THE SUPREME COURT AND RELIGION

Ever since the Church of England was established in America, it has been compelled to adjust itself to the diversity of political and religious beliefs of the state with results that at times were exhibiting and disenchanted. Today, where the heterogeneousness of American society is more obvious than ever, the problem of religious expression is more pressing.

The Supreme Court has been challenged in recent years to determine the limits of the Establishment Clause in the Constitution. The Court has found it difficult to articulate a meaningful test for determining when the Establishment Clause has been violated.

The Court has been faced with cases involving the display of religious symbols on public property, the use of public buildings for religious services, and the funding of religious schools.

In the case of Lemon v. Kurtzman, the Court held that a state statute providing funds for religious schools violated the Establishment Clause. The Court stated that the statute was primarily religious in character and that it advanced religious purposes.

In the case of Zorach v. Clauson, the Court held that a state statute providing transportation for religious school children did not violate the Establishment Clause. The Court stated that the statute was secular in purpose and that it had a secular effect.

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The Court has also been willing to strike down state laws that have the effect of promoting religion. The Court has recognized that the Establishment Clause is not merely a negative prohibition against government involvement in religion, but also a positive command that government should remain neutral in religious matters.

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