Earl Warren may have been chief justice of the United States, but he commanded neither an army nor an air force to enforce the decisions of the Supreme Court. That was left to the goodwill of officials who controlled the public schools and to the political apparatus of each state, including its judges and elected officials. Without their cooperation in assuring compliance with the law as set forth in Schempp, plaintiffs would have to file lawsuits to force local compliance through court orders.

Unfortunately, goodwill was lacking. Just thirty miles south of Abington, in the state of Delaware, Attorney General David Buckson was planning some serious mischief. The highest-ranking legal officer of the state, Buckson saw that Delaware’s law on classroom devotionals was essentially the same as the Pennsylvania statute struck down in Schempp. Failure of teachers to comply brought the draconian consequences of revocation of teaching credentials for the second offense. Moreover, participation in the morning devotionals was compulsory, giving the law even a greater constitutional infirmity than the Pennsylvania law, which had been amended with an excusal provision. After Schempp, all such laws in the United States on prayer and Bible reading were unconstitutional. So Delaware’s law seemed to have no brighter future than a brown leaf fluttering to the ground in November.

Nonetheless, Buckson defied the nation’s highest court. On August 12, just eight weeks after the Supreme Court ruled in Schempp, he issued an opinion letter saying that the Delaware law
was nonetheless valid. With that, George R. Miller, secretary of the state board of education, ordered the state's public schools to continue with their morning devotionals when sessions resumed the following month.¹

Soon the state proceeded in its hopeless defense of a lawsuit filed by a husband and wife, both Protestants, whose children attended a Dover elementary school. Buckson would sooner flap his arms and fly than win before any competent judge, but perhaps he thought that defying the U.S. Supreme Court on the issue of Bible reading would bring him some political advantage. He probably wasn’t counting on trying the case before a three-judge federal court headed by no less than Judge John Biggs himself. After a trial that established a set of facts not unlike the situation in Abington, the Biggs court ruled against the state and issued a permanent injunction preventing the morning devotionals from continuing.²

Cooperation among public officials in Florida was no better. In its decision in Chamberlin v. Dade County on June 6, 1962, the Florida Supreme Court had placed itself in outright defiance of the U.S. Supreme Court’s interpretation of the two religion clauses, saying they “have been tortured beyond the intent of the Authors.”³ The U.S. Supreme Court swatted aside that attack on June 17, 1963—the same day it decided Schempp and Murray—by issuing its one-sentence opinion vacating the decision and sending the Chamberlin case back to the Florida Supreme Court, to be reconsidered there in light of Schempp and Murray.⁴

The U.S. Supreme Court had spoken clearly, forcefully, and with near unanimity in Schempp. But when the Florida judges followed through with another opinion on January 29, 1964, they admitted feeling “in doubt as to the manner and the extent to which our judgment should, by reason thereof, be modified.”⁵ Additional briefs and arguments from counsel, including Leo Pfeffer, had not seemed to bring the judges any additional clarity. Despite Schempp, Florida’s highest court once again unanimously declared that Bible reading and recitation of the Lord’s Prayer in the state’s public schools did not violate the First Amendment. For good measure (and just in case
the justices in Washington had put their defiance of nineteen months earlier out of mind), Judge Caldwell wrote that the establishment clause “was never designed to prohibit the practices complained of.” So the Florida judges reaffirmed their earlier opinion.

Four months later, in a one-paragraph opinion, the U.S. Supreme Court once again reversed the Florida court’s decision on prayer and Bible reading. On February 10, 1965, the Florida court finally backed down, but Judge Caldwell wouldn’t let go easily. He complained, “[W]e would have been grateful for the assistance a considered opinion rationalizing the dissimilar facts would have afforded . . .”

Finally, the Florida matter was over, but resistance to the Schempp decision was not. Defiance of Supreme Court rulings was not unknown, the most dramatic recent example also having involved the public schools. The Court’s desegregation order in Brown v. Board of Education was routinely ignored in the South. In the eleven states that had the largest proportion of African Americans, less than 2 percent of black students were studying with white students a full ten years after the case.

