

The Separation of Church and State: Changing Attitudes in the American Public Arena

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INTRODUCTION AND RATIONALE

The topic of separation of church and state provides a unique opportunity for educators to discuss a relevant issue through the incorporation of a myriad of related subjects, such as European and American history, the workings of the Supreme Court, the writings of the founding fathers, and the philosophical and theological debates at various stages of U.S. history.

This paper will seek to trace the diverse historical developments that have led to the current debates between “legal secularists” and “value evangelicals” (Feldman), or “accommodationist” and “separationist” schools of constitutional thought (Flowers). The origin of the debate will be traced from the disagreements between dissenting Protestants (Puritans) and Anglicans in England via Baptists and Congregationalists in America to nativist fears of Catholic influence and the principled secularism of the 19th and 20th centuries. The aim of the paper is to enhance the understanding of Advanced Placement (AP) Government students (the target audience) about the current debates regarding school vouchers, religious displays on public land, abortion, school prayer, the Pledge of Allegiance and so on. Students are highly aware of the restrictions on religious debate in the public schools and are interested in learning why. I shall attempt to divide this undertaking into several separate chapters or sections that will be designed into independent lesson plans in the finished product of this seminar. The finished lesson plans can be incorporated into various subjects (such as AP U.S. History, AP World History, Sociology, European History, etc.) and taught in a succession of class periods or as individual units designed to highlight a particular idea or time period. Documentary clips from speeches, primary text sources, motion pictures, and scholarly work will all be used to enhance the lessons, which will be the product of the research in this paper.

Since the advent of the Protestant Reformation in 16th century Europe, the role of religion in government has been one of the most critical debates among Enlightenment thinkers, dissenting Protestants, Anglicans, Catholics and monarchists alike. The reformation brought forth a vast array of dissenting Protestant groups who felt that they were threatened by established national churches such as the Anglican Church in England, the Lutheran Churches in Northern Europe, and later the Episcopal Church and some Congregationalists in the American colonies and states. Although the origin of the debate is to be found in the Protestant Reformation, the debate itself had a profound impact on the founding fathers of the American experiment in their efforts to design a constitution and a working republic.

In more than two hundred years that have ensued since the Declaration of Independence and the drafting of the Constitution, an already diverse religious landscape in America has grown even more diverse and complex, leading to a host of debates and different approaches towards the role, if any, religion should play in the public sphere. Was there to be governmental support for religious institutions? Could government money be used for religious or only clearly secular purposes? In fact, the very notion of secularism seems to have changed meaning since the founding of this nation. Non-establishment of religion as stated in the 1st Amendment of the

Constitution has been expanded from an understanding of religious neutrality or institutional separation to include a prohibition of a whole variety of activities or public displays of religiosity.

The following units will be discussed in this paper:

1. The origins of Non-establishment and the freedom of conscience movement
2. The Founding Fathers on Religion and State
3. Nativism, Catholic immigration, and religious change in the mid-19th century
4. From Nativism to Secularism

OBJECTIVES

The following learning objectives are taken from the Texas Knowledge and Skills for Social Studies and were chosen to reflect the rationale of the teaching unit:

- 1) Analyze the effects of changing demographic patterns resulting from immigration to the United States.
- 2) Explain actions taken by people from racial, ethnic, and religious groups to expand economic opportunities and political rights in American society.
- 3) Identify bias in written, oral and visual material.
- 4) Identify elements in a contemporary situation that parallel a historic situation.
- 5) Identify the causes, characteristics and effects of the European Renaissance and the Reformation eras.
- 6) Analyze the principles and ideas that underlie the Declaration of Independence and U.S. constitution, including those of Thomas Hobbes, John Locke, and Charles de Montesquieu.
- 7) Analyze contributions of the political philosophies of the Founding Fathers, including John Adams, Alexander Hamilton, Thomas Jefferson, and James Madison, on the development of the U.S government.
- 8) Analyze selected issues raised by judicial activism and judicial restraints.
- 9) Analyze issues addressed in selected court cases, such as *Engel v. Vitale* etc., which involve Supreme Court interpretations of civil rights and liberties.
- 10) Analyze the impact of the incorporation doctrine involving due process and the Bill of Rights on individual rights, federalism, and majority rule.
- 11) Describe stereotypes of various U.S. subcultures.

