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AN EVALUATION OF CURRENT PROPOSALS FOR  
RELIGION IN PUBLIC SCHOOLS

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A Thesis Presented to the Faculty  
of Concordia Seminary, St. Louis,  
Department of Practical Theology  
in partial fulfillment of the  
requirements for the degree of  
Bachelor of Divinity

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by

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June 1957

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CHAPTER I

THE PROBLEM OF RELIGIOUS INSTRUCTION

The Objectives of the Study

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## CHAPTER I

### THE PROBLEM OF RELIGION IN PUBLIC SCHOOLS

#### The Objectives of the Study

Within the past decade there has been an increasing concern among educators and religious leaders over the problem of religion in the public school curriculum. It is the purpose of this study to examine some of the proposals currently made by influential groups and individuals to introduce religion into the curriculum of the public schools. The proposals will be evaluated in the light of published statements of the Lutheran Church--Missouri Synod.

#### The Rise of Concern

Concern over the problem of religion in the public schools has become more intense since 1948. At that time the Supreme Court of the United States, in the *McCullum versus State of Illinois* case, rendered the decision that the released-time program for religious instruction was illegal in the public schools of Champaign, Illinois. The decision aroused considerable interest in the entire problem of religion in public schools. The interest has been reflected in numerous articles found in newspapers, magazines, and books published since 1948. Men of religious conviction have pointed out that the decision of the Supreme Court in the *McCullum* case indicated that an ominous change is taking place in

America as reflected by the secularization of its schools.

Elementary, secondary, and higher educational institutions in the early days of America were directed by the church. Religious training was a major objective in the establishment of schools, and religion penetrated almost every subject. This is evident in the Massachusetts law of 1647.

The law reads as follows:

It being one chiefe piet of yt ould deluder, Satan to keep men from the knowledge of ye Scriptures, as in former times by keeping ym in an unknowne tongue, so in these latr times by psawding from ye use of tongues, yt so at least ye true sence and meaning of ye originall might be clouded by false glosses of saint seeming deceivers, yt learning may not be buried in ye grave of or fathrs in ye church and commonwealth, the Lord assisting or endeavors.<sup>1</sup>

The religious flavor of the legal statements of early America demonstrates that one of the chief objectives of the school was to cultivate religious morals and faith in the children. Since that time there have been tremendous changes. These changes were brought about by a number of factors, political and religious liberalism, the beginnings of the Industrial Revolution, and the influence of the frontier movement. In addition to the factors mentioned the principles of religious liberty in America and the separation of church and state were very significant factors. Because of the many and diverse sects represented in the public schools of the United States, it has become necessary to eliminate elements of

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<sup>1</sup>Alvin W. Johnson and Frank H. Yost, Separation of Church and State in the United States (Minneapolis: University of Minnesota Press c.1948), p. 20.

religion from the public schools that might be offensive to a particular denomination. This has resulted in a trend toward an increasing secularization of public schools. Anything with a religious flavor in the public schools has been held in suspect and carefully avoided if possible.

#### The Reason for Concern

The public school today meets with less legal and community difficulties when it avoids religion and claims to be a merely secular institution. James A. Pike of St. John the Divine Cathedral, New York City, claims that a non-religious school is non-religious in theory only. It may be non-sectarian if it does not teach any one of the denominational religions. But, as long as a school cultivates in a person a philosophy of life, a perspective, a world-view, or call it what you may, it is cultivating in him a religion. Dr. James Pike, as quoted in A Manual of Information on the Schools of the Lutheran Church--Missouri Synod, made the following statement in a lecture on the secularization of the public schools:

The Supreme Court has proceeded on the assumption that to exclude religious instruction in the schools is to achieve to neutral situation to which parents or clergy can add whatever additional information or "bias" they may wish. Actually, however, it is not possible not to teach religion in the public schools. It is not possible to teach anything without a perspective, and perspectives are not in the nature of data, nor are they capable of proof. A perspective or world view is a religion. Humanistic secularism is exactly that.<sup>2</sup>

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<sup>2</sup>Missouri Synod Lutheran Church--The Board of Parish Education, Lutheran Schools:

There is good reason for an individual as a citizen, a Christian, and a Lutheran to be deeply concerned with the problem of religion in the public schools. The citizen supports the public school by taxes with the understanding that public education will cultivate good citizens for the welfare of the nation. Consequently, the citizen has reason to be vitally interested in the contribution of education to the advancement of the educational and moral standards of the nation. If public education is in any way a contributing factor to the rise of juvenile delinquency and the declining morals of the nation, the citizen has reason to be alarmed and voice his thoughts.

The Christian must be concerned with the effect of public education on the spiritual life of the pupil. If public schools develop a negative attitude toward religion or promote anti-religious philosophies, the Christian has reason to be alarmed.

The member of the Lutheran Church--Missouri Synod must be vitally interested in the public schools. Though the Missouri Synod has its own church school system, there are still about 65 per cent of the elementary school children and 90 per cent of the high school children of the Missouri Synod in public schools.<sup>3</sup> Even if the church had no obligation

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A Manual of Information on the Schools of the Lutheran Church--Missouri Synod [St. Louis: Concordia Publishing House, n.d.], p. 5.

<sup>3</sup>Carl S. Meyer, "Religion in the Public Schools,"



to be concerned for the spiritual welfare of the children outside of its membership, it still would have very good reason to see to it that the public schools were contributing to the spiritual welfare of the students.

### Goals That Are Limited

Many people with religious convictions feel that God must be reintroduced in some way and in some measure into the public schools. God must not be evaded in the general education of the child. Henry P. vanDusen expresses these sentiments in his book, God in Education, when he quotes the following words:

All things must speak of God, refer to God, or they are atheistic. History without God, is a chaos without design or end or aim. Political economy, without God, would be a selfish teaching about the acquisition of wealth, making the larger portion of mankind animate machines for its production: physics without God would be a dull inquiry into certain meaningless phenomena. Ethics without God, would be a varying rule without principle, substance, or center, or ruling hand. Metaphysics, without God, would make man his own temporary god, to be resolved, after his brief hour here, into the nothingness out of which he proceeded. All sciences . . . will tend to exclude the thought of God if they are not cultivated with reference to Him. History will become an account of man's passions and brute strength, instead of the ordering of God's providence for His creatures' good; Physics will materialize man, and Metaphysics God.<sup>4</sup>

An awareness of the valid limitations of religion in public schools which arises naturally from the structure of

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Concordia Theological Monthly, XXVIII (February, 1957), 101.

<sup>4</sup>Henry P. vanDusen, God in Education (New York: Charles Scribners Sons, c.1951), p. 80. vanDusen quotes as his source Newman without further identification.

our American society is necessary as one studies this problem. The principle of religious liberty prevents the existence of any religious elements in the public school system that would bring harm to any religious sect. The principle of the separation of church and state, which is found in the first amendment of the United States Constitution, forbids any form of government support for religious education that would favor any one denomination. Under these circumstances it is quite evident that the public schools cannot indoctrinate or integrate religion and general education to the extent that the private church schools can. This should not be expected.

The most widely accepted proposals to introduce religion in public schools will be evaluated. The objectionable and the favorable features of the proposals will be examined. Greater interest in this critical problem, especially on the part of the church, should be stimulated. However, careless and thoughtless action in dealing with the delicate problem must also be avoided. Careless action may lead to the extremes of a completely secularized public school, or to a state dominated by the church, or to a church dominated by the state.

## CHAPTER II

### A FACTUAL STUDY OF RELIGION IN THE PUBLIC SCHOOL

#### The Nature of the Proposal

Several influential groups have proposed and popularized the proposal that a factual study of religion and religious activity be introduced into the curriculum of the public schools. A factual study of religion, first of all, demands an objective approach to the subject. Such an objective approach to the study of religion implies that all religions and denominations would be treated with the same respect. The goal of a factual study of religion is the development of a body of knowledge about religion and churches in the pupil rather than a persuasion that one type of religion or denomination is superior to another.

Professor A. W. Johnson illustrates the factual study of religion when he proposes that public schools teach religion

in the social studies program. The assumption . . . that participation in religious worship and religious activity is a part of the normal adult behavior, dictates that the same frank approach be made to a study of the churches as is now made to the study of the industries, the press, the government and the cultural activities of "our town". Where are the churches? What are the churches? Why do people go to them? What are their common interests and what are their main differences? What activities do they carry on? This, it may be said, is studying about religion, not studying religion. Quite so. Studying about is the beginning of study. It is the way an orientation is effected. But such inquiry has in it the element of participation based on interest. It is in the nature of group exploration an "activity program". It is cooperative in a very explicit

way, for there will always be members of the various churches in the student group who can give their fellow students the benefit of their own knowledge.<sup>1</sup>

A basic consideration in dealing with the proposal is the method by which a factual study of religion should be introduced into the present public school curriculum. The methods suggested vary. Some propose that a regular course should be introduced into the curriculum. The majority, however, believe that religious facts should be integrated into courses already in the curriculum, such as social science, music, history, literature, economics, and philosophy.

Exponents of the proposal that a factual study of religion be introduced in the public school support the proposal with several reasons. They believe it would disturb the present education less than any other proposal relating to religion in public schools. They make the claim that it would not disrupt the unity of the present public school program. They also feel that the program of this proposal would secure high standards, bring about almost universal religious instruction, and probably be declared legal by most states.<sup>2</sup>

#### The Exponents of the Proposal

Among the exponents of the proposal, the American Council on Education is one of the most important. Operating through

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<sup>1</sup>J. P. Williams, The New Education and Religion (New York: Association Press, 1945), p. 158.

<sup>2</sup>Ibid., p. 150.

the Committee on Religion and Education since 1944, it has been active and influential in promoting the proposal that a factual study of religion be developed in public schools. The Committee on Religion and Education in 1947 was headed by F. Ernest Johnson and included the following members: Homer W. Anderson, Louis Finkelstein, Frank P. Graham, Jacob Greenberg, Frederick G. Hochwalt, Galen Jones, J. Hillis Miller, John W. Nason, Alexander G. Ruthven, Herbert L. Seamans, Paul H. Vieth, Roscoe L. West, and George F. Zook, ex officio.<sup>3</sup>

In 1947 the Committee on Religion and Education of the American Council on Education published a pamphlet on the factual study of religion in public schools, entitled The Relation of Religion To Public Education--The Basic Principles. In 1953 the same committee conducted a survey to discover the extent to which a factual study of religion was being practiced in public schools, and also to find out the reactions to such a program. Responses to the survey were received from the following educators: twenty-four chief state school officers; eighty-two superintendents of schools, nearly all in cities over fifty thousand; one hundred presidents of state or municipal colleges and universities; two hundred and forty-one presidents of church-related or independent colleges or universities; eighty presidents of state teacher's colleges

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<sup>3</sup>American Council on Education, The Relation of Religion to Public Education--The Basic Principles (Washington: American Council on Education Studies, 1947), p. 11.

and twenty-nine deans of schools of education or heads of departments of education in all types of higher educational institutions.<sup>4</sup> The results of this survey were recorded in a book, The Function of the Public Schools in Dealing with Religion, published in 1953. The work of this committee of the American Council on Education will be used as one of the chief sources of information concerning the factual study of religion in this study.

The Educational Policies Commission of the National Education Association, a group equally as influential as the American Council of Education, presented recommendations for the support of a program of factual study of religion in public schools in 1948, only a year after the American Council on Education published its convictions. Three years later the report of the Educational Policies Commission was made. It resembles the proposal of the American Council of Education in many respects. A summary of the recommendations of the Educational Policies Commission was published in the booklet entitled Moral and Spiritual Values in the Public Schools.

Members of the commission at the time of the publication were: John K. Norton, George A. Selke, Ethel J. Alpenfels, Ruby Anderson, Sarah C. Caldwell, James B. Conant, Dwight D. Eisenhower, Alonzo G. Grace, Eugene H. Herrington, Henry H. Hill, William Jansen, Galen Jones, N. D. McCombs, T. R. McConnell,

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<sup>4</sup>American Council on Education, The Function of the Public Schools in Dealing with Religion (Washington: American Council on Education, c.1953), p. 9.

