. Lutz, Relative Influence of European Writers on Late 18th Century American Political Thought, *American Political Science Review*, Vol. 78, Issue 1, March 1984, pg. 191-193. as cited in David Barton, *The Role of Pastors & Christians in Civil Government* at pg. 17.

¹⁰ Out of respect I chose to capitalize Church, Founders, and most religious vernacular.

¹¹ Ibid.

¹² Ibid.

¹³ David Barton, *God: Missing in Action from American History*, June, 2005, WallBuilders (at: <http://www.wallbuilders.com/libissuesarticles.asp?id=100>)

Christ. These will make you a greater and happier people than you are.”¹⁴ Thomas Jefferson, considered modern day to be one of the “least” religious Founders, regularly attended church service in the US Capitol while acting President and Vice President.¹⁵ He also signed multiple federal acts to “propagate the Gospel” among the Native Americans through delegating federal dollars and land to be used for missionaries, priests for the tribes, schools, the construction of churches.¹⁶ Joseph Story, founder of Harvard Law, Supreme Court Justice appointed by James Madison, and known as “The Father of American Jurisprudence,” concluded that “One of the beautiful boasts of our municipal jurisprudence is that Christianity is part of the common law... There never has been a period where the common law did not recognize Christianity as lying at its foundations... I verily believe Christianity necessary to the support of civil society.”¹⁷ Echoing the message of Christianity being important to the civil society was founding father, soldier during the Revolution, and educator known as the “Schoolmaster to America,” Noah

¹⁴ George Washington, *The Writings of Washington*, John C. Fitzpatrick, editor (Washington: Government Printing Office, 1932), Vol. XV, p. 55.

¹⁵ David Barton, *The Jefferson Lies*, (Washington, D.C.: WND Books, 2016), pg. 173-175.

¹⁶ Ibid.

¹⁷ Joseph Story, *Life and Letters of Joseph Story*, William W. Story, editor (Boston, MA: Charles C. Little and James Brown, 1851), Vol. II, pg. 9, 92. as cited in David Barton, *Is President Obama Correct, Supra*.

Webster.¹⁸ In a textbook authored by Webster for use in public school, he said “All the miseries and evils which men suffer from vice, crime, ambition, injustice, oppression, slavery, and war, proceed from their despising or neglecting the precepts contained in the Bible.”^{19,20} Noah Webster adamantly believed that “the Bible was America’s basic textbook in all fields.”²¹ It is safe to say that, under the current interpretation of the First Amendment, Noah Webster’s textbook would not currently be used in a public school.

Thomas Jefferson was able to attend church at the US Capitol because of what is written in Article 1, Section 7 of the Constitution, which forbid federal lawmaking on Sundays.²² Christianity is the only religion that happens to

¹⁸ David Barton, *Separation of Church and State What the Founders Meant*, (Aledo, Texas: WallBuilder Press, 2015), pg. 9.

¹⁹ Noah Webster. 1832 *The History of the United States* (New Haven: Durrie & Peck, 1832), pg. 273-274. William J. Federer, *America’s God and Country Encyclopedia of Quotations* at pg. 676-678.

²⁰ In the preface to his twenty-six year project titled *An American Dictionary of the English Language- with pronouncing vocabularies of Scripture, classical, and geographic names*, Noah Webster proclaimed that “In my view, the Christian religion is the most important and one of the first things in which all children, under a free government ought to be instructed... No truth is more evident to my mind than the Christian religion must be the basis of any government intended to secure rights and privileges of free people.” Noah Webster. 1828, in the preface to his *American Dictionary of the English Language* (Reprinted San Francisco: Foundation for American Christian Education, 1967), preface, pg. 12. as cited in William J. Federer, *America’s God and Country Encyclopedia of Quotations*, *Supra.* at pg. 677.

²¹ Noah Webster “*Our Christian Heritage*,” *Letter from Plymouth Rock* (Marlborough, NH: The Plymouth Rock Foundation), pg. 5. as cited in William J. Federer, *America’s God and Country Encyclopedia of Quotations* at pg. 676.

²² David Barton, *Is President Obama Correct*, *Supra.*

recognize Sunday as the Sabbath; the Jewish people recognize Saturday, and the Mohammedans honor Friday.²³ Federal courts, including the US Supreme Court, have cited this fact as evidence of America being a Christian nation.²⁴

The Founding Fathers, although comprised of varying denominations, held faith in such high regard that the initial meeting of the Continental Congress was opened with an impactful and lengthy prayer followed by a study of four chapters of the Bible.²⁵ John Adams wrote to his wife afterwards that “I never saw a greater effect upon an audience. It seems Heaven had ordained that Psalm to be read that morning...It has had an excellent upon everybody here. I must beg you to read that Psalm.”²⁶ He also, urged his wife to share the Psalm and message with her father, Rev. William Smith, who also happened to be the pastor at their Church.²⁷

I hope the relatively few examples listed above allow you to grasp the

²³ *Ex parte Newman*, 9 Cal. 502, 509 (1858); *Church of the Holy Trinity v. U. S.*, 143 U.S. 457, 465, 470-471 (1892); *Doremus v. Bd. of Educ.*, 71 A.2d 732, 7 N.J. Super. 442 (1950). as cited in David Barton, *Is President Obama Correct: Is America No Longer a Christian Nation?*.

²⁴ *Id.*

²⁵ David Barton, *The Role of Pastors & Christians in Civil Government* at pg. 29-30.

²⁶ John Adams *Letters of John Adams Addressed to His Wife* (Boston, MA: Charles C. Little and James Brown, 1841), Vol. I, pg.23-24. as cited in William J. Federer, *America’s God and Country Encyclopedia of Quotations* pg. 136.

²⁷ David, Barton, *The Role of Pastors & Christians, Supra.*

pervasiveness of Christianity's influence throughout American history. Flashing forward to present day religious liberty and how Christians are treated in the civil arena, it is easy to forget that 75.2% of Americans identify with the Christian religion, down from 80% in 2008 and 95% in the 1950s.²⁸ Of the non-Christian faiths, Judaism leads with 1.8% of the population and Islam is second with about 1% of the population.^{29, 30} The amount of citizens that have no formal religious identification currently stands at around 20%, up from 15% in 2008.³¹ The Founding Fathers' intent was never to make religion and government both foreign and hostile strangers to each other, stripping the state of religious sentiment; however, they knew through recent history and human experience that empowering the "Church" with governmental powers generally resulted in oppression for

²⁸ Frank Newport, *Percentage of Christians in the U.S. Drifting Down, but Still High*, Dec. 24, 2015, Gallup (at: <http://www.gallup.com/poll/187955/percentage-christians-drifting-down-high.aspx>).

