

A Moral America

Peter Berger, professor of sociology at Rutgers University, writing in the *New York Teacher*, analyzes the historic relationship between God and state:

Unlike the French republic and other democracies modeled upon it, the American state was not conceived in a secularist mode. From the beginning there was a complex but intimate dialogue between the social contract of the republic and the sacred covenant of the churches. Thus the purpose of the First Amendment to the Constitution was to protect pluralism and religious liberty, not to insulate the state from religious influences. It is only since World War II that an overtly secularist tendency has developed in America. This new secularism has succeeded in influencing both the courts and agencies of government on various levels.

The decision of the Supreme Court declaring prayer in public schools to be unconstitutional was a symbolic climax of this development

What is more, recent trends have come perilously close to a new “establishment of religion”—to wit, the legal establishment of the quasi-religion of secularism. This would be a violation of the religious liberty of large numbers of Americans. Even more seriously, though, it would be an act of social suicide on the part of the American System.

Has the American System lost the capacity to survive? A negative answer is overwhelmingly plausible if one looks at the immense capacities of the American economy, the inventiveness of American science and technology, the resilience of the country’s political institutions, and the human qualities of its population. All of these resources—material, human, and institutional—will not prevail, however, without a resurgence of the American spirit. This will require political and intellectual leadership of a sort that has been painfully lacking in recent years. It will also require a revitalization of those institutions that have always been the matrix of beliefs and values in the society. Among those institutions the churches occupy a central place.¹

Where should the line be drawn between God and state? The complete divorcement of God from public affairs has been catastrophic—it has destroyed America’s moral foundation. The founders of our nation had the right concept. They recognized the ethic that was the predominant belief of the people as a basis for national morality.

Promoting America’s Moral Heritage

How can the essential moral framework the Constitution so carefully provided for the United States be restored? First, every God-fearing parent, teacher, administrator, and leader in any capacity should immediately do everything legally possible to promote our moral heritage. There is a definite danger of overreacting to the Supreme Court’s decisions and considering everything lost. Instead of being on the defensive, we should be on the offensive, mounting an aggressive campaign to restore our moral foundation and refusing to yield the smallest fraction to atheistic humanism and other forces that are destroying the nation.

In the *Engel* decision, Justice Black said:

There is of course nothing in the decision reached here that is inconsistent with the fact that school children and others are officially encouraged to express love for our country by reciting historical documents such as the Declaration of Independence which contain references to the Deity or by singing officially espoused anthems which include the composer’s professions of faith in a Supreme Being, or with the fact that there are many manifestations in our public life of belief in God.²

Teachers should use historical material and patriotic anthems showing how our forefathers’ faith in God molded our government and contributed to America’s success. Historical documents, songs, and materials can generate questions about our theistic heritage, and teachers are free to answer them. Teachers should refuse to allow their classes to read vile books; they should insist on decent literature. Proper work habits and moral standards should be instilled into children from the “many manifestations in our public life of belief in God.”

Teachers can communicate ideas concerning religion, but they cannot indoctrinate. Creative teachers know how to differentiate between teaching about religion and sectarian indoctrination. Teachers should

boldly declare their faith in God and the American system of government, whose foundation is the self-evident truth that men are “endowed by their Creator with certain unalienable rights.”

A Narrow Ruling

When the Supreme Court made its decisions in *Abington School District v. Schempp* and *Engel v. Vitale*, most educators interpreted the rulings to mean that it was illegal for a teacher to read the Bible for moral training or to pray. A strict reading of each decision will reveal that it was a very narrow ruling; only state-mandated Bible reading and state-mandated prayers were outlawed.

In *Abington School District v. Schempp*, two cases were combined. The Commonwealth of Pennsylvania by law required, “At least ten verses from the Holy Bible shall be read, without comment, at the opening of each public school on each school day. Any child shall be excused from such Bible reading, or attending such Bible reading, upon the written request of his parent or guardian.” From a Maryland code the school board provided the “reading, without comment, of a chapter in the Holy Bible and/or the use of the Lord’s Prayer.” The Court said that “these companion cases present the issues in the context of state action requiring that schools begin each day with readings from the Bible.”³³ It was these state actions that were declared illegal.

