

Ronald Reagan Presidential Library Digital Library Collections

This is a PDF of a folder from our textual collections.

Collection: Reagan, Ronald: Gubernatorial Papers,
1966-74: Press Unit

Folder Title: [Education] – Guidelines for Moral
Instruction in California Schools, 1969

Box: P34

To see more digitized collections visit:

<https://reaganlibrary.gov/archives/digital-library>

To see all Ronald Reagan Presidential Library inventories visit:

<https://reaganlibrary.gov/document-collection>

Contact a reference archivist at: reagan.library@nara.gov

Citation Guidelines: <https://reaganlibrary.gov/citing>

National Archives Catalogue: <https://catalog.archives.gov/>

GUIDELINES FOR MORAL INSTRUCTION IN CALIFORNIA SCHOOLS

**A Report Accepted by the State Board of Education
May 9, 1969**

**CALIFORNIA STATE DEPARTMENT OF EDUCATION
Max Rafferty — Superintendent of Public Instruction
Sacramento 1969**

Contents

PREFACE	A SOLDIER'S LETTER -- Which Way America? . . .	iii
CHAPTER		
I	THE CHARGE -- AN INTRODUCTION	1
	The Resolution	1
	Preparation for the Guidelines	2
	The Advisory Committee on Guidelines for Moral Instruction	4
II	MORALITY AND THE LAW	8
	The Theological State	8
	Good Moral Character	10
	Moral Turpitude	10
III	MORALITY AND THE NATURAL LAW TRADITION	15
	John Adams	16
	Aristotle	17
	Sir Edward Coke	17
	William Blackstone	18
	Cicero	19
IV	MORALITY AND THE RELIGIOUS TRADITION	22
	John Swett	24
V	MORALITY AND THE CHALLENGE OF SECULAR HUMANISM	33
	Humanism in the Eighteenth Century	33
	Humanism in the Twentieth Century	35
	The Contemporary Humanists	40
	Humanism and Progressive Education	42
	Humanism and "Sex Education"	43
	Humanism and the Behaviorists	50
	Humanism and Social Sciences	56
	Humanists and Marxists	58
	Humanists and Evolutionists	62
VI	TEACHING ABOUT RELIGION IN THE PUBLIC SCHOOLS	65
APPENDIX A	71
APPENDIX B	74

10/10/19

10/10/19

10/10/19

10/10/19

10/10/19

10/10/19

10/10/19

10/10/19

10/10/19

10/10/19

10/10/19

10/10/19

10/10/19

10/10/19

10/10/19

10/10/19

10/10/19

10/10/19

10/10/19

10/10/19

10/10/19

10/10/19

10/10/19

10/10/19

10/10/19

10/10/19

10/10/19

10/10/19

10/10/19

10/10/19

10/10/19

10/10/19

10/10/19

10/10/19

10/10/19

10/10/19

10/10/19

10/10/19

10/10/19

10/10/19

10/10/19

10/10/19

10/10/19

Preface

A Soldier's Letter Which Way America?

Dear Family,

I don't know when mail from home has meant so much to me. As I write, the sun is setting on one of those beautiful Pacific days, that more than make up for the rainy ones. It has got me to thinking about our country.

The American people have emerged today with more power and prestige than any country in the family of nations. Mankind is knocking at our gates, seeking wisdom from our leaders, the hope of peace from our people. Before we can fulfill our destiny, to lead mankind to sanity and harmony, we shall have to rebuild the fiber of our national life.

Suppose we as a nation find again the faith our Father's knew? Suppose our statesmen learn again to listen to the voice of God. Then we shall know once again, the greatness of a nation, whose strength is in the spirit of her people, whose strength is in her obedience to the moral law of God.

America! Choose the right road! Unless there is born again in our people the spirit of sacrifice, of service, of moral responsibility, my comrades and I who will fight on the beaches, and those of us who will die here, shall have been exploited and betrayed, and fought and died in vain.

It is the eleventh hour. By your choice, you will bless or blight mankind for a thousand years to come. Which road will it be ... America?

¹This was the last letter an American soldier wrote his family prior to his death. It has been put to music by Sing Out America youth groups which perform throughout the country. We think the question posed by these inspiring young Americans -- "Which way America?" -- is the question asked by all America today.

Chapter I

The Charge – An Introduction

THE RESOLUTION

On July 11, 1968, the State Board of Education adopted a resolution directed to Max Rafferty, Superintendent of Public Instruction. It reads as follows:

Members of the State Board of Education are well aware that you have consistently endeavored to keep before the citizens of California the approaching dangers of a breakdown of discipline and morality in California's schools.

We also know that you are aware of recent incursions into some school districts by non-professional groups and organizations whose activities fall within the prohibitive clauses of sections 12951--12955 of the Education Code.

Since, moreover, there seems to be some confusion in the schools as to the meaning of Section 7851 of the Code calling upon all public school teachers "to impress upon the minds of the pupils the principles of morality," it seems imperative at this crucial period of our history to clarify for public school employees what is traditionally meant by the terms "manners and morals," as employed in Section 7851 of the Education Code.

Therefore, in accord with your concern, and with the approval of the State Board, we hereby request that your staff prepare for Board consideration a set of "guidelines" for teachers and administrators, designed to identify those principles of morality established by tradition and heritage as well as enforced by the laws of this State and of the United States. We specifically want to identify that kind of behavior and activity alien to our heritage, and/or unlawful or contrary to public policy.

It is evident from the wording of this resolution that the State Board of Education asks the California State Department of Education to perform two essential tasks:

1. Identify those "principles of morality" mentioned in Section 13556.5 (formerly Section 7851) of the Education Code, which are intended for discussion in classroom situations.
2. Identify the nature of the "incursions" into the public schools of ideas promoted by organizations or groups that are "alien to our heritage" and "contrary to public policy."

Since the adoption of the July resolution, the State Board thereafter found it necessary to ask the Department of Education to collect and evaluate materials on so-called "sex education" courses which have been instituted in

some districts of the state. This latter investigation was initiated as a result of an avalanche of letters from irate parents complaining of the "pornographic" nature of some of the materials that have found their way into the classroom and which are allegedly affecting the morality of California's students.

Thus, the two resolutions, that of July, 1968, and that of November, 1968, were considered by the Department staff as part of the same assignment. Their task was not only to delineate and identify those "principles of morality" according to our heritage and traditions but also to identify those courses or materials which might fall within the "prohibitive" sections of the Education Code; for instance, sections 9001 and 9002, which prohibit the teaching of sectarian religious preferences in the public schools, or Section 9031 prohibiting indoctrination in Communism. These guidelines, therefore, serve a twofold purpose. They attempt to answer those many questions presently plaguing teachers and administrators in a revolutionary age. They attempt to answer the fundamental question raised by that young soldier who recently gave his life for the American cause in Vietnam: which way America?

PREPARATION FOR THE GUIDELINES

In order not to "remake the wheel," the staff decided to collect information elsewhere on the nature of "guidelines for moral instruction." A survey was made of all 50 states of the Union. The following questions were asked:

1. Whether your State Department of Education has prepared "guidelines for moral instruction" to be used by the schools of your state.
2. Does your state have a committee of laymen studying the means of "teaching moral principles?"

The following answers were given:

1. Thirteen states identified an ongoing program of moral instruction or in the process of starting one.
2. Four states indicated no committee on guidelines but are interested in what California is doing.
3. Twenty-four states replied they have neither guidelines nor a committee studying the issue.

Then a survey was made of the 1,100 districts in the state of California. The questions asked of these districts were:

1. Do they have guidelines identified for our purposes?
2. Whether such guidelines or related materials are under preparation.
3. Whether they integrate "moral instruction" with the curriculum.

4. A space was provided for "other."

The responses to these were:

1. Some 40 districts replied they had guidelines or other prepared materials.
2. Seventy-four districts responded that such materials are under preparation.
3. Four hundred seventy-seven replied they integrate such instruction throughout the curriculum. Many of the replies to question number 3 were that the instruction was more "incidental than directed."

