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Our Opinion: Make moment of silence voluntary

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IN THE SPIRIT of giving credit where it is due, Gov. Rod Blagojevich did the right thing in 2007 when he vetoed a new version of the Silent Reflection and Student Prayer Act that made a moment of silence mandatory in all Illinois schools.

Even Blagojevich — a self-professed dunce in constitutional law — knew this bill did nothing more than force prayer into schools and was clearly an affront to the Constitution. Unfortunately, the General Assembly overrode his veto, thus forcing all public schools in Illinois to have a moment of silence each day to provide "an opportunity for silent prayer or for silent reflection on the anticipated activities of the day." (That language had been part of state law since 1969, but the moment of silence had been voluntary.)

THE NEW LAW was a nuisance to teachers and a joke to students. It was challenged immediately in federal court, suspended statewide by judicial order last May and, last month, was ruled unconstitutional.

U.S. District Judge Robert Gettleman — operating on the legal principle that that which quacks, walks, swims, flies and looks like a duck may be called a duck — called the law "a subtle effort to force students at impressionable ages to contemplate religion."

A BILL sponsored by state Rep. John Fritchey, D-Chicago, would take the law back to voluntary status for schools. This effort has failed before, but we hope Judge Gettleman's recent ruling will help get it passed this time.

For decades, the various "moment of silence" statutes have represented bad law — meaningless intrusions of state government into school business. The 2007 revision that made the moment mandatory turned it into a terrible law. We support reverting back to bad law so teachers can freely disregard this ridiculous statute. (This is what passes for reform in Illinois.)

MEANWHILE, we encourage parents who want their kids to pray or meditate in silence to have them do so at home, before and/or after school.

Perhaps they could even say a brief prayer of thanks for the U.S. Constitution, which guarantees their right to do so without government interference.

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