

COVENANT WITNESS DOCUMENT

CHURCH, STATE, AND THE GOD NEITHER SIDE KNOWS

*TRUMP'S RELIGIOUS LIBERTY COMMISSION, THE FIRST AMENDMENT, THE FOUNDING FATHERS, AND THE PLUMB LINE OF YAHWEH*

<b>INSTITUTION</b>	Miqdash Bethel Covenant Institution   Pearl River, Louisiana
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<b>AUTHORITY</b>	The Tanakh — The Word of Yahweh Alone   Devarim 19:15 — Two or Three Witnesses
<b>STANDARD</b>	Judaism   Christianity   Islam — Three-Religion Audience
<b>CROSS-REFERENCE</b>	Docs 3, 12, 19, 21, 58, 62, 66 — Master Library Index v13



EXECUTIVE OVERVIEW

The current national debate frames the relationship between government and religion as a binary choice: secular separation on one side, government promotion of Christianity on the other. **Both positions miss the foundational question: which religion, whose Elohim, and by what standard?** This covenant witness document applies three independent lines of analysis to President Trump's Religious Liberty Commission and its agenda: (1) the constitutional record of the First Amendment and its Establishment Clause; (2) the testimony of the Founding Fathers — men who personally witnessed religious persecution — on why they made religious liberty the First Amendment; and (3) the plumb line of **Yahweh's** covenant, which neither the Christian nationalist agenda nor secular progressivism has ever seriously engaged.

This document concludes that Trump's administration is generating real First Amendment constitutional issues that are now in active federal litigation, that the Founding Fathers would recognize — and condemn — what is happening, and that from a covenant standpoint, the deeper failure is not merely legal but theological: the religion being installed in American governance is **not the covenant faith of the Tanakh.**



PART I — THE CONSTITUTIONAL RECORD

The First Amendment: Text and Origin

The First Amendment states: "**Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof.**" These sixteen words contain two distinct clauses: the Establishment Clause (prohibiting government endorsement of religion) and the Free Exercise Clause (protecting individual religious practice). Both were written deliberately and placed first among the amendments — not as an afterthought, but as the bedrock protection without which all other rights are vulnerable.

The phrase "separation of church and state" does not appear in the Constitution itself. It originates with **Roger Williams**, the founder of Rhode Island, who in 1644 used the metaphor of "a wall or hedge of separation" between the "garden of the church and the wilderness of the world." Williams' argument was directed at protecting **the church FROM the state** — he believed that government involvement would corrupt religion, not strengthen it. This historical origin is almost never cited by the Trump administration and its Religious Liberty Commission.

President Thomas Jefferson subsequently adopted the metaphor in his 1802 letter to the Danbury Baptist Association — a religious minority seeking protection from state-enforced religious conformity. Jefferson declared that the First Amendment erected "a wall of separation between church and State." The Supreme Court first formally incorporated this framing in **Reynolds v. United States** (1879), and elevated it to constitutional doctrine in **Everson v. Board of Education** (1947), where Justice Hugo Black applied the Establishment Clause to state governments through the 14th Amendment.

### **What the Establishment Clause Prohibits**

The Supreme Court's Establishment Clause jurisprudence has consistently held that the government cannot: (1) create or endorse a national or state church; (2) compel citizens to support religious institutions financially; (3) favor one religious tradition over others; or (4) impose religious practices in public institutions. These are not interpretations invented by the 20th century — they reflect precisely what the Founders experienced under British and colonial religious establishment and specifically designed the First Amendment to prevent.



## **PART II — THE FOUNDING FATHERS: EYEWITNESSES TO RELIGIOUS PERSECUTION**

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### **Why the First Amendment Came First**

The men who drafted and ratified the First Amendment were not speaking abstractly about religious freedom. They had lived under established churches, witnessed taxation to support clergy of faiths not their own, seen dissenters fined and imprisoned, and watched religious and political power fuse into engines of oppression across Europe and within the colonies themselves. Nine of the thirteen colonies had officially established churches at the time of the Revolution. Dissenters — Baptists, Quakers,

Catholics, Jews — faced legal penalties, property loss, and civil disability. The First Amendment was not an ideological position. It was a firewall forged in lived experience.