Mae Newman, Lee M. Thurston, Willard Givens, Worth McClure, Corina A. Mowrey, Warren T. White, William C. Carr, and Wilbur F. Murra.<sup>5</sup> The work of this group will also be considered in this study.

Other notable exponents of a factual study of religion in public schools should also be mentioned. William Clayton Bower discusses a factual study of religion in his book, Church and State in Education.<sup>6</sup> He proposes that religion be taught objectively wherever it is encountered in the subject matter of the curriculum. He suggests that public education explore the possibilities of using religion as a principle of integration of education and of the culture that education attempts to interpret. Bower makes the statement, "Religion may well be included in public education as a field of knowledge comparable with fields of literature, natural science, history, philosophy, social science, and the arts."<sup>7</sup>

Mr. J. P. Williams of the Congregational Church supports the proposal of a factual study, but he calls it teaching religion "descriptively." He stated the advantages of the proposal from a Protestant's point of view when he made the following statement:

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<sup>5</sup>Educational Policies Commission, Moral and Spiritual Values in the Public Schools (Washington: National Education Association of the United States and the American Association of School Administrators, 1951), p. vii.

<sup>6</sup>William Clayton Bower, Church and State in Education (Chicago; University of Chicago Press, 1944).

<sup>7</sup>Ibid., p. 60

If American children and youth were taught the religion of their churches in vital communities centering in the church and their home, and were also given ethics in public schools, Protestant education would make striking gains. Furthermore, the half of America's children who now have no contact with any church or synagogue would gain at least the beginning of an education in religion. If church schools could build their education on a solid foundation of factual knowledge and ethical instruction supplied by the public schools, there would be much more chance that the church and the home working together could build the kind of spiritual community in which vital religious education can take place.<sup>8</sup>

Many more statements favoring the factual study of religion in public schools could be cited, but the illustrations above will suffice to represent the support given to the proposal.

#### The Basic Principles of the Proposal

##### Principles in report of the American Council on Education

The report of the Committee on Religion and Education of the American Council on Education begins with discussion of factors that led to the present situation in public schools of America. The Committee claims that neither the founding fathers of the nation nor the founders of the public school system ever intended to separate religion from education completely. The report states that Horace Mann, who is labeled as the person responsible for taking religion out of the public schools, tried to find a common faith that could be taught in the schools. Mann's fight was against community control of the type of religion to be taught in the public school.

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<sup>8</sup>J. P. Williams, "Protestantism and Public Education," Christian Century, LXIV (March 12, 1947), 330.



Mann visualized the danger of ever changing teachings of doctrine depending upon the school board.<sup>9</sup>

The committee states that it was necessary to eliminate sectarian teaching in the public school. However, the report admits that the present educational system of the public schools is perpetuating a dualism in our culture by erecting a wall of separation between religion and general education. In other words, the school is emphasizing a division in the educative process which repudiates its own philosophy of education. The committee contends that "to do this is to invite the same indifference to religion that we should expect to result in the political sphere from ignoring the institutions of government." The avoidance of religion cultivates in the pupil either the idea that religion is relatively unimportant and a sideline interest, or the idea that religion is a matter so remote from life that it has no place in the general education program.

The report gives considerable attention to the term "religion." Various aspects of religion are explained. The committee defines religion in its simplest terms as an "ultimate reality to which total allegiance must be given."<sup>10</sup> In this man finds the basis for his conception of ethics, of duty, and of human destiny. Furthermore, the report claims that from the subjective side religion means that "Man must respond

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<sup>9</sup>American Council on Education, The Relation of Religion to Public Education--The Basic Principles, p. 7.

<sup>10</sup>Ibid., p. 10.

to the divine imperative," which demands faith and the commitment of will.<sup>11</sup> The third aspect of religion is described as the social, the corporate body, the institutions, and the ritual. Though the committee feels that religion is more than a phase of culture, it believes that religion can be used only in that frame of reference in public education. The report states, ". . . religion is referred to as a phase of the culture because we believe the responsibility of public education with reference to religion is determined by fidelity to culture in its entirety."<sup>12</sup> This statement illustrates the fact that public schools cannot be expected to impart religious education.

Another problem with which the committee was confronted was to derive a method by which a factual knowledge of religion could be legally and satisfactorily taught in the public schools. The committee suggests as an answer the process of education in which the aim is to teach the pupils how to think rather than what to think. By this method the teacher presents only the basic principles. The organization of the thinking is left to the pupil. The report states the argument this way:

Our purpose at this point is to urge consideration by educators of the possibility of raising the ban on religious subject matter to the extent that the study of it can be guided as is the case today in those schools which most successfully direct the study of other material about which divergent views are recognized. Such a procedure, however, rests on one positive assumption, namely

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<sup>11</sup>Ibid., p. 11.

<sup>12</sup>Ibid.

that among the results which the community has a right to look for in graduates of its schools is a positive attitude toward the values that religion represents in our culture.<sup>13</sup>

The committee does not recommend that religion be taught as a separate subject, but that religious facts should be integrated into all of the subjects in the curriculum. For example, social studies lend themselves particularly well to references to religious institutions and practices. In literature the study of religious classics should be integrated with the regular course. In history, in the sciences, and in philosophy, religion comes into the picture too.

Finally, the committee had to give an answer to the question: where will you obtain teachers who can adequately impart a factual knowledge of religion? The report mentioned that public school teachers suited for the job could be obtained from the same source from which they are presently obtained. However, the teacher-education program would have to be coordinated along with local experiments and demonstrations to equip the teachers. The report admits that this is no small task and would take time. Virgil Henry, Superintendent of Schools in Orland Park, Illinois, has outlined a practical plan to carry out the proposal in his book, entitled The Place of Religion in Public Schools. He also outlined workshop courses for the training of teachers.<sup>14</sup>

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<sup>13</sup>Ibid. p. 15.

<sup>14</sup>Virgil Henry, The Place of Religion in Public Schools (New York: Harper and Brothers, c.1950).

A summary of the entire report of the Committee of the American Council on Education is given as follows:

1. The problem is to find a way in public education to give due recognition to the place of religion in the culture and in the convictions of our people while at the same time safeguarding the separation of church and state.
2. The separation of American public education from church control was not intended to exclude all study of religion from the school program.
3. Teaching a common core of religious beliefs in the public schools is not a satisfactory solution.
4. Teaching "moral and spiritual values" cannot be regarded as an adequate substitute for an appropriate consideration of religion in the school program.
5. Teaching which opposes or denies religion is as much a violation of religious liberty as teaching which advocates or supports any particular religious belief.
6. Introducing factual study of religion will not commit the public schools to any particular religious belief.
7. The role of the school in the study of religion is distinct from, though complimentary to, the role of the church.
8. The public school should stimulate the young toward a vigorous, personal reaction to the challenge of religion.
9. The public school should assist youth to have an intelligent understanding of the historical and contemporary role of religion in human affairs.<sup>15</sup>

Principles in the report of the National Education Association

The Education Policies Commission of the National Education Association published a report in 1951 that conveyed ideas

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<sup>15</sup>American Council on Education, The Function of the Public Schools in Dealing with Religion, p. 21.

similar to the American Council on Education proposals. The report of the Education Policies Commission is entitled Moral and Spiritual Values in the Public Schools. Dr. Carl S. Meyer of the Lutheran Church--Missouri Synod, refers to this report as "a basic document in the philosophy of American education," and he considers it "the most important educational document issued during the past decade."<sup>16</sup>

It is necessary to distinguish between the Education Policies Commission proposal and the proposal of other groups, such as the John Dewey Society, who propose to promote moral and spiritual values in the public schools. The Education Policies Commission recognizes religion as the basis of moral and spiritual values, whereas the John Dewey Society and its followers have a naturalistic philosophy undergirding moral and spiritual values.<sup>17</sup>

The Education Policies Commission defines moral and spiritual values as "those values which when applied in human behavior, exalt and refine life and bring it into accord with the standards of conduct that are approved in our democratic culture."<sup>18</sup>

The report continues with some basic assertions. The claim is made that public schools are not antireligious but

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<sup>16</sup>Carl S. Meyer, "Religion in the Public Schools," Concordia Theological Monthly, XXVIII (February, 1957), 84

<sup>17</sup>John S. Brubacher, The Public Schools and Spiritual Values (New York: Harper and Brothers, c. 1944).

<sup>18</sup>Education Policies Commission, op. cit., p. 3

that "the policy of public schools is, in fact, hospitable to all religious opinions and partial to none of them."<sup>19</sup> The commission points out that religion is an important element in American life and that moral and spiritual values are basic to all other educational objectives. Furthermore, the report indicates that current trends accentuate the role of values in education.<sup>20</sup> The importance of moral and spiritual values is reinforced by the following statement of the commission:

whether we consider the social effects of recent wars, the remoteness of workers from the satisfactions of personal achievements, the mounting complexity of government, the increasing amount of aimless leisure, the changing patterns of home and family life, or current international tensions, the necessity for attention to moral and spiritual values emerges again and again. More decisions of unprecedented variety and complexity must be made by the American people. An unremitting concern for moral and spiritual values continues to be a top priority for education.<sup>21</sup>

The commission listed ten moral and spiritual values that it felt American people considered as basic. The values were listed as follows:

1. Human personality--the Basic Value
2. Moral Responsibility
3. Institutions as Servants of Men
4. Common Consent
5. Devotion to Truth
6. Respect for Excellence

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<sup>19</sup>Ibid., p. 4.

<sup>20</sup>Ibid., pp. 5-13.

<sup>21</sup>Ibid., p. 12.

7. Moral Equality
8. Brotherhood
9. The Pursuit of Happiness
10. Spiritual Enrichment<sup>22</sup>

The first two values listed include the self-respect and personal integrity of the individual plus his social responsibility in treating others with respect and consideration. The third value is a natural successor to the first two. The individual with self-respect and integrity will make institutions serve him and his fellow men.

Friendly cooperation is the objective of common consent. This is a necessary virtue for a successful democracy. The commission asserts that devotion to the truth can be inculcated in the pupils if the public schools "provide young people with experience in the processes of seeking the truth, of comparing opinions, and of appealing to reason on controverted questions."<sup>23</sup> The word truth is not defined.

The sixth, seventh, and eighth values are social, which contribute to the welfare of the society and counteract the danger of completely selfish interest. Respect for good in others, moral standards, justice, and concern for the fellow man are included in these three values. The final two values listed, the pursuit of happiness and spiritual enrichment, are within the structure of the preceding values. The report

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<sup>22</sup>Ibid., p. 18-30.

<sup>23</sup>Ibid., p. 24.

states, "Beyond reasoned moral conviction and efficient social action there is the inner life of the spirit which gives warmth and drive to dispassionate precepts of morality."<sup>24</sup>

The report explains that there is an interrelation of the moral and spiritual values. The commission admits that there might be disagreement in the religious beliefs concerning values. But, the much more crucial problem that the commission faced was the divergence of opinions concerning the sanctions for the moral and spiritual values. The report suggests that the teachers in the public schools use sanctions that will coincide with moral and religious teaching of the home, sanctions which will allow for the greatest possible freedom for the child's reason, and sanctions which will be adaptable to a variety of reasons and motives.<sup>25</sup> Illustrations of methods by which this may be done are presented under seven different sanctions: justice, the law, property rights, integrity, group approval, and guidance.<sup>26</sup>

Finally, the report presents a nine-point program indicating the means by which moral and spiritual values can be achieved in the public schools. The nine points were the following:

1. Moral and spiritual values should be stated as aims of the school.

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<sup>24</sup>Ibid., pp. 29-30.

<sup>25</sup>Ibid., p. 48.

<sup>26</sup>Ibid., pp. 48-49.