Defiance of Schempp was also widespread, and it took on vastly different forms. In Washington, congressmen put in an endless stream of proposals to amend the Constitution to allow devotional exercises in the public schools. In fact, if amendment proposals were raindrops, the Capitol building would have floated down Pennsylvania Avenue in a biblical flood. Congressmen also tried to strip the federal courts of any authority to hear cases on public school devotionals. In many states, local and state officials refused to enforce Schempp or actively defied it. As it turned out, respect for the Court’s decision was nonexistent in many parts of the country. Although devotional exercises declined rapidly in the East and the West, defiance of the Supreme Court’s directive was widespread throughout the South and, to a lesser extent, in the Midwest.

Perhaps the place where dismantling of public school devotionals went most smoothly was in Abington. Bible reading and recitation
of the Lord’s Prayer ended immediately. To his credit, the superintendent of Abington’s schools, Matthew W. Gaffney, used the decision to make a larger point. “The Constitution has been interpreted by the Supreme Court,” he said. “It is therefore our professional responsibility to act in accordance with that decision.” He added that the decision highlighted “the importance of law in the protection of our American and World civilization.” He advised, “Each teacher should find the opportunity to bring this lesson to the attention of the students.”

Richard C. J. Kitto, an attorney whose office was near Abington, wrote to Justice Goldberg on June 20 (three days after the Schempp decision) to report that his wife, a substitute kindergarten teacher in Abington, had seen compliance with the law. “In the morning the principal of the local school had the Bibles collected and removed from the classrooms to avoid any possible accidental violation of the decision,” Kitto reported.

A few weeks later, Gaffney elaborated on his plans for dealing with religion in the Abington schools. Holiday observances would continue, he recommended, but with “good judgment” and with understanding of the religious differences among students. Invocations and benedictions could continue as long as representatives of all faiths in the community could participate. Pennsylvania officials announced an alternative plan on the same day that the Schempp decision came down. Charles H. Boehm, the state superintendent of public instruction, said that students would start the day with silent meditation, followed by inspirational music and literature.

Like Abington, all public schools throughout the country should have rid themselves of devotional exercises immediately after Schempp. But many did not. One study, by H. Frank Way, found that compliance was best in the East, where schools conducting prayers declined from 83 percent to 11 percent, and in the West, where the number declined from 14 to 5 percent. But in the South, 87 percent of elementary school teachers led their students in morning prayers before 1962, and 64 percent still did so in 1964–65. In the Midwest, 21 percent of elementary school teachers conducted prayers, not a significant change from the 38 percent in 1962.
Results of other surveys were even more dismal. In a 1960 survey, R. B. Dierenfield found that 42 percent of school districts in the United States conducted Bible readings; by 1966, three years after Schempp, this percentage still stood at 19.5 percent, or about one district in five. Dierenfield found that 50 percent of school districts conducted some kind of devotional exercises in 1960 and that 14 percent still had prayer recitation in 1966.15

A third survey, conducted by Kenneth M. Dolbeare and Phillip E. Hammond, showed roughly the same rate of compliance. Building on Dierenfield’s 1960 survey, Dolbeare and Hammond sent questionnaires to the school districts that had responded to Dierenfield that they conducted devotional exercises. They examined whether the Schempp decision had caused these districts to end their religious practices. About one-third of the school districts retained their practices despite the Supreme Court rulings. Regional variations were extensive. Defiance was common in the South, where only about one school district in five complied with the Court’s prayer and Bible-reading edicts. A little more than half of the districts in the Midwest and almost two-thirds of those in the West complied. School districts in the East fell in line behind Schempp, with 93 percent in compliance.16