What was made illegal in *Engel* was the action taken by New York State in directing the Union Free School District principal to cause the following prayer to be recited by the class: “Almighty God, we acknowledge our dependence upon Thee, and we beg Thy blessings upon us, our parents, our teachers and our country.”³⁴

Justice Black in his decision said that the government “should stay out of the business of writing or sanctioning official prayers and leave that purely religious function to the people themselves and to those the people choose to look to for religious guidance.”³⁵ Today some schools are obeying this injunction by not “writing or sanctioning official prayers”; instead, they permit teachers the freedom to say prayers while allowing dissenting students to leave.

However, in two federal district courts judges ruled that a teacher initiated prayer (*De Spain v. De Kalb County Community School District*)³⁶ and a student-initiated prayer (*Stein v. Oshinsky*)³⁷ were both illegal. These decisions are not binding on the entire nation; in only 2 out of the 11 federal circuits that the decisions were made. When the *De Spain* case

was brought before the Supreme Court on appeal, at least five Supreme Court justices decided not to review the case. Their refusal to hear the case does not make the federal court's decision law for the nation, but it does reveal a dangerous trend: that they are leaning toward eliminating all school prayers. If the Supreme Court ruled against all school prayers on constitutional grounds, it would display an ironic twist of reasoning: When the Constitution, which is the Supreme Court's guideline, was formulated. The leaders encountered such insurmountable obstacles to achieving unanimity that they relied on prayer for its completion. Furthermore, each day in the same Supreme Court the justices stand as one of the officials prays, "God save the United States and this Honorable Court."⁸

High school students in Lubbock, Texas, were allowed with supervision to gather voluntarily either before or after regular school hours for any educational, moral, or religious purposes. The American Civil Liberties Union in Lubbock challenged the policy as unconstitutional. The issue was whether students could meet for Bible discussions just as they could gather for a history club or a debating team. The Fifth Circuit Federal Court upheld ACLU's contention.

The case was brought before the U.S. Supreme Court in *Lubbock School Board v. Lubbock Civil Liberties Union*. Supporters of the school board, including 24 United States senators, stressed that voluntary activities in public schools must also include freedom for religious functions. The senators filed a petition to the Court saying that "if students can meet voluntarily to discuss Jean Paul Sartre's reasons for disbelief in God then surely they should be able to meet to discuss Saul of Tarsus' reasons for belief in God." The Supreme Court refused to review the case.⁹

Prayer and Bible Reading Statute

Because of recent trends in removing voluntary religious activities, school prayers, and the alarming moral deterioration in schools, the American people need to press their members of Congress to vote for a prayer and Bible reading statute that would return to states their right to return to these practices if they want them. In promoting such a statute it should be stressed that this is not an addition to the Constitution; rather, it is a restoration of what was originally in the Constitution. Supreme Court Justice William O. Douglas declared in *Zorach v. Clauson*, "We are a religious people whose institutions presuppose a Supreme Being."¹⁰ The foundation of America was built upon the Bible, and our early

leaders relied on prayer for the nation's prosperity.

Attempts by Congress to restore the theistic heritage to schools by amending the Constitution have never achieved the required two-thirds majority vote of both houses. If a prayer and Bible reading amendment should pass both houses, it still would need ratification by three-fourths (38) of the states. One such amendment that Congress failed to approve, was section One of the Becker amendment:

Nothing in this Constitution shall be deemed to prohibit the offering, reading from, or listening to prayers or biblical scripture, if participation therein is on a voluntary basis, in any governmental or public school, institution, or place.¹¹

This amendment would have forced all states to allow prayer and Bible reading. Although this is not an unwholesome concept, it is not in keeping with the Constitution our forefathers formulated. In this amendment the federal government is dictating to the states what they should do in the area of religion. We need an amendment that would restore to each state its constitutional right to have prayer or Bible reading if it so desires. Such an amendment could read:

Nothing in this Constitution shall be deemed to prohibit the states from permitting the offering, reading from, or listening to prayers or biblical scripture, if participation therein is on a voluntary basis, in any governmental or public school, institution, or place.

