Case 3:24-cv-00517-JWD-SDJ Document 39-2 08/05/24 Page 1 of 20

EXHIBIT A

UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF LOUISIANA

DARCY ROAKE, et al.,

PLAINTIFFS,

v.

Civil Action No. 3:24-cv-517

CADE BRUMLEY, et al.,

Judge: JWD - SDJ

DEFENDANTS.

DECLARATION OF ASHLEY TOWNSEND

Pursuant to 28 U.S.C. § 1746, I, Ashley Townsend, duly affirm under penalty of perjury as follows:

1. I am over 18 years of age, have personal knowledge of the matters set forth herein, and am competent to make this Declaration.

2. My name is Ashley Townsend. I serve as the Deputy Chief of Policy for the Louisiana Department of Education (DOE).

3. I understand that the Louisiana Legislature passed into law H.B. 71, which requires each public school governing authority to display the Ten Commandments in each classroom because of the prominent role of that text in the history of American public schools as evidenced by the copies of *McGuffey Readers* and the textbooks of Noah Webster, widely used in schools for three centuries.

4. I understand that H.B. 71 requires schools to display, alongside the Ten Commandments, a context statement explaining the history of the Ten Commandments in American public schools and that H.B. 71 permits the accompanying display of other prominent historical documents, including but not

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limited to the Mayflower Compact, the Declaration of Independence, and the Northwest Ordinance.

5. I understand that H.B. 71 proscribes public school governing authorities from having to spend their funds to purchase displays, so the authorities can accept donated funds to purchase displays or accept donated displays.

6. I understand that H.B. 71 requires that (a) the State Board of Elementary and Secondary Education (BESE) adopt rules and regulations that will govern the proper implementation of the law and (b) the DOE identify appropriate resources to comply with the law that are free of charge and list those resources on its website.

7. I understand that public school governing authorities must comply with the law in 149 days from now—by January 1, 2025.

8. BESE has not adopted any rules or regulations governing the proper implementation of H.B. 71.

9. The DOE has not taken any steps to identify any free resources to comply with H.B. 71.

10. The DOE has not listed on its website any resources to comply with H.B. 71.

11. I have reviewed some of the pleadings in the above-captioned case, including Defendants' Motion to Dismiss and Memorandum of Law In Support of Defendants' Consolidated Motion to Dismiss, Opposition to Plaintiffs' Motion for Preliminary Injunction, and Alternative Motion for Stay Pending Appeal. The illustratives

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in Defendants' Memorandum of Law that I reviewed are reproduced below as Exhibit A-1.

12. Though I and other DOE staff members do not yet know how DOE, among others, will implement H.B. 71, DOE will likely consider some of the illustratives in Exhibit A-1 or variations of them when identifying free resources.

13. In implementing H.B. 71 by identifying free resources, DOE will likely also consider other illustratives with different themes, content, formats, layouts, graphics, typography, color schemes, sizes, styles, interactive elements, spacing, borders, and headings.

14. Based on my experience, I anticipate BESE and public school governing authorities will likely also consider the illustratives in Exhibit A-1 and variations of them when implementing H.B. 71. I also expect them to likely consider other submissions from stakeholders (including but not limited to parents, students, staff, and community members) that have different themes, content, formats, layouts, graphics, typography, color schemes, sizes, styles, interactive elements, spacing, borders, and headings.

I declare, under penalty of perjury, that the foregoing is true and correct.

