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**Wisdom in Defeat – Prayer in Public Schools!**

**WOULD LEGAL ENACTMENTS** to allow prayer in public schools meet Biblically-inspired concerns of Christians? The generally favorable support from Christians and the potential to restore the original intent of the First Amendment points to a 'yes' answer. However, Biblical teachings suggest that Christians should make the essence of the Amendment applicable to all religious persuasions and not just to their own. In the end, the difficulty, if not heightened impossibility, of having Biblically appropriate practices in a pluralistic public school establishment is confronted, and an alternative recommendation is proposed.

**Keywords:** public school, prayer, law, pluralism.

For approximately the last 40 years, the United States has experienced a concerted effort to return organized prayer to public schools. Paradoxically, proponents and opponents of public school prayer both base their arguments on rights of religious conscience. Proponents claim that civil government has no authority to interfere with citizens' rights to pray. Opponents claim that permitting prayer in government-run schools constitutes wrongful support of religion.

The return of organized prayer to public schools is a move that many conservatives, and particularly Christians, feel is long overdue. What was generally an indigenous practice for most of U.S. history and what has been the continuous and still on-going practice at the opening of U.S. Supreme Court sessions must rightfully be returned to the schools, say these proponents. A nation whose motto is 'In God We Trust' should do no less! True religious freedom, in fact, would never countenance governmental prohibitions against prayer particularly in a nation expressly founded on the principle that civil government should have no control over religious practices. The belief is that major cultural indicators such as divorce, crime, and declining achievement scores will turn positive when prayer (i.e., Christian prayer) is reinstated, just as they turned markedly negative when prayer was prohibited.

On the other hand, the 1962 landmark decision by the U.S. Supreme Court prohibiting school prayers (*Engel v. Vitale*) followed closely in 1963 by two

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related decisions (Abington School District v. Schempp, Murray v. Curlett) were based directly on the First Amendment to the U.S. Constitution that prohibits government establishment of religion and, by implication, religious practices. A significant perspective undergirding such decisions is that school-sponsored prayer is a remnant of government hierarchy over religion from which the settlers escaped and for which the colonists sacrificed dearly. Culturally, there is more to be lost than gained, say the opponents, when civil government has authority to exercise control over matters of religious conscience. Accordingly, school prayer opponents vigorously guard against what they perceive as violations of the First Amendment and thus of the entire span of religious protections.

With the recent (1998) defeat of the Religious Freedom Amendment by the U.S. House of Representatives, the question remains as to what form the prayer restitution strategy will take next. Just recently, Congress defeated a bill recommending – not requiring – a national day of prayer and fasting in response to school tragedies as in Littleton, Colorado. As an alternative example, the Commonwealth of Virginia now has a law (effective July 1, 2000) that requires all public schools to begin each day with a moment of silence (the law it replaces made the moment of silence optional) wherein students may 'meditate, pray, or engage in any other silent activity which does not interfere with ... other pupils'. Following suit, the American Civil Liberties Union (ACLU) quickly filed to overturn this new law as a violation of the constitutional separation of church and state.

A Lesson in Defeat?

Interpretations of the U.S. Constitution and its Amendments aside, the issue of prayer in public school directly confronts the general place of religion in government-run schools as practiced even worldwide. For all their well-intentioned purposes, government-sponsored religions and religious practices have a high potential to violate religious freedoms as history has amply demonstrated. Yet as many proponents and opponents would agree, a society without some form of instructed morality cannot long prosper. No longer living in the age of Bible-endorsed theocracies, we do well to inquire how to live true to Bible directives (e.g., to pray) without governmental mandates to that end!

From the belief that God uses all circumstances for good (Romans 8:28), it seems wise to inquire if the failure of these on-going prayer efforts carries a divine message for His people. There is ample scriptural precedent to indicate that defeat is one way God redirects His people even in their supposed, albeit misguided, obedience to Him. For instance, disaster came from God when King David transported the Ark, with godly purpose, the wrong way (11 Samuel 6:6-8). Similarly, God defeated Paul's plans to go to Asia Minor to spread the Gospel because He had other plans (Acts 16:7). The relevant question then is, Does God want to redirect His people on the issue of prayer in public school? Accordingly, are there universally applicable lessons to be learned from these relevant events in the U.S.?