2. Initiative by individual teachers should be encouraged.
3. The education of teachers should deal with moral and spiritual values.
4. The teaching of values should permeate the entire educational process.
5. All the school's resources should be used to teach moral and spiritual values.
6. Public schools need staff and facilities for wholesome personal relations.
7. Public schools should be friendly toward the religious beliefs of their students.
8. Public schools should guard religious freedom and tolerance.
9. The public schools can and should teach about religion.<sup>27</sup>

The Education Policies Commission was convinced that religion could be taught objectively in public schools so that no specific denominational beliefs would be favored. The following statements of the committee have been culled from the report to illustrate the commission's convictions:

The public school can teach objectively about religion without advocating or teaching any religious creed. . . . A knowledge about religion is essential for a full understanding of our culture, literature, art, history, and current affairs. That religious beliefs are controversial is not an adequate reason for excluding teaching about religion from the public schools. . . . Although the public schools cannot teach denominational beliefs, they can and should teach useful information about the religious faiths, the important part they have played in establishing the moral and spiritual values of American life, and their role in the story of mankind. . . . The unity of our own country, our understanding of the other nations of the world, and respect for the rich religious traditions of all humanity would be enhanced by instruction about

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<sup>27</sup>Ibid., pp. 49-80.

religion in the public schools.<sup>28</sup>

### Evaluations of the Proposal

The Lutheran Church--Missouri Synod encourages its constituents to have an open mind for the proposal that a factual study of religion be introduced into the public school. The Board of Parish Education made the following statement in its report to the Synodical Convention of the Lutheran Church--Missouri Synod in 1953:

Third, the public school can teach about religion. It can point to the large role that religion plays in the lives of many people. It can point to the influence religion has exerted upon society in maintaining morality. It can very properly study religious art and religious music and make use of such materials in the school program. It can provide for Bible reading without comment in the regular school program. Such factual study of religion does not commit the public school to a particular religious belief.<sup>29</sup>

This Board seems to be pleased about the general concern over the problem of religion in public schools. Cautiously, the Board of Parish Education indicated a measure of willingness to support a policy of a factual study of religion in public schools. It is aware, however, that there are dangers involved, and that certain definite limitations need to be set on such a proposal.

Several questions are raised to the proposal. Can the

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<sup>28</sup>Meyer, op. cit., pp. 89-90

<sup>29</sup>Lutheran Church--Missouri Synod, Proceedings of the Forty-Second Regular Convention of the Lutheran Church--Missouri Synod (St. Louis: Concordia Publishing House), 1953, p. 330.

principle be carried out in practice? Can such teaching remain purely factual, or would the subject be colored by the personality and convictions of the teacher? The Lutheran Church, like many other religious denominations, would fear the interpretation of religious events, religious classics, and religious institutions by a teacher whose interpretation would be based upon his own religious convictions.

Furthermore, the Lutheran Church fears that the subject of religion might be taught in such a way that would lead the pupil to believe that all religions offer equal spiritual benefits. Such a principle would be a detriment to the educational program of the Lutheran Church, which teaches that man receives spiritual benefits only by the grace of God through faith in Jesus Christ.

The testimony of Mr. Edward Worrel illustrates that the warnings of the Lutheran Church are not unfounded or mere nebulous speculations. Mr. Worrel reported the following experience in his book Restoring God to Education:

As a history instructor in a secondary school, the writer often had occasion to deplore the woeful lack in the average textbook in ancient history, of the proper historical treatment of the truths of Judaism and Christianity. In one standard text containing over 700 pages, less than 60 pages dealt with the religions of the world. The Hebrew religion received scant treatment, while more attention was given to the military phases of their history. The true role of the patriarchs and the prophets was largely ignored; pupils depending upon the guidance of the writer of this text would never gain the proper conception of the peculiar mission of the Jews among the nations. Also inadequate consideration was given to the ideals of righteousness and judgment that the prophets of Jehovah consistently upheld.

This same textbook dismissed the subject of the life and

work of Christ with only an abbreviated discussion. His unique origin was not mentioned; His miracles were omitted, and His death was stated in terms of the result of incurring Roman disfavor. Ignoring our Lord's cardinal doctrines, the historian summarized His ethical code by quoting a few key passages from the Sermon on the Mount. A noticeably longer discussion was given to the writings of the classical poets and philosophers. So, the comparative amount of space devoted to Christian and non-Christian thought in the respective contributions to the progress of ideas, seemed calculated to lead the pupil to draw the author's own foregone conclusions of the relative worth of the two systems.

Another textbook on this subject gives a disproportionately large place to the Egyptian religion. Following a lengthy description of it there is an epitome of its salient features in which the author poorly conceals his intention to play it up as "the greatest religion of the ancient world." In presenting other religions the historian created an impression of the indebtedness of Christianity to pagan religions. Thus the distinctive element of revelation is scarcely mentioned and the triumphant character of the life and work of the apostles, martyrs, missionaries and outstanding leaders of the Church, does not appear. The New Testament is not accredited as having full historical worth. If, in addition to these misrepresentations, the teacher shares the views of the author of the textbook, then the damage becomes almost total to the distortion of the pupils' historical judgment, and even of the destruction of his faith in Christ.<sup>30</sup>

The writer believes that it is necessary to be aware of a double danger in the proposals to solve the problem of religion in public schools. On the one hand, advocates of proposals often fail to define the function of institutions in society, and, consequently, there is a readiness on the part of some men to make all institutions serve the state. On the other hand, there is the danger, though less imminent, that religious groups use the state to advance their own cause.

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<sup>30</sup>Edward K. Worrell, Restoring God to Education (Wheaton, Illinois: Vankampen Press, c.1950), pp. 67-68.

If an authoritarian religious denomination were to monopolize the favor of the state the religious liberty of our nation would be seriously threatened. Norman Pittenger mentioned these dangers. He stated:

we have a twofold war to wage in these days. We must see to it that no religious group, however powerful in numbers, assumes the position of dictator; on the other hand, we must see to it that the national culture, the genius of the American people, and the values which rightly we esteem are kept in their proper place. America cannot be our religion: it cannot take the place which belongs to God alone. We can support and defend our nation and we must be ready to do this, but we dare not let it take the place in our thought and in our reverence which belongs to the God of creation and redemption alone.<sup>31</sup>

The principle of the separation of church and state must be carefully guarded.

Scripture speaks of the function of the state as an institution when it says, "For rulers are not a terror to good works, but to the evil. . . . For he is the minister of God to thee for good." (Rom. 13:4 K.J.) The government was established for the welfare of its citizens. Therefore, it is the duty of the state to provide favorable conditions for the exercise of religion and morality in addition to its functions of protecting, regulating, and guiding. Meyer writes, "The functions of the government in a permissive sense may include a positive program of inculcating civic righteousness; they do not include the teaching of religion."<sup>32</sup> Pittenger, as

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<sup>31</sup>Norman W. Pittenger, "Religious Liberty--The Other Side," Religious Liberty, XLV (Fourth Quarter 1950), 10.

<sup>32</sup>Meyer, op. cit., p. 103.

quoted by Meyer, expresses his fears concerning the use of religion to serve national ends in the religious training in the Armed Service. He writes:

It is precisely this prostitution of religion to citizenship which is the gravest peril facing not only Christianity but Judaism and other deeply grounded religious faiths in our day. For it is only a step--and that a short one--to the subjugation of religion to national ends; and that is fascism or the present situation in Communist Russia, where the church appears to be regarded primarily as an instrument of the state.<sup>33</sup>

Separation of church and state means that religious groups in this democracy have no right to expect the state to be an instrument to help the church carry out its responsibilities. Religious pluralism is the principle upon which religious liberty exercised in this country makes the situation in America a unique one. Religious pluralism means that each religious group is granted the privilege to carry on its program and activities as an independent group with complete rights and privileges, but it must also respect the fact that the same rights are given to all other religious groups. Any state intervention or aid to one religious group would easily upset the balance of equality between the many religious denominations in this country.<sup>34</sup>

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<sup>33</sup>Ibid. As quoted from Norman W. Pittenger, "Religious Liberty--The Other Side," Religious Liberty, XLII (Fourth Quarter 1948), 14-15

<sup>34</sup>Henry Ehlers, editor, Crucial Issues in Education (New York: Henry Holt and Company, c.1955), pp. 118-132.

## CHAPTER III

### TEACHING A COMMON CORE OF RELIGION IN THE PUBLIC SCHOOL

#### The Nature of the Proposal

The proposal that a common core of religious belief should be taught in the public schools is a relatively recent one and has received considerable public acclaim. The supporters of this proposal believe that there can be found in all the various religious denominations represented in America a few common and basic religious beliefs. They believe that this common core of religious beliefs could be transmitted to the pupils of the public school either by a course in which these common beliefs are systematized, or by the incorporation of these common beliefs in the textbooks and in the curriculum. Luther A. Weigle, Dean of the Divinity School at Yale University, said in an address at the 1940 Annual Meetings of the International Council of Religious Education:

The common religious faith of the American people, as distinguished from the sectarian forms in which it is organized, may rightfully find appropriate expression in the life and work of the public schools.<sup>1</sup>

Basically, this proposal advocates that the public school become the instrument to transmit a sort of theistic teaching. According to the proposal, the objective of the public school

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<sup>1</sup>Luther A. Weigle, Public Education and Religion (Chicago: International Council of Religious Education, c.1940), p. 11.

in teaching a common core of religious belief would be to win the allegiance of the pupils to the basic beliefs of what might be termed a Judeo-Christian faith. Exponents of a common core of beliefs claim that democracy ultimately rests upon this Judeo-Christian foundation of religion. Dr. Weigle states that idea in the following words:

The public schools may and should refer to religion, as occasion arises, naturally and wholesomely, without dogmatism, without bias, and without affectation or strain. They should in all of their teaching manifest reverence for God and respect for religious beliefs. Teachers should understand that the principle of religious freedom is designed to protect rather than to destroy religious faith, and that this principle gives them no right either tacitly to suggest or actually to teach secularism or irreligion. The public schools should aim at the development of a citizenship which is founded upon character; and they may in their efforts to educate for character give due place to religious motives. They can teach that morality is more than custom, public opinion, or legal enactment; they can point to its grounding in the structure and in the nature of God.<sup>2</sup>

The arguments offered in favor of the proposal that a common core of religion be taught in the public schools are at least three in number. First, this proposal upholds the basic principles of democracy. Second, it is legal because it gives no preference to any religious denomination. Third, the proposal inculcates religious beliefs in the child more adequately than any other proposal for religion in public schools that has been offered.

#### The Exponents of the Proposal

In 1947 the International Council of Religious Education

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<sup>2</sup>Ibid., p. 12.



appointed a committee under the chairmanship of Luther A. Weigle to study the problem of religion in public schools. Authorization was given to the committee by the following statement of the International Council:

That, in view of the mounting country-wide interest in the problem of the relation of religion to public education, and the growing concern of constituent groups of the Council, the International Council set up a Committee representative of all its interests to undertake a serious study of this problem and to recommend plans whereby public schools and religious leaders may face this issue together, through such means as conferences--national or regional--joint research projects and experimentation, articles in religious and educational journals, and other means. (p. 111, 1947 Yearbook)<sup>3</sup>

The committee appointed by the International Council formally reported its support for the teaching of a common core of religion in public schools on February 12, 1949. Whereas the International Council of Religious Education is the most influential exponent of the proposal, this study will center attention mainly on the proposal presented by the committee report.

However, other noteworthy exponents, who support the teaching of a common core of religion in public schools, must not be overlooked. Eugene Carson Blake, Chairman of the National Council of Churches, states his advocacy of a common core of religion in the public schools in an article appearing in Religious Education. It is significant that in this article Mr. Blake quotes a statement of the National Council of Churches, a group represented by thirty-five million protestant

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<sup>3</sup>International Council of Religious Education, Report of the Committee on Religion and Public Education (Chicago: International Council of Religious Education, 1949), p. 1.

and orthodox churches. Blake helped to form the following statement of the National Council of Churches:

The crucial problem concerning religion in education emerges in relation to the public schools. We believe in our public school system. It is unfair to say that where religion is not taught in a public school, that school is secular and godless. The moral and cultural atmosphere in a school and the attitude, the viewpoints and the character of the teachers, can be religious and exert religious influence, without religion being necessarily taught as a subject. On the other hand, a way must be found to make the pupils of American schools aware of the heritage of faith upon which this nation was established, and which has been the most transforming influence in Western culture. This we believe can be done in complete loyalty to the basic principle involved in the separation of church and state. On no account must an educational system which is permeated by the philosophy of secularism, something quite different from religious neutrality, be allowed to gain control of our public schools. We cannot, moreover admit the proposition that in a public system of education the state should have the unchallenged right to monopolize all the hours during which a boy or girl receives instruction five days of the week. In some constitutional way provisions should be made for the inculcation of the principles of religion, whether within or outside the precincts of the school, but always within the regular schedule of a pupil's working day.

