

**WALLACE v. JAFFREE**  
*105 S. Ct. 2479 (1985)*

**Facts**

The parents of several public school children filed a complaint against various school officials and Alabama state officials challenging the constitutionality of an Alabama statute that authorized a one-minute period of silence in all public schools “for meditation or for voluntary prayer.”

The complaints initially filed by the plaintiff alleged that the children had been subjected to various acts of religious indoctrination that included daily prayers. The complaint further alleged that the children were ostracized from their peer group if they did not participate in the daily prayers said in the classroom.

**Decision of the Court**

The Court held that the Alabama statute authorizing a one-minute period of silence was a law respecting the establishment of religion and, therefore, violates the First Amendment. In reaching this conclusion, the Court first held that the states have no greater power to restrain the individual freedoms protected by the First Amendment than does Congress. The First Amendment required that a statute be invalidated if it is entirely motivated by a purpose to advance religion. After considering the statute in question in this case, the Court concluded that the statute was not motivated by any clearly secular purpose and that its purpose was to endorse religion. The evidence indicated that the statute was an effort to return voluntary prayer to the public school and that such a purpose was an impermissible attempt to endorse religion.

**Questions**

1. The First Amendment says that “Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof...”
  - a. What is meant here by the term “religion”?
  - b. What is meant by “free exercise”?
  - c. Can individuals form their own religion?
  - d. Should the states recognize a one-individual religion?
2. The phrase “separation of church and state” is used to describe the relationship between government and religion. Is there a true separation? Why or why not?
3. Is there a legal difference between believing and acting on those beliefs? Give an example of some possible “religious” actions which would not be allowed by law. Why are these not allowed?
4. In the *People v. Woody* case, peyote was used as part of the religious ceremony. What right can the State of California claim in prohibiting its use?
5. Can the U.S. government claim religious neutrality when it prints “In God We Trust” on its official coins?