

Holiday Special Series
Independence Day-
Thomas Jefferson and the
First Amendment - Part 2

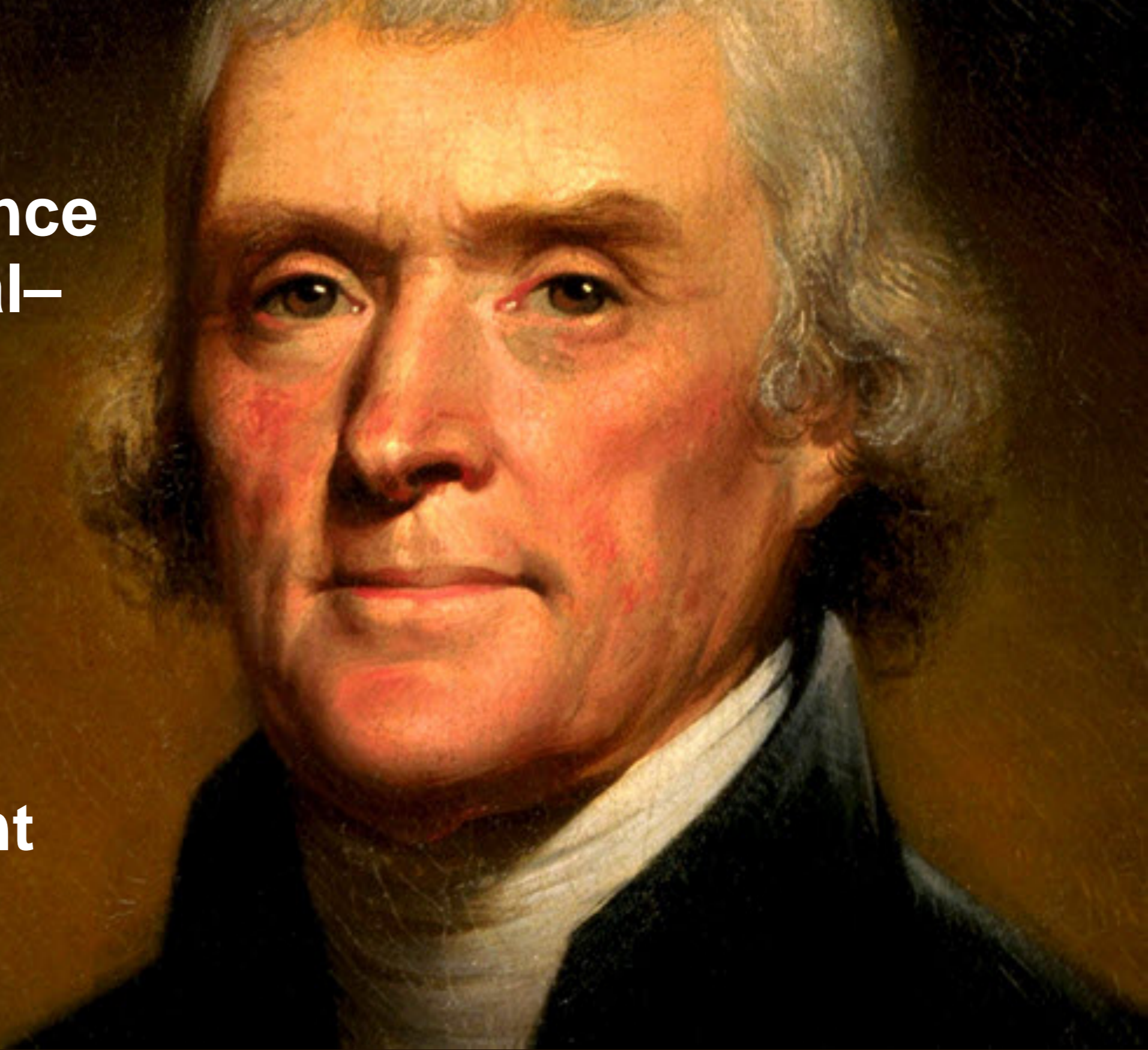
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Dean Bible Ministries
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**2019
Independence
Day Special—
Part 2**

**Thomas
Jefferson
and the
First
Amendment**



1 Tim. 2:1, “Therefore I exhort first of all that supplications, prayers, intercessions, and giving of thanks be made for all men,

1 Tim. 2:2, “for kings and all who are in authority, that we may lead a quiet and peaceable life in all godliness and reverence.”