²⁹ As of April 28th, 2016, the US population was about 321 million people. U.S. and World Population Clock, United States Census Bureau (at: <http://www.census.gov/popclock/>).

³⁰ Besheer Mohamed, *A New Estimate of the U.S. Muslim Population*, Jan. 6th, 2016, Pew Research Center (at: <http://www.pewresearch.org/fact-tank/2016/01/06/a-new-estimate-of-the-u-s-muslim-population/>).

³¹ Frank Newport, *Percentage of Christians in the U.S.*, *Supra*.

anyone not associated with the “Church” in power .^{32, 33}

The 3 Periods of Christianity

Reverend John Wise, considered by prominent historians to be amongst the top six intellectual leaders of American thought, had his sermons and works studied by many of our country’s Founding Fathers and foremost patriots.³⁴ Rev. Wise divided Christianity’s history into three separate, distinct periods.³⁵ These periods are important for our understanding of the Founding Fathers’ views of religion’s role in government and their thought processes while forming our founding documents.

The first period of Christianity began after the Resurrection of Jesus Christ and lasted for three centuries.³⁶ This is often called the “Period of Purity” because the followers of Jesus generally obeyed His teachings, prompting Rev. Wise to

³² “Church” meaning a specific denomination such as Anglican, Calvinist, or Lutheran.

³³ The closest modern day example of this would be Islamic countries that follow Sharia Law (Islamic Law), which requires outward submission to Allah in public and private behavior.

³⁴ Clinton Rossiter, *Seedtime of the Republic: Origin of the American Tradition of Political Liberty* (New York: Harcourt, Brace & Co., 1953), p. 2. as cited in David Barton, *John Adams: Was He Really an Enemy of Christians? Addressing Modern Academic Shallowness*, June, 2011, WallBuilders (at: <http://www.wallbuilders.com/libissuesarticles.asp?id=89988#FN14>).

³⁵ Ibid.

³⁶ John Wise, *A Vindication of the Government of New-England Churches* (Boston: John Boyles, 1772), p. 3. as cited in David Barton, *John Adams: Was He Really an Enemy of Christians? Addressing Modern Academic Shallowness*.

note that Period I “was the most refined and purest time both as to faith and manners...the Christian Church has been honored with.”³⁷

Period II, the “Period of Apostasy,” is where Christianity was seized, its doctrines manipulated, controlled, and corrupted by autocratic leaders, generally from the state, who would establish Christianity as the official religion making the practice of other faiths illegal.³⁸ An example of this is when the English Parliament passed laws regulating who could take Communion, who could be a minister of the Gospel, and even passed a law stating that if “any of her majesty’s subjects deny the Queen’s ecclesiastical supremacy... they shall be committed to prison without bail.”³⁹ This was possible because the uneducated, commoner was either illiterate, unable to read the language in which the Bible was transcribed, or prohibited from accessing it. This allowed tyrannical leaders to manipulate the Scripture for personal gain. The majority of negative incidents perpetrated in the name of

³⁷ Ibid.

³⁸ Fordham University, “Medieval Sourcebook: Banning of Other Religions, Theodosian Code XVI.1.2” (at: <http://www.fordham.edu/halsall/source/theodcodeXVI.html>). as cited in David Barton, *John Adams: Was He Really an Enemy of Christians? Addressing Modern Academic Shallowness*.

³⁹ Frederick Greenwood, *Greenwood Genealogies, 1154-1914* (NY: The Lyons Genealogical Company, 1914), 30, “*The Execution of John Greenwood*.” as cited in David Barton, *The Jefferson Lies*. at pg. 157.

Christianity are from this period, such as the Spanish Inquisition.⁴⁰ The Founders referred to this time as the Period of “kingcraft” and “priestcraft” because the church was no longer a voluntary collection of citizens, but a “civil hierarchy controlling a massive organization of numerous facilities across multiple nations.”⁴¹

Period III of Christianity, known as the “Period of Reformation,” began with a movement of Christian leaders who stressed getting back to the teachings of Jesus and a return to the Bible as a manual for life.⁴² This brought back tenants of Christianity that had not been emphasized or taught since Period I, including the direct individual relationship between the individual and God without the need of a Church or government official acting as middleman.⁴³ This spurred a movement for individual self-government and freedom of conscience amongst both the Church and State.⁴⁴ Unfortunately, the Period II tyrants in both the Church and

⁴⁰ Noah Webster, *An American Dictionary of the English Language* (New Haven, 1828), s.v., “kingcraft” and “priestcraft.” as cited in David Barton, *John Adams: Was He Really an Enemy of Christians? Addressing Modern Academic Shallowness*.

⁴¹ Ibid.

⁴² David Barton, *John Adams: Was He Really an Enemy of Christians? Addressing Modern Academic Shallowness*.

⁴³ Ibid.

⁴⁴ Ibid.

State, still hungry for power and control, did not tolerate the Reformation movement. Church and State officials alike instituted purges, performed persecutions, mutilations, and a plethora of other medieval torture techniques in order to quell the reformation towards Period I Biblical teachings.⁴⁵ After a lot of death, persecution, and emigration to the American colonies, the Reformation was successfully able to eliminate the perversion of Christianity that occurred during Period II. Both the Church and State underwent immense, positive changes as a result.⁴⁶ America was the primary beneficiary of the “Period of Reformation” because, unlike Europe, it was not previously tainted with centuries of corruption and apostasy.⁴⁷

Religious Liberty Pre-America

European kings during the sixteenth to eighteenth centuries dictated the faith of their subjects. Primarily, England was Anglican, Spain, Italy, and France were Roman Catholic, Germany was Lutheran, Russia and Greece were Orthodox,

⁴⁵ The St. Bartholomew’s Day Massacre of 1585 in France resulted in the death of over 110,000 Huguenots, followers of the French Reformation, and the disbursement of around 400,000 others fleeing death. Many of these Huguenots eventually made the long journey across the Atlantic to the colonies, settling primarily in NY and SC. Ibid.

⁴⁶ Ibid.

⁴⁷ Ibid.

Switzerland was Calvinist, and Scotland was Presbyterian.⁴⁸ If an English citizen was not an Anglican, but belonged to a different denomination of Christianity, they would be persecuted unless they fled to a country whose king practiced their faith.

