

Concordia Theological Monthly



F E B R U A R Y • 1 9 5 7

Concordia Theological Monthly

VOL. XXVIII

FEBRUARY 1957

No. 2

Religion in the Public Schools

By CARL S. MEYER

TO the traditional three R's in education many would place as the first a fourth R — Religion. Some maintain that Religion should be taught only in the schools of the church; some say that Religion or spiritual values should be taught in the schools of the state. Others have urged that the fourth R in modern education should be Right Relations or Human Relations. The debate touches on the question of basic objectives in education and involves the question of the relationship between church and state. It embraces the questions: Do the functions of the state include the teaching function? If so, what limitations, if any, are to be attached to this function?

The need for education in a democracy has generally been recognized. When the British Parliament passed the Reform Act of 1867, William Gladstone is supposed to have said, "Now we must educate our masters." Perhaps he did not say this; at any rate the Forster Education Act of 1870 was almost an inevitable — if that term may be used — outcome of the electoral reform act. A half century before that, in the New World, James Madison wrote: "A popular government without popular information or the means of acquiring it, is but a Prologue to a Farce or a Tragedy, or, perhaps both. Knowledge will forever govern ignorance; and a people who mean to be their own Governors must arm themselves with the power which knowledge gives."¹

A British Member of Parliament contended that the function of education in a democracy is to develop citizens who are "easy to lead, but difficult to drive; easy to govern, but impossible to

¹ James Madison to W. T. Barry, Aug. 4, 1822, in *The Complete Madison: His Basic Writings*, ed. Saul K. Padover (New York: Harper & Bros., 1953), p. 337, as quoted by Henry Ehlers, ed., *Crucial Issues in Education: An Anthology* (New York: Henry Holt & Co., 1955), p. 265.

enslave."² A literate electorate, an enlightened citizenry, and a conscientious constituency are almost essential in a democracy.

The training for citizenship and the development of integrated personalities, with a view to making the "good citizen," will tend, it has been said, "to an exaggerated notion of political virtue and the power of the state; it contains a dangerous tendency to upset relations among church, state, and family. . . ."³ Totalitarian states have demonstrated how far absolute control of education can go; it will claim the very souls of the children. Safeguards against an overextended state are needed. There is a danger that a national secular religion is being established in this country. Slogans may easily obscure the issue. Should the schools and colleges of this nation pursue the moralistic aim of education instead of the more limited aim of intellectual development? If so, on what basis should secondary and higher education be concerned with moralistic education?⁴ Intellectual development is a central factor in a liberal education. However, "the ultimate goal of a liberal general education is today, as it has been for centuries, the harmonious development of all our powers. At bottom this is a moral and spiritual undertaking. Those who are concerned about moral and spiritual values in general education, therefore, should not feel apologetic in the face of those who look upon it in simpler and more external ways. Here as elsewhere we must learn to put first things first."⁵ So the arguments develop, and the issues are drawn first regarding the objectives of education and then regarding the objectives of public education. Among the crucial issues in education today—academic freedom, segregation, teaching methods, adequate facilities, and sufficient teaching personnel—the question of religion in education ranks as one of the most important.⁶

² Lord Henry Peter Broughton, Speech in House of Commons, January 29, 1828, *ibid.*, p. 266.

³ Oscar W. Perlmutter, "Education, the Good Citizen, and Civil Religion," *The Journal of General Education*, VII (July 1953), 241.

⁴ *Ibid.*, pp. 240—249.

⁵ John M. Moore, *The Place of Moral and Religious Values in Programs of General Education* (New Haven, Conn.: Hazen Foundation, n. d.), pp. 21—22.

⁶ Henry Ehlers in *Crucial Issues in Education* lists as the main headings: Freedom for Teachers, Freedom for Learners, Religion and Public Education, Racial Segregation in Education, Classroom Methods and Materials.

The issue has been recognized by schoolmen. Already in 1947 the report of the Committee on Religion and Education of the American Council on Education⁷ was published—one of the three major documents in education issued on this question within the last decade. This inquiry recognized the secularization of modern life and with it the secularization of education. One consequence of this secularization is a dualism in education. The report states: "The school itself is emphasizing a division, a split, in the educative process which its own philosophy repudiates. To avoid this contradiction one must either accept the patent inference that religious education is relatively unimportant and a marginal interest, or assume that religion is a matter so remote from life that it admits of no integration with the general educational program" (*ACER*, p. 10). It recognizes that a vital faith is not superficial, but that it is the foundation of culture. It regards the democratic ideal and the religious heritage of equal importance. Because of the equal importance of these two factors—the democratic ideal and the religious heritage—the misunderstood principle of the separation of church and state had to be defined. The report, therefore, sets out to define it. The committee states: "The core of the meaning in the doctrine of separation of church and state we believe to be this: there shall be no ecclesiastical control of political functions; there shall be no political dictation in the ecclesiastical sphere except as public safety or public morals may require it. This doctrine may not be invoked to prevent public education from determining on its own merits the question how the religious phases of the culture shall be recognized in the school program" (*ibid.*, p. 25). A due recognition of the place of religion in the American culture is needed, according to this committee. This committee of the American Council on Education, however, states with conviction that "it is not the business of public education to secure adherence to any particular religious system or philosophic outlook. But," they say, "it is the business of public education to impel the young toward a vigorous, decisive personal reaction to the challenge of religion" (*ibid.*, p. 30). The idea of teaching a com-

⁷ American Council on Education, *The Relation of Religion to Public Education: The Basic Principles* (Washington: American Council on Education Studies; Reports of Committees and Conferences, Series I, No. 26, April 1947). Hereafter cited as *ACER*.

mon core of religious beliefs this committee rejects as an unsatisfactory solution to the problem. The teaching of moral and spiritual values did not seem to this committee to meet the needs of the pupils. A factual study of religion through social studies, English, history, philosophy, music, and fine arts, not by way of indoctrination but by way of information, was advocated. It wished to make a distinction between the teaching of religion by the public schools and the teaching of religion by the church. This committee recognized: "Religion is either central in human life or it is inconsequential. . . . The intensive cultivation of religion is, and always has been, the function of religious institutions. To create an awareness of its importance is a responsibility of public education" (*ibid.*, pp. 53—54).

A second major document was issued in 1951, this one by the Educational Policies Commission of the National Education Association of the United States and of the American Association of School Administrators. The title of the report was simpler than the title of the commission. The report was called *Moral and Spiritual Values in the Public Schools*,⁸ and it may well be regarded as the most important educational document issued during the past decade. Consisting of only one hundred pages of print, it nevertheless is a basic document in the philosophy of American education and deserves to be examined in detail.