Common sense suggests that the removal of organized, school-sponsored prayer is not the full reason, as some suppose, that the United States and its
public schools have deteriorated drastically in recent years. To say that the failure of children to pray brings on disaster implies that their prayers, before being prohibited, were specifically directed against such disasters. It is indeed a strange view of God’s character to suggest He would ordain that children reap negative consequences like low achievement scores, family breakups, and school violence in return for their Biblically-consistent obedience to those in authority. Furthermore, since children are still generally free to pray on their own, presence or absence of prayer is likely not the prime issue regarding the cause of public school-related problems. In fact, there probably is substantial truth to the witticism that prayer will occur in schools as long as there are tests in schools. Children, their parents, and their teachers would probably pray even more fervently and more specifically as conditions in schools gradually worsen.

Perhaps the deterioration in public schools results not so much from the lack of prayer on the part of the students as it does from the official turning from prayer on the part of school authorities. However, this perspective is also somewhat problematic in that it assumes that, prior to the stoppage of official school prayers, God honored the forcing of non-Christian children in the pluralistic setting of public schools to pray against either their own or their parent’s consciences. Perhaps the deterioration occurs via actions correlative to the removal of sanctioned prayer, such as the general obliviousness of Christian parents to this official removal of a significant biblical foundation of education. It may be that the problem is ultimately rooted in Christian parental irresponsibility vis-à-vis the turning of their children from honoring God and from officially invoking His presence in the classroom. This perplexing matter of a potentially deeper meaning of prohibited school prayer and its lessons for Christianity is that to which we now turn.

**Historical Support for School Prayer**

Declarations by the U.S. Supreme Court in 1892 (*Church of The Holy Trinity v. United States*) that the U.S. is ‘a Christian nation’ and in 1931 (*United States v. Macintosh*) that Americans are ‘a Christian people’ are typically perceived by prayer proponents as historic justification that schools should have Christian prayer. Earlier and even more foundational evidence supportive of the claim that this country was founded as a Christian nation is used to argue that, by extension, prayers are an integral part of our public life. For instance, the early colonists uniformly declared that the United States was God’s chosen nation. Consider John Adam’s statement, ‘I always consider the settlement of America as the opening of a grand scheme and design in Providence for the illumination of the ignorant and emancipation of the slavish part of mankind all over the earth’.³ Early official documents communicated the same sentiment. The First Charter of Virginia (1606) reads ‘... by the Providence of Almighty God, hereafter tend to the Glory of his Divine Majesty, in propagating of Christian Religion ...’.⁴ Daniel Webster’s statement of 1857 that ‘The last hopes of mankind ... rest

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with us reflects the ongoing belief that the early Americans generally regarded themselves as God's chosen people for the redemption of the world.

Accordingly, education even into this current century was often based in a Protestant Christian religious context. For instance, the 1780 Constitution of Massachusetts authorized the 'support and maintenance of public Protestant teachers of piety, religion, and morality ...'. The 1787 Northwest Ordinance stated, 'Religion, morality and knowledge being necessary to good government and happiness of mankind, schools and the means of education shall forever be encouraged'. Similarly, the law of Maine in 1923 authorized religious instruction in schools 'to ensure greater security in the faith of our fathers, to inculcate into the lives of the rising generation the spiritual values necessary to the well-being of our and future generations'.

Bible reading and prayer in public schools were a natural part of this religious orientation. Most interestingly, laws to this effect existed and were even passed much later than the 1791 passage of the diversely interpreted First Amendment. By 1903, ten states legally prescribed Bible reading and between the years 1913 and 1930 eleven states plus Washington, D.C., passed laws requiring the Bible to be read in public school classrooms. Also, by 1903 four-fifths of the state and city schools across the country required daily chapel.

