

**Activity:**  
**Freedom of Religion**  
**Court Cases**

Supreme Court Case Facts	Question for the Court	Supreme Court Ruling
<p><b><i>Jacobson v. Massachusetts, 1905</i></b> A Massachusetts law allowed cities to require residents to be vaccinated against smallpox. Cambridge adopted such an ordinance, with some exceptions. Jacobson refused to comply with the requirement and was fined five dollars.</p>	<p>Did the mandatory vaccination law violate Jacobson's Fourteenth Amendment right to liberty?</p>	
<p><b><i>Engel v. Vitale, 1962</i></b> The Board of Regents for the State of New York authorized a short, voluntary prayer for recitation at the start of each school day. This was an attempt to defuse the politically potent issue by taking it out of the hands of local communities. The blandest of invocations read as follows: "Almighty God, we acknowledge our dependence upon Thee, and beg Thy blessings upon us, our teachers, and our country."</p>	<p>Does the reading of a nondenominational prayer at the start of the school day violate the "establishment of religion" clause of the First Amendment?</p>	
<p><b><i>Reynolds v. United States, 1879</i></b> George Reynolds, secretary to Mormon Church leader Brigham Young, challenged the federal anti-bigamy statute. Reynolds was convicted in a Utah territorial district court. His conviction was affirmed by the Utah territorial supreme court.</p>	<p>Does the federal anti-bigamy statute violate the First Amendment's free exercise clause because plural marriage is part of religious practice?</p>	
<p><b><i>Westside Community Schools v. Mergens, 1990</i></b> The school administration at Westside High School denied permission to a group of students to form a Christian club with the same privileges and meeting terms as other Westside after-school student clubs. In addition to citing the Establishment Clause, Westside refused the club's formation because it lacked a faculty sponsor. When the school board upheld the administration's denial, Mergens and several other students sued. The students alleged that Westside's refusal violated the Equal Access Act, which requires that schools in receipt of federal funds provide "equal access" to student groups seeking to express "religious, political, philosophical, or other content" messages. On appeal from an adverse District Court ruling, the Court of Appeals found in favor of the students. The Supreme Court granted Westside certiorari.</p>	<p>Was Westside's prohibition against the formation of a Christian club consistent with the Establishment Clause, thereby rendering the Equal Access Act unconstitutional?</p>	

Supreme Court Case	Question for the Court	Supreme Court Ruling
<p><b><i>Pierce v. Society of Sisters, 1925</i></b>  The Compulsory Education Act of 1922 required parents or guardians to send children between the ages of eight and sixteen to public school in the district where the children resided. The Society of Sisters was an Oregon corporation which facilitated care for orphans, educated youths, and established and maintained academies or schools. This case was decided together with Society of Sisters v. Hill Military Academy.</p>	<p>Did the Act violate the liberty of parents to direct the education of their children?</p>	
<p><b><i>Everson v. Board of Education, 1947</i></b>  A New Jersey law allowed reimbursements of money to parents who sent their children to school on buses operated by the public transportation system. Children who attended Catholic schools also qualified for this transportation subsidy.</p>	<p>Did the New Jersey statute violate the Establishment Clause of the First Amendment as made applicable to the states through the Fourteenth Amendment?</p>	
<p><b><i>Epperson v. Arkansas</i></b>  The Arkansas legislature passed a law prohibiting teachers in public or state-supported schools from teaching, or using textbooks that teach, human evolution. Epperson, a public school teacher, sued, claiming the law violated her First Amendment right to free speech as well as the Establishment Clause. The State Chancery Court ruled that it violated his free speech rights; the State Supreme Court reversed.</p>	<p>Does a law forbidding the teaching of evolution violate either the free speech rights of teachers or the Establishment clause of the First Amendment?</p>	
<p><b><i>West Virginia Board of Education v. Barnette, 1943</i></b>  The West Virginia Board of Education required that the flag salute be part of the program of activities in all public schools. All teachers and pupils were required to honor the Flag; refusal to salute was treated as "insubordination" and was punishable by expulsion and charges of delinquency.</p>	<p>Did the compulsory flag-salute for public schoolchildren violate the First Amendment?</p>	
<p><b><i>Lemon vs. Kurtzman, 1971</i></b>  Alton Lemon, a taxpayer and resident of Pennsylvania, believed these state government payments of expenses for parochial schools, which had the primary mission of promoting particular religious beliefs, were unconstitutional. So Lemon brought suit against David Kurtzman, the state superintendent of schools, to stop state payments to parochial schools.</p>	<p>Does government funding for parochial (private) schools violate the First Amendment?</p>	