To question number 4, "other," responses were many and varied:

1. Some complained that they do not have materials.
2. Others said that they have no policy.
3. Others that it was done through extra curricular activities.
4. Others said it was taught by precept and example.
5. Others said that they used county materials, or adopted the courses of study of other counties.

To ascertain the level of preparation of teachers in this area, another questionnaire was sent to all public and private teacher-training institutions in California.

The letter sent to the heads of teacher-training departments described the Department's goals and specifically quoted from the State Board Resolution of December 17, 1963, which followed the U.S. Supreme Court decision on school prayers. The following paragraph is from the 1963 resolution and was quoted in the letter to the colleges:

Our schools should have no hesitancy in teaching about religion. We urge our teachers to make clear the contributions of religion to our civilization, through history, art and ethics. We want the children of California to be aware of the spiritual principles and the faith which undergird our way of life. We are confident that our teachers are competent to differentiate between teaching about religion and conducting a compulsory worship service. This point of view, we believe, is in accordance with the tradition handed down by our fathers and reaffirmed by the United States Supreme Court.

The following questions were then asked:

1. Do you offer courses in comparative religions of the world?
2. Do you require such a course, or courses, of your teacher credential candidates?

How would you meet the requirements for such preparation as suggested by the American Association of School Administrators?

- a. By no requirements -- leaving it to the individual teacher
- b. By requiring some course in comparative religions
- c. By requiring courses in philosophy and ethics

Their responses were as follows:

- 1. Twenty-nine institutions answered in the affirmative.
Twenty-one answered negative.
- 2. Four answered in the affirmative.
Seventeen answered negative

To the a, b, and c answers which referred to the admonition that administrators are urged to use "the prudence that would put direction of the project in the hands of public school educators who are intimately aware of the possibilities and limitations under which the materials may be used":

- a. Eighteen responded that it is left to the individual teachers
- b. Four responded by requiring courses in comparative religions
- c. Twelve responded by requiring courses in philosophy and ethics

Since there was no space for "other" in the letter sent to the teacher-training institutions, some deans submitted additional information not covered by the questions. Most of these comments concern the difficulty of adding new requirements (if this is under consideration) and the need to drop some requirements. Other comments were that such training is offered in history courses, literature courses, philosophy courses, and so forth.

The few "guides" we received from out of state we found to be not as well developed as the "moral and spiritual values" guides developed by Ventura and Los Angeles counties. They were thus of little value to this study. Most of the guides that California districts submitted were sketchy and did not develop subject matter but usually stated requirements of the law.

THE ADVISORY COMMITTEE ON GUIDELINES FOR MORAL INSTRUCTION

One other step decided upon by the Department and approved by Dr. Rafferty was the appointment of a committee of professional people and legislators to sit with the staff from time to time and examine the materials that are included in these documents. Such a move was thought necessary and useful because of the direct nature of the subject. These individuals appointed by Dr. Rafferty are:

The Honorable E. Richard Barnes
 Assemblyman, 78th District
 California Legislature

The Honorable John L. Harmer, Attorney
 Senator, 21st District
 California Legislature

The Honorable Floyd L. Wakefield
 Assemblyman, 52nd District
 California Legislature

Mrs. Rosemary Howard
 Chairman, Interfaith Congress on Religion and Education
 San Jose, California

Herbert Ellingwood
 Legal Affairs Secretary
 Office of the Governor
 Formerly, Legislative Representative -- State Bar of California

Harry Corkin, Attorney
 Executive Secretary, United Christian Service Foundation
 Sacramento, California

Rev. Robert Williams, Pastor
 Church of Reflections
 Knott's Berry Farm
 Buena Park, California

Hardin B. Jones
 Professor of Medical Physics
 Assistant Director, Donner Laboratories
 University of California
 Berkeley, California

Edwin F. Klotz, Chairman
 Special Assistant to the State Board of Education

At the first formal meeting of the Advisory Committee on Guidelines for Moral Instruction in California Schools (December 4, 1968) Dr. Rafferty reviewed the "general breakdown" of moral standards in recent years that is of concern to everyone and told the committee that theirs was a most delicate task, that "you are probably the most important committee now working in the State Department," and that "never until this time, to my knowledge, has any formal attempt ever been made to try to set up a code of ethics on morality, which by necessity has to be pretty largely separated from any sectarian religious bodies." Dr. Rafferty added, "I'm not sure it can be done."

The advisory committee is not sure it has done all that could be done, because it recognized that the challenge reaches beyond the pale of the

classroom situation. Their inner sentiments were reflected in the form of a resolution adopted at their first meeting following a lengthy discussion. It was addressed to the Federal Communications Commission expressing their concerns and urging that the government initiate corrective action on the federal level. That resolution was later issued by Dr. Rafferty's office as a news release, January 6, 1969, and reads as follows:

WE, the undersigned, members of the California State Department of Education's Advisory Committee on the adoption of Guidelines for Moral Instruction in California Schools, take this opportunity to express our profound concern for the lack of self-discipline being displayed by the motion picture industry, television, and the public media in general, on matters of decency and morals.

WE applaud the hearings recently conducted by the Congress concerning the diet of violence offered the American public on television.

WE lament the growing tendency of the motion picture industry to lure Americans to neighborhood drive-in theaters by appealing to their basest instincts in matters of sexual conduct.

WE lament that the entertainment pages of daily newspapers sheepishly accept pornographic techniques to sell their seedy films to the public.

WE lament that judicial decisions governing the definition of "pornography" or "obscenity" have opened the doors to vast publishing endeavors to present our young people with the most corrupt literature of the ages, as though it were the "normal" behavior of healthy citizens.

WE observe that this laxity of moral standards has pervaded our colleges and that the most obscene scenes that man can imagine are enacted on college stages and passed off as "drama."

WE discover now that what is described as "sex education" has become established even in our elementary schools and that materials are being used to "educate" third and fourth graders which would make most adults blush.

WE, therefore, the undersigned, appointed to assist the Director of Education for the State of California to identify those standards of morality which are inherent in our culture and heritage, and recognizing that a beginning must be made to reverse this trend, are determined to lead California out of the moral decay in which it is presently descending.

WE, therefore, call upon the Federal Communications Commission to investigate the kinds of materials used on public and educational television which offend the decency of Americans and to help public school authorities to promote "the manners and morals" which the Legislature of this State has, by law, mandated to be taught in the schools.

FINALLY, we assert that the schools cannot perform this task when beyond the classroom society is permeated with pictures, films, books and television programs which tend to undermine the very moral structure the schools are by law required to preserve and revere.

THE Federal Government has established itself as the responsible agent to constrain radio and television. Therefore, we urge that your office launch an investigation designed to reestablish proper codes of conduct which alone can assist educators in their monumental tasks.

Signed -- Members of the Committee

It is evident that the Department's Advisory Committee on Moral Guidelines saw the issue as broader than anything the educational system could influence, much less control. The schools could not by themselves reverse the present trend towards moral decay unless all agencies of the country cooperated and set general goals -- governmental and nongovernmental agencies, news media, publishers, clergy, courts, and the population as a whole.

The consensus of opinion of the advisory committee was, as Dr. Rafferty noted, that a "moral crisis" was sweeping the land and that all aspects of American behavior were affected. This moral crisis is reflected in the increased use of drugs at colleges as well as increased sexual promiscuity and illegitimate births and incredible increases in crimes of violence, especially among teenagers. It was the consensus of the committee that such a moral crisis is at root a spiritual crisis, and that to analyze the problem it was necessary to ask the essential questions about right and wrong. They noted the Board resolution of 1963 related morality with America's history and tradition. They wanted to identify those ideas "alien to our heritage" and contrary to public policy. Obviously such a mandate required a study in depth of America's spiritual heritage, as well as of "first principles." It necessitated an examination of those ideas and ideals which motivated our Founding Fathers. When Mr. Corkin observed that, "I always think that America was built upon the Bible and we have as a result the highest civilization the world has known," the basic issue was raised -- the relationship of moral standards to our religious heritage and tradition. This committee reaffirmed, in other words, the declaration of the State Board of Education in 1963 quoted above: "We want the children of California to be aware of the spiritual principles and the faith which undergird our way of life."

