

Appendix 1

Disestablishment Lesson Plan: Historical Scope, Primary Source A Patrick Henry and James Madison

Excerpted from Gaustad, Edwin, editor. *A Documentary History of Religion in America to the Civil War*. Eerdmans Publishing Co.: Grand Rapids, 1982. Pages 262 and 264-5.

James Madison's Memorial and Remonstrance, 1785

"Since no single denomination emerged as the logical candidate for the 'Church of America,' then complete separation of church and state was the only alternative – or so it seemed. Actually, another real possibility emerged. For while no single church dominated eighteenth-century America, one single religion did dominate, namely, Christianity. Therefore, reasoned Patrick Henry, Richard Henry Lee, and others, why not establish and support the Christian religion? Henry (1736-1799) tried repeatedly to convince Virginia legislators to pass a 'General Assessment' bill which would declare that 'the Christian Religion shall in all times coming be deemed and held to be the established Religion of this Commonwealth...' James Madison (1751-1836), however, saw an official religion as no more pleasing a prospect than an official church. He wrote his powerful Memorial against Patrick Henry's plan, bringing those efforts to an end. Madison went on, as Virginia's representative in the First Congress, to push for an amendment to the newly adopted Constitution, which would extend the religious liberty won in Virginia to the nation itself. Jefferson and Madison, well before either became president, indeed led the way.

6. **Because** the establishment proposed by the Bill is not requisite for the support of the Christian Religion. To say that it is, is a contradiction to the Christian Religion itself, for every page of it disavows a dependence on the powers of this world: it is a contradiction to fact; for it is known that this Religion both existed and flourished, not only without the support of human laws, but in spite of every opposition from them, and not only during the period of miraculous aid, but long after it had been left to its own evidence and the ordinary care of Providence. Nay, it is a contradiction in terms; for a Religion not invented by human policy, must have pre-existed and been supported, before it was established by human policy. It is moreover to weaken in those who profess this Religion a pious confidence in its innate excellence and the patronage of its Author; and to foster in those who still reject it, a suspicion that its friends are too conscious of its fallacies to trust it to its own merits.
7. **Because** experience witnesseth that ecclesiastical establishments, instead of maintaining the purity and efficacy of Religion, have had a contrary operation. During almost fifteen centuries has the legal establishment of Christianity been on trial. What have been its fruits? More or less in all places, pride and indolence in the Clergy, ignorance and servility in the laity, in both, superstition, bigotry and persecution. Enquire of the Teachers of Christianity for the ages in which it appeared in its greatest lustre; those of every sect, point to the ages prior to its incorporation with Civil policy. Propose a restoration of this primitive State in which its Teachers depended on the voluntary rewards of their flocks, many of them predict its downfall. On which Side ought their testimony to have greatest weight, when for or when against their interest?

8. **Because** the establishment in question is not necessary for the support of Civil Government. If it be urged as necessary for the support of Civil Government only as it is a means of supporting Religion, and it be not necessary for the latter purpose, it cannot be necessary for the former. If Religion be not within the cognizance of Civil Government how can its legal establishment be necessary to Civil Government? What influence in fact have ecclesiastical establishments had on Civil Society? In some instances they have been seen to erect a spiritual tyranny on the ruins of the Civil authority; in many instances they have been seen upholding the thrones of political tyranny: in no instance have they been seen the guardians of the liberties of the people. Rulers who wished to subvert the public liberty, may have found an established Clergy convenient auxiliaries. A just Government instituted to secure & perpetuate it needs them not. Such a Government will be best supported by protecting every Citizen in the enjoyment of his Religion with the same equal hand which protects his person and his property; by neither invading the equal rights of any Sect, nor suffering any Sect to invade those of another."