First, the definition. What are "moral and spiritual values"? "By moral and spiritual values we mean 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" (*EPC*, p. 3). Having made this definition, the report proceeds to make a few basic affirmations, five in number.

1. The American public school respects religious beliefs.
2. Religion is an important element of American life.
3. Moral and spiritual values are a recurrent theme in educational policy.
4. Current trends accentuate the role of values in education.
5. The road ahead is open. (*ibid.*, pp. 5—13)

⁸ 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). Cited after this as *EPC*.

The effective promotion of moral and spiritual values is regarded as part of the program of the American public schools. "By so doing they create a climate friendly to religion," it is said (*ibid.*, p. 5). A decent respect for all religious beliefs, without, however, inculcating any particular denominational doctrine, must be the goal of education in these schools. In this endeavor, education common to all the different religious faiths in this country must be kept in mind; freedom of religion must not be impaired.

Such an education must be derived, not from some synthetic patchwork of many religious views, but rather from the moral and spiritual values which are shared by the members of all religious faiths. Such education has profound religious significance.

The teaching of moral and spiritual values in the public schools of the United States must be done without endangering religious freedom and without circumventing the policy of separation of church and state. (*ibid.*, p. 6)

This concern for the teaching of moral and spiritual values is heightened by the complexities of modern life and the realization of an essential secularization of education. Juvenile delinquency, the threat of communism, and the failure of many churches to reach the majority of American school pupils and to influence their lives are not singled out in the report. In an extremely thoughtful and thought-provoking paragraph, however, the commission summarized the trends which accentuate the need for a greater concern for moral and spiritual values.

. . . 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. (*ibid.*, p. 12)

The conclusion, therefore, was inescapable: "The public schools must increase their efforts to equip each child and youth in their care with a sense of values which will lend dignity and direction

to whatever else he may learn" (*ibid.*, p. 13). The affirmation of the need for moral and spiritual values in education is incontestable. The deduction, likewise stated as an affirmation, that therefore moral and spiritual values must be taught in the public schools of America is in reality a proposition that remains to be proved. It requires an answer to the prior question, "What *are* the values grouped under the general designation "moral and spiritual values"?"

They are ten in number as listed in the report:

1. Human Personality — the Basic Value
2. Moral Responsibility
3. Institutions as the Servants of Men
4. Common Consent
5. Devotion to Truth
6. Respect for Excellence
7. Moral Equality
8. Brotherhood
9. The Pursuit of Happiness
10. Spiritual Enrichment. (*ibid.*, pp. 18—30)

"The basic moral and spiritual value in American life is the supreme importance of the individual personality" (*ibid.*, p. 18). That means also that "each person should feel responsible for the consequences of his own conduct." During the growing-up period this moral responsibility must be learned by the individual. "Toward the end of adolescence," the report states, "the individual should have acquired a large measure of self-reliance tempered by social conscience" (*ibid.*, pp. 19—20). The report failed to specify by names the institutions which were to be regarded simply as the servants of men. "Domestic, cultural, and political institutions are not in themselves suitable objects of veneration, except insofar as they contribute to the moral and spiritual values of human life . . . the schools neglect a proper duty if they fail to provide the knowledge, skill, and attitudes whereby public intelligence can function wisely to keep social institutions in line with moral and spiritual values" (*ibid.*, pp. 21—22).

These first three values will be accepted by almost everyone who will grant that some sort of moralistic aim must be included in education, even if that aim were to be defined as vaguely as

"living together in a democracy." Nor will many question the fourth and sixth values listed. "The principle that group decisions should be made and enforced by common consent applies in all relationships of life" (*ibid.*, p. 22), and it is consonant with the accepted practices of democracy. A readiness to go along with the majority opinion *in all relationships of life*, nevertheless, is too all-inclusive.

Respect for excellence is a part of good sportsmanship. "The school should stimulate and recognize the achievement of excellence in every sphere of life, in skilled production, in social and civic leadership, in literary and artistic creativity, in scientific insight, in technological ingenuity, in social sensibility, in physical health and stamina, and in personal integrity" (*ibid.*, p. 25). Only its all-inclusiveness leaves it open to challenge.

The fifth value is one which many would regard as an intellectual rather than a moral or a spiritual value. It calls for devotion to truth. "The public schools should provide young people with experience in the processes of seeking truth, of comparing opinions, and of appealing to reason on controverted questions" (*ibid.*, p. 24). Must the question "What is truth" be raised? The broad generalization inherent in this category gives reason to ask the question.

One of the values that is stressed is the regard for the opinions of others, tolerance, moral equality. "There is no more clearly defined element in the American system of values than the profound conviction that no man has a moral or inborn right to injure, persecute, dominate, or exploit others" (*ibid.*, pp. 25—26). Coupled with this value is the moral value of brotherhood. "Brotherhood leads to a broad and expanding humanitarianism, a sympathetic concern for the distress of other people" (*ibid.*, p. 27). Within this framework are the pursuit of happiness and spiritual enrichment. The relationships to others will govern to a large degree the measure of happiness an individual will achieve.⁹ "The schools, therefore, should give a large place to those types of experience that satisfy spiritual needs and inspire the noblest achievement" (*EPC*, p. 28). Since moral values concern themselves

⁹ *Ibid.*, p. 28: "Lasting happiness is derived largely from deep personal resources and from the affection and respect of others."

chiefly with the relationships toward others, and spiritual values — in accord with the usage employed in the report — are concerned mainly with the individual's relationships with himself, both are needed. "Beyond reasoned moral conviction and efficient social action," the report states, "there is the inner life of the spirit which gives warmth and drive to dispassionate precepts of morality" (*ibid.*, pp. 29—30).

This phrase, "the inner life of the spirit," which the report itself adopts, must be recognized in a sense not intended by the report (at least, so it would seem) as being the most important consideration when one speaks of moral and spiritual values. All of the values listed in the report are interrelated; the intention is that these ideas be interrelated and that any conflicting values be resolved in the light of these values. The report does not hesitate to point out that there might be disagreement in religious beliefs. "Nevertheless these moral and spiritual values themselves command, with minor exceptions, the allegiance of all thoughtful Americans" (*ibid.*, p. 33). What, however, about the inner life of the spirit that must motivate the doing, the keeping of any precepts, the drive that transforms values into deeds?