The courts were even in concert with such arrangements. For instance, in 1884, the Iowa Supreme Court upheld the legality of forbidding the Bible from being excluded from public schools. In 1904 the Kansas Supreme Court upheld Bible reading and saying of the Lord's prayer in school declaring, 'The noblest ideals of moral character are found in the Bible ... To emulate these is the supreme conception of citizenship', and in 1905, the Kentucky Supreme Court turned down a request to have the Bible and prayers removed from school activities.

Compelling as these arguments of historical precedent are, they likely will not, and in fact should not, be used to win the prayer argument. That is, arguments based on historical precedent uncritically presume upon the veracity of the precedent. As a result, historical precedent can be used to promote unsuspected wrongs. The bottom line of the entire matter for America's citizens is in the meaning of the First Amendment. In fact, the above examples only serve to demonstrate that courts of fallible individuals (as we all are) can misinterpret and even deliver contradictory opinions. The matter is all the more problematic

in that such decisions occurred after the First Amendment was installed to mediate against this confusion.

First Amendment Concerns

Examining the First Amendment in more detail reveals that it is currently being used to arrive at decisions that are exactly contrary to the Amendment's original purpose. While its original purpose was to keep the federal government from interfering with religious matters, it now directly interferes as the school prayer issue pointedly reveals. History records that Madison, the originating author of the Amendment, saw no need for the Amendment since the federal government under the Constitution had no authority to 'intermeddle with religion'. Yet on the recommendation of others and most notably his friend, Thomas Jefferson, he proposed the Amendment at the request of various state governments so that there was no misunderstanding on the matter. Jefferson obviously also thought that the federal government should have no control over religion or religious practices. However, Jefferson's now-popular 'wall of separation of church and state' phrase is lifted entirely out of context to allow and even promote federal control over religious practices in public life. In actuality, Jefferson's phrase comes not out of any official document but rather from his reply to a letter from a Baptist organization in Connecticut. In context, he was saying that there was no way under the guidelines of the First Amendment that he could interfere with the laws of Connecticut to free them from state-sponsored religious discrimination. This theme is reiterated in other addresses of Jefferson including his second Inaugural Address of 1805: 'In matters of religion, I have considered that its free exercise is placed by the Constitution independent of the powers of the general [federal] government. I have, therefore, undertaken, on no occasion, to prescribe the religious exercises suited to it; but have left them, as the Constitution found them, under the direction and discipline of the state or church authorities acknowledged by the several religious societies'.

If there is a lesson to be learned from the above accounts, it is that government should not be viewed as the originator of inalienable rights but rather the protector, albeit imperfectly, of such rights. In this sense, even if a prayer amendment was approved, or conversely, if the Court's recent restrictive decisions were rescinded, the tension between competing interests lives on. (The very fact that what the Constitution never allowed and the First Amendment

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specifically prohibited is happening anyway is strong evidence that the price of liberty is eternal vigilance.)

Questionable Precedents

In examining the circumstances behind the various attempts to gain religious freedom, it would seem that the First Amendment did not actually accomplish its deepest purpose even before the protested 1962 precedent of keeping prayer out of public schools.

The paradox of colonial America was that, while the colonists fled religious persecution to attain religious freedom, they were relatively intolerant of extending that freedom to others outside of their own denomination. A number of early colonies and even states had official religions that deprived those of other beliefs full religious freedom. That was one of the things the Baptists of Connecticut complained about to President Thomas Jefferson. It was against the Anglican establishment of Virginia that Jefferson, Madison and others similarly fought to obtain full religious freedom for all. Madison's famed 'Memorial and Remonstrance' of 1785 was an argument against taxing all Virginians to support teachers of only one denomination, even his own, for numerous reasons, two of which are relevant to our current situation. First, he held 'that the same authority which can establish Christianity, in exclusion of all other Religions, may establish with the same ease any particular sect of Christians, in exclusion of all other Sects'. Secondly, and most importantly, all men are entitled to their religious beliefs, and 'we cannot deny an equal freedom to those whose minds have not yet yielded to the evidence which has convinced us'. It is in this spirit of allowing each person equal rights of religion that the First Amendment religious provision was written. As Madison so insightfully noted, history has amply demonstrated that when religion has been able to employ the coercive power of civil government, the rights and particularly the religious rights of all other religious persuasions have suffered untold misery and persecution. By contrast, Madison suggests that it is because of the sacrifice of Jesus Christ that all humanity can be free of religious persecution. In this sense, the exercise of 'Christian forbearance, love and charity' is the best guarantee of equal rights for all citizens. In other words, Christians ought to be the ones least fearful of the effects of leveling every obstacle, notably religious persecution and favoritism, that stands against the ultimate triumph of Truth. Christians, Madison says, should be the ones most able to hold forth an asylum for the persecuted rather than being an instrument of persecution.

