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The Intermingling of Church and State: From the Founding Fathers to Today

by

Sean Michael Cota-Robles

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for the Honors Diploma
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Abstract

The primary purpose of this thesis is to study the relationship between Church and State by first determining how they were originally meant to interact after the establishment of the United States government and then analyzing if the magnitude of religious discourse within politics nowadays is in agreement with those original intentions. I investigate whether or not the notion of establishing a separation between religion and the government is legitimate, especially as it pertains to legal regulations that are based on the religiously guided opinions of the majority. In order to accomplish this, I evaluate the views held by the first four presidents concerning the influence of religion within the political system in an attempt to clearly define their intentions behind the First Amendment. Then I compare conflicts that occurred around the time surrounding the founding of the U.S. with those from the present day. Lastly, I analyze major cases where religion has directly obstructed the natural rights of specific groups of people.

This study suggests that the power struggle between Church and State exists as a result of the religiously guided regimes that were in control prior to the formation of the United States. Laws centered on religious ideologies, in place of unbiased reasoning, can instigate the deterioration of the unalienable rights of all people by imposing the principles of a religion upon those who do not believe in its validity. Moreover, religion can be used to support opposing points of view, which makes it an inconsistent source from which to base political arguments. To account for this threat, the U.S. government was designed to lessen the impact of a religious majority in order to reduce the probability of tyrannical laws sweeping across the entire nation. By comparing the opinions of these four presidential Founding Fathers with the common political practices of this age, it quickly becomes apparent that the United States was not founded as a Christian Nation and that religion is currently too involved in the political arena.

Introduction

The Constitution of the United States was signed on September 17, 1787 and is often referred to as the Supreme Law of the Land, as it established the structure of the government. Many legislators were concerned that the Constitution was not written in a manner that adequately protected the rights of the individual, which therefore presented an opportunity for the government to develop oppressive characteristics: the administration could continue to abide by the Constitution, while at the same time managing to persecute its citizens.¹ To rectify this, the first ten amendments to the Constitution were added in 1789, collectively known as the Bill of Rights, in order to ensure the protection of the fundamental rights belonging to all citizens of the United States.

The First Amendment has had profound implications on today's political system; one in which religion, primarily Christianity, is a major influencer. This amendment states,

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.²

Supported by the First Amendment, the notion of forming a division between Church and State is well known and wrought with controversy, particularly because the idea is often associated with a statement made by Thomas Jefferson and is not found exclusively within the Constitution. The First Amendment nevertheless makes one thing abundantly clear: The United States was not founded on the tenets of a religion, but instead on the principle that individuals have the right to freely practice, or not practice, any religious belief of their choosing. This amendment sets up the conditions necessary for the freedom of religion and the freedom of thought: thereby creating a

¹ The Charters of Freedom, "The Bill of Rights."

² "The Constitution of the United States," Amendment 1.

system in which it is imperative that representatives be impartial when passing laws that govern the nation as a whole. Permitting one's religious biases to significantly influence governmental regulations can hinder individual freedoms if based exclusively upon religious ideologies that are not believed by all; rather, laws should be founded upon a clear use of reason.

A significant dilemma arises because the government is founded on the ideals of a republic: a government in which power is expressly vested in the people, who then elect representatives. Even though the United States was not founded as a pure democracy centered on majority rule, the majority nonetheless possesses a considerable amount of authority in determining which representatives are elected into office. The possibility that conflicts of interest could develop between religious doctrine and secular policies exists as a result: If the majority of a population shares a single religious belief, the line between religious law and political law can quickly become blurred; after all, the representatives elected by this religiously guided majority will most greatly influence which laws are officially enacted.

The United States was more or less founded upon a conflict between the proponents of the old world, and the religious influences associated with it, and those advocating for the formation of a government designed specifically for the people, in which the freedom of thought could prevail. In order to understand the need for a division between the Church and the State, it is necessary to identify how political disputes that occurred in the past relate to those occurring in the present. This allows for the comparison of similar conflicts in order to comprehend how religion influences the government, the dangers associated with this, and whether or not it directly violates the immunities provided to all U.S. citizens. Therefore, recognizing which basic human rights the First Amendment protects is essential to deriving the connotation that supports the need for such a separation. This can more easily be deduced through the analysis of major

ideologies held by the first four presidents: George Washington, John Adams, Thomas Jefferson, and James Madison: Combined, they represent the first twenty-eight years of presidency in the United States. By comparing the viewpoints of these four Founding Fathers with the political system being practiced nowadays, we can ascertain that the country as a whole is not operating within the principles it was founded upon; the divide between Church and State is immensely convoluted and the implication of this signifies the degradation of the individual political freedoms guaranteed to every citizen by both the Constitution of the United States and the Bill of Rights.

Chapter 1: The Founding Fathers

Noting that the first four presidents are among those considered to be key figures in the formulation of the U.S. is important; moreover, their roles as Presidents of the United States strengthens the authority of their opinions, especially those related to the implications that underscore the First Amendment. A myriad of individuals are considered to be Founding Fathers; some are famous and many others remain obscure. To simplify this extensive list, these men are typically grouped into three main categories based on the major documents that were produced during the establishment of the United States: the Declaration of Independence, the Articles of Confederation, and the Constitution of the United States.³ Those involved in the latter two documents are often classified as Framers of the Constitution.

George Washington was the first president of the United States, from 1789 to 1797, and is often viewed as “the principal architect of the nation’s independence and its federal political system.”⁴ During the American Revolution, Washington served as the Commander in Chief of the Continental Army. Furthermore, he took part in the creation of the Constitution of the United States, while also serving as the president of the Constitutional Convention. Washington did not associate himself with a political party; in fact, he believed that partisan politics would prove to be the ultimate disadvantage of his administration.⁵

John Adams, the second president of the United States from 1797 to 1801, led the Federalist Party, which was one of the two emerging political parties of the time, the other being

³ Stanfield, *America's Founding Fathers*, 1-9.

⁴ Skaggs, “George Washington.”

⁵ Skaggs, “George Washington.”

the National, or Jeffersonian, Republicans.⁶ Additionally, he was on the committee that drafted the Declaration of Independence. Adams never fully accepted the democratic and highly revolutionary ideas that developed out of the revolution; he clung fundamentally to British standards as they pertained to the U.S. Constitution and political policies.⁷

Thomas Jefferson played a considerable role in obtaining independence from Great Britain; in particular because, although somewhat amended, the Declaration of Independence is considered to be primarily the work of Jefferson.⁸ He served as the third president of the United States, from 1801 to 1809, and represented the National Republican Party. Jefferson is commonly held as the first palpable democrat in the United States.⁹

James Madison served as the fourth president of the United States from 1809 to 1817. He was the primary architect of the U.S. Constitution; as such, Madison is often referred to as the Father of the Constitution.¹⁰ Furthermore, he represented a nationalist position in the Continental Congress.¹¹ Madison focused much of his formative efforts on securing individual freedoms and was especially involved in crafting the amendments that formed the Bill of Rights. Since he was so instrumental in the formation of the Bill of Rights, Madison's interpretation of the First Amendment is crucial to deciphering its implications.

⁶ Becker, "John Adams."

⁷ *Funk & Wagnalls New World Encyclopedia*, s.v. "Adams, John"

⁸ McColley, "Thomas Jefferson."

⁹ McColley, "Thomas Jefferson."

¹⁰ Skeen, "James Madison."

¹¹ Skeen, "James Madison."

1.1) Ideologies on Religion

Understanding the liberties protected by the First Amendment is central to deriving the motivation behind its conception. Analyzing the perspectives of these first four presidents is particularly crucial: they each played tremendously significant roles in fashioning the government and in leading the nation. Moreover, they represent the first quarter-century of U.S. presidency, which helps characterize major views shaping the United States in terms of the political philosophies and direction of the government that were perceived as embodying both the Constitution and Bill of Rights. The main ideologies that should be explored pertain directly to religion's influence on one's moral character, how religious laws affect minorities, and the correlated risks associated with religious power.

Countless persons in the United States associate religion with moral character. Many of the Founding Fathers viewed this topic in a similar manner, notably Adams: he argued that religion presented a great opportunity in which to guide the integrity of religious societies. These men were not, however, naïve and remained greatly aware of the dangers posed by religion. For instance, Jefferson was exceedingly wary of artificial rules because he believed they impeded one's innate ability to decipher what is morally right or wrong.¹² Decent persons can be convinced to do terrible, immoral deeds because of an idea that shapes their opinions of justice: the Crusades, the Holocaust, the Salem Witch Trials—this list is extensive. Instead, the awareness that an individual's moral character comes from the guidance of one's mind, rather than from a religious force, can be seen in correspondence sent by Washington when he was seeking to hire a carpenter and a bricklayer:

¹² From Thomas Jefferson to Peter Carr, with Enclosure, 1787.

If they are good workmen, they may be of Assia, Africa, or Europe. They may be Mahometans, Jews, or Christian of any Sect—or they may be Athiests—I would however prefer . . . those who have good countenances & good characters . . . to others who have neither of these to recommend them—altho, after all, the proof of the pudding must be in the eating.¹³

Washington revealed an understanding that you must first know the person in question before being able to properly discern the true nature of his or her character. More importantly, he implied that a sense of rectitude is not indicative of any particular religious belief.

Jefferson also recognized that a person's virtue does not come from religion, but rather inherently from within. He alleged that mankind was destined for society, and because people are better off living in social groups, he suggested that morality was fashioned naturally in order to advance civilization; consequently, man

was endowed with a sense of right and wrong merely relative to this. This sense is as much a part of his nature as the sense of hearing, seeing, [or] feeling; [it is] the true foundation of morality, and not the truth . . . as fanciful writers have imagined. The moral sense, or conscience, is . . . given to all human beings in a stronger or weaker degree [and] . . . may be strengthened by exercise . . . [as it] is submitted . . . in some degree to the guidance of reason.¹⁴

Rather than developing moral integrity from a spiritual belief, Jefferson argued that this sense of right and wrong is instinctive; he warned, however, that one's judgment is vulnerable to manipulation by artificial rules. Jefferson regarded rules stemming from both religion and science in a similar manner, observing that they each have the potential to alter one's inherent method of reasoning.

Permitting science to direct ethics is faulty because this discipline is currently not in a fixed state; so as new discoveries are made, scientific understanding is altered. Religions also change over time, albeit much more slowly; however, in the scheme of a single lifetime,

¹³ From George Washington to Tench Tilghman, 24 March 1784.

¹⁴ From Thomas Jefferson to Peter Carr, with Enclosure, 1787.

religious beliefs tend to be quite obstinate. This unwavering stance limits the extent to which ideological changes occur, which can thus hinder a society from deliberately altering itself so as to incorporate any new knowledge that conflicts with the currently held beliefs of the day. Furthermore, this creates an illusion that religious precepts are everlasting; while in reality, they are not. Grounding one's moral code on information and beliefs that continually undergo change is to create a moral philosophy that, shrouded in learned-biases, will not endure. According to Jefferson, the true way to strengthen one's moral character is to

Above all things lose no occasion of exercising your dispositions to be grateful, to be generous, to be charitable, to be humane, to be true, just, firm, orderly, courageous &c. Consider every act of this kind as an exercise which will strengthen your moral faculties, and increase your [self] worth.¹⁵

Thus religious laws are not necessary to create or direct morality; in its place, secular laws should be fashioned from a logical perspective that has been inspired by this instinctive code of ethics. This can then help an individual attain a more unbiased approach when formulating an opinion.

Questioning the extent to which a law can shape the demeanor of an individual's mind is fundamental to recognizing the dangers that develop when religious dogma is entwined with political governance. The resulting effect on one's thinking can foster a narrow, biased perspective, which when left unchecked could very well endanger all manners of societal progress. Based on what is considered to be legal or illegal conduct, a person could be involuntarily directed to perceive what is right and wrong based purely on governmental laws; so if a law is rooted in a religious context, it might then limit one's ability to reason logically beyond any such pre-imposed presumption of morality. Madison proclaimed,

¹⁵ From Thomas Jefferson to Peter Carr, with Enclosure, 1787.

we hold it for a fundamental and undeniable truth, ‘that Religion or the duty which we owe to our Creator and the manner of discharging it, can be directed only by reason and conviction, not by force or violence.’ 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. This right is in its nature an unalienable right. It is unalienable, because the opinions of men, depending only on the evidence contemplated by their own minds, cannot follow the dictates of other men.¹⁶

In effect, every citizen has the right to choose to follow a religion and its respective doctrine; since religious laws are already spelled out within the religion itself, and the fact that beliefs can vary significantly among different sects, it becomes absurd to pass laws based on religious ideology. If an individual cannot grasp his or her faith’s perceived path of righteousness, then that person is not a truly devout follower. With this in mind, George Washington stated, “the path of true piety is so plain as to require but little political direction. To this consideration we ought to ascribe the absence of any regulation, respecting religion, from the Magna-Charta of our country.”¹⁷ As Madison noted,

Religion both existed and flourished, not only without the support of human laws, but in spite of every opposition from them, and not only during the period of miraculous aid, but long after it had been left to its own evidence and the ordinary care of Providence. [To pass religiously-based laws] . . . is a contradiction in terms; for a Religion not invented by human policy, must have pre-existed and been supported, before it was established by human policy. It is moreover to weaken in those who profess this Religion a pious confidence in its innate excellence and the patronage of its Author; and to foster in those who still reject it, a suspicion that its friends are too conscious of its fallacies to trust it to its own merits.¹⁸

¹⁶ Madison, “Memorial and Remonstrance against Religious Assessments,” 1785.

