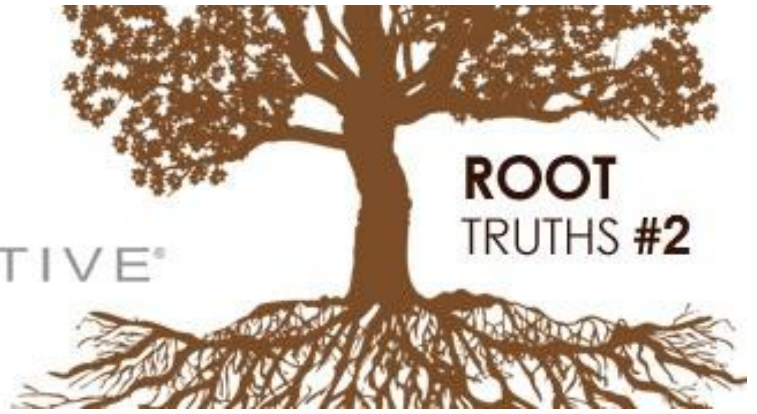




THE
OAK
INITIATIVE®



**ROOT
TRUTHS #2**

July 21, 2010

Root Truth #2

Wall of Separation of Church & State

(Research by John and Wendy Petzel – Fort Mill Oak Chapter Members)

Oak Root Truth #2: Establishing the Christian Faith as Free from Government Legislation or Control.

Deception

“Wall of Separation of Church & State” means the bilateral eradication of religion or freedom “from” religion from every aspect of “public life.”

Truth

“Wall of Separation of Church & State” ensured the free expression of one’s Christian faith in every area of public and private life unilaterally unimpeded by the government.



- 1) The “wall of separation between Church & State” was never in the U.S. Constitution,ⁱ Bill of Rights,ⁱⁱ or any other Amendments.ⁱⁱⁱ
- 2) The phrase “wall of separation between Church & State” first was penned in January 1802 by President Thomas Jefferson.^{iv}
 - a. This was in his response to a letter sent by the Danbury Baptist Association, expressing concern that government would “take the prerogative of Jehovah and make laws to govern the Kingdom of Christ”.^v
 - b. Along with other Colonists, these Baptists had just escaped the tyrannical rule of King George of England, who forced his church on everyone under his rule.
 - c. They recognized religious freedom was an “inalienable right”, which was not to be legislated or controlled by the government.^{vi}
- 3) In his response, Jefferson quotes from the First Amendment assuring them:

- a. The government would not establish a religion^{vii} (church of its own as King George had done).
 - b. Or make any law that would “prohibit the free exercise thereof.”^{viii}
 - c. He personally coined the phrase “building a wall of separation between Church & State”^{ix} to emphasize this point.
 - d. His whole purpose in saying this was to reiterate the inalienable right and protection of the Christian Church, the “Kingdom of Christ” from government legislation or control.^x
- 4) Jefferson’s “wall of separation” was **not** intended to be bilateral keeping the free expression of the Christian faith from every aspect of civil government or public life. If he had intended that the evidence of history would have born that out. But history shows the opposite.^{xi} (See Oak Root Truth #1.)
- 5) Due to a string of inept jurisprudence beginning in 1879, the U.S. Supreme Court elevated this extra constitutional phrase “wall of separation”^{xii} to current constitutional doctrine.
- a. U.S. Supreme Court’s 1879 ruling in *Reynolds v. United States* (regarding Mormon polygamy) uses Jefferson’s letter, but does not reference the “wall of separation” phrase.
 - b. In the landmark 1947 case of *Everson v. Board of Education*, after discovering it in *Reynolds*, Justice Hugo L. Black invokes only this phrase to support separatist construction and elevates it to constitutional doctrine. Never addressing the First Amendment text, “‘In the words of Jefferson,’ the Court famously declared, the First Amendment has erected ‘a wall of separation between church and State’. . . . That wall must be kept high and impregnable. We could not approve the slightest breach.”^{xiii} Jefferson was depicted by Justice Black “as a leading architect of the First Amendment despite the fact that he was in France when the measure was drafted by the First Federal Congress in 1789.”^{xiv}
 - c. In an amicus brief filed in *Everson* the American Civil Liberties Union (ACLU) deceptively stated that the “separation of church and state is a fundamental American principle.”^{xv}
 - d. Later in 1948, Protestants and Other Americans United for the Separation of Church and State (today, Americans United for Separation of Church and State), a leading strict separationist advocacy (‘bilateral wall partisan’) organization, wrote the phrase into its founding manifesto. Among the “immediate objectives” of the new organization was “[t]o **resist** every attempt by law or the administration of law further to widen the breach in the wall of separation of church and state.”^{xvi} (Emphasis was added.)
 - e. In *McCullum v. Board of Education* (1948), the Court essentially constitutionalized Jefferson’s phrase, subtly and blithely substituting his figurative language for the literal text of the First Amendment.^{xvii}
 - f. Since *McCullum* in 1948, with the “wall of separation” as the defining motif for church-state jurisprudence and encouraged by the ACLU, U.S. Supreme Court has consistently ruled against religion in government public schools.^{xviii} These cases eliminated
 - i. Prayers and devotionals in public schools (*Engel v. Vitale, 1962*)^{xix},
 - ii. Prayers and bible-reading (*Abington School District v. Schempp, 1963*)^{xx},



