

## Religious Diversity in California

The first words of the First Amendment to the U.S. Constitution protect our religious freedom. Those words are:

Congress shall make no law respecting the establishment of religion, or prohibiting the free exercise thereof...

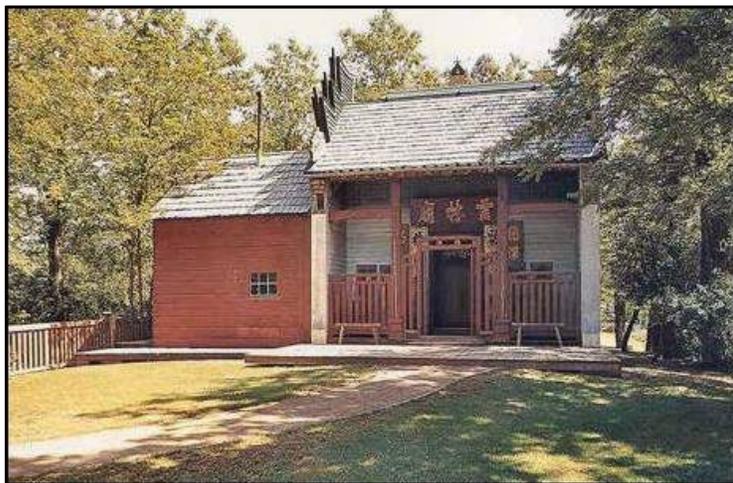
What do these words mean? The words about "establishment" mean that the government cannot create an official religion. The words about "free exercise" mean that the government cannot interfere with each of our religious beliefs.

These words originally only applied to the federal government. Like equal protection and due process, they now apply to state governments, too. California and all the other states must respect the First Amendment.

Today, one-third of California's believers are Roman Catholic. Many others are Protestant Christian, Buddhist, Jewish, Mormon, Hindu, Sikh, and Muslim. One-fifth of Californians have no religion at all. How did the state come to be so religiously diverse?

### Early Religious History

From north to south, some of California's religious buildings give clues to this past. Diverse people have come and settled, bringing their cultures and religious traditions.



In Trinity County you can find the Joss House, the oldest Taoist temple in the state. Taoism is a traditional Chinese faith in "The Way," or Tao. Chinese immigrants came to work on the railroads and settled in northern California in the 1800s. They built the temple in 1874.

The Joss House is located in Weaverville in Northern California. (National Park Service.)

Further south in Stockton you can find Temple Israel, the state's oldest Jewish congregation. It was built in 1854. Many Jews immigrated to the state during the Gold Rush, including Levi Strauss, the creator of Levi's blue jeans. They formed Jewish communities and built places of worship.

Even further south, you can find the Mission Basilica San Diego de Alcalá, the oldest Spanish Catholic mission. It was first built in 1769. San Diego County gets its name from this mission. Missionaries from Spain built 21 missions in California. The last one was built in 1823 in Sonoma County.

Diverse migrations of people came in the 20<sup>th</sup> century from Asia, Latin America, and Europe. They came from elsewhere within the U.S., too. That is why today different religious cultures live side-by-side.

### Challenges to Religious Freedom

Sometimes the rights of California religious groups conflict with each other. Minority groups' rights to practice their religions have been challenged. There were several examples of this in the twentieth century.

In 1933, male students at the University of California had to take part in military training. It was called the Reserve Officers Training Corps (ROTC). A group of male students requested not to participate in ROTC. They were members of a Christian church called the Methodist Episcopal Church. That church opposed all war.

The university denied their request. The students sued the university. Eventually, the U.S. Supreme Court heard their case. In the case of *Hamilton v. Regents of University of California* the young men argued that they were conscientious objectors (people who object to war on moral grounds). In 1934, however, the U.S. Supreme Court decided that the university did not have to exempt these students from ROTC training.

Two years later, a girl named from Sacramento refused to say the Pledge of Allegiance with her elementary school class. Her name was Charlotte Gabrielli. She belonged to the Jehovah's Witnesses, a Christian religion. Jehovah's Witnesses believed saluting the flag was a form of idolatry (worship of idols).

Her school suspended her because she refused to say the Pledge. Her parents sued the school and won at trial. In the 1938 decision in *Gabrielli v. Knickerbocker*, however, the California Supreme Court upheld the mandatory



The Mission San Diego de Alcala is a National Historic Landmark.



Children saying the Pledge of Allegiance in a San Francisco school in 1942. (National Archives.)

flag salute. The court decided that the “training of school children in good citizenship, patriotism, and loyalty to state and nation” were too important to allow exceptions to reciting the Pledge. Therefore, the school could suspend Charlotte.

Many suspensions of Jehovah’s Witnesses occurred in California. In 1943, the U.S. Supreme Court held that Jehovah’s Witnesses did not have to go against their religion and say the Pledge in school.

Decades later, another California case affected religious freedom. In 1982, the U.S. Forest Service planned to build a logging road in Northern California. A six-mile paved road would cut through land that Native Americans used for religious rituals. Karuk, Yurok, and other tribes believed this land was sacred.

Native American individuals and groups sued the Forest Service. The case made its way to the U.S. Supreme Court as *Lyng v. Northwest Indian Cemetery*. The court held that the paved road through sacred land did not harm the religious freedom of the tribes.

Even today, minority and majority religious groups find ways to live together. Often, their conflicts lead to changes in the law. In all cases, however, laws must comply with the First Amendment. Each person’s freedom depends on it.

### **For Discussion and Writing**

1. What is the difference between the words about “establishment” and the words about “free exercise” in the First Amendment? Why do you think it is necessary to have both?
2. What are some of the reasons for such religious diversity in California?
3. Do you think these legal cases described in the reading deal with free exercise or with establishment? Why?
  - *Gabrielli v. Knickerbocker*.
  - *Lyng v. Northwest Indian Cemetery*.