Johly burnsend

Executed on: August 5, 2024

Ashley Townsend

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EXHIBIT A-1

AMERICAN PUBLIC EDUCATION: A HISTORICAL PERSPECTIVE

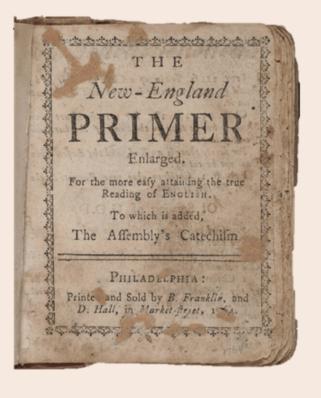
The History of the Ten Commandments in **American Public Education: The Ten Commandments were a prominent part of** American public education for almost three centuries. Around the year 1688, The New **England Primer became the first published** American textbook and was the equivalent of a first grade reader. The New England Primer was used in public schools throughout the United States for more than one hundred fifty years to teach Americans to read and contained more than forty questions about the Ten Commandments. The Ten Commandments were also included in public school textbooks published by educator William McGuffey, a noted university president and professor. A version of his famous McGuffey Readers was written in the early 1800s and became one of the most popular textbooks in the history of American education, selling more than one hundred million copies. Copies of the McGuffey Readers are still available today. The Ten Commandments also appeared in textbooks published by Noah Webster in which were widely used in American public schools along with America's first comprehensive dictionary that Webster also published. His textbook, The American Spelling Book, contained the Ten Commandments and sold more than one hundred million copies for use by public school children all across the nation and was still available for use in American public schools in the year 1975.

THE TEN COMMANDMENTS

I AM THE LORD THY GOD. **THOU SHALT HAVE NO OTHER GODS BEFORE ME. THOU SHALT NOT MAKE TO THYSELF ANY GRAVEN IMAGES. THOU SHALT NOT TAKE THE NAME OF** THE LORD THY GOD IN VAIN. **REMEMBER THE SABBATH DAY, TO KEEP** IT HOLY. HONOR THY FATHER AND THY MOTHER, THAT THY DAYS MAY BE LONG UPON THE LAND WHICH THE LORD THY GOD **GIVETH THEE.** THOU SHALT NOT KILL. THOU SHALT NOT COMMIT ADULTERY. **THOU SHALT NOT STEAL. THOU SHALT NOT BEAR FALSE WITNESS** AGAINST THY NEIGHBOR. **THOU SHALT NOT COVET THY NEIGHBOR'S HOUSE. THOU SHALT NOT COVET THY NEIGHBOR'S WIFE, NOR HIS** MANSERVANT, NOR HIS MAIDSERVANT, NOR HIS CATTLE, NOR ANYTHING THAT **IS THY NEIGHBOR'S.**

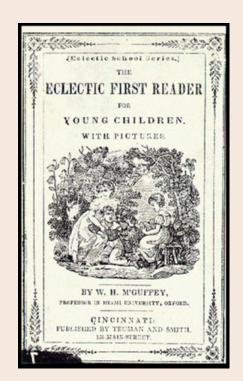


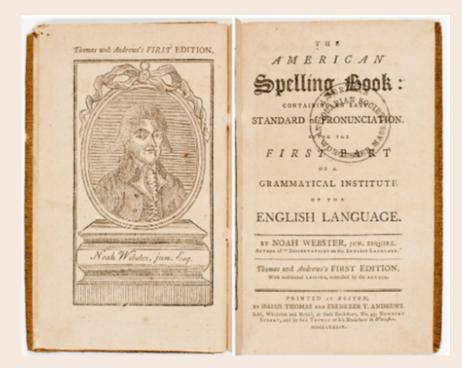
NOAH WEBSTER





WILLIAM MCGUFFEY





RELIGION'S ROLE IN AMERICAN LEGAL HISTORY



Context for Acknowledging America's Religious History: Some documents stand out as pivotal in the religious history of America and Louisiana's legal system, among which are the Mayflower Compact, The Declaration of Independence as a legal foundation for the United States Constitution, the Ten Commandments as one of the foundations of our legal system, and the Northwest Ordinance, which was a primary document affirming faith and the first congressional act legally prohibiting slavery. It is hoped that their study and relation to each other and the history of our state and nation will foster an appreciation for the role that religion has played in the legal history of America and the state of Louisiana and prompt further public study. American law, constitutionalism, and political theory have deep roots in religion. American ideals about liberty, freedom, equality, legal responsibility and codes of law, to mention a few, have roots and underpinnings in religion and biblical literacy. The Ten Commandments, which are found in the Book of Exodus in the Old Testament of the Bible, was one of the earliest written expressions of law to be incorporated in American legal systems. The Ten Commandments, or the law of nature, also impacted the Declaration of Independence which refers to the "laws of nature and of Nature's God."

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The ORDINANCE of 1787

An ORDINANCE for the GOVERNMENT of the TERRITO-RY of the UNITED STATES, North-Weft of the RIVER

IN CONGRESS, JULY 4, 1776.

The unanimous Declaration of the thereen united States of Hemerica.