The problem, as the Department staff sees it, is that few school districts in the state have taken the initiative to fulfill the spirit of this declaration of 1963. It is to correct this condition that the staff and its advisory committee have made specific recommendations, not only as to content but as to action.

The Department believes it has approached its assignment successfully. We hope that all school officials examine this document carefully and apply its spirit and the techniques herein described to their individual situations. The staff feels they have developed the proper yardstick by which to measure the valid and the invalid, the moral and the immoral, the alien and the unalienable.

Chapter II

Morality and the Law

THE THEOLOGICAL STATE

When President Eisenhower signed the legislative act giving legal force to the change in the "Pledge of Allegiance" by adding the two words "under God," he reasserted what most Americans have long assumed: that God is as much a legal part of the American heritage as He is a traditional entity, loved and worshipped as befits the individual citizens' comprehension of His Person.

This is not to say that all Americans believe in God or accept this heritage. But it is to say that legally and traditionally the American Republic was, and is, established upon a firm belief in divine providence.

There was, for example, considerable debate over adopting the Preamble of the Constitution of the State of California in 1849 because it was considered too close to being a "prayer." Charles Botts, a delegate from Monterey, took exception to it and insisted that, "The closet is the proper place for devotion, not the ballot box."

The majority of the delegates disagreed with Botts, however. After all, each session had begun with prayer; one day by a priest, another day by a Protestant minister. "If we can by supposition," said one delegate, "get a prayer out of those who are not in the habit of praying, we should by all means do it."¹

California's Preamble is similar to all the 50 states of the Union where it invokes a dependency for its citizens upon divine law:²

We the people of the State of California, grateful to Almighty God for our freedom, and in order to secure and perpetuate its blessings, do establish this Constitution.

The only change made by the delegates at the 1879 convention, and which remains to this day, was the addition of the words "and perpetuate."

Thus, "the blessings of freedom," by constitutional law, are dependent upon obedience to the higher law of God. This is essentially the meaning of the Preamble to our basic law and from which all our freedoms flow. (This

¹J. Ross Browne, Report of the Debates in the Convention of California on the Formation of the State Constitution, in September and October, 1849, Washington, D.C. 1850, p. 417.

²Benjamin Weiss, God in American History. Grand Rapids, Mich.: Zondervan Publishing House. 1966. This publication contains the preambles of all 50 states of the Union.

concept is pursued in depth in Chapter III.) It is something that the school administrator can begin with, because, as the legal officer of the school, he must begin with "what is," with what the law says. Unfortunately, there are few statutes which specify the meaning of "morality" within this context which he is bound to protect and promote. He would have to start with Article IX, Section I of the Constitution of the State of California and understand the intention of California's founding fathers when they adopted it.

A general diffusion of knowledge and intelligence being essential to the preservation of the rights and liberties of the people, the Legislature shall encourage by all suitable means the promotion of intellectual, scientific, moral, and agricultural improvement.

It was not until 1943, however, that the Legislature moved to implement that constitutional mandate. At that time Education Code Section 7851 (now Section 13556.5) was adopted.

13556.5. Each teacher shall endeavor to impress upon the minds of the pupils the principles of morality, truth, justice, patriotism, and a true comprehension of the rights, duties, and dignity of American citizenship, including kindness toward domestic pets and the humane treatment of living creatures, to teach them to avoid idleness, profanity, and falsehood, and to instruct them in manners and morals and the principles of a free government.

Perhaps school officials, like judges, need to look behind the words, and to the intentions of the legislators who adopted the laws, in order to best fulfill their responsibilities according to tradition and heritage.

In the case of Section I, Article IX of the Constitution of the State of California, the men at the Constitutional Convention in 1849 frequently referred to articles on public education already adopted by other Western states. These states, in turn, traced their allocations of public lands for education to the provisions first proposed by Jefferson during the periods of the Confederation; for instance, the Ordinance of 1785 which "reserve the lot N. 16 of every township for the maintenance of public schools" and the additional Ordinance of 1787 which included Article the Third: "Religion, morality and knowledge being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged."

There is no question, therefore, that one of the primary functions of public education, according to the original purposes for establishing public schools, was to teach religion and morality as essential to the success of good government.

In a later chapter we shall examine the nature of this religion and morality. For the moment let us cite those statutes which use the words moral, morality, and immoral in connection with education.

GOOD MORAL CHARACTER

Section 13126 of the Education Code specifically requires candidates for teaching certificates "to submit reasonable evidence of identification and good moral character."

Section 13129 provides the grounds for dismissal of teachers who are addicted to intoxicating beverages, to narcotics, guilty of fraud, and "(e) Has committed any act involving moral turpitude."

Section 13202 of the Education Code reads:

The State Board of Education shall revoke or suspend for immoral or unprofessional conduct, or for persistent defiance of, and refusal to obey, the laws regulating the duties of persons serving in the Public School System, ...

Other sections of the Education Code, beginning with Section 12910, provide for the dismissal of teachers who have fallen into wayward behavior. Teachers can be dismissed from the ranks of those who hold certificates for sex crimes (Section 12911) as defined in the Penal Code Section 647; that is, for "lewd and lascivious conduct" and for narcotics offenses (Education Code sections 12912.5ff). There are, of course, mandatory revocations for major crimes, and any school official who is "knowingly" a member of the Communist Party will suffer loss of his credential.

MORAL TURPITUDE

The problem confronting educators and administrators today is that, while law identifies crimes based upon "immoral acts," contemporary definitions of "moral" and "immoral" have brought about a kind of stalemate to the point of public acceptance of homosexual behavior. Some of the reasons for these changes, if indeed they are changes, will be examined in Chapter V.

The issues remain one of definition of standards, however.

What is good moral character?

What is immoral?

What is obscene?

What is pornographic?

If one searches the reasons why these questions seem to go unanswered these days, one would ultimately wind up on the steps of the U.S. Supreme Court in Washington, D.C., for the answers.

Consider the term: "moral turpitude." Webster traces the word "turpitude" to the Latin turpitudō, from Turpis, vile, base. Hence, it means "inherent

baseness: depravity; also a base act." But, as the advisory committee observed the very first day of its meeting in December, 1968, there are movies, books, magazines, and nonprofit institutes that sell a philosophy of life which rejects traditional standards of "morality." This philosophy, or religion, called Secular Humanism has penetrated deep into institutions of higher education where California's future teachers are entertained by campus-sponsored "dramas," such as The Beard, Ergo, Hair, and so forth. This "new morality" illustrates the progress made in convincing college students that there is literally no such thing as "a base act"; and if this is true, there is difficulty in ascribing such acts as "moral turpitude."

The suggested changes made by the Teachers Professional Standards Commission, appointed by the State Board of Education, are indicative of these changes in attitude toward the term "good moral character." Some of those changes are as follows:

Penal Code sections 220-221	Assault with Intent to Rape. (Mandatory Action) Permanent Revocation. (Discretionary Action) Nonpermanent Denial.
<u>Change to:</u>	<u>(Mandatory Action) Nonpermanent Revocation. Recommend thorough legislative statutory revision.</u>
Penal Code Section 288a	Oral Sex Perversion. (Mandatory Action) Nonpermanent Revocation. Permanent Revocation. Permanent Denial.
<u>Change to:</u>	<u>(Discretionary Action) Nonpermanent Revocation or Suspension. Permanent Denial. Recommend legislative statutory revision.</u>
Penal Code Section 314	Indecent Exposure. (Mandatory Action) Permanent Revocation. Permanent Denial.
<u>Change to:</u>	<u>(Discretionary Action) Nonpermanent Revocation or Suspension. Nonpermanent Denial. Recommend legislative statutory revision.</u>
Penal Code Section 647 (Subdivision (d))	Loitering In or About Public Toilet for Lewd Acts. (Mandatory Action) Permanent Revocation. Permanent Denial.
<u>Change to:</u>	<u>(Mandatory Action) Nonpermanent Revocation. (Discretionary Action) Nonpermanent Denial.</u>

The arguments for changing the penalties incurred by some of these "offenses" are that moral attitudes have changed and that, therefore, moral standards for school teachers should also change. Hence, the question again arises: What is that "good moral character" by which all public officials are judged, be they teachers or not?