For example, in 1530 Henry VIII of England wanted a divorce from his wife, Queen Isabella of Spain, but the Pope wouldn't sanction the divorce.⁴⁹ Not wanting to let the Pope stand in his way of producing a male heir, since Henry VIII's wife had not provided one, he formed the Church of England with himself at the head.⁵⁰ Henry VIII decided to use a Bible written in English opposed to Latin, but his plan backfired when his subjects realized his actions did not match up with the message contained in the Scripture.⁵¹ This resulted in the arrival of two new religious groups on the scene, the Puritans and Pilgrims, who were heavily persecuted for their conflicting ideologies.⁵² The Pilgrims eventually fled to Holland, but after twelve years they saw their offspring and younger generations adopting the Dutch culture.⁵³ They subsequently set sail for America in 1620,

⁴⁸ William J. Federer, *BackFired: A nation founded on religious tolerance no longer tolerates its founders' religion*, (St. Louis, MO: Amerisearch Inc., 2012), pg. 175.

⁴⁹ Ibid. at pg. 13.

⁵⁰ Ibid.

⁵¹ Ibid.

⁵² Ibid. at pg. 14.

⁵³ Ibid.

toiled to establish a prosperous colony, and urged fellow Pilgrims facing persecution to follow suit.⁵⁴ The 1630s marked the time of The Great Migration.⁵⁵ During this period around twenty thousand Puritans (Protestants) fled the tyranny of Anglican England for the Massachusetts colony.⁵⁶ Ironically the Puritans, only tolerated other Puritans for fear of another denomination taking control and restarting the cycle of persecution.

Other denominations being persecuted under an authoritative, state controlled Church also began emigrating to America. As the various groups settled in to the colonies, each colony began adopting laws favoring the predominant denomination.⁵⁷ This caused the denominations that were not favored to form their own colonies, granting preference to their Church while continuing the cycle of intolerance towards others.⁵⁸ The result being that Massachusetts was Puritan, Rhode Island was Baptist, Connecticut and New Hampshire were Congregational, New York was Dutch Reformed, Delaware was Lutheran and Dutch Reformed,

⁵⁴ Ibid.

⁵⁵ Ibid.

⁵⁶ Those who do not understand that this period of persecution was the single frame of reference used by the Founding Fathers may see some quotes from the founding era which are critical of Biblical faith without first understanding that the Founding Fathers were critical, through personal experience and recent history, of government regulating the Church. Ibid. at pg. 15.

⁵⁷ Ibid. at pg. 19

⁵⁸ An example being the Dutch Reformed in New York expelling Lutherans and Quakers. Ibid.

Pennsylvania was Quaker and Lutheran, New Jersey was Lutheran and Dutch Reformed, Virginia, North Carolina, and South Carolina were all Anglican, Maryland was Catholic, and Georgia was Protestant.⁵⁹

The Birth of Tolerance

Religious tolerance first began in the Middle Colonies where immigration was the highest.⁶⁰ The different Christian denominations started to realize that working together provided a better life economically through commerce and trade, a support system during tough times like food shortages or epidemics, and added security from attacks by Native Americans.⁶¹ Another byproduct of these groups coexisting in the same settlement was the difficulty of enforcing mandatory church membership, so it soon became voluntary.⁶² During the next few generations, the Protestant denominations, which encompassed ninety-eight percent of the total colonists, became tolerant of one another, giving rise to a new form of religious liberty that extended to other non-Protestant Christian denominations, such as

⁵⁹ Ibid.

⁶⁰ Ibid. at 20

⁶¹ Ibid.

⁶² Ibid.

Catholics and Jews.⁶³ Eventually, the numerous denominations migrating to America demanding the “right to worship God according to the dictates of their own consciences” soon realized that in order to avoid hypocrisy they must grant the rights they demanded for themselves to all sects.⁶⁴ This was revolutionary because in Europe tolerance was only extended to the king’s chosen denomination. Starting in the beginning with the Puritans, the ripples of tolerance extended outwards to the Protestants, then to the Catholics, and finally to the rest of the Christian denominations, unorthodox sects like Unitarians would populate this group.

The Jews experienced degrees of tolerance in early America. Benjamin Rush, a leader of the American Enlightenment and signer of the Declaration of Independence remarked about a 1778 parade that “The Rabbi of the Jews locked arms of two ministers of the Gospel was a most delightful sight. There could not be a more happy emblem.”⁶⁵ Although they couldn’t worship outside of their homes, in 1656 they were granted the right to procure land for Jewish cemeteries and in

⁶³ Ibid. at pg. 21

⁶⁴ Ibid. at pg. 43

⁶⁵ Benjamin Rush, July 9, 1778, to Elias Boudinot. L.H. Butterfield, editor, *Letters of Benjamin Rush* (Princeton, NJ: American Philosophical Society, 1951), Vol. 1 pg.474. as cited in William J. Federer, *BackFired: A nation founded on religious tolerance no longer tolerates its founders’ religion* at pg. 98.

the early to mid 1800s they were permitted to hold public office.⁶⁶ Jews played a big role by both fighting in and helping to finance America's war for independence. It comes as no surprise that the United States is home to the largest population of Jews in the world outside of Israel.

After the acceptance of all who believe in a Judeo-Christian God, tolerance was expanded to all Monotheists; this would include Muslims and anyone else who believes in a single God. Both the U.S. National Motto and Pledge of Allegiance refer to a single God; The National Motto does not say "in gods we trust." Also, every one of America's fifty State Constitutions acknowledges God.⁶⁷

From the 1840s to the very early 1900s some states chose not to extend citizenship to Chinese, Japanese, and others East Asians partially because they worshipped multiple gods, making them polytheistic.⁶⁸ The less tolerant states

⁶⁶ Maryland's 1776 "Oath of Office" required a: "declaration of belief in the Christian religion." In 1851 the phrase "And if the party shall profess to be a Jew the declaration shall be of his belief in a future state of rewards and punishments." I was surprised it took this long to allow Jews to hold public office in Maryland. It is also crucial to remember that religious regulation used to be left up to the individual state, so tolerance could potentially vary state to state. Maryland. State of. Aug. 14, 1776, Constitution, Article XXXV. *The Constitutions of All of the United States According to the Latest Amendments* (Lexington, KY: Thomas T. Skillman, 1817), pg. 188. Maryland. State of. 1851, Constitution. Supreme Court Justice David Josiah Brewer, *The United States A Christian Nation* (Philladelphia: John C. Winston Co., 1905, Supreme Court Collection. As cited in William J. Federer, *BackFired: A nation founded on religious tolerance no longer tolerates its founders' religion* at pg. 98.