Yet the policies, practices and laws of post-First Amendment America that, until recently, promoted Christianity in the public schools over all other religious belief systems often perpetuated exactly what the First Amendment was intended to prevent. Those who did not subscribe to Christian prayers found themselves in the same position prior to the 1962 prayer prohibition in which Christians found themselves after 1962. That is, officially endorsed and promoted Christian prayer, devotions, etc., are as offensive to the non-believer as the prohibition against such activities is to the believer. The legal compulsion, as in the 1850's, behind requiring students to read from the Bible even against
the religious convictions of their conscience\(^\text{16}\) was as offensive to the non-Protestant as was to Protestants the legal mandate in 1983 behind requiring children to read from books that offend their religious consciences (\textit{Mozert v. Hawkins County Board of Education}). Just as Madison noted over 200 years ago, those who can establish Christianity to the exclusion of other beliefs, can establish with ease any other belief system.

**Biblical Perspective**

The point of all this is to say, as Madison did in his 'Memorial and Remonstrance', that Christians should be the first to extend to others the same rights and privileges they want for themselves. Jesus said that a key essence of Christianity is found in the Biblical Golden Rule: 'whatever you want men to do to you, do also to them' (Matthew 7:12). The story of the Good Samaritan (Luke 10:29-36), and the Scriptural advice regarding loving others (e.g., Matthew 22:39; Romans 12:9-21; I Corinthians 13:1-8) represent only a sampling of scriptural support for this disposition. Certainly however, these scripture verses are qualified or are conditioned by Biblical standards. They do not, for instance, allow sociopaths to do unto society as they might perversely have society do unto them. Accordingly, the Golden Rule cannot be used to promote ungodly practices in public schools or anywhere else for that matter. The protection against coerced religious conscience is, however, a right or privilege that assumedly would be within God's standard of righteousness, and thus falls within the intent of the above Biblical passages. Thus, one application of the Golden Rule of Christianity to education means that protection from coerced religious practices that Christians want in public schools must equally be provided for every other religious persuasion represented in each school or classroom.

To this point, there is compatibility in orientation of the Biblical Golden Rule with the First Amendment to the U.S. Constitution. The First Amendment keeps the federal government from controlling religions and from hindering their free exercise, and the Golden Rule has Christians honoring this freedom from governmental coercion for any and all faiths. The same idea was expressed by Thomas Jefferson in saying that the 1786 Virginia Act for Establishing Religious Freedom was intended ‘to comprehend within the mantle of its protection, the Jew, and the Gentile, the Christian and Mohammedan, the Hindu, and Infidel of every denomination’.

Had the recently (1998) proposed prayer amendment to the U.S. Constitution passed, Christians would then be confronted with a Biblically related problem. That Religious Freedom Amendment resolution read, ‘Neither the United States nor any state shall establish any official religion, but the people's right to pray and to recognize their religious beliefs, heritage, or traditions on public property, including schools, shall not be infringed’. Under this language, the defensively-oriented protection \textit{from} religious coercions as guaranteed by the First Amendment is expanded to the proactively-oriented protection \textit{for} any and all religious practices. Not only would Christians have the right to

pray but so too, for example, would the Tibetan Buddhists, the Druze, the Deliverance Pentecostal, the Church of Satan, the Branch Davidians, and so on - whoever is represented in that student group. But this would seem to be only the beginning. The equivalents of celebrations of the birth (i.e., Christmas) and resurrection (i.e., Easter) of Christ must be allowed for all other groups. Whether this would eventually allow for anything so bizarre, for example, as one group's sacrificial offerings is not immediately clear, but neither is it too far removed from consideration, given the stretched boundaries of recent permissive thinking. While the proactively-oriented provision of that amendment would likely fall outside the righteous boundaries of the Golden Rule, the amendment, as a civil legal act, would still expect Christian obedience – certainly an untenable position.