In the meantime, the state should continue to accord freedom to religious bodies to carry on their own schools, but those who promote parochial schools should accept the responsibility to provide full support for those schools, and not expect to receive subsidies or special privileges from public authorities. The subsidization of education carried on under religious auspices would both violate the principle of separation of church and state, and be a devastation blow to the public school system, which must be maintained. The solution of the problem lies in loyal support of our public schools and in increasing their awareness of God, rather than in state support of parochial schools. The reverent reading of selection from the Bible in public school assemblies or classes would make an important contribution toward deepening this awareness.<sup>4</sup>

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<sup>4</sup>Eugene Carson Blake, "Strategies for Making Adequate Provisions of Religious Education for All Our Young," Religious Education, XLIX (March—April, 1954), 102-103.

Mr. Blake continues in the article with an explanation of his own proposal. He believes that the fundamental belief in God as Creator, Ruler, Judge, and Father could be introduced into the heart and life of the public school curriculum. He believes this would be an avoidance of sectarian teaching because the principles of religion taught would be an area of agreement. This proposal, Blake explains, would entail a reworking of the entire public school curriculum from primary grades to university level. It would attempt to root out all the secularist and humanist assumptions on which, he feels, the present public school curriculum is too largely based.<sup>5</sup>

Harry S. Broudy lends similar support to the proposal of a common core of religion in education. He contends, in an article in *Religious Education*, that teaching about religion is insufficient. He states his argument as follows:

the contention that knowledge about religion will not by itself accomplish what ought to be accomplished. The point of religious education, this view would hold, is that loyalty to and practice of a particular religious mode of life be strengthened. What profiteth a man, it might be asked, to know about religion, if he ends up by losing his soul anyhow? Conceivably, knowledge about religion might destroy even simple faith and open the way of agnosticism, skepticism, or atheism itself. It must be said for the proponents of this kind of argument that they know exactly what sort of education it would take to get it.<sup>6</sup>

Mr. Broudy proposes that a set of textbooks that impart

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<sup>5</sup>*Ibid.*, p. 103.

<sup>6</sup>Harry S. Broudy, "Religious Literacy and the American School," *Religious Education*, XLVIII (November-December, 1953), p. 385.

religious literacy in the public schools be compiled and published for use in the schools.

Conrad Hauser in his book, Teaching Religion in the Public School, published in 1942, explains a method by which a common core of religious beliefs could be compiled and would be acceptable for use in the public schools. He uses the beliefs of the three major faiths in America; namely, the Jewish, Protestant, and Roman Catholic. Hauser contends that a common core of religion could be taught in public schools by either a theistic approach or a humanistic approach to religion. The common core of religious beliefs in which there is general agreement if religion were taught by a theistic approach are stated by Hauser as follows:

belief in a Supreme Being and that he is a personal God; that God is the creator and preserver of the universe through the reign of moral and physical law, and the belief in a divine revelation of God.<sup>7</sup>

The areas of common agreement in a humanistic approach to religion are as follows, according to Hauser:

Man is the creature of God, and subject to him, he is composed of body, mind, and spirit. As a person made in the image of God, man can hold fellowship with God, is capable of receiving a revelation of God, that men of every race, faith, and color, all men comprise the family of God.<sup>8</sup>

#### Basic Principles and Evaluation of the Proposal

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<sup>7</sup>Conrad Augustine Hauser, Teaching Religion in the Public Schools (New York: Round Table Press, 1942), p. 10.

<sup>8</sup>Ibid., p. 12.

This study will now concentrate on the report of the Committee on Religion and Public Education of the International Council of Religious Education for a closer examination of the basic principles involved in the proposal to reach a common core of religion in public schools.

The committee begins its report with a discussion of the historical situation underlying the relationship of religion and education. The committee points out that there has been a unite between religion and education throughout history. This unity is traced through the role of the Old Testament priest as teacher in Judaism, through the practice in European history, and through the educational ideas of the reformers-- Luther, Zwingli, and Calvin--to the early history of schools in America.

The change in the American scene, which has resulted in the separation of religion from public education, is attributed to the religious diversity and religious freedom of our nation. The committee claims that education in this country has generally failed to take into account the role of the Christian religion in national life and the place of Christian faith in the personal lives of youth because of the sectarian spirit that exists. The exclusion of everything that has been labeled sectarian teaching in public schools has resulted in an almost complete exclusion of religion from public schools. The committee believes that it is an unjust accusation to say that the present situation is the result of deliberate action of either the public school leaders or the clergymen. The

secularization of the public schools has come about unnoticed and unintended.

The report points out that a divergence of practice and of opinions concerning the problem of religion in public schools existed, especially before the Supreme Court decisions in the McCollum case. The growth of private church schools and an increased emphasis on Sunday Schools is attributed to the fact that public schools in more and more communities have eliminated all religious elements from the curriculum.

Three basic convictions are discussed by the committee as the support for the proposal that a common core of religion should be taught in public schools. The first basic conviction reads as follows:

We believe that education is weakened and its usefulness impaired to the extent that it is separated from the disciplines and insights of religious faith. Whatever other religions underlie national culture, the Christian faith underlies the history and philosophy of American life and its public education. Were we to depart from this foundation, all our democratic institutions and practices, including our public school system as we know it, would be imperiled. We acknowledge the insights of our forefathers and some contemporary religious groups who have provided for the frank and generous inclusion of religious materials in curricula, of the religious spirit in teaching, and of religious music, art, and architecture as teaching media.<sup>9</sup>

This first basic conviction of the committee appears to be a valid argement, but certain fallacies should be pointed out. The statement that "the Christian faith underlies the history and philosophy of American life and of its public

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<sup>9</sup>International Council of Religious Education, op. cit., p. 4.

education" must be carefully examined before it can be used as a basis to derive a common core of religious beliefs to meet with the doctrinal approval of all religious denominations in America. Christian denominations were in the majority among groups colonizing in America. However, it is another matter to say that the majority of denominations in early America were Christ-centered, the essential meaning of Christian.

The Lutheran Church--Missouri Synod defines the Christian religion as follows:

the Christian religion is not a moral code, teaching men how they may reconcile God by good works, but it is divine faith in the amazing fact that God through Christ reconciled the world unto Himself, not imputing their trespasses unto them. 2 Cor. 5:19<sup>10</sup>

This definition would probably exclude a large number of the founders of the new American nation from the category of men with Christian faith. Deism was quite prominent among the founding fathers. Deism excludes Christ as the Son of God and the Redeemer of man. This fact would eliminate many of the founding fathers and their basic philosophies from the realm of what might be called Christian. Can it be said that "the Christian faith underlies the history and philosophy of American life," when the history of our nation reveals that the religion of many excluded Christ? A common core of religious belief formulated on the basis of such a free use of the term Christian would not meet with the approval of Lutheran theology,

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<sup>10</sup>John T. Mueller, Christian Dogmatics (St. Louis: Concordia Publishing House, c.1951), p. 25.

which considers religious beliefs valid only if they are centered in Christ.

The second basic conviction of the Committee on Religion and Public Education is:

We believe that religion is seriously weakened if it is not intimately related to general education. The three basic institutions of education--the family, the school and the church--have different roles to play, and each has its important contribution to make to the total educational experience of the child. In order for each of these basic institutions to function effectively, there must be opportunity for happy relationships between all of them. The home and the church have these opportunities. So have the school and the home. But what about the school and the church? Certainly the church's religious teaching has been handicapped by the lack of contacts with the daily processes of public education. Religious education under the direct control of the church has freedom to deal with a group of children who share or whose parents share a fairly large body of common religious beliefs. Thus it is possible to deal with particular aspects of a faith, and to encourage by the processes of religious nurture a religious response to this teaching. But along with this opportunity there is the attendant hazard that impressions will be given that however important religious education may seem to ministers, Sunday school teachers and parents, it is of little consequence as compared to general education.<sup>11</sup>

The Lutheran Church--Missouri Synod is in full agreement with the second basic conviction of the Committee. It also feels that a child needs religious training in connection with his general education. However, the Lutheran Church feels that religious beliefs and education can be integrated only in church operated schools. For that reason the Lutheran Church--Missouri Synod operates its own school system. Mr. A. F. Schmieding, writing in Lutheran Education, states:

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<sup>11</sup>International Council of Religious Education, op. cit., pp. 4-5.



If our public schools recognize the value of substantial homes and solid churches and inform the pupils about these social and spiritual institutions, what more can we expect of them? The public schools, being instruments of the state, certainly cannot impose a religious faith upon our children. Or are there such as would prefer a state church or church-related schools. We assume, of course, that in addition they will follow high ideal of civic morality.<sup>12</sup>

The final basic conviction of the Committee on Religion and Public Education reads as follows:

We believe that a free American public school system is indispensable to the maintenance and development of our democratic institutions, and we believe Christian people should acknowledge the debt we owe to public education. Our nation is truly E pluribus Unum. We have been fashioned out of many nations and from many tongues. The remarkable degree of unite which prevails in our life and culture is traceable to our system of free public education more than to any other single factor. Protestantism has consistently supported the principle of public education since the inception of that policy.<sup>13</sup>

The report proceeds by taking issue with those who encourage and maintain a completely secular education in public schools. On the other hand, the report asserts that if Protestant parochial education were universally adopted public education and democracy would be seriously threatened. The statement continues as follows:

We repeat that we are committed to the public schools. But we believe that public education can and should give more explicit recognition to the fact that its own spiritual values and democratic objectives rest upon the foundation of the Judaeo-Christian religious tradition, and that it should seek at all times to reinforce and build upon this foundation in the life of the school. We believe that in making these provisions public education

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<sup>12</sup>A. F. Schmieding, "Are Our Public Schools Irreligious and Godless," Lutheran Education, XC (April, 1955), p. 371.

<sup>13</sup>International Council of Religious Education, op. cit., p. 5.

itself will become immeasurably stronger.<sup>14</sup>

These basic convictions of the committee lead to the proposal which the International Council of Education supported. The aim of introducing a common core of religious beliefs into the public school curriculum is to develop in the student a "Belief in God as the Source of all spiritual values and material goods, the Determiner of the destinies of nations, and the loving Father of mankind."<sup>15</sup> The report continues in explaining the objectives as follows:

We believe further that the source and hope of this culture is in maintenance of faith in the Fatherhood of God and the brotherhood of man. We expect that the schools will expose our children to this point of view. We go further in our expectations. As fast as the school can, in view of the religious diversity of our people, judicial opinions, and our American traditions, we expect it to teach this common religious tradition as the only adequate basis for the life of the school and the personal lives of teachers, students, and citizens in a free and responsible democracy.<sup>16</sup>

The American Council on Education disapproved of the proposal of a common core of religious belief in public schools for several reasons. First of all, it stated that the people outside of churches and synagogues and those opposed to the teachings of the major faiths of America have their claim on public schools as well as others. Secondly, the American Council stated that "a common theology to be used as the basis of instruction in the sense of indoctrination would be bitterly

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<sup>14</sup>Ibid., p. 6.

<sup>15</sup>Ibid., p. 7.

<sup>16</sup>Ibid.

resented by many persons."<sup>17</sup>

A common core of religion taught in public schools would not meet with approval from the Lutheran Church--Missouri Synod. The Lutheran Church teaches that the only true God is the Triune God, Father, Son, and Holy Ghost. All other god's are false. It would be impossible to find a common agreement among all the religious faiths of America even on this very first and fundamental principle of religion.

Furthermore, the Lutheran Church would take exception to the statement of the committee of the International Council which states that "We believe that the source and hope of this culture is in maintenance of faith in the Fatherhood of God and the brotherhood of man."<sup>18</sup> Lutheran theology considers all men as brothers and God as Father of the human race in so far as God has created man, and in so far as all men are fellow creatures under one Creator. However, the committee of the International Council implies that the relationship of the Fatherhood of God and brotherhood of man goes beyond a relationship of creature to Creator and creature to fellow creature. The committee seems to imply that there is a common spiritual relationship between all men, and that all men ultimately respect the same God.

