



Paideia Seminar Plan

Text: [Free Exercise Clause and Establishment Clause Text Set](#)

Pre-Seminar Content

Launch Activity

Begin by asking the lesson's inquiry question: "Does America really have separation of church and state?" Allow students to share their knowledge about the structure of government and the protection of religious freedoms.

A brief class discussion may include examples of the First Amendment along with the idea of separation of church and state. Tell students that the idea of separation of church and state means the government should remain neutral toward all religions and not officially recognize or favor any one religion. When using the phrase "separation of church and state," church refers to religion in general, while state refers to the government.

Inspectional Read

1. Distribute copies of the [Free Exercise Clause and Establishment Clause Text Set](#).
2. Assign students to five collaborative groups; each should be assigned to a different section.
3. One group member will read their assigned section aloud. While listening, other group members will annotate the section using the Annotation Station strategy.

Background Information: Provide the following background information for the students.

The freedom of religion in America has a long history. Many early American colonies were founded by religious groups seeking refuge from persecution in Europe, like the Pilgrims and Puritans of Massachusetts and the Catholics of Maryland. Some colonies, like Rhode Island and Pennsylvania, adopted more tolerant and inclusive policies toward different religious beliefs. The Maryland Toleration Act of 1649 was the first law to protect religious freedom in the thirteen colonies; it ensured religious freedoms to Christian settlers of different denominations in hopes that it made Maryland a more desirable location for immigration.

The diversity of approaches in various colonies laid the groundwork for the eventual inclusion of religious freedom protections in the Constitution. Article VI provided the only protection in the U.S. Constitution for religious freedom stating, "No religious Test shall ever be required as a Qualification to any Office or public Trust under the United States." Anti-Federalists did not believe this was sufficient to protect religious liberty and wanted it to be further included. It was ultimately included in the First Amendment of the Bill of Rights in 1791.



However, these two clauses have come into conflict over the years and some scholars argue that they likely changed in their original meanings. The tensions of these two clauses have manifested in numerous legal challenges in Supreme Court cases. The interpretation of these clauses has evolved, with shifting judicial perspectives impacting the balance between allowing individuals to freely exercise their own religion and preventing government actions that might favor particular religious beliefs or practices. This tension demonstrates the ongoing complexities in defining the boundaries of religious liberty in a diverse society.

Vocabulary

Have participants share the words and phrases they found unfamiliar while a volunteer lists them on the interactive whiteboard. Be sure to include the following:

- Redress
- Sovereign
- Reverence
- Free exercise clause
- Establishment clause
- Inalienable rights
- coercion

Discuss as a class, as needed, until all participants are comfortable with the surface meaning of the text.

Analytical Read

Instruct each group to reread the text selection, slowly highlighting the three most impactful lines or sentences. Then, in the selections' margins, write notes on what makes those lines or sentences compelling. To support the students' efforts to annotate the text, consider providing the following guidance:

- Think about which three sentences/statements in your assigned section are most powerful or important and highlight them.
- Why do you think the statements you highlighted are among the most important in this section? Note your reasoning in the margin near each highlighted statement.
- Consider what message or purpose the author had in mind when they issued their respective statement. Note your reasoning in the margin near the highlighted statement.



Pre-Seminar Process

Define and State the Purpose of the Seminar

Tell the students that a Paideia seminar is a collaborative, intellectual dialogue about a text facilitated with open-ended questions. The primary purpose of this seminar is to arrive at a fuller understanding of the textual ideas and values of ourselves and each other.

Describe the Responsibilities of the Facilitator and Participants

Say: “In my role as the facilitator, I am primarily responsible for asking challenging, open-ended questions. I will take various notes to keep up with the talk’s turns and flow of ideas. I will help move the discussion forward by asking follow-up questions based on my notes.

In your role as the participant, I ask each of you to think, listen, and speak candidly about your thoughts, reactions, and ideas. You can help each other do this by using each other’s names.

You do not need to raise your hands to speak; rather, the discussion is collaborative in that you try to stay focused on the main speaker and wait your turn to talk.

You should try to both agree and disagree courteously and thoughtfully. For example, you might say, ‘I disagree with Joanna because...,’ focusing on the ideas involved, not the individuals.”

Have Participants Set a Personal Goal

Instruct students to reflect on how they normally participate in a discussion as a group. Ask students to set a goal for themselves that will help the flow and meaning of the seminar using the “Before the Seminar” section of the [Paideia Seminar Civil Dialogue Organizer](#).

Please consider the list of personal participation goals:

- To speak at least three times
- To refer to the text
- To ask a question
- To speak out of uncertainty
- To build on others’ comments

Ask students if there is one that is relevant for them individually. Please choose one goal from the list or one goal that you feel is best and commit to achieving it during the discussion they are about to have. Write down or circle your personal goal.

Agree on a Group Goal

Tell students, “For this seminar, I will suggest that our group goal should be...” (Display for all to see or have a brief discussion to decide and post the group goal.) The teacher will select the class goal from the [Paideia Seminar Civil Dialogue Organizer](#).



Seminar Questions

Opening (Identify Main Ideas from the Text)

- Which text best illustrates the tension between the free exercise clause and the establishment clause? (round-robin)
- Why did you pick that particular text? (spontaneous discussion)

Core (Analyze Textual Details)

- What did the Framers believe would be the balance between the two clauses?
- How have the court's interpretations changed over time?
- Is it more important to protect free exercise or ensure there is no establishment of religion?
- Why is finding a balance between the two so difficult?

Closing (Personalize and Apply the Ideas)

- What actions do you think today would violate either clause in schools?
- What other tensions exist in our constitutional system?
- Should the Supreme Court use historic or evolving understandings of the free exercise and establishment clauses to interpret cases that come before them?
- How could Congress clarify the meaning of the two clauses?
- Does America really have separation of church and state?



Post-Seminar Process

Thank the students for their focused and thoughtful participation in the seminar.

Post-Seminar Reflection

Encourage students to complete the “After Seminar” section of the [Paideia Seminar Civil Dialogue Organizer](#). Allow time for students to reflect on their participation and that of the class. Students will self-evaluate the success of accomplishing their personal goal and the class goal, as well as reflect on the seminar experience.