

CHURCH AND STATE

How many times have you heard the phrase “separation of church and state” thrown around as a defense for limiting the religious freedom of Americans? It happens all the time – the ACLU in particular loves to quote this term when denying the rights of individuals and religious organizations.

The truth is...this phrase never appears in the U.S. Constitution! If you are surprised at hearing this, you are not alone – most Americans believe it was a principle of our Founding Fathers. To understand how we came to this collective misbelief, we have to look a bit at the history of this expression.

The Original Intent Of The First Amendment

Our Founding Fathers, in their wise foresight and past experience with the Church of England, included the enormously important [First Amendment](#) in our Constitution, which states:

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

Nowhere in this Amendment do the framers of our Constitution state that the government should restrict the rights of religious institutions or of individuals to practice religion. This Amendment was so vital to our forefathers because of the restriction and discrimination placed on them by the Church of England.

The original intent of the First Amendment is realized when we consider earlier drafts of its wording, in September 1789:

“Congress shall not make any law establishing any religious denomination.”

“Congress shall not make any law establishing any particular denomination.”

“Congress shall not make any law establishing any particular denomination in preference to others.”

And then, the final version...

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

Looking at this history, it is quite obvious that the intent of this founding principle was to prevent the government from creating a standardized religious denomination and forcing the people of America to follow only one religion.

So...How Did “Separation Of Church And State” Enter Our Vernacular?

In 1802, Thomas Jefferson wrote a letter to the Danbury Baptist association, in which Jefferson stated:

“...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 & State.”

The “wall of separation” that Jefferson wrote about was meant to keep government out of the decisions and beliefs of individual Americans. We see this from the text that just precedes the above quote, when Jefferson indicated:

“Believing with you that religion is a matter which lies solely between Man & his God, that he owes account to none other for his faith or his worship, that the legitimate powers of government reach actions only, & not opinions...”

And so the phrase “separation of church and state” came into being and was soon utilized by the courts to rule on First Amendment issues. The United States Supreme Court quoted the phrase in a ruling in 1878, in which the court concluded, “Coming as this does from an acknowledged leader of the advocates of the measure, it may be accepted almost as an authoritative declaration of the scope and effect of the amendment thus secured.” The Free Exercise Clause of the First Amendment.

The Free Exercise Clause concerns the statement that Congress may not prohibit the free exercise of an individual’s religion. This clause has encountered some different forms of interpretation in the Courts over the years, as the Court had to decide the extent of protection granted from this clause. Can people use this clause to defend their religious practice of polygamy, or even human sacrifice? This thought prompted the Supreme Court to decide, “Laws are made for the government of actions, and while they cannot interfere with mere religious beliefs and opinions, they may with practices.”

The Result Of Misconception

So we have seen that the phrase “separation of church and state” was not found in any of our founding documents, but was meant to actually limit the invasion of government in religious and personal, spiritual matters. We are supposed to be celebrating freedom of religion, not freedom from religion. At Advocates for Faith and Freedom, we deal with First Amendment cases every day in which people misuse the “separation of church and state” idea to limit the religious liberties of both individuals and organizations.

Activists such as the ACLU and Americans United for Separation of Church and State have used this “wall of separation” idea to take prayer out of the schools and the Ten Commandments out of our courts; to limit the religious freedoms of individuals in the workplace and in schools; to undermine the value of Christian education; and more.

We believe firmly in the [First Amendment](#) of the Constitution, and we also believe that many people –

and even some courts – have misconstrued its meaning to take away personal religious freedoms that were granted to us by our forefathers.