**First Amendment (to the Constitution)**

excerpt: „Congress shall make no law respecting an **establishment of religion**, or **prohibiting the free exercise** thereof; …“

## **Freedom of Religion**

The First Amendment guarantees freedoms concerning religion,..  It forbids Congress from **both[promoting one religion over others](http://www.law.cornell.edu/wex/establishment_clause)** and also **[restricting an individual’s religious practices](http://www.law.cornell.edu/wex/free_exercise_clause).**

Two clauses in the First Amendment guarantee freedom of religion.

**The**[**Establishment Clause**](http://topics.law.cornell.edu/wex/establishment_clause) prohibits the government from passing legislation to establish an official religion or preferring one religion over another. It enforces the "separation of church and state."

**The**[**Free Exercise Clause**](https://www.law.cornell.edu/wex/free_exercise_clause) prohibits the government, in most instances, from interfering with a person's practice of their religion.

It was adopted into the [Bill of Rights](https://www.law.cornell.edu/constitution/billofrights#amendmentxiv) in 1791.

[**https://www.law.cornell.edu/constitution/first\_amendment**](https://www.law.cornell.edu/constitution/first_amendment)

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**Little Helpers: Info**

**Law:** The Amish are pacefists who refuse militatry service. They have a policy of „non resistance“, which means that when government instructs them to do things that are against their faith, they refuse to do them, but accept the consequences of their refusal without argument.

**Education:**  The Amish have their own private educational system of around 1,200 schools which stresses reading, writing, arithmetic and religion. Teachers are usually younger woman without specialist training. Amish children are educated until they are 14 (eighth grade), This exemption from the US law which generally requires schooling until the age of 16 is the result of a Supreme Court Case in 1972, in which the Amish successfully argued that education beyond the age of 14 exposed their children to modern values that clashed with their beliefs and might put their salvation at risk.

## **For the Amish, Crime but Seldom Punishment**

By LARA SETRAKIAN, Oct 4, 2006, in [http://abcnews.go.com/author/lara\_setrakian](https://l.facebook.com/l.php?u=http%3A%2F%2Fabcnews.go.com%2Fauthor%2Flara_setrakian&h=AT3R4uPA2GhgasmHNiVxIFThfsoOXA5CEwCSRVM8doa7hEdYdL7tffOxp7lsOJVMAVeMG3nB4MHK2uXw7RgKadM6BzQpmbosXUNQGcyPSu9Ghcu0W4ubGlgN-Hhx7wc_HhdX1jN86IOAtaEPQfNKTg)

When it comes to crime and punishment, the Amish live by a different set of rules -- God's rules, to be exact.

Guided strictly by a moral code that values religion over all else and [[1]](#footnote-1)stresses [[2]](#footnote-2)forgiveness over [[3]](#footnote-3)anger, the Amish concept of justice looks very different from what most Americans [[4]](#footnote-4)encounter. In a community that is largely left [[5]](#footnote-5)to police itself, there are no courts and no set of punishments attached to a given[[6]](#footnote-6) transgression. And no matter what the crime, "if the [[7]](#footnote-7)perpetrator [[8]](#footnote-8)professes repentance before the [[9]](#footnote-9)church community, they are [[10]](#footnote-10)forgiven," said sociologist Deborah Morse-Kahn, who has studied and written about the Amish.

After Monday's shooting at a Nickel Mines schoolhouse in Pennsylvania, it was that forgiveness -- not anger -- that marked the Amish community's response. One early reaction, even among the families of the young victims, was one of [[11]](#footnote-11) sympathy for shooter Charles Roberts. People close to the group tell ABC News that some in the community were sad for Roberts. Because he committed suicide, he wouldn't have the chance to [[12]](#footnote-12)repent and [[13]](#footnote-13)seek salvation.

God is everywhere in the Amish follower's daily life, dictating what's right and wrong.

 If there is a dispute within the community, it is solved by the bishop, the highest-ranking member of the Amish[[14]](#footnote-14) clergy. If there's a problem too big to resolve, other bishops from other communities in other states step in to help solve it.

The Amish lifestyle is driven by the concept of "gelassenheit," a German word that suggests [[15]](#footnote-15)serenity, quietness of character, and [[16]](#footnote-16)submissiveness to God, church and family. The closest thing to punishment for a repeat offender is to be [[17]](#footnote-17)"shunned" by the community, either temporarily or for good. [[18]](#footnote-18)Excommunication is the most severe consequence, saved only for the utterly[[19]](#footnote-19) unrepentant.

Having such a peaceful, forgiving character means there are fewer consequences for anyone in the outside world who tries to do them[[20]](#footnote-20) harm -- they rarely [[21]](#footnote-21)press charges and would rather forgive than send a perpetrator to jail. "There have been some [[22]](#footnote-22)hate crimes against the Amish," said Ruth Irene Garrett, a writer who was born into the Amish community."A lot of times they experience things around Halloween -- people are out [[23]](#footnote-23)playing pranks, high school kids are out and look at them as freaks. … They'll vandalize a [[24]](#footnote-24)buggy or push it into a [[25]](#footnote-25)ditch," she said.