¹⁷ From George Washington to the Presbyterian Ministers of Massachusetts and New Hampshire, November 1789.

¹⁸ Madison, “Memorial and Remonstrance against Religious Assessments,” 1785.

Rather than imposing superficial righteousness upon every citizen by passing laws that direct everybody towards a religion's philosophy, the government should protect religious freedom so that individuals are then free to discover their own paths based upon their own convictions.

Protecting the freedom of individual thought from religious persecution was considered to be an exceedingly important task of the early government; likewise, protecting the freedom of religion from the powers of government was equally essential. The notion that an individual can choose to follow any religion and worship any god is the same concept as the freedom of thought being a natural right. As a safeguard, no church should be given political power because, according to Madison,

ecclesiastical establishments, instead of maintaining the purity and efficacy of Religion, have had a contrary operation. During almost fifteen centuries has the legal establishment of Christianity been on trial. What have been its fruits? More or less in all places, pride and indolence in the Clergy, ignorance and servility in the laity, in both, superstition, bigotry and persecution.¹⁹

Furthermore, Madison opposed enacting laws based on religious dogma, as he believed this would effectively establish a national religion by holding the theories of one religion in higher esteem than those of others, while also forcing the dictates of the faith upon every citizen in the country, regardless of their individual beliefs. He believed that the national consequence of instituting any type of religious law would be that

Instead of holding [the United States] forth [as] an Asylum to the persecuted, . . . [the country] itself [would become] a signal of persecution. It degrades from the equal rank of Citizens all those whose opinions in Religion do not bend to those of the Legislative authority. Distant as it may be in its present form from the Inquisition, it differs from it only in degree.²⁰

¹⁹ Madison, "Memorial and Remonstrance against Religious Assessments," 1785.

²⁰ Madison, "Memorial and Remonstrance against Religious Assessments," 1785.

Therefore, empowering religious authorities within the government often endangers the freedom of choice; Madison suggested that if you were to “Enquire of the Teachers of Christianity for the ages in which it appeared in its greatest lustre; those of every sect, point to the ages prior to its incorporation with Civil policy.”²¹ This view can be largely attributed to the countless religious groups that had faced persecution simply because their religious ideologies did not correspond with the beliefs influencing public policy.

A great danger exists in allowing a biased perspective to control the law, as it would impede upon the lives of those who do not agree with its doctrine. Adams warned,

Power is a Thing of infinite Danger and Delicacy, and was never yet confided to any Man or any Body of Men without turning their Heads. . . . Was there ever a Clergy, that have gained, by their Natural Ascendancy over private Consciences, any important Power in the State, that did not restlessly aspire by every Art, by Flattery and Intrigues, by Bribery and Corruption, by wresting from the People the Means of Knowledge, and by inspiring misterious and awful apprehensions of themselves by Promises of Heaven and by Threats [of] Damnation, to establish themselves in oppulence, Indolence and Magnificence, at the Expence of the Toil, and Industry, the Limbs, the Liberties and Lives of all the rest of Mankind.²²

Having learned these lessons from history, Adams was cognizant of the threat posed to the liberties and lives of people when they do not subscribe to the teachings of the ruling religion. This awareness influenced the formation of the early U.S. government.

Jefferson was not timid about expressing his ideas when the situation called for it, and communicated frequently with Adams concerning philosophical matters. Jefferson believed that discussions about religion should occur freely; he stressed heavily that the government should not interfere in this matter.²³ When he did argue on the topic of religion, it was usually with the

²¹ Madison, “Memorial and Remonstrance against Religious Assessments,” 1785.

²² Adams, “VII. An Essay on Man’s Lust for Power,” 1807.

²³ Lambert, *The Founding Fathers and the Place of Religion in America*, 274.

intention of advocating for a nation in which its citizens were free to practice their own personally held beliefs without facing intolerance, especially from the State. Above all, Jefferson found reason to be the means in which to discover the truth and that one's religious conviction should remain a private matter whenever politics are concerned. He hoped that through the open education of scientific study, the evils of the human mind would be eliminated; conversely, he utterly rejected all superstitious aspects of religion.²⁴ With this sense in mind, Jefferson famously created what has been called the Jeffersonian Bible, in which he removed all references to miracles, including those associated with Christ. Jefferson thought it was sensible, and even necessary, that

facts in the bible which contradict the laws of nature, must be examined with more care, and under a variety of faces . . . [in order to] recur to the pretensions of the writer to inspiration from god . . . [and to] examine upon what evidence his pretensions are founded, and whether that evidence is so strong as that it's falshood would be more improbable than a change of the laws of nature in the case he relates.²⁵

Alas, reason is fundamental to developing an open, unbiased perspective, which is required when creating laws that affect the whole populace.

Thomas Jefferson wrote a letter to his nephew, Peter Carr, in which he gave him profound advice: "Fix reason firmly in her seat, and call to her tribunal every fact, every opinion. Question with boldness even the existence of a god; because, if there be one, he must more approve the homage of reason, than that of blindfolded fear."²⁶ Jefferson explained that the only way to truly question everything is to first "lay aside all prejudice on both sides, and neither believe nor reject any thing because any other person, or description of persons have rejected or

²⁴ McColley, "Thomas Jefferson."

²⁵ From Thomas Jefferson to Peter Carr, with Enclosure, 1787.

²⁶ From Thomas Jefferson to Peter Carr, with Enclosure, 1787.

believed it."²⁷ He argued that people must answer for the honesty and validity of their way of thinking when making a decision, and that the substance of one's rationale is central to the strength of the argument. Moreover, he stressed how essential it is to

not be frightened . . . by any fear of its consequences. If it ends in a belief that there is no god, you will find incitements to virtue in the comfort and pleasantness you feel in its exercise, and the love of others which it will procure you. If you find reason to believe there is a god, a consciousness that you are acting under his eye, and that he approves you, will be a vast additional incitement.²⁸

It is tremendously important to note that Jefferson did not push his private beliefs onto his nephew, but rather encouraged him to question for himself the different philosophies that permeate the world in order to arrive at his own personal conclusions by means of his own reasoning.

The overarching understanding that people believe in different ways is what motivated many of the Founding Fathers to strive to protect the private minds of all U.S. citizens from the oppressive control of a majority opinion, especially as it related to religious ideology. Madison realized,

As long as the reason of man continues fallible, and he is at liberty to exercise it, different opinions will be formed. As long as the connection subsists between his reason and his self-love, his opinions and his passions will have a reciprocal influence on each other; and the former will be objects to which the latter will attach themselves. The diversity in the faculties of men . . . is not less an insuperable obstacle to an uniformity of interests. The protection of these faculties is the first object of government.²⁹

By guarding this diversity of opinion, it creates an environment where oppression cannot easily flourish; Madison thus believed that

²⁷ From Thomas Jefferson to Peter Carr, with Enclosure, 1787.

²⁸ From Thomas Jefferson to Peter Carr, with Enclosure, 1787.

²⁹ Madison, "The Federalist Number 10," 1787.

There is not a shadow of right in the general government to intermeddle with religion. Its least interference with it would be a most flagrant usurpation. I can appeal to my uniform conduct on this subject, that I have warmly supported religious freedom. It is better that this security should be depended upon from the general legislature, than from one particular state. A particular state might concur in one religious project. But the United States abound in such a variety of sects, that it is a strong security against religious persecution, and is sufficient to authorise a conclusion, that no one sect will ever be able to out-number or depress the rest.³⁰

So by organizing the government in a way that clearly defines the relationship between the individual states and the national government, in addition to the numerous religious beliefs that pervade the country, the United States was expected to be reasonably protected from the prospect that a single religious group could achieve a high enough position of power to be enabled to significantly oppress a minority. Adams solidified this point by acknowledging that

Aware of this usurping and encroaching Nature of Power, our Constitution, has laid for its Basis, this Principle that, all such unnatural Powers, as those of Arms and those of Confessions and Absolution for sin, should always bow to the civil orders that Constitute the State. . . . No simple Form of Government, can possibly secure Men against the Violences of Power . . . and the execrable Cruelty of one or a very few.³¹

³⁰ Madison, "General Defense of the Constitution," 1788.

³¹ Adams, "VII. An Essay on Man's Lust for Power," 1807.

Chapter 2: The Constitution of the United States

The Constitution of the United States, formed after the Articles of Confederation, lays the framework for the national government within seven articles and establishes itself as the supreme Law of the Land. Since the U.S. government was based on a republic, the Constitution arranges for the division of power by separating the federal government into three distinct bodies: the legislative branch, the executive branch, and the judicial branch. This was designed to ensure that each body would be capable of checking one another so as to guarantee that the power of the central government remains adequately balanced. Additionally, the Constitution describes the responsibilities of the state governments, as well as establishes the parameters of their power; it also defined the relationship between states and the national government. Moreover, the Constitution expressed the procedure for proposing amendments. Understanding the manner in which these four presidents viewed the role of government is a necessary part of grasping the overarching mindset that guided the development of the U.S. government.

Many associate the United States with a democracy, which is coupled with an idea that the majority should decide, more or less, which direction the country should take. A democracy was defined much differently in the eighteenth century than it is today. Madison described it as

a pure democracy, by which . . . a society, consisting of a small number of citizens, who assemble and administer the government in person, can admit of no cure for the mischiefs of faction. A common passion or interest will, in almost every case, be felt by a majority of the whole . . . and there is nothing to check the inducements to sacrifice the weaker party . . . [hence] democracies have ever been spectacles of turbulence and contention; have ever been found incompatible with personal security, or the rights of property; and have in general been as short in their lives, as they have been violent in their deaths.³²

³² Madison, "The Federalist Number 10," 1787.

The view was that of a direct democracy, in which the government was regulated directly by the people—as such, this form of democracy is characterized by the absence of representative institutions in governmental proceedings.³³

The apprehension associated with a democratic style of government came from the knowledge that by granting power to the majority, this group could then completely disregard the rights of the minorities because those in a minority would be forced to abide by the regulations decreed by the majority, which might not incorporate the rights or the needs of these minority groups. Adams alleged, “When clear prospects are opened before vanity, pride, avarice, or ambition, for their easy gratification, it is hard for the most considerate philosophers and the most conscientious moralists to resist the temptation. Individuals have conquered themselves. Nations and large bodies of men, never.”³⁴ Since individuals conquer themselves, if a law did have the potential of stripping the innate rights from a minority, it would be much easier for the majority to accept because this majority would not suffer as a direct consequence of the oppressive law.

The republican form of government was believed to be the answer to better protecting the inherent rights of all citizens, especially those in a minority. According to Madison,

³³ Bahmueller, Johnston, and Quigley, *Elements of Democracy: The Fundamental Principles, Concepts, Social Foundations, and Processes of Democracy*, 32-34.

³⁴ From John Adams to John Taylor, 17 December 1814.

A republic . . . [is] a government in which the scheme of representation takes place, . . . [and] promises the cure for which we are seeking. . . . The two great points of difference between a democracy and a republic, are first, the delegation of the government, in the latter, to a small number of citizens elected by the rest . . . [will] refine and enlarge the public views, by passing them through the medium of a chosen body of citizens, whose wisdom may best discern the true interest of their country, and whose patriotism and love of justice, will be least likely to sacrifice it to temporary or partial considerations.³⁵

By creating a government based on elected representatives, a barrier is formed so as to limit the direct influence of the majority. Discussions can take place more easily between small groups of people than is conceivable amongst the entire population. By allowing representatives to discuss potential laws, they are better able to hear all sides of an argument and thus, ideally, arrive at a more balanced conclusion than would otherwise be possible.

Madison further explained the importance of a republican government in his second point, stating that the growing number of citizens and states that comprise a republic improves the security that was set up against the spread of oppressive laws:

the greater number of citizens and extent of territory [will further] . . . Extend the sphere [of the country], and . . . [can] take in a greater variety of parties and interests . . . [which will] make it less probable that a majority of the whole will have a common motive to invade the rights of other citizens; or if such a common motive exists, it will be more difficult for all who feel it to discover their own strength, and to act in unison with each other. . . . The influence of factious leaders may kindle a flame within their particular states, but will be unable to spread a general conflagration through the other states: A religious sect, may degenerate into a political faction in a part of the confederacy; but the variety of sects dispersed over the entire face of it, must secure the national councils against any danger from that source.³⁶

In a republic, representatives of various groups of people congregate to decide the direction of the government; so the more people, the more views that must then be taken into account.

Though a particular faction may gain control in one state, the likelihood that its repressive laws

³⁵ Madison, "The Federalist Number 10," 1787.

³⁶ Madison, "The Federalist Number 10," 1787.

would spread to every other state, and thus become national law, is greatly diminished by the sheer number of factions, and the resulting diversity of the elected, political representatives.

