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Historical Background to Conflicts over Religion in Public Schools

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Conflict over how to accommodate religious convictions in public schools has become a familiar theme in the United States. While public schools—at least the good ones, the ones that are not wishy-washy—stand for a way of understanding the goals of education and thus of human life, they are not free to base that understanding on explicitly religious themes. This is by no means self-evident. For Horace Mann, “the Father of American public education,” it was beyond question that the school day should include reading from the Bible—passages that reflect his optimistic and moralistic Unitarianism, and intended to be universally acceptable. He and his allies were promoting the common good. He wrote in 1846, in order “to elevate mankind into the upper and purer regions of civilization, Christianity, and the worship of the true God (175). His religious critics, both Protestant and Catholic, charged that he was advocating an understanding of religion which had little to do with what they believed.

The First Amendment to the *Constitution* has been interpreted to forbid any level of government—including local public schools—engaging in or directly supporting religious practices. But even if that interpretation changed, it’s not at all clear that people for whom religion is very important would want a government agency deciding how those beliefs would be interpreted and taught. Nor would we want children from those of the school forced to choose between violating their consciences and being singled out by asking to be excused. Nor would it be important to see it trivialized as a way to quiet down a class, as has been suggested by some advocates of “school prayer.”

In short, the American government is required, for very good reasons, to be neutral between various religious beliefs, and also to be neutral between belief and non-belief. Schools operated directly by government must act in ways consistent with that requirement, and so must each of their teachers. They may not seek to promote any particular religious belief, *nor may they in any way promote secularism* (a way of understanding the world that is based on an idea of divine purpose or meaning) in preference to religion.

Schools operated by government, then, should not behave like a church or other religious institution; they should not ask their students to engage in religious practices. In a recent case, a federal judge ruled that a New York State school district had violated the rights of Christian fan

children cut out images of a Hindu god and build an altar and join in New Age prayers for an Earth Day ritual. “While reading the [Hindu] part of a neutral secular curriculum,” the judge pointed out, he could not find “any educational justification for telling young impressionable children to construct images of a known religious god.” Building the altar, he found, was “truly bizarre” in a public school (*New York Times* May 22nd 1998).

This does not mean that teachers should not mention religion, should not present in accurate ways the roles of religious belief and religion in American history and society, and should fail to mention religious motivations in discussions of how we should make decisions about sex and other issues. The Supreme Court has noted that it would be an inadequate education which did not give students an understanding of religion that has played in history and plays in our society. After all, as Justice Clark wrote for the majority in an important case,

one’s education is not complete without a study of comparative religion or the history of religion and its relationship to the development of our civilization. It certainly may be said that the Bible is worthy of study for its literary and historic qualities. Nothing we have said here detracts from such study of the Bible or of religion, when presented objectively as part of a secular program of education, may not be effected by the First Amendment (*Abington v. Schempp* (374 U.S. 203 (1963))).

One of the most liberal justices pointed out, in the same case,

The holding of the Court today plainly does not foreclose teaching about the Holy Scriptures or about the differences between religions in classes in literature or history. Indeed, it would be impossible to teach meaningfully many subjects in the social sciences or the humanities without some mention of religion. To what extent, and at what points in the curriculum, religious materials should be cited are matters which ought to be entrusted very largely to the experienced officials who superintend our Nation’s public schools. They are experts in such matters. [Justice Brennan, concurring]

Unfortunately, most public schools *have* been guilty of what can only be called a cowardly avoidance of this aspect of life. For example, that most textbooks never mentioned that Martin Luther King, Jr. was a minister, or that religion played a fundamental role in the Free Speech Movement of the 1960s. There was no mention, in discussions of current American society, of evangelist Billy Graham, who has consistently been one of the most influential Americans for the last 30 years, or of the fact that more Americans attend religious services each week than attend professional sports in a given week.

It’s entirely possible to teach about religion as a social reality, and about the scriptures of different religious groups, without seeking to favor any particular faith. That has been done in public schools, and good curriculum and materials exist to support teachers who do so in an objective way. But few do, nor is there room for that in the curricula of most schools. Until curriculum standards and textbooks change—something that will not happen—we cannot expect much better.

Many parents believe that the public schools are hostile to religion. I think those parents are wrong—‘willfully neglectful’ would be a more accurate description. I can understand their reaction. And this reaction has contributed to undermining support for the public schools, and to surrounding them with hostility. Leading educators, in turn, do not hesitate to describe Christian organizations as “the enemy.” I think that such educators are wrong, and I can understand why they find it so difficult to hear what their critics are saying.

In some other Western democracies, like the United Kingdom, Italy and Germany, religious instruction is provided as part of the national curriculum program, with students or their parents allowed some choice among Protestant, Catholic, and other alternatives. In English schools, each school is required to include a daily act of worship “of a predominantly Christian character,” even in schools where most of the children are Muslim or Hindu.

In Germany, the issue of whether schools in Bavaria should be required—when parents objected—to remove the crucifixes traditionally hung in each classroom, and it required a ruling by the national Constitutional Court. More recently, the same court has ruled that Muslim teachers in public schools have a right to wear the *hijab* or scarf covering their hair, and this will have to be addressed by legislation. The issue seems to have been resolved in Germany, as the 2003-2004 school year started litigation over a crucifix in a public school classroom still pending. Devout Catholics were not necessarily those most opposed to the removal of crucifixes on demand of a parent who had converted to Islam. The issue is a convenient symbol of unwelcome societal changes resulting from immigration and from a rapidly evolving culture.

Whether to include the theory of evolution in state-mandated examinations caused a political crisis in the Netherlands in 1986. In the Netherlands, conservative Protestant *Reformatorsche* schools objected, and a characteristically Dutch compromise was reached. Compromise is rare in such controversies in the United States. Americans go to court (as in the current Pledge of Allegiance case) and winner takes all.