This amendment is exactly the same as the Becker amendment, except for four words: "the states from permitting." With such an amendment, each state would have the liberty to decide on this important issue, in accordance with the government the founding fathers formulated. Such an amendment would not put one prayer in any school; it would simply allow state government and its citizens to decide. Once such an amendment passes, concerned individuals of each state can press for the historical principle of permitting teachers to lead children in nondenominational prayer and to instill into children the high moral standards from our biblical heritage.

President Ronald Reagan spoke to the American people about supporting a constitutional amendment permitting voluntary prayer for

all states:

We thank the chaplain of the Senate for that blessing. It's an inspiration for me to see all of you, Protestants, Catholics, members of the Jewish faith and others, who are gathered here at our national home to pay homage to the God in whom we trust.

I said before that the most sublime picture in American history is of George Washington on his knees in the snow at Valley Forge. That image personifies a people who know that it's not enough to depend on our own courage and goodness. We must also seek help from God our father and preserver.

Abraham Lincoln said once that he would be the most foolish man on this footstool we call earth if he thought for one minute he could fulfill the duties that faced him if he did not have the help of one who is wiser than all others.

The French philosopher Alexis de Tocqueville, visiting America 150 years ago, marveled at Americans because they understood that a free people must also be a religious people. Despotism, he wrote, may be able to do without faith, but freedom cannot.

Today prayer is still a powerful force in America, and our faith in God is a mighty source of strength. Our pledge of allegiance states that we are one nation under God, and our currency bears the motto "In God we trust."

The morality and values such faith implies are deeply embedded in our national character. Our country embraces those principles by design, and we abandon them at our peril. Yet in recent years well-meaning Americans, in the name of freedom, have taken freedom away. For the sake of religious tolerance they've forbidden religious practice in our public classrooms.

The law of this land has effectively removed prayer from our classrooms. How can we hope to retain our freedom through the generations if we fail to teach our young that our liberty springs from an abiding faith in our Creator?

Thomas Jefferson once said Almighty God created the mind free. But current interpretation of our Constitution holds that the minds of our children cannot be free to pray to God in public schools. No one will ever convince me that a moment of voluntary

prayer will harm a child or threaten a school or state.

But I think it can strengthen our faith in a Creator who alone has the power to bless America.

One of my favorite passages in the Bible is the promise God gives us in Second Chronicles: If my people which are called by my name shall humble themselves and pray and seek my face and turn from their wicked ways, then will I hear from heaven and will forgive their sin and will heal their land.

That promise is the hope of America and all our people. . . . Changing the Constitution is a mammoth task. It should never be easy. But in this case I believe we can restore a freedom that our Constitution was always meant to protect. I have never believed that the oft-quoted amendment was supposed to protect us from religion—it was to protect religion from Government tyranny. Together let us take up the challenge to reawaken America's religious and moral heart, recognizing that a deep and abiding faith in God is the rock upon which this great nation was founded.

Thank you all again, as I say, for being here, and God bless you all.¹²

In spite of the many benefits of voluntary prayer, there are individuals who object. John Herbert Laubach, in his book *School Prayers*, reports that “Rabbi Joachim Prinz, President of the American Jewish Congress, concluded that a theory of moral encouragement by national promotion of religion was ‘false both in theory and practice.’ He condemned governmental manipulation of religion designed to ‘maintain and propagate specific, and often transitory, societal codes.’ While he believed that religious truths grew out of profound faith and that religion strengthened moral responsibility, he doubted that the needs of a particular society, as embodied in ‘public school religion,’ could produce beneficial effects.”¹³ Professor Paul Freund of the Harvard Law School claims, “A school prayer at best would face the dilemma of being so bland as to be meaningless, what some have called a ‘to whom it may concern’ sort of prayer, or so sectarian as to be divisive and to some repelling.”¹⁴ Professor Kauper of the University of Michigan Law School states, “Ritualistic practices, whether prayers of Bible reading without comment, supported by the compulsive power of the State, contribute little to the development of any genuine religious piety for ethical conduct and may, indeed, have the effect of cheapening and degrading religion.”¹⁵

Others object that permitting prayer and Bible reading will begin to establish a state religion, violate minority rights, force the minority to support religious exercises, and lead to formalism. Then there is the problem, which version of the Bible should be read? To avoid such issues, a simple solution has emerged—eliminate all prayer and Bible reading.

