The nation's religious diversity, expanding as a result of both immigration and the founding of new sects on American soil, was a current powerful enough to carry several vessels on its surge. The new denominations demanded religious liberty that would free them from the oppression of state establishments of religion and enable their followers to exercise their beliefs without penalty. Eventually, too, they demanded and won the same liberty for their children within the nation’s educational system, removing the vast majority of devotional exercises from classrooms long before Ellery Schempp opened his copy of the Koran in protest of Bible-reading exercises at Abington Senior High School.

All throughout colonial America, the influence of faith reached beyond the steeple. Settling in the new land, within the boundaries of growing cities or on the forested frontier, colonists struggled to devise a system to educate their children. Having built their churches as the centerpiece of the community, the colonists constructed their schools to serve their faith as well. Americans of those times didn’t build schools so that their children could become scholars of math and history. Faith informed all that colonial children learned in school. Children learned to read so that they could study the Scriptures.

Several periods mark the history of religion in American public schools, periods that correspond to the increasing religious diversity throughout the land. The first period, from colonial times through
the first part of the nineteenth century and during the ascendancy of the Anglicans and Congregationalists, was a time of aggressively sectarian practices in the schools. Teachers used the Bible, the Psalter, and the Ten Commandments and drilled their students in the catechism. Textbooks had heavily religious overtones. The second period, starting early in the nineteenth century, marked the founding of public school systems. As the Anglican and Congregationalist establishments dissipated amid the proliferation of other Protestant sects, many sectarian teachings would no longer be tolerated. Protestants agreed to remove the most sectarian teaching from the schools and replace it with a common Christian religion consisting of the Bible reading and prayers that most Protestants shared.

Finally, in the third period, beginning in the second half of the nineteenth century and continuing to the *Schempp* case, religious pluralism expanded beyond Protestantism to include Roman Catholicism and people of non-Christian faiths. With broader diversity of religion, even the common Protestantism of the public schools became controversial. Many communities began removing religion from the schools themselves simply because the alternative looked much worse—the promise of the kind of religious conflict that many in the founding generation had warned against. Those that didn’t remove these vestiges of religious practices from their schools faced conflict and litigation.

It’s doubtful that the framers of the U.S. Constitution gave even a passing thought to the questions that bothered Ellery Schempp. Their fight centered on the seminal issue of state recognition and support of official churches. There were devotional exercises in the schools of the day, but these schools were virtually all private institutions, which even in the twenty-first century retain the unquestioned right to provide a religious education. The founding generation did not know the public school systems that would come later, nor did they know the full flowering of religious diversity that had just
started in their day and that would change the very fabric of both the
nation and the school system.

In colonial times and into the early nineteenth century, education
was largely under local control and was primarily on the elementary
school level. Except in New England, where lawmakers in some
cases mandated the formation of schools, the people were on their
own. Practices varied widely. Few schools were funded by taxpayers.
Instead, many churches built schools on their own grounds for the
education of children in their community. Parents in some places
pooled their resources and opened their own schools. Attendance
was typically voluntary. What these early schools had in common
almost without exception was their vigorous focus on providing reli-
gious instruction.¹

The Massachusetts Bay Colony did require by statute that towns
provide schooling. In 1647, legislators enacted the so-called Old
Deluder Satan Act, a name that indicated how the Puritans viewed
education. “It being one chief project of the old deluder, Satan, to
keep man from the knowledge of the Scriptures,” said the law, every
township of more than fifty householders was required to appoint
someone to teach the children how to read and write. When the
number of householders reached one hundred, the town had to
establish a grammar school.²

Early America was largely a rural society, with 95 percent of the
population in 1790 living in small towns and farming communities of
fewer than twenty-five hundred people. In the Middle Atlantic
colonies, which had the largest population and the greatest religious
diversity, towns, churches, and parents started schools. As in New
England, schools in small towns and rural areas were typically one-
room cabins, often poorly situated—near sawmills or blacksmith
shops or sometimes out in a field—because people who had to walk
or ride a horse a long distance found it difficult to agree on a conve-
nient location. Parents supported these so-called district schools
through tuition, taxes, or even contributions of fuel. Into these
schools came forty to seventy youngsters from the ages of about four
to fourteen, crowded into one room with one teacher for up to six
hours at a time. The room itself seemed designed to torture children. Built-in desks faced the walls, and the children sat on backless benches that were usually too high for their feet to touch the floor. If it weren’t bad enough to sit slumped for hours, feet dangling, children also had to contend with winter drafts or, if they were sitting close enough, intense heat from the stove.³