A wide divergence regarding the bases for these values, the report admits, exists. The various denominations in Christendom do not agree on the sanctions for morality. "All denominations insist that the ultimate sanction of moral and spiritual values is a religious one; each denomination asserts that its beliefs and practices provide the best foundation for moral conduct; many denominations insist that their faith is the only valid one" (*ibid.*, p. 37). But some sanctions are necessary. The sanctions employed by a teacher in a public school should not conflict with the religious beliefs of the pupils. According to the report, the teacher in the public schools should use a sanction that is effective, one which will not tend "to bring the constructive moral or religious teaching of the home into contempt or disrepute," one that will "involve the largest possible freedom for the child's reason," and one that will be adapted to a variety of reasons and motives (*ibid.*, p. 48). Seven different sanctions are illustrated and discussed in the report: justice, the law, property rights, integrity, group approval, authority, and guidance (*ibid.*, pp. 48—49).

The committee in its report also projects a positive program of

action to achieve these moral and spiritual values in the schools of America. It was a nine-point program:

1. Moral and spiritual values should be stated as aims of the school.
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. (*ibid.*, pp. 49—80)

To teach objectively *about* religion, not advocating the specific beliefs of any denomination, is needed in American education, in the opinion of the committee, for religion is an important part of American life. The controversial character of religious beliefs, the committee holds, is not sufficient reason for excluding the teaching about religion from the schools of the country. These schools can teach about religion only in a limited way. Even an agreement among Roman Catholics, Protestants, and Jews as to a "common core" of religious beliefs, would still violate the beliefs of some groups, at least the nonreligious groups. Yet silence about religion is tantamount, the report indicated, to the relegation of religion to an insignificant role in the life of individuals and in the history of America. A factual study of religion, as one studies economics, is asked for. The need for assistance is recognized (*ibid.*, pp. 81—100). However, the essential job of teaching about religion is placed by this report into the hands of the public schools, an agency of the state.

In order to stress this point that "the public schools can and should teach about religion," the actual words of the report should be repeated:

The public school can teach objectively *about* religion without advocating or teaching any religious creed. . . . 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 much 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 religion in the public schools. (*ibid.*, pp. 77—79)

The crucial nature of this proposition will be recognized. The importance of the report in any discussion of current issues in church-state relations should not be minimized. "This report is indispensable to educators, religionists, and laymen concerned with the dilemma of an effective general education and separation of church and state."¹⁰

The Committee on Religion and Education of the American Council on Education states in its 1953 report regarding *Moral and Spiritual Values in the Public Schools*: "We think . . . this report by one of the most influential educational groups in the United States is highly significant both because of the position taken and particularly because it indicates the increasing awareness on the part of educators that *public schools must find appropriate methods of dealing with religion.*"¹¹

That report from which this appraisal has been taken is itself a highly significant document. It is the third of the three major documents in education touching on church-state relations referred to above. The ACE report of 1947, the NEA report of 1951, and the ACE report of 1953 should not be disregarded by educators, theologians, or churchmen.

In 1953 this exploratory committee of the American Council on Education came to this conclusion: "The public school is

¹⁰ American Council on Education, *The Function of the Public Schools in Dealing with Religion*, A Report on the Exploratory Study Made by the Committee on Religion and Education (Washington: American Council on Education, 1953), p. 130. The quotation is an annotation in the bibliography. After this cited as *ACEF*.

¹¹ *Ibid.*, p. 4. The italics are mine.

limited . . . in its treatment of religion. . . . On the other hand, to be silent about religion may be, in effect, to make the public school an antireligious factor in the community. . . . Therefore, it is vitally important that the public school deal with religion. . . . All public schools . . . can provide for the factual study of religion both as an important factor in the historical and contemporary development of our culture and as a source of values and insights for great numbers of people in finding the answers to persistent personal problems of living" (*ACEF*, pp. 6—7). An overwhelming majority of educators and clergymen polled was in agreement with the committee.

There were 1,133 educators who replied to the questionnaire of the committee; 835 clergymen. Eleven propositions were set up by the committee, and in every case the proposition approved represented the tentative position of the committee. Only in one case did as many as 30 per cent disagree with the committee's proposition. The measure of agreement can be seen from the following table.

TABLE I: OPINIONS OF EDUCATIONAL AND RELIGIOUS LEADERS IN RESPONSE TO A QUESTIONNAIRE OF THE AMERICAN COUNCIL ON EDUCATION COMMITTEE ON RELIGION AND EDUCATION¹²

Proposition	Educational Leaders		Religious Leaders	
	Number	Percentage	Number	Percentage
I A	994	88	774	94
II B	966	85	723	87
III B	818	72	693	83
IV A	975	86	761	91
V B	938	83	751	90
VI B	797	70	599	72
VII A	839	74	706	85
VIII B	988	87	747	89
IX A	937	83	771	92
X B	842	74	635	76
XI A	999	89	782	94

The figures are significant because they show the widespread agreement among ranking schoolmen and churchmen alike regarding the place of religion in the public schools.

The first proposition (with which 1,768 out of 1,968 religious and educational leaders agreed) reads:

¹² Compiled from tables in *ACEF*, pp. 109—121.

The constitutional principle of religious liberty (First Amendment to the Constitution of the United States) and the tradition of separation of Church and State were never intended to mean and do not now mean that the public schools have no function in dealing with religion. The public schools cannot ignore religion; no basic institution or influence in life can be indefinitely excluded from these schools. Since religion permeates our culture and is a matter of concern to all our people, whatever their religious beliefs, the public schools must deal with religion. The basic issues, therefore, are Why? What? How? When? There is need for a restudy of the function of public schools in dealing with religion. At present there is no clear-cut and generally approved policy to guide boards of education, administrators, and teachers. As a consequence there is much confusion in thinking and practice. (*ACEF*, p. 109)

Educators, it was agreed, should take the leadership in co-operation with lay citizens and religious leaders "in a restudy of the function of the public schools in dealing with religion."¹³ Experimental projects were approved, although with some misgiving.¹⁴ In general the people of a given community, consonant with the principles of religious liberty, should determine the policies and practices concerned with the teaching of religion in the local schools.¹⁵

The "possibility of increasing agreement on a *quest* for *objectivity* in teaching *about* religion when and where it is inherent in the life of these schools" was favored by most of these leaders. They agreed: "This possibility is inherent in certain functions now accorded public schools; positive contributions to the formation of moral-ethical character; development of capacity for intelligent

¹³ Ibid., p. 110 — the second proposition.

¹⁴ Ibid., p. 111 — the third proposition.