Certainly some touchy issues can arise if schools permit prayer and Bible reading, but one must remember that before the Supreme Court ruled on prayer and Bible reading, public schools did work and generations of upright citizens were trained. Each generation has its misfits; however, an impartial look at public schools today reveals a massive moral deterioration. Generally public schools did not force sectarian beliefs upon children. The Christian ethic was chosen for national morality because it was the predominant belief. Since Judaism was also derived from biblical beliefs, some schools allowed children to read from Protestant, Catholic, or Jewish versions of the Bible. Prayer and Bible reading in schools will not establish a church or a secularized civil religion. It merely acknowledges that we are a nation under God and we seek his aid through prayer and recognize the Bible as a source book for a sound ethical system. Furthermore, a prayer and Bible reading statute would prevent the constant nibbling by humanist forces to rid schools of our godly heritage and replace it with humanistic goals.

The reason Bible reading was held illegal in *Abington v. Schempp* was that the Court considered such an exercise a religious ceremony. Simply reading a few verses from the Bible is not for the purpose of a religious ceremony or of establishing a sectarian religion; it is strictly for promoting moral guidelines. Since America was grounded on biblical principles, we want to perpetuate this wholesome moral foundation by permitting voluntary Bible reading. Think how the great principles of the Ten Commandments would benefit our nation: God is to be honored; God's name is not to be taken in vain; one day is to be kept sacred; parents are to be honored; and murder, adultery, stealing, bearing false witness, and coveting are forbidden.

Instead of audible prayer, some schools feature a period of silence where children are permitted to do whatever they desire. Surely this is better than no prayer, but it is not the solution. Why is reinstating audible voluntary prayer and Bible reading in a public institution such an important concept? It gives official recognition that America was founded on theistic principles, we need God's help to exist as a free people, the source of our values is not humanism but theism, states have the option

to permit teachers to instruct children in proper values from our theistic culture, and schools can promote the values that the safety and survival of our society require.

It can be argued that, since public schools are not compulsory, parents have the liberty to send their children to private or parochial schools to be indoctrinated in the value system of their choice. For many, however, public schools are compulsory; parents simply cannot afford the expense of private schools. The question goes even deeper than just the issue of freedom of choice: “What right does government have to spend public tax money supporting atheistic humanism, while telling theists to spend their own money for private education?” The question can be reversed by atheists: “What right does government have to take public tax money to support theistic values while telling atheists to spend their money for private education?” The answer is simple—our nation was founded on theism, not atheism. Public schools only endeavor to perpetuate our historical godly heritage.

Americans and School Prayer

In spite of the opposition, *Time* reports that the “latest Gallup poll indicates that 76% of Americans are willing to go even further and approve a constitutional amendment allowing school prayers.”¹⁶ Only 15 percent opposed such an amendment, while 9 percent were undecided.¹⁷ Even William J. Murray, son of Madalyn Murray O’Hair, whom his mother took to the Supreme Court to ban state-mandated prayers, issued a public apology for his actions in removing such prayers. He said in a letter that he had wasted 33 years of his life because he did not have faith in God. Murray then stated:

I pray that I may be able to correct just some of the wrong I have created. The part I played as a teenager in removing prayer from public schools was criminal. I removed from our future generations that short time each day which should rightly be reserved for God. Inasmuch as the suit to destroy the tradition of prayer in school was brought in my name, I feel gravely responsible for the resulting destruction of the moral fiber of our youth that it has caused.¹⁸

