

1st Amendment Cases Jumble

In the table below are the facts of 9 Landmark Supreme Court Cases and Supreme Court rulings of the same 9 cases all pertaining to the First Amendment. However, the facts, questions, and rulings are jumbled. Your job is to use your textbook and the Internet to match the facts of the case, Constitutional Question, and Supreme Court ruling with each case on the blank chart.

Facts of the Case	Constitutional Question	Supreme Court Ruling
<ul style="list-style-type: none"> ➤ 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>Did Wisconsin's requirement that all parents send their children to school at least until age 16 violate the First Amendment by criminalizing the conduct of parents who refused to send their children to school for religious reasons?</p>	<ul style="list-style-type: none"> ➤ Although school boards have a vested interest in promoting respect for social, moral, and political community values, their discretionary power is secondary to the transcendent imperatives of the First Amendment. ➤ The Board could not restrict the availability of books in its libraries simply because its members disagreed with their idea content.
<p>The school Board ordered that certain books be removed from its district's junior high and high school libraries declaring the books in question to be "anti-American, anti-Christian, anti-Semitic, and just plain filthy."</p>	<ul style="list-style-type: none"> ➤ Does the 1st amendment prevent school officials from limiting lewd, obscene or vulgar speech that could disrupt school? 	<p>The Court applied the "secular purpose test", which asked if the state's actual purpose was to endorse or disapprove of religion. The Court held that Alabama's passage of the prayer and meditation statute was not only a deviation from the state's duty to maintain absolute neutrality toward religion, but was an affirmative endorsement of religion. As such, the statute clearly lacked any secular purpose as it sought to establish religion in public schools, thereby violating the First Amendment's Establishment Clause.</p>
<ul style="list-style-type: none"> ➤ The Board of Regents for the State of New York authorized a short, voluntary prayer for recitation at the start of each school day. ➤ 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>Did the Pennsylvania law and Abington's policy, requiring public school students to participate in classroom religious exercises, violate the religious freedom of students as protected by the First and Fourteenth Amendments?</p>	<p>The Court held that the First Amendment did not require schools to affirmatively promote particular types of student speech; schools must be able to set high standards for student speech disseminated under their auspices, and that schools retained the right to refuse to sponsor speech that was "inconsistent with the shared values of a civilized social order." Educators did not offend the First Amendment by exercising editorial control over the content of student speech so long as their actions were "reasonably related to legitimate pedagogical concerns."</p>
<ul style="list-style-type: none"> ➤ The school-sponsored newspaper was written and edited by students. ➤ The school principal received the pages proofs for the upcoming issue. ➤ Finding two of the articles in the issue to be inappropriate, the principal ordered that the pages on which the articles appeared be withheld from publication. 	<p>Is burning an American flag a form of "symbolic political" free speech protected by the 1st amendment?</p>	<p>The required activities encroached on both the Free Exercise Clause and the Establishment Clause of the First Amendment since the readings and recitations were essentially religious ceremonies and were "intended by the State to be so." The ability of a parent to excuse a child from these ceremonies by a written note was irrelevant since it did not prevent the school's actions from violating the Establishment Clause.</p>
<p>An Alabama law authorized teachers to conduct regular religious prayer services and activities in school classrooms during the school day.</p>	<p>Did the principal's deletion of the articles violate the students' rights under the First Amendment?</p>	<p>Neither the prayer's nondenominational character nor its voluntary character saves it from unconstitutionality. By providing the prayer, New York officially approved religion. This was the first in a series of cases in which the Court used the establishment clause to eliminate religious activities of all sorts, which had traditionally been a part of public ceremonies.</p>
<ul style="list-style-type: none"> ➤ Outside the 1984 Republican National Convention in Texas, Johnson set an American flag on fire. ➤ He was arrested and convicted under a Texas law that prohibits desecration of the US flag. 	<p>Did the compulsory flag-salute for public schoolchildren violate the First Amendment?</p>	<p>School officials have the authority to discipline students for lewd or indecent speech at school events if the speech is contrary to the school's educational mission.</p>

Facts of the Case	Constitutional Question	Supreme Court Ruling
<ul style="list-style-type: none"> ➤ At the beginning of the school day, students who attended public schools in the state of Pennsylvania were required to read at least ten verses from the Bible. ➤ After completing these readings, school authorities required all Abington Township students to recite the Lord's Prayer. ➤ Students could be excluded from these exercises by a written note from their parents to the school. 	<p>Did the Board of Education's decision to ban certain books from its junior high and high school libraries, based on their content, violate the First Amendment's freedom of speech protections?</p>	<p>The Court held that individual's interests in the free exercise of religion under the First Amendment outweighed the State's interests in compelling school attendance beyond the eighth grade. The Court found that the values and programs of secondary school were "in sharp conflict with the fundamental mode of life mandated by the Amish religion," and that an additional one or two years of high school would not produce the benefits of public education cited by Wisconsin to justify the law.</p>
<ul style="list-style-type: none"> ➤ The three parents refused to send their children to school after the eighth grade, arguing that high school attendance was contrary to their religious beliefs (conservative Amish denominations) ➤ The parents were prosecuted under a Wisconsin law that required all children to attend public schools until age 16. 	<p>Did Alabama law violate the First Amendment's Establishment Clause?</p>	<p>The Court held that compelling public schoolchildren to salute the flag was unconstitutional. The Court found that such a salute was a form of utterance and was a means of communicating ideas. "Compulsory unification of opinion," the Court held, was doomed to failure and was antithetical to First Amendment values.</p>
<ul style="list-style-type: none"> ➤ A student gave speech at school with graphic and lewd metaphors ➤ the student was suspended for 2 days 	<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>The court ruled that the burning was political speech rather than just vandalism and that states may not punish a person for burning a flag as a form of political protest. "[i]f there is a bedrock principle underlying the First Amendment, it is that the Government may not prohibit the expression of an idea simply because society finds the idea itself offensive or disagreeable."</p>