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Jerry Ford

Will speak on the need
for an

Amendment
to permit voluntary

Bible Reading and Prayer
in public schools

Monday, Oct 26th 7:45 P.M.

Ottawa Hills High School
Auditorium

You are Welcome!

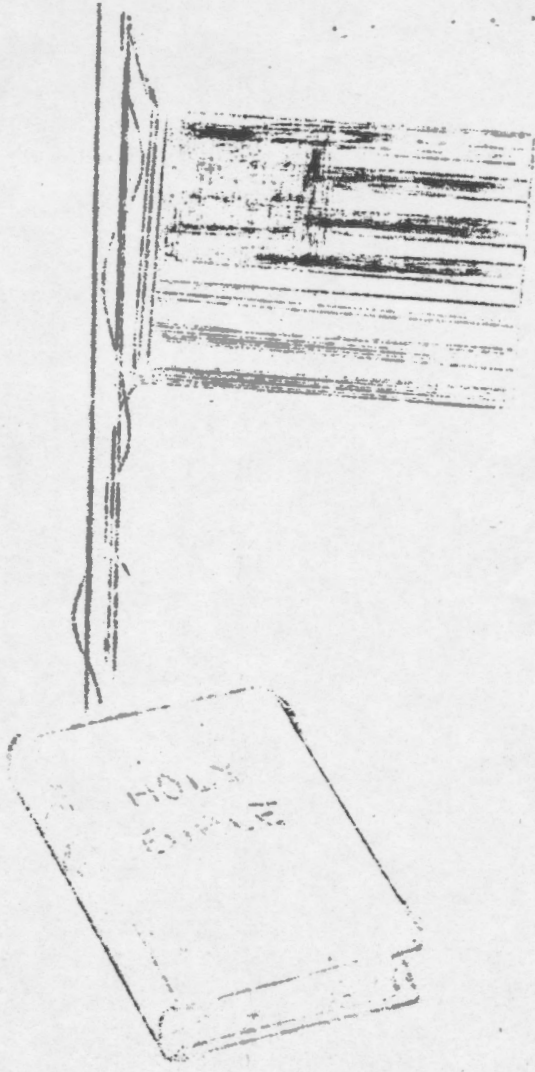


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PROJECT AMERICA III



Ottawa Hills High School Auditorium
October 26, 1964
7:45 p.m.

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PROGRAM

- gan Prelude. Jim Faber
- pering Comments & Prayer. Paul deVries,
Chairman of W.M.C.Y.
- ledge of Allegiance
- ongs "The Star-Spangled Banner"
(Song Leader: Robert Parks)

"O say, can you see, by the dawn's early light, What so proudly we hailed at the twilight's last gleaming? Whose broad stripes and bright stars, thro' the perilous flight, O'er the ramparts we watched, were so gallantly streaming? And the rocket's red glare, the bombs bursting in air, Gave proof thro' the night that our flag was still there. O say, does that Star-Spangled Banner still wave O'er the land of the free, and the home of the brave?"

"On the shore, dimly seen thro' the mist of the deep, Where the foe's haughty host in dread silence reposes, What is that which the breeze, O'er the towering steep, As it fitfully blows, half conceals, half discloses? Now it catches the gleam of the morning's first beam, In full glory reflected now shines on the stream:

'Tis the Star-spangled Banner, O long may it wave O'er the land of the free, and the home of the brave.

"O thus be it ever when freemen shall stand Between their loved homes and the war's desolation! Blest with vict'ry and peace, may the heav'n-rescued land Praise the Pow'r that hath made and preserved us a nation! Then conquer we must, when our cause it is just, And this be our motto: 'In God is our trust!' And the Star-spangled Banner in triumph shall wave O'er the land of the free, and the home of the brave."

ymn. "Battle Hymn of the Republic"

"Mine eyes have seen the glory of the coming of the Lord; He is trampling out the vintage where the grapes of wrath are stored: He hath loosed the fateful lightning of His terrible swift sword, His truth is marching on.

REFRAIN: "Glory! Glory! Hallelujah! Glory! Glory! Hallelujah! Glory! Glory! Hallelujah! His truth is marching on.