The History of the Ten Commandments in American Public Education: The Ten Commandments were a prominent part of American public education for almost three centuries. Around the year 1688, The New England Primer became the first published American textbook and was the equivalent of a first grade reader. The New England Primer was used in public schools throughout the United States for more than one hundred fifty years to teach Americans to read and contained more than forty questions about the Ten Commandments. The Ten Commandments were also included in public school textbooks published by educator William McGuffey, a noted university president and professor. A version of his famous McGuffey Readers was written in the early 1800s and became one of the most popular textbooks in the history of American education, selling more than one hundred million copies. Copies of the McGuffey Readers are still available today. The Ten Commandments also appeared in textbooks published by Noah Webster in which were widely used in American public schools along with America's first comprehensive dictionary that Webster also published. His textbook, The American Spelling Book, contained the Ten Commandments and sold more than one hundred million copies for use by public school children all across the nation and was still available for use in American public schools in the year 1975.

NHAT ARE RULES

Statements About How You Should Behave

What Is A Famous Example of Rules?

The Ten Commandments

I AM the LORD thy God, Thou shalt have no other gods before me. Thou shalt not make to thyself any graven images. Thou shalt not take the Name of the Lord thy God in vain. Remember the Sabbath day, to keep it holy. Honor thy father and thy mother, that thy days may be long upon the land which the Lord thy God giveth thee. Thou shalt not kill. Thou shalt not commit adultery. Thou shalt not steal. Thou shalt not bear false witness against thy neighbor. Thou shalt not covet thy neighbor's house. Thou shalt not covet thy neighbor's wife, nor his manservant, nor his maidservant, nor his cattle, nor anything that is thy neighbor's.



What Are Our Class Rules?

Our Class Rules



Be Kind Work Hard and Do Your Best Listen Carefully and Follow Directions Be Respectful and Polite Keep Your Hands and Feet to Yourself Wait Your Turn Raise Your Hand Before Asking a Question Arrive on Time Treat Classroom Materials with Care

The History of the Ten Commandments in American Public Education: The Ten Commandments were a prominent part of American public education for almost three centuries. Around the year 1688, The New England Primer became the first published American textbook and was the equivalent of a first grade reader. The New England Primer was used in public schools throughout the United States for more than one hundred fifty years to teach Americans to read and contained more than forty questions about the Ten Commandments. The Ten Commandments were also included in public school textbooks published by educator William McGuffey, a noted university president and professor. A version of his famous McGuffey Readers was written in the early 1800s and became one of the most popular textbooks in the history of American education, selling more than one hundred million copies. Copies of the McGuffey Readers are still available today. The Ten Commandments also appeared in textbooks published by Noah Webster in which were widely used in American public schools along with America's first comprehensive dictionary that Webster also published. His textbook, The American Spelling Book, contained the Ten Commandments and sold more than one hundred million copies for use by public school children all across the nation and was still available for use in American public schools in the year 1975.

THE SUPREME COURT & Image: Colspan="2">Image: Colspan="2">Image: Colspan="2">Image: Colspan="2">Image: Colspan="2">Image: Colspan="2">Image: Colspan="2">Image: Colspan="2" & Image: Colspan="2">Image: Colspan="2" Image: Colspa=""2" Image: Colspan="2" <t

Various lawgivers, including Blackstone, Moses, and Marshall, look over the Supreme Court as it goes about its daily business. They are represented through the west and east wall friezes.

WILLIAM BLACKSTONE



COMMENTARIES

ON THE

LAWS

OF

ENGLAND.

BOOK THE THIRD.

BY WILLIAM BLACKSTONE, Eso, SOLICITOR GENERAL TO HER MAJESTY.

O X F O R D, PRINTED AT THE CLARENDON PRESS. M. DCC. LXVIII.

HE TEN COMMA

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MOSES

THE TEN COMMANDMENTS

JOHN MARSHALL



"IT IS EMPHATICALLY THE PROVINCE AND DUTY OF THE JUDICIAL DEPARTMENT TO SAY WHAT THE LAW IS."