¹⁵ Ibid., p. 112 — the fourth proposition: "Since the American people support and control the public schools, it is to the people that educational and religious leaders must appeal for approval of policy on what these schools can and should do about religion. Within the limitations of federal and state provisions, policies and practices with regard to religion in a local school unit are dependent on general assent of the people of that community. Religious liberty, however, requires that policies and practices of all local school units protect the rights of conscience of all minority groups. But no group has the right either to impose its particular religious beliefs on or to exclude religion from the public schools. The justifiable function of the public schools in dealing with religion, therefore, must be found in the context which protects the religious liberty of all."

action; freedom of inquiry, study, and discussion, within the competence of teachers and the maturity and capacities of learners; invoking sanctions for moral-ethical conduct consistent with the conscience of individual teachers and learners."¹⁶ The *quest* for *objectivity* in teaching *about* religion involves the question of possible outcomes¹⁷ and the role of the competence of the teachers.¹⁸ There was general agreement that the home and the church had the responsibility for nurturing religious faith. However, this agreement was modified by the statement: "The public school shares responsibility with home and church in developing the awareness of the importance of religion in human affairs." The invoking of the moral imperative for each individual was held to be part of the very life of the public schools.¹⁹ A more restrictive role for the public schools and a differentiation of functions among home, church, and public schools did not meet with general agreement.²⁰ The consequences of infusing the moral imperative were agreed on.²¹ Methods for achieving the aims were pointed up.²² The need for further study and experimentation was underscored.²³ Throughout the eleven propositions the influence of the 1951 report of the NEA Educational Policies Commission (*Moral and Spiritual Values in the Public Schools*) was evident.

This 1953 report of the ACE committee is important because it implemented the 1951 report of the NEA and because it made evident the trend in the thought of religious and educational leaders. A staff associate of the American Council on Education in reporting about the various studies made on religion in public education summarized his findings as follows:

1. Much more is being done in the public schools to teach religion than is recognized.
2. There is no consistent policy among states, among communities

¹⁶ Ibid., p. 113 — the fifth proposition — italics in the original.

¹⁷ Ibid., p. 114 — the sixth proposition — italics in the original.

¹⁸ Ibid., p. 115 — the seventh proposition.

¹⁹ Ibid., p. 116 — the eighth proposition (VIII B).

²⁰ Ibid. — the eighth proposition (VIII A).

²¹ Ibid., p. 117 — the ninth proposition.

²² Ibid., p. 118 — the tenth proposition.

²³ Ibid., p. 119 — the eleventh proposition.

- within a state, or even among public schools within a single public school system.
3. In the public schools, little is known as to the best means of teaching religion or even of teaching *about* religion.
 4. It is virtually impossible to subject this field to any evaluation of its results. . . .
 5. The public schools face no greater challenge. . . . There are no higher nor more universal values than those embodied in religion.²⁴

Even the preparation of teachers for teaching religion or for teaching about religion in public schools has begun. The American Association of Colleges for Teacher Education has designated fifteen colleges and universities as pilot centers to "discover and develop ways and means to teach the reciprocal relation between religion and other elements in human culture in order that the prospective teacher, whether he teaches literature, history, the arts, science, or other subjects, shall be prepared to understand, to appreciate, and to convey to his students the significance of religion in human affairs."²⁵ It is to be an objective study; it does not mean that religion is being taught in the public schools of this country.

The question of chairs of religion in state universities and the offering of Bible courses in state colleges involves the Government in teaching about religion. Christianity is part of the culture of Western civilization; an educated man, especially one who is to educate others, should have a thorough knowledge of that culture. Is there a danger in these courses that teaching about religion becomes a teaching of religion?²⁶

Perhaps it should be emphasized that religious and educational leaders do not expect *a national solution* to the problem of religion in public education. They—at least many of them—do not anticipate *one* solution.²⁷ They repeat that there is need for basic

²⁴ Francis J. Brown, "Studies of Religion in Public Education," *Phi Delta Kappan*, XXXVI (April 1955), 256.

²⁵ Eugene E. Dawson, "AACTE Pilot Centers," *Phi Delta Kappan*, XXXVI (April 1955), 249; Eugene E. Dawson, "Religion in Teacher Education," *Religious Education*, L (July—August 1955), 238—242.

²⁶ "Are Bible Courses in a State College Lawful?" *Liberty*, XLVI (First Quarter 1951), 13—16. The Attorney General of Missouri ruled such courses as unlawful.

²⁷ Rolfe Lanier Hunt, "Religion in Public Education," *Phi Delta Kappan*, XXXVI (April 1955), 243—244.

research.²⁸ They look to the example of the Armed Forces in handling the question of religion;²⁹ the answers found or adopted or at least used in other countries are being studied.³⁰ The problem and the issue remain.³¹

Among the unofficial endorsements given to the teaching of religion in the public schools and to the report *Moral and Spiritual Values in Public Schools* is that in *Church School*, published by the General Board of Education of the Methodist Church. To achieve these moral and spiritual values the writer urges clergymen—he called them “churchmen”—to use their influence as citizens for the employment of “teachers of background and character who will stress moral and spiritual values in the classroom.” The sponsorship of discussion groups and the promotion of extracurricular groups, this writer believes, are other areas of co-operation with the public schools—areas which the churches can use.³² Some writers state that moral and spiritual values should be given their proper place by teachers, who define these values and exhibit them.³³ The National Union of Christian Schools advocates that religion be injected into every course.³⁴ Barker finds religion inherent in literature, history, the social sciences, the natural sciences, and the arts, as an integral part of the cultural heritage.³⁵

²⁸ Jordan L. Larson, “The Need for Further Research,” *Phi Delta Kappan*, XXXVI (April 1955), 257.

²⁹ “Duty—Honor—Country,” *Phi Delta Kappan*, XXXVI (April 1955), 263—265; “Armed Forces,” *ibid.*, pp. 286—287. The character guidance program, developed under the direction of the Secretary of War, is supervised by chaplains. The manuals were written by a Lutheran and distinguish between Law and Gospel in the furtherance of civic righteousness. “They are not concerned with religion in the technical sense of that word, but only with morality.” The approach used in this program is one which deserves serious study by public school officials.

³⁰ Albert Bogaard, “Tax Money for Church Schools?” *Phi Delta Kappan*, XXXVI (April 1955), 269—270, 276.

³¹ Henry Ehlers, ed., *Crucial Issues in Education*, allocates pp. 118—178 to this issue. His bibliographies are very helpful.

³² Thomas L. Robertson, Jr., “Church and Schools Can Co-operate,” *The Church School*, IX (February 1956), 19—20.

³³ James W. Clarke, “The Inseparables: Character and Education,” *National Parent-Teacher*, L (September 1955), 7—9; Charles Donahue, “Religion and Public Education: A Personalist View,” *Religious Education*, L (July—August 1955), 219—224.