## The Founders Speak — Primary Witnesses

**James Madison** — Father of the Constitution and primary author of the Bill of Rights:

*"What influence, in fact, have religious establishments had on society? In some instances they have been seen to erect a spiritual tyranny on the ruins of the civil authority; on many instances they have been seen upholding the thrones of political tyranny; in no instance have they been the guardians of the liberties of the people. Rulers who wish to subvert the public liberty may have found an established clergy convenient auxiliaries. A just government, instituted to secure and perpetuate it, needs them not."*

— **James Madison, Memorial and Remonstrance Against Religious Assessments, 1785**

*"The Religion then of every man must be left to the conviction and conscience of every man; and it is the right of every man to exercise it as these may dictate... We maintain therefore that in matters of Religion, no man's right is abridged by the institution of Civil Society and that Religion is wholly exempt from its cognizance."*

— **James Madison, Memorial and Remonstrance Against Religious Assessments, 1785**

*"The civil government functions with complete success by the total separation of the Church from the State."*

— **James Madison, 1819**

*"And I have no doubt that every new example will succeed, as every past one has done, in showing that religion and Government will both exist in greater purity, the less they are mixed together."*

— **James Madison, Letter to Edward Livingston, July 10, 1822**

*"Experience witnesses that ecclesiastical establishments, instead of maintaining the purity and efficacy of religion, have had a contrary operation. During almost fifteen centuries the legal establishment of Christianity was on trial. What has been its fruit? More or less, in all places, pride and indolence in the clergy; ignorance and servility in the laity; in both, superstition, bigotry and persecution."*

— **James Madison, Memorial and Remonstrance, 1785**

**Thomas Jefferson** — Author of the Declaration of Independence and Virginia Statute for Religious Freedom:

*"The opinions of men are not the object of civil government, nor under its jurisdiction."*

— **Thomas Jefferson, Virginia Statute for Religious Freedom, 1786**

*"To compel a man to furnish contributions of money for the propagation of opinions which he disbelieves and abhors is sinful and tyrannical."*

— **Thomas Jefferson, Virginia Statute for Religious Freedom, 1786**

*"No power to prescribe any religious exercise, or to assume authority in religious discipline, has been delegated to the general government."*

— **Thomas Jefferson, Letter to Rev. Samuel Miller, 1808**

*"Where the preamble declares that coercion is a departure from the plan of the holy author of our religion, an amendment was proposed by inserting 'Jesus Christ'... the insertion was rejected by the great majority, in proof that they meant to comprehend, within the mantle of its protection, the Jew and the Gentile, the Christian and the Muslim, the Hindu and the Infidel of every denomination."*

— **Thomas Jefferson, Autobiography, referencing the Virginia Act for Religious Freedom**

**George Washington** — President of the Constitutional Convention and first President of the United States:

*"If I could conceive that the general Government might ever be so administered as to render the liberty of conscience insecure, I beg you will be persuaded that no one would be more zealous than myself to establish effectual barriers against the horrors of spiritual tyranny, and every species of religious persecution. Every 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 conscience."*

— **George Washington, Letter to the United Baptist Churches of Virginia, 1789**

**Thomas Paine** — Author of Common Sense:

*"Persecution is not an original feature in any religion; but it is always the strongly marked feature of all law-religions, or religions established by law."*

— **Thomas Paine, The Rights of Man**

**John Leland** — Baptist minister who directly influenced Madison's thinking on the First Amendment:

*"The notion of a Christian Commonwealth should be exploded forever. Government should protect every man in thinking and speaking freely, and see that one does not abuse another."*