THE HOUSE OF REPRESENTATIVES



Twenty-three marble relief portraits hanging over the gallery doors of the House Chamber in the U.S. Capitol depict historical figures noted for their work in establishing the principles that underlie American law. Those lawgivers include notable figures like Hammurabi, Solon, and Thomas Jefferson. When the Speaker of the House assumes his position on the dais, he looks directly at yet another lawgiver, Moses. In fact, the Architect of the Capitol emphasizes that the 22 other lawgivers lining the Chamber walls are oriented "so that all look towards the full-face relief of Moses in the center of the north wall."

MOSES THE LAWGIVER



THE TEN COMMANDMENTS

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THE LAWGIVERS

SPEAKER MIKE JOHNSON



TEN (DUEL) COMMANDMENTS

12314373 12314373241 143472314 L\$7712314 L\$771210241 ~1722442 JULOPLE

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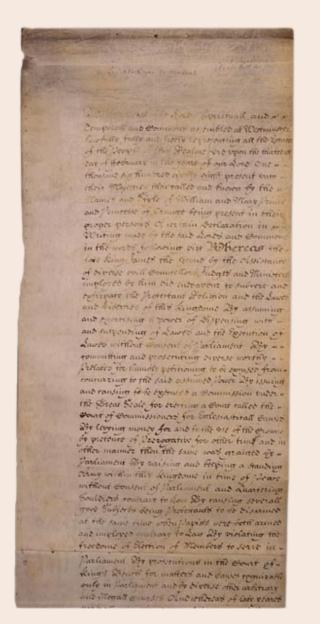


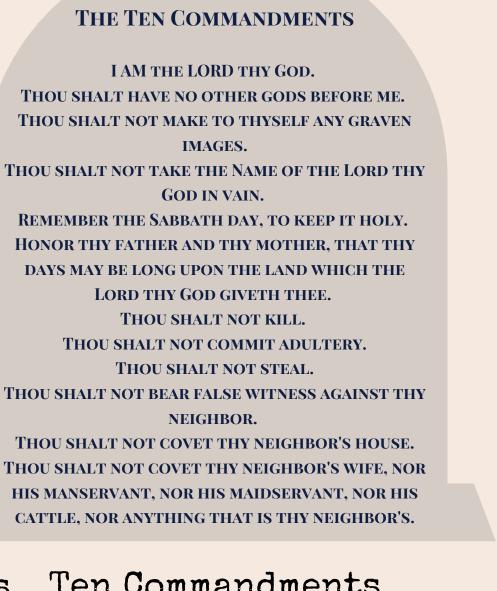
THE TEN DUEL COMMANDMENTS

- 1. DEMAND SATISFACTION
- 2. GRAB A FRIEND, THAT'S YOUR SECOND
- 3. NEGOTIATE A PEACE OR TIME AND PLACE
- 4. GET SOME PISTOLS AND A DOCTOR
- 5. DUEL BEFORE THE SUN IS IN THE SKY; PICK
 - A PLACE WHERE IT'S HIGH AND DRY
- 6. LEAVE A NOTE FOR YOUR NEXT OF KIN
- 7. CONFESS YOUR SINS
- 8. LAST CHANCE TO NEGOTIATE
- 9. LOOK THEM IN THE EYE; AIM NO HIGHER
- 10. COUNT 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 PACES. FIRE!



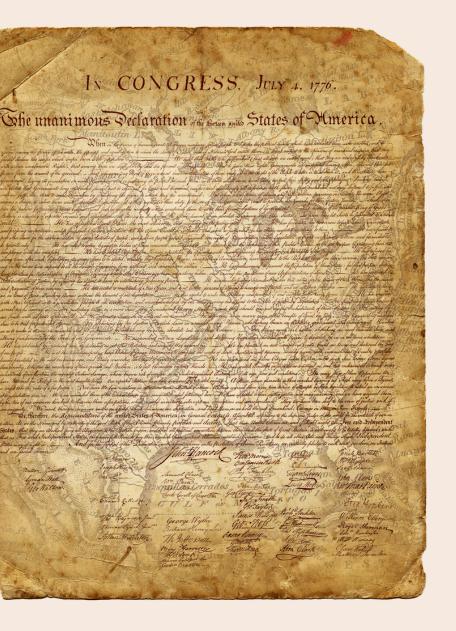
"Since the beginning of time, the world has known four great documents, great because of all the benefits to humanity which came about as a result of their fine ideals and principles." -RUTH BADER GINSBURG