The question was posed by members of the advisory committee to the Board, but their answers were not those of the relativists or the secular Humanists. Their admonitions to the Department staff encouraged a look behind the fads of the moment, of the moral decay observable around us. They urged, instead, what the State Board wanted to know: What are those standards according to our tradition and heritage?

The advisory committee members observed that behind statutory and constitutional law lies the uncodified law of human behavior upon which statutory laws rest. Statutes, they observed, largely protect those standards that are traditionally a part of a society. Law, in other words, is a protective function. It punishes only when the established traditions are disregarded. Crime by definition is "a public offense"; that is, an offense against established morals and standards. Laws, in other words, do not create morality, but they do identify what is immoral or "wrong" by establishing penalties against infractions.

The teacher can surely identify what is a public offense by reciting the Ten Commandments as the standard of morality for America and for most of the Western world, because the Decalogue is the unwritten law of the land, the intellectual infrastructure upon which statutory laws rest. Let us illustrate this by reciting some Penal Code sections and the particular moral standards, traceable to the Decalogue, which they protect.³ The table reaffirms the assertion of Louis de Bonald, the eighteenth century enemy of Voltaire: "Laws come from an earlier time and like man himself, they existed before they were born." (Bonald was quick to observe, moreover, that "bad laws have a beginning, but the good, emanating from God, are as eternal as He.")

	<u>Commandment</u>	<u>Penal Code Section</u>
<u>Third</u>	Thou shalt not take the name of the Lord Thy God in vain.	Prohibits vulgar, profane or indecent language: 415
<u>Fourth</u>	Remember the Sabbath Day to keep it holy.	Disturbing religious meetings: 302

³This comparison is a brief example of what could be explored in more detail. Other than the Penal Code, the following professional codes also lean heavily on the Decalogue as representative of the moral standards which citizens of California wish upheld: the Business and Professional Code; the Welfare and Institutions Code; the Health and Safety Code; and of course, the Education Code.

	<u>Commandment</u>	<u>Penal Code Section</u>
<u>Fifth</u>	Honour thy Father and thy Mother.	Failure to provide for parents: 270c
<u>Sixth</u>	Thou shalt not kill.	Assault: 149, 221, 240, 244, 245 Battery: 242, 243 Murder: 187-190, 190.1, etc. Mayhem: 203, 204 Attempts to kill: 216, 217, 217.1, 218, 219, etc. Duels: 225-231 Suicides: 401
<u>Seventh</u>	Thou shalt not commit adultery.	Rape: 220, 261-264, 266b Abduction: 265, 267 Seduction: 266, 268, 269 Prostitution: 266a, 266e-h, 273f, etc. Pandering: 266 Adultery: 269a, 269b Failure to provide: 270, etc. Abortion: 274-276 Bigamy: 281-284 Incest: 285, 359, 785
<u>Eighth</u>	Thou shalt not steal.	Bribery or unlawful receipt of money or property: 67, 67-1/2, 68, 70, 72, etc. Extortion: 518-524, 526, 527 Fraud: 154, 155, 156, 157, etc. Forgery: 470-476, etc. Kidnapping: 207-210, 278, 784 Robbery: 211, 211a, 212-214 Burglary: 459-461, etc. Lotteries: 319-326 Gaming: 330, 330a-c, etc. Counterfeiting: 366, 477-481 Larceny: 384a, 484-487, etc. Embezzlement: 424-428, 431, etc.
<u>Ninth</u>	Thou shalt not bear false witness against thy neighbor.	Perjury: 118, 118a, 119, etc. Falsifying evidence: 132-136 Libel: 248-257, 964 Slander: 258-260, 784a
<u>Tenth</u>	Thou shalt not covet thy neighbor's house, wife, servants or property.	The mental act of coveting is not a crime, but the fulfillment of that desire would lead to theft, adultery, kidnapping, rape, arson, or similar crimes.

Therefore, to understand morality according to our traditions and heritage, it is imperative that we begin with those concepts which were so basically a part of the thinking of America's Founding Fathers. The bases of moral conduct in America as in the Western World as a whole, we will find in two major traditions: (1) that of natural or higher law as developed by reason; and (2) that of moral absolutes as expressed in the Judeo-Christian religion.⁴

A third source will be referred to as well: those codes of conduct which govern primitive people and which are handed down from one generation to another, largely by verbal tradition.⁵

In all three instances, however, there is evidence that the moral law is inseparable from the inherent nature of mankind as a whole.

And there is inescapable evidence that, in all three areas of discovery of the moral law, ultimately moral man is found to be a reflection of his perfect Creator, God.

⁴The official philosophy of the State Department of Education, as enunciated by Dr. Max Rafferty, June 16, 1965: "Education in Depth maintains that there are positive, eternal values, and that the main purpose of Education is to seek out these lasting values"

⁵Here the discipline of anthropology can be utilized by classroom teachers. The connection of man with spiritual origins and destiny is common to all primitive peoples and cultures. Fortunately Frank Hamilton Cushing, an Indian affairs official who lived many years among the Zuni, put into English Zuni religious myths. "Outlines of Zuni Creation Myths," was first published in the 13th Annual Report 1891-92 by the U.S. Bureau of American Ethnology, Washington, D.C., pp. 325-447. It reflects in a remarkable way the story of Genesis, and even of the Biblical wanderings of the Jews.

Chapter III

Morality and the Natural Law Tradition

A divine conception of the universe pervades the spirit of American civilization as it does of world civilizations in general. It is that man's blessings all his freedoms stem from a source that is higher than man.

This is the concept of higher law, or natural law, or divine law, as invoked by America's men and heroes since the beginning of our history. The Declaration of Independence incorporates this thesis, as every school boy should know. It claims it is necessary for people "to assume among the powers of the earth, the separate and equal station to which the laws of nature and of nature's God entitle them. . . . We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights, . . ."

One of the problems of our time is that not every school boy does know the significance of these theological declarations as they apply to the American heritage.

The leading theorists on college campuses today seem to discredit the entire theory of natural law by asserting it was nothing but an idealistic reflection of a passing agrarian society, something of a figment of the imagination of one man, Thomas Jefferson.

Roland Van Zandt, whose work is a source book for contemporary social science teachers, refers to the "group of growing scholars and specialists who have come to see that our traditional theories are indefensible even though these theories are still generally subscribed to by the populace as a whole and those members of society who are closest to the centers of power and are responsible for the maintenance of that society." Mr. Van Zandt avoids theological premises (see Chapter V) and considers the whole traditional order of American society based upon "antiquated assumptions."¹

Mr. Van Zandt and the scholars of his school either miss the main thrust of history as reflected in the American experiment, or they choose to ignore it. What they ignore is the thesis that what is valid for all mankind is as valid today as it was in the age of Gilgamesh; namely, that the moral laws which govern mankind remain constant, whatever the political or economic changes in social structure that may take place as a result of technological changes. It means, in other words, that a moral system governing the behavior of men precedes and supercedes the political structure. It means that an intellectual order is the infrastructure upon which an economic and political order rests.

The basic rights of free men are nowhere found where man is enslaved. Such rights, in other words, to property, to freedom of movement within one's own country, or the right to emigrate to another country. The cherished American freedoms of speech, of press, of privacy, of conscience,

¹Roland Van Zandt, The Metaphysical Foundation of American History, The Hague: Mouton and Co., 1959, p. 59.

or of trade and commerce are unknown in countries which have denied God. Of supreme importance is the right of parents to raise and educate their children. This is one of the first rights lost to free men under twentieth century Communist or Nazi regimes, for example.

All such rights are accepted as commonplace to most Americans whose thinking is rooted in natural law. To avoid instruction in the meaning of these profound theories is tantamount to ignoring the foundation of Western Civilization.