In France, the determination of hundreds of Muslim girls to wear the *hijab* or scarf covering their hair in school has divided opinions and seems no closer to resolution after fourteen years of controversy. Schools in the U.S., according to the Department of Education in 1998, “may not single out religious attire in general, or attire of a particular religion, for prohibition or regulation,” and the Bush administration on issues of religious freedom responded to the French proposal of a law to forbid wearing religious symbols in schools that “a fundamental principle of religious freedom that we work for in many countries of the world, including on this very issue of head scarves, is that all persons would be

religion and their beliefs peacefully, without government interference, as long as they are doing so without provocation and intimidation of

Considered comparatively, several questions suggest themselves to an American observer. Why, for example, is religion such a strong presence in public schools in Germany and England, while it is banned completely from public schools in the United States, a country where religious presence is much stronger? Why, given the strict secularity of public schools in the United States, are Muslim girls allowed to wear the *hijab*, while in others, it seems, it is not? Why, given the similar ‘republican’ tradition of schooling, is it a continuing source of controversy? Why have most Western democracies organized the education on a pluralistic basis—the Netherlands, Belgium, Northern Ireland, Australia, much of Canada—while in others, such as the United States, a system of government monopoly of the provision of public education is only beginning to change?

To begin to answer these and other questions, it will be useful to look to the period in the 19th century when universal public education was introduced in several countries, and also to the more recent period when each was forced to come to terms with a growing diversity of and conflict over values in the world and the goals of education.

France

If the Dutch have leaned over backwards to protect the rights of schools of distinctive character corresponding to the views of minority groups, the prevailing assumption is that social unity depends upon a common experience of schooling. The desire of some Muslim girls (voluntary in some countries, it seems) to cover their hair in class with an *hijab* has been widely interpreted as an impermissible intrusion of religion and culture into the public sphere. The Jacobin model of aggressively secular public education seeks to confine real human differences—including religious convictions—within the boundaries of a secular structure. This typically French “secular fundamentalism” fails to take into account the communities and beliefs by which people (not just governments) structure their lives.

“Secularism has demonstrated its intolerance,” said a young Muslim high school teacher in the wake of expulsions of *hijab*-wearing girls from schools in Lille; the time had come to demand public funding for separate Muslim schools, as in the Netherlands. The French Ministry of Education received applications from such schools, and it seems only a matter of time before some receive contracts and public funding.

The French government policy of directing schools to exclude girls who insist upon covering their hair with an *hijab* seems likely to have an opposite effect than intended: rather than promoting the integration and acculturation of immigrant pupils, it marginalizes them, accentuating how they are different. The *hijab* has become the preeminent symbol of Muslim rejection of the values of French society in general—precisely because it has been banned from schools. The president of the Conference of Catholic Bishops has predicted that the ban will have the effect of increasing separatism (*Le Point*, November 14, 2003).

Obsessive anticlericalism was a major theme of French political life throughout the 19th century and much of the 20th, often bringing together people who could agree on no other issue than their opposition to the influence of the Catholic Church. Popular schooling was the sphere where anticlericalism was expressed most strongly, and the strong growth of Catholic teaching congregations around 1850 caused grave concern in these circles. A common fear was that the education received in Catholic schools would make their pupils unfit to be citizens. In a celebrated formulation in 1822, General Foy said: “they will have received in these establishments, which are not national, an instruction which is not national, and thus these establishments will be the cause of dividing France into two youths (*deux jeunesses*)” (in Rémond 1985, 114). A generation later, influential Catholic layman Charles Moitte said: “two armies face to face, each of about thirty to forty thousand men: the army of teachers and the army of priests. The demoralizing army of teachers must be countered by the army of priests” (Ponteil, 230-31, 235).

It is in fact during this period that the term *laïque* (secular) began to be applied to a program of opposition to clerical influence. “Anticlericalism,” Rémond points out, “is not religious indifference, quite the contrary”; it is more a counter-religion than a non-religion. The term was first used around 1852 (Rémond 1985, 46, 0). Thus Arsène Meunier published a book entitled *Struggle of the Clerical Principle and the Secular Principle in Education* (1861), insisting that “the State is secular, and in consequence the instruction given in its name must be secular, and if that is not clear, we will say that it signifies for us that public education, without being irreligious, must forget all positive religion” (in Barbier, 1985, 28). (secularity) has been traced to 1871, in connection with a debate about schools.

Not that this *laïc* position was neutral with respect to the worldview to be promoted in public schools. The Republicans who shaped the last quarter of the 19th century “had all borrowed from [Auguste] Comte the idea that a *spiritual power* was necessary to establish order and order ended by joining the Freemasons . . . and all wanted to make the School and the University this new Church” (Nicolet 1982, 156-57). “For the Republicans, instruction and education—for the two are inseparable—were at the very base of the regeneration of humanity.” Their education was “all illusory questioning about prime causes or final ends, which absolutely excluded all transcendence” (Nicolet 1985, 28).

The first decade of the Third Republic was the high point of Masonic influence on public life and on education (as it was in contrast to Catholic opposition to this influence; Pope Leo XIII condemned the Masons, in 1884, as the “party of Satan.” While French Masons had been active earlier in the century, in 1876 the Grand Orient suppressed in their constitution all references to God or the existence of the soul (Reber

without significance that “throughout the Third Republic the Ministry of Public Instruction was traditionally occupied by Masons,” and in the Chambre de Députés were Masons (Ozouf and Ozouf, 219; Visse, 149). It is no exaggeration to say that “Masonry constituted the of the Republican party” in the Third Republic (Chevallier 1974, 550).

This led inescapably to conflict with the Catholic Church. “One does not understand the . . . republicans of the 19th century if one the anti-clerical struggle seemed to their eyes, as the result of a century of unhappy experiences, as the inevitable *precondition*, altho achieved, of all future progress: literally, as the *motor* of history.” It was a matter of achieving the moral unity of the nation, more im territorial or legal unity. All intermediate associations between the nation and the individual—apart from tightly-controlled local admir as an unacceptable threat to this unity. Even more challenging to the authority of the Republic was any form of transcendence which sugg of authority (Nicolet 1982, 273, 447, 484).

A law of March 1882 made elementary schooling obligatory and secular, specifically excluding from the curriculum the teaching o God.” The government sometimes showed a degree of flexibility in communities where parents were strongly insistent upon maintai religious character of local schools. A ministerial circular gave departmental officials “complete latitude to make allowances in this res; the population,” and some public schools continued to display the crucifix on classroom walls as late as 1906 (Curtis, 142). Ne establishing unity, the insistence on lay education and the elimination of God from the civic [education] manuals, divided the cot exacerbated the clash of Church and republic” (Zeldin 1979, 262).

