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# Separation of Church and State:

What DOES the government  
publish on religion?



## **Amdt1.2.2.1 Introduction to the Historical Background on the Religion Clauses**

CONGRESS.GOV

### **First Amendment:**

**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.**

[https://constitution.congress.gov/browse/essay/amdt1-2-2-1/ALDE\\_00013268/\['4th',%20'amendment'\]](https://constitution.congress.gov/browse/essay/amdt1-2-2-1/ALDE_00013268/['4th',%20'amendment'])



## First Amendment and Religion

The First Amendment has two provisions concerning religion: the Establishment Clause and the Free Exercise Clause. The Establishment clause prohibits the government from "establishing" a religion. The precise definition of "establishment" is unclear. Historically, it meant prohibiting state-sponsored churches, such as the Church of England.

The Free Exercise Clause protects citizens' right to practice their religion as they please, so long as the practice does not run afoul of a "public morals" or a "compelling" governmental interest.

## What is "religion" under Title VII?

Title VII of the Civil Rights Act of 1964 protects all aspects of religious observance and practice as well as belief and defines religion very broadly for purposes of determining what the law covers. For purposes of Title VII, religion includes not only traditional, organized religions, such as Christianity, Judaism, Islam, Hinduism, and Buddhism, but also religious beliefs that are new, uncommon, not part of a formal church or sect, only subscribed to by a small number of people, or that seem illogical or unreasonable to others. An employee's belief or practice can be "religious" under Title VII even if the employee is affiliated with a religious group that does not espouse or recognize that individual's belief or practice, or if few – or no – other people adhere to it. Title VII's protections also extend to those who are discriminated against or need accommodation because they profess no religious beliefs.

<https://www.cbp.gov/faqs/what-religion-under-title-vii>

Religious beliefs include theistic beliefs (i.e. those that include a belief in God) as well as non-theistic “moral or ethical beliefs as to what is right and wrong which are sincerely held with the strength of traditional religious views.” Although courts generally resolve doubts about particular beliefs in favor of finding that they are religious, beliefs are not protected merely because they are strongly held. Rather, religion typically concerns “ultimate ideas” about “life, purpose, and death.” Social, political, or economic philosophies, as well as mere personal preferences, are not “religious” beliefs protected by Title VII





Religious observances or practices include, for example, attending worship services, praying, wearing religious garb or symbols, displaying religious objects, adhering to certain dietary rules, proselytizing or other forms of religious expression, or refraining from certain activities. Whether a practice is religious depends on the employee's motivation. The same practice might be engaged in by one person for religious reasons and by another person for purely secular reasons (e.g., dietary restrictions, tattoos, etc.).

**RELIGION**



## **Supreme Court Taking Up Clash of Religion and Gay Rights**

December 05, 2022

9:42 AM

**The Supreme Court is hearing the case Monday of a Christian graphic artist who objects to designing wedding websites for gay couples, a dispute that's the latest clash of religion and gay rights to land at the highest court.**

**The designer and her supporters say that ruling against her would force artists — from painters and photographers to writers and musicians — to do work that is against their faith. Her opponents, meanwhile, say that if she wins, a range of businesses will be able to discriminate, refusing to serve Black customers, Jewish or Muslim people, interracial or interfaith couples or immigrants, among others.**



You have the right to protections against discrimination based on your religion (or lack of religious belief). The law protects not only people who belong to traditional, organized religions, such as Buddhism, Christianity, Hinduism, Islam, and Judaism, but also others who have sincerely held religious, ethical, or moral beliefs.

You have the right to reasonable religious accommodations, unless doing so would impose an undue hardship on the conduct of the employer's business. This means that your employer may be required to make adjustments to the workplace that would allow you to practice your religion, such as flexible schedules, shift substitutions, or exceptions to dress and grooming rules.

# Religion and the Founding of the American Republic



**The efforts of the Founders of the American nation to define the role of religious faith in public life and the degree to which it could be supported by public officials that was not inconsistent with the revolutionary imperatives of the equality and freedom of all citizens is the central question which this exhibition explores.**

<https://www.loc.gov/exhibits/religion/index.html>

## THE WORLD FACTBOOK

Field Listing —

# Religions

This entry is an ordered listing of religions by adherents starting with the largest group and sometimes includes the percent of total population. The core characteristics and beliefs of the world's major religions are described

<https://www.cia.gov/the-world-factbook/field/religions/>



Religion was the paramount aspect of Hawaiian life, permeating every daily activity, every aspect of secular affairs, and every significant event, such as birth, marriage, death, house construction, fishing, agriculture, and war. Ancient Hawaiians worshipped a vast number of deities, of which there were two main categories. *Akua* represented nature's elements—they were the personifications of great natural forces. The *'aumakua* were the familiar ancestral protective gods.

