

a case dealing with prayers at public school ceremonies. Should schools once again be permitted to have prayers in the classroom or in assembly?

Interviews by DON THOMPSON;
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Jane Smith, 33, Arlington: "People should be allowed to express themselves spiritually in school in some manner . . . But there should not be a specific prayer that everyone has to participate in."



Joyce Cunha, 33, Dorchester: "No. Even though I went to Catholic schools, I think there needs to be a separation of church and state. Public school is not the proper place for prayer."



John Quigley, 22, Shelter Island, N.Y.: "No, because all kinds of different religions exist in the public schools and in some religions they don't pray the way other ones do."



Annie Ablorh, 47, Milton: "Yes. I've never known prayer to hurt anyone. Maybe if we had a little more praying today, the world might be in a better shape."



Mary McDermott, 35, Boston: "If it's limited to the Lord's prayer in the morning, I don't see any harm in it. I wouldn't take it any further because people of other religions might not feel comfortable with it."

Constitution demands separation of church, state

The religion clauses of the First Amendment to the Constitution do two things. They prohibit the government from passing laws "respecting an establishment of religion," and they rule out laws "prohibiting the free exercise" of religion. This means that government can neither aid religion nor appear to give any religion an official seal of approval, nor can it interfere with any citizen's or church's or sect's religious belief and practice (such extreme anti-social practices as human sacrifice excepted, of course.)

The evil consequences of government involvement in religion are not just a curious relic of the Dark Ages. Religious strife has caused endless tragedy and suffering even for modern democracies such as India and Ireland. The failure to render unto Caesar that which is Caesar's and unto God that which is God's, has produced the grossest violations of human rights in theocracies such as Iran and

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Saudi Arabia. Even Israel, a thoroughly democratic society led by people with an appreciation for the tragic consequences of religious intolerance, is periodically convulsed by the insistence of some sects on dictating the religious practices of the entire society.

So it is remarkable indeed that the United States, which has a First Amendment that has worked pretty well for a long

time — we have one of the most religiously diverse societies in the world, and yet we've not yet experienced religious warfare among our citizens — nonetheless is about to fix that which is not broken. The Supreme Court, in reviewing a case from Rhode Island that was recently argued, likely will begin to dismantle the wall of separation between church and state, by allowing religious prayers to be said in public school assemblies.

The Supreme Court during the 1980s has moved gradually toward a position of allowing more and more governmental "accommodation" to religious practice in official public life, particularly in the schools. Yet the court ironically has also moved to restrict the rights of citizens to the free exercise of religion.

For example, while the court has upheld the right of prayer groups to meet in public schools as extracurricular activities and the authority of the government to allow religious groups to erect religious symbols (such as a Christmas creche) on public property, it ruled in a 1986 case that the armed forces could prohibit an orthodox Jew from wearing his ritual skullcap while on duty, and ruled in 1990 that an Oregon statute criminalizing the sacramental use of peyote by the Native American Church was constitutional.

In short, as the government has begun to "establish" religion

in violation of the anti-establishment clause of the First Amendment, it has simultaneously made inroads in the free practice of religion previously protected by the "free exercise" clause.

Once the government gets a grip on some social institution under the guise of "being helpful," it then can, and usually will, use that power for evil purposes (after all, "the Lord giveth and the Lord taketh away").

In a landmark 1943 Supreme Court case upholding the right of Jehovah's Witnesses to refuse to participate in compulsory flag-salute ceremonies in public schools, Justice Robert Jackson wrote: "One's right to life, liberty, and property, to free speech, a free press, freedom of worship and assembly, and other fundamental rights may not be submitted to a vote; they depend on the outcome of no elections."

This is what America has been about. We "fix" what is not broken at our peril. □