JOHN ADAMS

For instance, those rights were spelled out long before 1776. Listen to John Adams, in 1765:

Let the bar proclaim "the laws, the rights, the generous plan of power" delivered from remote antiquity, inform the world of the mighty struggles and numberless sacrifices made by our ancestors in defense of freedom. Let it be known that British liberties are not the grants of princes or parliaments but original rights, conditions of original contracts, coequal with prerogative and coeval with government; that many of our rights are inherent and essential Let them search for the foundations of . . . laws and government in the frame of human nature, in the constitution of the intellectual and moral world. There let us see that truth, liberty, justice, and benevolence are its everlasting basis; and if these could be removed, the superstructure is overthrown of course.²

These views were repeated in the Declaration of Rights in 1774, which declared that "the inhabitants of the English Colonies in North America, by the immutable laws of nature, have the following rights," which were then identified as those of "life, liberty and property." This document, like that of 1776, proceeded to identify in detail the infractions committed by the British government against rights guaranteed to a free people by natural law precepts.

As Clarence Carson points out, our Founding Fathers were very much at home with the philosophical systems of the ancient Greeks and Romans. "The framers of the Constitution," he observed, "did not merely echo or imitate this ancient material, they applied it to the task in hand and transmuted it into workable form."

For the first time in modern history, in fact, a people, forced by circumstances to examine the first principles of freedom, actually incorporated in their structure of government, in the Bill of Rights, a philosophy of government based upon natural law concepts. To say, as the debunkers of American history are saying, that such an enormous contribution to the history of man was merely an "abstraction" and "unnatural," as Mr. Van Zandt and his school assert, is one of the most twisted interpretations of a nation's history that the most gifted writer on utopias could ever attempt.

²Clarence B. Carson, The American Tradition. Irvington-Hudson, N. Y.: Foundation for Economic Education, 1964, p. 16.

Let us look at some of the sources read and digested and applied by America's Founding Fathers.

ARISTOTLE

The first mover, then, exists of necessity; and in so far as it exists by necessity, its mode of being is good, and it is in this sense a first principle On such a principle then, depend the heavens and the world of nature If then, God is always in that good state in which we sometimes are, this compels our wonder; and if in a better this compels it yet more. And God is in a better state. And life also belongs to God; for the actuality of thought is life, and God is that actuality; and God's self-dependent actuality is life most good and eternal. We say therefore that God is a living being, eternal, most good, so that life and duration continuous and eternal belong to God; for this is God.³

And readers of Aristotle will discover how much the peripatetic liked to quote the eighteenth century poet Hesiod on the origins of the world; a paragraph which sounds rather like Genesis and prophetic of the Incarnation:

First of all things chaos made, and then
Broad-breasted earth
And love, 'mid all the gods pre-eminent.

It is very true that much of Aristotle and Cicero and Seneca came to our Founding Fathers from the English theorists Sir Edward Coke and William Blackstone. Coke, a sixteenth century writer, was our country's link with the ancient world through his concentration on the middle ages.

SIR EDWARD COKE

The law of nature was before any judicial or municipal law (and) is immutable. The law of nature is that which God at the time of creation of the nature of man infused into his heart for preservation and direction; and this is the eternal law, the moral law, called also the law of nature.

And by this law, written with the finger of God in the heart of man, were the people of God a long time governed before the law was written by Moses, who was the first reporter or writer of law in the world.

God and nature is one to all and therefore the law of God and nature is one to all.

This law of nature which indeed is the eternal law of the Creator, infused into the heart of the creature at the time of his creation, was two thousand years before any laws written and before any judicial or municipal laws

³Introduction to Aristotle, *Metaphysics*, Bk. XII. New York: Modern Library, n.d., p. 295.

were made. Kings did decide cases according to the natural equity and were not tied to any rule or formality of law.⁴

WILLIAM BLACKSTONE

William Blackstone echoed Coke and was without doubt the most oft-quoted philosopher among American patriots during the trying days of the independence movement:

When the Supreme Being formed the universe and created matter out of nothing, he impressed certain principles upon that matter, from which it can never depart, and without which it would cease to be.

This, then, is the general signification of law, a rule of action dictated by some superior being; and, in those creatures that have neither the power to think, nor to will, such laws must invariably be obeyed, so long as the creature itself subsists, for its existence depends on that obedience.

But laws, in their more confined sense and in which it is our present business to consider them, denote the rules, not of action in general, but of human action or conduct, that is, the precepts by which man ... endowed with both reason and free will, is commanded to make use of those faculties in the general regulation of his behaviour.

Man, considered as a creature, must necessarily be subject to the laws of his Creator for he is entirely a dependent being ... a state of dependence will inevitably oblige the inferior to take the will of him on whom he depends as the rule of his conduct ... in all those points wherein his dependence consists

Consequently, as man depends absolutely upon his Maker for everything, it is necessary that he should, in all points, conform to his Maker's will. This will of his Maker is called the law of nature.

For as God, when he created matter, and endowed it with a principle of mobility, established certain rules for the perpetual direction of that nation, so, when he created man, and endowed him with free will to conduct himself in all parts of life, he laid down certain immutable laws of human nature, whereby that free will is in some degree regulated and restrained, and gave him also the faculty of reason to discover the purport of those laws

The Creator is a being not only of infinite power and wisdom, but also of infinite goodness ... he has so intimately connected, so inseparably interwoven the laws of eternal justice with the happiness of each individual, that ... [happiness] cannot be attained but by observing the former; and if the former be punctually obeyed, it cannot but induce [happiness].

⁴Moral Leadership, The Protection of Moral Standards and Character Education Program, United States Navy and United States Marine Corps, Navpers No. 19589, 1957, p. 196.

This is the foundation of what we call ethics, or natural law; for the several articles into which it is branched into our systems, amount to no more than demonstrating that this or that action tends to man's real happiness, and therefore very justly concluding that the performance of it is part of the law of nature; or, on the other hand, that this or that action is destructive of man's real happiness, and therefore that the law of nature forbids it.

This law of nature being coeval with mankind, and dictated by God himself, is of course, superior in obligation to any other. It is binding over all the globe in all countries and at all times; no human laws are of any validity if contrary to this; and such of them as are valid derive all their force and all of their authority mediately or immediately from this original.⁵

CICERO

But it was the great Roman orator Cicero who was most often quoted by men who blazed new routes in moral and political history in the 1770s. It will be readily seen from the following how much of a debt they, as well as Coke and Blackstone, owed to him:

There is in fact a true law -- namely right reason -- which is in accordance with nature, applies to all men, and is unchangeable and eternal. By its commands this law summons men to the performance of their duties; by its prohibitions it restrains them from doing wrong. Its commands and prohibitions always influence good men, but are without effect upon the bad.

To invalidate this law by human legislation is never morally right, nor is it permissible ever to restrict its operation, and to annul it wholly is impossible.

Neither the Senate nor the people can absolve us from our obligation to obey this law, and it requires no Sextus Aelius to expound and interpret it.

It will not lay down one rule at Rome, and another at Athens, nor will it be one rule today and another tomorrow.

But there will be one law, eternal and unchangeable, binding at all times upon all peoples; and there will be, as it were, one common master and ruler of men, namely God, who is the author of this law, its interpreter and its sponsor.

The man who will not obey it will abandon his better self, and, in denying the true nature of a man, will thereby suffer the severest of penalties, though he has escaped all the other consequences which men call punishment.⁶

⁵Ibid., pp. 196, 197.

⁶Ibid., p. 196.

"Right reason," experience, experimentation, applied to the physical world has allowed mankind to discover and harness the laws of physical nature to apply to his comfort and pleasure. Right reason, experience, and experimentation has also presented to mankind over the course of human history a structure of moral order which, if followed, leads to peace and happiness and, if ignored, leads to strife and tyranny.