— **John Leland, Baptist Minister and Key Ally of Madison**

*"Experience, the best teacher, has informed us that the fondness of magistrates to foster Christianity has done it more harm than all the persecutions ever did."*

— **John Leland, The Government of Christ a Christocracy, 1804**

Note: Jefferson considered the Virginia Statute for Religious Freedom among his three greatest life achievements — equal to the Declaration of Independence. He requested it be inscribed on his tombstone. Madison shepherded it through the Virginia legislature and built its principles directly into the First Amendment. These were not minor provisions. They were the crown of their life's work, born from the blood of dissenters and the smoke of religious wars across two continents.



## PART III — TRUMP’S ACTIONS AND THE FIRST AMENDMENT: ACTIVE CONSTITUTIONAL ISSUES

### The Religious Liberty Commission: Structure and Purpose

On May 1, 2025, President Trump signed an executive order creating the Presidential Commission on Religious Liberty (RLC). The commission held seven hearings, with most taking place at the Museum of the Bible in Washington, D.C. — an institution with Christian leadership. The commission’s chair, Texas Lt. Governor **Dan Patrick**, declared at the final April 13, 2026 hearing: **“There is no such thing as separation of church and state in the Constitution. For too long, the anti-God left has used this phrase to suppress people of religion in our country.”** Patrick called for printing a million bumper stickers to that effect and proposed a federal hotline with an automated message declaring that no separation exists.

The commission’s membership consisted of **13 conservative Christians** — including evangelist Franklin Graham, evangelical commentator Eric Metaxas, Dr. Phil McGraw, and former pageant contestant Carrie Prejean Boller — plus one Orthodox Jewish rabbi. No Muslim, Hindu, Sikh, Buddhist, or non-conservative voice was included. Nearly all members have publicly affirmed the belief that the United States was founded as a “Judeo-Christian nation.”

### Specific Actions Generating First Amendment Concerns

ADMINISTRATION ACTION	FIRST AMENDMENT CONCERN	STATUS
<b>Religious Liberty Commission — Christian-majority composition</b>	Violates FACA requirement of ideological balance; favors one religious viewpoint	Active federal lawsuit — S.D.N.Y.; admin seeking dismissal
<b>Mandatory prayer services reported in federal agencies</b>	Establishment Clause violation — government coercing religious practice on employees	Federal employee lawsuits filed by Democracy Forward
<b>Public funding directed to religious schools</b>	Contested Establishment Clause issue; recent SCOTUS cases have expanded, not settled	Ongoing; courts continuing to refine doctrine
<b>IRS direction allowing churches to endorse political candidates</b>	Violates Johnson Amendment; blurs church-state line; establishment concern	Legal challenges anticipated
<b>Commission recommends ending separation as stated doctrine</b>	Contradicts Supreme Court precedent from Everson (1947) forward; direct challenge to established constitutional law	Report pending; judicial review expected when recommendations become policy

<b>Most commission meetings held at Museum of the Bible</b>	Government using overtly Christian institution as official venue signals favoritism	Cited in active lawsuits as evidence of bias
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### The Active Lawsuits

**Interfaith Alliance v. Trump (S.D.N.Y., 2026):** Filed by the Interfaith Alliance, Muslims for Progressive Values, Sikh American Legal Defense and Education Fund, and Hindus for Human Rights, represented by Americans United for Separation of Church and State and Democracy Forward. The complaint alleges that the commission violates the Federal Advisory Committee Act (FACA) of 1972 — the federal "sunshine law" requiring that presidential advisory bodies be (1) publicly transparent, (2) in the public interest, (3) fairly balanced among competing viewpoints, and (4) structured to avoid inappropriate influence by special interests. The commission fails all four. The plaintiffs seek a declaration that the commission is unlawfully constituted and that its final report does not represent a lawfully formed advisory body.