The Real Issue

At this point, Christians are seemingly in a bind. Obedience to Christ's Golden Rule suggests that public schools are not the place to secure the religious atmosphere that Christians want for their children. Even if the U.S. Supreme Court rescinded its prohibitions against school prayer, the equal protection of religious conscience is still mandated by the First Amendment. In fact, the Golden Rule expectation for Christians to promote equal rights against religious coercion for all, and not just for themselves, would likely result in the total removal of all things religious, placing the resultant educational practices directly in conflict with the Biblical mandate to raise up children in only godly ways (cf. Deuteronomy 6:7; Ephesians 6:4). So while the Golden Rule and the First Amendment are compatible in protection from coerced religious conscience, they generate Biblically-inappropriate practical consequences. As if this is not enough, the proposed prayer amendment all the more drives home the real issue for Christians by requiring protection of all religious rights for all faiths. The issue is that while Christians are commanded by God to raise their children as He directs, the legal protection of all faith's freedoms disallows an exclusive Biblically-consistent education in public schools. The Amendment's proactive guarantees would likely result in the establishment of multitudinous religious activities and practices. In subjecting their children to these consequences of protected religious freedoms and, by extension, religiously motivated world-view persuasions in public schools, Christians will violate the biblical admonition to raise their children as unto Him.

As suggested earlier, it seems that God is using this dilemma to awaken His people to the impossibility of simultaneously accomplishing Biblical Golden Rule expectations and/or civil religious guarantees and Biblical education directives via public education. This dilemma poignantly confronts the reality that Christians cannot fulfill the raising up of their children in a system either where all parents should have an equal right to have their children protected from objectionable religious perspectives or where other children have the right to practice religious views offensive to Christianity.

The implications of an equal-rights prayer provision, whatever the means of its becoming a reality, point to the necessity for Christians to ensure their children are schooled where they can be raised consistent with their religious con-
victions. But it would seem that to fight this battle ultimately means to fight it on behalf of all citizens' religious persuasions and not just for Christians alone.

By extension, whereas tax dollars currently go to schools that prohibit a Christian doctrine (e.g., creationism) but support its secular alternative (i.e., evolutionism), this must be changed so that either all or no schools receive tax dollar support. After all, the promotion of one religious belief (e.g., secularism) that stands in the place of others (e.g., Christianity, Judaism) is the promotion of a religious orientation. Moral teachings abhor a vacuum—they always occur in some religious context. In fact, this issue of discriminatory tax money may be a far more central pursuit than the school prayer amendment. Tax monies for all, or conversely, for no schools would even make the prayer amendment a moot point. Each school, if on equal financial footing with all others, could have its own unopposed prayer as well as total religious orientation since it would be patronized primarily, if not exclusively, by those with harmonious beliefs. Equal privileges would be enjoyed by all and the government would promote no religious monopoly (e.g., Christianity, secular humanism).

**Common Ground**

Obviously, attempts to promote prayer in public schools open up more issues than are initially obvious. But God does expect Christians to take even these thoughts captive to Christ. Christians need to think this entire matter through consistent with His ways, rather than from some parochial perspective that works against being light to others. In his 'Memorial and Remonstrance', Madison claimed that Christianity appears 'in its greatest lustre ... [in] the ages prior to its incorporation with Civil policy'. When incorporated with civil government, the effect of ecclesiastical establishments on civil society has been such that 'in no instance have they been seen the guardians of the liberties of the people'. Here is a perfect opportunity for Christians to prove otherwise 'by neither invading the equal rights of any Sect, nor suffering any Sect to invade those of another'.

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