UNIT BACKGROUND

The Origins of Non-establishment and the Freedom of Conscience Movement

The origin of Anglicanism as founded by King Henry VIII of England is strongly linked to the debate on the separation of church and state. Although monarchs in the medieval period were thought of as divinely appointed rulers and often sought the approval of the ecclesiastical authorities (i.e., the Pope), it had been a clearly understood axiom that the two institutions, namely the Catholic Church and the temporal authorities, the State, should be two distinct institutions. This was not to mean, of course, that the two would not heavily influence one another. It would have been quite horrendous to the people of the 15th century to suggest that religion should not guide government. Although this was the normal state of affairs, there were occasions in which Archbishops assumed temporal power and political figures sacred offices. In fact, this intertwining of the two realms was heavily criticized and abhorred. The Protestant Reformation sought to reposition each realm into its appropriate sphere. The understanding was that an institutional blurring of the two institutions could only harm both. Simony, which involved secular rulers employing clerics in government and often selling ecclesiastical offices for that purpose, was widely condemned by both the Roman Catholic Church and the Church of England. In fact, Dante's *Inferno* condemns offenders to eternal damnation for this sin (a

translated excerpt from the *Inferno* could be used as primary source when discussing religion in Medieval Europe).

Then the Church of England broke with the Pope; however, the temporal authority of the King was institutionally linked for the first time with the church. Indeed, the King became the head of the Church. This arrangement, done more for political expedience than for legitimate theological reasons, provided the cornerstone for “establishment.” Dissenting Protestants, such as the Congregationalist Puritans, felt rejected and discriminated against by this arrangement. They wanted a theological break with Rome, not just an institutional one. Ecclesiastical suppression of dissenting Protestants with the full force of the monarchy behind it was not seen simply as a matter of theological disagreement, but as one of the nature of temporal power. Disagreement with the theology of the established Church of England also became a disagreement with the Crown. To change the Church was tantamount to rebellion. Historical events in 16th century England underline this assertion.

Defenders of the establishment often argued that separation of the institutions would also lead irrevocably to the undermining of the moral authority of the church in the affairs of government. They rightly argued that such separation of religion from government had never been envisioned by Christians. They feared that religion as a purely private matter would eliminate the possibility of outright moral legislation. Dissenting Protestants certainly never envisioned this; quite the contrary, they enforced very strict moral norms during Cromwell’s rule and in the colonies of New England. In contrast, dissident opposition was based on “freedom of conscience” (Hamburger 29). Dissenting Protestants believed the government should not establish a national church because they feared persecution and unfair treatment. Most dissenters were Congregationalists, Presbyterians, and Baptists, and they had a different conception of church organization and memberships. They were non-episcopal and believed in an individual relationship with God. They had little need for institutional religion in the sense of the Church of England. Conceptually, establishment came more natural to the Anglican Church because of its ecclesiastical organization. Furthermore, one might ask: What was there to establish when there was no institution? This is, of course, truer for Congregationalists and later evangelical Churches than it was for the Presbyterians who had established elders in leadership positions.

American dissenters in the years after the Revolution had little outright persecution to fear. Their argument against establishment was essentially one of fairness and neutrality. No denomination or religion should be given legislative advantages, such as the common practice of paying the salaries of establishment clerics, allowing only establishment ministers to conduct marriages, and so forth (Hamburger 90). Many dissenters thus concluded that government should not use public funds to further religious institutions to the exclusion of others. The demands of the dissenters were a far cry from Jefferson’s “Wall of Separation.” Dissenters wanted equal treatment and/or exemptions (as in the case of the Quakers), not the removal of religiosity from the public arena (Hamburger 93).