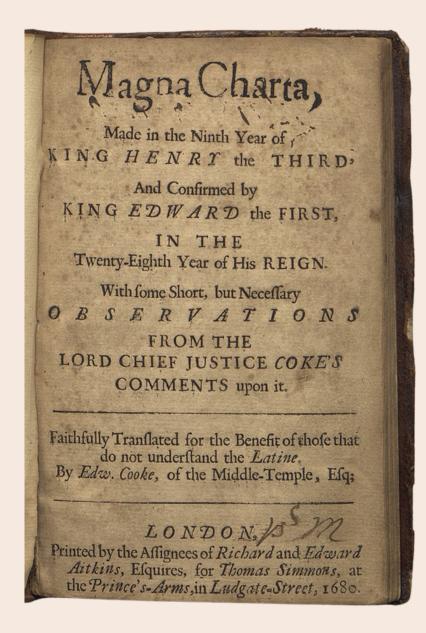




1689 English Bill of Rights Ten Commandments

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Declaration of Independence

Magna Carta





LIKE MOSES HANDED DOWN THE LAW, MARTIN LUTHER KING JR. REQUIRED **BIRMINGHAM CAMPAIGN VOLUNTEERS TO** SIGN A COMMITMENT CARD CONSISTING OF **TEN COMMANDMENTS.**

TEN COMMANDMENTS FOR NON-VIOLENCE

MEDITATE DAILY ON THE TEACHINGS AND LIFE OF JESUS. REMEMBER ALWAYS THAT THE NON-VIOLENT MOVEMENT SEEKS JUSTICE AND RECONCILIATION - NOT VICTORY. WALK AND TALK IN THE MANNER OF LOVE, FOR GOD IS LOVE. PRAY DAILY TO BE USED BY GOD IN ORDER THAT ALL MEN **MIGHT BE FREE.** SACRIFICE PERSONAL WISHES IN ORDER THAT ALL MEN **MIGHT BE FREE. OBSERVE WITH BOTH FRIEND AND FOE THE ORDINARY RULES OF COURTESY. SEEK TO PERFORM REGULAR SERVICE FOR OTHERS AND**

REFRAIN FROM THE VIOLENCE OF FIST, TONGUE, OR HEART.

FOR THE WORLD.

STRIVE TO BE IN GOOD SPIRITUAL AND BODILY HEALTH. FOLLOW THE DIRECTIONS OF THE MOVEMENT AND OF THE CAPTAIN ON A DEMONSTRATION.

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MARSHALL MOSES

"OUR CONSTITUTION IS THE ENVY OF THE WORLD, **AS IT SHOULD BE FOR IT IS THE GRAND DESIGN OF THE FINEST NATION ON** EARTH." - THURGOOD MARSHALL

"MR. CIVIL RIGHTS," **SOLICITOR GENERAL OF** THE UNITED STATES, **SUPREME COURT JUSTICE**

"MR. MARSHALL BRANDISHED THE UNITED STATES CONSTITUTION THE WAY MOSES **BRANDISHED** THE TEN **COMMANDMENTS.** - NEW YORK TIMES

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TABLET HUMOR

That was the original tablet.

What's that?

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EVEN IMPORTANT MEN STUTTER



THE TEN COMMANDMENTS

I AM THE LORD THY GOD. **THOU SHALT HAVE NO OTHER GODS BEFORE ME. THOU SHALT NOT MAKE TO THYSELF ANY GRAVEN IMAGES.** THOU SHALT NOT TAKE THE NAME OF THE LORD THY GOD IN VAIN. **REMEMBER THE SABBATH DAY, TO KEEP** IT HOLY. HONOR THY FATHER AND THY MOTHER, THAT THY DAYS MAY BE LONG UPON THE LAND WHICH THE LORD THY GOD **GIVETH THEE.** THOU SHALT NOT KILL. THOU SHALT NOT COMMIT ADULTERY. THOU SHALT NOT STEAL. **THOU SHALT NOT BEAR FALSE WITNESS** AGAINST THY NEIGHBOR. THOU SHALT NOT COVET THY **NEIGHBOR'S HOUSE.** THOU SHALT NOT COVET THY **NEIGHBOR'S WIFE, NOR HIS** MANSERVANT, NOR HIS MAIDSERVANT, NOR HIS CATTLE, NOR ANYTHING THAT **IS THY NEIGHBOR'S.**

Stuttering Strategies 1. Slow rate 2. Full breath 3. Stretch speech Pausing 4. and chunking Light contacts 5.

