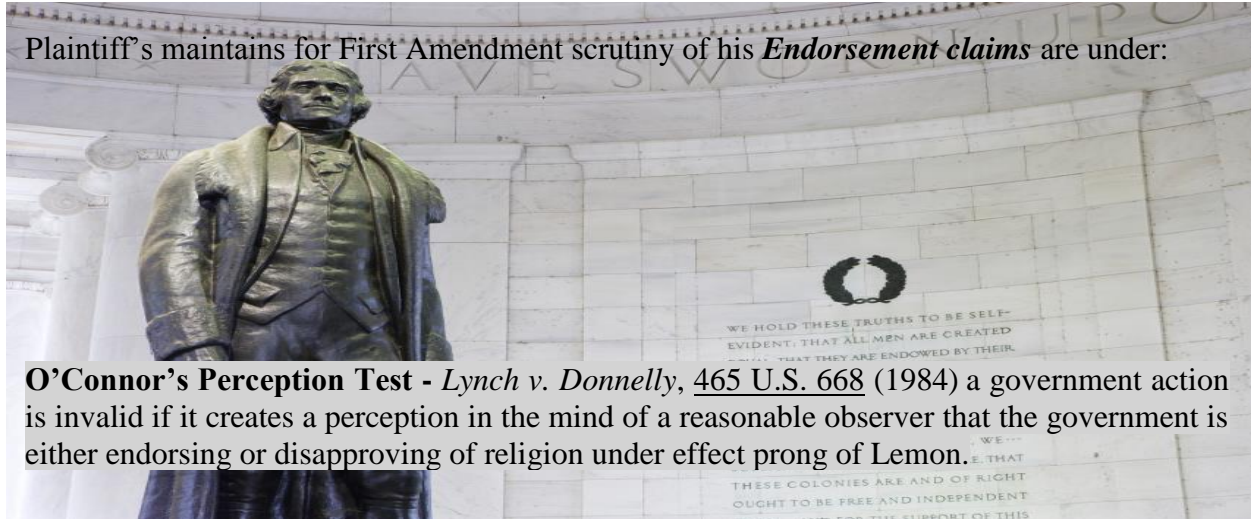


# Establishment Clause Jurisprudence & Doctrines Neutrality & Coercion Tests or Endorsement Test

Plaintiff's maintains for First Amendment scrutiny of his *Endorsement claims* are under:



**O'Connor's Perception Test** - *Lynch v. Donnelly*, 465 U.S. 668 (1984) a government action is invalid if it creates a perception in the mind of a reasonable observer that the government is either endorsing or disapproving of religion under effect prong of *Lemon*.

**CREATION SCIENCE HALL OF FAME**



**Creationism Doctrine** - *Edwards v. Aguillard*, 482 U.S. 578 (1987) barred the teaching of creation science in public institutes on constitutional grounds.



**Intelligent Design Doctrine** - *Tammy Kitzmiller, et al. v. Dover Area School District, et al.* 400 F. Supp. 2d 707, Docket no. 4cv2688 (2005). This endorsement exam is invoked in situations where the government is engaged in expressive activities of an intelligent design.

While the Court looks to the endorsement test in matters of expression, questions involving use of government funds are increasingly determined under the rubric of neutrality. (See *Zelman v. Simmons-Harris*, 2002, and *Mitchell v. Helms*, 2000.)

**Coercion Test** - Some justices propose allowing more government support for religion than the *Lemon* test allows. These justices support the adoption of a test outlined by Justice Anthony Kennedy in his dissent in *Allegheny County v. ACLU* and known as the "coercion test." Under this test the government does not violate the establishment clause unless it (1) provides direct aid to religion in a way that would tend to establish a state church, or (2) coerces people to support or participate in religion against their will.