In the cities, children attended independent schools that charged quarterly tuition fees or dame schools, run by women out of their own homes. Poorer students who couldn’t afford tuition might go to a church charity school or apprentice to a tradesman. In the South, meanwhile, the relatively small population spread over large areas sometimes called for different arrangements. Many plantation owners hired private tutors who came to their home. As in the North, children of small farmers typically gathered before schoolmasters who taught them in a small log cabin.⁴

Most of the colonial and early nineteenth-century schools recognized religion as a primary goal of learning. At the very least, children had to become literate in order to read the Bible and learn their prayers. The mission of the schools was not just to educate the sons and daughters of Christians; it was to make Christians out of the children, able to read and understand Scripture and appreciate God’s hand in creation. A few states followed the Massachusetts Bay Colony’s lead. In 1665, New York passed a law similar to the Old Deluder Act; Pennsylvania enacted a statute mandating that children learn to read so that they would be able to learn from the Bible.⁵ In South Carolina in 1710, lawmakers passed a statute creating a free school, listing as its purposes the teaching of grammar, arts and sciences, and the Christian religion.⁶ Virginia passed a law in 1643 providing for the education of orphans, requiring guardians “to educate and instruct them according to their best endeavors in Christian religion and in the rudiments of learning and to provide for their necessaries according to the competents of their estate.”⁷

Some laws of the colonial period mandated that all teachers be adherents of a specific denomination.⁸ Teachers in the colonies were frequently ministers and thus able to convey the religious lessons
well. In New England, teaching candidates often had to meet with the local minister, who would satisfy himself that the candidate was sufficiently religious and knowledgeable about doctrine. In Massachusetts and many other states, supervision of the district school fell to a committee of local ministers and officials. When they visited the schools, they listened to the children read and recite from the Bible, the Psalter, and textbooks, such as a primer.

Recitation of prayers, readings from the Bible and the Psalter, drilling in the catechism, discussion of the Sabbath, appreciation of creation—all these things and more formed much of the heart of the school experience for colonial children. “The children were perpetually enveloped, weekdays and Sundays, in an atmosphere saturated with religious forms, services, ideas, and language,” wrote school historian Clifton Johnson in his *Old-Time Schools and School-Books*. Johnson quoted the 1645 school rules of Dorchester, Massachusetts, that required the schoolmasters to “take notice of any misdemeanor or outrage that any of his scholars shall have committed on the Sabbath, to the end that at some convenient time due admonition and correction may be administered.” The rules continued:

> Every day of the week at two of the clock in the afternoon, he shall catechise his scholars in the principles of the Christian religion. . . . It is to be a chief part of the schoolmaster’s religious care to commend his scholars and his labors amongst them unto God by prayer morning and evening taking care that his scholars do reverently attend during the same.

School rules commanding the teaching of religion were common. In New Amsterdam in 1661, officials required one schoolmaster—and probably others—to “teach the children and pupils the Christian Prayers, commandments, baptism, Lord’s supper, and the questions with answers of the catechism, which are taught here every Sunday
afternoon in the church.” Each schoolmaster was further instructed: “Before school closes he shall let the children sing some verses and a psalm.”\footnote{12} Connecticut schools carried out the requirements of a state law of 1650 that required teaching of the catechism. “Not only was the catechism of the Westminster divines taught in the schools, but every church and town had some other one adapted to their especial needs,” according to one historical account. Later, in 1815, the town of Farmington, Connecticut, published rules on religious teaching. Teachers were required to teach schoolchildren to “revere the ministers of the gospel; to respect the aged and all their superiors; to reverence the Sabbath, the word and worship of God.” Teachers were also to remind students “of their dependence on God, of their accountability to him [sic], of their mortality, and of the importance of religion both as a preparation for death, and the only means of true peace, comfort, and usefulness in this world.” Teachers had to profess their personal belief in the Bible.\footnote{13}