"In the beauty of the lilies Christ was born across the snow a glory in His bosom that transfigures you and me:

AS HE DIED TO MAKE MAN HOLY, LET US LIVE TO MAKE MAN FREE, While God is marching on." ~~Free~~

- "The Lord's Prayer" Bruce Hayes
- cripture reading. Margie Whaley
& Robert Miller
- "This is My Country" Bruce Hayes
- Hymn. "Faith of Our Fathers"

"Faith of our fathers, living still In spite of dungeon fire, and sword! Oh, how our hearts beat high with joy When-e're we hear that glorious word!

REFRAIN: Faith of our fathers! holy faith! We will be true to thee till death!

"Our fathers, chained in prisons dark, Were still in heart and conscience free. How sweet would be their children's fate If they, like them, could die for thee!

"Faith of our fathers! we will love Both friend and foe in all our strife; And preach thee, too, as love knows how, By kindly words and virtuous life."

ymn. "The Church's One Foundation"

"The Church's one foundation Is Jesus Christ, her Lord. She is His new creation By water and the word. From heav'n He came and sought her To be His holy bride With His own blood He bought her, and for her life He

"Elect from every nation, Yet one o'er all the earth; Her charter of salvation, One Lord, one faith, one bir One holy name she blesses; Partakes one holy food; And to one hope she presses, With every grace endued.

"Yet she on earth hath union With God, the Three in One And mystic, sweet communion With those whose rest is won Oh, happy ones and holy! Lord, give us grace that we, them, the meek and lowly, On high may dwell with Thee."

Telephone Broadcast. Dr. Carl McIntire,
Dr. Bob Jones, & Rep. Frank Becker

Announcements & Offering.

(Offertory: Robert Welch)

Introduction of Speaker. C. H. Sonneveld

Speaker. Congressman Gerald Ford

Closing Comments & Prayer. Maurice Bauhahn

Supreme Court
Prayer issue

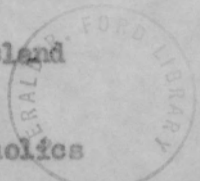
October 26th, 1964

Mr. Chairman and Friends,

During the past year I received more mail on the issue of the use of prayer and Bible reading in the public schools than on any other issue. This is good because we are dealing here with an essential element in our personal lives as well as in our social and political lives. Our religion is a very personal matter because it involves primarily the relationship of the individual to God.

Many of the Europeans who came to our shores at the very beginning of our colonial and national history came for religious reasons. They came because they wanted to worship God according to the dictates of their conscience. They opposed the established church in the old country and could not conscientiously worship in the manner prescribed by the government. So we find the Pilgrims coming to Plymouth and the Puritans to Massachusetts Bay Colony.

But consistent with current thought these folks who came to find religious freedom for themselves were reluctant to extend that privilege to others. We find Roger Williams being driven out of the Colony in the dead of winter, and we find him establishing a new colony in Rhode Island where there was freedom of religion for all folks. Likewise the Catholics



who settled the State of Maryland primarily for religious reasons soon enacted a religious toleration law which would permit all Christians of any denomination or belief to live peacefully in that colony.

So it is not strange that when the first 10 amendments to our Constitution were adopted, our American Bill of Rights, that the First Amendment had to do with the issue of religious freedom.

As you know the First Amendment states that "Congress shall make no law respecting establishment of religion or prohibiting the free exercise thereof."

Now the proposal which brought all the letters to my office during the past year and a half related to the Becker Amendment, because it was proposed by Congressman Becker, which would add another amendment to the Constitution clarifying the "establishment" and "free exercise" clauses of the First Amendment.

The proposed amendment contained in House Joint Resolution 693 has 3 pertinent sections. In order to know precisely what we are talking about let me read these 3 sections contained in the Becker Amendment:



"SECTION 1. Nothing in this Constitution shall be deemed to prohibit the offering, reading from, or listening to prayers or biblical scriptures, if participation therein is on a voluntary basis, in any governmental or public school, institution, or place.

"SEC. 2. Nothing in this Constitution shall be deemed to prohibit making reference to belief in, reliance upon, or Invoking the aid of God or a Supreme Being in any governmental or public document, proceeding, activity, ceremony, school, institution, or place, or upon any coinage, currency, or obligation of the United States.