Our Founding Fathers fully believed, therefore, that moral codes of law were as discernible as were those laws governing the actions of physical forces. They bound all men -- at all times -- in all countries. Through sheer "reason," given to man alone of all God's creatures, these laws are manifest. Our Founding Fathers often quoted Plutarch's injunction: "to follow God and obey reason is the same thing." Right reason would lead men to discover those laws governing human behavior, just as reason and experimentation revealed to man those laws governing the movement of heavenly bodies, or of gravity, or of heat, or the composition of matter. If all flowed from God, it was reasonable to expect that He would enlighten man more and more as his reason was continuously applied to experience. Because of this, perhaps, Roscoe Pound, America's greatest teacher of law in the twentieth century, remarked about those from whom our forefathers learned:

The Seventeenth Century policy as set forth in Coke's doctrine, was the one we accepted at our Revolution and put into our constitutions. When these instruments declare themselves the "supreme law of the land" they use the language of Magna Carta as interpreted by Coke; namely, that statutes could be scrutinized to look into the basis of their authority and if in conflict with fundamental law they must be disregarded. This doctrine was as much a matter of course to the American lawyer of the early Revolution as the doctrine of the absolute binding force of an act of Parliament is to the English lawyer of today.

So steeped were the Eighteenth Century colonial lawyers in Coke's teachings, that the controversial literature of the era of the Revolution, if it is to be understood, must be read or interpreted by a common law lawyer. Indeed, he must be a common law lawyer of the Nineteenth Century type, brought up to read and reread Coke and Blackstone until he got the whole feeling and atmosphere of those who led resistance to the home government.⁷

The one outstanding element which held together the spirit of our Founding Fathers in those dark days of resistance to tyranny from abroad was the element of humility as creatures of God. As Hamilton commented on the difficulties which confronted them in their struggle for freedom: "It is impossible for the man of pious reflection not to perceive in it a finger of that Almighty hand which has been so frequently and signally extended to our relief in the critical stages of the Revolution."⁸

⁷ Ibid., p. 198.

⁸ Federalist Papers, #37.

Today, as Americans are reflecting more and more upon those intellectual foundations upon which our society and culture was established, they would be less than sensible if they did not heed Roscoe Pound's advice and reexamine those sources of wisdom which form one side of the triangle of our heritage. By so doing, they would recognize the deep significance of that oft-quoted but seldom examined phrase of Thomas Jefferson: "Endowed by our Creator with certain unalienable rights."

Fortunately for the Department staff, Assemblyman E. Richard Barnes, for over 20 years a chaplain in the U.S. Navy, became a member of the Advisory Committee on Guidelines for Moral Instruction. He brought to our attention the "moral leadership" program of the Navy and Marine Corps, from which some of the preceding quotes were taken. Here was a prepared and tested outline of techniques to teach young men the nature of man and his relationship to God, his neighbor, his country, and his world. It was not only approved by all denominations of chaplains of the Navy but approved as well by the federal government as an educational program.

An analysis of the Navy's series of booklets on the subject of moral education convinced the committee that much of the Department's task on this particular phase of the guidelines had already been done. Accordingly, the chairman of the committee wrote to the Chief of Navy Chaplains, Washington, D.C., asking whether there would be any problem involved if the California State Board of Education decided to use the Navy's materials as part of their moral guidelines project.

Rear Admiral James W. Kelly, Chief of Chaplains, replied, "Your Committee is indeed welcome to utilize as much of this subject matter as desired for the proposed Guidelines. There are no copyright laws involved in the reproduction of this material." In another communication the Admiral added, "I am pleased in your interest in the Character Education program of the Navy and Marine Corps, and I wish you success in the implementation of a similar program in the California schools."

Rear Admiral Kelly managed to obtain for us 10 copies of the document This Is My Life.⁹ It is suggested by the staff that chapters I, II, III and V are especially appropriate to the purposes assigned by the Board resolution of July, 1968.

⁹ This is My Life, United States Navy and Marine Corps Character Education Program, Series Four, NAVPERS 15884, Washington, D. C.

Chapter IV

Morality and the Religious Tradition

Every school boy is taught that America's first European settlers were Christians, whether they were Anglo-Protestants in the North or Catholic Christians sweeping up from the South. Moreover, both denominations carried to the New World with them a missionary zeal to convert to Christianity the Indians they found in the New World.

In 1493 Columbus wrote concerning his discoveries of the Indies:

Let Christ rejoice on earth, as he rejoices in heaven in the prospect of the salvation of the souls of so many nations hitherto lost. Let us also rejoice, as well on account of the exaltation of our faith, as on account of the increase of our temporal prosperity of which not only Spain, but all Christendom will be partakers.¹

It took several centuries for the Spanish missionary zeal to reach the shores of California where Gaspar de Portola and Junipero Serra led the northernmost exploits of the Spaniards to complete what Columbus had started three centuries earlier.

Meanwhile, the English plans to colonize and civilize the eastern portions of the New World were not without a Christian missionary zeal. Wrote Richard Hakluyt in 1584:

It remains to be thoroughly weighed and considered by what means and by whom this most godly and Christian work may be performed of enlarging the glorious gospel of Christ, and reducing (leading) of infinite multitudes of these simple people that are in error into the right and perfect way of their salvation. The blessed apostle Paul, converter of the Gentiles, Romans 10, writes in this manner: "Whosoever shall call on the name of the Lord shall be saved. But how shall they call on him in whom they have not believed? and how shall they believe in him of whom they have not heard? and how shall they hear without a preacher? and how shall they preach except they be sent?" Then it is necessary, for the salvation of those poor people who have sat so long in darkness and in the shadow of death, that preachers should be sent unto them. But by whom should these preachers be sent? By them no doubt who have taken upon them the protection and defense of the Christian faith. Now the Kings and Queens of England have the name of Defenders of the Faith. By which title I think they are not only charged to maintain and patronize the faith of Christ, but also to enlarge and advance the same.²

¹Edwin Scott Gaustad, A Religious History of America. New York: Harper & Row Pubs., 1966, p. 7.

²Ibid., p. 28.

We can know our heritage and our traditions through our documents -- by reading the biographies of our heroes and by recording the impact of America upon the world scene.

The compact signed aboard the Mayflower by the Puritans upon arriving at Plymouth was "for the glory of God and the advancement of the Christian Faith."

The primary purpose of education in America's early history was precisely to prepare young Christians to familiarize themselves with the "book," the Bible, as Justice Brewer of the U.S. Supreme Court said: "The American Nation, from its first settlement in Jamestown to this very moment, has been permeated by the Bible."³

Abraham Lincoln once declared: "In regard to the great Book, the Bible, I have only to say that it is the best gift God has ever given to man But for this Book we could not know right from wrong."⁴

Daniel Webster elaborated on this theme: "The Bible is a book of faith, and a book of doctrine, and a book of morals, and a book of religion, of special revelation from God."⁵

In our times Adlai Stevenson found it necessary to observe that: "The Christian faith has been the most significant single element in our history and tradition."⁶

Even the courts have, in recent years, in their zeal to protect the rights of individuals, found it necessary to reassert America's religious heritage as the major support of the individual because he is a creature of God. In Zorach v. Clauson, the U.S. Supreme Court admitted that Americans "are a religious people whose institutions presuppose a Supreme Being." And in the case of U.S. of America, v. Daniel Andrew Seeger, (an appeal to the U.S. Supreme Court to reverse conviction of refusal to submit to induction into the Armed Forces, No. 206, Docket 28346, U.S. Court of Appeals Second Circuit 1964) the U.S. Supreme Court reversed the conviction of Daniel Seeger on the following grounds:

It has been noted that the principal distinction between the free world and the Marxist nations is traceable to democracy's concern for the rights of the individual citizen as opposed to the collective mass of society. And this dedication to the freedom of the individual of which our Bill of Rights is the most eloquent expression, is in large measure the result of the nation's religious heritage.

³Benjamin J. Weiss, Great Thoughts. South Pasadena, Calif.: National Educators Fellowship, 1968, p. 7.

⁴Ibid., p. 9.

⁵Ibid., p. 13.

⁶Ibid., p. 39.