Before the Revolution, schools throughout the South also existed chiefly to teach religion. Historian Thomas J. Wertenbaker wrote: “[F]ew of the schools taught more than the most elementary subjects. All that was expected of them was to give the pupil a good knowledge of reading, writing, and arithmetic, and to drill him thoroughly in the Ten Commandments, the Lord’s Prayer, and the Catechism.”\footnote{14} In North Carolina, a teacher who had started a school advertised for students in a local paper in 1822. The purpose of his school, he said, was “to better the religious, moral, and social condition of society, by teaching those who attend not only to read and write, &c. but what is infinitely of more moment, the fear of the Lord, veneration for his holy word—for the ordinances of the Lord’s house, and a due observance of the Lord’s day.”\footnote{15}

The experience of religion in the early schools was no different in Abington, where the Schempps would eventually settle. The land that became Abington was part of William Penn’s charter from King
George, so its development as an area of religious freedom mirrored that of the rest of Pennsylvania. The early years brought mostly Protestant denominations that sponsored their own schools. Schools adopted the same kind of devotionals and religious readings as schools elsewhere.

At the time, the area was called Hill’s Township, named after the leading landowner, Philip Hill. Quakers moved into the area, and they established the first Friends Meeting in 1683. Fourteen years later, they established their first meetinghouse in Abington, on 120 acres deeded by one of their members. They renamed the area Abington after several parishes they knew in Northampton and Cambridgeshire, England.

New settlers soon joined the Quakers in this dense woodland just a dozen miles north of Philadelphia. Welsh, Dutch, Scots, and some Puritans from New England came to Abington and gathered for services in each other’s homes. At a meeting in the summer of 1714, seventy of them signed a covenant to form the Abington Presbyterian Church. They selected as their pastor Malachi Jones, a Welshman in his early sixties, who had purchased a parcel of land at the intersection of Old York Road and Susquehanna—as it turned out, just down the road from where Edward Schempp would build his house more than two centuries later. In 1719, Jones sold a half acre of his land to the congregation for ten shillings, and the township’s first Presbyterian church and burial ground were soon built.

Diversity was on its way, and the Quakers and Presbyterians didn’t have Abington to themselves for long. What opened up the area for settlement was construction of Old York Road in 1712 from Broad Street in downtown Philadelphia to the Delaware River above New Hope. Now farms and mills could get their goods to urban markets that were difficult to reach before, and entrepreneurs built taverns to service the increasing traffic that traversed the area on the trip between Philadelphia and New York.

As in many other areas in colonial America, local churches and meetinghouses established schools in the Abington area. In fact, the first school in the area was probably the Abington Friends School,
started in 1697 and run by the Abington Friends Meeting. One of the earliest teachers was Daniel Boone’s uncle George Boone, who apparently was schoolmaster from 1716 to 1720 and enforced rules that admonished students to “manifest a becoming deportment towards your teacher” and not to “indulge in the dangerous practice of climbing trees.”

Imagine that—a Boone telling kids not to climb trees.

By then, the second assembly of the province had already enacted an education law, coupling it—as many other colonies did—to a religious purpose. In 1683, the assembly required every parent to see that their children were educated in reading and writing “so that they may be able to read the Scriptures and write by the time they attain to the age of twelve years.” Without a system of public education, parents usually fulfilled their legal obligation by sending their children to the schools that the churches built, usually close to or on church grounds. The minister in the church usually doubled as the school’s primary teacher. A historical account of schools in the Abington area reports: “The Old and New Testament constituted the reading books. Saturday was devoted to spelling, committing and reciting arithmetic tables, and reciting from the catechism.”

Beyond curriculum plans, perhaps the best indication of the extent of religion in the early American schools is the books that students read regularly for their assignments. John Nietz taught at the University of Pittsburgh and created a library there of thousands of early American textbooks. Nietz and other scholars, many of whom studied with him, published books and dissertations analyzing the content of American schoolbooks of past centuries. Nietz wrote that “an analysis of the actual textbooks used in the past will reveal a truer history of what was actually taught in the schools than a study of the educational theories.” Charles Kenneth Shannon, who studied history textbooks after 1865, adds, “Nineteenth-century schools were heavily dependent upon textbooks for content and methodology.”
Scholars found that schoolbooks of the colonial period and early nineteenth century were laden with religion. For example, R. R. Robinson, who read and analyzed 1,422 readers published during two centuries, found that fully 85 percent of the content of school readers before 1775 was religious in nature. Some books were explicitly religious texts. “When I was young,” wrote Noah Webster of his schooling in Connecticut just before the Revolution, “the books used were chiefly or wholly Dilworth’s Spelling Books, the Psalter, Testament, and Bible.” Teachers drilled students incessantly in the catechism. Virtually all other books the students read—including hornbooks, spellers, primers, and textbooks—had extensive religious references.