³⁴ “Religion and the School,” *Liberty*, L (First Quarter 1955), 30.

³⁵ William C. Bower, “A Proposed Program for Achieving the Role of Religion in Education,” *Religious Education*, L (July—August 1955), 211—218.

The "Kentucky Plan" has been formulated to integrate religion into the various subject-matter areas of the curriculum, to develop an understanding of, and respect for, religious beliefs, and to give pupils a functioning relationship between religious understandings and experience.³⁶

Dean Caswell of Teachers College, Columbia University, recommended the commission report on *Moral and Spiritual Values in the Public Schools*. He believes that the public schools have contributed greatly to the cause of national unity, that they are not irreligious, and that attacks on these schools as irreligious are made primarily in the interest of making them religious institutions. He is one of that growing number of public school educators who seem to sense an impending struggle between the free public school system and a system of schools, also supported by tax funds, dominated by a single church. Denying that democracy is the religion of these schools, they nevertheless believe that an emphasis must be given in these schools "to the common moral values in our culture, creating a friendly attitude on the part of pupils toward the role of religion in the life of the individual and of our nation."³⁷

A zealous advocate of the teaching of moral and spiritual values in the public schools was found in the late dean of the School of Education of the University of Michigan, James B. Edmondson, a man highly respected in the profession. He held that "the public schools in the United States do emphasize moral and spiritual values."³⁸ Moral, not sectarian, training in the public schools was for him the goal; the maximum which the public schools could provide, he believed, would be "a friendly atmosphere for the cultivation of personal religious faith." He summarized his views as follows:

The International Convention of Christian Churches (Sept. 28 to Oct. 3, 1956) urged that the historical study of religion be required in the public schools. *The Christian Century*, LXXII (October 17, 1956), 1192.

³⁶ Frank H. Yost, "The Kentucky Plan," *Liberty*, XLVIII (Fourth Quarter 1953), 5—9.

³⁷ Hollis L. Caswell, "Are the Public Schools Irreligious?" *Liberty*, XLVIII (Second Quarter 1953), 17. For the entire article see pp. 10—17.

³⁸ James B. Edmondson, "Do the Public Schools Emphasize Moral and Spiritual Values?" *Liberty*, XLIX (Fourth Quarter 1954), 23.

A controlling goal of the public school is therefore to help boys and girls develop such desirable qualities of conduct as courage, faith, kindness, honesty, cooperation, good sportsmanship, and to respect the property of others. . . . Over the years our non-sectarian public school system has been praised as the American solution of the problem of bringing together on the basis of common values the children of diverse religious and national origins and educating them in a spirit of tolerance and friendliness toward the high concept of human unity.³⁹

Throughout there seems to be a strong conviction on the part of these educators that education must be moralistic. John L. Childs of Teachers College, Columbia University, maintaining that education per se is moral education, stated it as well as anyone, when he said: "It is our conviction that any agency — private or public, ecclesiastical or secular — that undertakes to select and mediate human experience in order to provide for the nurture of immature human beings is engaged in the most fundamental of all moral activities of mankind."⁴⁰ Human experience, he said, cannot be divided into the "scientific and practical" on the one hand and the "moral and religious" on the other (*EM*, p. 123). They belong together.

The responsibility of the state to educate the young citizens in morality was emphasized by this educational philosopher. He stated this as a prime conviction of his: "Those educators who have combined the psychological principles of child growth with the moral principles of democracy and have developed the conception that the supreme aim of education should be the nurture of an individual who can take responsibility for his own continued growth have made an ethical contribution of lasting worth" (*ibid.*, p. 15).

In examining the relations between education and the values of a democratic civilization, he discussed the morality of primary experience, the morality of inquiry, the morality of an open society, the morality of function, the morality of community, and the morality of patriotism. "The spiritual unity of the American

³⁹ *Ibid.*, p. 24.

⁴⁰ John L. Childs, *Education and Morals: An Experimentalist Philosophy of Education* (New York: Appleton-Century-Crofts, Inc., 1950), p. 5. After this cited as *EM*.

people" is to be achieved through the public school system (*ibid.*, p. 251). The state's claim to allegiance became, for him, the state's responsibility for moral education. "The state has the ultimate responsibility to see that each child is so educated that he will develop the attitudes and the allegiances that are necessary to the maintenance of our democratic society" (*ibid.*, p. 253). Child's judgment on the relationships between the church and state in education are stated cautiously, but there is no mistaking of his meaning:

Clearly in this sphere of education, the rights of the church and the rights of the whole democratic community must be viewed in relation to one another. Should experience show that the consequence of having children for their entire school period under the educational direction of the church was beginning to breed an undesirable sense of difference and was tending to foster cleavages which were a threat to the spiritual unity of the American people, the community would have every right and duty to reexamine the arrangement. In a democratic community, all policies are known by their fruits, and no doctrine of rights can be made so absolute as to preclude the right of the whole community to judge all policies, including educational policies, by their fruits in the life of the people. Certainly no doctrine of "natural rights" is to be trusted which seeks to restrict the right of the democratic community to pass on the validity of any of its existing practices. (*ibid.*, pp. 253 f.)

He did not hesitate to call, simply and unequivocally, "the moral problem of determining the patterns of life and thought in which the young are to be nurtured the most basic problem of education" (*ibid.*, p. 264).

With that point of view any idea of a compartmentalized morality would of necessity be rejected. The sanctions to be employed, however, in this moral education of the young become of some importance. Childs would have education be concerned with the morality of patriotism. A love of country and an appreciation of the American heritage seem to be the sanctions which he would find most effective.⁴¹

⁴¹ *Ibid.*, p. 277: "Our schools have been deliberately organized to nurture in our children a love for their mother country, a love for the people with whom they share a common government, as well as a readiness to live and, if need be, to die for it."

The teaching of moral and spiritual values as one of the objectives of the American public schools was discussed at the White House Conference in November 1955. Along with the traditional three R's, the conference stressed as objectives:

1. Appreciation of our democratic heritage.
2. Civic rights and responsibilities.
3. Appreciation of human values and respect for the beliefs of others.
4. Ethical behavior based on the sense of moral and spiritual values.
5. Awareness of relationships in the world community.⁴²

The official report carried this paragraph:

All children should be free to seek the truth wherever it can be found. The school must accept responsibility in determining its place in working in cooperation with appropriate community institutions and agencies toward enriching the lives of its students. It must help them apply ethical values which will guide their moral judgments and their conduct, and to develop the recognition that these values stem from, among other sources, their spiritual and religious convictions. On this latter point, more time is necessary for the development of a common viewpoint. *WHCE*, Sec. IV, p. 16.