**Federal Employee Lawsuits (Democracy Forward, 2026):** Several federal employees have filed suit challenging reports of mandatory prayer services and religious messaging in government agencies — a direct Establishment Clause claim. The government compelling employees to participate in religious activities is exactly the "establishment" the First Amendment prohibits.

The Trump administration's response to these suits has been to invoke legal technicalities and argue that FACA does not define how a commission should be "fairly balanced" — effectively arguing that the executive branch alone determines what counts as diverse representation. This is itself a constitutional argument that the courts must settle.

### What Madison Would Say About This Commission

Madison's own words are dispositive. In his 1785 Memorial and Remonstrance, Madison specifically argued against the Virginia legislature's proposal to support Christian teachers with state funds — a far milder measure than what Trump's commission recommends. Madison called such measures a threat to civil liberty, a corruption of religion itself, and a violation of the most fundamental principle that religion can only be directed by "reason and conviction, not by force or violence." **A commission that declares there is no separation of church and state, meets almost exclusively at a Christian institution, contains no Muslim, Hindu, Sikh, or secular voice, and recommends a federal hotline announcing that Christianity's preferred doctrine is now government policy would strike Madison as precisely the "spiritual tyranny" he warned against.**



## PART IV — THE COVENANT PLUMB LINE: YAHWEH'S STANDARD

### The Deeper Problem: It Is the Wrong Religion

Even granting the most charitable version of the Trump administration's argument — that the government should promote religion as a public good — the covenant standard of **Yahweh** demands a further question that no American political movement has ever seriously asked: **which religion, and by whose authority?** The religion being installed is institutional Christianity in its conservative Nicaean form. From the standpoint of **Yahweh's** covenant as revealed in the Tanakh, this is not the covenant faith of the patriarchs, the prophets, or the original assembly of Yisra'el.

### **Devarim (Deuteronomy) 17:14-20 — The Law of the King**

*When you come to the land which Yahweh your Elohim gives you, and you possess it and dwell in it, and say, 'I will set a king over me like all the nations that are around me'... he shall write for himself a copy of this Torah in a book... and he shall read it all the days of his life, that he may learn to fear Yahweh his Elohim... that his heart may not be lifted above his brothers. — Devarim 17:14, 18-20*

**Yahweh** anticipated the demand for a king. His covenant law of kingship does not authorize the ruler to **impose** his religion on the nation. It requires the ruler to **submit himself** to the covenant standard. The Religious Liberty Commission inverts this: rather than political leadership humbling itself before **Yahweh's** written word, it uses governmental power to promote a particular religious community's theological framework.

### **Devarim (Deuteronomy) 1:17 — The Standard of Impartiality**

*You shall not respect persons in judgment; you shall hear the small as well as the great; you shall not be afraid of the face of man, for the judgment is Elohim's. — Devarim 1:17*

This is the foundational covenant standard for governance — the basis of Doc 12 (**Know Who You're Voting For** found at [www.miqdashbethel.org](http://www.miqdashbethel.org)). A commission composed almost entirely of conservative Christian voices, with no representation from the Islamic, Hindu, Sikh, Buddhist, or secular communities of this nation, fails this standard categorically. **Yahweh's** governance framework does not produce a two-tiered legal system where the majority religious community's preferences override all others.

### **Bemidbar (Numbers) 15:16 — One Law for All**

*One law and one ordinance shall be for you and for the stranger who sojourns with you. — Bemidbar 15:16*

This verse dismantles the commission's framework entirely. **Yahweh's** covenant does not produce religious exemptions that benefit one community at the expense of all others. The push for religious carve-outs in labor law, healthcare, and public education that advantage specifically Christian institutions creates exactly the kind of favoritism that **Yahweh's** Torah forbids.

