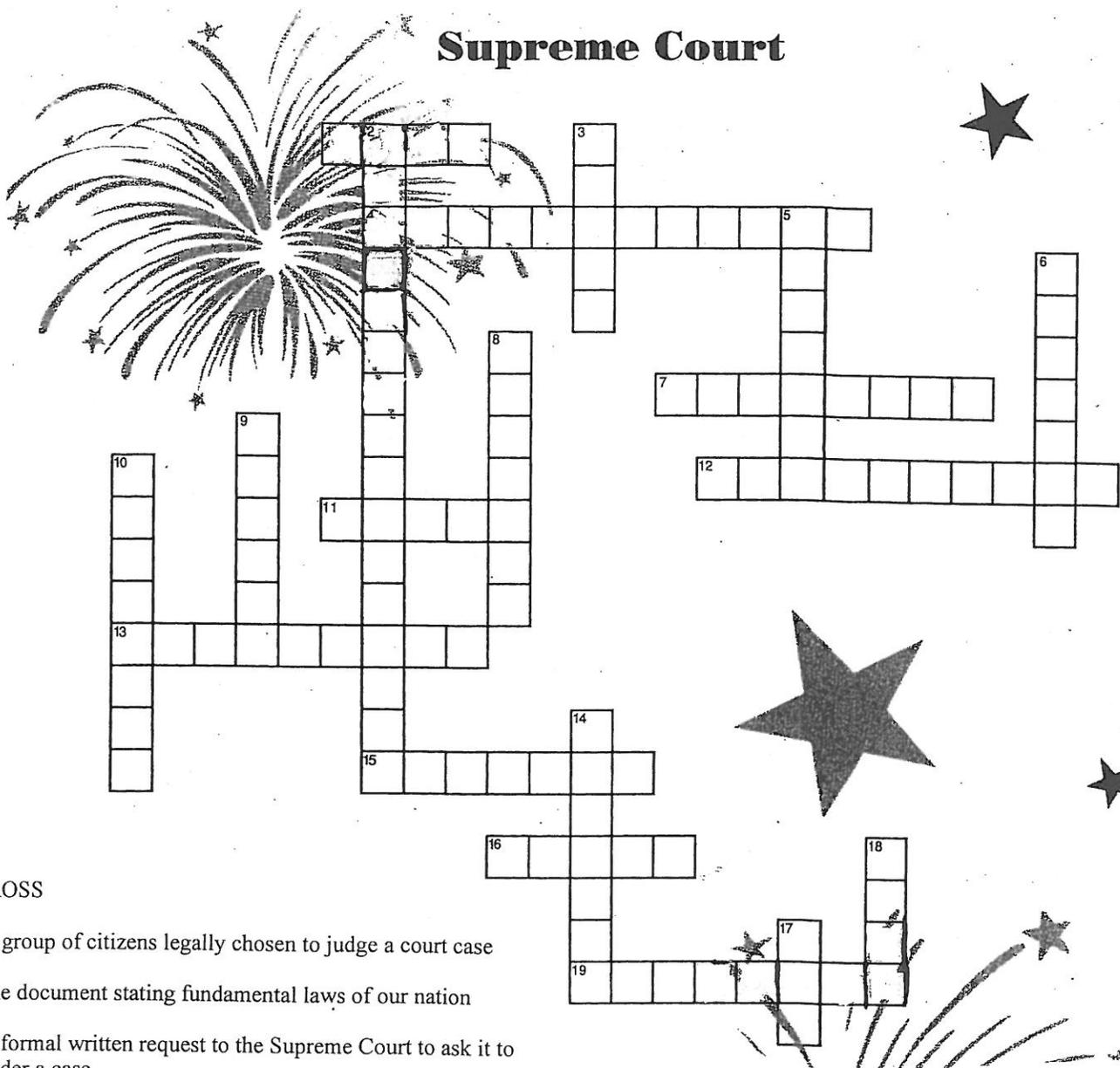


Supreme Court



ACROSS

1. A group of citizens legally chosen to judge a court case
4. The document stating fundamental laws of our nation
7. A formal written request to the Supreme Court to ask it to consider a case
11. In the judicial system, the person who runs a courtroom in a legal proceeding
12. A private meeting of the justices for considering and deciding cases
13. A _____ is the place in a courthouse where legal cases are heard and decided; at the Supreme Court, it is the place the justices meet to hear arguments in cases
15. A place where books are stored
16. A assistant to a judge
19. The last name of two very important justices of the past on the Supreme Court; first names "John" and "Thurgood"