The hornbook was a kind of thin wooden paddle. A printed sheet was attached to the board and was protected from rips and smudges by transparent horn. A hole in the handle of the paddle permitted teachers to attach a string so that young students could hang the hornbook around their neck. The hornbooks varied a bit, but they were the most basic of learning tools. They typically contained the English alphabet and some common syllables. About half of the printed sheet was set aside for something every bit as important in those times as the alphabet—the Lord’s Prayer. Spellers, also basic texts, were intended to help children spell and read. Dating from 1762, The Youth’s Instructor in the English Tongue: or, The Art of Spelling Improved contained many reading exercises with religious messages. Other spellers followed, including several that were published by religious groups and found their way into Sunday schools established to educate poor children.

No book was as important in colonial education as the primer. In New England, Puritan education focused on teaching children to read the Bible and on instructing them in the faith. According to prominent school historian Lawrence A. Cremin, the Puritan education required “indoctrinating the Calvinist creed along with granting of the ability to read.” He added: “The means of its fulfillment was embodied in the New England Primer, which was for a hundred years, beyond any other, the principal text of American schools.”

The Puritans brought primers to America with them from
England, but what may have been the first *New England Primer* was dated 1691 and was rich with religion. It instructed students in reading by presenting them with the alphabet, common syllables, and rhyming couplets with illustrations for twenty-four of the letters of the alphabet. Many of the couplets, which might change from edition to edition, had religious overtones: for the letter *A*, the rhyme was “In Adam’s fall, we sinned all”; for *C*, it was “Christ crucified, for sinners died.”

Beyond the alphabet, the bulk of the *New England Primer* was dedicated to prose and verse readings teaching students the important tenets of Calvinism. The book had sections on the Lord’s Prayer, the Ten Commandments, the catechism, the Apostles’ Creed, and more. One illustration showed John Rogers burning at the stake in London during Queen Mary’s reign; this grisly illustration for children was, for the true believers, a lesson in the strength of faith. Even the filler material between readings presented religious content, as in the admonition “Good children must: Fear God all day, parents obey, no false thing say, by no sin stray.” Over the years, about three million copies of the *New England Primer* were sold throughout the colonies, a phenomenal number considering population figures of the day. As historian Clifton Johnson concluded: “No other way could have been devised to mould the religious thoughts of the people so effectively.” He added: “In short, this humble little primer was a chief tool for making sure that the children, or, as Jonathan Edwards called them, ‘young vipers and infinitely more hateful than vipers to God,’ should grow up into sober and Christian men and women.”

Equally famous as the *New England Primer* was the McGuffey series of readers, which were published later. William Holmes McGuffey brought out his *First Reader* in 1836, followed by additional readers for older and more advanced schoolchildren. The various McGuffey series were updated regularly and became almost as popular in sales as the Bible itself. Schools and parents bought about 60 million copies of McGuffey readers in the 1870s and 1880s alone, about 122 million copies in all by 1920.
The early McGuffey readers had a heavy religious orientation. Religious material comprised 31 percent of the 1837 edition of the *Fourth Reader* and held at about 24 percent for editions in 1857 and 1866. One entry, the Sermon on the Mount, was published in editions through 1901. Results were similar for the *Fifth Reader*; 22 percent of its material was religious in nature in the 1857 and 1866 editions.

Although not as popular as the McGuffey readers or the *New England Primer*, there were many other reading books during the colonial period, often brought from England. These early schoolbooks served the same religious purposes as the *New England Primer*. One book published in 1635, *The English School Master*, gave as its purpose that “any unskilled person may easily understand any hard English word which they shall in the scripture, sermons, and elsewhere hear or read.” In his study of the content of four readers that were published before 1775, Robinson found that 85 percent of the material in the books was religious in nature and that 8 percent more concerned morals and conduct, which was related to religion. “This can only be expected,” wrote Robinson, “since the school is practically under the control of the church.”

From the Revolution to 1825, Robinson found religious material diminishing in volume but still dominant. During this period, religious material comprised 22 percent of eighty-five readers surveyed by Robinson, with an additional 28 percent given over to morals and conduct. By comparison, spelling comprised only 10 percent of the content, history 2 percent, and science none at all.