Lutheran theology asserts that man is in a spiritual

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<sup>17</sup>American Council on Education, The Function of the Public Schools in Dealing with Religion (Washington: American Council on Education, c.1953), pp. 16-17.

<sup>18</sup>International Council of Religious Education, op. cit., p. 7.

relationship with God as Father only if he has faith in Jesus Christ as Saviour from sin. Furthermore, Lutheran theology claims that a spiritual brotherhood of men exists only among those who have a common faith. That common faith must be based on the Biblical principle that man receives eternal salvation only by the grace of God, by which grace God has adopted us as His children through the redemptive word of His Son, Jesus Christ.<sup>19</sup> The Lutheran, therefore, cannot consent to a religious education that proceeds from the assumption that all men who have faith in a Supreme Being and in some way maintain a proper relationship with that Supreme Being are spiritual brothers and heirs of eternal life. The Lutheran Church cannot endorse a common core of doctrine that would exclude the very core of Lutheran theology.

Furthermore, the proposal that a common core of religious beliefs be taught in the public schools and by public school teachers indicates a misconception of the proper function of the State. Advocates of this proposal are trying to impose the duties of the home and the church upon the state. As was mentioned in the previous chapter, the state was established by God to execute civic duties, whereas it is the God given duty of the home and the Church to teach religion and cultivate faith in the child. Martin Luther illustrates this clear cut distinction in his comments on Psalm 2:7. He stated:

Their own duty is, therefore, not to teach, because they

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<sup>19</sup>Eph. 2:1-22.

do not rule over conscience or hearts, but only to restrain the hands. And just as a swineherd drives the pigs and leads them to pasture simply according to the five senses, so the kings of the world are herdsmen, governing not the conscience but the bodies, like cattle.  
 . . .

This is the difference which distinguishes our King from all other kings, and it must be most carefully observed.  
 . . .

For His kingdom stands in the Word, and His office is to teach. He left the care of swine to the kings of the world, for they have been provided with a staff with which they can drive cattle. But His office is, as the psalm says here, to preach, to tell of God's decree. This definition of the kingdom of Christ is clear enough and the proper distinction.<sup>20</sup>

Advocates of the proposal that a common core of religious beliefs be taught in public schools overlook the fact that America is fundamentally a nation of religious pluralism rather than a Christian nation. This proposal blurs the principle of the separation of church and state. It also takes a dangerous step to a position that is very vulnerable to a nationalistic religion.

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<sup>20</sup>Carl S. Meyer, "Religion in the Public Schools," Concordia Theological Monthly, XXVIII (February, 1957), 104-105. As quoted from Luther's Works, American edition, ed. Jaroslav Pelikan (St. Louis: Concordia Publishing House, 1955), XII, 41-42.

## CHAPTER IV

### RELEASED-TIME PROGRAM IN THE PUBLIC SCHOOL

#### The Nature of the Proposal

The released-time program is the most widely practiced proposal and has generated more controversy than any of the proposals discussed up to this point. According to the released-time program the public school pupil is either released from classes for a period of time in the course of the regular school day, or he is dismissed from class early at the close of the school day in order that he may attend a course of religious instruction conducted by a leader of a certain denomination. All religious denominations are permitted to conduct classes on the released-time plan. The child may attend the denominational instruction of his choice by the written permission of his parents.

Released-time instruction is conducted in a variety of ways, depending upon the choice of the community in which this program is adopted. In some areas local congregations independently set up and conduct classes for the for the public school children after agreeable arrangements have been made with the local board of education. In other communities several churches in the area may cooperate in sponsoring a course in religious beliefs. Each church that is cooperating in the endeavor takes part in conducting the course for a period of time. In still other communities several churches unitedly

organize a single church school system and adopt a curriculum that is satisfactory to every denomination involved.

Religious leaders have welcomed the released-time program because it gives them an opportunity to teach religion to the public school children, whom they can otherwise reach only during a short period of time in Sunday School or not at all. Most religious leaders recognize that the released-time program is not a total solution to the problem of the church in providing adequate religious education for its children. Nevertheless, the released-time program is welcomed as a step in the right direction. The program does introduce many public school pupils to the doctrinal content of the church, and it does counteract the negative attitudes toward religion that a completely secular school might foster in its pupils.

The main objections that are raised against the released-time program are: it disrupts and shortens an already crowded public school curriculum; the time allotted is too short for effective teaching; it is unconstitutional because it favors religious denominations; and it creates dissension and disunity among the students.

#### The Legal Aspects of the Proposal

The released-time program has evoked a considerable amount of legal action. In addition to the United States Supreme Court action on the matter in the *McCullum versus State of Illinois* and *Zorach versus Clausen* cases, a great number of state courts have been involved in legal action regarding

released-time programs in public schools. A study of the court decisions will demonstrate that these decisions vary greatly and often contradict one another. The majority of the decisions are dependent upon the interpretation of the principle of separation of church and state. It is not the purpose of this study to discuss the principle of the separation of church and state. A thorough study in this area, however, would lead to a clearer evaluation of the legal statements on the released-time program.

The most significant decision on the released-time program is the United States Supreme Court ruling in the *McCullum versus State of Illinois* case, March 8, 1948. Difficulty arose in the public schools of Champaign, Illinois. The board of education sanctioned a released-time program of religious education in the public school buildings. The children were taught by their respective guides, Protestant, Catholic, and a Jew. Mrs. Vashti McCollum, an avowed atheist, objected on the grounds that a hardship was imposed on her son Terry by social pressure since he was the only one in the school that did not attend the classes. The prosecutor claimed that the social pressure in support of religious training was so strong that a de facto, if not a de jure, "establishment of religion" had been created. On these grounds the prosecutor contended that the First Amendment of the United States Constitution was violated.

Furthermore, the charge was made that the use of public school rooms was a violation of the constitution of the state of Illinois. The supreme court of the state of Illinois ruled that such classes



do not violate the freedom of conscience of any individual or group so long as the classes are conducted upon a purely voluntary basis. Freedom of religion as intended by those who wrote the State and Federal constitutions means the right of an individual to entertain any desired religious belief without interference from the state. Our government does not recognize or subscribe to religious ideals.<sup>1</sup>

When the case reached the Supreme Court of the United States the decision of the Illinois court was reversed by a vote of eight to one. Mr. Justice Black in delivering the majority opinion of the court said the following:

The foregoing facts, without reference to others that appear in the record, show the use of tax-supported property for religious instruction and the close cooperation between the school authorities and the religious council in promoting religious education. The operation of the state's compulsory education thus assists and is integrated with the program of religious instruction carried on by separate religious sects. Pupils compelled by law to go to school for secular education are released in part from their legal duty upon the condition that they attend the religious classes. This is beyond all question a utilization of the tax established and tax supported public school system to aid religious groups to spread their faith. And it falls squarely under the ban of the First Amendment (made applicable to the States by the Fourteenth) as we interpreted it in the Everson versus Board of Education, 330 U.S. 1. . . . Here not only are the state's tax-supported public school buildings used for the dissemination of religious doctrines. The State also affords sectarian groups an invaluable aid in that it helps provide pupils for their religious classes through use of the state's compulsory public school machinery. This is not separation of church and state.<sup>2</sup>

Justice Reed, representing the lone dissenting vote, wrote:

The prohibition of enactments respecting the establishment of religion do not bar every friendly gesture between church and state. It is not an absolute prohibition.

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<sup>1</sup>Alvin W. Johnson and Frank H. Yost, Separation of Church and State in the United States (Minneapolis: University of Minnesota Press, c.1948), pp. 89-90.

<sup>2</sup>Ibid., p. 90.

. . . Devotion to the great principle of religious liberty should not lead us into a rigid interpretation of the constitutional guarantee that conflicts with accepted habits of our people.<sup>3</sup>

Strong protests were raised against the decision, especially by the Roman Catholic Church and certain Protestant churches. The protests pointed out that complete separation between church and state was not possible in the United States, and that such a principle was not being observed in other areas in which church and state were cooperating. The protests, furthermore, argued that the Supreme Court in the McCollum decision was favoring a minority of secularists, and was ignoring the interests of the majority of citizens. The argument was also presented that the statements of the founding fathers was being misinterpreted.

Much confusion resulted from the decision in the McCollum case. Many boards of education were wondering whether their specific programs of released-time with varying details of practice were violations of the Supreme Court ruling. Many groups continued their programs to wait and see if any action would be leveled against them. A survey of the International Council of Religious Education in 1949 revealed that less than ten per cent of released-time programs had stopped as a result of the McCollum decision.

The McCollum Case was only the beginning of legal action regarding the released-time program. In 1948 a court in New

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<sup>3</sup>Merrimon Cunniggin, Freedom's Holy Light (New York: Harper and Brothers, c.1955), p. 114.

York City rendered a decision that the practice of released-time classes in New York City was not illegal according to the McCollum decision. The New York court justified its decision with the claim that the Champaign school system supported an illegal released-time program because it used the public school building for the program, whereas the released-time program in New York City was legal because the children left the school building to receive instruction. In the same year a situation almost identical to the New York case was brought before the St. Louis court in St. Louis, Missouri. The St. Louis court ruled that the McCollum case was binding on the St. Louis schools as well as on the Champaign schools, because in both cases the public schools were being used to aid sectarian groups to disseminate their doctrines.<sup>4</sup>

The released-time program was given impetus in 1952 when the weekday religion program of New York City was contested and brought before the Supreme Court of the United States in the Zorach versus Clauson case. By a vote of six to three the Supreme Court found enough difference in the New York and Champaign practices to grant approval in the New York case. The difference was that the New York system conducted its program outside of the public school building, though the program was held on school time. The confusion concerning the right

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<sup>4</sup>R. Freeman Butts, The American Tradition in Religion and Education (Boston: The Beacon Press, c.1950), pp. 206-207. Taken from People ex. rel. McCollum versus Board of Education, 396 Illinois, 14 (1947).

interpretation of separation of church and state according to the constitution was evident in the many briefs presented on one side or the other. Justice Jackson's dissent to the decision expressed the confusion in the following words:

The distinction attempted between that case and this is trivial to the point of cynicism, magnifying its nonessential detail. . . . The wall which the Court was professing to erect between Church and State has become even more warped and twisted than I expected. Today's judgment will be more interesting to the students of psychology and of judicial processes than to the students of constitutional law.<sup>5</sup>

In spite of the confusion, the decision in the *Zorach* case gave heart to many leaders who saw merit in the released-time program. This decision was stated as follows:

The First Amendment within the scope of its coverage permits no exception; the prohibition is absolute. The First Amendment, however, does not say that in every and all respects there shall be a separation of church and state. Rather, it studiously defines the manner, the specific ways in which there shall be no concert or union or dependency one on the other. That is the common sense of the matter. . . . We find no constitutional requirement which makes it necessary for government to be hostile to religion and to throw its weight against efforts to widen the effective scope of religious influence. . . . When the state encourages religious instruction by adjusting the schedule of public events to sectarian needs, it follows the best of our traditions. For it respects the religious nature of our people and accommodates the public service to their spiritual needs. . . . We cannot expand it (the *McCollum* decision) to cover the present released-time program, unless separation of Church and State means that public institutions can make no adjustments of their schedule to accommodate the religious needs of people.<sup>6</sup>

Since 1952 there has been a growing interest in programs

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<sup>5</sup>Cunningham, op. cit., p. 117

<sup>6</sup>Board for Parish Education--The Lutheran Church--Missouri Synod, Weekday Schools of Religion on Released Time (St. Louis: Concordia Publishing House, 1956), p. 8.

for released-time in public schools. The Court decisions have served to popularize this program for introducing something religious into the public schools.

### Released-Time in Practice

The Committee on Weekday Religious Education of the National Council of Churches conducted a survey to determine the extent to which released-time programs were in operation and also to find out the organizational patterns of the various programs. The results of this project were presented at the First National Conference on Weekday Religious Education held at Oberlin College, Oberlin, Ohio, June 25-28, 1956.