⁶⁷ William J. Federer, *The Ten Commandments & Their Influence on American Law*, (St. Loius, MO: Amerisearch Inc., 2002), pg. 52-7.

⁶⁸ William J. Federer, *BackFired: A nation founded on religious tolerance no longer tolerates its founders' religion* at pg. 151.

imposed a special tax upon them, did not allow them to give testimony in court, and required them to carry around certificates of residence.⁶⁹ During the early 1900s, religious tolerance was further extended to polytheists and to new religions on the scene like Mormonism.⁷⁰ After tolerance was granted to everyone believing in a single God or multiple gods, it was finally extended to atheists and the anti-religious. Tolerance initially expanded in order to find common ground with the rush of immigrants flooding into America. This follows the Golden Rule Christianity.⁷¹ However, in order to find common ground with the anti-religious, the belief in a “Supreme Being” must go out the window. The anti-religious do not want to extend tolerance for those who do believe in a “Supreme Being.”⁷² The result being that the “Inclusion of atheism implies the exclusion of theism.”^{73,74}

⁶⁹ Ibid.

⁷⁰ Ibid.

⁷¹ Do unto others as you would have them do unto you. Matthew 7:12

⁷² William J. Federer, *BackFired: A nation founded on religious tolerance no longer tolerates its founders' religion* at pg. 156

⁷³ Ibid.

⁷⁴ Some historians will claim that Thomas Jefferson and Benjamin Franklin, 2 of the 250 total Founding Fathers, were both deists who rejected orthodox Christianity, meaning they believed that God does not get involved with the affairs of humans but is just an impersonal creator. This is incorrect because they both demonstrated through their words and actions that they believed God had a hand in our affairs. In today's society both Jefferson and Franklin would be considered evangelicals. My studies of Thomas Jefferson revealed that later in life he moved away from his orthodox, Anglican Christian faith, but instead followed the doctrines of Jesus Christ. No one will ever know if these two men took their last breath's as Christians, but

All faiths have freedom in America because of the Judeo-Christian foundation laid by the Founding Fathers and leading patriots of this great nation, and now, ironically, the faith that founded religious tolerance is the only one that is not being tolerated. The current trend is to now tolerate those who are intolerant of the Judeo-Christian belief system. This is being accomplished through the perversion of the First Amendment coupled with a continuous stream of lawsuits, primarily by the ACLU, and actions by courts eliminating the traditional acknowledgments of faith from the public square in the name of tolerance.

America's Foundation of Tolerance & Free Market Approach to Religion

Since ninety-eight percent of the colonists were Protestants, one must wonder, why a near homogenous population of Christians would decide to promote and extend tolerance towards non-Christian faiths?

Our Founders did not see forced religion, outward compliance, on the citizenry as being representative of true religion, a foreign concept to Medieval Europe, Islamic Caliphates throughout history. The Judeo-Christian belief, held by the Founding Fathers, is that religion springs from the inside-out because the only

regardless, their works, public demeanor, and endeavors are firmly pro-Christian. For more information on the life and common misconceptions of Thomas Jefferson refer to *The Jefferson Lies* by David Barton.

worship pleasing to God is worship through a voluntary free-will offering from within since “persecution for cause of conscience is most contradictory to the doctrine of Christ Jesus.”^{75,76} Roger Williams, persecuted for his beliefs prompting him to found the Baptist Church and the Rhode Island colony, was an early promoter of religious freedom who observed “that religion cannot be true which needs such instruments of violence to uphold it.”⁷⁷ This is why our Founders ardently believed in a free-market approach to religion. That being said, the Founders did not believe that all religions were equal. On the contrary, they believed that “the Christian faith would prevail on its own merits without the need of force or coercion.”⁷⁸ An example of this can be seen in one of our lesser known Founding Fathers named John Randolph of Roanoke who was a Muslim that was later converted to Christianity by the creator of the “Star Spangled Banner,” Francis Scott Key.⁷⁹ Thomas Jefferson, who some historians believe was an atheist or deist, eloquently stated that:

⁷⁵ William J. Federer, *BackFired: A nation founded on religious tolerance no longer tolerates its founders’ religion* at pg. 90, 205.

⁷⁶ Roger Williams. 1644, *Plea for Religious Liberty*. Roger Williams, *The Bloody Tenant of Persecution* (Providence, Rhode Island: “Publications of the Narragansett Club,” 1867) Vol. III, pg. 3-4, 58-63, 138-139, 148, 170-171. as cited in William J. Federer, *BackFired, Supra* at pg. 205, 216.

⁷⁷ Ibid.

⁷⁸ David Barton, *The Role of Pastors & Christians*, at pg. 20.

⁷⁹ Ibid.

“Truth can stand by itself ... [I]f there be but one right [religion], and [Christianity] that one, we should wish to see the nine hundred and ninety-nine wandering sects gathered into the fold of truth. But against such a majority we cannot effect this by force. Reason and persuasion are the only practicable instruments. To make way for these, free inquiry must be indulged; and how can we wish others to indulge it while we refuse it ourselves.”⁸⁰

Benjamin Rush, Founding Father and signer of the Declaration of Independence passionately proclaimed:

Such is my veneration for every religion that reveals the attributes of the Deity, or a future state of rewards and punishments, that **I had rather see the opinions of Confucius or Mahomed inculcated upon our youth, than see them grow up wholly devoid of a system of religious principles.** But the religion I mean to recommend in this place, is that of the New Testament.”⁸¹

James Madison was against the states establishing a religion because it would deter those “still remaining under the denominations of false religions” from coming to America and having the “light of Christianity...the light of Truth” reach

⁸⁰ Ibid.