- iii. Prayers at public school commencements (*Lee v. Weisman*, 1992)^{xxi}, and
 - iv. Student-led prayers at public school events (*Santa Fe v. Doe*, 2000).^{xxii}
- 6) Daniel L. Dreisbach (JD, PhD, Professor of Justice, Law and Society at American University) clearly states the faulty opinions of the U.S. Supreme Court on the “wall of separation”.^{xxiii}
- a. First, Jefferson’s phrase emphasizes *separation* between church and state.
 - b. This is unlike the First Amendment, which speaks in terms of the nonestablishment and free exercise of religion.
 - c. Second, a wall is a bilateral barrier that inhibits the activities of both the civil government and religion.
 - d. This also is unlike the First Amendment, which imposes restrictions on civil government only.
 - e. The various First Amendment guarantees (free press, free speech, freedom to assemble, or freedom to petition for a redress of grievances), however, were entirely a check or restraint on civil government, specifically on Congress, not to protect the civil state from the influence of, or overreaching by, religion.^{xxiv}
 - f. Thus, this “wall of separation” not only prevents the civil state from intruding on the religious domain but also prohibits religion from influencing the conduct of civil government.^{xxv}
 - g. The bilateral “wall of separation” necessarily exceeds the limitations imposed by the Constitution.^{xxvi}
 - i. Unavoidably restricting religion’s ability to influence public life,
 - ii. Inhibiting religion’s ability to inform the public ethic,
 - iii. Depriving religious citizens of the civil liberty to participate in politics armed with ideas informed by their spiritual values,
 - iv. Infringing on the right of religious communities and institutions to extend their prophetic ministries into the public square,
 - v. Silencing the religious voice in the public marketplace of ideas, and
 - vi. Segregating faith communities behind a restrictive barrier.^{xxvii}
- 7) The Soviet Union and the People’s Republic of China already have had many years of experiment as atheistic nations and failed utterly. The blessing, bounty, and prosperity of the United States over the decades can only be attributed (and has been affirmed by a panel of Chinese scholars appointed by Jiang Zemin) to the Hand of Divine Providence, the Christian God of the United States!^{xxviii} The retiring President Zemin stated, when asked what he would wish for his country now that he was no longer its leader, in 2002 that he “would like for my country to become a Christian nation.”^{xxix}
- 8) In 2009, as the U.S. Congress was proposing the Healthcare bill, Russian Prime Minister Vladimir Putin warned and rebuked the U.S. for considering socialism. He noted its failure in his country and implored the U.S. to learn from their failure and not exercise “excessive intervention in economic activity and blind faith in the state’s omnipotence”.^{xxx}



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Action Items:

In Order to Establish the United States as a Morally Sound Nation That Honors God.

- 1) Break the silence! Speak up!
- 2) Say “no” to intimidation!
- 3) Bring the proclamation of God’s Word and Gospel of the Kingdom and magnification of Jesus as Lord back to every sector of public life.
- 4) Require public schools to teach the Founding Father’s faith, the Constitution and Bill of Rights.
- 5) Require the equal teaching of Scientific Creationism next to show evolution for what it is; a theory replete with error.
- 6) Restore abstinence based education to be taught in schools.
- 7) Christian values taught in schools as basis for moral decision making.
- 8) Christians must regain their voice in their businesses.
- 9) People of America it is time to regain your voice and break this silence.
- 10) Break the “spirit of intimidation” that has kept you silenced for so long!
- 11) Live out and proclaim the name of Jesus and His gospel of the Kingdom in public schools, colleges and universities, work places, government offices on the local, state wide and federal level.
- 12) Turn on the Light! Speak out! Too long this nation has remained in darkness. Too long the church of Jesus Christ has remained silent. Our Lord states that if you deny me before men, I will deny you before My Father in heaven, but if you acknowledge me before men I will acknowledge you before My Father in heaven.
- 13) Break the silence! Regain your voice! Lift up the Name of Jesus in public arenas and He will draw all men to Himself!

ⁱ *The Constitution of the United States.*

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ⁱⁱ *The Bill of Rights.* <http://www.archives.gov/exhibits/charters/bill_of_rights_transcript.html> (accessed November 19, 2009).

ⁱⁱⁱ *The Constitution Amendments 11-27.*

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^{vii} Jefferson, Thomas. *The Writings of Thomas Jefferson.*



- viii Jefferson, Thomas. *The Writings of Thomas Jefferson*.
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