



Religious Liberty in U.S. History

Directions: In your small group: 1) review the six case studies in the history of religious liberty below, 2) Arrange the case studies on a continuum with examples of religious liberty defended on the left side of the continuum and religious liberty denied on the right side. The way you arrange the cases is based on your analysis and the conclusions reached in small group discussion.

Continuum Example:

Religious Liberty

Defended ← ————— → Religious
Liberty Denied

**Constitution of Maryland
November 11, 1776**

And

**An Act for the Relief of the Jews of Maryland
1826**

Context: In 1776, shortly after the Declaration of Independence was written, the state of Maryland drafted a state constitution which outlined the rights, protections, and privileges of Maryland residents. The constitution required all elected officials to declare that they were Christians, excluding non-Christians such as Jews.

In 1779, Solomon Etting, a Jewish resident of Baltimore, created a campaign to change the Maryland constitution in order to address the concerns that the Constitution unfairly excluded Jews. State delegate Thomas Kennedy took up this cause and by 1826 the Maryland “Jew Bill” had become law, allowing people to hold office without declaring their belief in Christianity.

Constitution of Maryland

No test or qualification is required to hold office other than such an oath of support to this State and a declaration of a belief in the Christian religion.¹

An Act for the Relief of the Jews of Maryland

Every citizen of this state professing the Jewish Religion who is appointed to public office shall take an oath to the constitution and laws of the state instead of the declaration of belief in Christianity now required by the constitution.²

¹ Original text of the Maryland Constitution modified for clarity.

² Original text of the Act for Relief of the Jews of Maryland has been modified for clarity.



**Oath of The American Protective Association
Founded in 1887
By Henry F. Bowers**

Context: By the 1890s, the anti-Catholic American Protective Association had upwards of 2,000,000 members across the United States. This secret society was formed during a period of increased immigration to the United States and

concerns regarding the religious affiliations of immigrants whose social and political influence was feared.

I promise and swear that I will always use my power to strike the shackles of blind obedience to the Roman Catholic church from church-oppressed people. I will use my influence to promote the interest of all Protestants everywhere and I will not employ a Roman Catholic in any capacity. I will not vote for any Roman Catholic, but will vote only for a Protestant.

**The Religious Issue in American Politics” Speech
Democratic Presidential Candidate John F. Kennedy**



April 21, 1960

Context: By 1960, the United States had elected thirty-four presidents, all of whom identified as Protestant. There had never been a non-Protestant president. John F. Kennedy was raised Catholic and his faith became a source of media attention and concern to some Americans who did not want to see a Catholic president.. As a candidate, Kennedy gave a speech, responding to the attention his Catholicism had received.

I am not the Catholic candidate for President. I do not speak for the Catholic Church on issues of public policy—and no one in that Church speaks for me...The fact is that the Catholic Church is not a monolith—it is committed in this country to the principles of individual liberty—and it has no claim over my conduct as a public officer sworn to do the public interest.



**Kennedy v. Bremerton School District
Supreme Court Decision in favor of Kennedy
June 27, 2022**

Context: Joseph Kennedy, a football coach in the Bremerton School district, prayed on school grounds with student-athletes before games. He was asked by the school administration to stop and Kennedy sued the district, claiming that his First Amendment rights were being violated. The case raised the question of whether a school employee's prayer during a school event is protected speech. The Supreme Court ruled in favor of Kennedy, claiming that his First Amendment rights were violated by not allowing him to pray at games.

Justice Gorsuch, Majority Opinion:

Joseph Kennedy lost his job as a high school football coach because he knelt at midfield after games to offer a quiet prayer of thanks. Both the Free Exercise and Free Speech Clauses of the First Amendment protect expressions like Mr. Kennedy's. The Constitution supports mutual respect and tolerance, not censorship and suppression.