This understanding of a republic is consistent with the twenty-first century interpretation of a democratic republic, in which representatives lead the nation. Jefferson asserted that

the way to have good and safe government, is not to trust it all to one; but to divide it among the many, distributing to every one exactly the functions he is competent to. let the National government be entrusted with the defence of the nation, and it's foreign & federal relations; the State governments with the civil rights, laws, police & administration of what concerns the state generally; the Counties with the local concerns of the counties; and each Ward direct the interests within itself. it is by dividing and subdividing these republics from the great National one down thro' all it's subordinations, until it ends in the administration of every man's farm and affairs by himself; by placing under every one what his own eye may superintend, that all will be done for the best. what has destroyed liberty and the rights of man in every government which has ever existed under the sun? the generalising & concentrating all cares and powers into one body.³⁷

Thus the government was purposefully fashioned in a way that separates the powers of government in order to ultimately protect the freedoms of the individual. Jefferson expanded upon an idea that a republic would lend itself to a true democracy because

the division of counties into wards . . . will be pure and elementary republics, the sum of which, taken together, composes the State, and will make of the whole a true democracy as to the business of the wards, which is that of nearest and daily concern. The affairs of the larger sections, of counties, of States, and of the Union, not admitting personal transactions by the people, will be delegated to agents elected by themselves; and representation will thus be substituted where personal action becomes impracticable. Yet, even over these representative organs, should they become corrupt and perverted, the division into wards constituting the people, in their wards, a regularly organized power, enables them by that organization to crush, regularly and peaceably, the usurpations of their unfaithful agents.³⁸

³⁷ Thomas Jefferson to Joseph C. Cabell, 2 February 1816.

³⁸ Thomas Jefferson to Samuel Kercheval, 5 September 1816.

Appropriately, the higher levels of the national government were designed so that representatives, rather than a majority vote, make decisions regarding governmental regulations. Moreover, in this republic, people have been empowered to overturn unjust laws in a peaceful way so as to more precisely defend all of the natural rights of mankind.

Article IV, Section 4 of the Constitution proclaims, “The United States shall guarantee to every State in this Union a Republican Form of Government.”³⁹ Even though the United States is now considered to be a democratic republic,⁴⁰ there are still aspects of the U.S. government that resemble a traditional republic: though citizens elect representatives based on majority vote, the Electoral College is empowered to make the final decision during presidential elections; though every citizen is entitled to a fair trial by jury, the jury’s vote must be unanimous to pass a guilty verdict; though States have the power to regulate civil law, the Supreme Court determines nationally the definitive ruling as the court of last resort. Additionally, the Supreme Court possesses the authority to repeal state laws that are believed to be unconstitutional, thus creating limits on a democratic government that, in turn, act to safeguard the fundamental rights of minorities from harmful laws constructed by changing majority opinions. These examples help demonstrate that the United States was not founded on the rule of the majority: laws are not meant to be guided by popular opinion, but instead through the decisions of a representative government that is limited by the Constitution and balanced by separate legislative bodies.

³⁹ “The Constitution of the United States,” Article 4, Section 4, Clause 1.

⁴⁰ Bahmueller, Johnston, and Quigley, *Elements of Democracy: The Fundamental Principles, Concepts, Social Foundations, and Processes of Democracy*, 32-34.

To protect every citizen from persecution, the government of the United States was not fashioned as a Christian Nation and remained void of overtly religious content. John Adams declared that

The United States of America have exhibited, perhaps, the first example of governments erected on the simple principles of nature: and if men are now sufficiently enlightened to disabuse themselves of artifice, imposture, hypocrisy, and superstition, they will consider this event as an era in their history. Although the detail of the formation of the American governments is at present little known or regarded either in Europe or America, it may hereafter become an object of curiosity. It will never be pretended that any persons employed in that service had any interviews with the gods, or were in any degree under the inspiration of heaven, . . . it will for ever be acknowledged that these governments were contrived merely by the use of reason and the senses.⁴¹

Adams affirmed that the government of the United States was not fashioned on the basis of religious dogma, but instead through the craftsman-like use of reason. He further explained that

neither the people, nor their conventions, committees, or sub-committees, considered legislation in any other light than ordinary arts and sciences, only as of more importance. . . . They determined to consult . . . all other writers of reputation in the art; to . . . compare these with the principles of writers; and enquire how far both the theories and models were founded in nature, or created by fancy: and, . . . to adopt the advantages, and reject the inconveniences, of all. . . . Thirteen governments thus founded on the natural authority of the people alone, without a pretence of miracle or mystery, which are destined to spread over the northern part of that whole quarter of the globe, are a great point gained in favour of the rights of mankind.⁴²

It should be noted here that the secular nature of the U.S. government was intended to spread over the entire North American continent; this unambiguous intention shapes much of how the U.S. Constitution and Bill of Rights should be interpreted.

A significant concern arose among many legislatures; the Constitution was meant to protect the rights of mankind, yet failed to define many of those rights clearly. Very few sections

⁴¹ Adams, "A Defence of the Constitutions of the United States of America," 1787.

⁴² Adams, "A Defence of the Constitutions of the United States of America," 1787.

accounted for individual liberties; Article IV, Section 2 states: “The Citizens of each State shall be entitled to all Privileges and Immunities of Citizens in the several States.”⁴³ This clause does not sufficiently maintain what those liberties are, nor does it explicitly secure citizens’ natural rights. Madison professed that

Among the numerous advantages promised by a well constructed union, none deserves to be more accurately developed than its tendency to break and control the violence of faction. . . . The instability, injustice and confusion introduced into the public councils, have in truth been the mortal diseases under which popular governments have every where perished; as they continue to be the favorite and fruitful topics from which the adversaries to liberty derive their most specious declamations. The valuable improvements made by the American constitutions on the popular models, both antient and modern, cannot certainly be too much admired; but it would be an unwarrantable partiality, to contend that they have as effectually obviated the danger on this side as was wished and expected.⁴⁴

The need to amply protect the inherent liberties of all U.S. citizens was stressed when Madison realized that a dominant majority was already infringing upon the rights of minorities; in reference to this, he stated,

Complaints are every where heard from our most considerate and virtuous citizens, equally the friends of public and private faith, and of public and personal liberty; that our governments are too unstable; that the public good is disregarded in the conflicts of rival parties; and that measures are too often decided, not according to the rules of justice, and the rights of the minor party; but by the superior force of an interested and over-bearing majority. . . . These must be chiefly, if not wholly, effects of the unsteadiness and injustice, with which a factious spirit has tainted our public administration. By a faction I understand a number of citizens, whether amounting to a majority or minority of the whole, who are united and actuated by some common impulse of passion, or of interest, adverse to the rights of other citizens, or to the permanent and aggregate interests of the community.⁴⁵

⁴³ U.S. Const. art. IV, sect. 2, cl. 1.

⁴⁴ Madison, “The Federalist Number 10,” 1787.

⁴⁵ Madison, “The Federalist Number 10,” 1787.

Madison indicated that the government was already tainted by the passions of a majority, which threatened the liberties of the few. Furthermore, he noted that

a body of men, are unfit to be both judges and parties, at the same time . . . Yet the parties are and must be themselves the judges; and the most numerous party, or, in other words, the most powerful faction must be expected to prevail. . . . It is in vain to say, that enlightened statesmen will be able to adjust these clashing interests, and render them all subservient to the public good. Enlightened statesmen will not always be at the helm: Nor, in many cases, can such an adjustment be made at all, without taking into view indirect and remote considerations, which will rarely prevail over the immediate interest which one party may find in disregarding the rights of another, or the good of the whole.⁴⁶

Subsequently, to prevent a tyrannical government from developing, the Bill of Rights was formed in order to expressly protect every individual's innate rights, which correspondingly enacted explicit constraints on the function and power of the government.

⁴⁶ Madison, "The Federalist Number 10," 1787.

Chapter 3: The First Amendment and the Wall of Separation

The idea of creating a barrier between the Church and the State was originally introduced by Roger Williams, who was a major advocate for religious tolerance as a result of the religious persecution he endured—a product of the old world. Williams was the founder of Rhode Island and of the first Baptist church in the United States. Even a century after his death, his idea of creating a Wall of Separation managed to inspire many of the Founding Fathers during the formation of the Constitution and the Bill of Rights. The First Amendment was designed to create the necessary conditions for the freedom of religion, and thus the freedom of thought, by creating a political system in which impartiality is essential when passing laws that govern the nation as a whole; as opposed to taking a religiously biased approach that would inevitably lead to the hindrance of individual freedoms based overwhelmingly upon religious ideologies that are not accepted by all as the undeniable truth.

In reference to the First Amendment, Madison stated that “‘the equal right of every citizen to the free exercise of his Religion according to the dictates of conscience’ is held by the same tenure with all our other rights. If we recur to its origin, it is equally the gift of nature; if we weigh its importance, it cannot be less dear to us.”⁴⁷ Hence it is a fundamental right to be able to decide one’s own religious opinions based upon a personal belief of what the universal truth may be. The First Amendment proclaims that the U.S. “Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof.”⁴⁸ Thus it is unconstitutional to pass a law that in any way establishes one religion as being truer, or more preferred, than the beliefs of another. Moreover, Congress cannot prevent a person from living sensibly within the

⁴⁷ Madison, “Memorial and Remonstrance against Religious Assessments,” 1785.

⁴⁸ U.S. Const. am. 1.

dictates of his or her mind: all people are free to believe what they choose, which includes practicing the various lifestyles associated with individual beliefs. Furthermore, it is unconstitutional to pass a law “abridging the freedom of speech or of the press; or the right of the people peaceably to assemble.”⁴⁹ As such, people are permitted to print what they desire, in a religious context, and allowed to gather peacefully together in order to practice religious beliefs with others of the same faith. The last part of this amendment grants people the right “to petition the government for a redress of grievances.”⁵⁰ This is likely the most substantial portion because it endows citizens with the power to appeal to the government if a law directly infringes upon their ability to exercise their beliefs; if a law oppresses certain individuals, the First Amendment enables these people to challenge, and ultimately overturn, the regulation legally and peaceably.

Washington asserted that by removing religion from politics, all citizens are better protected from the prospective legal persecution resulting from an intolerance of beliefs:

Citizens of the United States of America have a right to applaud themselves for having given to mankind examples of an enlarged and liberal policy: a policy worthy of imitation. All possess alike liberty of conscience and immunities of citizenship. It is now no more that toleration is spoken of, as if it was by the indulgence of one class of people, that another enjoyed the exercise of their inherent natural rights. For happily the Government of the United States, which gives to bigotry no sanction, to persecution no assistance requires only that they who live under its protection should demean themselves as good citizens, in giving it on all occasions their effectual support.⁵¹

The right granted in the First Amendment was not designed to solely provide religious freedom; this amendment was instead intended to protect the freedom of thought. Washington believed

⁴⁹ U.S. Const. am. 1.

⁵⁰ U.S. Const. am. 1.

⁵¹ From George Washington to the Hebrew Congregation in Newport, Rhode Island, 18 August 1790.

that the structure of the government protected the minds of all citizens. In this way, toleration could not be viewed as the majority allowing minorities their natural rights, but rather that the government was designed to explicitly protect these liberties. In Washington's opinion,

the Consciencious scruples of all men should be treated with great delicacy & tenderness, and it is my wish and desire that the Laws may always be as extensively accomodated to them, as a due regard to the Protection and essential Interests of the Nation may Justify, and permit.⁵²

It was important to Washington that people be lawfully required to conduct themselves as good citizens, while at the same time having the security to freely decide upon their private beliefs; as opposed to passing laws that force U.S. citizens to live by the dogmata of a particular religion if those principles are based exclusively on a religious motive instead of on well-defined reason. In this regard, a well-defined reason should be able to stand on its own as a universal standard.

In 1789, Washington wrote to the United Baptist Churches of Virginia regarding the constitutional protection of religious freedom and explained that protecting political freedom ensures the right of all citizens to practice any religion of their choosing, so long as they are moved by good intentions; he responded by declaring:

If I could have entertained the slightest apprehension that the Constitution framed in 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; and if I could now 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—For you, doubtless, remember that I have often expressed my sentiment, that 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.⁵³

⁵² From George Washington to the Society of Quakers, 13 October 1789.

⁵³ From George Washington to the United Baptist Churches of Virginia, May 1789.

Although Washington did not directly say that the church should exist as a separate entity from that of the government, he did make it abundantly clear that religious ideologies should remain distinct from individual thought in order to guard against all forms of religious persecution: which involves relinquishing any power a religion has over governmental procedures for creating laws, so that each citizen continues to possess the freedom to follow his or her own conscience when seeking out a personal system of belief.

In a letter to the Danbury Baptist Association, Jefferson directly referenced the First Amendment and demonstrated that he not only defended the right of individuals to be free from religious rule, and fought to maintain a separation between religious law and political law, but he also supported the right of the church to exist without persecution from the state. He believed 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.”⁵⁴ It is important to note that Jefferson referred to *his God* rather than simply stating *God*, which reinforces the notion that each individual has his own personal beliefs and, therefore, his own personal God: this is not merely the god represented in a particular religious text, but rather all-encompassing. Moreover, he claimed that the government has been constructed to pass laws with the purpose of protecting the rights of individuals, not in an attempt to influence opinion; in other words, a law that provides personal liberty should be passed, despite whether or not the regulation is in agreement with the philosophies of a religion: a person who does not believe the law to be virtuous does not have to change their point of view as a result of it being enacted, but should plainly step aside so that others have the same freedom to accept or reject it for themselves based on their own reasoning. Jefferson professed,

⁵⁴ Jefferson, “V. To the Danbury Baptist Association,” 1802.

