

TEXT SUMMARY

Free expression, including freedom of religion and freedom of the press, is necessary in a free society. The 1st Amendment guarantees religious freedom through its Establishment Clause and its Free Exercise Clause. The 14th Amendment's Due Process Clause protects this freedom from acts of the States.

The **Establishment Clause** says that "Congress shall make no law respecting an establishment of religion" Thomas Jefferson described the clause as setting up "a wall of separation between church and state." The nature of the "wall," particularly as it applies to education, is not agreed upon and has therefore been the subject of many court cases. For example, in 1925 the Supreme Court ruled that a State government could not force parents to send their children to

public schools instead of private, church-related **parochial** schools.

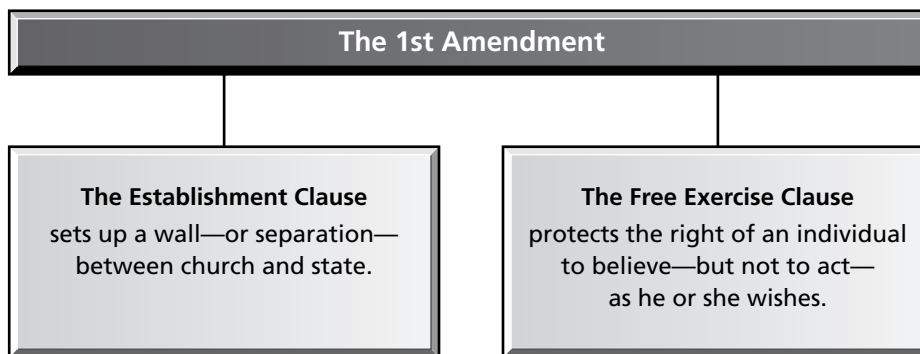
In other rulings, the Court has said that public schools may not sponsor religious events. It has not said, however, that individuals may not pray when and as they choose—in schools or in any other place.

The **Free Exercise Clause** says that "Congress shall make no law . . . prohibiting the free exercise [of religion]" It guarantees to each person the right to believe whatever he or she wishes with regard to religion. However, no person may act on behalf of those beliefs exactly as he or she chooses. For example, people may not break laws or harm others while practicing their religion.

THE BIG IDEA

The Constitution's 1st Amendment guarantees religious freedom through the Establishment Clause and the Free Exercise Clause.

GRAPHIC SUMMARY: *Guarantees of Religious Freedom*



Two clauses in the 1st Amendment guarantee religious freedom in the United States.

REVIEW QUESTIONS

1. What restriction is placed on the freedom of religion?
2. **Diagram Skills** Which 1st Amendment clause sets up the separation of church and state?