



Viewing Guide for *Engel v. Vitale* 1962

1. What are the two clauses concerning religion found in the First Amendment?
2. What are two reasons why the framers placed these two clauses in the First Amendment?
3. What had the New York Board of Regents decided with regard to prayer in New York public schools?

Stop and Think: What is your opinion of the New York Board of Regents law with regard to the First Amendment's religion clauses?

(2:43 to 4:22)

4. What did a Board of Education in New Hyde Park do regarding the prayer recommendation by the New York Board of Regents?
5. Why did several parents object and file suit in a New York state court against the school board?
6. What did both a New York trial court and the New York Court of Appeals decide?

Question and Arguments before the U.S. Supreme Court: (4:22 to 6:11)

- 7. What was the constitutional question the U.S. Supreme Court had to answer when the parents appealed the decision of the state courts to the Supreme Court?**

- 8. What did Vitale (the New York Board of Regents) who was the respondent in the case argue?**

- 9. What did the Supreme Court say about the state's argument that it was not coercing any student to participate in the prayer?**

- 10. What did the lawyers for the parents (Engel) argue in the case?**

- 11. From where did the idea for a "wall of separation" between church and state come?**

Stop and Think: What are the dangers of not having a "wall of separation" between church and state? Does your opinion about the need for a "wall" change if the majority in a community supports the same religious beliefs?

Decision of the Supreme Court: (6:12 to 11:03)

12. What Justice wrote the opinion of the Court in *Engel v Vitale* and what was the basis for the Court's decision?

13. What was the final vote in the Supreme Court's decision?

Stop and Think (Stop at 8:24 and complete this question): Do you agree or disagree with Justice Black when he wrote, " ...the purpose underlying the Establishment Clause goes much further.... Its first and most immediate purpose rests on the belief that a union of government and religion tends to destroy government and to degrade religion." Explain your position.

14. How did Justice Black address the concern that the Supreme Court's decision was "hostile to religion?"

15. In his concurring opinion, what did Justice Douglas explain concerning the fact that both Houses of Congress and the armed services have chaplains?

16. What example of government fostering religion did Justice Stewart cite in his dissenting opinion?

Stop and Think: Read the following quote from Justice Stewart and decide whether you agree or disagree with his statement and why.

“I cannot see how an official religion is established by letting those that want to say a prayer say it. On the contrary, I think to deny the wish of these school children to join in reciting this prayer is to deny them the opportunity of sharing in the spiritual heritage of our nation.”

Impact of the Case: (11:04 to the end)

17. What does the law professor mean when he says the key word to understanding prayer in school is “neutrality?”

Conclusion: Answer the following question and explain your reasoning.

Why is this case important in understanding the delicate balance that has to be drawn between the “no establishment” and “free exercise of religion” clauses of the First Amendment?