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. 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 to man all his natural rights, convinced he has no natural right in opposition to his social duties.⁵⁵

Thus we can see that Jefferson directly associated the First Amendment with the formation of a Wall of Separation between Church and State, which he believed would protect the fundamental rights of the individual because, by refusing to establish one religion over another, each citizen is free to exercise the right to worship his own preferred God—ultimately providing the freedom to choose one’s beliefs and way of life.

Madison furthered Jefferson’s sentiment by proclaiming that the Bill of Rights does not protect any particular religion, and thus does not safeguard religious beliefs; instead, the First Amendment was intended to defend individual freedoms for all U.S. citizens. He claimed:

Religion is not guarded—there is no bill of rights declaring that religion should be secure. Is a bill of rights a security for religion? Would the bill of rights in this state exempt the people from paying for the support of one particular sect, if such sect were exclusively established by law? If there were a majority of one sect, a bill of rights would be a poor protection for liberty. Happily for the states, they enjoy the utmost freedom of religion. This freedom arises from that multiplicity of sects, which pervades America, and which is the best and only security for religious liberty in any society. For where there is such a variety of sects, there cannot be a majority of any one sect to oppress and persecute the rest.⁵⁶

Hence, the Bill of Rights was intended to serve as a measure of security for the individual; religious freedom is gained as an effect of protecting personal liberties, which helps to ensure the continuance of diversity within all communities.

⁵⁵ Jefferson, “V. To the Danbury Baptist Association,” 1802.

⁵⁶ Madison, “General Defense of the Constitution,” 1788.

Though the Wall of Separation is not directly mentioned within the Constitution, the First Amendment deliberately structures the political environment in a way that endows the individual with the freedom to exercise his or her own choice to follow whichever belief is personally deemed as most suitable, including that of nonreligious affiliation; this liberty is protected by the obligation of the government to reject of any law supporting the establishment of a religion in any fashion. By enacting a law based on a religious edict, the government is indeed supporting the principles of a specific religion within the governmental sphere and thus passing political laws that establish a religion's supremacy within the country, which subsequently hinders the freedom of those who do not support the religious doctrine or the laws associated with it. This essentially results in the approval of a law that respects the establishment of one religion over others. Madison, for instance, vetoed a bill granting public land to a Baptist Church because

the Bill, in reserving a certain parcel of land of the United States for the use of said Baptist Church, comprizes a principle and precedent for the appropriation of funds of the United States, for the use and support of Religious Societies; contrary to the Article of the Constitution which declares that Congress shall make no law respecting a Religious Establishment.⁵⁷

Furthermore, Madison argued that religion should in no way influence the decisions of governmental representatives because regulations aimed at manipulating morality in order to guide citizens towards complying with religious attitudes is inherently wrong. He strengthens the fact that the United States does not in any way have a national religion, nor was the government structured on religious precepts. Madison affirmed that

⁵⁷ From James Madison to the House of Representatives, 28 February 1811.

The members of a Govt. . . . can in no sense, be regarded as possessing an advisory trust from their Constituents in their religious capacities. They can not form an Convocation, Council or Synod, and as such issue decrees or injunctions addressed to the faith or the Consciences of the people. In their individual capacities, as distinct from their official station, they might unite in recommendations of any sort whatever; in the same manner as any other individuals might do. . . . They [seem to] imply and certainly nourish the erroneous idea of a national religion. . . . The idea also of a union of . . . one nation under one Govt. in acts of devotion to the God of all is an imposing idea. But . . . [if] all the individuals composing a nation were of the same precise creed & wished to unite in a universal act of religio<n> at the same time, the union ought to be effected thro' the intervention of their religious not of their political representatives. In a nation composed of various sects, some alienated widely from others, and where no agreement cou<ld> take place thro' the former, the interposition of the latter is doubly wrong.⁵⁸

The idea that Christianity is the national religion of the United States is a flawed view that some people currently believe to be true. Madison maintained that if the entirety of the population, not just the majority, wanted a national religion, then the very desire for this would make it so; as such, political regulations would be completely unnecessary. In this case, since everybody desires a single religion, every person would then be following the beliefs by his or her own choice. However, if the majority wanted a national religion, imposing its beliefs upon those who do not subscribe to the faith is inherently immoral; therefore, the First Amendment made it unconstitutional to establish a national religion.

Washington proclaimed that the intentional role of the government, which he helped to create, is to protect the minds of its citizens from all forms of persecution. He believed it was the innate right of all people to decide whether or not to worship a particular god based on individual preferences, beliefs, and motivations. The government is meant to uphold peace and functionality within society as a whole, while leaving spiritual decrees and any kind of final,

⁵⁸ Madison, "Detached Memoranda, ca. 31 January 1820."

divine judgment to the god, or gods, associated with the respective religion of each believer.

Washington stated,

Government . . . [is] to protect the Persons and Consciences of men from oppression, [as] it certainly is the duty of Rulers, not only to abstain from it themselves, but according to their Stations, to prevent it in others. The liberty enjoyed by the People of these States, of worshipping Almighty God agreeable to their Consciences, is not only among the choicest of their *Blessings*, but also of their *Rights*—While men perform their social Duties faithfully, they do all that Society or the State can with propriety demand or expect; and remain responsible only to their Maker for the Religion or modes of faith which they may prefer or profess.⁵⁹

As such, the First Amendment was intended to generate this type of protection. By establishing religious freedom, people are free to personally accept, or reject, religious beliefs; this ultimately provides all U.S. citizens with the freedom of conscience. Though this amendment protects religious freedom, it was not intended to protect religion. An idea cannot be bullied; an idea can be critically evaluated. People, on the other hand, can be persecuted because of an idea that an individual believes to be true: thus the government is meant to protect people, not ideas.

⁵⁹ From George Washington to the Society of Quakers, 13 October 1789.

Chapter 4: Historical and Contemporary Issues Attributable to the Convergence of Politics and Religion

It is evident the United States was founded on the belief that all individuals deserve to be granted a set of natural, inalienable rights; however, many old customs, predominantly associated with the Christian religion, were slow to reform. Complications inevitably arise when politics and religion converge; many similar issues to those experienced in the newly formed United States persist to this day: a battle between the freedom for all and freedom as determined by the viewpoint of the majority.

4.1) Religious Remnants of the Old World

Originally, the Church of England formed an established religion, which inevitably influenced overarching attitudes in the Thirteen Colonies as it pertained to the acceptance of a government directed profoundly by religious convictions.⁶⁰ Nevertheless, the United States was not founded on any religion whatsoever. Any religious role within politics is an element of the old world, one that many of the Founding Fathers wanted to avoid in order to provide a country in which its citizens were free to choose to sensibly practice their personal beliefs. Having come so recently to independence, freed from the oppression accompanying British rule, many of the Founding Fathers were adamant that the State would not oppress the Church and that the Church would not oppress those who did not take part in it. Unfortunately, this all-encompassing view was not necessarily held by the majority, who happened to be Christian, but could have easily been associated with any religion that was already habituated to some level of anonymity and power within the government. This conflict was, as Madison pointed out, “aided by the

⁶⁰ From James Madison to Robert Walsh Jr., 2 March 1819.

remaining prejudices of the Sect which before the Revolution had been established by law.”⁶¹ As a result of this struggle for power between political ideologies and religious dogmas, disagreements inevitably arose within politics, much as it does today.

Variations of political intrusion by ancient, religious doctrines permeated nations throughout the old world. According to John Adams,

It was the general opinion of ancient nations, that the divinity alone was adequate to the important office of giving laws to men. The Greeks entertained this prejudice throughout all their dispersions; the Romans cultivated the same popular delusion; and modern nations, in the consecrations of kings, and in several superstitious chimeras of divine rights in princes and nobles, are nearly unanimous in preserving remnants of it.⁶²

This problem was all too familiar to many Founding Fathers: After all, persons originating from the old world essentially colonized the United States; consequently, the Thirteen Colonies had already experienced a great deal of religious persecution before obtaining independence from Great Britain. Furthermore, Madison noted that

Among the early acts of the Republican Legislature, were those abolishing the Religious establishment, and putting all Sects at full liberty and on a perfect level. [At that time, the] . . . population [was] divided, with small exceptions, among the Protest: Episcopalians, the Presbyterians, the Baptists & the Methodists.⁶³

Hence this cultural divide, and the resulting conflict, existed long before the United States became a nation. Thus it is no surprise that this power struggle rages to this very day.

The element of the old world, coupled with rising religious freedoms, prompted an increase of religious fanaticism from nearly every religious sect following the liberation of the United States. Madison described the manner in which the religious

⁶¹ Madison, “Detached Memoranda, ca. 31 January 1820.”

⁶² Adams, “A Defence of the Constitutions of the United States of America,” 1787.

⁶³ From James Madison to Robert Walsh Jr., 2 March 1819.

Meeting Houses . . . multiplied . . . [and were] in general . . . of the plainest and cheapest sort. But neither the number nor the stile of the religious edifices is a true measure of the State of religion. Religious instruction . . . [became] diffused throughout the Community, by preachers of every Sect with almost equal zeal, tho' with very unequal acquirements; and at private houses & open stations as well as in buildings appropriated to that use.⁶⁴

Madison purported that the “*danger of* silent accumulations & encroachments by Ecclesiastical Bodies . . . [had] not sufficiently engaged attention in the U.S.” In this regard, he emphasized the importance of “unshackling the conscience from persecuting laws, and *of* establishing among religious Sects a legal equality.”⁶⁵ Moreover, he warned that if “some of the States [had] not embraced this just . . . principle in its proper latitude, all of them present examples by which *the most enlightened States of* the old world may be instructed.”⁶⁶ With this same awareness, Adams perceived that the foremost

question before the human race . . . [was] Whether the God of nature Shall govern the World by his own laws, or Whether Priests and Kings Shall rule it by fictitious Miracles? Or, in other Words, whether Authority is originally in the People? or whether it has descended for 1800 Years in a Succession of Popes and Bishops.⁶⁷

⁶⁴ From James Madison to Robert Walsh Jr., 2 March 1819.

⁶⁵ Madison, “Detached Memoranda, ca. 31 January 1820.”

⁶⁶ Madison, “Detached Memoranda, ca. 31 January 1820.”

⁶⁷ John Adams to Thomas Jefferson, with postscript by Abigail Adams, 20 June 1815.

4.2) The Influence of Religion in Presidential Elections

A controversy surrounds Washington in regards to his religious affiliation: many claim he was a Christian, while others claim he was a Deist. Though he included references to God in some of his speeches, Washington rarely spoke of religion, especially pertaining to his own beliefs. This is what truly represents his philosophy: privately held religious beliefs should not be a topic of discussion within politics. If he felt differently on the subject, then he likely would have chosen to include his beliefs as a matter of discourse within the political arena of the day. Similarly, many consider Jefferson a Deist; though he never stated this directly—in fact, in 1801, Joseph Moss White from Danbury wrote to Jefferson saying,

I have never had the Pleasure of seeing any of Your writings, except such extracts in News Papers &c lately made, on the one side to prove your being a Deist, and on the other to clear you from the Stigma.⁶⁸

Just as in politics today, people during the time of the Founding Fathers also debated the supposed beliefs of the presidential candidates—the difference being, however, that neither Washington nor Jefferson ever fully disclosed, nor felt the need to defend, their own beliefs to the masses as a matter of consequence within the political sphere. What is lamentable, however, is the suggestion that a presidential candidate should be cleared of any stigma associated with the possibility of not subscribing to a constituent's religion. Even though the Constitution set up the U.S. as a secular state and the First Amendment guaranteed the protection of the individual rights of its citizens, many people were still largely influenced by the religious context of the Old World; as such, numerous Americans who believed religion to be central to the government began to apply voter-imposed religious tests during presidential elections, as it related to public

⁶⁸ To Thomas Jefferson from Joseph Moss White, 1 January 1801.

opinion.⁶⁹ Each state, except for Rhode Island, included these religious tests in their constitutions—thus effectively circumnavigating the barriers placed between religion and politics.⁷⁰

In 1800, during Jefferson’s Presidential campaign, Reverend William Linn commended Jefferson as being an excellent political representative; however, Linn implored voters to utterly deny Jefferson the presidential position based entirely on his perceived religious beliefs.⁷¹ In reference to Jefferson, Linn stated,

it is with pain I oppose him; that I never was in his company, and would hardly know him . . . my objection to his being promoted to the Presidency is founded singly upon his disbelief of the Holy Scriptures; or, in other words, his rejection of the Christian Religion and open profession of Deism.⁷²

Linn was consumed by an intense fear of how people would begin to act, in his opinion, if they were to live without a god:

The doctrine, that a man’s life may be good, let his faith be what it may, is contradictory to reason and the experience of mankind. It is true that a mere opinion of my neighbor will do me no injury. Government cannot regulate or punish it. The right of private opinion is inalienable. But let my neighbor once persuade himself that there is no God, and he will soon pick my pocket, and break, not only my leg but my neck. If there be no God, there is no law; no future account; government then is the ordinance of man only, and we cannot be subject for conscience sake. No colors can paint the horrid effects of such a principle, and the deluge of miseries with which it would overwhelm the human race.⁷³

⁶⁹ Lambert, *The founding fathers and the place of religion in America*, 266.

