

## A Chronology of Events Affecting the Church of Christ from the First Century to the Restoration

### **10b. Notes on the Establishment of Religion Clause of the First Admendment of the Constitution of the United States from 1786 to 1985**

1786	Virginia Statute for Religious Freedom on the Freedom of Religion	<p>In Virginia, the existence of Baptist preachers challenged the established Anglican Church. Young Baptist preachers were arrested and tried in Fredericksburg before the Revolution. The issue of religious freedom was incorporated into the new constitution by James Madison, who as a young lawyer had defended some early Baptist preachers.</p> <p>This statute was enacted in 1787 by the Virginia General Assembly: "Be it enacted by General Assembly that no man shall be compelled to frequent or support any religious worship, place, or ministry whatsoever, nor shall be enforced, restrained, molested, or burthened in his body or goods, nor shall otherwise suffer on account of his religious opinions or belief, but that all men shall be free to profess, and by argument to maintain, their opinions in matters of Religion, and that the same shall in no wise diminish, enlarge or affect their civil capacities."</p>
1791	First Amendment to the United States Constitution	<p>"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."</p>
1796	Treaty with Tripoli, a Muslim state of the Barbary Coast.	<p>Article 11 states: "the Government of the United States of America is not, in any sense, founded on the Christian religion."</p>
1802	Thomas Jefferson's letter to the Danbury Baptists Association in 1802	<p>"...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 &amp; State."</p> <p>The phrase was quoted by the United States Supreme Court first in 1878, and then in a series of cases starting in 1947. The phrase itself does not appear in the U.S. Constitution.</p>
1947	Everson v. Board of Education	<p>Justice Hugo Black wrote, "In the words of Thomas Jefferson, the clause against establishment of religion by law was intended to erect a wall of separation between church and state." The Court has not always interpreted the constitutional principle as meaning absolute separation of government from all things religious.</p>
1954	The phrase "under God" was added to the Pledge of Allegiance.	<p>The original text of the Pledge of Allegiance of the United States by Francis Bellamy in 1892 read as: I pledge allegiance to my Flag and to the Republic for which it stands, one nation</p>

		indivisible, with liberty and justice for all.
1962	Engel v. Vitale	Established the current prohibition on state-sponsored prayer in schools.
1963	Abington School District v. Schempp; Murray v. Curlett	
1971	Lemon v. Kurtzman	<p>This ruling established the so-called "Lemon test" which states that in order to be constitutional under the Establishment Clause of the First Amendment any practice sponsored within state run schools (or other public, state sponsored activities) must:</p> <ul style="list-style-type: none"> <li>• Have a secular purpose;</li> <li>• Must neither advance nor inhibit religion; and</li> <li>• Must not result in an excessive entanglement between government and religion.</li> </ul> <p>Public debates about the proper extent of church/state separation in the U.S. remain vigorous and impassioned. Politically active evangelical Christians such as David Barton, a former co-chair of the Texas Republican party, emphasize the religiosity of the nation's founders and assert that "separation of church and state," as widely understood by modern historians and jurists, is a myth and that the U.S. was founded as a religious, Christian nation.</p>
1985	Wallace v. Jaffree was a United States Supreme Court case deciding on the issue of silent school prayer.	<p>An Alabama law authorized teachers to set aside one minute at the start of each day for a moment of "silent meditation or voluntary prayer," and sometimes the teacher of the classroom asked upon a student to recite some prayers.</p> <p>Chief Justice Warren E. Burger and Associate Justices William H. Rehnquist (later Chief Justice) and Byron White issued dissenting opinions. Rehnquist asserted that the Court's Establishment Clause reasoning was flawed in as much as it was based on the writings of Thomas Jefferson, who was not the author of the Clause.</p>