The History of the Ten Commandments in American Public Education: The Ten Commandments were a prominent part of American public education for almost three centuries. Around the year 1688, The New England Primer became the first published American textbook and was the equivalent of a first grade reader. The New England Primer was used in public schools throughout the United States for more than one hundred fifty years to teach Americans to read and contained more than forty questions about the Ten Commandments. The Ten Commandments were also included in public school textbooks published by educator William McGuffey, a noted university president and professor. A version of his famous McGuffey Readers was written in the early 1800s and became one of the most popular textbooks in the history of American education, selling more than one hundred million copies. Copies of the McGuffey Readers are still available today. The Ten Commandments also appeared in textbooks published by Noah Webster in which were widely used in American public schools along with America's first comprehensive dictionary that Webster also published. His textbook, The American Spelling Book, contained the Ten Commandments and sold more than one hundred million copies for use by public school children all across the nation and was still available for use in American public schools in the year 1975.

King George VI of Britain struggled with a speech impediment. He rose to lead Britain when it counted most despite his stutter.



LEGAL NON-PROFITS IN ACTION

Nonprofit organizations are often some of the most powerful legal forces involved in cutting-edge legislation and litigation across the country, including high-profile First Amendment issues.

AMERICAN CIVIL LIBERTIES UNION "The ACLU today is the nation's largest public interest law firm, with a 50-state network of staffed, autonomous affiliate offices."

EDITORIAL: Satanists and ACLU target Ten Commandments The Gazette editorial Jan 14, 2014

ACLU of Arkansas Files First Amendment Challenge to Ten Commandments Shrine on Capitol Grounds

Affiliate: ACLU of Arkansas May 23, 2018 10:30 am

ACLU sues Giles County over Ten Commandments display

ACLU sues Dixie County over 10 Commandments

the Ten Commandments I AM the LORD thy God. Thou shalt have no other gods before me. Thou shalt not make to thuself any graven images. Thou shalt not take the Name of the Lord thy God in vain. Remember the Sabbath day, to keep it holy. Konor thy father and thy mother that thy days may be long upon the land which the Lord thy God give th thee. Thou shalt not kill. Thou shalt not commit adultery. Thou shalt not steal. Thou shalt not bear false witness against thy neighbor. 3636363636363 Thou shalt not covet thy neighbor's house. Thou shalt not covet thy neighbor's wife nor his manservant, nor his maidservant, nor his cattle, nor anything that is thy neighbors. * x x PRESENTED TO THE PEOPLE OF OKLAHOMA BY DR. MIKE AND CONNIE RITZE AND CHILDREN AMITY, HEIDI AND JAMEY

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FIRST LIBERTY "First Liberty Institute is the largest legal organization in the nation dedicated exclusively to defending religious liberty for all Americans."

> Victory! Oklahoma District Judge Says "Yes!" to Ten **Commandments Monument**

> First Liberty Moves to Stop Attacks Against Ten **Commandments Monument**

> First Liberty Testifies in Support of Texas Ten **Commandments Bill**

> Arkansas Ten Commandments Monument Should Stand, **Religious Liberty Law Firm Tells** Court

MEMES AND LAW

ACLU Challenges Posting of Ten Commandments In Kentucky's Schools and Courthouses

November 18, 1999 12:00 am

ACLU sues Giles County over Ten Commandments display

ACLU of Kentucky Files Suit to Stop Placement of Ten **Commandments Monument on Capitol Grounds**

Affiliate: ACLU of Kentucky July 10, 2000 12:00 am

EDITORIAL: Satanists and ACLU target Ten Commandments

The Gazette editorial Jan 14, 2014

ACLU of Kentucky Files Lawsuit Over Government-**Endorsed Ten Commandments Postings in Four** Counties