The authors’ most interesting finding related to the reasons why compliance varied so widely. Public officials influenced compliance by their public comments on the Schempp decision and on religious ceremonies in the public schools. “Clearly, public statements by state officials are strongly related to the likelihood of compliance,” the authors concluded, adding, “Thus, strong public affirmation by state officials seems to promote a high rate of compliance, and public negation seems to inhibit it.” The six states with a preponderance of negative actions by state officials were all in the South, where compliance by school districts was rare. Officials in many states made no public pronouncements at all on religious exercises after Schempp, and in that group of states, compliance fell below 50 percent. The authors found that in the absence of leadership by state officials, compliance depended on the actions of local officials.17
To understand the local dynamics that produced defiance of the Schempp decision, the authors went to an unidentified state in the Midwest and studied five small communities ranging in population from about five thousand to forty-five thousand. Four of the five towns were county seats. In those communities, the authors found “flagrant noncompliance.” The authors said, “Those [community members] who might have wanted to follow the law of the land were discouraged, isolated, or rendered impotent.”

Dolbeare and Hammond found four reasons for the widespread defiance of the Schempp decision. First, officials simply did not see compliance with Schempp as important enough an issue on which to expend political capital. Second, after many officials decided to disregard Schempp, they conveniently ignored information that might force the issue to the table: some officials regarded their schools as being in compliance even when they clearly were not; some overlooked information about religious practices, enabling them to claim ignorance of what was going on; some misinterpreted the Court’s ruling, thinking it perfectly acceptable under Schempp for each teacher to exercise the discretion to hold devotionals or not. Third, some local leaders wanted to maintain religious exercises in the classroom simply to avoid conflict in the community. Fourth, no easy process existed for raising the question of compliance, so the practices continued absent someone willing to challenge them (typically in court) and absorb the ostracism likely to follow.

Dolbeare and Hammond interviewed extensively within the five school districts. Some superintendents said that they believed Schempp banned only sectarian practices, and most said that any religious practice was acceptable as long as students did not feel coerced to participate—a complete misreading of the decision. Among the school principals, few communicated with their teachers about the legal restriction on devotionals in the classroom. Few if any of the principals understood the decision anyway. They held the idea that devotionals were inappropriate only if the majority didn’t want it or only if the devotionals included comments by the teacher.

How did the Schempp decision affect teachers? Dolbeare and
Hammond found that few teachers had received any guidance from superiors. Left to their own devices, many teachers did not change anything they had done previously. One teacher continued to have students say prayers in class (in the morning and afternoon and before meals) and sing religious songs learned in Sunday school. She claimed never to have heard a directive on *Schempp* from anyone. “I consider it my professional responsibility to teach children religion,” she told an interviewer.22

Of course, in many instances, local officials understood *Schempp* and simply defied the ruling. Like Delaware, Idaho simply ignored the ruling. The state superintendent of schools and the state board of education continued to require that schools follow a state law that required the daily reading of Bible passages taken from a list compiled by the state board. In July 1964, thirteen months after *Schempp*, a three-judge federal court in Idaho unanimously struck down the Bible-reading law, citing *Schempp*, despite the unusual admission that “members of the court may have personal reservations.”23

In Tennessee, meanwhile, state law required reading of the Bible in public schools across the state. Two months after the *Schempp* decision came down, the state commissioner of education said that Bible reading in the public schools was still legal and that local school commissioners could make a decision on their own to follow either the state law or *Schempp*.24 It is little surprise that under those official instructions, only one school district in the entire state banned Bible-reading and devotional exercises. In a survey of 121 school districts conducted in 1964 and 1965, Robert H. Birkby, an associate professor of political science at Vanderbilt University, found that seventy districts had made no changes whatsoever in their practices and were still following state law. The other fifty districts had changed their policy only to the extent of making Bible reading voluntary.25

Some school districts tried various dodges instead of outright defiance. In ingenuity, perhaps no school district could top the district of Netcong, New Jersey. In September 1969, just as the new school year was starting, the Netcong school board enacted a resolution requiring a five-minute period at the beginning of school for
students and teachers who wanted to participate voluntarily in religious exercises. Trying mightily to sidestep *Schempp*, school officials convened a daily assembly at 7:55 a.m. in the gymnasium. A student read the verbatim proceedings of the U.S. Congress from the *Congressional Record*—specifically, what the school called the “remarks” of the chaplain who opened the proceedings each day. The chaplain’s “remarks” consisted of passages from the Bible and then offers of prayer. This invocation always began with the words “Oh God” or something similar and ended with “Amen.” As the court found, every exercise by the chaplain amounted to “a solemn avowal of divine faith.”