The court added, "Indeed, we here respect the right of Daniel Seeger to believe what he will largely because of the conviction that every individual is a child of God; and that Man, created in the image of his Maker, is endowed for that reason with human dignity."

These comments only reaffirm what the State Board of Education resolution asserted in December, 1963: the courts of our country have leaned again and again upon America's religious heritage in order to arrive at decisions which protect individual liberties.

How was the issue of religion in the public schools in California dealt with in the past? It may be instructive for us to examine how the famous California Superintendent of Public Instruction John Swett fused the issues of religion and morality to the satisfaction of the public in his day.

JOHN SWETT

It is a curious circumstance that just about 100 years ago, John Swett found it necessary to defend the public schools against charges that they were not teaching morality to the children. His thirteenth report to the California State Legislature for the year 1863 is replete with arguments for his defense and supplies our generation with some materials that could well be examined for our purposes. There are here excellent examples of how the natural law precepts fused and mixed with the Christian ethic and how materials were designed to fulfill the obligations of the schools as those officials of that day saw it.

"That moral training is an important part of public school education, no one will deny," wrote Swett. And he added, "And that it receives all the attention which its importance demands, few will affirm."

Swett continued:

Now, the moral faculties of the child, like the intellectual, need daily development from the feeble germs of childhood. We do not expect a little child to learn arithmetic or grammar by repeating rules and formulas; neither ought we to suppose that the same child will appreciate, understand, and assimilate, the great foundation principles of right and wrong which should be its rule of action through life by the mere process of repeating mottoes, maxims, or commandments.

It is not enough to tell children it is wicked to lie, or to make them commit to memory the commandment forbidding it; the enormity of the offence must be pressed home by familiar illustrations, by simple stories or anecdotes, until their feeble moral powers can comprehend its meanness and its wickedness. The moral faculties, like the intellectual, are of slow growth; they need daily culture until the habit of right thinking and right doing is formed. There are evil tendencies in the child's nature to be repressed; there are the germs of good qualities to be warmed into life and quickened in their growth; and this is the work of skillful teachers during many years.

Abstract doctrines of religious belief will never do this. The moral nature grows with the intellectual -- as knowledge dawns upon the mind, so comes the distinction between right and wrong. Any teacher who should attempt to make his pupils thoroughly understand cube root by committing to memory the rule without performing a single example under it, or who should attempt to teach them a knowledge of grammar by requiring them to memorize all the rules, without writing or speaking a word, would be far wiser than he who attempts to develop the moral natures of children by formal precepts alone. It is not the best way to make a boy honest to require him to repeat, "Thou shalt not steal," from morning till night, neither is it the surest way to fortify him against a habit of profanity simply by telling him it is wicked to swear. Hundreds of parents have found this out to their sorrow. The form is too often mistaken for the reality, and the shadow for the substance.

Simply reading the Bible in schools may be an aid to moral training, but there is no substitute for it. The vital point is, not whether the Bible shall or shall not be read, but whether the dormant germs of moral and religious life shall be warmed and quickened by the soul of the teacher.

The difference between the English and the Douay version of the Scriptures, about which there has been so much contention, makes no essential difference in human nature, or in the great principles which underlie all morality and all religion.

Do the public schools make any provision for moral culture, and if so, what is it? The State Board of Education has placed on the State series of textbooks Cowdery's Moral Lessons, to be used in school by teachers. It seems a little strange, when so much attention has been given to textbooks in all school studies, that there is only one little work on morals adapted to the minds of children, and based on philosophical principles of development. Of larger works in ethics there are many, but this little book of Cowdery's seems to be the only textbook suitable for use in schools of the lower grades. It contains some thirty lessons on manners and morals, each lesson having a maxim, which is illustrated by stories or anecdotes, followed by questions on the principle inculcated. The following are the subjects of the lessons:

1. Do unto others as you would have others do to you.
2. Repay all injuries with kindness.
3. A little wrong done to another is great wrong done to ourselves.
4. The noblest courage is the courage to do right.
5. Be slow to promise, but sure to perform.
6. Honor thy father and thy mother.
7. Think the truth; speak the truth; act the truth.
8. Do good to all as you have opportunity.
9. Speak evil of no one.
10. Carefully listen to conscience, and always obey its commands.
11. We must forgive all injuries, as we hope to be forgiven.
12. Learn to help one another.
13. The greatest conqueror is the self-conqueror.

14. Swear not at all.
15. Be faithful to every trust.
16. Be neat.
17. Right actions should spring from right motives.
18. Labor conquers all things.
19. Be honest in 'little things,' upright in all things.
20. A person is known by the company he keeps.
21. Learn to deny yourself.
22. Live usefully.
23. Be kind to the unfortunate.
24. Do right and fear not.
25. Be patient and hopeful.
26. Be merciful to animals.
27. It is better to suffer wrong than to do wrong.
28. It is more blessed to give than to receive.
29. Think no thoughts that you would blush to express in words.
30. Live innocently if you would live happily.
31. We must learn to love others as we love ourselves.
32. The good alone are great.

Willson's Readers are adopted in the State Series. Are they destitute of "moral lessons?" Turning to the pages of the Second Reader, designed for primary schools, I find such lessons as these:

Never tell a lie;	Story of the railroad thief;
God is near;	Don't kill the birds;
Man and his Maker;	The angry man;
Lazy Slokins, the schoolboy --	Work and play;
drunkard -- the thief;	Praise ye the Lord;
The works of God;	The Ten Commandments.

Are not these the best kind of "moral lessons?" The Third Reader, for the next higher grade of pupils, contains the following reading lessons, among many others of a like nature:

My mother's Bible;	Joseph and his brethren;
The Creation;	The story of Moses;
The beginning of sin;	David and Goliath;
Cain and Abel;	David, Saul, and Jonathan;
The flood;	Solomon the wise king;
The Ark and the dove;	Solomon's Proverbs;
Abraham and Lot;	Be honest, and dare to tell the truth;
Abraham offering Isaac;	Idleness and industry compared;
Isaac and Rebecca;	Honesty is the best policy;
Jacob and Esau;	The first temptation.

Swett concluded this demonstration with a question in defense of the public schools:

Here are found the most instructive and interesting stores of the Bible, told to children in a pleasing and simple style. Are the public schools

any more "godless" than those in which the New England catechism, the Catholic catechism, or the Episcopal catechism, all containing a skeleton of church creeds, are learned by rote, without reference to understanding? Yet zealots and bigots cry out against the public schools that they do not teach the existence of a God, that they do not give instruction in the principles of morality, that they do not recognize the truth of the Bible. These illustrations are sufficient to refute the charge that the public schools pay no attention to moral instruction.⁷

Swett obviously did not feel that mere recitation of what was right and what was wrong was going to do the job, but the example, "learning by doing," is a technique as old as Adam and as applicable to the "moral faculties" as it is the intellectual. Hence, he quoted several other superintendents of his day from other states who described his views. The following is that of his colleague from Illinois, the Honorable Newton Bateman:

It should be proclaimed in every school that there are original, immutable, and indestructible maxims of moral rectitude -- great lights in the firmament of the soul -- which no circumstances can affect, no sophistry obliterate; that to this eternal standard every individual of the race is bound to conform, and that by it the conduct of every man shall be adjudged. It should be proclaimed that dishonesty, fraud, and falsehood are as despicable and criminal in the most exalted stations as in the most obscure, in politics as in business; that the demagogue who tells a lie to gain a vote is as infamous as the peddler who tells one to gain a penny; that an editor who wantonly maligns an opponent for the benefit of his party, is as vile as the perjured hireling who slanders his neighbor for pay; that the corporation or the man who spawns by the thousand his worthless promises to pay, under the name of banking, knowing them to be worthless, is as guilty of obtaining money under false pretences as the acknowledged rogue who is incarcerated for the same thing under the name of swindling; that the contractor who defrauds the Government, under cover of the technicalities of the law, is as much a thief as he who deliberately and knowingly appropriates to his own use the property of another.