Affiliate: ACLU of Kentucky November 27, 2001 12:00 am

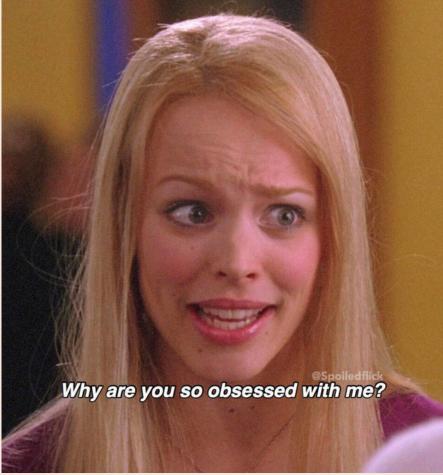
U.S. SUPREME COURT HANDS FINAL VICTORY TO ACLU-NM IN TEN **COMMANDMENTS CASE**

ACLU of NE Asks Appeals Court to Uphold Removal of **Ten Commandments Monument from Public Park**

Affiliate: ACLU of Nebraska August 13, 2002 12:00 am

Acting on Behalf of Concerned Residents and Clergy, ACLU of TN Challenges Posting of Ten Commandments in County Buildings

Affiliate: ACLU of Tennessee January 29, 2002 12:00 am



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ACLU Challenges Oklahoma State Capitol Ten **Commandments Monument**

Case: Prescott v. Oklahoma Capitol Preservation Commission Affiliate: ACLU of Oklahoma August 20, 2013 12:00 am

ACLU SUIT PROMPTS SCHOOL BOARD TO ABANDON DISPLAY OF TEN **COMMANDMENTS ON SCHOOLHOUSE WALLS**

ACLU sues Dixie County over 10 Commandments

ACLU sues Giles County over Ten **Commandments display**

Federal Appeals Court Hears ACLU Argument Against **Government Endorsement of Ten Commandments**

Affiliate: ACLU of Pennsylvania April 7, 2003 12:00 am

> ACLU of Arkansas Files First Amendment Challenge to Ten Commandments Shrine on Capitol Grounds

Affiliate: ACLU of Arkansas May 23, 2018 10:30 am

ACLU Sues Over Ten Commandments in Courthouse, Saying Biblical Text Violates Religious Liberty