In 1909, some secular activists began to advocate a state monopoly of schooling (Ozouf 1982, 231). Opponents of religion were Masonic lodges but also in more than a thousand organizations of “freethinkers,” “pursuing ardently the completion of the work of the F intervening in all sectors of the life of the country to secularize the State and the society, to ‘ensure the complete *laïcité* of the French freedom, they insisted, was merely a sophism for as long as there was a church seeking to distort the souls of children. “There can be no fre of clericalism” (Lalouette, 292).

In fact, in the political struggles over education which troubled France for several decades—indeed, which have never really ceased “freedom” as their guiding principle. “It was a conflict of two freedoms. Two divergent conceptions of liberty were in confrontation: one [members of religious orders] to teach freely; the other sought to liberate the country from the grip of [teaching] congregations which sur youth in the ‘hatred’ of the Republic” (Baubérot 1990, 47).

Paradoxically, as Charles Renouvier and other moderate anticlericals had warned (Blais, 323), measures to drive religion out c actually had the effect of strengthening alternative Catholic education. Abolition of the public funding of the salaries of bishops an prevented effective resistance to the measures secularizing public schools in the 1880s, freed them to make Catholic schools a priori religious practice many new schools were established (Déloye, 233).

Supporters of subsidies for private schools were able, under the Fifth Republic, to achieve passage of the *Loi Debré*, adopted Dec Prime Minister Michel Debré said in parliamentary debates, the private sector, with 1,797,000 pupils, “brings to the education of Franc which it would be unjust to fail to recognize” (Visse, 62). This law, still in effect, asserts that “the State proclaims and respects educ; establishes a system under which non-state schools enter into contracts with the State for the provision of educational services, whi measure of autonomy (see discussion in Glenn and De Groof I, 252-66).

In 1996-97, there were almost 25,000 pupils attending unsubsidized private secondary schools in contrast with more than 1.1 1 secondary schools under contract with the state (Durand-Prinborgne 1998, 67). Almost all non-public schools are Catholic: 96 per non-public elementary schools and 86.4 percent of those in non-public secondary schools in 1990-91; altogether, Catholic schools serv pupils. The real distinctiveness of these Catholic schools is sometimes called into question, since those that receive public funding are themselves in many respects to the ever-changing model of public schools. In a highly-secularized society, it is to be expected that the reli of Catholic schools is sometimes difficult to detect.

How does the French treatment of the religious dimension (whether explicit or implicit) of education compare with that in the Unit suggested that the pattern of accommodation of religion in American society consists of a triangular pattern of religious freedom, disestab and pluralism, while the corresponding French triangle is religious freedom, an implicit state church, and civil unity (Baubérot 1997, 290 to this analysis, France never went through a “disestablishment”; there was instead a replacement of the Catholic Church by the se Republic,” with its well-articulated worldview, a mixture of Comtean positivism, Kantian ethics, and intense nationalism in reaction 1870.

The new God of Comte, the religion without dogmas of Buisson, Freemasonry or the Socialism of Jaurès are all responses to this need and t the France of the Ancien Régime had known for too long and too deeply the penetration of the Church and the State for the Republic to be accommodate itself to the simply equality of religions or the simple freedom of conscience. Every religion, divine or secular, takes among

and seeks naturally to organize itself as a Church and to penetrate the State (Nicolet 1982, 499).

As a result of this switch of establishments rather than disestablishment, and (as Quinet and others argued in the 1850s) of the defeat in France in the 16th century, religious pluralism has never flourished in France, as has been evident in the current difficulties about how to deal with Islam, for which the symbolical focal point has been the wearing, by schoolgirls, of the scarf or *hijab* in class (see Gaspard and Khosrokhah 2002).

Germany

Governments of the various states that came together in 1870 to form modern Germany had used the state-supported Protestant and Catholic churches to provide oversight over local schools which were not, however, church-run. It was made very clear that the role of local clergy was as agent of the state and government did not hesitate to remove them from supervising or providing religious instruction in schools when there was any real loyalty to the regime, as occurred in Prussia's Polish provinces and in Alsace-Lorraine during the *Kulturkampf*.

Despite these occasional tensions, however, almost all elementary schools retained a confessional character: they were Protestant or Catholic (with a few cases) Jewish *public* schools, despite frequent demands from advanced elements of the teaching profession that the schools be made "interconfessional" with separate religious instruction. For those concerned about the role of religion in education, the interconfessional school marginalized it into "merely one subject in the curriculum [which] would no longer penetrate and inspire the entire instruction." Minister of Education Studt wrote in 1903, "no longer stands in the foreground of the parties at the dominant center of the political spectrum. "People have recognized that the interconfessional school has disadvantages insofar as it is apt to impair not only religious and moral education but also the cultivation of patriotism" (Lamberti, 213, 1903).

Those who hoped that interconfessional schools would have a unifying influence on a religiously divided society were disappointed; in cities like Berlin imposed by a liberal elite, "the results were political strife rather than social integration and mutual respect between the religious groups. In another sense, of course, they did promote Catholic and Protestant cooperation in opposition to secular liberalism.

The effect of accommodation of religion within the *Volksschule* was to maintain state monopoly of popular schooling, since it made it difficult for Catholics and orthodox Protestants to create their own schools, as occurred in the Netherlands. "Teaching religion as a required subject guaranteed that the instruction remained under the state's oversight and served the state's interests" (Lamberti, 217).

Although opposed to denominational schooling, German liberals were not calling for the exclusion of the teaching of religion in the public schools. "The state guaranteed that the instruction would be given in the state's interests and under the state's supervision," and the alternative seemed to be a parochial system of schools would be created. They warned that if the State "permits private schools freely in order to satisfy special cases, then it is only serving the ambitions of the clergy to dominate [education], as the example of Belgium proves." Similarly, government officials argued that removal of religion from the *Volksschule* would lead to establishment of private church schools not under direct state control. "If religiously neutral communal schools would compete successfully with Catholic private schools and thought that a large part of popular education would be removed from the control of the state. The surest way to preserve the state's monopoly of education was to have the public schools serve both the church as well as the state" (Lamberti, 63, 216).