Many individuals have been changing their attitude concerning school prayer. The leaders of the 13 million Southern Baptists have

reversed a position they held for many years. By a margin of 3 to 1 they endorsed President Reagan's constitutional school prayer amendment. Charles Stanley, initiator of the resolution, said, "Prohibiting prayer and Bible reading in public schools is only one step in the demoralizing of America."¹⁹

When Senator Jesse Helms was attacked on the Senate floor because of his judicial prayer bill, he declared, "I want a senator to stand up and identify one child in this country who has ever been harmed by voluntary prayer in the public schools." No one responded.²⁰

Building a Moral Foundation

Throughout history there has been belief in a greater power available for man to live an ethical life, and that public schools have encouraged children to seek this power. Public schools did not teach children how to obtain this power; they taught only that it was available and left it to the home and religious institutions to teach and formalize particular tenets. For this reason, a nonsectarian school prayer and Bible reading was considered a legitimate expression of our nation's civil faith.

One of the pressing issues is who should determine the prayers and Bible readings. This should be left to each state to decide. Some states may want to prescribe certain prayers that have already been written and portions of the Bible to be read; others may want to leave the issue to individuals in charge, with the stipulation that whatever they choose should be nonsectarian.

Individuals who believe that prayer and Bible reading for moral inspiration should not be in public schools need to answer this question: "From what source should our nation and our educators derive their morality standards?" To stipulate that educators should not teach morals would make it impossible to teach many subjects adequately. Without moral standards teachers could not declare any act right or wrong.

Others advocate that, since we are a pluralistic society, government and schools should be neutral; all moral views should be equally presented to permit students to choose their own value system. On the surface this appears fair, but should educators teach that lying, stealing, euthanasia, premarital sex, abortion, pornography, and prostitution are acceptable if a child so chooses? When schools take the neutral position, they are promoting humanism. It is impossible to be morally neutral. Paul Hirst expresses this point forcibly:

Whether we like it or not, the whole enterprise of education is, from top to bottom, value-ridden. It is surely just nonsense to think otherwise. The very selection of what is to be taught involves major judgments of value. To teach the chosen content involves attention to standards of value of many kinds. Schools are institutions which involve complex human relationships where not only moral ideas but also patterns of moral conduct are being shaped. There must be rules and principles governing the functioning of the institution if it is to be a civilized community at all, let alone an educational one.²¹

The Religion of Humanism

Morals originate either from God or from man. The issue is not whether schools are morally neutral but what moral system shall be taught. It used to be a theistic one; now humanism reigns. But humanism is an atheistic system of belief and falls into the category of being a religion and therefore unconstitutional. Congressman John B. Conlan was able to add an amendment to the foreign studies and language development portions of a Title II bill that forbade grants to any project “involving any aspect of the religion of secular humanism.” *The Congressional Record* presents Conlan’s speech:

Mr. Chairman, this amendment prohibiting taxpayer support for any educational program or activity involving any aspect of the religion of secular humanism is a legislative and constitutional necessity.

The amendment touches the heart of the concept of academic freedom—a concept which in some circles has been virtually destroyed by the false assumption that the “secular humanist” stance taken by many administrators and teachers in public educational theory and practice is fundamentally religiously “neutral.”

Nothing could be further from the truth.

The U.S. Supreme Court stated clearly in the 1961 decision in the case of *Torcaso* against *Watkins* that secular humanism is a religion—a world and life view.

The highest court perceptively declared in this case that:

Among religions in this country which do not teach

what would generally be considered a belief in the existence of God are Buddhism, Taoism, Ethical Culture, Secular Humanism, and others.

Secular humanism declares that there is no God, that man is his own god. Educators advocating a secular humanist view consistently excluded from the classroom any teaching of moral and ethical principles based on the Judaic-Christian belief in God.

Historically, the increasingly vehement attack upon and exclusion of certain Judaic-Christian Biblical views of origins and ethics has falsely been thought to be the upraising of the banner of “Scientific or humanistic neutralism.”

