



ASTRONAUTS FOR AMERICA



CONSTITUTIONAL PRINCIPLES: RELIGIOUS LIBERTY

“The religion of every man must be left to the conviction and conscience of every man.”

James Madison, *Memorial and Remonstrance Against Religious Assessments*, 1785

In this ninth briefing in our series, “America, We Have a Problem,” we discuss Religious Liberty which is guaranteed by the very first words of the First Amendment: “Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof.” The founders, many of whom had fled or descended from those who fled religious persecution in Europe, were acutely aware of the dangers of state-sponsored religion. They abhorred the coercion, sectarian conflict, and suppression of conscience that inevitably followed when civil and religious authority were fused. In practice, since ratification of the 14th Amendment (1868), the Establishment Clause prevents government at all levels from officially endorsing, funding, or advancing any religion or religious doctrine. Further, the Free Exercise Clause protects every individual's right to hold, practice, and, within certain limits, act according to their religious beliefs without federal or state government interference or penalty. These protections apply to all faiths equally, reflecting the Constitution's deliberate silence on any particular religion and Article VI's explicit prohibition of any religious test for public office. For a religiously diverse democratic republic, these twin guarantees are essential not only to individual liberty of conscience, but to civil peace itself.

SELECTED HISTORICAL THREATS

- From the beginning of the republic many states required religious tests for officeholders, and in many cases, religious minorities were pressured to conform, escalating into conflicts such as the Philadelphia Bible Riots of 1844. The Supreme Court finally closed this gap in *Torcaso v. Watkins* (1961), striking down Maryland's law that officeholders affirm a belief in God as a violation of the First Amendment.
- From the mid-19th to the mid-20th century, federal boarding schools forced Native American children to abandon traditional religious practices and undergo strict Christian indoctrination. In 2024, President Biden delivered the federal government's first formal apology for the policy, calling it “a blot on American history,” following a multi-year government investigation into the abuses.
- *Reynolds v. United States* (1878) The Supreme Court upheld banning polygamy, ruling the government can regulate actions, not beliefs, thus setting a precedent limiting religious practice.
- In 2022, faith-based healthcare providers [challenged HHS regulators](#) who tried to force practitioners to perform medical procedures in violation of their conscience. The Eighth Circuit Court of Appeals affirmed a permanent injunction shielding the providers, ruling that HHS could not use anti-discrimination law to force them to perform procedures against their faith.

SELECTED RECENT THREATS

- In 2025 the Administration [rescinded a long-standing policy](#) that kept immigration enforcement away from houses of worship, hospitals and schools. Evangelical leaders report [congregations emptying as members stay home](#).
- Secretary of Defense Pete Hegseth has publicly described the mission of the US military in explicitly [theological and militant patriarchal Christian terms](#).
- In 2025 the administration established a [Task Force to Eradicate Anti-Christian Bias](#), and a [task force on antisemitism](#) whose stated first priority is college campuses. No comparable body was created for anti-Muslim bias or attacks on mosques.
- In February 2026 the Department of Education [replaced its guidance on prayer in public schools](#). It says teachers may “pray with students... during the conduct of their work.” The 2023 guidance it replaced allowed teacher prayer only when “not acting in their official capacities,” and told schools to see that students were not encouraged to join. If States and districts now let teachers pray before their classes, the Establishment Clause is at risk: school prayer is coercive even when formally voluntary. [Lee v. Weisman](#) (1992).
- The Administration's Religious Liberty Commission delivered a [final report calling the “separation of church and state” a constitutional myth](#) and recommending new DOJ guidance narrowing the Establishment Clause. Critics warn these actions threaten the Establishment Clause's guarantee of neutrality among all religions.

Astronauts For America Focus: As NASA astronauts, we served alongside colleagues from a rich variety of faiths and traditions, never feeling pressure from the Agency to conform to, or restrict personal beliefs. We are not constitutional scholars, but we know how to defer to subject matter experts when analyzing complex sociotechnical failures. We draw from reliable sources: court decisions, congressional records, peer-reviewed scholarship, and news reporting rather than commentary or opinion. We will publish our findings and recommendations in a series of briefings we call, “Failure Is Not an Option,” calling on accountable officials and citizens to “course correct,” and ensure that religious liberty remains a critical component of our constitutional principles.

“The Government of the United States gives to bigotry no sanction, to persecution no assistance.”

George Washington, Letter to the Hebrew Congregation in Newport, 1790

Appeal to Our Crewmates: We need your help. Please use the “Contact Us” feature on our website to make suggestions about what we can do to help our democracy strengthen its commitment to the critical Constitutional Principle, **Religious Liberty**.