

WRITE DOWN THE NAME OF THE CASE BELOW IN YOUR SPIRAL, then read the case description below with your table and follow the steps after the reading.

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: (you don't have to write these down, BUT BE PREPARED TO SHARE IN A DISCUSSION AFTERWARD)

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

Imagine you are a Supreme Court Justice hearing this case in court. You will now have to consider the following question at your table and vote for either the school or the student: 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 BENEATH THE TITLE OF THE CASE:

1. Explanation of your group's majority opinion: (Whichever side that more than half of your table votes for is the MAJORITY. If there is a tie, then just write down both opinions for numbers 1 and 2 with an explanation. The order doesn't matter.)
2. Explanation of your group's minority opinion: (If all of your table agrees on what you wrote for number 1, then still write down arguments for the opposing side to show your understanding of both points of view)
3. Actual Supreme Court ruling and the IMPACT: (write down what the ACTUAL Supreme Court decision was and the long term impact after we discuss. This will be shared with you on the PowerPoint on the white board.)