⁸¹ Ibid. at pg. 21

them.⁸² These are only a fraction of the quotes and historical examples demonstrating that our Founding Fathers' tolerance for other faiths does not negate the fact that America's foundation is built upon religious principles. To answer the question posed at the outset of this section: Tolerance towards other religions was promoted by the near homogenous Christian population in early America in order to share the Gospel, follow the teachings of Jesus Christ, and to practice the Christian teaching of tolerance embodied in the Golden Rule.⁸³

Introduction to the 1st Amendment

President Reagan concisely summed up the Founder's view of religious liberty by stating that "The First Amendment is to not to protect government from religion; that Amendment was written to protect religion from government tyranny."⁸⁴ For over the first 150 years of America's existence, the First Amendment did just that. However, beginning in the 1940s, an activist judiciary has reinterpreted laws and constitutions to reflect their own subjective values and

⁸² James Madison. June 20, 1785. *James Madison, Memorial and Remonstrance* (Wash, D.C.: Library of Congress Rare Book Collection, delivered to General Assembly of State of Virginia, 1785). as cited in William J. Federer, *BackFired, Supra.* at pg.86.

⁸³ William J. Federer, *BackFired. Supra.* at pg. 94.

⁸⁴ Ronald Reagan. Feb. 25, 1984, radio address. David Shepherd, ed., *Ronald Reagan: In God I Trust*" (Wheaton, IL: Tyndale House Pub., Inc., 1984), pg. 77-79. as cited in William J. Federer, *BackFired. Supra.* at pg. 267.

beliefs. Charles Hughes, former U.S. Supreme Court Chief Justice, explained it perfectly by saying “We are under a Constitution, but the Constitution is what the judges say it is.”⁸⁵ The problem with the judicial activists’ approach is that primary source documents from the founding era up to the 1940s are available to shed light on the fact that courts have done this by isolating and removing a single phrase, “wall of separation between Church and State,” from a letter Thomas Jefferson wrote to the Danbury Baptist Association of Connecticut in 1802. The Courts are able to get away with it because, for the most part, not enough of the current population knows the First Amendment’s history or that of the Founders who drafted it.⁸⁶ This is in part because most of America’s educational institutions are inculcating students with either information, such as the Constitution is a living breathing document thus viewing the historical events and persons as if they occurred and lived today, or simply stating that the First Amendment requires a “wall of Separation between Church and State” because the Founders feared an oppressive Theocracy or a nationally established religion, without studying the

⁸⁵ Charles E. Hughes., *The Autobiographical Notes of Charles Evan Hughe*, David J. Danelski and Joseph S. Tulchin, editors (Cambridge: Harvard University Press, 1973), 144, speech at Elmira, May 3, 1907. as cited in David Barton. *The Jefferson Lies*. at pg. 11.

⁸⁶ The Congressional record is a great source to read first hand all of the discussions taking place in the chambers of Congress since its inception. Within these records are the discussion of the Founders while framing the First Amendment. The requirement for a congressional record is found in the Constitution under Article I Section 5 Paragraph 3. I implore anyone who has not read them take a look for themselves. David Barton. *Separation of Church & State*. at pg. 6.

history, rational, and context for their actions. Neither side of the debate disagree with the fact that our Founders did fear an established religion and that certain religious expression should be prohibited. These would include expressions that are “subversive to good order” or that “broke out into overt acts against peace and good order” like human sacrifice, polygamy, and incest, but not religious opinion or traditional practices such as public prayer.⁸⁷ The Founders believed the First Amendment clearly articulated that the government’s role was not to evangelize or meddle in the dealings of the church, but to provide an unbiased environment so churches of all faiths could.⁸⁸

The Introduction of the 1st Amendment to Congress

In the first session of Congress, James Madison introduced the First Amendment on June 8, 1789 which stated: “The civil rights of none will be abridged on account of belief or worship, nor shall any national religion be established, nor shall the full and equal rights of conscious be in any manner, or on any pretext infringed.”⁸⁹ James Madison also introduced bills in the Virginia

⁸⁷ Commonwealth v. Nesbit, 84 Pa. 398 (Sup. Ct. PA. 1859); Reynolds v. U.S., 98 U.S. 145, 163-164 (1878); Lindenmuller v. The People, 33 Barb 548 (Sup. Ct. NY 1861). as cited in David Barton. *Separation of Church & State*. at pg. 23.

⁸⁸ This ties into the free market approach to religion discussed above.

⁸⁹ Annals of Congress of the United States-First Congress, *The Debates and Proceedings in the Congress of the United States with an Appendix Containing Important State Papers & Public*

Assembly, the likes of which include two 1785 bills; one Appointing Days of Fasting and Thanksgiving and the other Punishing Disturbers of Religious Worship, which was passed in 1789.⁹⁰ James Madison believed that there were two spheres of influence: civil and religious. The government was tasked with providing an equal playing field for activities of faith while the Church's duty was to perform religious activities. This was a foreign concept to the European countries since they merged these two spheres by forcing religious compliance through government or the king's force.⁹¹ Known as the "Architect of the Constitution" because his key contributions to it were immense and vital, James Madison appointed Joseph Story to the Supreme Court in 1811, about two decades after the ratification of the First Amendment. This appointment sheds light on Madison's views. Joseph Story, considered the founder of Harvard Law, stated that:

"The real objective of the First Amendment was not to countenance Mohammedanism, or Judaism, or infidelity, by prostrating Christianity, but to exclude all rivalry among

Documents & All the Laws of a Public Nature- with a Copious Index 42 Vols. (Washington, D.C.:Gales & Seaton, 1834-1856), Vol. 1, pg. 434.

⁹⁰ William J. Federer, *BackFired. Supra.* at pg. 239.

⁹¹ *Ibid.*

Christian sects and to prevent a national ecclesiastical establishment which would give to a hierarchy the exclusive patronage of the national government.”⁹²

It is clear that James Madison was a proponent of the Christian faith as long as it was a freewill offering between the individual and God. He evidenced this through his writings, introduction of the First Amendment’s initial draft, his actions taken while in public office, and from the views of the people he appointed to important positions, Joseph Story being a prime example.

Congress Debates the 1st Amendment

The intentions of the remaining Founding Fathers responsible for drafting and revising the First Amendment can best be grasped by reading the Journals of Congress, which are detailed, fascinating, and readily available. The debate regarding the First Amendment, introduced as a negative right of the government, went on for three months.⁹³ George Mason, who played a key role in the insistence that the Federal Government’s powers be restricted through the Bill of Rights, proposed the First Amendment read:

⁹² Joseph Story. *Commentaries on the Constitution of the United States* (1891), Secs. 1874, 1876, 1877. as cited in William J. Federer, *BackFired. Supra.*

⁹³ In other words, things the government cannot do or infringe upon.

“All men have an equal, natural, an unalienable right to the free exercise of of religion, according to the dictates of conscious; and that no particular sect or society of Christians ought to be favored or established by law in preference to others.”⁹⁴

Next the House Select Committee proposed the First Amendment reading:

“No religion shall be established by law nor shall the equal rights of conscious be infringed.”⁹⁵⁹⁶

Another proposed wording was from Massachusetts delegate Elbridge Gerry that read:

“No religious doctrine shall be established by law.”⁹⁷

James Madison and Benjamin Huntington, delegate from Connecticut, both worried that this wording could be interpreted to be extremely hurtful to religious liberty because the fear of one or two denominations could gain supremacy thus forcing conformity to the rest. Roger Sherman, the only person to sign the

⁹⁴ Kate Mason Rowland, *The Life of George Mason* (NY: G.P. Putnam’s Sons, 1892), Vol. I, pg. 244. as cited in William J. Federer, *BackFired. Supra.* at pg. 246.

⁹⁵ *Annals of the Congress of the United States-First Congress* (Washington, D.C.:Gales & Seaton, 1834-1856), Vol. 1, pg. 434. as cited in William J. Federer, *BackFired. Supra.*

⁹⁶ The word “religion” was regularly used interchangeably with the word “denomination” in this time period. There are numerous other proposed drafts that use “denomination” instead of “religion.”

⁹⁷ Elbridge Gerry. *The Debates & Proceedings in the Congress of the United States* (Washington, D.C.: Gales & Seaton, 1834), Vol. I, pg. 757-9. as cited in William J. Federer, *BackFired. Supra.*

Declaration of Independence, Articles of Confederation, the Continental Association, and the Articles of Confederation, did not want an amendment at all because he felt the Federal Government had no business meddling in what was under each individual state's jurisdiction.⁹⁸ To quell Sherman's fear, James Madison suggested that the word "national" be placed before religion since the intent of the First Amendment was to be the prevention of a national religion.⁹⁹

After a few more drafts, Fisher Aims of Massachusetts, tried his hand at drafting the language, which read:

"Congress shall make no law establishing religion, or to prevent the free exercise thereof, or to infringe the rights of conscious."¹⁰⁰

After some deliberation, the House of Representatives accepted the wording and sent it to the Senate. The Senate proposed several different versions on September 3, 1789, but finally agreed upon:

"Congress shall make no law establishing articles of faith or a mode of worship, or prohibiting the free exercise of religion."¹⁰¹

⁹⁸ William J. Federer, *BackFired. Supra.* at pg. 247.

⁹⁹ *Ibid.*

¹⁰⁰ Annals of the Congress of the United States-First Congress (Washington, D.C.:Gales & Seaton, 1834-1856), Vol. 1, pg. 729-31. as cited in William J. Federer, *BackFired. Supra.*

¹⁰¹ *Ibid.*

This draft was sent a joint committee comprised of House and Senate members assembled to hammer out a final product, the version that was ratified almost two years later on Sept. 9, 1789.¹⁰² As one can see, the Founders were careful and methodical with their wording for fear of one denomination gaining prominence thus forcing conformity or the federal government being able to regulate what rightfully belonged to the individual states.

Breakdown of the 1st Amendment

The final version of the First Amendment's in pertinent part reads:

“Congress shall make no law establishing religion **or** prohibiting the free exercise thereof.”

Both of the clauses are negative rights for the government, meaning they restrict government action, not the actions of its citizens. The first clause is aptly named the “Establishment Clause” because it restricts the Federal Government from establishing a national religion, remember that religion and denomination were used interchangeably during this time period. The second clause prohibits the Federal Government from interfering with its people's public religious expressions and acknowledgments, thus it is named the “Free Exercise Clause.” For a little over one hundred and fifty years the First Amendment's two religious liberty

¹⁰² Ibid.

clauses were interpreted in this manner, the manner in which the Founders were so careful to preserve.

Thomas Jefferson's Famous Phrase

Some historians believe that Thomas Jefferson was a deist and anti-religion. Although this is false, it is irrelevant because what matters are his actions and words in office and out of office, which happen to be pro-Christianity and pro-religion, even in the public square.

Thomas Jefferson was in France at the time of the planning and writing of both the Constitution and the First Amendment. Considering how slow trans-Atlantic travel was in the eighteenth century, it is unlikely he had significant influence on either, outside of writing in a letter to James Madison “urging the want of a provision for the freedom of religion” among other rights.¹⁰³ There were fifty-five framers of the Constitution and ninety members of the first Congress; Jefferson absent from both groups.¹⁰⁴ The only reason Thomas Jefferson is immediately relevant to the discussion of the First Amendment is because of a

¹⁰³ Thomas Jefferson, *The Writings of Thomas Jefferson*, Andrew A. Lipscomb, editor (Washington, D.C.: The Thomas Jefferson Memorial Association, 1904), Vol. X, pg. 325. as cited in David Barton, *The Jefferson Lies*, *Supra* at pg. 152-153.

¹⁰⁴ David Barton, *The Jefferson Lies*, *Supra* at pg. 153.

phrase he penned while responding to a letter from the Danbury Baptist Association of Connecticut. The letter to President Jefferson addressed their concerns regarding the freedom of religion, especially the “free exercise” portion. The relevant portion of their Oct. 7, 1801, letter says that:

“Our sentiments are uniformly on the side of religious liberty: that religion is at all times and places a matter between God and individuals, that no man ought to suffer in name, person, or effects on account of his religious opinions, [and] that the legitimate power of civil government extends no further than to punish the man who works ill towards his neighbor.”¹⁰⁵

The Danbury Baptists were understandably concerned because they believe that freedom of religion was a right granted solely from God, so when it appeared in government documents they feared that the government may wrongly hold that it could regulate religious expression. The Baptist denomination in particular were often deprived of their right to the free exercise of their religion through government established churches.