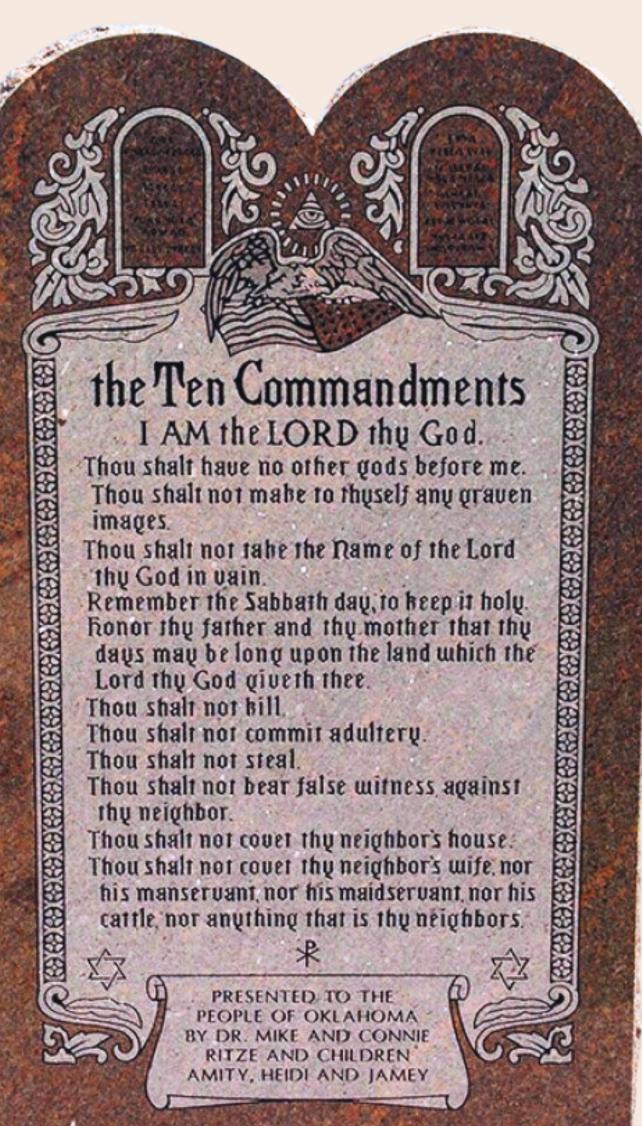
March 12, 2001 12:00 am

IMPORTANT SUPREME COURT CASES VAN ORDEN V. PERRY

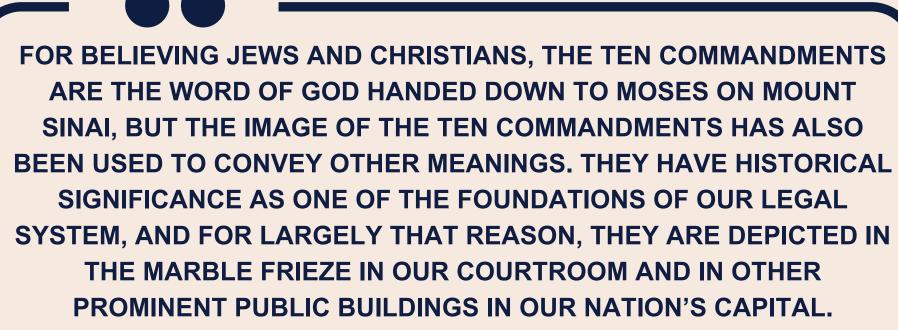
THE SUPREME COURT FOUND NO ESTABLISHMENT CLAUSE VIOLATION, WITH THE PLURALITY OPINION EMPHASIZING THAT "ACKNOWLEDGEMENTS OF THE ROLE PLAYED BY THE TEN COMMANDMENTS IN OUR NATION'S HISTORY ARE COMMON THROUGHOUT AMERICA." THE COURT NOTED THAT MOSES AND THE COMMANDMENTS APPEAR IN THE SUPREME COURT COURTROOM ITSELF, THE GATES LINING THE COURTROOM, AND THE DOORS LEADING INTO THE COURTROOM. THIS CASE ASKED WHETHER THE ESTABLISHMENT CLAUSE OF THE FIRST AMENDMENT ALLOWS THE DISPLAY OF A MONUMENT INSCRIBED WITH THE TEN COMMANDMENTS ON THE TEXAS STATE CAPITOL GROUNDS.

NOTE: THIS IS THE VERSION OF THE TEN COMMANDMENTS UPHELD IN VAN ORDEN, BUT DIFFERENT FAITH TRADITIONS ADOPT DIFFERENT VERSIONS OF THE TEXT OF THE TEN COMMANDMENTS. FOR EXAMPLE, THE CATHOLIC VERSION GENERALLY DOES NOT REFERENCE "GRAVEN IMAGES." AND THE TORAH USES THE PHRASE "I AM THE LORD YOUR GOD WHO BROUGHT YOU OUT OF THE LAND OF EGYPT, OUT OF THE HOUSE OF BONDAGE." THE MAIN DISSENT JOINED BY JUSTICE GINSBURG AND TWO OTHER JUSTICES DISAGREED WITH THE COURT'S JUDGEMENT, BUT ACKNOWLEDGED THAT "A DISPLAY OF THE COMMANDMENTS ACCOMPANIED BY AN EXPOSITION OF HOW THEY HAVE INFLUENCED MODERN LAW WOULD MOST LIKELY BE CONSTITUTIONALLY UNOBJECTIONABLE." THE DISSENT ALSO RECOGNIZED THAT THE COMMANDMENTS COULD "BE INTEGRATED CONSTITUTIONALLY INTO A COURSE OF STUDY IN PUBLIC SCHOOLS."

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HOW DOES THE SUPREME COURT **VIEW THE TEN COMMANDMENTS?**



AMERICAN LEGION V. AMERICAN HUMANIST ASSOCIATION

THIS COURT HAS SUBSCRIBED TO THE VIEW THAT THE TEN **COMMANDMENTS INFLUENCED THE DEVELOPMENT OF WESTERN LEGAL** THOUGHT.

VAN ORDEN V. PERRY DISSENT

A DISPLAY OF THE COMMANDMENTS ACCOMPANIED BY AN EXPOSITION OF HOW THEY HAVE INFLUENCED **MODERN LAW WOULD MOST LIKELY BE CONSTITUTIONALLY UNOBJECTIONABLE. AND THE** DECALOGUE COULD ... **BE INTEGRATED CONSTITUTIONALLY INTO A COURSE** OF STUDY IN PUBLIC SCHOOLS.

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