Compass Life Adult Sunday School

Pastor Pete

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**“The Early Decisions Regarding Religion”**

**I. Brown v Board of Education of Topeka (1954)**

The named plaintiff, Oliver Brown, was a parent, a welder in the shops of the Santa Fe Railroad, an assistant \_\_\_\_\_\_\_ at his local church, and an African American. Brown's daughter Linda Carol Brown, a third grader, had to walk six blocks to her school bus stop to ride to Monroe Elementary, her \_\_\_\_\_\_\_\_\_\_ black school one mile away, while Sumner Elementary, a white school, was seven blocks from her house. As directed by the NAACP leadership, the parents each attempted to \_\_\_\_\_\_ their children in the closest neighborhood school in the fall of 1951. They were each \_\_\_\_\_\_ enrollment and directed to the segregated schools. In the early 1950s, the National Association for the Advancement of Colored People brought class action lawsuits against school districts in several states, seeking court orders that would require the districts to allow black children to attend white schools. The original case was tried in a district court and was \_\_\_\_\_\_\_\_ on the grounds that the black schools and white schools were sufficiently \_\_\_\_\_ and therefore segregated schooling in the district was protected under the \_\_\_\_\_\_ decision. The case was heard by the Supreme Court in 1954. The chief council for the plaintiffs was Thurgood Marshall, who later became the first black Justice appointed to the Supreme Court. The lower court that ruled against Brown focused on comparisons of basic facilities offered in both the black and white schools of the Topeka school district. By contrast, the Supreme Court case involved a much more in-depth analysis, looking at the effects that the different \_\_\_\_\_\_\_\_\_\_\_\_ had on the students. The Court determined that segregation led to lowered self-esteem and a lack of confidence that could affect a child’s ability to learn. It found that separating students by race sent the message to black students that they were \_\_\_\_\_\_ to white students and therefore schools serving each race separately could never be equal. The Brown decision was truly significant because it \_\_\_\_\_\_\_\_\_\_ the separate but equal doctrine established by the Plessy decision. The 14th Amendment guarantees equal protection under the law, and the Court ruled that separate facilities based on race were therefore unequal. One piece of evidence that greatly influenced the Supreme Court decision was based on research performed by two educational psychologists, Kenneth, and Mamie Clark. The Clarks presented children as young as 3 years old with white and brown dolls. They found that overall the children \_\_\_\_\_\_\_\_\_\_ the brown dolls when asked to pick which dolls they liked the best, wanted to play with, and thought were a nice color.

**II. Cantwell v Connecticut (1940)**

Newton Cantwell and his two sons traveled to New Haven, Connecticut, to promote the message of the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. In New Haven, a statute required that anyone wishing to solicit funds or distribute materials had to apply for a license. The Cantwells did not apply for a license because, in their opinion, the government was in no position to certify Witnesses as a \_\_\_\_\_\_\_\_\_. As a result, they were convicted under a statute which forbade the unlicensed soliciting of funds for religious or charitable purposes, and also under a general charge of breach of the peace because they had been going door-to-door with books and pamphlets in a predominantly Roman Catholic area, playing a record entitled "Enemies" which attacked \_\_\_\_\_\_\_\_\_\_\_\_\_\_. Cantwell alleged that the statute they had been convicted under infringed upon their right to free speech and challenged it in the courts. With Justice Roberts writing the majority opinion, the Supreme Court found that statutes requiring a license to solicit for religious purposes constituted a prior \_\_\_\_\_\_\_\_ upon speech and gave the government too much power in determining which groups were permitted to solicit. The officer who issued licenses for solicitation was authorized to inquire whether the applicant did have a religious cause and to decline a license if in his view the cause was not religious, which gave government officials \_\_\_\_\_\_\_\_\_\_\_\_\_ authority over religious questions. Such a censorship of religion as the means of determining its right to survive is a denial of liberty protected by the First Amendment and included in the liberty which is within the protection of the Fourteenth. The breach of the peace accusation arose because the three accosted two Catholics in a strongly Catholic neighborhood and played them a \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ which, in their opinion, insulted the Christian religion in general and the Catholic Church in particular. The Court voided this conviction under the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ test, ruling that the interest sought to be upheld by the State did not justify the suppression of religious views that simply annoyed others. Cantwell and his sons may have been spreading a message that was unwelcome and disturbing, but they did not physically attack anyone. This decision was also notable because it was the first time that the Court had incorporated the Free Exercise Clause into the Fourteenth Amendment - and after this case, it always has.