There was, therefore, a lack of unanimity on this point. One Roman Catholic writer reported some dissatisfaction between what the final report stated and what some participants wanted it to say (*ibid.*, Sec. II, p. 9). The secretary of the Division of Christian Education of the National Council of Churches spoke about what he called "this somewhat vague citation" regarding "the inculcation of moral and spiritual values of life as essential." He added, "There was open-mindedness among general educators about how to attain and how to teach some of the values" (*ibid.*, Sec. I, p. 6). He stated, too, that the meeting on Religion and Public Education, under the auspices of the National Council of Churches earlier in that month (November 1955) gave the "valid insights" into

⁴² "White House Conference on Education—Four Reports," Sec. III by John Slawson, *Religious Education*, LI (January—February, 1956), 12. After this cited as *WHCE*.

the problem, since it "grappled with more basic and with more difficult problems" (ibid., p. 7).

This conference, held in St. Louis, urged religious teaching in the public schools. In teaching the fundamentals of religious principles, however, the public school system must be maintained, it said, as the "bulwark of our heritage and freedom." The "separation-of-church-and-state tradition" was also urged. Another study group at this conference was concerned that "we do not lose the respect and appreciation for the wisdom, power, and love of God which undergirds the life of any people . . . but continue our dedication to make our nation an instrument of righteousness and freedom."⁴³ "Religious truth" was labeled "as a part of the American heritage of truth," and it was stated that this "should be included in education wherever relevant to public school instruction." Among some of the other points which were regarded as desirable for inclusion in instruction in public schools were these:

"The child is a creature of God and responsible to God for all his acts, the child has a right to the fullest development of his capacities, the individual conscience and faith of each individual should be respected, and the community of man results from man's brotherhood in God. 'As Christians we have the responsibility of bringing public schools' philosophy in line with this statement,' the group . . . declared."⁴⁴

The advocates of the teaching of moral and spiritual values in the schools of the state have claimed that the word "spiritual" need not be equated with "religious." Brubacher (as cited by Dawson) will assert, for one, that the term should be used in a broad sense, "that spiritual values may also have to do with qualities characteristic of the good life in a democratic community, such as co-operation, self-denial, tenacity of purpose, self-sacrifice, charity, sense of duty, loyalty, justice, freedom, sensitivity

⁴³ St. Louis *Post-Dispatch*, November 9, 1955, p. 3B, column 3. The chairman of the conference was Jordan Larson, superintendent of schools, Mount Vernon, N. Y., chairman of the Department of Religion and Public Education of the NCCUSA and past president of the Association of American School Administrators.

⁴⁴ Ibid., November 8, 1955, p. 3B, column 6; *Church and State*, VIII (December 1955), 4.

to beauty, creative thought, and sharing in a common cause.”⁴⁵ Religion is largely equated with morality, and seemingly it makes little difference whether the Spirit of God or the democratic spirit impels the action. There are, of course, those who will say that spiritual values must be limited and defined in theological terms. Others deny that moral and spiritual values must be bound up with divine authority.⁴⁶ To them spiritual values are, for instance, respect for persons, increasing individual self-directiveness, loyalty to democratic group life, and growing aesthetic sensitivities and enjoyments.⁴⁷ An agreement on “truth and intelligence, human dignity, freedom, brotherly love, and the absolute value of moral good,” common values in a representative school, should pave the way for the teaching of moral and spiritual values. “Moreover, despite divergent beliefs and ultimate sanctions for moral and spiritual values, one can discern a high degree of agreement on values at the level of conduct or at the level of action, i. e., in those desirable acts that are expressive of moral and spiritual values. In this light, we therefore affirm the right of the public school to teach moral and spiritual values on the basis of human reason and experience without recourse to supernatural authority.”⁴⁸

The common good, the welfare of society, patriotism, morality, and ethics or religion present the point of view from which the teaching of moral and spiritual values in the public schools is advocated. Sometimes the teaching of religion or about religion is advocated. Terms are not always defined. Also *Advance* (“Information for Church Workers,” published by The Lutheran Church—Missouri Synod) has endorsed the teaching of religion in the public schools.

The topic of religion in the public school is one that merits attention by every Christian congregation. More than 65 per cent of our elementary school children and perhaps 90 per cent of our

⁴⁵ John S. Brubacher, *The Public Schools and Spiritual Values*, as cited without page reference by Joseph Martin Dawson, *Separate Church and State Now* (New York: Richard R. Smith, 1948), p. 66.

⁴⁶ Cheong Lum, George Kagehiro, and Edwin Larm, “Some Thoughts on Moral and Spiritual Values and the Secular School,” *Progressive Education*, XXX (April 1953), in Ehlers, *Crucial Issues in Education*, p. 137.

⁴⁷ *Ibid.*, pp. 140—141.

⁴⁸ *Ibid.*, p. 145.

high school youth are attending public schools. Emphasis on moral and spiritual values in the public school program is important. While the public school is forbidden by law to teach for commitment any doctrine of particular churches, it is to our advantage that the public schools make the largest possible provision for teaching about religion and emphasize the values of religion.⁴⁹

This pragmatic argument demands closer examination.

A basic difficulty in almost every approach to this question of religion in the public schools is the failure to examine the functions of the institutions in society; the readiness to make *all* institutions serve the state is an added difficulty.

What is the function of government, particularly insofar as the moralistic aim of education is concerned? Government has been established by God and designated as His servant "unto thee for good."⁵⁰ This "good" includes the Christian's welfare and the welfare of his fellow citizens. His economic and social and civic welfare are included, but not his spiritual welfare. It is the function of government to provide favorable conditions for the exercise of religion and morality. Therefore the Christian should pray for kings and for all in authority "that we may lead a quiet and peaceable life in all godliness and honesty."⁵¹ It is by righteousness that the throne is established (Prov. 25:5). Instability of governments and the resulting lack of civic well-being are due to the sins of a land (Prov. 28:2). "By the blessing of the upright the city is exalted, but it is overthrown by the mouth of the wicked" (Prov. 11:11, KJ). The functions of government are not merely protective, nor are governments carrying out their full duty when they merely punish the wicked and the lawbreakers. "Righteousness exalteth a nation, but sin is a reproach to any people" (Prov. 14:34, KJ). The state makes group life possible by protecting,

⁴⁹ "Jottings for the Board Meeting," *Advance*, III (February 1956), 25—26.