The survey, which was presented at the conference, had been conducted in questionnaire form. One hundred and fifty-two responses were received from twenty-seven states. The responses provide information about released-time programs in the following areas: What do the children enrolled in weekday church schools learn? By what means are they brought together in a learning situation? Who does the planning? How are the bills paid? When and where do the classes meet? How are these classes related to the home, the church, the school, and other organizations in the community? How can the question be answered: What could I do to see children studying religion on a weekday in my community?<sup>7</sup>

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<sup>7</sup>Erwin L. Shaver, "Weekday Religious Education--A Symposium," Religious Education, LI (January-February, 1956), 9-10.

The conference reported on the basis of the survey that conservative estimates indicate that 3,000 communities in forty-five states have some kind of weekday religious class programs, and that approximately three million children are enrolled.

Some of the pertinent facts presented in the survey will be stated in the following pages. On the basis of these facts a better understanding of the characteristics of a released-time program can be gained.

The organizational patterns for released-time classes according to the survey indicated the following practices among the schools surveyed:<sup>8</sup>

**Methods to include the weekday classes:**

- 86% The children, excused by parents request, attended classes while the other children were involved in other activities.
- 6½% All pupils are dismissed from class while weekday pupils are in class.

**Sponsors of the program:**

- 29% The program is under the direction of a council of churches.
- 6% The program is under the direction of a ministerial association.
- 19% A special weekday council is established to sponsor the program.
- 12% The pupils are released to individual churches which conduct their own program.

**Funds for support:**

- 52% The finance committee of the Weekday Council raises the money.
- 13% The support is received directly from the churches.

**Attendance:**

- 13 systems One hundred per cent participated.
- 52 systems Ninety to ninety-nine per cent participated.

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<sup>8</sup>Ibid., pp. 10ff.

**Time for instruction:**

- 94% The classes met one hour a week.
- 6% Classes met two, three, or four times a week.
- 64% Classes last from 45 to 60 minutes.

The Curriculum materials used in the one hundred and fifty-two released-time programs surveyed were as follows:

Twenty-six use the Cooperative Series of Weekday Church School Texts produced by the Cooperative Publication Association.

Thirty systems use the Cooperative Test in combination with other series.

Thirty-six systems use the Virginia Council of Churches Curriculum, Adventures in Christian Living.

Fifteen systems use the Massachusetts State Council's Curriculum.

Four use the courses developed by the Allegheny County Council of Churches.

Four use the courses developed by the Protestant Council of the City of New York.

Three systems reported the use of the series developed by the Southern California Council of Protestant Churches.

Ten use courses from other sources.

Eight reports indicated that denominational Sunday church school material was used.

Nine reported the use of the denominational weekday church school material.

Nine reported the use of the denominational weekday church school curriculum of the United Lutheran Church (Muehlenberg Press).

Twelve systems reported that the local groups developed their own course of study.

The report on the survey revealed the following statistics to indicate the type of personnel used to teach these classes, and also the number of pupils taught by one teacher.

TABLE 1

## TYPE OF PERSONNEL

Type of teachers	Number of teachers
Full time employed teachers	87
Part time employed teachers	72
Volunteer weekday teachers	39
Ministers teaching	48

TABLE 2

NUMBER OF PUPILS TAUGHT BY ONE TEACHER  
IN 112 SYSTEMS\*

\*Erwin L. Shaver, "Weekday Religious Education--A Symposium," Religious Education, LI (January-February, 1956), 28.

Average Number of Pupils	Systems	Percent
6-10	5	4.4
11-20	16	14.3
21-30	31	27.7
31-50	10	9.0
51-100	4	3.5
101-500	13	10.8
501-600	7	6.2
601-700	5	4.4
701-800	12	10.7
801-900	2	1.7
901-1000	1	0.9
1001-1100	6	5.3

According to these statistics, full time or part time employed teachers are used in a majority of the released-time programs. This indicates that the teachers in most cases are employed on the basis of their qualifications.

The findings of the survey indicated that in one hundred and twenty systems the average of percentages of possible churches cooperating in the weekday released-time program was seventy-seven. The Roman Catholic, Jewish, Southern Baptist, Seventh Day Adventist, and Missouri Synod Lutheran were the denominations listed that did not cooperate in one or more of



the released-time programs surveyed. The reasons advanced by these denominations for not cooperating were chiefly doctrinal, although some protests were on legal, practical, financial and other grounds.

In an analysis of the community reaction to released-time programs the survey indicated that the program seems to be received with favor and good will by the parents. It states that in many cases the released-time program receives the parent's active assistance and cooperation.

#### Evaluations of the Program

Although there has been a great deal of enthusiasm for and support of the released-time program, educators and religious groups have raised objections to the program. Several statements of public school administrators are quoted in this study to illustrate the opposition to released-time.

The board of directors in Harrisburg, Pennsylvania, discontinued the released-time program in the public schools of Harrisburg after the program had been in use for three years.

The reasons for the discontinuation were stated as follows:

1. Either by law, by pressure, or by design to meet changing conditions, the program of service and activities in the schools has been filled to the present time limits, and additional encroachment from external sources will more strongly emphasize the need to extend the school day or the school term in order that the schools may have the opportunity to accomplish these things for which public schools were organized.
2. When the privilege of the "released-time" program is granted, the school and not the parent is expected to assume the responsibility for the progressive

advancement of the child even in regard to the other extra-curricular or elective activities. In order to meet this problem, there must be a curtailment of activities in the school which often are the actual character-building agencies of the school itself.

3. As in Harrisburg, other communities have found that the "released-time" program has neither met the needs of religious education or justified the effect upon the public school program. The public school generally has been our most democratic institution and any program which emphasizes the differences of the pupils is harmful.
4. A recommendation of many persons interested in controlling juvenile delinquency is that there should be more opportunity for utilizing the slack time of "out-of-school" hours for character building purposes.<sup>9</sup>

In San Diego, California, after nearly a year's trial of dismissed time for religious education in ten schools of that city, the following appraisal was made by the board of education:

The year's trial of Released-time for religious education has demonstrated that the program interferes with the progress of school work during the entire day, increases the work of principals, and teachers, and results in certain confusion and loss of time to all children in the grade, both those who are released and those who remain. The evidence does not show growth of character or desirable behavior beyond that of the ones who did not participate in the released-time program. The results do not justify a continuation or extension of the plan.<sup>10</sup>

Similar disapproval was voiced by the Board of Superintendents of the public school of Baltimore, Maryland. The report of the Board of Superintendents was as follows:

We are opposed to a program of Released Time Religious Education because such a program might have the effect of violating the principle of church and state which is

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<sup>9</sup>Johnson and Yost, op. cit., pp. 81-82.

<sup>10</sup>Ibid., p. 84.

so fundamental a concept in American democracy. Moreover, we have found no indication either in the plans presented to us for the local program or in released time programs elsewhere which have been studied through observation and published reports that the purpose of education for character and citizenship would be furthered more effectively by work carried on outside of the schools than by the type of educational activity now being carried on in the schools.<sup>11</sup>

Dr. Louis Hurwich, representing a Jewish opinion, opposed the released-time program on the basis that one hour a week, allotted by law, is insufficient for any kind of religious instruction. He claims that the program may excite many because it may give a false illusion of achievement. Dr. Hurwich believed that released-time classes would turn minds away from the real problem of attaining a genuine religion. He said, "Instead of furthering our purpose we shall become entangled in the administrative problems, and in issues between denominations."<sup>12</sup> It is interesting to note that in the same publication in which Dr. Hurwich's statement is made, Mr. Judah Pilch, also a Jewish educator, comments favorably on a successful program of released-time for Jewish children in Rochester, New York.<sup>13</sup>

Released-time programs have received much favorable comment. Dr. Shaver, Executive Director of the Department of

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<sup>11</sup>Ibid., pp. 83-84.

<sup>12</sup>Louis Hurwich, "Religious Education and the Release-Time Plan," Religious Education and the Public School (New York: American Association for Jewish Education, n.d.), pp. 26-27.

<sup>13</sup>Judah Pilch, "A Year's Experience With the Release-Time Plan," Religious Education and the Public School (New York: American Association for Jewish Education, n.d.), p. 34.

Weekday Religious Education, National Council of Churches of Christ in America, states the underlying principle and the basic value of a released-time program in the following words:

1. The inalienable rights and duties of parents and others interested to provide for the religious education of children. The decision of the Supreme Court of the United States some years ago in the Oregon case was recalled: "The child is not the mere creature of the State: those who nurture him and direct his destiny have the right, coupled with the high duty, to recognize and prepare him for additional obligations."
2. All children have the right to education in religion as well as in other areas of learning. "There is almost universal agreement that neither parent nor the state should withhold from any child the accumulated knowledge of society's experience with religion." (Midcentury White House Conference Pledge)
3. This additional instruction is a program of the church, not the state. There are certain things the public schools may do in this area, but weekday religious education as it has developed is a program of the church and is one practical answer to a truly great national need.<sup>14</sup>

The Lutheran Church--Missouri Synod has looked upon the released-time program of religious education with favor. It does not believe that the released-time program is adequate to provide a thorough religious education for the public school children. Nevertheless, since it is impossible to teach any religious beliefs that flavor of any denominational theology in the public schools, the Lutheran Church favors the released-time program as a substitute by which the public school children can at least come into contact with the church's message

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<sup>14</sup>"A Practical Answer--A Report of the First National Conference on Weekday Religious Education," International Journal of Religious Education, XXIII (September-October, 1954), 6.

concerning the eternal salvation of mankind.<sup>15</sup>

The Lutheran Church--Missouri Synod has objected to certain released-time programs for doctrinal reasons. The type of released-time program to which objections are raised is the program in which churches of the community organize a single church school system and teach a curriculum of amalgamated theology of the various denominations represented in the program. The Lutheran Church--Missouri Synod considers this unionism because such a program gives the impression that the participating churches are in doctrinal unity, whereas they may differ in very vital areas of religious beliefs.

In cases of released-time programs which do not incorporate unionistic practices, the churches of the Missouri Synod are encouraged to participate in the program. The Forty-third regular convention of the Lutheran Church--Missouri Synod adopted the following resolution:

Whereas, A large percentage of our children have no opportunities to attend a Christian school; and Whereas, Released-time instruction is not in conflict with the Constitution of the United States (Zorach versus Clauston) and can be legally conducted in many areas so long as classes are not held on public premises; therefore be it

Resolved, a) That we commend those congregations which operate released-time schools and encourage all congregations, where local conditions permit to make use of this agency also in their effort to increase the opportunities of more of our children for religious instruction; and be it further

Resolved, b) That congregations that cannot conduct a

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<sup>15</sup>Board for Parish Education--The Lutheran Church--Missouri Synod, op. cit.

released-time school be encouraged to provide additional time for Christian education classes conducted outside of school hours.<sup>16</sup>

The Lutheran Church, whose main concern is to teach people the way to salvation, not necessarily to win people to membership in a particular church, considers the released-time program a missionary opportunity. The church finds special delight in the fact that one-third of the children enrolled in released-time programs over the past decade have come from non-Lutheran homes.

TABLE 3

RELEASED-TIME CLASSES CONDUCTED BY THE  
LUTHERAN CHURCH--MISSOURI SYNOD FROM 1946--1955\*

\*Board for Parish Education--The Lutheran Church--Missouri Synod, Weekday Schools of Religion on Released Time (St. Louis: Concordia Publishing House, 1956), p. 8.

Year	Congregations Participating	Pupils	Children of Non-members
1946	382	14,747	4,922
1947	371	14,234	5,254
1948	682	17,548	5,646
1949	705	18,407	5,184
1950	300	13,998	4,194
1951	348	14,458	4,262
1952	414	18,156	5,376
1953	455	19,499	5,560
1954	426	21,354	6,372
1955	361	22,695	6,539

The sharp decline after 1949 reflects the effects of the Supreme Court decision in the McCollum case. Notice that in

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<sup>16</sup>The Lutheran Church--Missouri Synod, Proceedings of the Forty-third Regular Convention of the Lutheran Church--Missouri Synod (St. Louis: Concordia Publishing House, 1956), p. 307.

spite of the decline in the number of schools the enrollment has increased by 7,948.

