Separation of Church & State

Vital in 1787 - Vital Now

a presentation of Congregation Beth Adam’s Social Justice Committee

What it is.
Why it matters.
What it is. Why it matters.

- Origins
- Protecting & Upholding
- Dangerous Erosion
“Divine Right of Kings”

- The King’s power comes from God.
- The King has **absolute** power.
- The King’s authority cannot be questioned or challenged.
- The King is **not accountable** to an earthly authority.
Founding Fathers Influenced by Enlightened Thinkers

- **Baruch Spinoza**
  - Dutch Philosopher (Jewish)
  - 1632-1677

- **Montesquieu**
  - French Judge
  - 1689-1755

- **Thomas Hobbes**
  - English Philosopher
  - 1588-1679

- **John Locke**
  - English Philosopher
  - 1632-1704

- **Baruch Spinoza**
  - Dutch Philosopher (Jewish)
  - 1632-1677
Founding Fathers also Influenced by Church’s Denial of Science

Nicolaus Copernicus
Polish Mathematician
1473-1543

Galileo Galilei
Italian Astronomer
1564-1642

Benjamin Franklin
Founding Father
1706-1790
“We (our nation’s founders) invented nothing except disestablishment.

No other government in history had launched itself without the help of officially recognized gods and their state connected ministers.”
What it is.

“Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof.”

The founding fathers wanted to prevent the few from governing the many, and the many from persecuting and destroying the few.
“The tendency of government and religion to mix and corrupt each other is so great that the danger cannot be too carefully guarded against.”

“Religion flourishes in greater purity, without, than with, the aid of government.”
Jefferson’s
Religious
Freedom Bill
1786

“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.”
The Bill of Rights 1791
1st Amendment
“Establishment Clause”

To prevent
religious control
over government
and
political control
over religion.

"The United States is not a Christian nation any more than it is a Jewish or a Mohameddan nation."

John Adams
“There is no freedom of religion without a government that is free from religion.”

The Establishment Clause: Guarantees freedom from religion.

The Free Exercise Clause: Guarantees freedom of religion.
Freedom FROM Religion is:
The freedom from having religion imposed.

Freedom OF Religion is:
The right to choose what religion to follow or not follow without interference.
PROTECTING and PRESERVING the 1st AMENDMENT
Early Historical Court Rulings Enforcing the “No Establishment Clause”.

- Abolished religious tests for public office
- Prohibited taxpayer funds from flowing to churches
- Guaranteed freedom of religion
The following are Mid 20th century Supreme Court rulings which upheld the strict application of Separation of Church and State.
In 1947 in *Everson v. Board of Education*, Supreme Court renders landmark opinion that the Wall of Separation of Church and State *must be kept high and impregnable.*
SUPREME COURT CASES INVOLVING Prayer In Public Schools

❖ In 1962, SCOTUS determined it unconstitutional for a state official to compose official school prayer and require its recitation in public schools.

❖ Madalyn Murray O’Hair’s 1963 lawsuit led to the end of mandatory prayer in public schools after SCOTUS declared it unconstitutional.

❖ In 1985 SCOTUS disallowed school officials to direct "silent prayer" and meditation for the purpose of prayer in public schools.
In 1968, SCOTUS ruled a state law making it a crime "to teach or use a textbook, about the theory that mankind ascended or descended from a lower order", unconstitutional.

SCOTUS ruled in 1987 that the Louisiana law giving Creationism equal time was unconstitutional.

Debate between Bill Nye The Science Guy & Ken Ham of The Creation Museum
The **Lemon Test** was devised by the Supreme Court in 1971, to determine whether governmental or other civil actions involving religion **complies with the Establishment Clause**.
THE SUPREME COURT’S LEMON TEST – 3 Criteria:

1. The statute must have a **secular** purpose.

2. The principal or primary effect of the statute must **neither advance nor inhibit** religion.

3. The statute must not result in an "**excessive government entanglement**“ with religion.
“I believe in an America where the Wall of Separation of Church and State is absolute.”

John F. Kennedy 1961
THE WALL CRUMBLES 1950-2020

Where we are now.
Infusion of Religious Symbolism
Influential Groups
Breaking Down the Wall

- 1990, American Center for Law and Justice
- National Legal Foundation
- Alliance Defending Freedom
- American Family Association
- American Prayer Caucus Network
- Citizens for Community Values – Ohio
- Liberty Council
Religious Freedom vs Religious Liberty

is the right for individuals or communities to practice the religion of their choice (or no religion) and prevents the cultural majority from using the power of the state to impose their beliefs on others.

weaponized to mean acting on one’s religious beliefs even when it imposes on another’s belief and can result in promoting religious privilege, superseding laws, including employee rights and consumer protection rules.
Religious Freedom vs Religious Liberty

Examples

- Christians Against Christian Nationalism
- Legal protections as all other workers.
- Our nation has always understood religious freedom is a protection, not a political tool.
- The Muslim Ban
- Public schools to teaching biblical doctrine
- Display a 40-foot Latin cross on public property.
- January 6th, 2021 Insurrection
Current Events
Reflecting the Erosion of SCS

- Covid-19 Pandemic
- Denial of Health Care Rule
- Denial of Health Benefits
IMPACT ON EDUCATION

- Good News Club
- Prayer & Bible Study in Public Schools
- Voucher Programs
IMPACT ON LGBTQ RIGHTS

- Denial of Service
- Marriage Equality
- Transgender Rights
Government and Religion both flourish better when they are kept separate.

Religion is not required for people to behave morally.

The rule of law, in the form of an effective government, a fair judicial system and a reliable police force, is also a predictor of moral behavior, and is more in line with the beliefs of the Founding Fathers.
Why Separation of Church & State Matters

- It promotes equality because it is neutral on religion.
- It unifies Americans because religion can be divisive.
- Our government has no religious authority & officials can’t use the power of their offices to impose their own religion.
- Religion benefits from separation (James Madison) so government can’t corrupt religion.
- It is a prerequisite for true religious freedom to be implemented for everyone.
Want To Learn More?

Organizations that advocate for separation of church and state:
- Americans United – www.au.org
- Freedom From Religion Foundation – www.ffrf.org
- ACLU of Ohio – www.acluohio.org
- American Constitution Society – www.acslaw.org
- Christians Against Christian Nationalism – www.christiansagainstchristiannationalism.org

Recommended books:
- The Founding Myth: Why Christian Nationalism is Un-American, by Andrew Seidel
- The Good News Club, by Katherine Stewart
- The Power Worshippers, by Katherine Stewart
1. What surprised you the most?

2. What suggestions do you have to strengthen Separation of Church & State?