⁵⁰ Rom. 13:4, KJ. ". . . he is God's servant for your good" (RSV). "The officer is God's servant for your protection," is the way Phillips translated it. J. B. Phillips, *Letters to Young Churches* (New York: The Macmillan Co., c. 1947), p. 29. ". . . they are God's agents to do you good," Edgar J. Goodspeed translates (Chicago: University of Chicago Press, c. 1923), p. 307.

⁵¹ 1 Tim. 2:2: ". . . that we may lead a quiet and peaceable life (KJ); "godly and respectful in every way" (RSV). ". . . that we may live tranquil, quiet lives, with perfect piety and probity" (Goodspeed, p. 391).

regulating, and guiding. The functions of government in a permissive sense may include a positive program of inculcating civic righteousness, morality; they do not include the teaching of religion.

Pittenger has voiced his fears about the religious training being given in the Armed Forces. 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." He refers to Paul Hutchison's *The New Leviathan*, which demonstrated the encroachments of governmental functions on religious agencies. John Dewey's *A Common Faith* found the root of all particular religions "in a spiritually motivated democratic faith, which makes good citizenship the goal, and civic responsibility the means to that goal." There is need, indeed, to teach humane and democratic values, but the teaching of religion "cannot safely be put into the hands of *any* governmental agency."⁵²

The program of morality and ethics, civic righteousness, which the government may teach in its schools (and other institutions) should not be made to depend on religious beliefs. The sanctions to be employed are: self-interest, social approval, community pride, patriotism, altruism, humanitarianism, and praise from the government. Citations and medals and honors and recognition are to be used by government on every level to encourage civic righteousness. Certificates for sane driving, ribbons for good conduct, plaques for meritorious service to the state — even the Russian communists have learned the value of these devices — should be part of the program for furthering the moral welfare of the state. Scripture says to the citizen: "Do that which is good, and thou shalt have praise of the same."⁵³ By the same

⁵² W. Norman Pittenger, "Religious Instruction for the Armed Forces." *Liberty*, XLIII (Fourth Quarter 1948), 14—15.

⁵³ Rom. 13:3, KJ. ". . . do what is good, and you will receive his approval" (RSV). "If you want to have no fear of the authorities, do right, and they will commend you for it" (Goodspeed, p. 307). "If you want to avoid this anxiety, just lead a law-abiding life, and all that can come your way is a word of approval" (Phillips, p. 29).

token Scripture says to the government: "If the citizen does that which is good, thou shalt give him praise." Scripture, however, does not command the government to teach religion or to use religion as a sanction for promoting morality. The state should appeal to its citizens to live righteously, and it *may teach* its citizens to live righteously, that they may receive the approbation of their fellow men and of their rulers. It may not ask them to do so for God's sake, nor for the welfare of their souls, nor for the welfare of the souls of their fellow men.

May the state teach *about* religion? It can hardly be avoided. In history and sociology and literature and art the teaching about religion will occur. If the state may teach its citizens these areas, then teaching about religion will be included. That such teaching must be objective, factual, and informative — insofar as it can be — is the ideal which the servants of the state in the teaching profession must ever strive to attain.

Moral values may be taught in the public schools of America; they should be promoted consciously by the government (local, state, and national) for the sake of civic righteousness and the common good. In these schools pupils may be taught about religion; it is not the function of the state nor of state schools to teach religion.

Martin Luther has emphasized the restricted role of government in a characteristic comment on Ps. 2:7. He compared temporal rulers to lictors or hangmen of God. Then he said:

Their own duty is, therefore, not to teach, because they 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.⁵⁴

The church dare not delegate to the state its duty or function of teaching. The child of God must know the truth of the Savior's warning to His disciples: "For I say unto you, That except your righteousness shall exceed the righteousness of the scribes and Pharisees, ye shall in no case enter into the kingdom of heaven" (Matt. 5:20, KJ). The material blessings which the state, as "a servant of God unto thee for good," should advance are not the first concern nor the motivating force in the life of the citizen of heaven. He seeks first the kingdom of God and His righteousness (Matt. 6:33). The man of God, who follows after righteousness, godliness, faith, love, patience, meekness (1 Tim. 6:11), who denies ungodliness and worldly lusts, living soberly, righteously, and godly in this present world (Titus 2:12), knows that these behavior patterns, together with love, joy, peace, long-suffering, gentleness, goodness, faith, meekness, temperance (Gal. 5:22-23), are fruits of the Spirit of God. It is the church—not the state—that must teach: "For by grace are ye saved through faith; and that not of yourselves. It is the gift of God, not of works, lest any man should boast. For we are His workmanship, created in Christ Jesus unto good works, which God hath before ordained that we should walk in them" (Eph. 2:8-10). The church and not the state must suffer, as did Paul, the pangs of childbirth, that the life and mind of Christ be formed in the believer (Gal. 4:19). *Therefore the children of the church should be taught Christ's righteousness in the schools of the church, fashioned in the mind and life of Christ.*

Any attempt on the part of public schools and public education to foster the fellowship of believers and the community of saints would violate not only the principle of separation of church and state but also would be undertaking the impossible. Communities no longer consist primarily of the people of God. Winthrop S. Hudson writes:

The objective of the Sunday School used to be defined as "the conversion of the scholar and the growth in grace of the young

⁵⁴ *Luther's Works*, American edition, ed. Jaroslav Pelikan (St. Louis: Concordia Publishing House, 1955), XII, 41—42.

convert." Such an objective is quite impossible within the framework of the public schools, and yet such a revolution in our ultimate values and goals is precisely the thing we so desperately need. Furthermore, from the religious point of view, the redeemed life must also be a shared life within the sustaining fellowship of the church, but the public schools are public and not church schools. Consequently, they are not organized in such a way as readily to relate a "young convert" to the churches.⁵⁵

The public school in the teaching of "moral and spiritual values" cannot treat the believer as a member of the church, as belonging to God's people, as a branch in the Vine, as a coheir in God's family, as a fellow citizen in the household of saints.

The child of God is to "grow in grace, and in the knowledge of our Lord and Savior Jesus Christ" (2 Peter 3:18, KJ). The need of the Christian child to go beyond the simple fundamentals of the Christian religion cannot be met in the schools of the state, especially not by teaching "about religion." Nor does it belong to the functions of the state to promote the spiritual growth of the child of God in the communion of saints. Christ did not ascend into heaven to obtain princes and presidents and bureaucrats for the "general welfare." The gifts He won thereby were won for the church. "His gifts were made that Christians might be properly equipped for their service, that the whole Body might be built up until the time comes when, in the unity of common faith and common knowledge of the Son of God, we arrive at a real maturity—that measure of development which is meant by 'the fullness of Christ'" (Eph. 4:13, trans. Phillips).

