Religious Liberty: The American Experiment

Handout A: Historical Background: The Relationship of Church and State in America

The American colonies were generally characterized by established churches by the government and various forms of religious persecution. The American Revolution and Founding, however, introduced the idea of religious liberty. Most states disestablished their official churches by 1800, and the Constitution banned religious tests while the Bill of Rights banned Congress from creating a national establishment of religion. George Washington and Thomas Jefferson took two different stances on the proper relationship between the church and state. Washington believed that religion was vital to the virtue of citizens and necessary to self-government. Therefore, he encouraged private religious belief and practice while a general and later as president. On the other hand, Thomas Jefferson believed that the spheres of government and religion should be as separate as possible and coined the phrase “wall of separation” that would later be used by the Supreme Court and in popular discussions of the issue.

Handout B: Quotes from the Founding about the Relationship of Church and State

Massachusetts Constitution, Article III, 1780: The Massachusetts Constitution illustrates the close ties that many Americans at the time of the Founding saw between the promotion of religion for morality, virtue, and the public good. The Massachusetts Constitution provided for freedom of conscience within a limited establishment of religion.

Thomas Jefferson, “Notes on the State of Virginia,” 1781: Jefferson thought that government should take no cognizance of religious belief at all unless it did harm to others.

Patrick Henry, “A Bill Establishing a Provision for Teachers of the Christian Religion,” 1784: Henry introduced this bill to support public virtue through a general establishment of religion through a public tax that could be allocated to any denomination or to a school.

George Washington, Letter to George Mason, 1785: Washington expresses his support for Patrick Henry’s “Bill Establishing a Provision for Teachers of the Christian Religion” to elevate public morality and thinks it is consistent with religious liberty. However, he expresses regret for his support because of the contention over the bill in public.

James Madison, Memorial and Remonstrance Against Religious Assessments, 1785: Madison warns that a general establishment of the sort Patrick Henry proposed was dangerous and could lead to re-establishing a particular Christian sect and destroy religious liberty.

Northwest Ordinance, 1787: Article I of the Northwest Ordinance established the principle of religious liberty in the Northwest Territory, and Article III tied together religion, morality, and self-government which were linked to education and schools.

Oliver Ellsworth, Landholder, No. 7, 1787: Ellsworth opposes religious tests for office because they would favor one particular Christian sect and injure the rights of all others.
John Leland, “Right of Conscience Inalienable and Therefore Religious Opinions Not Cognizable by Law,” 1791: Leland argues that morality, virtue, and happiness are not dependent upon religion and that government must not be involved in religion. 

The First Amendment, 1791: The First Amendment bans Congress from creating an official church at the national level or from violating religious liberty.

**Handout C: Map of Disestablishment in the United States**

- **Connecticut**: Yellow
- **Delaware**: Green
- **Georgia**: Blue
- **Maryland**: Yellow
- **Massachusetts**: Yellow
- **New Hampshire**: Yellow
- **New Jersey**: Green
- **New York**: Blue
- **North Carolina**: Blue
- **Pennsylvania**: Green
- **Rhode Island**: Green
- **South Carolina**: Blue
- **Virginia**: Blue

**Critical Thinking**

1. States had local autonomy in deciding whether to establish and disestablish their churches.
2. The First Amendment banned Congress, not the states, from having an established church.
3. The revolutionary idea of religious liberty led to the movement for disestablishment in the United States at the state and national level. However, the principle of federalism meant that the states and national government could decide when this occurred.

**Handout D: George Washington, “Farewell Address,” 1796**

Washington thinks that religion is essential for virtue and morality which in turn are necessary for republican self-government to thrive and endure. Therefore, he supports government promotion of religion as well as religious liberty.

**Critical Thinking**

1. Religion promotes morality and virtue and makes good citizens necessary for a republic.
2. Washington states, “Tis substantially true, that virtue or morality is a necessary spring of popular government” and supports the notion that government should help promote religious belief and practice.

Jefferson thinks that the powers of government do not involve religious opinions because they are a private, individual matter. Therefore, he advocates a “wall of separation” between the church and state.

Critical Thinking

1. Jefferson wants the church and state to be separate, and the government to have no role in supporting any religion. He believes the First Amendment’s establishment clause supports his view and advocates it in the states, which were not bound by the First Amendment.

2. Answers will vary. Jefferson was at the forefront of the fight for disestablishment in Virginia and supported a “wall of separation” while president, but he did not seek to ban all connections between government and religion.

Document F: Scenario Cards

Scenario 1
Washington would probably support because the non-denominational prayer promoted virtuous behavior and citizenship, and it did not create an official church. Jefferson would probably oppose the prayer because it was an expression of religion sponsored by public schools.

Scenario 2
Washington would probably support because the Ten Commandments supported a code of moral behavior among citizens. Although Jefferson supported the principle of separation of church and state, the scenario states that a civic group was paying for the plaque. Also, there were similar kinds of religious or biblical imagery around the capital when Jefferson was president. Therefore, he might support it.

Scenario 3
Washington would probably support the public tax especially if it was available to other denominations as well such as with Henry’s general assessment. Jefferson would probably oppose using taxpayer money to support a particular denomination or religion in general.

Scenario 4
Both Washington and Jefferson would oppose the act for violating the First Amendment and freedom of conscience.