But we must remember that in *Abington* against *Schempp*, in 1963, the U.S. Supreme Court again ruled that—

The Government may not establish a “religion of secularism” in the sense of affirmatively opposing or showing hostility to religion, thus “preferring those who believe in no religion over those who do believe.”²²

Though the common concept of religion is to render service and worship to God, the Supreme Court has defined religion as a system of values from which individuals derive their world views, whether theistic or atheistic. Even the preface of *Humanist Manifestos I and II* states, “Humanism is a philosophical, religious, and moral point of view.”²³ We must not forget that it is illegal to teach secular humanism in schools and show hostility toward religion. What the Supreme Court has declared unlawful is that public schools cannot have (1) state-required prayers (*Engel*), (2) state-mandated Bible reading (*Schempp*), and (3) on-premise religious training (*McCullum*).²⁴

Accommodation Neutrality

Many teachers, school administrators, and lower courts are laboring under the delusion that public schools must be strictly neutral toward religion. The government’s position is one of accommodation neutrality toward religion. In other words, government should favor religion when it does not violate the First Amendment. Supreme Court Justice William O. Douglas, in the 1952 *Zorach* decision, stated the principle of

accommodation-neutrality:

When the state encourages religious instruction or cooperates with religious authorities by adjusting the schedule of public events to sectarian needs, it follows the best of our traditions. For it then respects the religious nature of our people and accommodates the public service to their spiritual needs.²⁵

Officials who forbade any religious influence in schools would also violate Justice Douglas' decision. He commented on the probable result if the state were not to accommodate religion:

To hold that it may not would be to find in the Constitution a requirement that the government show a callous indifference to religious groups. That would be preferring those who believe in no religion over those who do believe. . . . But 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.²⁶

As recently as 1976, accommodation-neutrality was further enhanced when Justice Blackmun declared in *Roemer v. Mary/and Public Works Bd.*: “The Court has enforced a scrupulous neutrality by the State, as among religions, and also between religious and other activities, but a hermetic separation of the two is an impossibility it has never required.”²⁷

Though accommodation-neutrality is a part of our nation's law, yet the interpretation of the Court's ruling regarding prayer and Bible reading had a devastating effect upon our theistic values. What emerges is educational leaders tried to make public schools walk the impossible razor edge of moral neutrality. However, the presumption that state and schools can be neutral, neither favoring nor opposing religious faith, is an illusion. There are only two moral positions and both are religious—theism or humanism: one moral system must be chosen.

Godly educators and parents need to resist and expose the religion of humanism in schools and promote the Supreme Court's rulings to accommodate religion. But what happens is opponents cite Supreme Court rulings that suppress methods of supporting theism. For this reason it is important for educators and parents to convince Americans and Congress of the necessity of restoring state rights to permit school prayer

and Bible reading and hence officially establish our historical theistic value system.

Many persons will automatically reject this proposal, not because they have thoroughly examined the issues, but because of the false belief that our government supports the total separation of God and state. To promote such a statute effectively there must be a movement to educate Americans so they understand their historic roots that the United States has a government whose foundation is built upon faith in God.

Three Choices

Three fairly defined choices concerning religion and education are evident:

1. Prayer and Bible reading are necessary in public schools for the development of proper character.
2. Parents desiring religious moral direction should send their children to private sectarian schools.
3. Religion should be taught in the church, Sunday school, and home; schools should be strictly secular.

For many years the first principle, using prayer and the Bible for moral inspiration, dominated public education. Now it has been largely eliminated because of reactions to the Supreme Court's decisions. The second and third concepts, which relegate theism to private schools and humanism to public schools, are unconstitutional. Public schools cannot legally teach humanism and demand theists to send their children to private schools. Though the Supreme Court specifically stated that "government may not establish a 'religion of secularism,'"²⁸ its effect of outlawing theism has established the religion of humanism in violation of the very Constitution it aimed to uphold. Dr. Bernard Iddings Bell said in *Crisis in Education* that American education is now more and more conducted so "there is no such thing as religious liberty in American education. There is liberty only to be unreligious."²⁹

How did the Supreme Court fall into this trap? Because it is impossible to be morally neutral. The United States was not founded upon moral neutrality; to insist on neutrality leads to contradictory results. If there is any neutrality, it is accommodation-neutrality, which favors religious exercises that do not establish a particular church or sect.