The Founding Fathers on Religion and the State

Debates have raged for a long time as to the religious convictions of the founding fathers. Some argue that clear references to the Creator as in the Declaration of Independence outlines that the founders intended to found a nation based on religious principles, or at least, that its principles would be derived from divine sources. Others cite the founders’ skepticism of institutional religion and the role of separation as a cornerstone of the freedoms granted in the amendments of the American constitution. Besides the 1st Amendment of the Constitution, which expressly prohibits establishment of religion by the government, the most influential document is Jefferson’s 1802 letter to the Danbury Baptists (primary source document can be used in the lesson plan). The Baptists were a religious minority in New England, where Congregationalists

were the majority and frequently used their influence to bring about favorable state legislation (Steinfels 1). Jefferson used the now famous metaphor of “building a wall of separation between church and state.” Author Daniel Dreisbach in an interview about his book *Jefferson and the Wall of Separation between Church and State* suggests that the Danbury Baptists were rather taken aback by the formulation Jefferson used in his letter (Whitehead and Mattox). The Baptists, after all, were seeking neutrality on the part of state, not separation in the sense of creating an insurmountable barrier between the two spheres. In fact very few Americans at that time would have suggested as much. Americans viewed the moral guidance that religious groups provided as an essential element of a free and virtuous society. It is unclear what Jefferson’s intentions really were.

Some argue that Jefferson really was quite hostile to organized religion and espoused a Deist view of creation and morality. They argue that Jefferson quite freely expressed his distaste for both Roman Catholicism, which was the incarnation of all that was wrong with religion, and for the Protestant denominations, which together worked as enemies of mental freedom (Smith 1). Jefferson, as a Deist and an Enlightenment man, rather saw reason as the measure of all that is good. According to Locke, “The state of nature has a law of nature to govern it, which obliges every one: and reason, which is that law, teaches all mankind who will but consult it, that being all equal and independent, no one ought to harm another in his life, liberty or possessions” (Locke in *American Government: Readings and Cases*, 5). This is, of course, reflected almost to the word in the Declaration of Independence. Besides the obvious parallels in the text, the excerpt is quite revealing of the attitudes of both Locke and Jefferson towards religion. The law of nature is reason! While this “reason” might be derived as a gift from the Creator as Jefferson acknowledges in the Declaration, he certainly would reject the idea that religious institutions dictate through their dogmas what this law of nature is comprised of; rather it is up to “reasonable” human beings to determine it in a free society. One could argue that Jefferson would have seen the Catholic Church and similar dogmatic denominations as the very embodiment of the enemy to free society as he envisioned it.

Dreisbach argues that Jefferson, regardless of his personal convictions, welcomed the positive effects of religion on society and his “wall of separation” metaphor was misapplied by subsequent generations during the mid 19th century. Furthermore, Jefferson as a political opponent of the Federalists would not have agreed that the Bill of Rights was mandatory for all states as it was later interpreted to be (14th Amendment). Had the framers of the constitution been thinking of “separation,” they would have probably included specific language into the Bill of Rights as secularists later would try with the help of President Grant (Steinfels). Interestingly, Jefferson started the practice of having various Protestant denominations hold worship service inside the House of Representatives (Library of Congress). It seems that Jefferson was less concerned with religion and state intermingling if the religious service was compatible with his somewhat pantheistic and non-dogmatic view of what the ideal religion should look like. As mentioned above, he certainly welcomed religion’s positive effect on the morality of the nation. In essence, Jefferson’s ideal Christianity was little more than a set of moral norms, and he actively opposed the doctrines of traditional Christianity, such as the Holy Trinity, the virgin birth and the resurrection of Christ. The Jefferson Bible clearly omits references to these dogmas (Library of Congress). They simply were not “rational” enough. Jefferson’s personal religious beliefs aside, the phrase “wall of separation” was to become very influential during the mid-19th century as large-scale immigration from Catholic majority countries commenced.

Another example of the attitude of the founding fathers is provided by John Jay, who “as a delegate drafting the New York constitution successfully pushed for an amendment forbidding practitioners of religions with leaders located beyond American shore from becoming U.S. citizens (Stern).” Furthermore, the preamble to the religious freedom clause of the New York

constitution, also thought to have been authored by Jay, declares “We are required, by the benevolent principles of rational liberty, not only to expel civil tyranny, but also to guard against that spiritual oppression and intolerance wherewith the bigotry and ambition of weak and wicked priests and princes have scourged mankind” (Hamburger 81). This thinly veiled anti-Catholicism was typical for the time in a nation of Protestants, who had a very different interpretation of ecclesiastical authority. The Protestant emphasis on individual communication with the Almighty through Bible reading and interpretation was firmly engrained in the mindset of religious Protestants and Deists alike. In fact, Deists were substantially more comfortable with individual, reasoned interpretation of scripture than the perceived dogmatic, blind adherence to the sacraments of an institutional, hierarchical church such as the Catholic Church.