"SEC. 3. Nothing in this article shall constitute an establishment of religion."

Let me re-emphasize that any action permissible under this amendment must be voluntary in nature. But it does give those who wish to carry on the activity ^{authority} to do so voluntarily without being in violation of the United States Constitution.

Mr. Becker was joined by over a hundred other members of the Congress in introducing various proposed amendments, but the one which I just read is the one which received most attention.



All of these amendments were referred to the House Committee on the Judiciary which handles proposed constitutional amendments. For a long time no action was taken by the Committee and there was no indication that the Committee would consider any of these amendments. It was at that time that a discharge petition was presented to the House of Representatives. Under discharge petition procedure a measure referred to a Committee can be brought directly to the House of Representatives if the Committee takes no action on it and if a majority of the members of the House of Representatives signed that petition. Consequently it would have taken 218 names to take the Becker Amendment from the Committee on the Judiciary and have it considered directly by the House of Representatives.

Because the Committee had given no indication that it was going to consider this very important issue and because of the fact that over 100 members of the House of Representatives had introduced resolutions calling for a constitutional amendment, I thought that the matter ought to be considered; if the Committee would not take action then the full House of Representatives should have an opportunity to debate the issue and vote on it. Consequently I signed the discharge petition.



However, in March of this year Chairman Emanuel Celler finally stated that his committee would hold exhaustive hearings on the legislation. By that time about 160 members of the House had signed the discharge petition-- not a sufficient number to take the matter from the Committee's jurisdiction.

The Committee opened its public hearings on April 22nd, 1964.

We must acknowledge that it carried on a thorough and complete investigation. It heard all members of the Congress who wishes to testify and it listened to testimony of church leaders--both clergymen and laymen; those who represented denominations, organizations, individual churches, or those who represented only themselves. The hearings of the Committee fill three volumes. You can see from the size of them that hundreds of thousands of words in support of the amendment and in opposition to it were presented to the Committee.

The last testimony was received on June 3 of this year. The testimony was published in these volumes and made available to members of the Committee, all members of the Congress, and to any interested citizens. Copies of these hearings may be obtained by addressing a request to the Committee on the Judiciary, House of Representatives, in Washington.



Since the publication of the hearings the Committee on the Judiciary has taken no further action on the proposed amendment. Additional members of the House of Representatives have not signed the discharge petition. Consequently during the 88th Congress, which adjourned earlier this month, took no action on the Becker Amendment. If the proposal is to be carried forward in the 89th Congress the legislation will have to be reintroduced in January.

Rep. Becker, who incidentally is a Catholic in religion and not a candidate for re-election to Congress this year, introduced his amendment primarily because of the decision of the Supreme Court in a New York case and in Pennsylvania and Maryland cases.

In the New York case the State Board of Regents had prescribed a prayer to be used at the beginning of each school day. The words were these: "Almighty God we acknowledge our dependence upon Thee, and we beg Thy blessing upon us, our parents, our teachers, and our country." Now any of us here could pray that prayer. But the Court said "to encourage recitation of the Regent's prayer, the State of New York had adopted a



practice wholly inconsistent with the Establishment Clause." In other words, the Court said that the First Amendment stating there shall be no establishment of religion was violated here.

I am certain that any reasonable man would agree that there is great room for disagreement on this point. Did the authors of the First Amendment and those who approved and ratified it believe in any way that the recitation of a prayer in school constituted an "establishment" of religion."

In light of our historic heritage I personally doubt that this was the case. Yet, in that same opinion the Court quoted James Madison, who had a great deal to do with writing the First Amendment, as saying, "Who does not see 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?"

While all of us can agree that the New York state prayer was one we could pray, what would be our reaction if the state prayer had ended "in the name of Allah" or some other designation? You see, the Supreme Court was not considering this prayer in and of itself but the



principle involved if the State could prescribe this prayer it can prescribe any prayer.

Of course, the best answer to that argument is that this prayer did not end in "in the name of Allah" or some other designation. Had the prayer been such, none of us would have disagreed with the Supreme Court's decision. But in this case Justice Potter Stewart disagreed with his brethren and said that he could not see how the use of such a prayer constituted the establishment of "an official religion in violation of the Constitution." As you know, I find myself in agreement with Justice Stewart in this instance.

