

***Marsh v. Chambers* (1983)**

District court held that the prayer did not violate the Constitution, but that state support for the chaplain did.

8th Circuit Court of Appeals held that both practices violated the Constitution.

***Marsh v. Chambers* (1983)**

Supreme Court held that government funding for chaplains was constitutional because of the "unique history" of the United States.

History focused on the use of a chaplain during the first Congress of 1789-1791, the same Congress as proposed the First Amendment.

***Lynch v. Donnelly* (1984)**

City owned crèche in city park, erected by city workers

Crèche surrounded by a Santa Claus house, reindeer pulling Santa's sleigh, candy-striped poles, a Christmas tree, carolers, cutout figures including a clown, an elephant, and a teddy bear, colored lights, "SEASONS GREETINGS" banner

From the decision in *Webb v. Town of Republic, Missouri* (1998)

“The portrayal of the fish impermissibly excludes other religious beliefs or nonbeliefs and--intended or not--depicts Christianity as the religion recognized and endorsed by the residents of Republic. The Republic city seal pervasively invades the daily lives of non-Christians and sends a message that they are outsiders. The Constitution forbids such a result.”

McCreary County v. ACLU of KY (2005)

Counties post King James version of Ten Commandments in courthouses

ACLU sues

Counties declare 10 Commandments precedent for modern legal system, adding reference to KY legislature's acknowledgment of Christ as the "Prince of Ethics."

McCreary County v. ACLU of KY (2005)

**Counties surround Ten Commandments
w/ other documents w/ religious
theme**

District Ct rules in ACLU's favor

**Counties surround 10 Commandments
w/ "The Foundations of American Law
and Government Display" w/ *more*
secular content and context**

Striking all displays in *McCreary*

First display presented only the Ten Commandments

Second added other religious passages

Third used "Foundations of American Law," exhibit as county reached "for any way to keep a religious document on the walls of courthouses."

Summum Pyramid Location

