

125th Anniversary Essay Contest

PROMPT: In *West Virginia State Board of Education v. Barnette* (1943), the United States Supreme Court held that public school students had a First Amendment right to decline to participate in compelled speech that conflicted with their own religious beliefs. Identify another school policy that impacts students' First Amendment rights and, using the reasoning contained in Justice Jackson's majority opinion or in Justice Frankfurter's dissent in *Barnette*, and your experiences, explain how you believe the Supreme Court should balance a student's individual rights against the school's need to enforce the policy that impacts or infringes on those rights?

Your response to this question should reflect your understanding of the majority opinion of Justice Jackson, as well as the dissenting opinion of Justice Frankfurter.

Background

Over 80 years ago, Justice Robert H. Jackson wrote the majority opinion in *West Virginia State Board of Education v. Barnette*, holding that the First Amendment prevented public school officials from compelling students to salute the flag and recite the Pledge of Allegiance. Justice Jackson wrote, "We think the action of the local authorities in compelling the flag salute and pledge transcends constitutional limitations on their power and invades the sphere of intellect and spirit which it is the purpose of the First Amendment . . . [t]o reserve from all official control." Justice Felix Frankfurter disagreed, writing "I cannot bring my mind to believe that the 'liberty' secured by the [Constitution] gives this Court authority to deny to the [government] the attainment of that which we all recognize as a legitimate legislative end, namely, the promotion of good citizenship."

Length & Format

Essays are **limited to 1,000 words** (strictly enforced). Submit your essay as a Microsoft Word or Adobe Acrobat PDF document. Do NOT include your name on the document itself.

Judging Criteria

- Understanding of constitutional principles (25 pts)
- Discussion of *Barnette* reasoning (25 pts)
- Clarity and persuasiveness (25 pts)
- Grammar, spelling, and composition (25 pts)

The work submitted by each contestant must be his or her own. Exceeding the word limit, missing the deadline, plagiarism, providing false entry information, and not adhering to the rules are grounds for disqualification.

Submission Deadline

Your essay **must be submitted by 11:59 p.m. on Sunday, March 9, 2025**. Simply email your entry to 125essay@nywd.uscourts.gov. You must include your name and address in the body of the email.

Awards for Top Contestants

- A cash prize;
- An invitation to the WDNy's Celebration Event in Buffalo on May 7, 2025;
- Publication with attribution on the Court's website;
- A certificate signed by WDNy's Chief Judge Elizabeth Wolford.

First Place
\$250
Second Place
\$200
Third Place
\$150
Hon. Mention
\$50

Moot Argument Competition

The top contestants in the essay contest will also be invited to participate in a moot argument competition for an additional cash award. The competition will simulate a court hearing, in which contestants will be asked to present oral argument on the essay topic before one or more federal judges. More details on the competition will be posted on the Court's website in January. Please visit: www.nywd.uscourts.gov/anniversary

Who Can Participate

The essay contest is open to all students participating in the classroom component of WDNy's civic outreach program. Members of the household of an employee of the federal judiciary are not eligible to win.