Like the primers and readers, history textbooks routinely injected religious references and causes into discussion of the past. According to a doctoral dissertation by Charles Kenneth Shannon, nearly 60 percent of history textbooks from this period referred to the role of divine providence in history, and 48 percent asserted it as a major factor in American history. “They credited Divine Providence with being the ultimate cause of historical events and with blessing the United States because it was a Christian nation,” wrote Shannon.
As to Pocahontas, one history text writer asserted: “[W]e may hope that she truly embraced the faith of the Lord Jesus Christ into which she was baptized.”\textsuperscript{40} A world history textbook published in 1818 had as its main purpose to “show that Martin Luther was the angel of the gospel for the age in which he lived, and will continue to be the angel of the gospel until the millennial day.” Another history textbook, written by the Reverend Royal Robbins and published in 1835, discussed creation as described in the Bible and assured students that the flood had taken place.\textsuperscript{41} History textbooks attributed the greatness of George Washington, Abraham Lincoln, and even the U.S. Constitution to the hand of God.\textsuperscript{42}

Even geography textbooks didn’t leave out religion. References to religious doctrine found their way into discussions of the earth’s beginnings. There was no doubt, according to the textbooks, that God created the world. Ruth Miller Elson, who conducted a major study of nineteenth-century schoolbooks, concluded: “[S]choolbooks before the Civil War accept without question the Biblical history of the world and the creation of man. The Garden of Eden and its inhabitants are as real as the Appalachians.”\textsuperscript{43} Of the six major geography textbooks of this period, Jedidiah Morse, a Protestant minister, wrote three of them. “You will be safe in making the Bible your rule,” he exhorted his young readers.\textsuperscript{44}

Evidently, for Morse, loving thy neighbor did not apply to Catholic neighbors. In one edition, Morse continued the age-old animosities between Catholicism and Protestantism by saying that Catholicism in Spain was “of most bigoted, superstitious, and tyrannical character.” Such sentiments were all too typical of authors who felt no restraint in presenting strident anti-Catholic sentiments in their texts.\textsuperscript{45} Another textbook writer launched an attack on what he felt was the immorality of Catholic clergy: “The monks and ecclesiastics themselves, who today will pardon our sins for a groat, tonight will become defiled with your bosom-companion in her marriage-bed. And the daughter on whom you dote, while saying her mass, will become debauched by a pretending saint!”\textsuperscript{46}
As people of many different faiths came to America, the intense focus on teaching Calvinist and Anglican doctrine in the schools could not last. Schooling that began in the colonies under heavy religious influence and frequently under private auspices finally gave way, in the nineteenth century, to common schools funded by taxpayers. These public schools gradually lost most of their religious teaching. Historian Sidney Mead has written, “Perhaps the most striking power that the churches surrendered under religious freedom was control over public education which traditionally had been considered an essential aspect of the work of an established church if it was to perform its proper function of disseminating and inculcating the necessary foundational religious beliefs.”

Over time, as the diversity of faith throughout the nation broadened, people began to look at religious practices in the schools as someone else’s practices and therefore not appropriate for children from diverse backgrounds. That brought strife to the schools and to numerous communities. Sectarian religious practices slowly left the public schools, the result of political compromise among people of various religious sects. But reformers defined the term *sectarian* in a narrow sense, within the Protestant context. Those in control of the schools eliminated only doctrinal teaching that would cause squabbles among the different Protestant sects. A “common religion” acceptable to Protestants, a kind of Pan-Protestantism, would become the norm in education.

Growing uneasiness about teaching doctrinal religion in the schools coincided, in the early 1800s, with the emergence of strong sentiment about universal education. Throughout the United States, there was a growing consensus that education was generally of low quality and required drastic improvement if the nation were to grow and prosper. Left to the whims of local communities, most schools were poorly funded. By the 1830s, however, the economy of the nation was growing quickly, and recognition spread that the country...
needed both a workforce able to handle industrialization and a citizenry more capable of supporting democracy.

The solution seemed to be the creation of common schools that would ensure that all children could read, do basic mathematics, and learn about their country. The most influential figure in the common school movement that swept the country was Horace Mann, a state school official in Massachusetts from 1837 to 1848. That the idea of common religion should emanate from Massachusetts was noteworthy in itself, for no place in colonial America had matched the Massachusetts Bay Colony in the passions of its narrow and uncompromising Puritan beliefs.