Madison, frequently acknowledged as the father of the constitution, seems to have been somewhat influenced by dissenting Baptists in Virginia. The Baptists had long argued for non-establishment on the grounds of “freedom of conscience” and were at the forefront in arguing that the unamended constitution did not sufficiently protect religious freedom (John Leland, Library of Congress). In Madison’s speech introducing the Bill of Rights, he seemed to have taken the dissenters’ objections into consideration. Madison maintained that “the civil rights of none shall be abridged on account of religious belief or worship, nor shall any national religion be established, nor shall the full and equal rights of conscience be in any manner, or any pretext infringed” (Library of Congress). Interestingly, the proposed 20th Amendment, which was not approved by Congress, dealt with religion; it adapted the 1776 Virginia Declaration of Rights to include “that no particular religious sect or society ought to be favored or established by law in preference to others” (Madison, Library of Congress). It is clear that although all three mentioned fathers were probably privately, or publicly, somewhat hostile to organized religions, there is little evidence to suggest that they thought a “wall of separation” in the sense of the twentieth century movement to exclude religion from the public sphere was either politically viable or even desirable.

Nativism, Anti-Catholicism, and Religious Change in the Mid-19th century

We have seen that there is ample evidence of discussions over whether there should be an established church in early American history. Enlightenment thought with its distaste for dogmatic religion had made inroads into American intellectual circles. Anti-Catholicism and religious individualism had long traditions in America. What we have not seen was a concentrated effort to build a “wall of separation” between government and religion in general.

In 1826 the Catholic Bishop of Charleston, South Carolina, delivered the first Catholic sermon in the House of Representatives. He assured the congressmen, thereby rebutting Presidents Adams who had claimed that Catholicism was “incompatible with republican institutions,” that he “will not allow to the Pope, or to any bishop of our church, the smallest interference with the humblest vote at our most insignificant balloting box” (Library of Congress).

Clearly Catholicism had always been suspect to American Protestants because of its authority structure and sacramental view of community Church life. Catholicism’s emphasis on obedience and community contrasted with American Protestant individualistic attitudes towards worship and the Enlightenment idea of reason as the ultimate measure of virtue and reality (as in the empirical approach).

With the arrival of millions of Irish Catholics, starting in the 1830s and increasing rapidly as a result of the Irish Potato Famine of 1848, anti-Catholicism grew exponentially. The Irish were living in horrendous conditions, and social problems like prostitution, public intoxication and crime were rampant (Stern). The combination of social pathology and long-standing anti-Catholicism led to the rise of xenophobic, anti-immigration groups collectively known as the

Nativists. American Nativists tied Protestantism to American identity and were thus wary of large-scale immigration of Catholics, who in their minds were mentally controlled by the Pope. The Know-Nothings movement of the 1850s based its platform on the limitation of Catholic immigration and the Americanization and Protestantization of mostly Irish Catholics. The struggle between Irish and Nativist street gangs is romanticized in the Hollywood film *Gangs of New York* (Stern). Selected clips from this film could highlight the conflict and hatred between these two groups.

When John Hughes, an Irish immigrant, became the first Catholic archbishop of New York, he began a process to transform the Irish community from a condition of poverty and crime to one of integration and success (Stern). This process involved a Catholic educational program which stressed catechesis, spiritual transformation and self responsibility. This effort involved soliciting public support for Catholic education. This move galvanized opposition by Protestant denominations and Nativists alike. Public schools had long preached anti-Catholicism and had a non-sectarian approach to teaching Protestantism using the *King James Bible*. Of course, Catholics were fearful of sending their children to such schools and thus the growth of Catholic schools commenced. Still today Catholic schools represent the bulk of American parochial schools. Nativists saw public schools as non-sectarian because no one Protestant denomination controlled the curriculum. Non-sectarian Protestantism was on the rise through the explosive growth of thousands of evangelical churches. In effect Protestantism had no need for a sectarian approach to spreading the Gospel, as the emphasis had long been on individual Bible and theological egalitarianism (Gould). Catholics naturally had a very different approach to ecclesiology, one in which the sacraments bestowed by ordained clergy were critical. Nativists began to argue that public support for sectarian schools should be deemed unconstitutional, not because they were secularists who desired to remove religion from the classroom, but because they feared the influence of Catholicism. Essentially they wanted Catholics to become good Americans through education in the public school system. As mentioned, Americanization entailed some degree of Protestantization. The point is that the process of denying public funds from religious activity and schools started not out of a secularists drive, but by Nativists who “sought separation of church (the Catholic-parenthesis mine) from state, not of (the Protestant-paranthesis mine) religion from government” (Gould). The process would culminate in the Supreme Court decisions in the 1940s and 50s under the influence of Justice Hugo Black.