### Shemot (Exodus) 23:9 — Protection of the Stranger

*You shall not oppress a stranger, for you know the heart of a stranger, seeing you were strangers in the land of Egypt. — Shemot 23:9*

When the commission positions every non-Christian citizen — every Muslim, every observant Jew not aligned with the commission's politics, every Hindu, Sikh, and person of no religion — as a second-class member of the body politic, it violates this covenant command. **Yahweh's** Torah does not permit the majority to oppress the minority in His name.

### Yeshayahu (Isaiah) 1:21-23 — When the Faithful City Becomes a Harlot

*How is the faithful city become a harlot! She that was full of justice; righteousness lodged in her, but now murderers. Your silver has become dross, your wine mixed with water. Your princes are rebellious and companions of thieves; every one loves bribes and follows after rewards; they judge not the fatherless, neither does the cause of the widow come before them. — Yeshayahu 1:21-23*

The prophet **Yeshayahu** does not indict godless leaders. He indicts leaders who use religious language and institutional power while betraying justice. The commission proclaims the name of God (a word with no Semitic or covenant root — we have a study: Is it correct to call Yahweh, God? at [www.miqdashbethel.org](http://www.miqdashbethel.org)), meets at a Christian museum, and fills its agenda with the preferences of the wealthy and politically connected — while the poor, the immigrant, the religious minority, and the widow have no seat at that table. This is the prophetic category of the harlot city: religious in its speech, corrupt in its judgment.



## PART V — WHERE CHRISTIANITY STANDS FROM A COVENANT PERSPECTIVE

This institution addresses Judaism, Christianity, and Islam simultaneously — showing where each upholds covenant and where each departs from it. The Tanakh is the sole authority. Christianity is the dominant religion in America, but dominance is not the same as truth, and popularity is not the same as covenant fidelity. From the plumb line of **Yahweh's** own Torah, institutional Christianity departs in four foundational ways:

ISSUE	WHAT THE TANAKH TEACHES	WHERE CHRISTIANITY DEPARTS
<b>The Name</b>	Yahweh (יהוה) — "This is My name forever, and this is My memorial to all generations" (Shemot 3:15)	Replaced with "God" (Proto-Germanic pagan word) and "LORD" — neither has a Semitic or covenant root (see the pdf: Is it correct to call Yahweh, God? at <a href="http://www.miqdashbethel.org">www.miqdashbethel.org</a> )

<b>Sin and Atonement</b>	Teshuvah (repentance) is Yahweh's mechanism of return. Yechezkel 18:20: the soul that sins shall die; no substitution	Vicarious atonement through blood sacrifice of Jesus — contradicted by Yechezkel 18:20 and the entire covenant framework
<b>The Nature of Yahweh</b>	Devarim 6:4 — Shema: Yahweh our Elohim, Yahweh is ONE. Absolute unity — no division of persons	Nicaean Trinity (325 CE) — three persons in one God. Not found in the Tanakh. Formulated under Roman imperial pressure
<b>The Calendar</b>	Shalosh Regalim — Yahweh's three appointed times (Shemot 23, Vayikra 23, Devarim 16). These are His memorials forever	Christmas, Easter, Sunday worship — calendar framework substantially departs from Yahweh's appointed covenant times (see Doc 69)

The covenant witness of this institution is not anti-Christian in spirit — it is pro-truth in standard. The people within Christianity who genuinely seek **Yahweh** are our brothers and sisters in covenant pursuit. But the institutional framework of political Christianity that Trump's commission is seeking to install in American governance has departed from the Tanakh in ways that **Yahweh** Himself would not recognize as His covenant. Installing that system does not bring America closer to **Yahweh** — it installs a substitute that bears His name but not His standard.



## PART VI — COVENANT VERDICT

### On the Constitutional Question:

Yes — the Trump administration's actions are generating genuine and active First Amendment constitutional issues. The Religious Liberty Commission is the subject of federal litigation. Its structure violates the Federal Advisory Committee Act. Its proceedings — held overwhelmingly at a Christian institution, dominated by conservative Christian voices, with no Muslim, Hindu, Sikh, or secular representation — demonstrate exactly what the Founders feared: the power of the state being captured by a dominant religious group to the disadvantage of all others. James Madison specifically warned that "rulers who wish to subvert the public liberty may have found an established clergy convenient auxiliaries." The commission is that auxiliary.