In a continuation of the strategy adopted in the mid-19th century, government continues to offer denominational religious instruction in public schools as a way of reducing the demand for private confessional schools. Such instruction enjoys a constitutional guarantee, and "must remain as a part of the public school" (Avenarius and Heckel, 69). Public schools must therefore provide space, materials, and teachers, as well as an opportunity for religious instruction, and the grades that pupils receive in this subject can count in the same way as grades in other subjects, even for promotion to higher grades. In addition to such external guarantees, it must be said, there have been notable efforts to make religious instruction "more correct, believable, and humanly helpful" (Reble 202, 377).

Schools in Germany today are not ideologically neutral; they have a responsibility to develop in their pupils those dispositions conducive to the maintenance of the society and the political order. How to define these, and how to implement value-laden programs without conflicting with the freedoms, is an on-going problem, as in other countries.

In Bavaria, the land with the most conservative and Catholic influence, an initial effort was made with American style interdenominational *Simultanschulen* in place of restoring confessional schools, but it encountered such determined opposition that it was abandoned and the Bavarian *Constitution* guaranteed a right to confessional education; in 1988 the Bavarian Constitutional Court ruled in favor of specification of the 1946 state *Constitution*, that "reverence for God" was among the highest objectives of Bavarian schools, and that provisions protecting individual rights (Tent, 112, 127, 139; Spotts, 86; Waterkamp 1990, 262). However, this reverence must not be understood as of establishing a state religion with a particular way of understanding the divine (Thiel, 125-31).

Displaying crucifixes in classrooms was simply a manifestation of this accommodation of religion within rather than alongside German culture. Symbolic expressions of the Christian faith are ubiquitous in Western nations nor would one have to look far, in most European cities, for Islamic presence as well. No one is sheltered from such sights, any more than from the images of violence and sexuality which children see in the school. The German Constitutional Court decided, however, that public elementary schools represented a different situation: “To get to school, crosses in classrooms have the effect that during instruction pupils are confronted with this symbol, on behalf of the state, the possibility of avoidance, and are forced to learn under the cross.”

The court’s majority rejected the contention of three of its members that the cross was merely a reminder of the influence of Christian culture. “Plainly a symbol of belief,” while it doesn’t compel the children to identify with Christianity, the cross “sets out the contents of the faith by it as exemplary and worthy of adherence.” Some observers noted that Christians would have had more reason to protest if the court had argued that a crucifix was no more than “a sentimental wall decoration”!

This ruling did not ban crucifixes from classrooms, but stated that the state could not require them without regard to the objections of those reacting to the decision, Socialists as well as Christian Democrats, drew the lesson that it should be left up to each school—to determine what religious symbols to display; several Catholic and Protestant church leaders suggested that Muslim, Jewish and other symbols be appropriate alongside the cross depending upon the pupils in the school and “would contribute more to mutual understanding and tolerance than a wall.”

The Netherlands

The Dutch have avoided the tyranny of the majority in education by providing public funding for a wide diversity of schools. Any group that meets standards and convince enough parents to enroll their children is able to operate a tuition-free school; only 30 percent of pupils attend public schools. This has encouraged responsible experimentation and minimized conflict over education. In August of 1995, however, there was a flare-up over the right to differ from the prevailing orthodoxy about evolution.

The government had decided several years before that nationwide examinations in biology would not include Darwin's theory; schools were to teach about it and assess student knowledge by their own tests. This decision was based upon advice by the board responsible for interjurisdictional guarantees of educational freedom. Evolution, it concluded, was a sensitive matter (comparable to abortion and euthanasia) that each school should handle in its own way, to protect its distinctive identity.

Members of the Left-of-Center coalition then in power sought to require that the theory of evolution be required on nationwide examinations. They opposed argued that the question was whether there was a divine purpose for human life or not, and that public policy should respect the views of that part of the population who chose schools where this purpose was considered central. Supporters of educational freedom rallied, and the requirement for evolution in national examinations failed. Once again, the pluralistic approach to national life advocated by Abraham Kuyper was vindicated.

A true *system* of primary schooling emerged in the Netherlands in the first years of the 19th century, given a unity of direction and a nationwide corps of school inspectors, most of them Protestant ministers, who examined prospective teachers and visited local schools on a regular basis, receiving guidance and encouragement from the Agent for National Education based in The Hague.

The liberal leadership of the predominant Protestant Church (which, even after it was officially “disestablished” in 1796, retained a semi-official role in Dutch life) supported these reforms as contributing to the promotion among the common people of their own religion. Catholic leadership supported these educational reforms as an improvement upon the previously preponderant influence of the Protestant Church in schools. Thus the Netherlands—during the first decades of building a system of schooling—avoided the conflict between school policies and parental preferences which did so much damage in France at the same period. By the time such conflict broke out, the system was well established.

The public schools were required to teach a “general Christianity” which would develop in their pupils “all social and Christian law put it. The lawmakers had been “thoroughly convinced of the importance of public education for all classes of society and especially for the younger generation, whose happiness hangs above all on the early implanting of the fundamental principles of religion and ethics” (quoted in a government decision, in 1817, to fund some private Jewish schools but—in this period—no private Catholic or Protestant schools. Public schools were to be *national*, bringing together all children whatever their social background, their (Christian) denomination, or their sex.

Many Protestants who continued to hold to the orthodox Calvinism that had flourished in the sixteenth and seventeenth centuries of Dutch history, a non-doctrinal version of Christianity promoted by the public schools. Although there were daily prayers and Bible reading in the schools, especially that concerned with morality—rested upon an anthropology which denied the power of sin and the need for a Redeemer, consisted as a denial of essentials of the Christian faith. In protest, some kept their children home, or sent them to illegal schools; fathers were in some cases fined. In 1834, for example, local authorities in one community ordered the police to issue a warrant against orthodox Protestants who had brought their children in a barn to avoid the objectionable teaching of the public school. The school inspector offered an official opinion that “the found

a disruptive movement against the standing order of things” (in Bos, 10), no light charge in that period of social unrest.