Again, the 1870s saw the first real secularist calls for separation focused not on a reinterpretation of the 1st Amendment, but on the introduction of a new amendment that would require separation (Steinfels; Smith). Only later after these efforts had failed did they change strategy and focus on the interpretation of the 1st Amendment.

From Nativism to Secularism

In the decades following the civil war, The Irish, like their German Catholic counterparts, succeeded in gaining a great deal of respectability, frequently occupying positions of authority in government and civil service. New waves of Catholic and Orthodox (which were the same thing in the mind of Nativists) immigrants from countries in southern and eastern Europe flooded the great cities of the northern United States. Although the Ku Klux Klan is best known for its violent attacks on African Americans and overt racism, the KKK also openly espoused anti-Catholicism and anti-immigration sentiments. Klan support, coupled with secularist sentiments, led to the enactment of compulsory public school education laws in many places (Smith). We can see that the drive for separation was continued by a strange alliance of secularists and racist bigotry. Interestingly, California recently prohibited home schooling by parents without teaching certificates.

In addition to Nativists and secular groups, Freemasonry also supported separation on the grounds of secularism and anti-Catholicism. Catholics were prohibited from joining Masonic orders on pain of excommunication (Smith 2). The Holy See saw Masonic ideology, which replaced traditional Christianity with a pantheistic and deist world view based on reason as a threat to orthodox Christianity. Masonic rituals resembled an odd mixture of various religious and secular traditions and its teachings were at odds with the doctrines of the Catholic Church. Anglo-Saxon Masonry tended to accept members from various faiths and officially required the belief in a supreme Creator but its conception of the divine order was in much greater conflict with Catholicism than it was with the more liberal mainline Protestant groups. Elsewhere, particularly in France, Southern Europe and Latin America, Freemasonry took on a more militant atheistic opposition to the influence of the Church in society (see the post-revolutionary presidency of Calles in Mexico who actively suppressed the Catholic Church, which led to the “Cristero” Rebellion).

Separation proceeded steadily during the early 20th century, but only took its modern form after the Second World War under Supreme Court Justice Hugo Black. Black, who had been a member of the KKK and was known for his virulent anti-Catholicism, was the first to use the metaphor of the “wall of separation” in the interpretation of the 1st Amendment in *Everson v. Board of Education*. It is particularly noteworthy that Black used the language of the Jeffersonian letter to the Danbury Baptists as a source. Usually known as a strict literalist, he repeatedly used language from outside the text of the constitution. Subsequent court cases such as *Engel v. Vitale*, in which Black delivered the majority opinion, further strengthened separation by outlawing school-sponsored non-sectarian prayer. This interpretation was further strengthened in *Epperson v. Arkansas* (1968) in which the government was prohibited from favoring religion as a concept over non-religion (Smith). This case and the 1971 *Lemon v. Kurtzman* case solidified the total separation of religiosity from government by requiring that legislation meet the famous “lemon test,” which mandated a “secular purpose” and invalidates laws that have the effect of “advanc[ing]... religion” (Lewis 523-424).

Conclusion

The interactions between religion, politics and law have a long and tumultuous history in the Anglo-American world. From the radical changes of the Reformation and Enlightenment eras to the conflict between secularists and people of religion in contemporary America, the tensions have never ceased to confound the imaginations of theorists and average citizens alike. Today’s constitutional debates over gay “marriage” are just the latest stage in a long evolving debate of the role of religion in the state.