Jefferson replied to the Danbury Baptists’ letter on Jan. 1, 1802, by reassuring them that they had nothing to worry about because of the wall of

¹⁰⁵ Letter of October 7, 1801, from Danbury (CT) Baptist Association to Thomas Jefferson, Thomas Jefferson Papers Manuscript Division, Library of Congress, Washington, D.C. as cited in David Barton, *The Separation of Church and State*, Jan, 2001, WallBuilders (at: <http://www.wallbuilders.com/libissuesarticles.asp?id=123>).

separation between Church and State would keep the government from meddling with religious expressions. His response in pertinent part states:

“Believing with you that religion is a matter that lies solely between man and his God, ... 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 prohibiting the free exercise thereof,” **thus building a wall of separation between Church and State.**”¹⁰⁶

Jefferson’s intent with this letter was clear, but if his stance needed more clarification, two days after he sent the letter, he attended Church service in the U.S. Capitol building, which he began doing regularly. So either Thomas Jefferson believed that the separation prohibited religious expression or he was a hypocrite since he also signed federal acts setting aside government lands and funds in order to assist missionaries with spreading the Gospel to Native Americans, construct Churches for the Native Americans, send a Catholic Priest to a tribe, and erect churches so the Native Americans could worship.¹⁰⁷ Thomas Jefferson was not the first President to have received letters regarding the freedom of religious expression. Many denominations wrote President George Washington after his inauguration to inquire whether or not he would follow the practice of European

¹⁰⁶ Jefferson, *Writings*, Vol. XVI, pg. 281-282, to the Danbury Baptist Association. As cited in David Barton, *Separation of Church & State, Supra.* at pg. 12

¹⁰⁷ David Barton, *The Jefferson Lies* at pg. 175.

monarchs and establish a national religion. Less than two weeks after being sworn into office, George Washington penned to the United Baptist Churches of Virginia that:

“If I could have entertained the slightest apprehension that the Constitution framed by the Convention, where I had the honor to preside, might possibly endanger the religious rights of any ecclesiastical Society, certainly I would never have placed my signature to it...any man, conducting himself as a good citizen, and being accountable to God alone for his religious opinions, ought to be protected in worshipping the Deity according to the dictates of his own conscious.”¹⁰⁸

This is coming from a man that is studied and revered by countless governments and individuals because of his voluntary abdication of power, which was unheard up until this time. The activist Court has not used this letter or any of George Washington’s other pertinent letters on the topic in its opinions. The reason likely being that the phrases are not as easy to manipulate as Jefferson’s “wall of separation between Church and State.”

Interpretation Up Until 1947

¹⁰⁸ George Washington, Jared Spark, ed. *The Writings of George Washington 12 Vols.* (Boston, MA: American Stationer’s Co., 1837; NY: Da Capo, 1971), pg. 173. as cited in William J. Federer, *Backfired, Supra.* at pg. 218.

Now that the context of Jefferson’s often cited “wall of separation between Church and State” is established, it is time to see how the courts interpreted it along with the rest of the First Amendment. The period spanning from the First Amendments inception, 1891, until 1947 draws similar comparisons with Period I of Christianity. The first time the phrase was cited was in the U.S. Supreme Court in 1878.¹⁰⁹ The Court stated that Jefferson’s letter can be accepted as near authoritative regarding the scope and effect of the First Amendment’s protection of the free exercise of religion. The Court wanted to cite heavily from Jefferson’s letter in order to reaffirm that religious expression was to be safeguarded not restricted with the only exceptions falling into extremely narrow categories like polygamy or human sacrifice. Justice Josiah Brewer writing for the majority in *Church of the Holy Trinity v. U. S.* held that “No purpose of action against religion can be imputed to any legislation, state or national, because this is a religious people... these and other matters...add a volume of unofficial declarations to the mass of organic utterances that this is a Christian nation...we find everywhere a clear recognition of the same truth.”¹¹⁰ This Court quoted from the Founding Fathers and used eighty-six historical records supporting its conclusion.¹¹¹ It is

¹⁰⁹ *Reynolds v. U.S.*, *Supra.* as cited by *Ibid.* at pg. 163.

¹¹⁰ *Church of the Holy Trinity v. U. S.*, 143 U.S. 457, 465, 470-471 (1892).

¹¹¹ *Id.*

apparent and undisputed that for the first one hundred and fifty years of its enactment, the First Amendment was applied according to the Founder's intent. This is evidenced through the Executive, Legislative, and Judicial branches of government's actions and rhetoric, along with those of the populace, of which many of these would be unconstitutional under today's interpretation.

Interpretation 1947 Onward

The point in time when the First Amendment's was reinterpreted is as noticeable as when the dark, fresh water of the Mississippi meets the crystal clear, saltwater of the Gulf of Mexico. This Period is comparable to Period II Christianity. *Everson v. Board of Education* was the case and 1947 the year.¹¹² For the first time ever the Supreme Court interpreted Jefferson's phrase, from his letter to the Danbury Baptists assuring them that the the purpose of "wall of separation" was to safeguard public or private religious expression from governmental interference, to require the federal government to remove religious expression from the civil arena.¹¹³ This decision flipped the First Amendment on its head, effectively turning negative government rights to positive ones, limiting religious expression and religious principles. The Court didn't even cite Jefferson's whole

¹¹² *Everson v. Board of Education*, 330 U.S. 1, 18 (1947).

¹¹³ David Barton, Separation of Church & State, Supra. at pg. 12-13.

letter, instead it only cited the single phrase of “a wall between separation of Church and State,” The Court left out the historical context of which the letter was written, Jefferson’s numerous other quotes on religious liberty, and did not mention the fact that previous Courts used Jefferson’s phrase and letter to uphold religious expression.¹¹⁴ This opened the door for an all-out assault on religious liberty, particularly against Judeo-Christian religious expression.¹¹⁵

The next assault occurred fifteen years later with the case of *Engel v. Vitale* where the Court determined that the word “Church” no longer was synonymous with a religious denomination, as it had been understood for over two hundred years.¹¹⁶

The Court determined that “church” now meant a public religious activity, broadening the applicability of the Federal Government’s new power just as the Danbury Baptists and the Founders had feared.

The phrase “separation of Church and State” took on a whole new meaning. Originally it meant that the Federal Government has no authority to establish a federal denomination. Its new meaning empowered the Federal Government because public religious expression must now be kept from the public square. After

¹¹⁴ *Everson v. Board of Education, Supra.*

¹¹⁵ I find it intriguing that the central government around this time happened to grow immensely through the New Deal, increasing its influence on the everyday lives of its citizens.