There was also resistance from Catholics. This Catholic dissatisfaction took the most dangerous turn in the southern provinces that Austrian possession and had been awarded to the new Kingdom of the Netherlands under the peace concluding the Napoleonic wars. Although moved cautiously at first to avoid alarming the heavily Catholic population of Flanders, Brabant, and the other southern provinces, the investigation of the quality of schooling there concluded that it was out-of-date and ineffective. The measures prescribed by the 1806 law went into effect in the southern provinces, with the establishment of a teacher training institution and a steady pressure to adopt whole-class instructor reforms. School inspectors—the government took care to appoint Catholics—pressed for continual improvements, and for teaching on a Christian basis (Dodde and Lenders, 165ff).

These efforts to impose the model of “general Christianity” on elementary schools and to bring the training of priests within the secondary and higher education aroused growing resistance (Boekholt, 140). The government “recognized the principle of educational freedom such control that there was a risk of a state monopoly.” The Catholic leadership, in turn, objected to the oversight of schooling by a Protestant. Although oversight was exercised, and education became one of the issues leading to the successful rebellion of what became Belgium, the use of schooling as an instrument of nation-building, in this instance, led ironically to the break-up of the nation, when

the creation of new generations of young citizens . . . took on the character of patriotic self-affirmation. That was why, when the statesmen from both the northern and southern Netherlands who, for twenty years, had undergone entirely different cultural and administrative experience, the Dutch had had undisputed success— education—would cause the most bitter contention of the new Kingdom (Schama, 541).

After the loss of the Belgian provinces as a result of such conflicts, the government became more sensitive to the grievances that remained of the Netherlands. In 1822 the Catholic journalist Le Sage ten Broek, a convert from Protestantism, had called on Catholic public schools, and there were growing complaints that the public schools were too Protestant. Singing religious songs, reading from the Bible, crucifixes on school walls were all considered dangerous for the spiritual well being of Catholic pupils. The efforts of the government, however, were spreading religious indifference through the schools (Bruin, 210ff).

Concerned about these growing tensions, especially in view of the Belgian revolt, the government issued a decree in 1842 that responded to the concerns of Catholics, though at the price of further alienating orthodox Protestants from the public schools. In filling teacher vacancies, the government was told to take into account the religious identity of the local population. All public (and private) schools were required to report on what they were using so that it could be determined by religious authorities whether any were offensive to them; if necessary, offensive materials were removed. School facilities were to be made available for an hour each day for doctrinal instruction given by the local church, whether Protestant or Catholic (Bruin, 241f). The Calvinist Heidelberg Catechism vanished from the public schools in Catholic areas, and books approved by the Catholics were introduced. What was to be understood as “general Christian education” was gradually less and less clear, and teachers didn’t know how to proceed (Boekholt, 144).

While these measures were greeted with some satisfaction by Catholics, they did not prove a lasting solution for those who wanted more schooling. While “for the Protestant part of the people the break with the past was too radical, from the Catholic point of view it was not enough. The school retained a Protestant character, was not neutral, and certainly not Catholic” (Boekholt, 134).

Protestant intellectual Groen van Prinsterer charged that the public schools were being robbed of their Protestant character, and the solution was to allow separate Protestant and Catholic public schools. This proposal was fiercely resisted by those who believed that the public school was the institution which should knit the nation together.

Over the next decades—some would say for seventy years—one of the dominant issues in Dutch political life was the so-called *schoolstrijd* over, first, the freedom to establish and operate non-state schools with a confessional basis and, second, the right to public schools. The freedom was already implicit in the 1806 legislation, but the conflicts which had led to the separation of Belgium made it even more anchored more firmly in fundamental law. The new Constitution adopted in 1848, partly in response to the political upheavals in France (see article 246), reflected the Liberal desire to reduce the supervision of the state over society, including with respect to schooling.

Public education is a matter of continuing concern for the government. The arrangements [*inrichting*] of public education, in accordance with everyone’s religious convictions, shall be regulated by law. In all parts of the kingdom public authorities shall provide public elementary education. Providing education is free [that is, anyone may provide education], under the oversight of the authorities and, in addition, with respect to secondary and elementary education, subject to investigation of the qualifications and the moral character of the teachers, both of which are to be regulated by law (article 194).

It was not until 1857, however, that a new education law was passed to replace that of 1806; significantly, the prime mover was a Protestant who had earlier founded the first private school with a distinctively Protestant character. Public schools should seek to develop in their

and social virtues” (a reversal of the order of terms from the 1806 law). The 1857 law gave more responsibility to local authorities, who appointed committees to oversee the schools. While there were still government inspectors, these came to have a less direct contact with schools. The effort to include subsidies for private schools was eliminated during floor debate, and in general the new law was disappointing to support education.

The cost of schools continued to be borne almost entirely by local authorities and by parents until 1878. A new generation of Liberals, more to government intervention and less to parental freedom, and explicitly hostile to confessional schools (Langedijk, 140), enacted legislation providing that the state would pay 30 percent of the cost of schools, and under some circumstances even more. Other provisions reduced significantly the costs of schools. The legislation was opposed by supporters of confessional education, since it would make their schools more difficult to operate. Confessional schools would remain free, Protestant leader Abraham Kuyper noted, “yes, free to hurry on crutches after the new storms along the rails of the law, drawn by the golden locomotive of the State” (Gilhuis, 152).

The Liberals had overreached. This threat against the schools that many of them had labored to establish aroused the orthodox. The orthodox created a movement that, in a decade, reversed the political fortunes of the Liberals and brought state support for confessional schools. A drive collected, in five days, 305,102 signatures from Protestants and 164,000 from Catholics asking the king to refuse to sign the new law. It failed, a national organization, “The Union ‘A School With the Bible’” created a permanent mechanism for the mobilization of orthodox. This led to the establishment of the first real political party in the Netherlands, significantly called the Anti-Revolutionary Party.

Catholics were equally active, and together with the orthodox Protestants gained a majority in Parliament by 1888. As an historian has pointed out, the effort to smother the last flickering flame of orthodox religion only succeeded in fanning it into vigorous life (Riel, 108).