Religious diversity, though, had hit Massachusetts with the force of a nor’easter in January. It tore apart the old order and pushed the state on a one-way path toward religious liberty, with a profound impact on education. The changes that diversity would bring to the public school classrooms of Massachusetts would set in motion important educational changes throughout the entire country. By the early nineteenth century, theological arguments had split the old Congregationalist Church, with many congregations veering toward Unitarian beliefs. By 1825, Unitarianism dominated the established church, and Puritan orthodoxy was no longer ascendant. Meanwhile, the Baptist, Methodist, Universalist, and other sects were growing in size—another direct challenge to the old order. The state swept away its establishment of religion by constitutional amendment in 1833, making it the last state to embrace religious liberty by separating church and state in its civil laws.

Even six years before the disestablishment of religion, the state revised its school laws in an attempt not only to improve the quality of education but also to end the bickering among Protestant sects. Puritan dogma could no longer be taught in the schools without invoking the ire of competing sects, so practices that were obviously sectarian had to end in order for Protestants of different sects to coexist. The rising number of Roman Catholics arriving in the state provided another unifying theme for Protestants. As a practical mat-
ter, Protestants had to lay aside their stridency over doctrinal differences in order to rally against what seemed to them a more threatening development, the growing influence of Roman Catholicism.

In 1827, the state enacted a law that conferred on local school committees the power to select school texts, excepting books that would favor any specific denomination or any specific belief. Removing sectarianism from the schools, though, was far different from removing religion itself. As the law said, the purpose of education was to provide “the principles of piety, justice, and sacred regard to truth, love to their country, humanity, and universal benevolence, sobriety, industry, and frugality, chastity, moderation, and temperance.” To teach piety and other virtues, the state still favored the inclusion of religious practices in the public schools, but it was to be religion stripped of the most sectarian influences.

This idea of teaching a common religion in the common school had no stronger champion than Mann, secretary to the Massachusetts Board of Education. Mann was born into a Calvinist household in Franklin, Massachusetts, in 1796 but later embraced Unitarianism. He became a lawyer and served in the Massachusetts House of Representatives and then in the Massachusetts Senate. When he became the first secretary of the new state board of education, he was committed to the ideal of a common school that would offer youngsters the essential learning they needed in life. That included not only reading, math, and civics but also, notably, a core of religious values that would provide them with spiritual guidance.

The secretary of the school board believed firmly in the value not only of education but of a Christian education. “He who is ignorant is almost necessarily superstitious,” Mann wrote. “But a Christian education lifts off the whole, black, iron firmament of superstition from the soul, and brings life and immortality to light.” Mann maintained that he could think of no man who “can be willing to have his name mentioned while he is living, or remembered when he is dead, as opposed to religious instruction, and Bible instruction for the young.”
For Mann, the Bible was the key to religious education. It contained all the lessons a child needed for a virtuous life, and its narratives on creation, the life and crucifixion of Christ, and other matters laid the foundation of a common Protestantism. For Mann, though, biblical instruction had to be free of commentary. Massachusetts law banned sectarian influences in the new common schools, a stance Mann firmly supported. If commentary were permitted in a religiously diverse community, whose commentary would it be?

Mann concluded that if the Bible were read in school without comment and therefore without any doctrinal interpretation and proselytizing, children could absorb a kind of common Christianity—more specifically, a common Protestantism, since only the King James Version would be utilized. Much of Mann’s dozen years in office were spent defending his concept of a common religion for the common schools, against the dying cries of Puritan fundamentalists. His vast writings on the subject, done in response to his critics and as part of his annual report on the Massachusetts schools, became a blueprint for spreading the new gospel on Pan-Protestantism in the common schools of the United States.

Mann got into frequent public spats with clergy who resisted the thinner religious offerings in the classroom. In some cases, he justified his position with long written papers. In one, he wrote about the excessive religious zeal that he felt would inevitably poison local school boards as various sects jockeyed for control—a concern echoed by several Supreme Court justices in the Schempp case more than a century later.