**III. Torcaso v Watkins (1961)**

Do you have the right to \_\_\_\_ believe? In other words, does your right to religious freedom give you the same right to not believe in a religion? This is the issue the Supreme Court dealt with in Torcaso v. Watkins (1961) Roy Torcaso sought an appointment from the state of Maryland to be a notary public, which allowed him to attest to the signatures of people signing documents. After completing the requirements for becoming a notary, he was appointed as a notary public by the Governor of the State of Maryland. However, his commission was denied when Torcaso, who was a professed atheist, refused to \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ as required by the Maryland Constitution. It stated, ''No religious test ought ever to be required as a qualification for any office of profit or trust in this State, other than a declaration of \_\_\_\_\_\_\_ in the existence of God. Torcaso sued the state in a Maryland Circuit Court, claiming the requirement violated his First and 14th Amendment rights under the Constitution. The court \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ his suit, and he appealed to the Maryland State Court of Appeals, the state's highest court. The court affirmed the Circuit Court's ruling, and Torcaso appealed to the U.S. Supreme Court. The First Amendment has two clauses that provide religious freedom to citizens. The free exercise clause, which prohibits the government from infringing on a person's right to worship and engage in religious activities, and the establishment clause, which prevents the government from establishing a religion. When the Constitution was accepted by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, the rights found in the Constitution were enforceable only against the federal government, but not against state governments. The 14th Amendment, ratified in 1868, extended many of those fundamental rights to the citizens of the states. At the time of the present case, this included the religious freedoms found in the First Amendment. Article 6, Section 3 of the Constitution prohibited \_\_\_\_\_\_\_\_\_\_\_\_\_\_ as a requirement to hold any federal public office. This meant that requiring a person to pronounce their faith or a denomination of a faith to hold a federal public office was prohibited. The Constitution of the State of Maryland specifically stated that that their clause was \_\_\_\_\_ a religious test even though it required a belief in God. The Supreme Court held that such a requirement places the state of Maryland firmly on the side of those people who believe in God and are willing to state their belief. With this requirement, Maryland effectively aids religions that profess a belief in God at the expense of any other form of belief or disbelief. The First Amendment expressly prohibits a \_\_\_\_\_\_ from taking this position. Although the candidate has the option of not pursuing public office rather than declaring a belief in God, the test is an unconstitutional encroachment on the freedom of religion. Justice Felix Frankfurter and Justice John M. Harlan concurred in the result.

**IV. Braunfeld v Brown (1961)**

"\_\_\_\_\_\_\_\_\_" are state laws which prohibit non-essential or certain forms of commerce on Sundays, in order to create a uniform \_\_\_\_\_\_\_\_\_\_\_ for the community. They have their origins in the colonial period, and were named for the color of the paper on which they were originally printed. In 1959, Pennsylvania passed just such a blue law, requiring shops and other businesses to remain closed on \_\_\_\_\_\_\_\_. The appellant, Abraham Braunfeld, owned and operated a clothing and home furnishing store in Philadelphia. He was also an Orthodox Jew; his religion required him to observe the \_\_\_\_\_\_\_, from sundown Friday to sundown Saturday, by engaging in no work and closing his shop. Because of the revenue lost on Friday evening and all-day Saturday, Braunfeld relied on being open on \_\_\_\_\_\_\_\_\_\_\_. Braunfeld asserted that if he was required to also close his shop on Sundays, in accordance with the Pennsylvania blue law, he would necessarily suffer economic hardship, and would not be able to continue in his business. The appellant asserted that this interfered with his First Amendment right to the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. The case was dismissed at the state level and appealed to the U.S. Supreme Court. The appellant in this case argued that the Pennsylvania statute was an attempt to establish a religion, since the blue laws emerged from the \_\_\_\_\_\_\_\_\_\_ practice of refraining from work on Sunday. They also asserted that the statutes violated the Fourteenth Amendment, by not providing equal protection to people of different religious faiths. In a 6-to-3 decision, the Court held that the Pennsylvania blue law \_\_\_\_\_\_\_\_\_\_\_ violate the Free Exercise Clause

.**3/1 “The Times They are Changing”**