You may be interested to know, however, that many conservative, orthodox Christians agree with the Court's decision but for a different reason. They feel that this prayer established by a state authority is too superficial and is in fact an insult to God when it is prayed by everyone in the classroom, voluntarily of course, but in a manner which makes it a form of activity rather than a true expression of love and respect and adoration for God.



In the Maryland and Pennsylvania cases the Court had been asked to decide whether the use of the Lord's Prayer and Bible reading in the public schools was consistent with the "establishment" and "free exercise" clauses of the First Amendment. As you know the Court overruled long-established traditions practiced in our country by saying that these exercises were unconstitutional. In doing so that Court quoted from one of its previous decisions in which it said that the First Amendment

"requires the state to be a neutral in its relations with groups of religious believers and non-believers; it does not require the state to be their adversary. State power is no more to be used so as to handicap religions than it is to favor them."

There had been no disagreement that the use of the Bible and the Lord's Prayer in the school were exercises of a religious character. Both sides had agreed to this point and consequently the Court said that violated the Establishment clause. To those who contended that this was a "relatively minor encroachment on the First Amendment" the Court said,

" ^{breach} the ~~bridge~~ of neutrality that is today a trickling stream may all too soon become a raging torrent."



Anticipating the criticism that to rule out religion in the schools is to in fact establish a "religion of secularism," the Court said, "we agree ^{of course} that the State may not establish a 'religion of secularism' in the sense of affirmatively opposing or showing hostility to religion, thus 'preferring those who believe in no religion over those who do believe.'"

The Court decision concluded by saying,

"The place of religion in our society is an exalted one, achieved through a long tradition of reliance on the home, the church and the inviolable citadel of the individual heart and mind. We have come to recognize through better experience that it is not within the power of government to invade that citadel, whether its purpose or effect be to aid or oppose, to advance or retard. In the relationship between man and religion, the State is firmly committed to a position of neutrality."

With all due respect to this learned opinion of the Court I again find myself in closer agreement with Justice Potter Stewart who also dissented in this decision.



Before considering Justice Stewart's dissent, however, I would like to point out that Justices Goldberg and Harlan had some misgivings about the neutrality rule of the Court. Writing in a concurring opinion Justice Arthur Goldberg stated,

"It is said, and I agree, that the attitude of the state toward religion must be one of neutrality. But untutored devotion to the concept of neutrality can lead to invocation or approval of results which partake not simply of that noninterference and noninvolvement with the religious which the Constitution commands, but of a brooding and pervasive devotion to the secular and a passive, or even active, hostility to the religious. Such results are not only not compelled by the Constitution, but, it seems to me, are prohibited by it.

"Neither the state nor this Court can or should ignore the significance of the fact that a vast portion of our people believe in and worship God and that many of our legal, political and personal values derive historically from religious teachings. Government must inevitably take cognizance of the existence of



religion and, indeed, under certain circumstances the First Amendment may require that it do so."

This statement of Justice Goldberg is significant and should be carefully examined by those who so forcefully endorse the majority opinion. Justice Potter Stewart say very clearly, I believe, the implications of the Court's decision. He was particularly concerned that in its emphasis on the Establishment Clause that the Court overlooked the equally important guarantee of the First Amendment, that of freedom of religion. Unfortunately the decision of the Court leaves the impression, and it can be effectively argued, that it is true that a small minority of American citizens are through the Court inflicting their views upon the great majority. While we recognize that minorities have privileges and rights in our country, likewise the majority has the same rights and privileges. If, therefore, a sizeable majority in a given community want a certain type of activity carried out in the school, should a minority be able to veto those activities.

If this is to be a principle it can be carried forward and have disastrous effects on our entire educational system. For instance, could those who find it against their religious convictions to attend public dances



stop such dances in a public school because to keep their children home embarrasses them? Justice Stewart, therefore, concluded his dissenting opinion by saying that he thought the various local boards of education had sufficient wisdom and ability to handle the problem of prayer and Bible reading in school on a local basis. This seems to me to be good constitutional law and good public practice. Let me quote the last paragraph of Justice Stewart's dissenting opinion: " " "

"What our Constitution indisputably protects is the freedom of each of us, be he Jew or Agnostic, Christian or Atheist, Buddhist or Freethinker, to believe or disbelieve, to worship or not worship, to pray or keep silent, according to his own conscience, uncoerced and unrestrained by government. It is conceivable that these school boards, or even all school boards, might eventually find it impossible to administer a system of religious exercises during school hours in such a way as to meet this constitutional standard--in such a way as completely to free from any kind of official coercion those who do not affirmatively want to participate. But I think we must not assume that school boards



so lack the qualities of inventiveness and good will as to make impossible the achievement of that goal."