If the question, “What theology shall be taught in school?” is to be decided by districts or towns, then all the prudential and the superintending school committees must be chosen with express reference to their faith; the creed of every candidate for teaching must be investigated; and when litigations arise—and such a system will breed them in swarms—an ecclesiastical tribunal, some star chamber, or high commission court must be created to decide them.51
Mann’s conception of a common religion was a major milestone in the history of religion in schools. Based on Mann’s arguments, democratic processes had led to the elimination of the most egregious sectarian practices in what was once the epicenter of Puritanism in America. Mann’s concept of sectarianism was, of course, rather narrow and much different than the concept Americans have in the twenty-first century. Mann’s common religion was a common Protestantism—one that excluded other Christians, such as Roman Catholics, as well as non-Christians, who were then few in number but whose numbers would swell in the coming century. Of course, it excluded atheists and agnostics.

Mann’s concept of common religion for the new common schools spread throughout the country during the next fifty years. Legislators, education officials, and most Christian leaders confirmed Mann’s belief that a generalized Protestantism in a nation newly rich in Protestant sects was the only way to retain religious observance in the public schools without destructive conflict. State after state enacted statutes or constitutional provisions that created new public school systems and required that they be free of sectarian teaching.

The experience in Pennsylvania, where the Schempp case would arise, was similar. Starting around 1820, people increasingly agitated for creation of a system of common, or public, schools. Sherman Day, a historian of Pennsylvania, wrote, “The number of people who could neither read nor write had increased to an alarming extent, and Pennsylvanians became an object of ridicule to the people of other States, who had been more careful to provide a proper system of education.”

In 1834, Governor George Wolf signed the Common School Law to provide a system of public education for all of Pennsylvania. The law brought severe opposition, in large part because of concerns that religion would inevitably leave the schools. One historian commented:

This hostility was not inspired by a disinclination to support educational institutions, but it was foreseen that the law would completely secularize the common schools of the land, and this was sincerely
believed by many, and by a large proportion of the clergy and ministers of the gospel, to be inimical to the church, and hence to society. . . . Parents and pastors were unwilling to trust the training of children to those who were strangers to their religious creeds.54

The pastors’ foreboding had been correct. The new public schools sought to prepare students for jobs and citizenship in a rapidly growing country. With an increasingly diverse mix of Protestant denominations represented among the schoolchildren, overtly sectarian influences could no longer survive. As in Massachusetts, Bible reading emerged as the predominant religious practice in the public schools. No law in Pennsylvania required Bible reading and prayer at the time, but school districts, acting on their own, adopted the practice or continued it as a tradition inherited from colonial times. In 1861, about 60 percent of the public schools in Pennsylvania reported that they used the Bible.55

The common school movement became a federal concern as well. In 1875, President Ulysses S. Grant urged adoption of the common school system, “unmixed with sectarian, pagan, or atheistic dogmas,” in states that still relied on the old haphazard and poorly funded system of secondary schools.56 In that same year, Representative James G. Blaine introduced a constitutional amendment that would have forbidden any public support of schools “wherein the particular creed or tenets shall be read or taught”—although the proposal permitted reading of the Bible. The proposal didn’t pass, but Congress by then favored common schools free from the beliefs of individual sects.57 Lawmakers did enact a statute requiring that all states entering the Union after 1876 had to maintain public schools open to all. The federal law and most of the state laws banned sectarian control or influence.58

Through compromises among competing Protestant sects, the most sectarian religious practices left the schools throughout America.
Mann’s genius was his recognition that common schools could not survive in a pluralistic nation by teaching the doctrines of Calvinists, Baptists, Methodists, or other Protestant denominations. What was acceptable to the majority of Protestants was a common religion of the schools that included daily readings from their King James Version, recitation of the Lord’s Prayer and other common supplications, the singing of hymns, and the celebration of Christian holidays.

Protestants had found a rapprochement among themselves. They had yet to reckon, though, with the fact that American religious pluralism was even then beginning to extend well beyond their own Protestantism. The compromise reached by Horace Mann in the 1840s had been a kind of treaty among Protestants, meant to prevent any one Protestant sect from dominating religious practices in the public schools.

What was acceptable among Protestants, however, was worse than the roughest sandpaper against the cheeks of those who practiced other faiths. Catholics became the largest denomination in America less than a decade after Mann’s compromise, and the arrival of a large number of Jews and other people of non-Christian faiths was soon to come. America was changing rapidly, and this next wave of diversity would remake religion in the schools in profound ways once again, opening a path to Ellery’s protest.