### On the Founders' Testimony:

The men who wrote the First Amendment were not secularists hostile to religion. Washington, Madison, and Jefferson were men of faith — but faith forged in the crucible of religious persecution. They built the Establishment Clause precisely because they knew what state-sponsored religion produces: pride in the clergy, servility in the laity, superstition, bigotry, and persecution. Madison's words are not speculation — they are the testimony of a man who fought the Virginia establishment law and won, who then built the same principle into the Bill of Rights. Dan Patrick's declaration that

church-state separation is "the biggest lie that's been told" directly contradicts Madison's documented, historical, primary-source testimony.

**On the Covenant Standard:**

**Yahweh's** covenant gives no nation, no majority, and no political power the right to impose their version of religion on others under the banner of His name. The covenant law of kingship (Devarim 17) requires leaders to submit to **Yahweh's** written standard — not to use governmental power to impose their theological preferences. The impartiality standard (Devarim 1:17), the one-law standard (Bemidbar 15:16), and the protection of the stranger (Shemot 23:9) together form a governance framework that serves all people without regard to their religious identity. Neither the Trump administration's Christian nationalism nor the secular left's godless progressivism is applying this standard.

**The covenant witness stands: Yahweh is One (יהוה). His Torah is the standard. His justice applies to all — the native and the stranger, the majority and the minority, the powerful and the vulnerable. Every nation, including this one, will ultimately be measured by it. That measurement is coming regardless of what any commission declares.**



**CROSS-REFERENCE: MASTER LIBRARY INDEX**

DOC	TITLE	RELEVANCE TO THIS STUDY
3	One Father. Three Paths. One Truth.	Three-religion framework; where each departs from covenant
12	Know Who You're Voting For	Devarim 1:17 civic impartiality standard
19	New World Order, U.S. Constitution, and the Covenant of Yahweh	Constitutional law vs. covenant governance framework
21	The Architecture of Unelected Global Power	Power dynamics behind religious-political agendas
58	Two Crowns Without a Plumb Line	Trump + Pope Leo XIV invoking the divine without Torah standard
62	Is It Correct to Call Yahweh 'God'?	The Name problem at the root of 'In God We Trust'

66	Transformation — The Way of Yahweh	The covenant alternative to political religion
69	Holidays, Birthdays, and the Nations	The calendar departure — covenant vs. Christianized observance



## SCRIPTURE INDEX

REFERENCE	APPLICATION
<b>Shemot (Exodus) 3:15</b>	Yahweh's name is His memorial forever — 'In God We Trust' uses a substitute
<b>Shemot (Exodus) 23:9</b>	You shall not oppress the stranger — applicable to all non-Christian citizens
<b>Vayikra (Leviticus) 19:15</b>	Do not respect persons in judgment — covenant impartiality standard
<b>Bemidbar (Numbers) 15:16</b>	One law for native and stranger — no two-tiered religious exemption system
<b>Devarim (Deuteronomy) 1:17</b>	The judgment is Elohim's — priestly impartiality in governance
<b>Devarim (Deuteronomy) 6:4</b>	Shema: Yahweh is ONE — the Trinity departs from this confession
<b>Devarim (Deuteronomy) 16:20</b>	Justice, justice you shall pursue — method and outcome both must be just
<b>Devarim (Deuteronomy) 17:14-20</b>	The law of the king — leaders submit to covenant, not impose religion
<b>Yeshayahu (Isaiah) 1:21-23</b>	When the faithful city becomes a harlot — religious speech, corrupt justice
<b>Yechezkel (Ezekiel) 18:20</b>	The soul that sins shall die — no vicarious atonement in the Tanakh



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