



## **Viewing Guide:** ***Wisconsin v. Yoder (1972)***

### **The Background of the Case (00:00-3:00)**

1. How long have the Amish been in the United States?
2. What are some characteristics of the Amish life and work?
3. What do the Amish believe about education of their youth past the 8th grade?

**Stop and Think:** What is your opinion concerning the Amish beliefs about education?

### **Facts of the Case (3:01-3:53)**

4. In the 1960s, what was Wisconsin's law concerning education?
5. What did the Amish children (Freda Yoder, Barbara Miller, and Vernon Yutzy) do when they completed the 8th grade?
6. How did the local school board react to the action of the three Amish students?

### **Understanding the First Amendment (3:54-5:22)**

7. How does law professor Linda Hernandez explain the problem of the free exercise of religion clause of the First Amendment and this case?

### **Decisions of the Lower Courts (5:23-7:00)**

8. How did both the Green County Court and the Wisconsin Circuit Court rule?
9. Who decided to help the Amish since they were not familiar with settling disputes in court?

10. How did the Wisconsin Supreme Court rule?

**Stop and Think:** With which court's opinion (the Wisconsin Circuit Court or the Wisconsin Supreme Court) do you agree? Support your choice with reasoning.

**Question brought to the U.S. Supreme Court (7:01-8:00)**

11. How would you frame the issue when the case was brought to the U.S. Supreme Court?  
[Formula for issue=Yes/No question + facts of the case + part of the U.S. Constitution in question]

12. How does law professor Linda Hernandez explain the dilemma facing the Supreme Court?

**The Ruling (8:01-11:39)**

13. What did the U.S. Supreme Court decide and which justice wrote the opinion of the Court?

14. What were three major reasons that the Court gave in the opinion to explain the decision?

15. Who was the justice who agreed in part and dissented in part?

16. What was the basis of his opinion?

**Stop and Think:** Do you agree with the opinion of the Court or do you agree with Justice Douglas' position? Explain your answer.

**Impact of the Case (11:40-End)**

17. Explain what is meant by the statement that the *Yoder* case established a "balancing test" with regards to future cases dealing with the free exercise of religion clause of the First Amendment.

18. Why is this decision considered to be a “narrow holding”?

**Conclusion:** Based on the U.S. Supreme Court’s decision in the *Yoder* case, how would you rule in a future case where a religious group claimed that its children should not have to follow the Texas education requirements?