⁷⁰ Lambert, *The founding fathers and the place of religion in America*, 268.

⁷¹ Lambert, *The founding fathers and the place of religion in America*, 265.

⁷² Linn, “Serious Considerations on the Election of a President: Addressed to the Citizens of the United States,” 1800.

⁷³ Linn, “Serious Considerations on the Election of a President: Addressed to the Citizens of the United States,” 1800.

This extreme view portrayed by Linn suggests a paranoia that people would quickly develop psychopathic tendencies if they were to believe no god was monitoring their actions, thus that no god would place judgment upon them in an afterlife. Linn argued that a belief in god is essential to the moral fiber of humanity, without which human compassion must instinctively crumble. Failing to realize that empathy can be observed in nature from a variety of animals, Linn reacted to stereotypes grounded in his own religious biases. It could equally be argued that a belief in god could deteriorate the moral fiber of humanity: all one would need to do to obtain spiritual forgiveness is merely pray to a deity. As referenced previously, the major viewpoint held by the first four, presidential Founding Fathers was that morality is natural, not fashioned by a religion.

Reverend Linn acknowledged Jefferson's merit by stating, "I honor him as holding a high office in government . . . I admire his talents, and feel grateful for the services which he has been instrumental in rendering to his country."⁷⁴ Linn recognized Jefferson's ability and praised his prior accomplishments in the government; nevertheless, Linn allowed bigotry to manipulate his judgment so that he was not evaluating Jefferson based on his proven abilities, but rather on the sheer fact that Jefferson did not appear to be a Christian. Linn failed to adequately comprehend the view presented by Jefferson in relation to the protection of religious freedom for all, so long as the practicing of a religion does not compromise the safety of others. Furthermore, Linn admitted that he did not personally know Jefferson and had never met him. Linn was nevertheless quick to judge Jefferson's bid for presidency, founded not on Jefferson's past accomplishments, but instead entirely on the belief that he was not a Christian. Linn was not alone in this judgment of Jefferson:

⁷⁴ Linn, "Serious Considerations on the Election of a President: Addressed to the Citizens of the United States," 1800.

Federalist newspapers printed an ad urging Americans to ask themselves, ‘Shall I continue in allegiance to GOD—AND A RELIGIOUS PRESIDENT; or impiously declare for JEFFERSON—AND NO GOD!!!’⁷⁵

The view that Jefferson was not a Christian and threatened Christianity was largely based on his statements regarding the separation of Church and State, in which he strengthened this assertion by referencing the “Millions of innocent men, women, and children, since the introduction of Christianity, [that] have been burnt, tortured, fined, [and] imprisoned.”⁷⁶

Jefferson proclaimed that he would fiercely oppose any form of tyranny that threatened the liberty of every person to think freely. In a private letter to Benjamin Rush, Jefferson responded to all of the religiously biased criticisms he faced:

I have a view of the subject [of Christianity] which ought to displease neither the rational Christian or Deist; & would reconcile many to a character they have too hastily rejected. I do not know however that it would reconcile the genus irritabile vatum,⁷⁷ who are all in arms against me. their hostility is on too interesting ground to be softened. . . . [The First Amendment] clause of the constitution which while it secured the freedom of the press, covered also the freedom of religion, had given to the clergy a very favorite hope of obtaining an establishment of a particular form of Christianity thro’ the US. and as every sect believes it’s own form the true one, every one perhaps hoped for it’s own: . . . the returning good sense of our country threatens abortion to their hopes, & they believe that any position of power confided to me will be exerted in opposition to their schemes. and they believe truly. for I have sworn upon the altar of god eternal hostility against every form of tyranny over the mind of man. but this is all they have to fear from me: & enough too in their opinion; & this is the cause of their printing lying pamphlets against me, forging conversations for me with . . . which are absolute falshoods without a circumstance of truth to rest on; . . . but enough of this. it is more than I have before committed to paper on the subject of all the lies which have been preached or printed against me.⁷⁸

⁷⁵ Harris and Kidd, *The Founding Fathers and the Debate over Religion in Revolutionary America*, 3.

⁷⁶ Linn, “Serious Considerations on the Election of a President: Addressed to the Citizens of the United States,” 1800.

⁷⁷ Latin: “The irritable race of poets.”

Jefferson stressed that because every person believes his or her religion is the ultimate Truth, every sect was likely bidding to obtain the honor of being perceived as the national religion. This, in his opinion, intensified their fear that no sect would be permitted to achieve this national position under his presidency, since he would thwart any effort to secure this role by means of manipulating the U.S. government or attempting to influence which regulations are enacted.

Jefferson's Presidential campaign of 1800 has dramatic similarities to Mitt Romney's 2008 Presidential campaign. Romney faced criticism because of his Mormon faith; it is one of the reasons that he left South Carolina: "he could not overcome the palpable prejudice that evangelical Christians have about his religion, and South Carolina's view is shared throughout much of the South and elsewhere. Partly as a consequence, Romney show[ed] up in national polls as the weakest of the major Republican candidates."⁷⁹ The following remark by Washington serves as an excellent critique of the problems some people had concerning Romney's religious beliefs in terms of the presidency:

Of all the animosities which have existed among mankind those which are caused by a difference of sentiment in Religion appear to be the most inveterate and distressing and ought most to be deprecated. I was in hopes that the enlightened & liberal policy which has marked the present age would at least have reconciled Christians of every denomination so far that we should never again see their religious disputes carried to such a pitch as to endanger the peace of Society.⁸⁰

Likewise, similarities exist in the campaign of Barack Obama, who was accused of being a Muslim until feeling the need to prove his belief in Christianity. The religious majority has, more or less, made it necessary for a candidate to demonstrate he or she is Christian; however, this should not be a significant factor in a secular government.

⁷⁸ From Thomas Jefferson to Benjamin Rush, 23 September 1800.

⁷⁹ Sabato, "The Race for President: The Finalists Emerge."

⁸⁰ From George Washington to Edward Newenham, 20 October 1792.

Should presidential candidates not be evaluated almost exclusively upon their previous performance, stated values, and the actions they plan on taking while in office? In this respect, Washington declared:

We [the people of the United States] have abundant reason to rejoice, that in this land the light of truth and reason have triumphed over the power of bigotry and superstition, and that every person may here worship God according to the dictates of his own heart. In this enlightened age and in this land of equal liberty, it is our boast, that a man's religious tenets will not forfeit the protection of the laws, nor deprive him of the right of attaining and holding the highest offices that are known in the United States.⁸¹

Because citizens are secure in their right to freely exercise any religion, a candidate's track record and plan of action should be most important: No candidate can persecute a religious community, just as no candidate can impose religious tenets on the whole of society; thus religion should remain a minimal factor in one's analysis of a potential representative. Critiquing candidates based primarily on their chosen religions, while serving as a possible indicator of overarching attitudes, is similar to judging a book by its cover before the deeper contents can be truly revealed; this error is regrettably committed by many in religious and non-religious groups alike. Spiritual beliefs can, and often do, influence individuals with respect to their actions; however, the actions are what citizens should be focused on when considering the credentials of a political representative. Stereotyping a person can yield highly variable results when attempting to understand the individual's character.

⁸¹ From George Washington to the Members of the New Jerusalem Church of Baltimore, 27 January 1793.

4.3) Religious Discourse in Political Affairs

The United States was founded on the presumption that following the beliefs and traditions of a religion is not only a personal choice, but also a right; this holds true so long as exercising one's beliefs does not inherently limit the freedoms or hinder the safety of others. Thus religious decrees fall within this sphere; for instance, if it is against religious law to consume pork, then those individuals who follow the religion are the ones who live by such a law, not every citizen of the country. Even so, some people continue to allow their personal, religious biases to pressure political regulations. Madison scrutinized the extent to which a religion can impact society:

What influence in fact have ecclesiastical establishments had on Civil Society? In some instances they have been seen to erect a spiritual tyranny on the ruins of the Civil authority; in many instances they have been seen upholding the thrones of political tyranny: in no instance have they been seen the guardians of the liberties of the people.⁸²

Based on this observation, religious organizations have expressly been denied authority in the government. Maintaining such a level of separation, however, is a difficult task to accomplish. During the establishment of the United States, for example, many were appalled that Christ had not been mentioned in the Declaration of Independence or in the Constitution; as a result, these citizens tried to use legislation as a means of creating closer ties between the Church and the State.⁸³ He noticed that

⁸² Madison, "Memorial and Remonstrance against Religious Assessments," 1785.

⁸³ Lambert, *The founding fathers and the place of religion in America*, 268.

It was the universal opinion of the Century preceding the last, that Civil Govt. could not stand without the prop of a Religious establishment, & that . . . religion itself, would perish if not supported by a legal provision for its Clergy. The experience of Virginia conspicuously corroborates the disproof of both opinions. The Civil Govt. tho' bereft of every thing like an associated hierarchy possesses the requisite Stability and performs its functions with complete success.⁸⁴

Madison claimed that the U.S. government had already proven its ability to stand on its own merit, without the need for any religious support; likewise, instead of perishing, religious ideas flourished in this new system.

Those who argue that Christianity is in fact the national religion often reference George Washington, stating that he speaks favorably of Christianity in his Proclamation that declares a national day of prayer and thanksgiving:

When we review the calamities which afflict so many other nations, the present condition of the United States affords much matter of consolation and satisfaction. Our exemption hitherto from foreign war, . . . the great degree of internal tranquillity we have enjoyed, . . . the happy course of our public affairs in general, the unexampled prosperity of all classes of our citizens, are circumstances which peculiarly mark our situation with indications of the Divine beneficence toward us. In such a state of things it is in an especial manner our duty as a people, with devout reverence and affectionate gratitude, to acknowledge our many and great obligations to Almighty God and to implore Him to continue and confirm the blessings we experience.⁸⁵

Madison was infuriated by “the tendency of the practice, to narrow the recommendation to the standard of the predominant sect. The 1st. Proclamation of Genl. Washington *dated Jany. 1. 1795.* recommending a day of thanksgiving, embraced all who believed in a supreme ruler of the Universe.”⁸⁶ In other words, Washington did not mean to associate the day of prayer and thanksgiving with Christianity alone, but rather in relation to all religious beliefs that

⁸⁴ From James Madison to Robert Walsh Jr., 2 March 1819.

⁸⁵ Washington, “Proclamation of January 1, 1795.”

⁸⁶ Madison, “Detached Memoranda, ca. 31 January 1820.”

incorporated such practices into them. Believing in a Deity does not instantly signify that Washington believed in the Almighty God of the Christian faith because Deists equally believe in the existence of God; Deism is considered to be a natural religion that does not place trust in religious texts. Moreover, Washington's references to God must be interpreted in the context of his beliefs on religion and Christianity, which were previously discussed. He continued:

Deeply penetrated with this sentiment, I, George Washington, President of the United States, do recommend to all religious societies and denominations, and to all persons whomsoever within the United States to set apart and observe Thursday, the 19th day of February next, as a day of public thanksgiving and prayer, and on that day to meet together and render their sincere and hearty thanks to the Great Ruler of Nations for the manifold and signal mercies which distinguish our lot as a nation, particularly for the possession of constitutions of government which unite and by their union establish liberty with order; for the preservation of our peace, foreign and domestic; . . . and at the same time humbly and fervently to beseech the kind Author of these blessings graciously to prolong them to us; to imprint on our hearts a deep and solemn sense of our obligations to Him for them; to teach us rightly to estimate their immense value; . . . to dispose us to merit the continuance of His favors by not abusing them; by our gratitude for them, and by a correspondent conduct as citizens and men.⁸⁷

Washington directly referenced all religious societies and denominations, candidly speaking to all who believed in a supreme ruler. Washington did not simply mention the denominations of Christianity, but rather spoke in a way that can incorporate all religious groups in a general sense. He concluded this proclamation by expressing that this day of thanksgiving is meant

to render this country more and more a safe and propitious asylum for the unfortunate of other countries; to extend among us true and useful knowledge; to diffuse and establish habits of sobriety, order, morality, and piety, and finally, to impart all the blessings we possess, or ask for ourselves, to the whole family of mankind.⁸⁸

In order to continue the good favor of this all-encompassing Deity, Washington resolved that the United States should become an asylum, which would only happen if all people living in the U.S.

⁸⁷ Washington, "Proclamation of January 1, 1795."