In conclusion, the Lutheran Church--Missouri Synod by no means considers the released-time program an adequate means to provide religious education for the public school children, especially its own members. However, the Lutheran Church does welcome the opportunity offered by the released-time program as a supplement to its present training program for children during off-school hours. The Lutheran Church also is thankful for an opportunity such as released-time offers to reach and teach many young people who receive no religious training outside of school. The Lutheran Church, furthermore, is pleased to see that the public school gives recognition to the importance of religion by supporting a released-time program of religious training.

in the public schools.

Although this study shall deal chiefly with Bible reading without comment, mention may be made of several other methods by which the Bible is used in the public schools. The public schools of Chattanooga, Tennessee, have successfully included an elective course on the Bible for the public school children. The Bible is taught once a week in the elementary schools and junior high schools and every day in the senior high school. Bible stories are told and portions of Scripture are recited

## CHAPTER V

### THE USE OF THE BIBLE IN THE PUBLIC SCHOOLS

#### The Nature of the Proposal

Attempts have been made to introduce the Bible into the public school for religious instruction by one method or another. Bible reading without comment during the school hours is the most widely practiced method. By this method a selected section of the Bible is read each day by a pupil or by one of the teachers. In some instances the Bible reading is followed by a prayer, usually the Lord's Prayer. Sufficient interest was shown in Bible reading without comment in public schools that the Public School Publishing Company, not a religious organization, printed a booklet of Bible readings for daily use in the public schools.<sup>1</sup>

Although this study shall deal chiefly with Bible reading without comment, mention may be made of several other methods by which the Bible is used in the public schools. The public schools of Chattanooga, Tennessee, have successfully included an elective course on the Bible for the public school children. The Bible is taught once a week in the elementary schools and junior high schools and every day in the senior high school. Bible stories are told and portions of Scripture are memorized

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<sup>1</sup>Willis E. Pratt, Daily Unit Bible Readings for School and Home (Bloomington, Illinois: Public School Publishing Company, c.1956), pp. 1-98.



in the course. Teachers are employed by the Bible Study Committee, a group representing the Y.M.C.A., the Y.W.C.A., the Pastor's Association, and the public schools. The program is supported by contributions from various organizations and churches. Although the course is only an elective, nearly one hundred per cent of the pupils take the course on the Bible.<sup>2</sup>

The Conference on Religion and Public Education, held in St. Louis, Missouri, November 8, 1955, appointed a study group to consider the subject of the Bible and the public school. The conclusions of the study are noteworthy. The study group agreed that "When the Bible is used in public schools, its most effective use is as a reference use when it has a bearing on a course of study."<sup>3</sup> How much should an educated person know about the Bible? was one of the questions the study group tried to answer. The group decided that the following was the answer:

the educated person should know the role of the Bible in Judaism, Christianity, and Islam. . . .

that the educated person should know the content of the Bible including its concept of God, its major personalities, its history and chronology, its ideals and teachings, and its literary composition. . . .

that the educated person should know something of the influence of the Bible in American history, on culture, on the American concept of liberty, freedom and justice, and

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<sup>2</sup>J. P. M. McCallie, Course of Study for Elective Bible Classes in Elementary, Junior, and Senior High Public Schools of Chattanooga, Tennessee (n.p., 1945), pp. 1-16.

<sup>3</sup>"The Bible and the Public Schools," Report of Study Group III at the Conference on Religion and Public Education, St. Louis, Missouri, November 8, 1955, p. 1.

on current moral standards.<sup>4</sup>

Another question that the study group attempted to answer was, "What is the responsibility of the public schools in transmitting the biblical portion of our cultural heritage to future generations?" The conclusions of the group were as follows:

1. In the treatment of history, the public school should help young people to appreciate the relation of the Bible to the development of the Judaic and Christian cultures.
2. In tracing the distinctive qualities of the American citizens, the public schools should point out that the founding fathers and succeeding generations recognized the Supreme Being and looked to him as the author of liberty and justice.
3. That in teaching social living, the public school should make reference to the Judaic and Christian principle of conduct that have been a vital factor in shaping American law and standards of behavior.
4. That in teaching the arts, the public school should recognize the influence of the Bible in art, music, sculpture and so on.
5. That in teaching literature the literary aspects of the Bible should be treated on a similar basis with other great literary masterworks.
6. That in teaching the great universally-accepted ethical ideas and principles of societies, the public school should use the Bible as a source book on the same level as other sources.
7. That in teaching biography, the public school should make use of the biographies of biblical personalities as well as those of other individuals.
8. That in teaching English, the public schools should make use of the Bible and show the influence it has had on the development of the language.<sup>5</sup>

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<sup>4</sup>Ibid., p. 2.

<sup>5</sup>Ibid., p. 3.

The study group was careful to point out that it used the word teaching in a sense that did not include memorization and interpretation.

### Practice and Legal Aspects of Bible Reading in the Public Schools

The legality of Bible reading in public schools has been challenged quite frequently. General litigation in courts over the subject falls pretty well under these three categories: (1) Bible reading is required in public schools by statute or administrative order; (2) Bible reading is permitted by statute or court decisions; and (3) Bible reading is prohibited by statute or constitutional provisions as interpreted by state courts.

The National Education Association made the statement in its 1946 report that "No State constitution prohibits Bible reading in the public schools, and it is a question of judicial interpretation whether Bible reading is sectarian or not."<sup>6</sup> The majority of the court decisions on Bible reading in public schools rest on the definition of the Bible as a sectarian or a non-sectarian book.

Twelve state constitutions specifically prohibit any kind of sectarian instruction in the public schools. These states are Arizona, California, Colorado, Idaho, Minnesota, Montana,

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<sup>6</sup>National Education Association, "The State and Sectarian Education," Research Bulletin, Vol. XXIV (February, 1946), 13.

Nebraska, Nevada, New York, South Dakota, Wisconsin, and Wyoming. However, none of these specifically mention Bible reading as a sectarian practice.

Twenty-four states have passed laws prohibiting sectarian instruction in the public schools. These states are Arizona, California, Delaware, Idaho, Georgia, Indiana, Kansas, Kentucky, Maine, Maryland, Mississippi, Massachusetts, Montana, Nevada, New Hampshire, New Jersey, New Mexico, North Dakota, Oklahoma, South Carolina, South Dakota, Utah, Wisconsin, and Washington. The majority of these states do not interpret Bible reading as sectarian instruction.

Twelve states require by law that the Bible be read in the schools. Out of these twelve, the seven states of Delaware, Georgia, Idaho, Kentucky, Maine, Massachusetts, and New Jersey have laws prohibiting sectarian instruction. Alabama, Arkansas, Florida, Pennsylvania, and Tennessee are the other five states that require Bible reading.

Six states permit Bible reading in public schools, in spite of general statutory prohibition against sectarian instruction. Nine states of the eighteen states that are listed as states that require or permit Bible reading provide that Bible reading should be without comment, and seven of them provide that children who object may be excused.

The National Education Association made a survey of the practice of Bible reading in public schools. The survey indicated that Bible reading was required in twelve states and permitted in twenty-five other states, either by law, by

interpretation of courts, by attorney general ruling, by state department of education ruling, or by local custom. A total of thirty-seven states require or permit Bible reading in public schools.<sup>7</sup>

Arguments for and against Bible reading in public schools have been most carefully stated in court cases. For that reason some of the typical court cases will be reviewed.

The legality of required Bible reading was upheld in a court trial in the State of Georgia. The city commission of Rome, Georgia, passed an ordinance that selections of either the Old or New Testament of the King James Version of the Bible be read without comment, and that a prayer be offered in the daily sessions of the public schools. The devotions were to be conducted by the principal or some other person appointed by him. Pupils were permitted to be excused by the request of their parents. Opponents of the ordinance challenged its legality on the ground that the practice of Bible reading was both a violation of the rights of conscience and a violation of the constitutional provision that public funds should not be used for sectarian purposes.

The decision of the court was that the ordinance was not in conflict with the constitution of Georgia, and that the practice did not constitute a sectarian use of public funds. The court answered the contention that the use of the King

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<sup>7</sup>R. Freeman Butts, The American Tradition in Religion and Education (Boston: The Beacon Press, c.1950), pp. 190ff.

James version of the Bible was contrary to the beliefs of the Roman Catholics and Jews as follows:

It would require a strained and unreasonable construction to find anything in the ordinance which interferes with the natural and inalienable right to worship God according to the dictates of one's own conscience. The mere listening to the reading of an extract from the Bible and a brief prayer at the opening of school exercises would seem far remote from such interference.<sup>8</sup>

In a case brought before the supreme court of Kansas, Bible reading and prayer in the public schools was again upheld as legal practice. A challenge was made to the practice of a school teacher who repeated the Lord's Prayer and the Twenty-third Psalm without comment, as a morning exercise in her classroom. Pupils were not required to participate. However, the challenge was made to the legality of the exercise when a child was expelled for disturbing the devotion.

The court held that the teacher was not conducting a form of religious worship nor teaching religious or sectarian doctrine, and that the exercise did not constitute a misuse of public funds. The court claimed that the teacher made no effort to teach or inculcate any religious dogma. It held that though the Kansas constitution prohibits religious worship or religious instruction in the public schools, there is nothing in the constitution or by-laws that excludes the Bible from the public schools. The court contended that the Bible contains the "noblest ideals of moral character. . . . To

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<sup>8</sup>Salvin W. Johnson and Frank H. Yost, Separation of Church and State (Minneapolis: University of Minnesota Press, 1948), p. 45.

emulate these is the supreme conception of citizenship."<sup>9</sup>

Finally, a court decision in Illinois provides an example of legal statements directed against Bible reading in the public schools. In the case of *People ex rel. Ring versus Board of Education*, certain taxpayers and members of the Roman Catholic Church brought action against the board of directors of the schools because all pupils were required to stand and assume a devotional attitude during the reading of the King James Version of the Bible.

The court was asked to decide if such a practice was a violation of the freedom of worship as guaranteed by the Illinois constitution. A charge was also made that public funds were being used for sectarian purposes.

The decision of the court was stated as follows:

The wrong arises, not out of the particular version of the Bible or form of prayer used, whether that found in the Douay or the King James Version, or the particular songs sung, but out of the compulsion to join in any form of worship. The free enjoyment of religious worship includes freedom not to worship.<sup>10</sup>

The court made the following statement to the assertion that the practice in the Illinois schools showed discrimination against the Jews and Catholics:

The Bible in its entirety is a sectarian book as to the Jew and every believer in any religion other than the Christian religion, and as to those who are heretical or who hold beliefs that are not regarded as orthodox. Whether it may be called sectarian or not, its use in the necessarily results in sectarian instruction. There are

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<sup>9</sup>Ibid., pp. 46-47.

<sup>10</sup>Ibid., p. 62.

many sects of Christians, and their differences grow out of their differing constructions of various parts of the Scriptures -- the different conclusions drawn as the effect of the same words.<sup>11</sup>

the law knows no distinction between the Christian and the Pagan, the Protestantism and the Catholic. All are citizens. . . . The state is not, and under our constitution cannot be, a teacher of religion. . . . In our judgment the exercises mentioned in the petition constitute religious worship and the reading of the Bible in the school constitutes sectarian instruction.<sup>12</sup>

The court of Illinois, therefore, defined Bible reading as worship and on the basis of the state constitution declared it unconstitutional.

No standards have been set that govern the constitutionality or the advisability of the practice of Bible reading without comment in public schools. Some states have defended the practice and even promoted it, and other states have offered legal decisions against it.

#### Evaluation of Bible Reading in Public Schools

As early as 1870 the leaders of the Lutheran Church-- Missouri Synod expressed themselves in favor of the practice of Bible reading in public schools. The following statements were found in thesis XVI and XVII of the Western Districe Convention of 1871.

It is to be regarded as a gracious providence of God that the reading of the Bible in public schools is still permitted by law.

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<sup>11</sup>Ibid., p. 63.

<sup>12</sup>Ibid.