Mr. Stewart also wrote that,

"In the absence of coercion upon those who do not wish to participate--because they hold less strong beliefs, other beliefs, or no beliefs at all-- such provisions cannot, in my view, be held to represent the type of support of religion barred by the Establishment Clause.

There are those who argue that if parents want their children to be exposed to religious influence in school they can send their children to a parochial or private school. Justice Stewart also answered this point by saying,

"the consideration which renders this contention too facile to be determinative has already been recognized by the Courts: 'Freedom of speech, freedom of the press, freedom of religion are available to all, not merely to those who can pay their own way.'"



Justice Stewart also had an answer, and I think a basic one, for those who say that the home and the church are the only places where any religious activity or influence is felt. Justice Stewart said,

"For a compulsory state educational system so structures a child's life that if religious exercises are held to be an impermissible activity in schools, religion is placed at an artificial and state-created disadvantage. Viewed in this light, permission of such exercises for those who want them is necessary if the schools are truly to be neutral in the matter of religion. And a refusal to permit religious exercises thus is seen, not as the realization of state neutrality, but rather as the establishment of a religion of secularism, or at the best, as government support of the beliefs of those who think that religious exercises should be conducted only in private."

This is the area which concerns me most deeply. If we are to rule out of our schools the voluntary use of religious exercises through the Supreme Court edict we as a nation stand to lose much that has made our country the great force for good in the world that it now is. I feel that



we have already gone too far in establishing a religion of secularism in the United States. While many may still profess a belief in God they act as if He did not exist. We need to use all the forces at our command in the family, school, the church and our society to strengthen rather than weaken our spiritual and moral heritage.

We who are concerned have a right to ask why the Congress refused to take action on Mr. Becker's Amendment. I think these 3 volumes (hold up hearings copies) give us the answer. While many members of the Congress and many individuals testified in support of the amendment, you will be amazed to find that outstanding church leaders and great religious denominations and organizations opposed the Becker Amendment. I think we can safely say that the Committee took no action not because atheists and agnostics objected to the Becker Amendment but because the church leaders of our country objected.

We all know the devotion of the Baptists to orthodox Christianity. Yet both the American (or Northern) Baptist Convention and the Southern Baptist Convention declared their opposition to the Becker Amendment. The National Council of Churches likewise



as was the Council for Christian Social Action of the United Church of Christ. The president of the American Lutheran Church testified in opposition to the Becker Amendment and stated that the handbooks of the church counsels our members not to "practice the forms of religion without confessing as a matter of principle the Triune God or Jesus Christ as the Son of God come in the flesh and our Savior from sin." The president of the American Lutheran Church continued and said, "It follows that religion in general would be no more acceptable just because it might happen to be found in the public school."

It was this kind of testimony by many orthodox, conservative, Bible-believing leaders which turned the tide against the Becker Amendment. Many conscientious Christians believe that these church leaders did not represent the views of the rank and file church members. Yet they spoke from their position of responsibility and in many instances as a result of official action taken by official boards or conventions of the various churches.

It must be that this summary of the matter including the problems involved helps us to understand that we are not dealing here with a simple



matter of black and white, right or wrong. Reasonable men, devoutly religious men, can and do disagree with the Supreme Court's decisions and with the proposed amendment to overrule that decision. Personally, as I have said, I believe that the views of Justice Potter Stewart are a better interpretation of the First Amendment and a more appropriate statement of public policy. But if we are to have a constitutional amendment, which is a legal matter, we must obtain greater public support not only from individuals but from the organized church groups including those who believe firmly in the Bible as the revealed will of God. Until we have this support to a much greater extent than was exhibited in the past year, it is quite apparent that the decision of the Supreme Court will stand.