⁸⁸ Washington, "Proclamation of January 1, 1795."

are free to practice the dictates of their personal convictions; consequently, the notion of creating an asylum for the persecuted completely goes against the effects associated with the establishment of a national religion. As such, Washington's declaration is tremendously inclusive of all varieties of belief. Unfortunately, Madison noted that

Candid *or incautious* politicians will not *always* disown such views. In truth it is difficult to frame such a religious Proclamation, generally suggested by a political State of things, without referring to them in terms having some bearing on party questions. The Proclamation of Pres: W. *which* was issued *just* after the suppression of the Insurrection in Penna. [the Whiskey Rebellion] and at a time when the public mind was divided on several topics, was so construed by many.⁸⁹

During the lives of these Founding Fathers, religious factions were already misconstruing some of the expressions used by Washington in his public speeches, failing to understand the message in its entirety; numerous people continue to do so, erroneously, to this day.

4.4) One Nation Under God

The public assertion that a nation is ruled under God is not a concept original to the United States: it has been a notion held by countless countries and leaders incessantly throughout the old world to provide legitimacy and a greater sense of superiority to rulers and nations alike. Is this merely an adaptation of the age-old claim of divine right?

Francis Bellamy, a Baptist minister, authored the Pledge of Allegiance in 1892; the original version was: "I pledge allegiance to my Flag and the republic for which it stands, one nation indivisible, with liberty and justice for all."⁹⁰ The Pledge went through several revisions, so that in 1924 it was as follows: "I pledge allegiance to the Flag of the United States of America, and to the republic for which it stands; one Nation indivisible with liberty and justice

⁸⁹ Madison, "Detached Memoranda, ca. 31 January 1820."

⁹⁰ "The Pledge of Allegiance," USHistory, Historic Documents.

for all.”⁹¹ It was not until 1954 that the words *under God* were added, which is the current version of the Pledge of Allegiance:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.⁹²

This is relevant because, although change is fundamental to societal progress, the Pledge was altered solely to incorporate God.

If the word *God* is used in reference to an overarching supreme being, similar to Washington’s use, then it does not necessarily impose upon the immunities granted by First Amendment because all who believe in a god are able to interpret such a reference in an individual way. However, numerous people, including past presidents, have associated the use of the word specifically with the Christian god. When President Dwight Eisenhower, a Presbyterian, signed the bill to include the expression *under God* in the Pledge, he made the following statement:

FROM THIS DAY FORWARD, the millions of our school children will daily proclaim in every city and town, every village and rural school house, the dedication of our nation and our people to the Almighty. To anyone who truly loves America, nothing could be more inspiring than to contemplate this rededication of our youth, on each school morning, to our country's true meaning. . . . In this way we are reaffirming the transcendence of religious faith in America's heritage and future; in this way we shall constantly strengthen those spiritual weapons which forever will be our country's most powerful resource, in peace or in war.⁹³

⁹¹ “The Pledge of Allegiance,” USHistory, Historic Documents.

⁹² “The Pledge of Allegiance,” USHistory, Historic Documents.

⁹³ Eisenhower, “Statement by the President Upon Signing Bill To Include the Words ‘Under God’ in the Pledge to the Flag,” 1954.

In 1956, Eisenhower remarked at the Annual Breakfast of the International Council for Christian Leadership that it “is valuable . . . that people . . . gained a belief that the United States was truly trying to follow in the footsteps of the Prince of Peace [Jesus].”⁹⁴ Because children in public schools recite the Pledge of Allegiance at the start of every school day, U.S. citizens are essentially raised to associate God with the United States, which could potentially lead to an increased public acceptance of blended religious and political discourse. Furthermore, the intention behind this addition was to rededicate the nation’s youth by having them proclaim their devotion to the Almighty, which is in direct opposition with the freedom of Conscience: it is up to all individuals to decide for themselves the principles of their own beliefs.

4.5) Chaplains in the Houses of Congress

A major reason why appointed Chaplains in the two Houses of Congress is considered constitutional is because, according to the official government website for the House of Representatives, “Article I, Section 2 of the Constitution states: ‘The House of Representatives shall chuse their Speaker and other Officers.’”⁹⁵ However, by being funded by national taxes, in addition to the open promotion exclusively of the Christian Bible, the Chaplain positions in both the House and the Senate have effectively established Christianity as the preferred national religion, which violates the First Amendment. Also, since the First Amendment is an alteration to the Constitution, it holds more authority than does Article I, Section 2 of the Constitution. This example illustrates the extent to which religion has been allowed to infiltrate the secularly

⁹⁴ Eisenhower, “Remarks at Annual Breakfast of the International Council for Christian Leadership,” 1956.

⁹⁵ “History of the Chaplaincy,” The House of Representatives, accessed April 2, 2015.

designed government. James Madison heavily criticized this proposition to establish chaplains to the two Houses of Congress:

Is the appointment of Chaplains to the two Houses of Congress consistent with the Constitution, and with the pure principle of religious freedom? In strictness the answer on both points must be in the negative. The Constitution of the U.S. forbids every thing like an establishment of a national religion. The law appointing Chaplains establishes a religious worship for the national representatives, to be performed by Ministers of religion, elected by a majority of them; and these are to be paid out of the national taxes. Does not this involve the principle of a national establishment, applicable to a provision for a religious worship for the Constituent as well as of the representative Body, approved by the majority, and conducted by Ministers of religion paid by the entire nation. The establishment of the chaplainship to Congs. is a palpable violation of equal rights, as well as of Constitutional principles. The tenets of the Chaplains elected shut the door of worship agst. the members whose creeds & consciences forbid a participation in that of the Majority.⁹⁶

The First Amendment prohibits anything similar to an establishment of a national religion. In this regard, Madison found it abhorrent that one religious ideology would be held above those of other religious sects:

To say that . . . [another sect's] religious principles are obnoxious or that . . . [the] sect is small, is to lift the veil at once and exhibit in its naked deformity the Doctrine that religious truth is to be tested by numbers, or that the major sects have a right to govern the minor.⁹⁷

This brings to question the larger role accompanying Christianity in these two Houses, compared to the roles that other faiths have in this governmental setting: It is directly attributable to the majority's conviction that Christianity should be the favored religion in the nation. According to the official government website of the United States Senate,

⁹⁶ Madison, "Detached Memoranda, ca. 31 January 1820."

⁹⁷ Madison, "Detached Memoranda, ca. 31 January 1820."

the United States Senate has honored the historic separation of Church and State, but not the separation of God and State. . . . During the past two hundred and seven years, all sessions of the Senate have been opened with prayer, strongly affirming the Senate's faith in God as Sovereign Lord of our Nation.⁹⁸

A powerful conflict arises, however, because the Chaplain is a Christian. The Senate website defines the duties of this position:

In addition to opening the Senate each day in prayer, [the Senate Chaplain's] duties include counseling and spiritual care for the Senators, their families and their staffs, a combined constituency of six thousand people. [The Chaplain's] days are filled with meeting Senators about spiritual and moral issues, assisting Senators' staffs with research on theological and biblical questions, teaching Senate Bible study groups, encouraging such groups as the weekly Senate Prayer Breakfast, and facilitating discussion and reflection small groups among Senators and staff.⁹⁹

So what is more accurately being described here is that the Senate's faith is specifically placed in the Christian god; hence establishing Christianity as the religion that is to be held in the highest regard, while failing to equally incorporate the beliefs of other religious communities.

The major religion represented in this sphere of government is Christianity. Though the "Senate has also appointed guest chaplains representative of all the world's major religious faiths,"¹⁰⁰ the Christian faith is predominantly acknowledged above every other faith. Because Christianity is heavily promoted on a purely political level, it is in direct violation of the clause that forbids the establishment of anything resembling a national religion. Although the chaplain can be of any religious faith, every chaplain in the House of Representatives thus far has

⁹⁸ "Chaplain's Office," The United States Senate, accessed April 2, 2015.

⁹⁹ "Chaplain's Office," The United States Senate, accessed April 2, 2015.

¹⁰⁰ "Senate Chaplain," The United States Senate, accessed April 2, 2015.

primarily been associated with the Christian faith.¹⁰¹ This has also been the case for the Senate Chaplain.¹⁰²

The concentrated relationship with Christianity in both Houses of Congress is to be expected because it is the majority that decides upon the chaplain: a Christian majority. Most egregiously: In the Congressional Prayer Room, “A Bible, usually opened to Psalm 23, sits on the altar underneath the window. Two prayer benches, six chairs, plants, two candles and an American flag complete the furnishings in the room.”¹⁰³ This creates a direct association between the Christian religion and the U.S. government. When George Washington referenced God in his speeches, it was intended in the broadest sense possible, so as to include all who believed in a deity, not simply those who believed in one, specific god. The House and the Senate, however, have flagrantly professed Christianity and have singled out its tenets above all other religious doctrines. Christianity is so blatantly involved in this political environment that, as a consequence, the separation of God and State has become so remarkably convoluted that it threatens the very principles that the separation of Church and State were founded upon.

¹⁰¹ “History of the Chaplaincy,” The House of Representatives, accessed April 2, 2015.

¹⁰² “Senate Chaplain,” The United States Senate, accessed April 2, 2015.

¹⁰³ “Congressional Prayer Room,” The House of Representatives, accessed April 2, 2015.

Chapter 5: Religious Majorities and the Degradation of Individual Freedom

If the majority of the population shares a single religious belief, then the line between religious law and political law can easily become distorted, given that this religious majority will most greatly influence, through elected representatives, which laws are officially enacted. This method of governing gives considerable power to the majority, which may entail the imposition of regulations that inevitably lead to the persecution of those composing a minority. Madison acknowledged that

in matters of Religion, no mans right is abridged by the institution of Civil Society and that Religion is wholly exempt from its cognizance. True it is, that no other rule exists, by which any question which may divide a Society, can be ultimately determined, but the will of the majority; but it is also true that the majority may trespass on the rights of the minority.¹⁰⁴

Individuals can believe differently from one another and thus seek distinct governmental regulations that are in accordance with their specific beliefs. In order to increase the chance of this happening, it is natural that like-minded groups form together to generate a more substantial authority. Madison explained the danger associated with these societal divisions:

The latent causes of faction are . . . sown in the nature of man; and we see them every where brought into different degrees of activity, according to the different circumstances of civil society. A zeal for different opinions concerning religion, concerning government, and many other points, as well of speculation as of practice; an attachment to different leaders ambitiously contending for pre-eminence and power; or to persons of other descriptions whose fortunes have been interesting to the human passions, have in turn divided mankind into parties, inflamed them with mutual animosity, and rendered them much more disposed to vex and oppress each other, than to co-operate for their common good.¹⁰⁵

As such, it becomes predictable that opposing groups will begin to quarrel, thus creating a perpetual state of conflict.

¹⁰⁴ Madison, "Memorial and Remonstrance against Religious Assessments," 1785.

¹⁰⁵ Madison, "The Federalist Number 10," 1787.

So strong is this propensity of mankind to fall into mutual animosities, that where no substantial occasion presents itself, the most frivolous and fanciful distinctions have been sufficient to kindle their unfriendly passions, and excite their most violent conflicts.¹⁰⁶

When the majority is granted more power over legal decisions, it presents them with the opportunity to oppress those who constitute the minority—therein lies the danger.

In 1785, *Notes on the State of Virginia* was published, in which Thomas Jefferson expressed the laws and attitudes pertaining to the subject of religion during that time—it illustrates the role of religion in the government as an element of the old world and reveals the dangers it presents to a nation when religion guides the conception of governmental laws; this in turn solidifies the idea that the United States was not founded on a religion in any sense, but instead on the protection of individual liberties. Jefferson wrote that

the convention of May 1776, in their declaration of rights, declared it to be a truth, and a natural right, that the exercise of religion should be free; but when they proceeded to form on that declaration the ordinance of government, instead of taking up every principle declared in the bill of rights, and guarding it by legislative sanction, they passed over that which asserted our religious rights, leaving them [existing laws] as they found them [to be before the establishment of the independent Commonwealth of Virginia].¹⁰⁷

When the convention met again in October of that year, laws were repealed, which lead to “statutory oppressions in religion being . . . wiped away, [so that the citizens remained] . . . under those only imposed by the common law, or by . . . acts of assembly.”¹⁰⁸ This is a seemingly great advancement towards securing individual freedoms, until it is made clear that

¹⁰⁶ Madison, “The Federalist Number 10,” 1787.

¹⁰⁷ Jefferson, “Notes on the State of Virginia,” 283-284.

¹⁰⁸ Jefferson, “Notes on the State of Virginia,” 284.

at the common law, *heresy* was a capital offence, punishable by burning. Its definition was left to the ecclesiastical judges . . . [until] the statute of the 1 El. c. 1. circumscribed it, by declaring, that nothing should be deemed heresy, but what had been so determined by authority of the canonical scriptures . . . or by some other council having for the grounds of their declaration the express and plain words of the scriptures. Heresy, thus circumscribed, being an offence at the common law, our act of assembly of October 1777, c. 17. gives cognizance of it to the general court, by declaring, that the jurisdiction of that court shall be general in all matters at the common law. The execution is by the writ *De haeretico comburendo*.¹⁰⁹

The *De haeretico comburendo* was a law passed in 1401, over three hundred years earlier, by the Parliament of England. It stated that those found guilty of heresy would be burned at the stake.

