

words "In God We Trust" on currency and allowing nondenominational school prayer. People using a broad interpretation of the First Amendment often oppose these kinds of actions.

People who hold either the broad or the narrow interpretation agree that the First Amendment prohibits government acknowledgment of Christmas as a holiday if the holidays of other religious groups are not recognized.

- **Literal interpretation** People holding this position suggest that the First Amendment prohibits only the establishment of an official government religion. They would not prohibit the government's participation in particular religious practices. For example, the government may participate in Christmas celebrations as long as Christianity is not declared an official established religion.

Since 1947 the Court has heard many cases involving freedom of religion. These cases have involved issues such as prayer in schools, Christmas displays of nativity scenes on government property, and various kinds of support for religious education. Although most people agree that church and state should be separate, Americans are no closer today to defining that separation than the country was in 1791.

### CRITICAL THINKING EXERCISE

#### Taking and Defending a Position on the Establishment Clause

Work in one of four groups. Each group should read one situation and answer the questions that follow. Be prepared to present and defend your position to the class as a whole.

#### GROUP 1

New York City arranged a voluntary program permitting its public schools to release students during school hours to receive religious instruction off campus.

#### GROUP 2

A Minnesota statute allowed state taxpayers to deduct from their income taxes the costs of providing tuition, textbooks, and transportation for their children who attended religious schools.

#### GROUP 3

A Kentucky statute required a copy of the Ten Commandments, purchased with private funds, to be posted on the wall of every public school classroom in the state.

#### GROUP 4

An Ohio statute authorized the state department of education to provide students at religious schools with books, standardized testing and scoring, diagnostic services, and therapeutic and remedial services.

- 1 Do you think the law or program violates the establishment clause? Why or why not?
- 2 Does your position reflect a broad, narrow, or literal interpretation of the establishment clause? Explain your answer.

### WHAT RIGHTS DOES THE FREE EXERCISE CLAUSE PROTECT?

Another important clause is called the **free exercise clause**. There are two parts to the constitutional guarantee of free exercise of religion. One is the freedom to believe. The other is the freedom to practice religious beliefs. The Supreme Court has held that individuals have an absolute right to freedom of belief or conscience. No government may interfere with this right by prescribing religious beliefs. However, the right to practice one's religion is not absolute. The practice of religious beliefs may be limited to protect other important values and interests. The problem is deciding which religious practices should be protected and which practices government may limit.

### CRITICAL THINKING EXERCISE

#### Examining Tensions between Establishment and Free Exercise

The establishment and free exercise clauses frequently are in tension. Work in small groups to consider the following examples. Be prepared to take and defend a position in each of the three situations.

- If the government pays to provide for chaplains in the armed forces and in prisons, does it violate the establishment clause? If the government refuses to provide chaplains, does it limit the free exercise of beliefs by persons in the armed forces or in prison?
- If public school officials excuse Jewish students from attending classes on Yom Kippur to attend religious services, do they give preference to a particular religious group in violation of the establishment clause? If they deny students the right to be absent, are they prohibiting the free exercise of religion?