Where Lutherans can do so according to the law it is their duty to prevent the Bible from being banished from the public schools.<sup>13</sup>

At the turn of the century the attitude of many of the Lutheran Church leaders changed. The practice of Bible reading without comment was frowned upon as a violation of the principle of separation of church and state. This attitude is reflected in some of the printed pamphlets and addresses of Missouri Synod pastors.<sup>14</sup>

At present the attitude of the leaders of the Missouri Synod toward Bible reading without comment in the public schools varies. Some favor this practice, others oppose it, and others are neutral. The Board for Parish Education of the Lutheran Church--Missouri Synod has been encouraging the members of the Missouri Synod to support satisfactory efforts by which religion is brought into the public school systems. In the Proceedings of the Synodical Convention of 1950 the following statement was recorded:

In principle, our Church cannot approve of a general education from which religion is absent, for an education without religion is incomplete. . . . The Church has a commission from God to educate and the State has an interest in education. Unless the Church is given an opportunity to fulfill in part its commission in the context

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<sup>13</sup>The Lutheran Church--Missouri Synod, Proceedings of the Fortieth Regular Convention of the Lutheran Church--Missouri Synod, St. Louis: Concordia Publishing House, 1947, p. 290.

<sup>14</sup>S. H. Seltz, "Bible Reading in Our Public Institutions," n.p., n.d. Pamphlet in the possession of Dr. A. L. Miller, St. Louis, Missouri, p. 1-8.

Fr. Meyer, "Reading of the Bible in State Schools," A lecture delivered before the Lutheran Men's club of Saginaw, Michigan. (Saginaw: The Goodwyn Printing Company, n.d.), pp. 1-15.

of the school it is greatly hampered in the performance of its duty toward children who can attend only the public schools.<sup>15</sup>

Bible reading in the public schools is considered as one means by which the large vacuum of religion in public schools can be partially filled.

Dr. A. C. Mueller, editor of the Sunday School Literature of the Lutheran Church--Missouri Synod, wrote an essay on the subject of Bible reading in the public school.<sup>16</sup> Dr. Mueller presents a strong case in support of Bible reading without comment. The following statements are brief summaries of Dr. Mueller's answers to the objections to Bible reading in public schools.

Objections have been levelled against Bible reading in public schools on the grounds that the Bible is a "sectarian book" or a "religious book." Dr. Mueller grants that the Bible is a "religious book" but he challenges the objectors to prove that religious books must be kept out of the public schools. The wisdom of any church that demands the exclusion of the Bible from the public school is questioned. Just recently England put the Bible back into its schools because of the decline of morals and religion in that nation.

Objectors have labeled Bible reading a religious exercise

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<sup>15</sup>The Lutheran Church--Missouri Synod, Proceedings of the Forty-first Regular Convention of the Lutheran Church--Missouri Synod, (St. Louis: Concordia Publishing House, 1950), p. 371.

<sup>16</sup>A. C. Mueller, "Bible Reading in the Public Schools," (Unpublished manuscript, dated December 17, 1946. Lutheran Building, St. Louis, Missouri), pp. 1-11.

and on that basis claimed that Bible reading should not be a function of state schools. Dr. Mueller believes that Bible reading may just as well be regarded as a part of the moral instruction program of the school. He contends that the state has the right and the duty to include moral training in its programs. Since the school's moral training must be consistent with human nature it must teach morality with reference to God. The following paragraph is taken from an essay read at the Western District Convention of the Lutheran Church--Missouri Synod in 1871.

Should some one object that the reading of the Bible is in the last analysis already confessional religious instruction, and since such instruction is prohibited by law in the public schools--we answer: the latter by no means follows. It is indeed true that the reading of the precious Word of God is confessional religious instruction, but also in this we are to admire the gracious guidance of God. The Americans do not want a ~~con-~~ confessional religion and yet they recognize the Bible. They hate Lutheran doctrine and yet they tolerate the Bible which contains nothing but the teaching of the Lutheran Church. That they do not see this is blindness. But that they permit the Bible to be read and thereby unintentionally help to spread Lutheranism, is due to the abounding grace of God. Do we, then, wish to hinder and destroy this work of grace by agitating foolishly against Bible reading in the public schools?<sup>17</sup>

Some contend that through Bible reading in the public schools the state teaches religion and thereby invades the province of the church. Dr. Mueller contends that those who uphold that argument are confusing morality and religion. He grants that it is very difficult at times to draw the line between religion and morality. Dr. Mueller is defending Bible

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<sup>17</sup>Ibid., pp. 9-10.

reading without comment, which practice leaves no room for private interpretations of the Scripture.

The selectivity by which portions of the Bible are chosen for readings in the public school has been a point of contention. Some contend that only the ethical portions of the Bible are selected to be read. The complete concentration of these portions of Scripture presents a distorted and falsified picture of the Bible to the pupil. Dr. Mueller grants that the heart and core of the Bible is the doctrine of sin and grace. He points out that the state is not using the Bible to teach religion but morality. Since the Christian child is under the influence of the Gospel at home and in the church, the frequent reading of the Law in the public school will be beneficial to keep the child conscious of his duty under God.

Finally, an objection is raised that teachers will comment on the readings from the Bible. Dr. Mueller points out that the Bible is read in the public schools with the understanding that teachers who participate should never discuss problems lying in the field of theology, but should refer any theological questions to proper persons. There is the danger also that some teachers may read the Bible as the law requires but by attitude and demeanor display contempt for the Bible. Bible reading without comment is not a fool-proof method, nevertheless, that right use should not be condemned because of a possible abuse.

Sound arguments have been offered in favor of Bible reading without comment in the public schools. Though opinions in

courts concerning Bible reading have differed, the majority of states allow Bible reading in the public school. Bible reading without comment cannot be considered religious instruction, but it is a means by which God and religion have a place in the public school. The pupils of the public school may at least learn to respect God's Word and to recognize the church and its message as an important factor in life.

religion into public schools. A brief summary of the main features of each proposal will be presented to the reader to demonstrate the scope of the problem. The reviewer of the proposals will also be furnished with some basic findings and conclusions which will serve as a basis for the proposals evaluated in the preceding chapters.

The proposal that a factual statement of religion be incorporated into public school curricula within the public school curriculum may be summarized as follows:

1. The proposal is based on the fundamental assumption that in the course of time religion has been completely passed out of the public schools. The cause is attributed to the diversity of religious denominations here in America. The proposal is submitted to that public schools avoid any reference to religion, even to the extent of religion.
2. The proposal asserts that it is the duty of the public schools to teach facts about the organization and history of the church, and about the place of religion in society. The proposal maintains that

## CHAPTER VI

### SUMMARY AND CONCLUSIONS

#### Summary of the Chief Characteristics of the Proposals

The proposals that have been discussed in the previous chapters are the most widely promoted proposals to introduce religion into public schools. A brief overview of the distinctive features of each proposal will be presented in this chapter to demonstrate the course outlined by each. After the overview of the proposals this study will terminate with some basic findings and conclusions culled from the examination of the proposals evaluated in the previous chapters.

The proposal that a factual knowledge of religion be imparted to public school children within the public school curriculum may be summarized as follows.

1. The proposal is based on the fundamental assumption that in the course of time religion has inadvertently passed out of the public schools. The cause is attributed to the diversity of religious denominations here in America. The present day situation is that public schools avoid any reference to religion, even to the externals of religion.
2. The proposal asserts that it is the duty of the public schools to teach facts about the organization and history of the church, and about the place of religion in society. The proposal maintains that

the presentation and inculcation of religious beliefs have no place in the public schools.

3. The proposal suggests a program whereby factual information about the church and religion would be integrated into the regular curriculum of the public school, such as, in social studies, history, music, and other subjects.
4. The objective of the proposal is to impart a body of knowledge about the church and religion to the pupil so that he is at least informed on the subject. The inward conviction and inspiration must be cultivated by the home and the church.

The proposal that a common core of religious beliefs be taught in the public schools differs considerably from the proposal that a factual knowledge of religion be taught. The characteristics of the proposal that a common core of religious beliefs be taught in the public schools may be summarized in the following four points.

1. The basic assumption of the proposal is that the entire American philosophy of life is based upon principles derived from a Judaeo-Christian religious foundation. Therefore, certain religious beliefs are common to all denominations and to the American way of life.
2. The proposal states that the responsibility of the public school is to teach the common core of religious beliefs that are basic to American democracy, and

necessary for the survival of the nation.

3. The proposal suggests that the common elements of the various religious denominations be systematized and taught in the public schools either as a separate course or as a part of the regular curriculum.
4. The objective of the proposal is that the public school pupil reach a conviction in some of the basic religious beliefs through general education. The ultimate objective is to build the moral character of the public school pupils.

The released-time program for religious instruction represents another approach to the same problem. The released-time proposal has the following characteristics.

1. The proposal is made on the assumption that it is impossible to legally introduce an effective program of religious instruction into the public schools using the public school teachers. This proposal is based on a fundamental principle that a child should receive religious training in the course of his regular workday to develop the attitude that religion is related to daily life.
2. The proposal labels the public school's role in teaching religion as a subsidiary one. The public school should cooperate and assist the church to effectively operate its program of religious training.
3. The released-time program offers a plan by which public school children are released for a period of time



during the regular school day for the purpose of religious instruction by a religious leader of the church denomination of their choice.

4. The objective of the released-time program is to cultivate a religious conviction in the public school pupil and to integrate religion into his daily life.

Finally, Bible reading without comment is proposed as a means by which religion is brought into the public schools. The basic elements of this proposal are as follows.

1. The basic assumption of this proposal is that the Bible is the foundation of the majority of religions in America and that the reading of it imparts religious ideas that are not denominational.
2. This proposal implies that it is the duty of the public school to give recognition to the Word of God and foster in the pupils a reverence toward the message of the church.
3. The proposal suggests that the Bible be read without comment in a devotional setting for a short period of time during the regular school day.
4. The objective of the proposal is that the pupils in the public school respect the church and treat God's Word with reverence.

#### Findings

This study has revealed that there are certain limitations and also certain possibilities in solving the problem of

providing religious education for pupils in the public schools.

1. The following points are the findings that illustrate the role of the public school in teaching religion.
  - a. There is confusion in the public schools regarding the responsibility and the duty of public education in teaching religion. As a result there is a diversity of practice among public schools in dealing with religion.
  - b. It is impossible for public schools to integrate religion and education in their program to the extent to which Christian Day Schools can. The principle of separation of church and state and the principle of religious freedom must be respected in the United States.
  - c. The public schools cannot teach any tenets of religious faith to the pupils with the purpose of leading the pupils to religious convictions.
  - d. The public schools can eliminate textbooks or other materials that promote anti-Christian or anti-religious philosophies from the curriculum. The philosophies of a minority of people in the United States should not occupy a leading position in a system of education that serves a majority who have religious convictions.
  - e. The public schools can give recognition to the importance of religion and demonstrate the place of the church in society.

- f. The public school can teach religious elements as they are found in other subjects, such as social studies, sciences, music, literature, and history.
  - g. The public school can foster reverence and respect for God's Word and the message of the church by the practice of Bible reading without comment.
  - h. The public schools can emphasize moral and ethical virtues and insist on the application of them.
  - i. The public schools can teach facts about the church and religion. Public education can teach the pupils the various aspects of the different religious denominations in the United States.
  - j. The public schools can encourage the pupils to participate in the program of the church.
  - k. The public schools can assist the church in its program of religious education and indoctrination by a released-time program.
  - l. The teachers in the public schools can demonstrate a positive attitude toward religion, and themselves participate in church work.
2. The church can be of assistance in dealing with the problem of religion in public schools.
    - a. The church can show that it is vitally concerned that God and religion have a place in public education.
    - b. The church can offer guidance, assistance, advice, and constructive criticism to public school

officials that are dealing with the problem.

- c. The church can encourage Bible reading without comment in the public schools.
- d. The church can request a released-time program of religious instruction and offer to cooperate with the public school in the program.
- e. In view of the fact that public education cannot provide a truly Christian education, the church must expend greater efforts in providing adequate educational agencies to fill that deficiency. Christian elementary and high schools, in which religion and general education are integrated, must be improved and expanded. Sunday schools, Bible schools, Saturday schools, and week-day religious training programs must be strengthened to provide adequate religious instruction and to supplement the home and general education in which religious training has been so meager.
- f. Finally, the church must insist on the proper distinction between the function of the church and that of the state. The state must be limited to an institution whose function it is to provide for the physical welfare of its citizens. The church must recognize that it has the responsibility of providing for the spiritual welfare of people, and thus the duty of religious training is the church's.

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