Who could object to the students immersing themselves in the daily business of the U.S. Congress? New Jersey’s state board of education saw through the ruse and sued the Netcong school district in state court. “To call some beautiful prayers in the *Congressional Record* ‘remarks’ for a deceptive purpose is to peddle religion in a very cheap manner under an assumed name,” said the court. “This type of subterfuge is degrading to all religions.” The New Jersey Supreme Court affirmed the trial court’s judgment, saying there was no meaningful difference between Netcong’s program and the exercises ruled unconstitutional in *Schempp* and *Engel*.

As the years passed by, many of the school districts in the South and Midwest that initially defied the *Engel* and *Schempp* rulings came slowly into compliance. Although state officials or local school boards eventually stopped the practices of organized prayer and Bible reading, some pockets of resistance remained. If the vast majority of people in a school district agreed with carrying on the devotionals and if nobody had the courage to bring legal action and absorb a fierce reaction by the community, the practice might continue.

In 2001, Louisiana still had a law on its books permitting the devotional exercises outlawed by the U.S. Supreme Court. A parent in the West Monroe school district sued the school board and the state over the Christian prayers read over the public address system in the local high school. After the plaintiff’s son declined to participate in the devotionals, some other students had called him a devil
worshiper. The plaintiff felt she had to sue as “Jane Doe on behalf of David Doe” to avoid additional harassment. Writing for a unanimous federal court of appeals on December 11, 2001, Judge John M. Duhe, Jr., ruled that the Louisiana law violated the First Amendment. Nearly four decades after Engel and Schempp, the federal courts were still trying to enforce the law of the land on devotionals in the public schools.

Once the justices say what the Constitution means, the icy reality for opponents is that there is no further appeal. Opponents can hope for one of two developments, both unlikely. The Court could eventually reconsider the issue and reverse itself, something the justices do only with great reluctance, because of the value placed in the law on respecting precedent. Or opponents can use the process set out by the Constitution itself to pass an amendment that would override the decision, a difficult task because of the supermajorities required to get the job done: two-thirds of each house of Congress and then three-quarters of the states must vote in favor of an amendment.

With only Potter Stewart dissenting in the Engel and Schempp cases, everyone saw clearly that the justices would not change direction anytime soon. So Schempp’s critics in Congress began submitting proposals for constitutional amendments to overrule the decision. During the Eighty-eighth Congress, the one in session at the time of Schempp, congressmen introduced 146 resolutions proposing amendments to overturn the decision. The resolutions made their way to the House Judiciary Committee, chaired by Representative Emanuel Cellar, a New York Democrat and staunch foe of amending the Constitution to bring back devotionals in the public schools. Cellar’s opposition seemed to doom all of the proposals. But then Frank Becker, a New York Republican congressman, emerged from the crowd and made the overturning of Engel and Schempp into a personal crusade.

Following the Engel decision, Becker had submitted an amend-
ment resolution that would have restored prayer to the public schools: “Prayers may be offered in the course of any program in any public school or other public place in the United States.” A year later, however, he recognized that the variety of proposals on prayer and Bible reading made it virtually impossible for advocates to get any one of them passed. Everything seemed to fall apart on the details. Should the amendment cover prayer or Bible reading—or both? What prayer and whose Bible should it cover? Who would choose? The possibilities were endless, but patience was not. To bring the pro-devotional forces into alignment, Becker convened a bipartisan group of congressmen to draft a new amendment, which he then introduced. This one went well beyond his first attempt the year before, allowing prayers and Bible reading on a voluntary basis in public schools and institutions. Cellar reluctantly agreed to hold hearings. The hearings, though, did not give Becker the lift he needed.