**Matt. 22:21, “They said to Him, ‘Caesar’s.’
And He said to them, ‘Render therefore to
Caesar the things that are Caesar’s, and to
God the things that are God’s.’ ”**

Scottish Common Sense Realism

- **There is a God.**
- **God placed into every individual a conscience, a moral sense written on his or her heart.**
- **God established first principles in areas such as law, government, education, politics, and economics and these first, or transcendent guiding principles could be discovered by the use of common sense, logic, and reason.**
- **There was no conflict between reason and revelation.**

Claim 1. Jefferson fathered children by a young slave girl, Sally Hemings, and therefore is a racist, womanizer, abuser of women, etc.

Disproven by DNA

A Jefferson relative, probably his younger brother.

Claim 2: Jefferson hated Christianity and Christians.

Shown to be false by his life, friends, writings, and associates.

Claim 3: Jefferson's interpretation of the First Amendment shows that we should have a totally secular society.

California non-binding resolution ACT-99

Resolved, That the Legislature calls upon religious leaders to counsel on LGBTQ matters from a place of love, compassion, and knowledge of the psychological and other harms of conversion therapy; and be it further

Resolved, That in addressing the stigma often associated with persons who identify as LGBTQ, we call on the people of California—especially its counselors, pastors, religious workers, educators, and legislators—and the institutions of California with great moral influence—especially its churches, universities, colleges, and other schools, counseling centers, activist groups, and religious centers—to model equitable treatment of all people of the state;

The First Amendment in the Bill of Rights

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.

“It prevented the federal government from establishing a national religion, but it did not grant power to that government to interfere in the church-state relations decided upon by the states.”

~Thomas Woods, *Politically Incorrect Guide to American History*, 20.

1947 *Everson v. Board of Education* decision

“This Court has previously recognized that the provisions of the First Amendment, in the drafting and adoption of which Madison and Jefferson played such leading roles,”

1947 *Everson v. Board of Education* decision

“Neither a state nor the Federal Government can, openly or secretly, participate in the affairs of any religious organizations or groups, and vice versa. In the words of Jefferson, the clause against establishment of religion by law was intended to erect ‘a wall of separation between church and State.’ ” *Reynolds v. United States*, supra, at 98 U. S. 164.

1947 *Everson v. Board of Education* decision

- 1. Foundation: Madison and Jefferson played leading roles.**

Chief Justice Rehnquist:

“It is impossible to build sound constitutional doctrine upon a mistaken understanding of constitutional history ...”

1947 *Everson v. Board of Education* decision

1. Foundation: Madison and Jefferson played leading roles. Jefferson wrote:

“On receiving it [the Constitution when he was in France] I wrote strongly to Mr. Madison, urging the want of provision for the freedom of religion, freedom of the press, trial by jury. ... *This is all the hand I had in what related to the Constitution.*” [emphasis added]

1947 *Everson v. Board of Education* decision

1. Foundation: Madison and Jefferson played leading roles.

No, they didn't.

55 individuals were involved in writing the Constitution.

90 were involved in the writing of the Bill of Rights.

Jefferson was not there.

The *Everson* case set up four criteria:

There must be a wall of separation.

The primary purpose of a religious activity had to be secular [Lemon Test, 1971]