The School Law of 1889 provided the same 30 percent state subsidy to confessional schools as to local government schools and would lead, in 1920, to the full financial equality of all schools meeting the quality requirements set by the state. The 1889 law also forbade from making their schools free, a strategy which many had employed to compete with private confessional schools (Boekholt, 219). The result was a more level playing-field, though it would require another thirty years of political struggle to establish the present Dutch system, without financial incentive to send one’s children to a secular public schools rather than to a religious schools . . . and about seventy percent non-public schools, most of them Catholic or Protestant.

The “politics of accommodation” (Lijphart’s phrase) allowed—and continues to allow—policy issues involving religious institutions and convictions of what is now a minority of the population to be resolved without the bitter conflict that resonates in France.

England

The development of popular schooling in England (in contrast with Scotland) was almost entirely the result of private initiatives. In the wake of the widening of the electoral franchise through the Reform Act of 1832, Lord Brougham called for “the improvement of the nation by people by affording them the means of popular education,” through support for the voluntary bodies set up by members of the Church of England, and by ‘Dissenters,’ on the other (Simon 1960, 164). Such measures were opposed by the Irish leader in Parliament, Daniel O’Connell, “nothing could be more destructive than to imitate the example of France in respect to her system of national education” (in Green, 263) did, however, lead to a compromise under which a grant of £20,000 was distributed equally to the two English denominational societies and to the Church of Scotland the following year) for construction of schools. The terms of the act are significant; the funds were “to be issued as subscriptions for the erection of school houses for the education of the poorer classes of Great Britain” (in Reisner, 249).

After decades of heroic efforts by denominational groups, with partial public subsidies, to extend popular schooling—especially in rural areas—Parliament passed the 1870 Education Act which served as the charter of a system of publicly-controlled schooling. The purpose was not to replace the denominational schools or private initiatives, but to ensure that all children had access to adequate schools.

Our object is to complete the present voluntary system, to fill up gaps, sparing the public money where it can be done without, providing as we can the assistance of the parents, and welcoming as much as we rightly can the co-operation and aid of those benevolent men who wish to assist their neighbors (Maclure, 100).

The 1870 Act was built upon three essential compromises among denominational and other groups: a conscience clause to excuse non-attendance, non-denominational inspection of schools, and “compliance with conditions securing secular efficiency.” The Act

upset the Anglicans for establishing School Boards, authorized to set up non-sectarian schools supported from local tax. It upset Nonconformists and Secularists by stating that these Board Schools would supplement, rather than replace, the denominational schools. Denominational schools would continue to receive state grants. It upset Secularists and some Nonconformists by permitting the Board Schools to provide religious teaching, provided they did not teach the formularies of any specific denomination. At the same time it defused cr

by introducing a 'Conscience Clause' permitting parents to withdraw their children from religious instruction (McLeod, 72).

Everyone was upset, but everyone could live with the results.

A period of six months was granted to the churches to propose additional schools, before local boards would be formed to address Church of England immediately unveiled plans for an additional 2,900 schools, while other denominations proposed an additional 400.

Unlike in France in the same period, it was not considered necessary that schools become *secular* as well as free and compulsory. It is to this day in England—a regular part of the curriculum in most public schools, though the 1870 Act required that this be unadvised to Dissenters as well as free-thinkers had long argued that “in national education all differences of opinion in religion and politics should be endeavor to fortify the mind against prejudices and error by inculcating principles of universal truth” (*Quarterly Journal of Education* Lovelock, 92).

A few School Boards, notably that of the Liberal stronghold Birmingham, decided that the instruction in their schools would be stripped of religious elements, but this decision was overturned in 1879 and thereafter the schools included Bible reading—without commentary—in their curriculum. Manchester, by contrast, provided fifty minutes a day of Christian religious instruction in its public schools (McLeod, 72). Before World War I, schools often used the “agreed syllabus” developed by an ecumenical group of Protestants in 1924 (Timmins, 81).

The role of the church-sponsored schools was further strengthened by the 1902 Education Act, which entitled them to local tax support in addition to central government grants which they were already receiving. In urging its enactment Prime Minister Balfour pointed out that it would result in the “starvation of voluntary schools,” which after all were serving the majority of schoolchildren. “As we have . . . left to the parents the responsibility of deciding what religion their children are to learn, surely we ought . . . to make our system as elastic as we can in order to meet their wishes” (in Manchester created some 300 local education authorities (LEAs), superseding local school boards in the control of what would henceforth be called ‘local education authorities’ exercising substantial authority, as well, over the secular education provided in publicly-subsidized ‘non-provided’ denominational schools. Much of the funding and oversight responsibility previously exercised by national authorities (Phillips, 117-172), in exchange for a thinning of their governing boards of these voluntary schools. Local taxes were to be provided on an equal basis to the two categories of schools, supplementing national grants.

Arrangements for denominational schooling were codified in the *Education Act* 1944, under which

the financial settlement was made more generous to the voluntary bodies. Church schools could choose ‘Aided’ or ‘Controlled’ schools were to receive grants to cover teachers’ salaries and other maintenance charges; a grant of 50 percent toward the cost of buildings; the cost of all internal repairs and half the cost of external repairs. Other grants at 50 per cent (increased to 75 per cent payable in respect of new school buildings when a school was transferred to a new site because the existing premises could not be used to standard, or where a new school was to be built in substitution for one or more existing schools. . . . In Aided schools, the appointment of governing bodies remained in the control of the Governors or Managers, the majority of whom were to be nominated by the Voluntary [denominational] bodies. In Controlled schools, their governing bodies were to include a majority of L.E.A. representatives but denominational instruction was to continue. Their schools became the financial responsibility of the L.E.A. (Maclure, 222).

As R. A. Butler, its primary creator, intended, the 1944 Act “settled, apparently once and for all, the religious question” (Timmins, 81). Catholic schools (9.8 percent of all government-supported schools) chose the more independent ‘aided’ status, the majority of the Church of England schools that make up 21.3 percent of government-supported schools are ‘controlled’ (12.5 percent vs. 8.8 percent ‘aided’). Much depends, for the future of these schools, upon whether the representatives of the local education authority are willing to support the denominational character of the schools and other decisions (Chadwick, 62).