DOWN

2. Going against the Constitution
3. The _____ Justice oversees the work of the Supreme Court
5. A formal judgment of a case handed down by the Supreme Court
6. The name of a judge who sits on the Supreme Court
8. The _____ Court is the highest court in the land
9. Another name for an attorney
10. The third branch of government, involving courts
14. Another work for independence; "let _____ ring."
17. A rule that all citizens should follow
18. When lawyers speak about their case at the Supreme Court, they make an _____ argument

The True Story of Lillian and William Gobitis

The story begins one day in Massachusetts in 1935, when third grader Carelton Nicolls, Jr. refused to say the Pledge of Allegiance and salute the flag. Every child saluted the flag except Carelton was a Jehovah's Witness. This religious group thinks that saluting or pledging loyalty to a flag is worshiping it. And like other religions, theirs forbids worshiping anyone or anything but God. Carelton was in trouble. Massachusetts law required students to salute the flag. Carelton was sent home from school. The next day, his father came with him to school and also refused to salute. He was arrested for disturbing the peace. This made the Jehovah's Witnesses angry. One of their leaders made a speech about it on the radio. "Jehovah's Witnesses conscientiously object and refuse to salute the flag and pledge allegiance to it," he said.

Two young Jehovah's Witnesses in Pennsylvania heard this speech. They were fifth and seventh graders, William and Lillian Gobitis. They decided to stand up for what they believed. At school the next day, Lillian told her teacher, "I shall not salute the flag anymore." Lillian's classmates teased her and threw rocks at her. The school expelled her and her brother.

The children's father decided to go to court. He and the other Jehovah's Witnesses asked a federal judge to decide who was right in a 1938 case. They wanted the right not to salute or say the pledge. The school insisted that the children should obey the law to honor our country. The judge agreed with the Jehovah's Witnesses, saying that William and Lillian had the right to not salute the flag. The Constitution protected their freedom of religion. The school could not force the children to salute the flag if doing so was against their religion.

An Appeal

That is not the end of the story. The school did not like this court's decision and asked another court to hear both sides. This was a more powerful court, the Federal Court of Appeals. The judges in the Appeals Court did listen again to both sides, but they also agreed with the Jehovah's Witnesses. They said that Lillian and William did not have to salute and could go back to school.

The school still did not accept this decision. It appealed the case once more to the highest court in the land, the U.S. Supreme Court. The children's family felt sure that the Supreme Court would favor their side.

After all, the lower courts had protected their constitutional right to practice their religion freely. But they were surprised. In June 1940, the Supreme Court ruled in favor of the school. Of the nine justices, eight decided against the Jehovah's Witnesses. They reversed the decision of the lower courts. (Some people call these justices *conservative* because they decided not to change the law made by a state.) Chief Justice Felix Frankfurter said the children should obey the state law that forced children to salute the flag.

One Against Eight

Only one justice disagreed. Justice Harland Fiske Stone did not think the Supreme Court should let states make laws that took away freedom of religion. He said the Constitution was supposed to guard the rights of minorities. Jehovah's Witnesses were the minority because most other religious groups did not think saluting the flag was wrong. But the rest of the justices outvoted him.

First Lady Eleanor Roosevelt spoke out in favor of the Jehovah's Witnesses. Finally three of the justices changed their minds about the issue. "If we go back to court," the Jehovah's Witnesses thought, "we might win this time." So they took another similar case to court in West Virginia.

A Victory At Last

After a series of trials, the West Virginia school board appealed to the Supreme Court. The Court made its decision on national Flag Day, June 14, 1943. The Constitution, Justice Robert Jackson said, guards the individual's right to speak his own mind. Yet, he said, it does not force anyone to do or say what is not in his mind. Forcing Jehovah's Witnesses to pledge or salute violates their rights to free speech and free religion. No one should be forced to agree or act with the majority, he said. At last, the Jehovah's Witnesses had the decision they hoped for and felt free to promise allegiance only to God without being afraid of breaking rules or laws.