<https://www.nps.gov/locations/hawaii/religion.htm>



# American Latino Theme Study: Religion

spanish-speaking Catholics have lived in what is now the United States for twice as long as the nation has existed. Latinos first embraced the Protestant faith in the first half of the 19th century. Although initially their numbers were comparatively small, the famous Azusa Street Revival in Los Angeles lit the Pentecostal spark among Latinos and other racial and ethnic groups beginning in 1906. Subsequently the growth of Pentecostalism and evangelicalism became a major trend in Latino religion. Today Latinos lead and participate in a wide array of religious and spiritual groups, movements, practices, and faith-based struggles for justice. Understanding Latino religion and spirituality requires an appreciation of both its colonial Catholic roots and its increasingly diverse expressions from the 19th century to the present.



<https://www.nps.gov/articles/latinothemereligion.htm>



### [Religion, bioethics and nursing practice - PubMed](#)

[pubmed.ncbi.nlm.nih.gov/19528097/](https://pubmed.ncbi.nlm.nih.gov/19528097/)

Abstract. This article calls nursing to engage in the study of religions and identifies six considerations that arise in religious studies and the ...

### [Religion and Suicide Risk: A Systematic Review - PubMed](#)

[pubmed.ncbi.nlm.nih.gov/26192968/](https://pubmed.ncbi.nlm.nih.gov/26192968/)

Abstract. Although **religion** is reported to be protective against suicide, the empirical evidence is inconsistent. Research is complicated by the fact ...

### [Religion, Spirituality, and Health: The Research and Clinical ...](#)

[www.ncbi.nlm.nih.gov/pmc/articles/PMC3671693/](https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3671693/)

1. Historical Background and Introduction. **Religion**, medicine, and healthcare have been related in one way or another in all population groups since ...





**The Devil Is in the Details: In America, Can You Really Say "God" in School?**

**Heinrich, Jill**

**Educational Review, v67 n1 p64-78 2015**

**In the Spirit of Our Ancestors**

**Crazy Bull, Cheryl; Lindquist, Cynthia**

**Tribal College Journal of American Indian Higher Education, v30 n2 Win 2018**

**The "F-Word" of Social and Emotional Learning: Faith**

**Rhames, Marilyn Anderson**

**American Enterprise Institute**

# CATALOG OF U.S. GOVERNMENT PUBLICATIONS (CGP)

<a href="#"><u>Global trends and challenges to protecting and promoting freedom of religion or belief</u></a>	2022	Klocek, Jason,	Y 3.P 31:20/510	<a href="https://purl.fdlp.gov/GPO/gpo187255">https://purl.fdlp.gov/GPO/gpo187255</a>
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<a href="#"><u>Lines crossed [microform] : separation of church and state : has the Obama administration trampled on freedom of religion and freedom of conscience? : hearing before the Committee on Oversight and Government Reform, House of Representatives, One Hundred Twelfth Congress, second session, February 16, 2012.</u></a>	2012	United States.Congress.House.Committee on Oversight and Government Reform.	Y 4.G 74/7:112-122
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<https://catalog.gpo.gov/>



**Election 2022**

## **Religious Beliefs and Political Participation**

**David Campbell, Professor of American Democracy, University of Notre Dame**

**Wednesday, April 20, 2022, at 10:00 am**



Washington D.C.  
<https://www.state.gov/briefings-foreign-press-centers/election-2022-%e2%80%afreligious-beliefs%e2%80%afand-political-participation>

This briefing discusses recent research on the relationship between faith, religious beliefs, and politics, their influence on voting and political participation, and potential role in the 2022 midterms. Briefer [David Campbell](#) is the Packey J. Dee Professor of American Democracy at the University of Notre Dame and the former chairperson of the political science department. His research addresses civic and political engagement with a particular focus on religion and secularism, and young people.

<https://www.state.gov/briefings-foreign-press-centers/election-2022-%e2%80%afreligious-beliefs%e2%80%afand-political-participation>







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