

The Constitution

Separation of Church and State

Nowhere in the Constitution does it proclaim a “Separation of Church and State”. In fact, the word “Church” is never mentioned anywhere in our Constitution or Amendments. So where did the metaphor come from?

Thomas Jefferson, while President wrote a letter to the Danbury Baptist Association in 1802 and explained, in his opinion*, the “establishment clause” of the first amendment, and much more;

“Believing with you that **religion is a matter which lies solely between man and his God**; that he owes account to none other for his faith or his worship; that the legislative powers of the government reach actions only, and not opinions, 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****. Adhering to this expression of the supreme will of the nation in behalf of the rights of conscience, I shall see with sincere satisfaction the progress of those sentiments which tend to restore man to **all of his natural rights, convinced he has no natural right in opposition to his social duties.**”

** Jefferson was giving an opinion. He did not sign the Constitution or write the first amendment as he was in France during that period of time.*

*** The original draft of the Danbury letter said "thus building a wall of **eternal** separation..."Note: Jefferson and*

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Adams were not delegates to the Constitutional Convention. Adams was in England

It was James Madison who penned the first amendment, and specifically what he called religious liberty, which we now call the establishment clause. In that pursuit he wrote two restrictions against the Federal Government.

Congress shall make no laws establishing a religion or, laws prohibiting anyone from practicing their religion.

Why? Between the signing of the constitution and before the Bill of Rights, Madison, at 33 years old, joined the Virginia General Assembly in 1784 to oppose a proposed law by former Governor, Patrick Henry. A law to aid and support Christianity as an “established” religion. To help failing churches, many sister States had chosen to declare a single “Established” religion, thus permitting support with tax dollars.

Even though Madison was a Deist, he opposed the law because if State tax dollars were used to support an established religion, it meant some of the (taxed) people were supporting a religion different than their own.

Madison, coining his friend Thomas Jefferson, argued to the Virginia Assembly that religion is an *unalienable* right because it is a matter between man and his God. Madison won; the bill was defeated.

Before Madison put the establishment clause to paper in 1789, he had two clear beliefs. Religion was an unalienable relationship right between man and his GOD and the State could

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not interfere with that relationship by creating or supporting a religion, or, interfering with the pursuit of other religions. It was so important to him, he made it the first clause of the first amendment.

True to his belief Madison wrote to protect an unalienable right; “*Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; ...*”

There was no “separation” intended. Simply, the State could not take sides by supporting (with tax dollars) a specific religion and could not interfere with the belief of others that differ.

The phrase “Separation” came from early interpretations then coined by American courts and evolved to a current day dogma that seems to forbid any and all relationships between government involving religion, church or God. What a straw dog!

After the Constitution and Bill of Rights were adopted, things were clear to all. There could be no State sponsored religion and you could practice whatever religion belief you wanted. Up until recent times Congress opened each session with a prayer to God. Schools started each day with the Lord’s Prayer. Oaths were sworn to God. The Supreme Court opened each session with “God save the United States and this honorable court”. Even the almighty dollar and coins (still to this day) say, “In God we Trust”.

What happened? Activists and liberal judges is what happened. They first supplanted God and religion with the word

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“Church” so that any issue involving religion or God is a violation of Church and State.

That was a stretch because there are several religions that do not congregate in Church or places of worship. There are some that occur without a physical congregation or large gathering. As Jesus said “when two or more gather”

The word God is also somewhat contemporary. Several religions do not use the word God. Some use Mohamad or Yahweh. Hindu has no God.

To say you cannot express your religious belief or pray in school or public places is pure poppy cock. The Constitution does not say that. In fact, praying is part of a religious belief and thus, an unalienable right. But that’s not what is happening today with the advent of the liberal left, and their “Straw Dog”.

The straw dog is a bake shop in Denver. A couple of gay guys come in and order a cake with two men on it. The baker refused considering it against his religion. Even though the baker had the right to refuse service, he was sued for violating Separation of Church and State. The Supreme Court eventually decided the case on a technicality but, the bake shop was no church. It had no congregation. There was no praying going on nor ligature or artifacts displayed. It was not a government office and guys ignoring the “right to refuse” sign at the door. The baker did have a religious belief. Further, the Constitution prohibits the Government, not the citizens

How on God’s green earth does that reach a violation by the Federal Government? It doesn’t but the courts took the straw dog hook line and sinker claiming the “separation” was also

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between personal beliefs. Remember Jefferson's Danbury letter. There is "no natural right in opposition" to religious belief.

SCOTUS has recently clarified much but not all. First, if the State provides funding or support to all schools, including religious ones, there is no First amendment violation because they are all being treated equally. Second, praying on school grounds is not a violation of the First Amendment as long as it is not sponsored by the school. Both rulings can read school interchangeable with Government property.

It's a start. But SCOTUS needs to clarify the Establishment Clause. It must reaffirm its primary meaning. Government cannot establish or promote one religion over another. The Government cannot interfere with your religious belief.

AMEN

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