¹¹⁶ *Engel v. Vitale*, 370 U.S. 421 (1962). as cited in David Barton, *Separation of Church & State, Supra.* pg. 14.

twisting and manipulating Thomas Jefferson’s phrase and our Founders’ intent, the flood gates have been opened and the courts keeps pumping out one mind boggling decision after another, but since the meaning of the language in the First Amendment has been changed, the courts justify it.¹¹⁷ In *Stone v. Graham*, the new interpretation of “separation of Church and State” allowed the Court to justify declaring it unconstitutional for students to voluntarily see a copy of the Ten Commandments.¹¹⁸ The Court explained that “If the posted copies of the ten Commandments are to have any effect at all, it will be to induce the schoolchildren to read, meditate upon, perhaps even venerate and obey the commandments...[This...is not a permissible...objective.]”¹¹⁹ So the Court is saying that by having students able to even voluntarily see the Ten Commandments, they might “honor their father and mother,” “not steal,” and “not covet,” yet this is unconstitutional. The Court continued its assault on religious liberty one year after turning the “separation” doctrine on its head by declaring, in *Abington v. Schempp*, that it is unconstitutional and a violation of the First Amendment to have the Bible and its teachings in public schools.¹²⁰ The Court,

¹¹⁷ Every once in a while they get one right like *Burwell v. Hobby Lobby Stores, Inc.*, 134 S. Ct. 2751 (2014).

¹¹⁸ *Stone v. Graham* 449 U.S. 39, 42 (1980). as cited in David Barton, *Separation of Church & State, Supra.* pg. 14.

¹¹⁹ *Id.*

¹²⁰ *Abington v. Schempp*, 374 U.S. 203 (1963).

with its decision, reversed over two hundred years of precedent.¹²¹ The reason for this was that “[I]f portions of the New testament were read without explanation, they could be and...had been psychologically harmful to the child [student].”¹²²

I could continue with many more examples of the Courts limiting freedom of religious expression. One being devout Christian baker’s losing their business for refusing to bake a cake for a same-sex couple because they felt it was not keeping with their faith.¹²³ Also, a couple in New York who own a wedding and reception venue on their property were ordered to allow a same-sex couple to hold a wedding on their property, were fined, and then forced to teach classes to their employees that impose the state’s view of marriage.¹²⁴ More rulings include a school being prohibited from placing a Bible in a classroom library and cadets at a

¹²¹ A Frenchman funded a school that he wanted to be based on a secular philosophy because he thought children could learn morality apart from the Bible. The school was run by Philadelphia and prevented ministers from campus. The Court in a unanimous decision said “Why may not the Bible and especially the new Testament... be read and taught as a divine revelation in the [school] its general precepts expounded and its glorious principles of morality inculcated?... where can the purest principles or morality be learned so clearly and perfectly than the New testament?” The Justices of this Supreme Court were appointed by the Founding Fathers, so they definitely knew the Founders intent when ratifying the First Amendment better than Supreme Court Justices serving in the 1960s who are citing a single eight-word phrase out of context and with no historical background. *Vidal v. Girard’s Executors*, 43 U.S. 127 (1844).

¹²² *Abington, supra* at pg. 209. as cited by David Barton, Separation of Church & State. at pg. 15.

¹²³ In the Matter of: Melissa Elaine Klein, dba Sweetcakes by Melissa, and Aaron Wayne Klein, dba Sweetcakes by Melissa, and, in the Alternative, Individually as an Aider and Abettor under ORS 659A.406, Respondents, 20151.

¹²⁴ *Gifford v. McCarthy*, 23 N.Y.S.3d 422, 426 (N.Y. App. Div. 3d Dept. 2016)

state military academy may not engage in offering voluntary prayers over their meals.¹²⁵ What is happening is that the State is attempting to establish “a religion of secularism” in the sense of affirmatively opposing or showing hostility to religion, thus “preferring those who believe in no religion over those who do believe” therefore the refusal to permit religious exercises is seen as the establishment of a religion of secularism rather than the realization of state neutrality.¹²⁶

Whether you agree with the analysis and methodology of the Court’s decisions in recent years is up to you, but the primary source evidence by our Founders and leading patriots through the use of extensive footnotes is hard to ignore. Some books, like *The Godless Constitution* by Professor Isaac Kramnick and Laurence Moore do not include any citations to primary sources, so it is always wise to make sure that factual claims and quotations by authors are backed up by primary sources. I always suggest for individuals to do their own research before formulating an opinion. Some good online sources that have thousands of unedited historical documents include the Avalon Project, the Library of Congress, and a Century of Lawmaking.

¹²⁵ *Roberts v. Magadan*, 921 F.2d 1047, 59 USLW 241, 19 Fed. R. Serv..3d 530, 64. ED. Law Rel038 (1989); Patrick Buchanan, “*The de-Christinization of VMI*,” WND.com, January 29, 2002 (at: <http://www.wnd.com/index.php?pageID=12556>). as cited in David Barton, *The Jefferson Lies* at pg. 165.

¹²⁶ *Abbington*, *supra* at pg. 203,212,225. as cited in William J. Federer, *BackFired* pg. 253.

Conclusion

President Reagan, during a 1984 radio address observed that

“Sometimes I can’t help but feel that the First Amendment is being turned on its head... Can it really be that the First Amendment permits Nazis and the KKK to march on public property, advocate for the extermination of people of the Jewish faith, and the subjugation of blacks, while the same Amendment forbids our children from saying a prayer in school?... By reasserting their liberty of freedom of religious expression, we will be helping our children understand the diversity of America’s religious beliefs and practices.”¹²⁷

The Founding Fathers’ intent was for the Biblical principles they held so dearly to be part of our civil arena and for America to continue to be a beacon of hope, freedom, and tolerance for individuals around the world regardless of faith, but “if the country’s Judeo-Christian foundations continue to be dismantled in the name of tolerance then the contributions stemming from this tolerance will follow suit, including tolerance itself.”¹²⁸ They believed that, through the language of the First Amendment, the principles which produce measurable positive results for the society, would be protected and endure. America will only be morally and culturally strong to the degree Biblical principles are incorporated throughout our

¹²⁷ David R. Shepherd, ed., Ronald W. Reagan, *In God I Trust, Supra*.

¹²⁸ William J. Federer, *BackFired, Supra* at pg. 268.

society, so everyone of faith, take courage, educate yourself along with others, and stand up for what has made America the greatest country in human history.^{129, 130,}

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God Bless the USA!

¹²⁹ David Barton, *Separation of Church & State, Supra.* at pg. 20.

¹³⁰ I would like to give a special thanks to Pastor Tim Kelley from Grace Connection Church in St. Petersburg, Florida, and Pastor Garry Clarke of Fellowship Church in Englewood, Florida. Their spiritual leadership and emphasis on our country's Christian founding inspired me to write a short piece to help propagate our country's religious history.

¹³¹ I would also like to thank William J. Federer and David Barton, whose scholarship and books were invaluable resources.