Two hundred and twenty-three constitutional lawyers and professors submitted a petition opposing passage of an amendment. The strongest advocates in Becker’s corner were a group of his colleagues in the House of Representatives, but some of them made hyperbolic statements not much different from those made by Southern segregationists after the Brown decision a decade earlier. No doubt, such exaggeration and extremism repelled many moderates and thus diminished the push for a constitutional amendment. Next to the calm and thoughtful testimony of many religious leaders were the declamations of Mendel Rivers of South Carolina, who charged that “the religious faith of the nation has been subjected to judicial interpretations that deny our heritage, defy our traditions, undermine our beliefs, ridicule our religious resolve, and make a mockery of the faith of our Founding Fathers.” The Becker amendment failed, as have dozens of others offered since then. Some of the proposed amendments gained a legislative majority but not the supermajority needed for passage.

Never giving up, opponents of Engel and Schempp have tried to dismantle the decisions in any way possible. The adoption of some of
their efforts would have inflicted major damage on the fundamental processes of American government. Senator Jesse Helms, a Republican from North Carolina, tried repeatedly, as part of various appropriations bills, to pass provisions that prohibited federal funds from being used to enforce bans on school prayer—an effort to prevent the federal government from assuring compliance with U.S. constitutional law. But even when they passed, these provisions were pointless and probably just for show, because public education is funded by local and state taxes, not by the federal appropriations the provisions were supposed to restrict.36

Activists also attacked the very federal courts that were making the prayer decisions. They repeatedly tried to amend spending bills that provided money to run the federal courts, inserting language that would prevent the courts from using their funds to stop programs of voluntary prayer in the public schools. These attempts were unsuccessful and might well have been unconstitutional if enacted.37 Another attack on the courts was far more threatening. Called “court stripping,” it attempted to remove entirely the jurisdiction of the Supreme Court and the lower federal courts to even hear cases involving religious exercises in the public schools.

An extreme example of the ends justifying the means, court stripping attacked the fundamental basis of American government itself. With all the federal courts excluded from hearing school prayer cases, the entire matter would fall to state court judges who, over time, had shown considerably more sympathy for devotionals in the public schools than had the federal courts. If the state courts did not follow Schempp, their decisions would stand in the absence of Supreme Court review.

Court-strippers only felt emboldened as time went on. One court-stripping bill introduced in 2003 sought to remove from federal jurisdiction all matters concerning display of the Ten Commandments, placement of the word “God” in the Pledge of Allegiance, and the motto “In God We Trust.”38 Early in 2004, some congressional conservatives found yet another weapon to attack Schempp. They submitted a bill that declared that federal courts could not review any
government or government official’s “acknowledgement of God as the sovereign source of law, liberty, or government.” Passage of this bill would have made any prior decision on these matters no longer binding in state courts—essentially ripping Engel and Schempp from the pages of American constitutional history.

Most of the firepower behind efforts to return religion to the public schools has come from a politically powerful base of Christian conservatives, including fundamentalist Christians in the South and Midwest. The culture wars that started in the 1960s with the judicial decisions on school prayer and Bible reading and with the shattering of norms on drugs, sex, and lifestyles gained momentum in the following decade, with the battle over the Equal Rights Amendment and the abortion ruling in Roe v. Wade. These and other threats to traditional moral values brought many conservative Christians together under the Reverend Jerry Falwell’s banner of the Moral Majority in 1979. They believed that America had strayed far from what they regarded as the Christian biblical morality on which the nation had been founded and that they had lost their ability to define the nation’s prevailing culture. Most of the blame, they said, belonged to liberals and to an activist Supreme Court.

As the Moral Majority faded a decade later, the Reverend Pat Robertson started the Christian Coalition and hired Ralph Reed to help build its membership and political activities. Intent on combating the secularization of American society, they allied themselves with conservative Republican politicians to start winning back the ground they had lost over the past few decades. Beyond their opposition to abortion, pornography, and same-sex marriage, they defined a far-reaching agenda of religious causes that included prayer and Bible reading in the schools, the teaching of creationism and intelligent design as an alternative to evolution, and religious displays on public property. They employed their own lawyers and law firms
to litigate their conservative agenda, much as the ACLU had done so effectively for many years.