Contradictory Court Decisions

The difficulty with the Supreme Court is that its rulings have been

contradictory. In 1947 Justice Black stated in *Everson v. Board of Education*, “The First Amendment has erected a wall between church and state. That wall must be kept high and impregnable. We could not approve the slightest breach.”³⁰ Then in 1976 Justice Blackmun said in *Roemer v. Maryland Public Works Bd.*: “A system of government that makes itself felt as pervasively as ours could hardly be expected never to cross paths with the church. In fact, our State and Federal Governments impose certain burdens upon, and impart certain benefits to, virtually all our activities, and religious activity is not an exception.”³¹

Which shall it be? From Supreme Court decisions one could defend either support or a total divorcement between God and government. But when one studies the American heritage, one can *only* support a union between God and government. The Supreme Court justices, instead of adhering to the Constitution as a historical document, have interpreted it according to their own philosophical beliefs. The Court is supposed to hear only those cases concerned with constitutional issues; unfortunately, it has usurped roles never intended by the Constitution.

Supreme Court’s Activism

Constitutional lawyer John Whitehead, author of *The Separation Illusion and The Second American Revolution*, told me in an interview that judges “take evolution as a doctrine, and if you take evolution as your philosophical base, then all the Constitution is, is what they call a living document. And that’s a dangerous statement, because what they are saying is that it is evolving, and they don’t have to look to history.” Whitehead also pointed out, “If history is not any good, then where do we anchor our ship? The Constitution is a contract, and like any contract you have to go back and interpret the intentions of the people who made the contract.”

Senator Jesse Helms, speaking before the Senate, proposed a method to stem Supreme Court activism:

Fortunately, the Constitution provides this alternative under the system of checks and balances. In anticipation of judicial usurpations of power, the framers of our Constitution wisely gave Congress the authority, by a simple majority of both Houses, to check the Supreme Court through regulation of its appellate jurisdiction. Section 2 of article III states in clear and unequivocal language that the appellate jurisdiction of the Court is subject to

“such exceptions, and under such regulations, as the Congress shall make.”

Permit me to point out, Mr. President, that Congress has never doubted its authority to exercise this power. Since the earliest days of the Republic, Members of Congress have proposed and enacted legislation to regulate the appellate jurisdiction of the Supreme Court. . . .

In my view, Mr. President, these arguments against the right of this Congress to regulate the jurisdiction of the Courts of the United States amount to little more than an assertion of judicial supremacy. They are based on the assumption—and it is a false as well as a dangerous one—that once the Supreme Court has taken jurisdiction over a class of cases, that we are thereafter helpless to do anything about it except by constitutional amendment. Such an assumption flies in the face of the theory and language of our fundamental law and totally disregards the democratic character of our system. . .

For these reasons, I am introducing today a bill which would limit the appellate jurisdiction of the Supreme Court, and the original jurisdiction of Federal district courts, in actions relating to the recitation of prayers in public schools. This bill states simply that the Federal courts shall not have jurisdiction to enter any judgment, decree, or order, denying or restricting as unconstitutional, voluntary prayer in any public school. Implicit in the bill is the understanding that the American citizen will have recourse to a judicial settlement of his rights, but this settlement will be made in the State courts of this Nation, and not in the Federal courts. This is where our religious freedoms have always been safeguarded, until they were nationalized by the Supreme Court just a few years ago. From 1789 until 1962, a period of 173 years, the whole matter of what constitutes a religious establishment in the separate States was determined by our State courts, and if I am not mistaken Americans enjoyed their religious freedom throughout this long period of time. In this sense, then, my bill simply restores to the American people and to their respective States those rights which they possessed until the Supreme Court decided a few years ago, without benefit of statute, that the Justices themselves must take jurisdiction.³²

Harvard law professor Raoul Berger, in his book *Government by Judiciary*, concurs with Jesse Helms on judicial supremacy: “A democratic system requires adherence to constitutional limits, by courts no less than presidents. Respect for the limits on power is the essence of a democratic society.”³³

We the American people must decide whether we want to return to our historical Constitution. The proposal of Senator Jesse Helms to remove all federal court jurisdiction over voluntary prayers is a step toward restoring what was originally provided in our Constitution. Since schools cannot be morally neutral and the Supreme Court has suppressed the national atheistic moral system, many educators choose a secularistic moral philosophy that has eliminated theism in favor of atheistic humanism—a complete reversal from our historical value system.

Reverse Discrimination

Since many children are now forcibly trained in the religion of humanism, the arguments used to defeat prayer and Bible reading can be applied to children of oppressed theists: Children are compelled to accept a religion contrary to their beliefs, students are trained in an environment that is hostile toward theistic religion and prayer, the rights and liberties of the majority who believe in God are violated since they are forced to sustain a religion in which they do not believe in a tax-supported school, and schools are financing and establishing a religion in violation of the First Amendment.

As a result of the Court’s action, children who believe in God are now taught in an environment that discriminates against them. If such children ask permission to be excused, they will incur social stigma for refusing to be trained in the religious beliefs of humanism. A strange turn of events! Atheists used the argument of discrimination to support eliminating prayer and Bible reading; now children believing in God have become the victims of discrimination. By ruling in favor of a few offended atheists, the Supreme Court has rejected the majority’s constitutional right freely to exercise their faith. The tyranny of the minority!

Not satisfied with having eliminated prayer and Bible reading, humanists also want to eradicate every vestige of our theistic heritage: remove the singing of “America” and “The Star-Spangled Banner” since in these patriotic songs God is honored; remove “In God We Trust” from our currency; eliminate “under God” from our Pledge of Allegiance; throw out prayer at presidential inaugurals; and eliminate any celebration

of Christmas and Easter from our public institutions.

Though state-mandated Bible reading for moral instruction was outlawed, Justice Clark stated, in *Abington School District v. Schempp*: . . . It might well be said that one's education is not complete without a study of comparative religion or the history of religion and its relationship to the advancement of civilization. It certainly may be said that the Bible is worthy of study for its literary and historic qualities. Nothing we have said here indicates that such study of the Bible or of religion, when presented objectively as part of a secular program of education, may not be effected consistent with the First Amendment.³⁴

Certainly! And teachers ought to take full advantage of this right. However, many individuals have mistakenly rejoiced because schools are now permitted to teach religion. One of my sons took such a course in high school: "The Bible as Literature." The teacher taught religion from an antibiblical point of view. This course destroyed faith in God and promoted the concept that the Bible is just one book of many myths—take your pick.

In many classrooms today, teachers require children to read books that freely blaspheme God's name, yet they forbid books that honor God's name. While substituting in my school for an absent English teacher, I was irritated that students were required to read blasphemous words in J. D. Salinger's *The Catcher in the Rye*, *Repeatedly the book used: crap, ass, sonuvabitch, bastards, Chrissake and goddam*; in one seven-page chapter, *goddam* was used 27 times!³⁵

In one school kindergarten children recited this prayer:

Thank You for the World so Sweet,
Thank You for the Food We Eat,
Thank You for the Birds that Sing,
Thank You, God, for Everything.

The principal ordered teachers to stop using the prayer. Since the Supreme Court had ruled against state-mandated prayers, the parents went to court on the grounds that this prayer was student initiated. They lost in the United States Court of Appeals.³⁶

Two years later, kindergarten children recited another version:

We thank you for the flowers so sweet,
We thank you for the food we eat,

A Moral America

We thank you for the birds that sing,
We thank you for everything.

In this prayer God was not even mentioned, but opponents of the prayer brought a case to court stating it violated the Constitution. The lower courts rules this rhyme an establishment of a religion.³⁷ The Supreme Court refused to hear the case on appeal, creating the impression that it concurs in the decision. Result: Teachers can freely choose books cursing and blaspheming God—but woe to any teacher who in the slightest way prayerfully reveres God’s name.