Further questions might be raised regarding the Christian's calling, or vocation. Is it the duty of the state—through guidance and counseling services—to help its citizens choose the calling for which they are best suited? Has the church the duty to point out the principles which should guide the heir of heaven in choosing and following an earthly vocation? Is the "common good" or the life in Christ the deciding factor (although they need not come into conflict)?

⁵⁵ Winthrop S. Hudson, *The Great Tradition of the American Churches* (New York: Harper & Bros., 1953), p. 22.

Amid a welter of questions and considerations the simple question of the function of the state in teaching moral and spiritual values becomes complicated. The questions have revolved around the teaching of religion in the public schools. The same questions might be raised regarding the functions of chaplains in legislative bodies, the Armed Services, penal institutions, or government hospitals. The answer must be given. To promote the common good the government may appoint and support men for the teaching of morality, for character-building, for moral rehabilitation, for the promotion of civic righteousness. It is not the proper function of the state to teach religion, whether it be in schools, or in hospitals, or in military camps, or in prisons.

It might be argued that many of these people are wards of the government, that the government is acting *in loco parentis*, and therefore should teach them religion. Again, it might be argued that the government is enlisting the help of the church in the only way which is feasible in untoward circumstances. Luther, for instance, had to rely on the princes as *Notbischöfe*.⁵⁶

Ressel has pointed out the dual representation of the chaplain in the Armed Forces.

Let us state the *dual institution* of the military chaplaincy from the chaplain's viewpoint. Through the President and intermediary commanders I have received only *military* authority, and only that which I need to perform my duties as military chaplain. But the ultimate source of this military authority, under God, is the American people. Through my Church I have received only the spiritual authority to exercise the Office of the Keys. But the ultimate authority of this *spiritual* authority is Our Lord Jesus Christ. . . . In a free country, with a free church, these authorities do not conflict.⁵⁷

By giving free reign to chaplains in their doctrinal expressions and ecclesiastical practices the state is minimizing its role in promoting religion. It is allowing men to be active as servants of the church while they are servants of the state. Politics and economics, law and magistrates and officers, are not in themselves to be con-

⁵⁶ Lewis W. Spitz, "Luther's Ecclesiology and His Concept of the Prince as 'Notbischof,'" *Church History*, XXIV (June 1953), 113 f.

⁵⁷ Chaplain Delvin E. Ressel (Lt. Col.), "The Church's Opportunities in the Military Chaplaincy," *The Lutheran Chaplain*, XVI (June 1955), 9.

demned; a complicated practical problem cannot be solved by a slogan ("separation of church and state"). In his preface to the tract *Von weltlicher Obrigkeit* Luther indicated that there might be a close co-ordination between the church and the state without the usurping of functions by one or the other. He said: "I hope to instruct the . . . secular authorities in such a way that they shall remain Christians and that Christ shall remain Lord, yet so that Christ's commandments need not for their sake be changed into 'counsels.'" ⁵⁸ In speaking of civil righteousness (*iustitia civilis*) and the righteousness of God, he said, "God is the Author of both kinds of righteousness." ⁵⁹

In a letter to Edward Livingstone on July 10, 1822, James Madison voiced his pleasure over the view the latter had taken "of the immunity of religion from civil jurisdiction in every case where it does not trespass on private rights or the public peace." ⁶⁰ He was willing to do without chaplains in the Army and Navy rather than to "erect them into a political authority in matters of religion." ⁶¹ In the military service or in the schools the functions of the state can be delineated; the functions of the church, too, are clear. It remains for governmental officials, educators, and churchmen to gain a clear comprehension of this distinction of functions.

Peter F. Drucker, writing in *Review of Politics*, published by Notre Dame University, states: "The unique relationship between religion, the state and society is perhaps the most fundamental . . . feature of American religious as well as American political life."

⁵⁸ As quoted by Rupp, *Righteousness of God*, p. 295.

⁵⁹ Ibid., p. 300. Rupp also said (p. 296): "Luther, as Tornvall has demonstrated, teaches that 'iustitia civilis' is a real righteousness and genuinely related to God's own righteousness in Christ, even though our human apprehension of this righteousness is imperfect and vitiated by sin."

⁶⁰ *American State Papers and Related Documents on Freedom in Religion*, 4th rev. ed. (Washington: Religious Liberty Association, 1949), p. 192. Italics mine.

⁶¹ As quoted by Leo Pfeffer, *Church, State and Freedom* (Boston: Beacon Press, 1953), p. 217. — In Minneapolis Frank C. Hughes sued to prevent payment of salaries to chaplains in the Armed Services, charging that the Government was thereby supporting religion. Robert Tate Allan's *Washington Religious Report*, No. 122 (Oct. 30, 1955), p. 4. "Chaplaincies and Church-State Problems," *Liberty*, LI (Second Quarter 1956), 24—25. See also *ibid.*, p. 31. Hughes' suit was dismissed by Federal Judge Edward A. Tamm.

He believes that "it is basic to the American creed 'that a society can only be religious if religion and the state are radically separated, and that the state can only be free if society is basically a religious society.' The state can favor no one religious group, but at the same time it must 'sponsor, protect, and favor religious life in general.' " ⁶² This is the cultural climate in which this distinction of functions must be observed.

St. Louis, Mo.

WOMEN PASTORS IN NORWAY

The *Ev.-Luth. Kirchenzeitung* (July 15, 1956) reports that although Norway has granted the privilege of ordination and the pastoral ministry to women who have finished their theological studies and passed their examination, yet until that time no woman had made use of this right. While two Norwegian bishops did not oppose the new law of the Parliament, seven very frankly and sharply spoke against it. What incensed many, in particular, was the action of the Parliament which declared unconstitutional a law that gave the congregations the right to decline women pastors. The Parliament went counter to the advice of the two theological faculties of Norway and against that of seven of the nine bishops. Bishop Skard declared that the new law will promote the movement of separation of church and state. Director Carl Fredrik Wisloeff of the free faculty called the decision of the Parliament an encroachment of the state upon the rights of the church. The leader of the Christian People's Party, Erling Wikborg, said that the majority of Norwegian Christians are opposed to the ordination of women for the pastoral office and that their opposition is based both on Scripture and on the tradition of the church. He, moreover, declared that the Parliament's attempt to force women pastors on congregations constitutes a violation of the freedom of conscience which they enjoy. Under these circumstances no woman so far has had the courage to ask to be appointed as pastor of a congregation.

JOHN THEODORE MUELLER

⁶² As quoted in *Time*, July 16, 1956, p. 56.