Opposition to *Engel* and *Schempp* has also come from the Roman Catholic Church, in a reversal of the position it held for a century. Catholics had opposed Protestant devotionals in the public schools from the time of their first massive immigration to American shores in the early nineteenth century. They especially opposed their children listening to recitations from the Protestant King James Bible, a stance that helped instigate the Philadelphia riots of 1844 as well as political and religious conflict in New York, Cincinnati, and other places. With the Pan-Protestantism of the public schools inhospitable to Catholic children, Catholics began opening their own parochial schools in the mid-nineteenth century and lobbying for public funds to help support them. Millions of Catholic children, though, continued attending the public schools. Taxpayer funding of parochial schools was not forthcoming, and many families couldn’t afford the extra cost of their own schools, even with a church subsidy. Whatever their route to public schooling, many Catholic families saw the value of a civic education in helping their children prepare for jobs in an increasingly competitive society and were content to provide their children with religious training in after-school released-time and Sunday programs. From some parents, there was grudging acceptance of the Protestantism that remained in some of the public schools—typically the five-minute exercise of Bible reading and recitation of the Lord’s Prayer—and a feeling that it would at least provide the daily dose of Christianity that students might not otherwise receive.

By the time of *Engel* and *Schempp*, the church hierarchy favored prayer and Bible reading in the schools as something inherently Christian rather than specifically Protestant. Roman Catholic leaders criticized the Supreme Court’s decision in *Schempp*. All five American cardinals had traveled to Rome at the time to help find a successor to Pope John XXIII, and three of them denounced the decision from there. “No one who believes in God can approve such
"a decision," said Cardinal Spellman of New York. A year later, at congressional hearings on the school prayer amendments, Bishop Fulton J. Sheen, auxiliary bishop of New York, gave tepid support to efforts to amend the Constitution. He wanted prayer and Bible reading returned to the public schools but was sensitive to the conflict sure to arise over whose prayer would be said. He favored adopting the prayer “In God We Trust,” already used by congressmen. “Inasmuch as every Congressman has been carrying that prayer with him from the earliest days, I would suggest that it be a very fitting prayer for schools,” he said. Sheen seemed concerned that Bible reading would cause sectarian disagreements, but he nonetheless favored its inclusion in any amendment that went forward.

I would be satisfied with this [prayer alone]. First of all, because of the pluralistic views that we have. When it comes to Scripture reading, someone might say we should have the St. James version, others the Douay-Rheims, others Phillips, others the authorized version. All of these are legitimate versions. I would not be opposed to any of them, but I think that this prayer is sufficient and the answer to the problem of pluralism. “In God We Trust” is already on the seal of the United States, it is already in our tradition and it is a perfect prayer.

Sheen seemed almost apologetic about asking for some religion in the public schools. “I am presenting my answer on the basis of the pluralistic views of the United States and the tradition of the United States and I do not believe that we should ask too much,” he said. “I am only asking for a recognition.”

Catholics were not the only ones to change positions on public school prayer and Bible reading. Ironically, a large segment of the Protestant community itself—allied with the majority of the Jewish community—blunted the attack on Scheffpp and Engel. However unusual the role reversal may seem, it was perhaps the inevitable result of long years of slowly pulling back from defending devotional practices in the public schools.

Whereas the schools started out in the colonies as places where
children learned Anglican and Congregationalist dogma, that was no longer possible by the 1840s. The growing diversity among Protestant sects made it impossible to continue teaching the dogma of one sect or another. Horace Mann’s development of a common Protestantism for the schools—centered on a short ceremony of prayer and Bible reading without comment—enabled Protestants to agree on a religious experience acceptable to all of them. As the religious landscape broadened to include a large number of Roman Catholics and non-Christians, many liberal Protestant leaders agreed to take even those exercises out of the public schools, in the interest of interfaith relations. By the time that the New York Board of Regents released the Regents’ Prayer for use in the state’s public schools, some elements of the Protestant community had already moved to a position of opposition to prayer in the public schools. The Christian Century, one of the most prominent Protestant publications, editorialized in 1952 that the Regents’ Prayer did not violate the First Amendment but that prayer by rote in the public schools was unwise anyway because it was “likely to deteriorate quickly into an empty formality with little, if any, spiritual significance.”