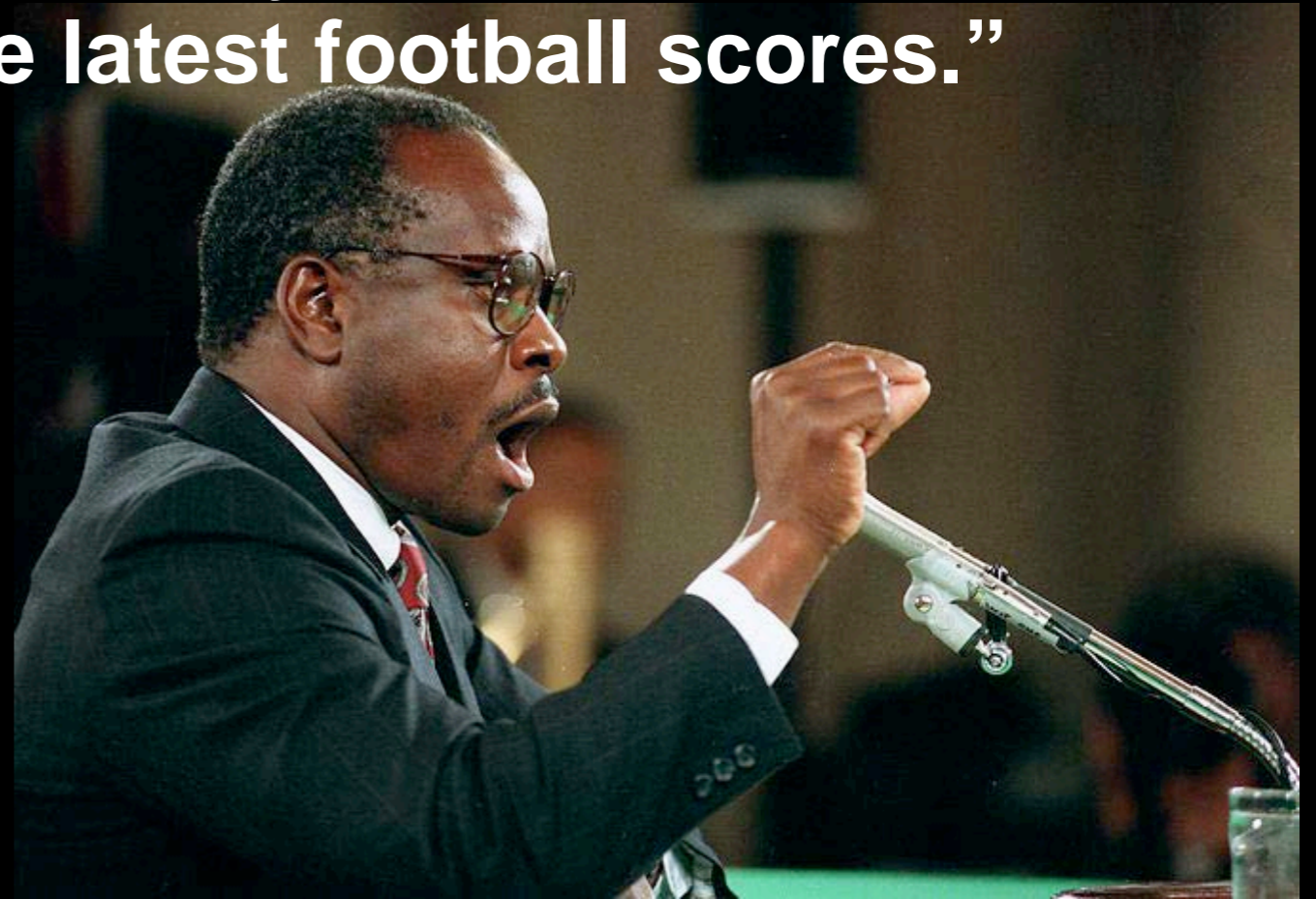
The activity cannot have the appearance that the government is endorsing religion [Endorsement Test, 1984]

If a single individual is uncomfortable in the presence of a public religious activity it is unconstitutional [Psychological Coercion Test, 1992]

- 1. Historical Usage: Precedents for the “wall of separation” metaphor.**
- 2. Historical context of the Danbury letter.**
- 3. How did the author understand the meaning of this in light of other statements and practices?**

The following is an excerpt from Supreme Court Justice Clarence Thomas' Wriston Lecture to the Manhattan Institute in 2008:

“Let me put it this way; there are really only two ways to interpret the Constitution—try to discern as best we can what the framers intended or make it up. No matter how ingenious, imaginative or artfully put, unless interpretive methodologies are tied to the original intent of the framers, they have no more basis in the Constitution than the latest football scores.”