This severe form of religious censorship, which was a product of the old world, was still influencing policymakers in the newly formed government of the United States. Additionally, Jefferson revealed that

by . . . [the] act of assembly of 1705, c. 30, if a person brought up in the Christian religion denies the being of a God, or the Trinity, or asserts there are more Gods than one, or denies the Christian religion to be true, or the scriptures to be of divine authority, he is punishable on the first offence by incapacity to hold any office or employment ecclesiastical, civil, or military.¹¹⁰

Regarding the major influence of religion during the establishment of the Commonwealth of Virginia, Jefferson stated that it was a type of willing, religious slavery, in which the people “have lavished their lives and fortunes for the establishment of their civil freedom. The error seems not sufficiently eradicated, that the operations of the mind . . . are subject to the coercion of the laws.”¹¹¹

The American Revolution was meant to free the colonies from oppressive British rule; however, the old form of oppressive religious rule seen throughout much of Europe was quickly

¹⁰⁹ Jefferson, “Notes on the State of Virginia,” 284.

¹¹⁰ Jefferson, “Notes on the State of Virginia,” 284.

¹¹¹ Jefferson, “Notes on the State of Virginia,” 285.

taking root in the early days of the United States. Jefferson argued that the government should have no such rights over its citizens, because these rights are natural and immutable. The only way a ruling power can acquire this authority is if the individuals composing a society relinquishes their own natural rights. He claimed that “the rights of conscience . . . [were] never submitted. . . . We [individuals] are answerable for them to our God. The legitimate powers of government extend to such acts only as are injurious to others.”¹¹²

Jefferson powerfully argued that religious law, which shapes a person’s guiding principles, is to be governed by one’s personal god and if an individual failed to live by those ideals then he must answer to his god, not to the government. The government’s purpose is to provide protection to its citizens: both physical and mental. Any sense of spiritual protection is meant to emanate from a person’s personal beliefs; the only security the government should grant in this regard is the freedom of thought. The government is instead designed to be impartial to any religiously guided sense of right and wrong; so as to pass laws based on reason alone. Using reason, the law in question should be scrutinized in order to understand if it endangers other peoples’ wellbeing or limits their freedoms for any reason other than that of safety. When religious law makes its way into political law, the freedom of thought is limited and thus the protection of individual liberties becomes eroded so that those who do not believe in the religious law must nonetheless act in accordance with it, rather than in accord with that which they believe to be true. “The People who submit to it are governed by laws made neither by themselves nor by an authority derived from them, and are slaves.”¹¹³

¹¹² Jefferson, “Notes on the State of Virginia,” 285.

¹¹³ Madison, “Memorial and Remonstrance against Religious Assessments,” 1785.

After much ratification, Virginia became a powerful example of religious freedom.

Madison commended Virginia as a state in which

religious liberty is placed on its true foundation and *is* defined in its full latitude. The *general* principle is contained in her declaration of rights, prefixed to her Constitution, but it is unfolded and defined, in its precise extent, in the Act of the Legislature, usually named the Religious Bill, which passed into a law in the year 1786. Here the separation between the authority of human laws, and the natural rights of Man excepted from the grant on which all political authority is founded, is traced as distinctly as words can admit, and the limits to this authority established with as much solemnity as the forms of legislation can express. . . . This Act is a *true* standard of Religious liberty: *its principle the great* barrier [against] usurpations on the rights of conscience. As long as it is respected . . . these will be safe.¹¹⁴

Madison cautioned, however, that “Every provision for them—short of this principle, will be found to leave crevices at least, thro’ which bigotry may introduce persecution; a monster, that feeding & thriving on its own venom, gradually swells to a size & strength overwhelming all laws divine & human.”¹¹⁵

5.1) Christianity: The U.S. Majority

According to a 2014 study by the Pew Research Center, approximately 72% of the public believes the influence of religion in America is declining, the majority of those who share this view deem it will have an adverse effect on society. This negative outlook may explain the rising number of U.S. citizens who want to see religion develop extended applications in political deliberations.¹¹⁶ Naturally, the support to broaden religion’s role in politics is concentrated among those who believe the impact of religion on society is advantageous. Furthermore, the percentage of Americans who think churches should articulate their views regarding social and

¹¹⁴ Madison, “Detached Memoranda, ca. 31 January 1820.”

¹¹⁵ Madison, “Detached Memoranda, ca. 31 January 1820.”

¹¹⁶ Pew Research Center, “Public Sees Religion’s Influence Waning,” 2014.

political issues has risen since 2010, from 43% to 49%. Additionally, 41% of the public believes that political representatives do not publically communicate their faith frequently enough; as such, those who affiliate with a religion more often favor political leaders who discuss religion on the national stage. Furthermore, about 59% of Americans say that having members of Congress with strong religious beliefs is a matter of considerable importance, which is a statistic that has remained largely unchanged since the 2010 midterm campaign.¹¹⁷ This majority perspective inescapably influences which Congressional representatives are elected: according to a 2015 study by the Pew Research Center, 91.8% of the 114th Congress identifies as Christian; which equates to 491, out of the total 535, members.¹¹⁸

A major factor leading various proponents of Christianity to impose their religious beliefs within the governmental sphere is that many highly conservative Christians adamantly believe that

the LORD says: ‘ . . . if they learn well the ways of my people and swear by my name, saying, ‘As surely as the LORD lives’ . . . then they will be established among my people. But if any nation does not listen, I will completely uproot and destroy it.’¹¹⁹

According to Ronald Reagan, “If we ever forget that we’re one nation under God, then we will be one nation gone under.”¹²⁰ The fear of an upheaval of the U.S. at the hand of God can be easily observed within this statement—a radical view, which would understandably direct a believer of

¹¹⁷ Pew Research Center, “Public Sees Religion’s Influence Waning,” 2014.

¹¹⁸ Pew Research Center, “Faith on the Hill: The Religious Composition of the 114th Congress,” 2015.

¹¹⁹ Jeremiah 12:14-17 (New International Version).

¹²⁰ Reagan, “Remarks at an Ecumenical Prayer Breakfast in Dallas, Texas,” 1984.

this claim to fight unwaveringly within the government in an attempt to prevent such a cataclysm from occurring. Madison stated that it is

Better . . . to disarm [a legal proposition] . . . *than erect it* into a political authority in matters of religion. The object of this establishment is seducing; the motive to it is laudable. But is it not safer to adhere to a right principle, & trust to its consequences, than confide in the reasoning however specious in favor of a wrong one.¹²¹

Recall the noteworthy advice of Jefferson, which is to

divest yourself of all bias in favour of novelty and singularity of opinion. Indulge them in any other subject rather than that of religion. It is too important, and the consequences of error may be too serious. On the other hand shake off all the fears and servile prejudices under which weak minds are servilely crouched. Fix reason firmly in her seat, and call to her tribunal every fact, every opinion. Question with boldness even the existence of a god; because, if there be one, he must more approve the homage of reason, than that of blindfolded fear.¹²²

Unfortunately, the fear that God will send destruction upon a non-Christian nation, or even upon an individual's soul, has the effect of preventing many believers from stripping themselves of the biases anchored in their respective religions—in large part because of the unwavering belief in the declarations made by God within the Bible.

Benjamin Franklin stated that “the Way to see by *Faith*, is to shut the Eye of *Reason*: The Morning Daylight appears plainer when you put out your Candle.”¹²³ By shutting out an open perspective, and thus removing one's capacity for unbiased reasoning, faith creates a barrier—guarding oneself from opposing beliefs and strengthening the perceived validity of one's own religion against that of others. It prevents critical analysis, at least to the point of being wholly unbiased. The Bible states, “without faith it is impossible to please God, because anyone who

¹²¹ Madison, “Detached Memoranda, ca. 31 January 1820.”

¹²² From Thomas Jefferson to Peter Carr, with Enclosure, 1787.

¹²³ Franklin, “Poor Richard Improved,” 1758.

comes to him must believe that he exists and that he rewards those who earnestly seek him.”¹²⁴ So by questioning what you believe, it can be perceived that you simply lack faith; and by lacking faith, you are not pleasing God. Therefore, seeking Him is not by questioning his existence, but by seeking Him through worship. Faith is used to deny any critical reflection that arises and instead fill the gap so that any evidence or experience that points one to a different ideology is completely invalidated.

Thus, faith keeps a person firmly rooted within a belief; and by being firmly rooted in one’s religion, the individual believes that he or she follows the absolute truth and that everyone else is simply misguided. It is this that leads to persecution, discrimination, and the like, particularly in relation to the manifestation of religious law into political law. This perception can create a sense of validation among those in religious communities when passing laws based on their religious ideologies, even if those laws limit the freedom of others to choose for themselves what is acceptable and good. Enacting laws of this nature

implies either that the Civil Magistrate is a competent Judge of Religious Truth; or that he may employ Religion as an engine of Civil policy. The first is an arrogant pretension falsified by the contradictory opinions of Rulers in all ages, and throughout the world: the second, an unhallowed perversion of the means of salvation.¹²⁵

5.2) The Hindrance of Political Freedom

All religious communities have faith in their respective religions, which leads to each religion being unarguably true for the believers of the corresponding Faith. Different groups of people have differing ideas of truth; thus they argue about right and wrong because there is, according to, say, the Bible, only one Truth; and if there is one truth, the others have no place. Of

¹²⁴ Hebrews 11:6 (New International Version).

¹²⁵ Madison, “Memorial and Remonstrance against Religious Assessments,” 1785.

course, there are many who tolerate other communities, but tolerating is not the same as respecting the individuals and their natural rights; until people can respect the right of another to choose to accept different beliefs as personally true, then religion will continue influencing politics, when it should be politics that works to provide liberty to all. James Madison professed that

If ‘all men are by nature equally free and independent,’ all men are to be considered as entering into Society on equal conditions; as relinquishing no more, and therefore retaining no less, one than another, of their natural rights. Above all are they to be considered as retaining an ‘*equal* title to the free exercise of Religion according to the dictates of Conscience.’ Whilst we assert for ourselves a freedom to embrace, to profess and to observe the Religion which we believe to be of divine origin, we cannot deny an equal freedom to those whose minds have not yet yielded to the evidence which has convinced us. If this freedom be abused, it is an offence against God, not against man: To God, therefore, not to man, must an account of it be rendered. [Hence, a religiously guided] . . . bill violates equality by subjecting some to peculiar burdens, so it violates the same principle, by granting to others peculiar exemptions¹²⁶

Moreover, Thomas Jefferson made it abundantly clear that “the legitimate powers of government extend to such acts only as are injurious to others.”¹²⁷

Impartial reasoning is the only way to pass reasonable laws in the government in a way that accounts for everyone because it looks at why something should be legal or not based on rational arguments that stem from an innate sense of right and wrong, as previously discussed by Jefferson; it is predominantly focused on whether or not the law in question harms other people’s lives or hinders their freedoms based on a reason that cannot be logically and concisely proven.

It was understood by Madison that

¹²⁶ Madison, “Memorial and Remonstrance against Religious Assessments,” 1785.

¹²⁷ Jefferson, “Notes on the State of Virginia,” 285.

If the impulse and the opportunity be suffered to coincide, we well know that neither moral nor religious motives can be relied on as an adequate control. They are not found to be such on the injustice and violence of individuals, and lose their efficacy in proportion to the number combined together; that is, in proportion as their efficacy becomes needful.¹²⁸

Furthermore, Madison cautioned against the power of religion:

Who does not see that the same authority which can establish Christianity, in exclusion of all other Religions, may establish with the same ease any particular sect of Christians, in exclusion of all other Sects? that the same authority which can force a citizen to contribute three pence only of his property for the support of any one establishment, may force him to conform to any other establishment in all cases whatsoever?¹²⁹

Any religion can establish a belief so long as it gains enough authority over the government. For this reason, preventing religious power is essential to safeguarding all people.

The following examples are used to analyze the flaws that religion can produce when it is used as a motive for enacting certain laws. Each case experienced in a loss of individual liberties as a result of logic based on inherently biased perspectives held by the majority.

5.2a) Religion and the Abolition of Slavery

During the Abolitionist Movement, churches were more or less equally divided between those condoning slavery and those advocating for its annihilation. Opponents of slavery often referenced the numerous messages of love and unity taught throughout the Bible: “There is neither Jew nor Gentile, neither slave nor free, nor is there male and female, for you are all one in Christ Jesus.”¹³⁰ The very notion of slavery, especially founded upon race, greatly conflicted with the belief that God-given rights pertained equally to every man. Nonetheless, the futility of appealing to the moral code of man quickly became apparent to many oppositionists—another

¹²⁸ Madison, “The Federalist Number 10,” 1787.

¹²⁹ Madison, “Memorial and Remonstrance against Religious Assessments,” 1785.

¹³⁰ Galatians 3:28 (New International Version).

method was needed if the eradication of slavery beyond the Mason-Dixon Line was to prove successful. Southerners were far too accustomed to, and even dependent upon, slavery as a method of labor, which had been around since as far back as the colonial days.

