

Carol Stewart

AM ST 390R/POLI 393R

Prof. Robert T. Smith

April 22, 2026

What's Hanging on the Classroom Wall?

Most people can picture a public-school classroom wall: the flag, the clock, the board, student work, and a few posters meant to keep restless eyes on the lesson. In Louisiana, state law now requires something far less ordinary on that wall: the Ten Commandments. The question is whether the state can require that a sacred text be displayed in every public-school classroom. History, constitutional law, and the purpose of the classroom point to the same conclusion: Louisiana's law is unconstitutional.

That new object on the wall is at the center of *Roake v. Brumley*, the challenge to Louisiana's House Bill 71, now Act 676. The law requires every public-school classroom to display a poster-sized version of the Ten Commandments, with state-approved language framing the text as historical rather than devotional. But the label does not change the text. Louisiana requires a sacred text to hang in classrooms where children learn reading, math, science, and history. This is not government neutrality toward religion. It is the state, using its authority, placing a sacred text in a compulsory public-school setting.

Louisiana's defenders are right about one point: public schools may teach about religion. Students can study the Bible as literature, learn about Puritanism, and examine how faith has shaped American public life. But teaching about religion is not the same as requiring a sacred text to hang in plain view of every student. The Ten Commandments are not just historical; they contain unmistakably religious commands such as "Thou shalt have no other gods before me" and "Remember the sabbath day, to keep it holy." A display built around that text does not become neutral because the state calls it historical.

Supporters of Louisiana's law often answer Establishment Clause concerns by invoking the flag and the Pledge of Allegiance in public-school classrooms, but that comparison shows how far this law goes beyond ordinary civic practice. Students see the flag and recite the pledge as a civic ritual expressing loyalty to the nation. Even then, no one can be forced to say the words or affirm the reference to being "under God." That ritual gestures toward God while remaining a patriotic formula. Louisiana's law does something else. It places a sacred text from a religious book on the wall in front of every child in every classroom.

A public-school classroom is a place where students are required to be. They cannot simply walk away. When Louisiana orders every classroom to post the Ten Commandments, it turns that display into the school's own, state-backed message. One core purpose of the Establishment Clause is to protect people from having the government's religious choices imposed on them. A school's first duty is to protect every child from harm, including state-imposed religion. By forcing every classroom to display the Ten Commandments, the state uses its power to promote a religious text instead of protecting those children. Under this law, each child sits under the state-selected message day after day.

That concern is not new. In 1980, the Supreme Court in *Stone v. Graham* struck down a Kentucky law requiring the Ten Commandments to be posted in public-school classrooms, holding that the text was plainly religious and that the state's claimed secular purpose did not change that. *Stone* was decided under the now-discredited *Lemon* framework, so it may not control this case the way it once did. On April 21, 2026, the Fifth Circuit ruled that Texas may require Ten Commandments displays in public-school classrooms, relying on the newer history-and-tradition approach and treating *Stone* as a weakened precedent.

Louisiana's strongest argument rests on the Court's recent turn toward history and tradition in Establishment Clause cases. In *Town of Greece*, *American Legion*, and *Kennedy*, the Court moved away from *Lemon* and took a more favorable view of public religious expression tied to longstanding national practice. Louisiana will argue that this law restores a familiar form of moral instruction rooted in the nation's religious heritage. It may also point to nineteenth-century school practices and say history favors bringing the Ten Commandments back into public classrooms. That argument is gaining ground in the Fifth Circuit.

But those cases involved adults, monuments, or voluntary settings. A public-school classroom is different. Children are required to be there, the state chooses the text, and the display is a mandate, not a leftover monument. Even under the newer history-and-tradition approach, the state should not be free to place a sacred text before a captive audience of schoolchildren and call it neutral because something similar occurred in the nineteenth century. In a religiously diverse public school, including students from minority faiths and no faith at all, moral instruction should leave room for a child's own beliefs. It should not tell that child which God to honor or how to worship. History can help courts understand the Constitution, but it cannot excuse the government from favoring one faith in a compulsory classroom.

The Fifth Circuit did not resolve that constitutional question in Louisiana's case. It vacated the earlier ruling on ripeness grounds and sent the case back without deciding whether the state may require a sacred text in every classroom. But the law is no longer hypothetical. The state has already decided what must hang on the wall and what explanation must accompany it. The case should be decided on the merits of the Establishment Clause, and the Constitution weighs against Louisiana.

A public-school classroom is not the place for this kind of experiment. Children go there to learn to read, write, and study history, science, and math, not to sit beneath a state-selected religious display and wonder whether they belong. The Ten Commandments are, first and foremost, a sacred text for particular faiths, not a neutral civics poster. Respect for students of every belief, and for the Constitution that protects them, requires the state to stay out of the business of endorsing religion in a captive classroom. A classroom wall should tell every child that the room belongs to them equally. Louisiana's law tells a different story, and that is why it should be held unconstitutional.