“To be sure, even the most conscientious effort to adhere to the original intent of the framers of our Constitution is flawed, as all methodologies and human institutions are; but at least originalism has the advantage of being legitimate and, I might add, impartial.”



1. Historical Usage: Precedents for the “wall of separation” metaphor.

“[There are those who hold] that Bishops may not meddle with the affairs of the commonwealth because they are governors of another corporation, which is the Church, nor Kings, with making laws for the Church because they have government not of this corporation, but of another divided from it, the Commonwealth, and the walls of separation between these two must forever be upheld. ~Richard Hooker (circa 1590s)

Quoted in: Dreisbach, Daniel. *Thomas Jefferson and the Wall of Separation Between Church and State* (Critical America (New York University Paperback)). NYU Press. Kindle Edition.

“[T]he faithful labors of many witnesses of Jesus Christ, extant to the world, abundantly proving that . . . when they have opened a gap in the hedge or wall of separation between the garden of the church and the wilderness of the world, God hath ever broke down the wall itself, removed the candlestick, and made His garden a wilderness, as at this day.”

~Roger Williams (1644)

Quoted in: Dreisbach, Daniel. *Thomas Jefferson and the Wall of Separation Between Church and State* (Critical America (New York University Paperback)) . NYU Press. Kindle Edition.

“the separation of the Church from the State did not mean the severance of the State from God, or of the nation from Christianity.”

**~Methodist Bishop Charles Betts Galloway
(1 September 1849 – 12 May 1909)**

- 1. Historical Usage: Precedents for the “wall of separation” metaphor.**
- 2. Historical context of the Danbury letter.**

From the Danbury Baptists:

“Our sentiments are uniformly on the side of religious liberty—that religion is at all times and places a matter between God and individuals—that no man ought to suffer in name, person, or effects on account of his religious opinions—that the legitimate power of civil government extends no further than to punish the man who works ill to his neighbors;”

Jefferson's Answer to the Danbury Baptists

“Believing with you that religion is a matter which lies solely between man and his God, that he owes account to none other for his faith or his worship, that the legislative powers of government reach actions only, and not opinions, I contemplate with sovereign reverence that act of the whole American people which declared that their legislature would ‘make no law respecting an establishment of religion, or prohibiting the free exercise thereof,’ thus building a wall of separation between Church and State. Adhering to this expression of the supreme will of the nation in behalf of the rights of conscience, I shall see with sincere satisfaction the progress of those sentiments which tend to restore to man all his natural rights, convinced he has no natural right in opposition to his social duties.”

- 1. Historical Usage: Precedents for the “wall of separation” metaphor.**
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- 3. How did the author understand the meaning of this in light of other statements and practices?**

“No power over the freedom of religion ... is delegated to the United States by the Constitution” [i.e., the 1st Amendment]

“In matters of religion I have considered that its free exercise is placed by the Constitution independent of the power of the general government.”

“Our excellent Constitution ... has not placed our religious rights under the power of any public functionary.”

Thomas Jefferson's Actions

- **1774 as Virginia governor called for a public day of fasting and prayer.**
- **1776, July 4 National seal proposal included the children of Israel in the Wilderness.**
- **Various bills introduced into the Virginia legislature punishing sabbath breakers, marriages that violated the Levitical laws; days of fasting and prayer, saving church property.**

Thomas Jefferson's Actions

- **1795–1870s Church services in the Capitol building; also in the War Department and Treasury Department.**
- **Attended every Sunday he was in Washington.**
- **1801 Urged local government to make land available for Christian purposes.**
- **1802, 03, 04 Federal bills setting aside government land for missionaries to propagate the gospel to Indians.**
- **1804 Assured a Christian religious school of the patronage of the government.**



“No nation has ever yet existed or been governed without religion nor can be. The Christian religion that has been given to man is the best religion that has been given to man and I, as Chief Magistrate of this nation, am bound to give it the sanction of my example.”

~Thomas Jefferson



Prov. 14:34, “Righteousness exalts a nation,

But sin is a disgrace to *any* people.”

Prov. 29:2, “When the righteous rule the people rejoice;”