Students will increasingly be confronted with this reality, whether it is in the context of the public school or in their daily lives outside of education. Understanding the complexities of the philosophical thought and constitutional debates underlying the rather trivial discussions of these matters in the mainstream media is of vital importance if the values of American democracy are to be debated and defended by the next generation of thinkers.

LESSON PLANS

The Lesson Plans are designed and timed for 90-minute class periods.

Lesson Plan I

Objectives: TEKS 113.33. (4) History. Identify the causes, characteristics and effects of the European Renaissance and the Reformation eras. Analyze the Reformation’s effect on the relationship between the church and the state.

Teaching Activities:

Discuss the culture and societal structure of medieval Europe. Explain how religion provided an all-encompassing glue that held all aspects of society together. Show, using the motion picture *Luther* (2003), how this religiously suffused society often mingled religion and secular functions and how corruption often was the result. The film in particular shows the sale of indulgences and how it crystallized discontent among many within the Roman Catholic Church. Ask the students how they would feel if someone they trusted (like a religious institution) betrayed that trust for material gain? Point out that not everyone was corrupt and that many were genuine and/or working for reform. Wait for student responses.

Explain the role of Martin Luther in the Reformation movement and how efforts at eliminating corruption ultimately led to greater separation between ecclesiastical and secular offices and functions in Europe. Describe how this greater separation of functions was designed to limit corruption by reducing negative secular influences on church life, not to reduce religious influences from secular life, as it has been portrayed since the 19th century. In fact institutional separation was designed to keep religion pure, not government. Point out that many of the Protestant countries of the post-Reformation era established national churches (give the examples of the Lutheran national churches of today's Scandinavia). Show how ecclesiastical corruption was not solved in the national churches.

Have students watch Luther's famous speech at the Diet of Worms, which ends with the words: "Here I stand, I can do no other. God help me. Amen." Give them the text of the actual speech and have them compare the two. Ask the students if there are any differences?

The students will use the sources from the lesson and their textbook to list the disagreements of Protestant reformers with the Catholic Church.

Assessment: Have the students write a short essay explaining the meaning of Luther's speech, given the background information they were taught in the lecture and handouts. After they finish (or during the next class) ask them if they believe Luther's intention was to remove religion from politics. Answers will vary, but most will most likely reply that that was not his intention.

Resources and materials:

Luther (Motion Picture 2003)-DVD

Text of Luther's Speech before the Diet of Worms

Handout summarizing the main grievances of Luther and other Protestant reformers.

Lesson Plan II

Objectives: TEKS 113.33 (4 A/B) History and TEKS 113.32 (24 F). Identify the causes, characteristics and effects of the European Renaissance and the Reformation eras. Identify bias in written, oral and visual material.

Teaching Activities:

Give a short lecture explaining the background information about King Henry VIII's desire to remarry and his subsequent split with the Pope. Introduce important historical figures, such as Sir Thomas More, Cardinal Wolsey, and Archbishop Thomas Cranmer and explain their significance in the narrative of the split with Rome and the creation of the Church of England.

Explain how the creation of the Church of England created an unprecedented union of the Church and State, in which the King was the official head of the Church and assumed both spiritual and temporal authority (explain terms: temporal, worldly, secular, spiritual, ecclesiastical etc.)

Explain that not all Protestants in the subsequent years were happy with the ecclesiastical and theological structure of the new Church of England. In fact many felt suppressed by the King as

the head of a church they did not agree with. Give background information on the English Civil War and historical figures such as Cromwell and King Charles I.

The film *Cromwell* (1970) does a good job of revealing the popular discontent with the authority of the King and his theological intolerance of Puritans (Dissenters) and others. Show selected scenes showing the Puritans theological disagreement with the established Church of England and the Crown (for example Cromwell's smashing of religious icons and statues in a church). Tie the Puritan's iconoclastic beliefs with earlier iconoclastic movements in the Byzantine and Islamic Empire. Ask the question: What did the Puritans' desire? Why did they want to divorce the Church of England from so-called Catholic "trappings"? Use student responses to remind them of Luther's insistence on "sola scripture" or the idea that the Bible should be the only source of authority and Christian teaching.

