

1979 WL 43601 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

September 20, 1979

\*1 Honorable William W. Doar, Jr.  
Senator  
Georgetown & Charleston Counties  
P. O. Drawer 418  
Gerogetown, South Carolina 29440

Dear Senator Doar:

Attorney General McLeod has referred your letter of September 11, 1979, to me for reply. You have requested an opinion as to whether it would be constitutional to place copies of the Ten Commandments in public school rooms.

While this question can be answered with certainty only when it is known in what form this action would take, it is the opinion of this Office that the placement of the Ten Commandments in public school rooms is not necessarily unconstitutional. Only one reported federal case, [Anderson v. Salt Lake City Corporation](#), 475 F.2d 29 (10th Cir. 1973), has discussed the relationship between the Ten Commandments and the First Amendment. The Court concluded that Ten Commandments have 'substantial secular attributes' and held that the First Amendment was not violated by the display on the grounds of the Court House of a granite monolith on which the Ten Commandments were inscribed.

While it is possible that another court could reach an entirely opposite conclusion on the same facts, it is the opinion of this Office that if the placement of copies of the Ten Commandments in public school rooms were to be challenged in court, the practice would stand a substantial chance of being upheld.

Sincerely yours,

Kenneth P. Woodington  
Assistant Attorney General

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