

earlier poll showed increasing support for musicians to sing songs with lyrics that some find offensive. (See the Musicians Should Be Allowed to Sing Songs With Lyrics Some Might Find Offensive figure.)¹¹

FREEDOM OF RELIGION

The first two freedoms listed in the Bill of Rights pertain to the exercise of religion. This is unsurprising; many of the early settlers left Europe to escape religious persecution and to establish communities where they could freely practice their own religions. Although many states placed the guarantee of religious freedom in their state constitutions, the delegates who met in Philadelphia to consider a new constitution had differing ideas about the role of religion in the new country. At a particularly difficult point in the deliberations, Benjamin Franklin proposed that the delegates should pray “for the assistance of Heaven, and its blessings on our deliberations.”¹² Nearly all the other delegates attacked Franklin’s motion, arguing that a prayer session might offend some of the delegates. The original text of the Constitution reflects this reluctance to address the issue of religion, which is mentioned only once in the document. Article VI requires all government officials to take an oath to “support this Constitution; but no religious Test shall ever be required as a Qualification to any Office or public Trust under the United States.”

The First Amendment contains two clauses dealing with religious freedom: “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof.” The second and least complicated provision is the **free exercise clause**, which prohibits the government from interfering with an individual’s right to practice his or her religion.¹³ The meaning of the **establishment clause** is less clear. At the very least, it prohibits the government from establishing a national religion. Although they address different aspects of religious freedom, the two clauses occasionally come into conflict. Some people may interpret actions such as providing military chaplains or setting aside Sunday as a day of rest as government attempts to establish religion, while the government may see them as attempts to create greater access to practice religion.

free exercise clause The First Amendment provision intended to protect the practice of one’s religion free from government interference.

establishment clause The First Amendment prohibition against the government’s establishment of a national religion.

Free Exercise Clause

A literal interpretation of the free exercise clause suggests that a group may practice any religion it chooses, but is such an interpretation reasonable? What if the members engage

The free exercise of religion clause of the First Amendment protects religious beliefs, but not all religious activities, such as the handling of poisonous snakes. (© Michael Schwartz/The Image Works)