The movies *The Crucible* (1996) and the *Plymouth Adventure* (1952) can also be shown to highlight the religious attitudes and flight of the "separatist" (Puritans who did not want to compromise and exist within the Church of England). The separatists were Puritan Congregationalists who did not want a Church with a distinct hierarchy that was subject to the secular temptations of worldly power.

The purpose of this lesson plan is to highlight the origin of the English Reformation and to explain how the association of the Crown with the Church created a large group of dissenting purist Protestants who were dissatisfied with the marriage of the Crown (which they suspected had Catholic leanings) and the barely protestant (in the view of dissenting Puritans) Church of England.

Assessment: Show selected clips from the motion picture *A Man for all Seasons* (1966) to highlight the disagreements between Sir Thomas More arguing for continued union and the others arguing in favor of alignment with Protestantism. Ask: What arguments are used by the two sides to support their respective opinions? Have the students compare and contrast the two views in a chart.

Resources and Materials:

<i>Cromwell</i>	(1970)
<i>A Man for all Seasons</i>	(1966)
<i>The Crucible</i>	(1996)
<i>The Plymouth Adventure</i>	(1952)

Lesson Plan III

Objectives:

TEKS 113.32 (10 B) Geography. Analyze the effects of changing demographic patterns resulting from immigration to the United States.

TEKS 113.32 (21 A, B) Culture. Explain actions taken by people from racial, ethnic, and religious groups to expand economic opportunities and political rights in American society.

TEKS 113.33 (2 A) Knowledge and skills. Identify elements in a contemporary situation that parallel a historic situation.

TEKS 113.37 (12 B) Culture. Describe stereotypes of various U.S subcultures.

TEKS 113.35 (2 A, B) History. Analyze contributions of the political philosophies of the Founding Fathers, including John Adams, Alexander Hamilton, Thomas Jefferson, and James Madison, on the development of the U.S. government. Give examples and analyze the impact of the changes and processes brought about by individuals, political parties, interest groups, or the

media to affect public policy. The student understands the effects of reform and third party movements on American society.

Teaching Activities and Assessment:

Students will be asked to verbally recap what they have learned about the Protestant Reformation, the English Dissenters and Puritan settlers in the New World.

The following questions will be posed: What was the attitude of early American settlers towards the Catholic Church? What did American revolutionaries think of the King of England? How did many Americans view established churches?

Responses will include: They hated the Catholics. They had theological disagreements with Catholicism. They did not like the intertwining of the King and the Church authorities. American revolutionaries hated the King. Americans wanted religious freedom without compulsion.

Explain that many of the early settlers were Congregationalist Puritans who had fled persecution by the Church of England. Although the persecution of Puritans stopped during the Commonwealth (persecution of Anglicans and Catholics were severely persecuted), it ensued after the restoration. Puritan, non-conformist beliefs, greatly influenced American religious and political attitudes. Although many American settlers were Anglicans and members of various Protestant sects, they all inherited a sense of independence from the established Church and the government. This sense continued into the late 18th century, when enlightenment thought spread among American elites. Although American elites were quite less religiously radical than the preceding generations had been, they nevertheless inherited a great distrust of any religious/government arrangement that reminded them of Catholicism and to some extent Anglicanism. During the American Revolution the American Anglican Church became the Episcopal Church and disassociated itself from the King of England (anything less would have been considered treasonous).

Use excerpts from the writings of John Jay and Thomas Jefferson to show the attitudes of American revolutionaries towards the Catholic Church and the establishment of religion. Some of the Catholic students in class, especially, will be quite surprised by the attitudes of many founding fathers towards their religion.

Once the students grasp the attitude of Americans towards Catholics in a historical perspective, they will be less astonished to learn about the vicious anti-immigrant sentiments of the mid-19th to early-20th centuries. Give the students background information about the Irish Potato famine of the 1840s and the ensuing mass emigration of Irish Catholics from Ireland to England and, especially, the United States (use anti-Irish literature in poster form to show the feelings of many Americans towards these new immigrants). Explain how poverty and high crime rates among the Irish, along with the fact that they were Catholic, contributed to the rise of Nativist groups such as the “Know-Nothings.”