The Bible was frequently referenced in support of the many arguments purporting that scripture in fact reinforced the centering of slavery on race. It was a widely accepted belief that the black race originated as a result of a curse that Noah casted on Canaan's son, Ham, declaring that he would be 'a servant of servants.' This conviction caused many to view the black race as developing from a divine source, which by its very nature displeased God; the conclusion drawn from this was that it was the will of God that the black race be treated differently than the white race.¹³¹ Supporters of slavery were equally able to find Biblical passages so as to reinforce their own arguments:

All who are under the yoke of slavery should consider their masters worthy of full respect, so that God's name and our teaching may not be slandered. Those who have believing masters should not show them disrespect just because they are fellow believers. Instead, they should serve them even better because their masters are dear to them as fellow believers and are devoted to the welfare of their slaves.¹³²

Moreover, Jesus used slavery in the New Testament as a positive metaphor for the role of a faithful follower of God:

Be . . . ready . . . like servants waiting for their master to return. [For the] . . . servant who knows the master's will and does not get ready or does not do what the master wants will be beaten with many blows. But the one who does not know and does things deserving punishment will be beaten with few blows.¹³³

¹³¹ Field, *The Politics of Race in New York: The Struggle for Black Suffrage in the Civil War Era*, 23.

¹³² 1 Timothy 6:1-2 (New International Version).

¹³³ Luke 12:35-48 (New International Version).

In both instances, religion could easily be used to justify laws for and against slavery, which is a significant reason why religious dogma should not interfere in the governmental process.

Religion can be manipulated in favor of a particular opinion, whereas the method of unbiased reasoning remains invariable and allows an individual's perceptions to be open to constructive criticism and the potential for change.

The argument, in this case, should stem from a person's intellect and not from the words of a perceived Divine. In this way, an individual can reasonably conclude that everyone's mind is equally capable, and that human bodies function in the same ways, despite a person's racial background. The difference in the color of one's skin is simply a variation of the same pigmentation that determines hair and eye color, which is far from an adequate reason to ever consider oppressing another human being. Unfortunately, this type of reasoning was not always the paradigm in a historical context: there was a severe lack of evidence to challenge the racial stereotypes that pervaded the United States. The undeveloped scientific understanding of the day led to a theory of the origins of race, in which some scientists professed that "races were not only biologically distinct but also rankable in their order of development . . . Even those scientists who argued that environment was responsible for racial differences often concluded that the African environment was inferior to that of Europe and America."¹³⁴

Biases based on stereotypes brought about from laws, religious or governmental, can strongly influence people's perceptions of reality. Moreover, individuals from any side of a discussion can find arguments that strengthen their own opinions; after all, everyone believes their own views are correct for a reason. Because of this, the source of one's reasoning is

¹³⁴ Field, *The Politics of Race in New York: The Struggle for Black Suffrage in the Civil War Era*, 22-23.

extremely significant: reasoning based on physical evidence is much easier to refute, given time, than reasoning based on a godly premise, which by essence cannot be proven and, if truly divine, should remain unalterable.

5.2b) Religion and Women's Suffrage

The Roman Catholic Church vastly opposed the Women's Suffrage Movement, quoting Biblical Scriptures to reveal that God designed women to be subservient to men.

Wives, submit yourselves to your own husbands as you do to the Lord. For the husband is the head of the wife as Christ is the head of the church, his body, of which he is the Savior. Now as the church submits to Christ, so also wives should submit to their husbands in everything.¹³⁵

Thus, a women should not be allowed a voice in government—voting should be left to her husband, to whose opinion a wife is required to surrender. Adolf Hult, a Lutheran pastor, declared that the Suffrage movement was fueled by Feminist lust and was ultimately immoral. He believed that if women continued down the path of Suffrage, they would ultimately fall; Hult feared that this fall would bring about destruction within the world.¹³⁶

Women are still not permitted to be ordained in the Roman Catholic Church, which is reserved strictly for men who have been baptized; any church practicing otherwise is not recognized by the Roman Catholic Church to be legitimate. According to the Bible,

Women should remain silent in the churches. They are not allowed to speak, but must be in submission, as the law says. If they want to inquire about something, they should ask their own husbands at home; for it is disgraceful for a woman to speak in the church.¹³⁷

¹³⁵ Ephesians 5:22-24 (New International Version).

¹³⁶ "Opposition to Women's Suffrage: Religious Opposition," NebraskaStudies, accessed April 8, 2015.

¹³⁷ 1 Corinthians 14:34-35 (New International Version).

The main foundation for why a woman is obligated to be submissive rests in the Biblical story of creation:

A woman should learn in quietness and full submission. I do not permit a woman to teach or to assume authority over a man; she must be quiet. For Adam was formed first, then Eve. And Adam was not the one deceived; it was the woman who was deceived and became a sinner. But women will be saved through childbearing—if they continue in faith, love and holiness with propriety.¹³⁸

Throughout the Bible, women have been given a lower place in society than that of men, even as it pertains to their own bodies:

If a man happens to meet in a town a virgin pledged to be married and he sleeps with her, you shall take both of them to the gate of that town and stone them to death—the young woman because she was in a town and did not scream for help, and the man because he violated another man’s wife. You must purge the evil from among you. . . . If a man happens to meet a virgin who is not pledged to be married and rapes her and they are discovered, he shall pay her father fifty shekels of silver. He must marry the young woman, for he has violated her. He can never divorce her as long as he lives.¹³⁹

Rape and abortion are controversial topics in American politics—several States across the country have attempted to pass laws that outlaw abortion altogether. In 2012, Richard Mourdock, the Indiana GOP candidate for the U.S. Senate, stated that

I struggled with it myself for a long time, but I came to realize life is that gift from God. I think that even when life begins in that horrible situation of rape, that it is something that God intended to happen.¹⁴⁰

The life of the woman in this instance is completely disregarded; based on beliefs, many times rooted in a religious context, bills are proposed that are intended to strip a woman of the authority over her own body. Rape is a traumatizing experience and people need the freedom to

¹³⁸ 1 Timothy 2:11-15 (New International Version).

¹³⁹ Deuteronomy 22: 23-29 (New International Version).

¹⁴⁰ McAuliff, “Richard Mourdock On Abortion,” 2012.

overcome this trauma in a reasonable manner based on what each person believes to be best. In a religious framework, even the Christian God committed a kind of abortion: David

despise[d] the word of the Lord by doing . . . evil . . . [for he] struck down Uriah the Hittite with the sword and took his wife . . . This is what the Lord says: ‘Out of your own household I am going to bring calamity on you . . .’ Then David said to Nathan, ‘I have sinned against the Lord.’ Nathan replied, ‘The Lord has taken away your sin. You are not going to die. But because by doing this you have shown utter contempt for the Lord, the son born to you will die.’ After Nathan had gone home, the Lord struck the child that Uriah’s wife had borne to David, and he became ill. David pleaded with God for the child. He fasted and spent the nights lying in sackcloth on the ground. . . . On the seventh day the child died.¹⁴¹

Evidently, this God does not plan all human life; he clearly decided to eradicate the mistake that resulted from David’s sinful transgression.

The oppression of women still occurs to this day, often as a result of religious dogma. Rather than basing regulations that directly affect women upon a religious context, especially because many religions already limit the rights of women drastically, laws should focus on protecting a woman’s natural rights over her own body and mind. Because education is not limited to men, women should be granted the ability achieve all the same intellectual successes as any man; as such, she should be recognized solely by her capabilities, without regard to a person’s gender.

5.2c) Religion and Marriage Equality

Biblical marriage is the act of forming a covenant between a couple and their mutual God. A covenant made with God is viewed as eternal and as such cannot be broken by signing a mere document fashioned by the human race—this spiritual covenant is one of the reasons why divorce was considered a sin and punishable in the Old Testament as severely as adultery itself. Conversely, marriage in a political sense is a purely legal contract made between the couple with

¹⁴¹ 2 Samuel 12: 9-18 (New International Version).

their government, which ultimately establishes certain rights, obligations, and benefits to each spouse and their resulting family together. Essentially, two people come together and agree to share their lives and their assets with one another. Sharing one's possessions with someone else is an innate right, just as businesses and organizations are free to form contractual relationships with one another every day. Unfortunately, this right is legally denied to many homosexual couples within the United States based largely on religious law, which is to be expected in a country where the majority of voters are guided by a religiously-based sense of morality: a survey by the Pew Research Center discovers that around half of the citizens in the United States believes homosexuality is a sin.¹⁴² This influence has shown up in numerous bills and protests across the country advocating against homosexual marriage.

Same-sex marriage is an excellent contemporary example of the political freedoms that are obstructed by a religious law in a way that inadvertently persecutes those who do not subscribe to its religious doctrine—in essence, if same-sex marriage was legalized, an individual who believes homosexuality is a sin is not obligated to marry a person of the same gender, and thus is not forced to go against his or her personal values; conversely, someone who does not believe it is wrong has the natural right to choose with whom to share the benefits of marriage. Because these rights are given to a certain group of the population, heterosexuals, it should equally be given to homosexual couples— otherwise, the government has effectively established the views of one religion over that of others by forcing its religious commands upon individuals who do not believe in it, thus degrading the freedoms protected by the First Amendment.

Owing to the incompatibility of homosexual marriage with the beliefs held by various religious sects, churches should be granted the opportunity to determine whether or not they will

¹⁴² Pew Research Center, "Public Sees Religion's Influence Waning," 2014.

wed homosexual couples at their respective institutions; however, the right to decide whether such a couple can lawfully marry should not belong to the church or the nation as a whole, especially when this majority is guided by a sense of divine bigotry. Rather, the decision concerning whom one wishes to marry rests exclusively with each and every individual as a private matter of the mind. The Church ought not to possess the authority in which it may prevent two people from legal marriage outside of its own religious establishment because the Church must exist as an entity separate from the Government. Marrying within a place of worship is nothing more than a tradition, which holds no relevance upon those who do not subscribe to the faith; this is protected under the clause against the establishment of religion by law. Regardless of a church's individual verdict, a variety of organizations will undoubtedly emerge so as to provide a source of marriage to same-sex couples throughout the nation; as citizens of the United States, they too deserve the protection of their inalienable rights. The Constitution intentionally instructs how to amend oppressive laws; this article was included in order to account for freedoms that may have been overlooked due to cultural norms that previously influenced the government. Ergo, Washington proclaimed that

As mankind becomes more liberal they will be more apt to allow, that all those who conduct themselves as worthy members of the Community are equally entitled to the protection of civil Government. I hope ever to see America among the foremost nations in examples of justice and liberality.¹⁴³

¹⁴³ From George Washington to Roman Catholics in America, c.15 March 1790.

Conclusion

The United States was not founded upon Christianity, or on the beliefs of any other religion. Universal principles from religious teachings may have been borrowed, but these four Founding Fathers deliberately intended to create a secular government based strictly on the use of reason. Moral character is not based on religion; it is natural and can be strengthened through education and self-discipline. Cultural norms, religious philosophies, and academic study all affect the way one interprets acceptable, ethical behavior; which might then form a biased perspective in an individual. As such, politics should be guided entirely by well-defined logic.

A huge struggle exists between religious dogma, the representatives that are elected by the majority, and the bills that are proposed in government: this struggle existed long before the United States was founded and continues despite the intentions, held by many of the Founding Fathers, to establish the separation of Church and State by means of the First Amendment. Nowadays, many are lead to believe that a democracy is the rule of the people formed by the majority vote; however, the U.S. cannot be classified as a pure democracy—instead, it is a democratic republic; thus laws are not meant to be guided by majority opinion, but instead through the decisions of a representative government. According to Washington,

the assimilation of the principles, opinions, and manners of our country-men by . . . common education . . . well deserves attention. The more homogenous our citizens can be made in these particulars the greater will be our prospect of permanent union; and a primary object . . . should be the education of our youth in the science of government. In a republic, what species of knowledge can be equally important and what duty more pressing on its legislature than to patronize a plan for communicating it to those who are to be the future guardians of the liberties of the country?¹⁴⁴

Understanding that the U.S. government was designed to protect all citizens, despite varying majority opinions, is essential to realizing the threat that religiously guided bills have on the

¹⁴⁴ Eighth Annual Message of George Washington, 7 December 1796

whole of society. Christianity makes up the majority in the United States; however, any religion could potentially comprise a majority vote—so it is in the best interest of all to disregard religious dogma when determining the appropriateness of governmental regulations.

An overarching message of love persists within numerous religious teachings, which is a reason why many Founding Fathers viewed religions as having a great potential to constructively direct society: When people begin to follow this principle of love, it often leads to the acceptance of individual differences and the restoration of personal liberties. Nevertheless, beliefs differ, thus people should be free to live sensibly within the dictates of their own mind. The government should provide safety, while also protecting the inalienable rights attributed to every citizen—it should not pass laws that direct morality based on any religious context, but rather through the implementation of unbiased reasoning. The Majority must always be aware of the rights and needs of the Minority, lest governmental laws be imposed upon all that hinder the individual liberties of the few.

Religions evolve over time and the government has been structured so as to adjust for changes in cultural awareness—a method which has been laid out in Article V of the Constitution and a process that began with the addition of the Bill of Rights; the Constitution should continue to be amended in order to sufficiently account for the protection of every citizen's natural rights.

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their creator with certain unalienable rights, that among these are life, liberty and the pursuit of happiness. —that to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed, —that whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute new government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness.¹⁴³

¹⁴⁵ The Declaration of Independence, July 4, 1776.

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