**When God's Law and Man's Law Collide**

When the law of the land conflicts with Amish values, those values generally take [[26]](#footnote-26)precedence.

In the last century, Amish parents who didn't want their children in public school past the [[27]](#footnote-27)eighth grade pulled them out of class, breaking the law that required schooling until the age of 16.They were willing to go to jail for it, as some did until the Supreme Court ruled in 1972 that they would get an [[28]](#footnote-28)exemption.

Mainstream law and Amish justice have collided more recently in a handful of [[29]](#footnote-29)sexual-assault cases within the Amish community. In the case of Mary Byler, who grew up Amish in Wisconsin and was [[30]](#footnote-30)raped throughout her childhood by her two brothers, Amish values dictated that she forgive them for their repeated [[31]](#footnote-31)assaults. When she pressed charges and one brother was [[32]](#footnote-32)sentenced with jail time, Byler was seen as in the wrong.

According to the community, her brothers had been punished and forgiven by the church. The incidents should have been kept out of the courtroom and the brothers kept out of jail.

In other cases, charges are never [[33]](#footnote-33)filed, and punishment is left to the forgiving standards of the church. "More likely than not, they wouldn't do anything," Morse-Kahn said. "They don't care to be in the courts." "The Amish see the force of law as contrary to the Christian spirit," Donald Kraybill, a professor and expert on the Amish told Legal Affairs Magazine.

Moreover, sociologist Morse-Kahn says (…)  " What does this say about our world of law that it applies to some people and not others?"

Compared to the lives of most Americans, Amish life seems different in every way -- and the sphere of justice is no exception. In the Amish world, there's crime but no punishment, only forgiveness and salvation.

Tasks:

1. Read the text aloud!
2. Please, read it now for a second time on your own and find headlines.
3. Work with your partner: Describe in your own words the difference oft he American law system and the Amish punishment for sins.
4. Read the comment sheet!
5. Please, make first notes for you comment:
6. topic:

Should the state regulate religions and their practices that do not fully accept the law system and the education system of the USA? Refer tot he first Amendment oft he Constitution

1. to stress - betonen [↑](#footnote-ref-1)
2. forgiveness - Vergebung [↑](#footnote-ref-2)
3. anger – Zorn, Ärger [↑](#footnote-ref-3)
4. to encounter - begegnen [↑](#footnote-ref-4)
5. to police – kontrollieren, überwachen [↑](#footnote-ref-5)
6. transgression - Verstoß [↑](#footnote-ref-6)
7. perpetrator - Straftäter [↑](#footnote-ref-7)
8. to profess repentance – Reue zeigen [↑](#footnote-ref-8)
9. church community - Kirchengemeinde [↑](#footnote-ref-9)
10. to be forgioven – Vergebung erfahren [↑](#footnote-ref-10)
11. sympathy - Mitleid [↑](#footnote-ref-11)
12. repent - bereuen [↑](#footnote-ref-12)
13. To seek salvation - Erlösung erfahren [↑](#footnote-ref-13)
14. clergy – Geistlichkeit, Klerus [↑](#footnote-ref-14)
15. serenity – Gelassenheit, Abgeklärtheit [↑](#footnote-ref-15)
16. submissiveness – Unterwürfigkeit, Ergebenheit [↑](#footnote-ref-16)
17. to be shunned – ausgestoßen werden [↑](#footnote-ref-17)
18. excommunication – Ausschluss aus der Kirchengemeinschaft [↑](#footnote-ref-18)
19. unrependant - Unreuigen [↑](#footnote-ref-19)
20. harm - Schaden [↑](#footnote-ref-20)
21. to press charges – Anzeige erstatten [↑](#footnote-ref-21)
22. hate crimes – Verbrechen aus Hass [↑](#footnote-ref-22)
23. to play pranks – Streiche spielen [↑](#footnote-ref-23)
24. buggy - Pferdewagen [↑](#footnote-ref-24)
25. ditch - Graben [↑](#footnote-ref-25)
26. to take precedence – Vorrang haben – hier zu Präzedenzfällen werden, nach denen sich andere Gesetze in den USA richten müssen [↑](#footnote-ref-26)
27. eight grade – achte Klasse [↑](#footnote-ref-27)
28. exemption - Ausnahme [↑](#footnote-ref-28)
29. sexual-assault-cases - Sexualstraffälle [↑](#footnote-ref-29)
30. to rape - vergewaltigen [↑](#footnote-ref-30)
31. assault - Vergehen [↑](#footnote-ref-31)
32. to be sentenced with jail – zu einer Gefängnisstrafe verurteilt [↑](#footnote-ref-32)
33. to file a charge – Anzeige erstatten [↑](#footnote-ref-33)