United States

The 1830s in the United States, as in Western Europe, was a period of intense interest in popular schooling. Dispersal of the native people and the reach of the civilizing institutions of the East was one of the pressing concerns of this movement of reforms; another was the growing number of educators in Ohio expressed, in 1836, their concern with the “vast tide of immigration, yearly flowing in upon us, from all nations. It was “to take their children . . . and educate them in the same schools with our own, and thus *amalgamate them* with our community” (it was this concern limited to the West; the president of Middlebury College in Vermont asked, in 1849, “shall these adopted citizens become political, and firm supporters of liberal institutions, or will they prove to our republic what the Goths and Huns were to the Roman Empire? This question depends in a great degree upon the wisdom and fidelity of our teachers and associated influences” (in Cohen II, 995).

When Catholic immigrants (Germans first, then other groups) began to organize their own schools, this was perceived by many as an attempt to accept the requirements of life in American society. “They will be shut up,” warned a prominent Protestant minister in 1853, “in schools

them what, as Americans, they most of all need to know . . . They will be instructed mainly into the foreign prejudices and superstitions; instead, the children of immigrants could be gathered into the common public school, “we may be gradually melted into one homogeneous race” (299-303).

Catholic schools, influential Americans believed, were a menace to society, and their religious justification was in fact no justification. In public schools, the children of immigrants “will be instructed mainly into the foreign prejudices and superstitions of their fathers, and the state, clear of all sectarian affinities in religion, will pay the bills!” Bushnell found it “a dark and rather mysterious providence, that we have our fellow-citizens, such multitudes of people, depressed, for the most part, in character, instigated by prejudices so intense against our race” (299).

One of the most influential of the education reformers, Ellwood Cubberley, proclaimed, in 1909, that “each year the child is committed to the state, and less and less to the parent.” He and his allies were confident that “Society would control its own evolution through school; it would replace religion and custom at sources of authority” (Tyack and Hansot 1982, 106, 103, 107).

What accounts for the change from public schools permeated with broadly Christian themes and practices only forty years ago to public schools with Christmas trees and Santa Clauses from many today? A quick answer might be that American society has become more respectful of cultural diversity, but that the exclusive presence of Christianity would no longer be considered acceptable. While true, this is not an adequate explanation. Western democracies, to give equal, or at least proportional, time to different religious traditions as they are represented in a particular society, would be the appropriate ‘multicultural’ thing to do? But few American public schools do so; their presentation of cultural diversity rarely includes religious diversity in a serious way.

As with most social phenomena, there is no single explanation for the exclusion of living religions from American public schools. One might assume that it is an inevitable consequence of modernity and of a growing societal pluralism, leading to the secularization of public life. But by this account, simply by following wider social trends. But this explanation doesn’t work. In the first place, the American people are no more indifferent to religion than they were in the past, nor are they as ‘secularized’ as the peoples of Western Europe, where religion continues to be a prominent part in public education. And, in the second place, the public schools are not following a trend in public life, but leading it. There is more public recognition and support in Congress, in the military, in government-funded social and health services, in prisons, and in higher education than there does in American public schools (Glenn 2000). The schools are an island of secularity in a sea of varied but frequently dynamic religious culture.

How do we explain the anomaly, then, that schools, which we would expect to be more intimately concerned with communicating the nature of the Good than any other sphere of public life, are in fact the most rigorously purged of any such themes?

Among the contributing factors to this development is a way of thinking about education and religion that was originally held by a generation who saw universal schooling as a means of transforming society by ‘popular enlightenment,’ and in particular in the face of what was perceived as a threatening immigration of Catholics from Ireland and Germany, and then from Poland, Italy, and elsewhere. This flood of aliens, most highly visible way in America’s cities, seemed to threaten to transform everything that old-stock Americans held most dear. Fear of *Überfremdung*—an excess of foreigners—not unlike what many French people are feeling today, led to an emphasis upon the assimilationist school. This, in turn, required that whatever might prevent immigrant parents from enrolling their children must be eliminated; I have treated this in detail in *The Myth of the Common School* (1988).

The assumption that public schools should avoid anything that could prove controversial can be traced back to Horace Mann, who did not discuss the abolition of slavery or what he called the “horrible doctrines” of sin and redemption, and it has continued to be a guiding principle for teachers as a result of the norms absorbed during their professional training. It is possible to trace the expanding influence of this ideal through the nineteenth and twentieth centuries, and to interpret some of the recent developments in American education as reactions by the broad and now dominant set of assumptions within the rather closed world of public education.

Perhaps the most available evidence is found through study of changes which have occurred in commonly used school textbooks. One study studied “two junior high literature anthologies published by the same company twenty-five years apart [and found] that the editors had, perhaps, reduced significantly the number of references to theistic thought and practice in the characters in stories, and in poems and essays. . . . in the thirties, there were three times as many lines devoted to theistic expression as in the sixties.” Another study, by George Hillocks of the University of Connecticut, in a curriculum in Kanawha County, West Virginia, the site of a widely reported confrontation between religiously conservative parents and the school in the early seventies, and found that “only six of the thirty-eight prose selections mentioned Christians or Christian beliefs explicitly. In all six of the prose selections were ‘pejorative of Christianity, either directly in adverse comments about the shortcomings of Christianity, or indirectly showing Christians as hypocrites or fools” (McCarthy and others, 121f).

What is still the best study of this phenomenon was published twenty years ago by Paul Vitz, a New York University professor who, upon research he had carried out for the National Institute of Education. Vitz studied commonly used elementary school social studies textbooks

US history textbooks, and basal readers, using a careful method of scoring the content of words and pictures. He concluded that, though the content of these texts were biased.

“The nature of the bias,” he wrote, “is clear. Religion, traditional family values, and conservative political and economic positions were excluded from children’s textbooks.” For example, none of the sixty social studies texts that he studied “contain one word referring to an aspect of contemporary American life.” There was “an occasional rare picture (without captions) in these sixty books [that] does depict Jewish or nondenominational religious scenes. The few pictures, all told there were only eleven, that do refer to religious activity were distributed roughly 15,000 pages.”