Show selected scenes from the film *Gangs of New York* (2002), after having secured parental permission because of the violent content, to show the atmosphere of crime and anti-immigrant sentiments amongst the population of New York City in the 1860s.

Ask students to describe the differences between the immigrant and Nativist gangs, as well as the source of their conflict. Have them take notes and compare them with a neighbor to stimulate discussion about the film.

Ask them to relate Nativism of the 19th century to other, similar fears in more recent U.S. history, such as Chinese exclusion, anti-Jewish and Italian sentiments, segregation and aversion to recent Hispanic immigration.

Remind students that early Nativist fears were tied to the religious affiliation of immigrants, as well as their race.

Have the students write an essay comparing and contrasting attitudes towards the different wave of immigrants.

Resources and Materials:

Gangs of New York (2002) motion picture

Anti-Irish cartoons and photographs from the mid 19th century (The Library of Congress is a good source for cartoons.)

Excerpts from Thomas Jefferson and John Jay

Lesson Plan IV

Objectives:

TEKS 113.35 (14 F, C), (9 F) citizenship, government

Analyze the impact of the incorporation doctrine involving due process and the Bill of Rights on individual rights, federalism and majority rule.

Analyze issues addressed in selected court cases such as *Engel v. Vitale*, etc. that involve Supreme Court interpretations of civil rights and liberties.

Analyze selected issues raised by judicial activism and judicial restraint.

Teaching Activities:

Remind the students that American anti-Catholicism had contributed to Nativists groups' fears of recent non-traditional immigrants. Also remind them that both American and English dissenters had never been in favor of complete separation of religion from government, but merely advocated a separation of the institutions of church and state. Dissenters wanted toleration of their own religious beliefs and opposed overt favoritism by the government. Mention the 1st Amendment to the Constitution. The movie *Friendly Persuasion* (1956) shows the Quakers commitment to pacifism and their desire to be exempt from the draft during the Civil War.

Anti-Catholic efforts on the part of the Nativists were focused on education. Nativists felt that Catholics were subservient in their political beliefs to the Pope and were thus fearful of the influence of the foreign power of the Vatican. Public schools widely taught religion, but it was a non-denominational form of Protestant Christianity that was based on Bible reading and interpretation. Few Americans felt that this was a violation of constitutional principles because the schools did not favor one particular form of Protestantism. After all most Americans, before Irish and German immigration, were Protestants and many were quite content with a non-denominational approach. They were, however, not content with the prospect of masses of Catholics "infiltrating" the public school system. For a while they hoped to convert Catholic children in the majority Protestant atmosphere of the schools. Later, as the numbers of both Catholic students and teachers grew they became fearful of the prospect of Catholic dogma being taught in the schools. Many Catholics responded to bias in the public schools by building their own religious-run Catholic schools and, significantly, applying for public funding.

This move brought the first real effort to exclude religion from the classroom, and it had to be done through the reinterpretation of the 'establishment clause.' Highlight the failed attempt to include an amendment to the constitution requiring "separation" rather than just "establishment," during the Grant presidency.

Introduce later Nativist groups, such as the KKK anti-Catholic and pro-separation arguments. Use selected primary sources (see Hamburger) to reinforce this point (transparency of excerpts).

Introduce Freemasonry and explain its origin and philosophy. Use clips from the film *National Treasure* (2004) to show some of the symbolism of masonry and to show the conspiracy theories attached to this secretive fraternal order. Explain how Masons frequently stood for secularist political causes because of the grounding of Masonic ideology in Enlightenment thought. Tie this point back to the philosophies of the Founding Fathers and the European writers who influenced them.

Use a PowerPoint slide show depicting the development of the Supreme Court, highlighting the changes during the post-WWII Supreme Court. Teach about the “incorporation doctrine,” the application of the principles of the Bill of Rights to states, instead of just the federal government. Show how the “incorporation doctrine” influences many subsequent decisions ranging from civil rights and privacy to the “establishment clause.” Make the point that both secularists and nativists shared the goal of “separation” even though their reasons were vastly different.

A subsequent lesson plan could include various court opinions from selected court cases. Students could analyze the opinions using their knowledge gained in these four lesson plans.

Assessment: Ask the student to do some research on 19th century religious sects in the United States, for example, the Quakers, Mormons and others (this could be a HW assignment).

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