Twelve years later, at hearings for the constitutional amendments to overturn Schempp, the position of mainstream Protestantism had largely hardened into opposition to devotional exercises in the public schools. If the pro-amendment forces assumed the support of all religious people, their arrow disintegrated in midflight. Horace Mann’s “common religion” was dead, at least as far as most mainstream Protestants denominations were concerned.

After the Schempp decision, the National Council of Churches, representing thirty-one denominations with a membership of forty million American Christians, said that the teaching of religion belonged in the home and in houses of worship. “Neither the church nor the state should use the public school to compel acceptance of any creed or conformity to any specific religious practice,” the group said in a statement on the day of the Schempp ruling. The council had warned a few days earlier that reliance on the government to help churches inculcate religious beliefs “endangers both true religion and
civil liberties.” The United Presbyterian Church, also arguing that religion properly belonged with the family and the church, rejected the notion that Bible reading was justified for its moral lessons. “Prayer is cheapened when it is used as a device to quiet unruly children and the Bible loses its true meaning when it is looked upon as a moral handbook for minors,” it said in a statement. At congressional hearings on the prayer amendments in 1964, the executive council of the Lutheran Church went even further.

If the Lord’s Prayer were to be recited in schoolrooms only for the sake of the moral and ethical atmosphere it creates, it would be worth nothing to the practicing Christian. The Lord’s Prayer is the supreme act of adoration and petition or it is debased. Reading the Bible in the public schools without comment, too, has been of dubious value as either an educational or religious experience. The more we attempt as Christians or Americans to insist on common denominator religious exercise or instruction in the public schools, the greater risk we run of diluting our faith and contributing to a vague religiosity which identifies religion with patriotism and becomes a national folk religion.

The National Council of Churches followed through on its earlier statements opposing prayers and Bible reading. Edwin H. Tuller, general secretary of the American Baptist Convention, spoke for the council in 1964 as he presented reasons why church leaders opposed prayer and Bible reading in the public schools. First, he said, the public schools belong to everyone and “it is not right for the majority to impose religious beliefs or practices on the minority in public institutions.” Second, the nation’s religious diversity made the public schools a melting pot of children with a variety of traditions or no traditions at all and thus “particularly inappropriate places for corporate religious exercises.” Tuller answered Justice Stewart’s contention, discussed in his Schempp dissent, that the majority should be free to practice their religious exercises in the classroom as long as children from minority faiths could excuse themselves. So-called voluntary participation, said Tuller, was never truly voluntary in a pub-
lic school. “In such a setting,” he argued, “children are almost always not given a genuinely free choice by glib use of the words ‘voluntary participation,’ when the whole atmosphere of the classroom is one of compliance and conformity to group activities.”

Tuller also argued that different religious faiths would surely battle over the critical details of religious observance in the classroom. The Bible and prayers came in multiple forms, and many of the differences had generated centuries of religious conflict in both Europe and the United States. “Who is to compose the prayers, and who is to select the Scriptures?” Tuller asked.

What form of the Lord’s Prayer will be used, and which version of the Bible? In those who take their faith seriously, these things are important. They do not consider all prayers or Scriptures interchangeable.

Many devout Christians do not want their children to conclude that their transactions with the Most High are something routine, casual, and indiscriminate, in the same category with algebra and spelling.

For the largest part of the Protestant movement, a journey of more than three centuries seemed to have come to conclusion. They no longer commanded a homogeneous religious community as they had in colonial days, enabling them to require a strict religious curriculum in the schools. In this new day of religious pluralism, children from hundreds of Christian and non-Christian denominations crowded the schools and the public square. The new age required new understandings.