The censorship went to comical extremes. “One social studies book has thirty pages on the Pilgrims, including the first Thanksgiving word (or image) that referred to religion as even a part of the Pilgrims’ life.” Similarly, almost the only oblique reference to religion in the description of a Latino neighborhood: “Churches have places for dances and sports events” (Vitz 3, 11).

In the eight high school US history texts that he analyzed, Vitz found a similarly unbalanced treatment of religion. “There is not one word on the continuity of the revival and evangelical movements throughout American history since the Colonial Period. . . . Prejudice against Catholics is noted, but positive contributions in terms of the assimilation of countless immigrants, the many hospitals and orphanages built by the significance of the Catholic school system are (with one exception) not mentioned” (Vitz, 57).

Vitz also examined 22 basal readers for third and sixth grades, and found that “there is not one story or article in all these books, in a total of ten thousand pages, in which the central motivation or major content derives from Christianity or Judaism. . . . There are scores of articles on archaeology, fossils, or about magic—but none on religion” (Vitz, 65).

Conclusions

It is evident that the quite different historical experiences of this sample of countries go a long way toward explaining how religion is taught in the schools of each.

That there could be a controversy in Germany about crucifixes on the walls of public school classrooms—unthinkable in the United States—was the result of repeated decisions, in the 19th century and again under Weimar and again after World War II, to maintain the confessional character of public schools. To provide confessional religious instruction in those schools. Originally based upon the conviction of policy-makers that the religious instruction of the young people was the most important function of public schooling, in the interest of morality and social stability, the presence of religion in public schools was justified as a way to prevent development of alternative schools outside the public system, and thus to strengthen the role of public schools in national-building. This motivation was in turn supplemented if not altogether replaced in the 1920s and again in the 1950s by a concern for the rights of parents.

In the Netherlands, by contrast, religious controversy has largely been avoided by allowing different groups—including Muslims—their own publicly-funded schools, while requiring that these schools comply with rather detailed government requirements.

The continuing role of religion in public schools in England—though (as in Germany) weakened by secularization and the demands of a modern curriculum—came about in a rather different way which continues to have its effects. In England it was private (‘voluntary’) associations of different denominations which took the initiatives to establish, staff, and maintain thousands of schools, with financial support but limited supervision. These schools, and the Catholic schools which were established at an increasing rate later in the 19th century, had an unapologetic role. When, after 1870, municipal and county public authorities entered into competition with the voluntary schools, the initiative still remained with the voluntary schools and it has only been within the last two decades that the national government has become deeply involved in setting standards for schools. Local initiative has carried over into the provision of religious instruction and the required religious observances in schools. Negotiations occur among representatives of the various religious groups locally, and schools have considerable discretion to take into account the religious preferences of the families which they serve in deciding how religion will be discussed and practiced.

France and the United States are the two countries among our sample—and among Western nations—which are most resolute about the role of public schools, though for quite different reasons. In the case of France, there was a long history of conflict between the enormous Catholic Church, which was resurgent throughout the 19th century, and a political and cultural class which we can loosely define as ‘freemasons’ which also increased its power as the country urbanized. For reasons which are historically and sociologically complex, the latter remained in power through the Third Republic, and Catholics did not (as in several other countries at the time) form their own political party to advance their interests. The political process by the secular elite was never altogether secure, however, and this made it seem all the more urgent to use public schools as an instrument of creating loyalty to the secular republic.

A striking aspect of secularity in France is that it was not just a simple neutrality among competing worldviews, nor just an alternative perspective from the public school and from public life. Rather, *laïcité* has taken on something of the function of an alternative belief-system.

In the United States, by contrast, the legal exclusion of religion from public schools has evolved over the last half-century as a result of decisions by the federal courts, decisions which in most cases were strongly condemned by public opinion and often by elected officials. Efforts to accommodate religious diversity in the schools overturned on the basis of what seemed abstract legal principles. While an ideal of secularity, on the French model, is by no means absent among American elites, it is not nearly as deeply rooted as it is in France. The decisions of the Supreme Court are opened with an invocation of God and those of the Congress with prayer, the fact that the president takes his oath and that we see countless other public manifestations of at least a residual piety, make it all the more extraordinary that religion is scarce in most American public schools, even in the study of history and other subjects where it could be expected to receive extensive consideration.

Although the legal rulings of recent decades are the most obvious cause of this secularization of American public schools, in fact it began a hundred years earlier, as a response to the massive immigration of Catholics from Ireland and Germany. It was in the hope of persuading their children to public schools where they could be made into 'real Americans' that school officials in northern cities—usually without success—gradually removed any elements of instruction or school life that reflected the Protestant past of the educational system. This was, of course, the course followed by German education officials in their efforts to keep Catholic children in public schools; unlike in Germany however, it was largely a failure. Making public schools religiously void did indeed remove a Catholic objection, but it did not satisfy the desire for schooling that reflected their convictions. By 1950, there were three million pupils attending private Catholic schools, and many had been attending the schools established by Protestant immigrant groups.

The secular character of American public schools has become so deeply rooted that nothing seems likely to change it, which explains the growth of private school alternatives as well as the extraordinary phenomenon of 'home schooling.' To the extent that educational vouchers have both popular support and legal legitimacy, it seems likely that religious expression and even study about religion will continue to be a characteristic of private but few public schools.

This brief historical survey—and it could be usefully extended to other countries, such as Austria, where conflict over public schools between Catholics and Socialists dominated the political scene in the 1920s and made progress difficult—suggests that conflict over religion in public schools is likely to be an issue when alternative schools expressing a distinctive worldview are made widely available, either within the public system in Ontario, or through public funding of private religious schools, as in the Netherlands, Belgium, Australia, and other western democracies. Such measures greatly reduce such conflict in the United States.

Even such funding of alternative schools is not sufficient, as the example of France demonstrates, if the public school comes to be symbolically identified with a particular worldview—in this case with a denial of the significance of religion, for believers, in all spheres of life and ideology. American policymakers might usefully reflect whether a free society should not so structure its educational system that religious conviction and culture that, for many citizens, matters most profoundly—can find an honored place.

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