

U.S. Court Rejects Mandatory Chapel At Service Schools

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WASHINGTON, June 30 (UPI) —The United States Court of Appeals for the District of Columbia ruled today, 2 to 1, that compulsory chapel attendance at the United States military academies was an unconstitutional violation of the First Amendment's guarantee of free dom of religion.

The ruling reversed a decision by Federal District Judge Howard F. Corcoran on July 31, 1970, that the attendance requirement for cadets and midshipmen at the three Federal military academies was constitutional.

The appeals court ruling came in a lawsuit filed in January, 1970, as a class action on behalf of all those attending West Point, the Naval Academy and the United States Air Force Academy.

Regulations at all three institutions require attendance at either Protestant, Roman Catholic or Jewish services on Sundays.

Chief Judge **David L. Bazelon** and Judge Harold Leventhal of the appeals court concurred in the opinion upsetting the requirement.

Dissenting was Judge George E. McKinnon, who said, "The importance of the attendance regulations to the academies' training programs is of the highest order to my mind."

In his decision, Judge Bazelon said that Defense Department officials and heads of the military academies "have made no showing that chapel attendance requirements are the best or the only means to impart to officers some familiarity with religion and its effects on our soldiers."

"This case does not involve programs vital to our immediate national security or even to military operational or disciplinary procedures," he said.