

Case 3: *Wallace v. Jafree* (1985)

In 1982, a lawyer named Ishmael Jafree discovered that his five-year-old son was being asked to recite prayers in his Alabama public school class. Jafree felt that this violated the Constitution's "separation of Church and State" clause, as well as his son's First Amendment right to freedom of religion. At the time, Alabama law authorized one minute of silence in all public schools "for meditation or voluntary prayer." Jafree filed a lawsuit in the federal district court to strike down the law.

Alabama state lawyers argued that the law called only for a "moment of silence," and did not require a child to pray to a particular God or to pray at all. Jafree's lawyers argued that the law intended to establish religion in the schools. Thus, they argued, it clearly violated the First Amendment. In addition, the lawyers pointed out that the children had been taught specific prayers, including "The Lord's Prayer" and "God Is Great, God Is Good." In some cases, students had been asked to recite the prayers in place of a moment of silence. If children refused to participate, other students teased them. Therefore, Jafree's lawyers argued, the law was not being followed as it was written.

The federal district court decided in favor of the state, saying that states had a right to establish an official religion. The United States Court of Appeals overturned the decision, saying that the teacher's activities violated the First Amendment. The court also stated that the law in Alabama encouraged religious activities. The State of Alabama appealed the case to the Supreme Court, which considered these issues:

DISCUSS THE FOLLOWING ISSUES WITH YOUR GROUP:

1. Was the law authorizing a moment of silence for meditation or voluntary prayer an attempt to establish a religion?
2. Is a child's First Amendment right to freedom of religion violated if voluntary prayer is allowed in the school?

Questions: Did the Alabama law violate the First Amendment clause that prohibits the government from establishing a religion? Did the law violate the child's First Amendment right to freedom of religion?

WRITE YOUR RESPONSES TO THE FOLLOWING QUESTIONS IN YOUR WRITING FOLDER:

1. Your decision:
2. Explanation of your group's majority opinion:
3. Explanation of your group's minority opinion:
4. Actual Supreme Court ruling: