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**At the Right Hand of Our Fathers:
Religion's Place in Today's Public School Classrooms**

The separation of church and state leaves many with the impression that there is no place for religion in public schools. And, in a strict sense, that may be true; schools must stay neutral regarding the topic of religion. The question arises, however, whether completely shutting God out of the schools is neutral at all. I argue that religion can and should have a place in today's classroom, and that failing to include religion in public school curriculum fails the test of neutrality. In this paper, I explore the semantics fueling the debate regarding religion in public schools. First, I consider the distinctions between religion and prayer and between the idea of religion and the practice of religion. I then set the stage of relevant constitutional concerns and analyze relevant Supreme Court of the United States decisions, highlighting the relatively accepting attitude toward teaching religion in the public school classroom. Next, I address the arguments of those who are wary of bringing the controversial topic of religion into the classroom. Finally, I suggest ways for school districts to introduce religion in theory into their curricula while neither promoting nor inhibiting religion in practice.

Slippery Semantics

Much of the controversy surrounding the intersection of “religion” and “public schools” stems from the meaning packed into both of those concepts. Although most everyone would purport to understand both concepts, the meaning that each one of us attaches to these concepts varies widely. As a result, even when the debate about religion in public schools arises, often opponents are not arguing over exactly the same issue. Thus, it is important to define these important terms at the outset of discussion. There are two fundamental distinctions that debate typically blurs: (1) the difference between religion and prayer, and (2) the difference between the concept and practice of religion.

Although prayer is an essential element of many religions, one should not make the logical jump that religion is inextricably linked to prayer. This is extremely significant to note in the context of public schools. Prayer in public school should be more controversial than religion in public school, but even prayer in a student’s free time is constitutionally protected.¹ While reciting prayer allows a person to express her individualized beliefs, discussing religion allows people to confront the beliefs of others, thereby encouraging tolerance of divergent viewpoints. Beyond that possibility, religion can stand completely apart from its ideals and simply be addressed as an academic concept.

Religion in concept and religion in practice are also distinct; while the concept informs the practice, the concept can also stand apart from the practice. Therefore, to allow religious ideas to circulate freely within the walls of public schools does not necessarily even flirt with the “danger” of worship or conversion. The point here is that allowing the ideas of religion, including its history, philosophy, and sociological ramifications, to enter into the public school classroom can stand apart from the actual practice of religion. And while this might seem like a

¹ *Tinker v. Des Moines Indep. Community Sch. Dist.*, 393 U.S. 503 (1969).

straightforward point to make, it becomes murky when the word religion is bandied about carelessly. The distinction becomes even murkier when religion and “church” become interchangeable as is the case when the debate circles around the separation of church and state.

A final definitional issue is what is at stake when addressing the proper course for “public schools” to take. Clearly, all public schools are not alike; great disparities exist in access to resources and translate into great disparities in most educational aspects.² Despite these disparities, we can still debate whether religion has a place in public schools generally. To engage in this debate, however, we must acknowledge that the answer to whether religion has a place in public school, or the appropriate type of place for religion, might depend upon the level of public education. There is a clear distinction between elementary, secondary, and post-secondary public schools. Even within those categories, though, maturity levels change significantly as education progresses; for example, a first grader and a fifth grader must be approached differently.

Accordingly, as I contend that religion does have a rightful place in public school classrooms, I invite readers to try to consider how these conflicting definitions inform the debate. Although the topic is large, my particular argument is streamlined. I argue for religion, not prayer, concept, not practice, and sensitivity to students’ maturity levels in implementation.

First Amendment Issues: Establishment Clause vs. Free Exercise Clause

Much of the tension regarding the issue of bringing religion into public schools (or keeping it out) arises from different views on the way to appropriately balance the Establishment and Free Exercise clauses of the First Amendment. While the Establishment clause provides that

² DENNIS PATRICK LEYDEN, *ADEQUACY, ACCOUNTABILITY, AND THE FUTURE OF PUBLIC EDUCATION FUNDING* (Springer 2005).

“Congress shall make no law respecting an establishment of religion,” the Free Exercise clause provides that neither should Congress make any law “prohibiting the free exercise thereof.”³

This duality paves the way for great conflict in interpretation. As a result, many lawsuits have been brought against school districts for “promoting religion” through instituting moments of silence⁴ and permitting religious speech at public assemblies⁵, among other offenses. In determining whether a policy passes constitutional muster, the Supreme Court employs the *Lemon* test.⁶ This test requires that a policy: (1) has a secular purpose, (2) its principal or primary effect neither advances nor inhibits religion, and (3) does not foster an excessive governmental entanglement with religion.

Each of the *Lemon* test requirements has an underlying aim. The secular purpose requirement seeks to avoid the implementation of any policy that is religious agenda couched in school policy. Similarly, the requirement that a policy not advance nor inhibit religion seeks to avoid the imposition of any one religious viewpoint upon public schoolchildren; advancing religion would impermissibly attempt to establish a national religion and inhibiting it would impermissibly limit citizens’ freedom. The requirement that policy does not encourage an “excessive governmental entanglement” with religion, however, is somewhat ambiguous in its aim. It seems to function as a “catchall” provision in case one of the first two requirements do not defeat a policy that appears to allow an inappropriate intersection between religion and public education. The problem with loose definitions is that it leads to incorrect inferences.

Both “excessive entanglement” and the “separation of church and state” imply a necessary distance. This implication has been stretched by some to mean a literal wall between

³ US Const. amend. I

⁴ *Wallace v. Jaffree*, 472 U.S. 38 (1985).

⁵ *Santa Fe Independent Sch. Dist. v. Doe*, 530 U.S. 290 (2000).

⁶ *Lemon v. Kurtzman*, 403 U.S. 602 (1971).

anything government-related and religion.⁷ But the metaphor of a wall is particularly inappropriate in the case of religion in public schools. Here, the distinction between religion in concept and in practice bears repeating. Schools are meant to be an open forum for ideas. Students do need to be protected from threats of violence, or perhaps material too mature for their age, but it stretches reason to suggest that religion need be a taboo topic within school walls.

At times, however, the Supreme Court has strengthened the metaphorical wall between church and state, seemingly averse to any commingling. In *Engel v. Vitale*, for instance, the Court emphasized the historical dangers of bridging church and state:

The history of governmentally established religion, both in England and in this country, showed that whenever government had allied itself with one particular form of religion, the inevitable result had been that it had incurred the hatred, disrespect and even contempt of those who held contrary beliefs. That same history showed that many people had lost their respect for any religion that had relied upon the support of government to spread its faith. The Establishment Clause thus stands as an expression of principle on the part of the Founders of our Constitution that religion is too personal, too sacred, too holy, to permit its “unhallowed perversion” by a civil magistrate.⁸

Two ideas are couched in that oft-quoted passage: (1) religion necessarily breeds conflict, and (2) religion is sacred. Both of these implicit assumptions seem to address the practice of religion, rather than the academic concept. It hardly seems that providing students with basic information about how religion has shaped and continues to shape the world would amount to the government endorsing a particular religion, or any religion at all. In that vein, it strikes me as unreasonable to suggest that the very idea of religion is too sacred to enter the walls of a public school. Perhaps discussing the pros and cons of various beliefs would become controversial, but discussing the general philosophies and how religion informs the humanities does not amount to “unhallowed perversion.” Instead, it promotes open-mindedness and tolerance toward religion.

⁷ *Zelman v. Simmons-Harris*, 536 U.S. 639, 686 (2002).

⁸ 370 U.S. 421 (1962).

This notion that religion should be an open topic for students is not new. In fact, in dicta, Justices of the Supreme Court of the United States have suggested that religion can and should be discussed in public schools. The attitude of the Supreme Court changes as its composition changes and the fact patterns of different cases inspire different reactions. In *School District of Abington Township, Pennsylvania v. Schempp*, the Supreme Court noted in dicta that religion is an essential component to a complete education:

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 consistently with the First Amendment.⁹

Here, the Supreme Court suggests that religion--defined as an academic concept, at least as a means of complementing history and literature--does have a place in public school.

Interestingly, in discussing the separation of church and state and its implications for public schools, the Supreme Court appears to have defined "religion" differently in these two cases cited, which were only decided a year apart. This definitional divide informs much of the dissention on this issue.

Religion Relegated to the Private Sphere

One argument defending the sharp divide between religion and public schools is that exposing children to religion will improperly influence their thoughts about or feelings toward religion.¹⁰ In other words, we are careful to stay neutral for fear of forming opinions for our nation's children. Yet, forming their opinions is precisely what elementary education achieves.

⁹ 374 U.S. 205 (1963).

¹⁰ Joseph A. Erickson, *Adolescent Religious Development and Commitment: A Structural Equation Model of the Role of Family, Peer Group, and Educational Influences*, SOCIETY FOR THE SCIENTIFIC STUDY OF RELIGION, 1992, 31-2 at 131.

Typically, we want children to be molded in the classroom. With reference to religion, however, we fear overstepping the line between church and state. But choosing to say nothing always says something.

In this case, silence says that religious ideas are not important enough to be included in school curriculum. It impermissibly prizes non-religion (or the “religion of secularism”) over religion. Practically, silence says that schools are worried about offending students, or more precisely, offending their parents. Of course, schools must maintain a delicate balance between acting *in loco parentis* while still respecting the right of parents to dictate their child’s upbringing.¹¹ Yet, we do not question whether parents want their children exposed to the horrors of the Holocaust, for instance. We treat most classroom topics as uniformly uncontroversial. Teaching the philosophy of Karl Marx does not amount to an endorsement of his views, but we act as if teaching the Pillars of Islam will result in the child’s religious conversion.

Understandably, schools fear constitutional challenges and steer clear of religious controversy. But school administrators need not fear. The confusion arises when we fail to distinguish between informing and endorsing. The danger is not teaching religion but somehow promoting (or disparaging) it. Metaphorically speaking, religion is debated in whispers, in an effort to avoid offending anyone. This hushed debate just leads to confusion. Instead of crafting a solution that respects religion without promoting it, schools often avoid religion, thereby disadvantaging it. Discussing the matter openly, despite the threat of dissention, will lead to a workable solution for all involved; I argue that solution begins with a shared sense of what the intersection of religion and public school means. That way, rather than focusing on the diametrically opposed poles of those who want religious perspectives to permeate the curriculum

¹¹ *Hazelwood Sch. Dist. v. Kuhlmeier*, 488 U.S. 260 (1988).

and those who want to add mortar to the wall between church and state, we can engage in a dialogue that starts from a middle place of shared meaning.

Shaping Minds through Public Education

Religion receives different treatment than other academic concepts largely because we view the topic as contentious. Maybe, though, we need not view it that way. Especially with regard to elementary school children, but even up through high school, children's opinions remain fluid. After all, children need the information that school provides in order to form their opinions. That begs the question of whether schools actually have a responsibility to introduce students to religion as an academic idea, rather than a spiritual practice. Dr. Warren Nord, scholar of the philosophy of religion and the philosophy of education, emphasizes our responsibility to introduce students to religion:

A liberal education is a broad education, one that provides students with the perspective to think critically about the world and their lives. A good liberal education should introduce students--at least older students--to the major ways humankind has developed for making sense of the world and their lives. Some of those ways of thinking and living are religious and it is illiberal to leave them out of the discussion. Indeed, it may well constitute indoctrination--secular indoctrination.¹²

This is not to suggest that everything needs to be put into a religious context; that type of education is available through private, religion-specific education. But just as religion should not be the framework for all public school teaching, neither should it be completely pushed out of the picture.

To ignore religion is to deprive public schoolchildren of the ability to learn about the world in its entirety, thereby impermissibly coloring their views of the world. Ignoring the existence of religion ignores the reality of our world. Religion shaped where we, as a nation,

¹² Warren A. Nord, *The Relevance of Religion to the Public School Curriculum*, THE SCHOOL ADMINISTRATOR, Jan. 1999, at 21.

have been and it shapes the places that we will go. Considering the wars and crimes religion has incited on the one hand, and the practices and values it has instilled on the other, pushing it out of schools entirely starts to make less sense. In fact, it becomes a glaring example of the largely selective history proffered.¹³ Once religion is defined squarely as an academic concept inside school walls, its exclusion from the curriculum looks discriminatory. Although teachers have a limited amount of teaching time each school year, and states must necessarily make value judgments regarding the subject matter of mandated curriculum, religion's wide-reaching influence should earn it a place in public school curriculums.

The Thin Line between Respect and Ignorance

Even among those who agree that it makes sense to include religion as it relates to other subjects (and even in theory generally) in public school curriculum, some make the argument that we should keep religion out of public schools as a means of respecting the sanctity of religion.¹⁴ While that is a unique excuse for dismissing the problem, it fails to suffice as a rationalization. This merely cements the notion that religion is something separate, distinct from intellectual discourse. In this way, under the guise of being respectful, we keep children ignorant of that way that religion has shaped and continues to shape the world. Currently, we seek to treat knowledge and religion as if they exist in neighboring stratospheres, running parallel to one another but staying just far enough apart to avoiding intersecting anywhere near public school. But inevitably they do. Maybe it happens during a school speech, maybe during a moment of silence, maybe during the middle of a football game; but it does happen.

¹³ JAMES W. LOEWEN, *LIES MY TEACHER TOLD ME: EVERYTHING YOUR AMERICAN HISTORY TEXTBOOK GOT WRONG* (Touchstone 2007).

¹⁴ C. Welton Gaddy, *Religious Freedom and Church-State Separation*, 35 FALL HUM. RT. 12 (2008).

Relegating religion to the realm of “other,” rather than giving it equal footing with other academic concepts, especially historical information, skews students’ perception of reality. Moreover, it takes a philosophical stand that reason and faith are incompatible, which implicitly categorizes religion as non-intellectual. Depending on one’s view of the situation, one could argue both that treating it as such advances or inhibits religion. It could be said to advance religion because it impliedly distinguishes religion as something not-to-be-touched and sacred, putting it on a pedestal apart from the marketplace of ideas. Conversely, it could be said to inhibit religion by sequestering it as something that is off-limits, likening the whole topic to a banned book. Either way, the treatment is clearly inappropriate. We continue to ignore religion because it is easier than figuring out how to address and incorporate it correctly into the curriculum.

But this tendency to ignore religion, to brush it to the side as something separate from day-to-day life, is what often brews controversy. For many people, religion is an integral part of life, something that cannot be extracted from day-to-day interaction. Understandably, then, all of the public schoolchildren will confront religion in the larger world. Trouble arises, often merely due to ignorance, when people confront things that they do not understand. Ignorance on a subject makes us feel uncomfortable and left out. We can only combat ignorance with knowledge. Feelings of discomfort and exclusion are often cited as justification for keeping religion beyond school walls. Many fear that the team kneeling and reciting the “Hail Mary” or bowed heads and folded hands during a moment of silence fosters a culture of exclusion. And that may be true...right now. I argue, however, that that discomfort stems from the fact that religion only arises in public schools in a ritualistic way. Therefore, it emerges as religion in practice. What most schools lack, however, is religion in concept. This is a volatile combination

because those not engaged in the practice then often lack the intellectual framework to process the situation. This leads to misunderstandings about religion and the very exclusiveness that proponents of an impenetrable wall between church and state fear. Tolerance cannot be achieved without an understanding of difference.

Minding the Gap: Ideas for Change

The first step toward reform is defining the terms of debate. Some continually reinforce the imagined wall between church and state, but dogmatic devotion to their separation is often a function of sloppy semantics. Once we clarify that religion does not necessarily implicate prayer, and separate the concept of religion from its practice, the debate will be more productive. Even once it is agreed that religion does have a place in public schools, however, we are left to shape that place. This shaping requires decisions about whether religion should be included as a philosophical framework for understanding the world, or whether it should be limited as a complement to the humanities. Likely, the answer we will arrive at is “it depends.”

The proper place for religion in public schools depends upon the students involved. The discussion differs based on whether elementary, secondary, or continuing education is the environment for implementation. In fact, it probably differs for every grade level. The crucial step is opening the dialogue, and legitimizing religion as an academic concept worthy of instruction. Once the decision is made to integrate religion into the public school curriculum, the knowledge of educational experts can be employed to determine to proper exposure for children of varying maturity levels. I am confident that once this process begins, and religion becomes another academic concept freely discussed rather than an ostracized “other,” the gap between

religion and education can be effectively bridged. Thus, ignorance will diminish while knowledge prospers and increased tolerance will thereby emerge.