

The Truth About the "Separation of Church and State"

Overview

The words “separation of Church and State” are not found anywhere in the U.S. Constitution, the Bill of Rights, or the Declaration of Independence. Yet, every day, you hear that you can or cannot do something in a public place because of the “separation of Church and State.”

Issue Analysis

The First Amendment of the United States Constitution reads: “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.”

So where did the phrase “separation of Church and State” come from?

This phrase came from a letter written by Thomas Jefferson in 1802 to a group of Christians from the Baptist denomination. These Christians were concerned that accepting the Constitution could ultimately allow the federal government to restrict religious freedom. Jefferson reassured them in this letter that the Constitution “build[s] a wall of separation between Church and State,” which would protect them from the government interfering with their religious beliefs. (You can read the whole letter for yourself on the Library of Congress’s website: www.loc.gov/loc/lcib/9806/danpre.html.) Thus the phrase was designed to explain that the government could not cross over to interfere in the Church’s affairs. But, in 1947, the U.S. Supreme Court in the case of *Everson v. Board of Education* took that phrase and turned it backwards to mean that religion must not be allowed to influence the State’s affairs.

Talking Points

- The phrase of “separation of Church and State” is not in the Constitution. When Thomas Jefferson first wrote that phrase in a letter to a Baptist church, he was explaining that the government could not cross over to interfere in the Church’s affairs.
- The Constitution doesn’t only guarantee our “freedom to worship” but also our freedom to practice and promote our faith. Americans don’t have to leave their faith and convictions at their church door; we have the right to carry them with us in all aspects of our lives.

Conclusion

Since 1947, anti-religious groups have used the term “separation of Church and State” to silence people of faith from speaking about their religious beliefs in the public square.

But, in many cases, this is just an intimidation tactic and is not legally accurate.

This is particularly true for students in public schools and colleges. You have the right to speak about your faith, pray, lead a Bible study, and more!

Contact Center for Arizona Policy (CAP) at legal@azpolicy.org for more information regarding your rights to freely exercise your religious beliefs in the public square.

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