In a word, let it be impressed in all our schools that the vocabulary of heaven has but one word for each wilful infraction of the moral code, and that no pretexts or subterfuges or sophistries of men can soften the import or lessen the guilt which that word conveys. Tell the school children that the deliberate falsifier of the truth is a liar whether it be the prince on his throne or the beggar on his dunghill; whether it be by diplomatists for reasons of state, or by chiffoniers for the possession of the rags in the gutter. Tell them that he who obtains money or goods under false pretences is a swindler, no more or less, be the man and the circumstances what they may. Tell them that he who irreverently uses the name of the Deity is a blasphemer, whether

⁷ Thirteenth Annual Report Of The Superintendent of Public Instruction of the State of California for The Year 1863, pp. 144-147.

he be a Congressman or a scullion. Tell them that he who habitually drinks intoxicating liquors to excess is a drunkard, whether it be from goblets of gold in the palatial saloon, or from tin cups in a grog shop. Tell them that he who speaks lightly or sneeringly of the honor of woman is a calumniator, be his pretensions to gentility what they may. And so with the whole catalogue of vices and crimes, till the line of demarcation between good and evil shall be graven so deeply upon the mind and conscience that it can never be obliterated.⁸

If those words seem a little harsh and puritanical to our generation, they nevertheless reflect the orientation of the leading school officials of their day. But the point remains that up until recently, schools have been teaching the essentials of morality by involving the specifics of our moral heritage according to the Bible. Although this was not codified as law, there were moves in 1879 to clarify Section 1 of Article IX of the Constitution of the State of California by the following amendment: "The standard of moral instruction in our public schools shall be that set forth in the Bible, precluding sectarianism."⁹

This amendment was not adopted for a variety of reasons, not the least of which was the effort of some delegates to the 1879 convention to abolish that entire section of the state constitution requiring "moral improvement." The proponents of that section, however, prevailed over its opponents. Some of the following remarks by the winning side are evidence of the reasons underlying why that section remained in the Constitution and remains there today despite efforts by the 1968 Constitution Revision Commission to erase it from history:

Mr. WINANS. Mr. Chairman: ... Public education forms the basis of self-government and constitutes the very corner stone of republican institutions. Ignorance is the parent of vice, and vice soon hardens into crime. Education is the parent of intelligence and virtue. Crime has its temples in the penitentiaries which bristle over the land. Education has its temples in the school houses which rear their stately domes within the cities, or spread their simple structures, white and glowing in the sunlight, throughout the towns and villages, over the hillsides and amid the valleys of this broad domain. As the school houses multiply the penitentiaries decrease. In the earlier Constitutions of the original States the subject of education was merely mentioned. It was declared in the form of a principle, but did not concentrate into any form of legislative enactment. It was merely the broad declaration of a high principle, but as the time advanced and the condition of the people improved, and the nation augmented, this subject began to increase in consequence, and center into the new Constitutions as they were from time to time adopted, in the form of section after section,

⁸ Ibid., pp. 149-150.

⁹ Debates and Proceedings of the Constitutional Convention of the State of California, Vol. I, Supt. State Printing, Sacramento, 1880, p. 146.

until at last, it attained to the dignity of a complete article in every Constitution. In all of the Constitutions of the States, it is a noticeable fact, that the declaration of abstract principles upon which they are founded is confined to an original article entitled a "Declaration of Rights," and in regard to the articles upon education that figure through the several Constitutions of the States there is this marked difference, that they are ~~always~~ premised by an original section declaratory of the importance and magnitude of the service, and declaratory of the principle which it involves. This is entirely exceptional in all the other departments of constitutional enactment.¹⁰

Mr. Winans may have expected too much of education when he suggested that as "school houses multiply, penitentiaries decrease," but he did understand why those general words in Section 1, Article IX were needed to assure continuity of the Republic.

Delegate Cross at that convention also distinguished these basic needs from the equally necessary function of transmitting to all segments of education the nature of our heritage:

Mr. CROSS. Mr. Chairman: ... The section as here proposed by the committee certainly does involve the expenditure of public funds for encouraging education not limited to reading, writing, spelling, arithmetic, grammar, and geography, but this to encouraging the promotion of intellectual, scientific, moral, and agricultural improvement. The section as presented by the committee takes the position of the latter class, while the amendment represents the sentiment that education at public expense should be limited to the common English branches. This amendment proposes the education merely of children. For my own part, I believe that if there is in the State of California one boy or one girl of whatever age, a young man or a young woman who is disposed to devote his or her time to the acquisition of knowledge, that it is for the interest of this State to furnish the instruction. I believe it is for the interest of the State, and if it is for the interest of the State we should not impair the power of the State to act for its own interest.

The emphases on principles and the goals of general education were stated by delegates Wickes and Lampson:

Mr. WICKES. Mr. Chairman: I am in favor of the retention of section one of the report of the committee. I do not care whether it is called a preamble or not. I take a Constitution to be a philosophic and historic as well as a legal instrument. Judge Cooley, in his work on Constitutional Law, says that a Constitution contains the principles upon which the government is founded. We have here in this first section the principles, in a modified form, that underlie a system of general education. Here, now, is a republican form of government in which the people are sovereign. This Government must

¹⁰Ibid., p. 1087.

have the means of perpetuating itself, therefore the people must be educated. Again, we must have good rulers, and good legislators to make the laws. These rulers and these statesmen must come up from the ranks of the people; hence the people must be liberally educated. Again, the people must understand the importance of the laws that are made; hence the people must be liberally educated. This section expresses that idea: 'A general diffusion of knowledge and intelligence being essential to the preservation of the rights and liberties of the people, the Legislature shall encourage, by all suitable means, the promotion of intellectual, scientific, moral, and agricultural improvement.' The better and more liberally the people are educated, the more inventions and discoveries will be made. Again, to raise great men you must raise the mass of the people. All must rise together. Another reason why I am in favor of a liberal education, ranging from the primary to the university grade, is that it breaks down aristocratic caste; for the man who has a liberal education, if he has no money, if he has no wealth, he can stand in the presence of his fellow-men with the stamp of divinity upon his brow, and shape the laws of the people -- shape our republican institutions by his intelligence and speech.¹¹

Mr. LAMPSON. Mr. Chairman: I have but one word to say in reference to this section. It seems strange to me that gentlemen should object to saying that 'a general diffusion of knowledge being essential to the preservation of the rights and liberties of the people.' I wish, myself, I could see it doubly stated. The idea of striking out this declaration, or objecting to it, is strange to me. If I was to strike out either one of the lines, I would strike out the last two and leave that standing as a declaration to the people of America. It reads clear and distinct, and goes on from where I stopped: 'The Legislature shall encourage, by all suitable means, the promotion of intellectual, scientific, moral, and agricultural improvement.' All four of these come in strictly under the true principle of education. The gentleman, in his amendment, leaves out one of them, the scientific. I see no reason for striking out a single word from that section one. It stands exactly as the words that are spoken by every parent, at his fireside, to his child. I think that this Convention could find fault, perhaps, with other sections of this article, but on that section I see no reason for discussion. It is the true principle, that comes from the heart of every parent, that the diffusion of knowledge and intelligence is essential to the preservation of the rights and liberties of the people. The Legislature will do what they see fit to do. I do not think that a single word, even the word 'scientific,' ought to be stricken out. The Legislature will provide in reference to it.¹²

There are several important points that could be made about these remarks made by legislators nearly a century ago. First, they were fully aware of the early laws of the confederation which set aside lands for public education designed to spread knowledge for the preservation of our Republic. Second, they were aware that religion and morality were an integral part of that knowledge to be diffused.

¹¹ Ibid., p. 1,088.

¹² Ibid., p. 1,089.

In short, those legislators of 1879 included all segments of education under the constitutional mandate that "the Legislature shall encourage by all suitable means the promotion of . . . moral . . . improvement." It should be evident to everyone that at that time it included higher education, as well as K through 12. Today "higher education" includes the 14 university campuses, the 19 state college campuses, and the 89 junior college campuses. Nevertheless, the constitutional mandate is still there. It is necessary that this interrelationship of all educational institutions be stressed. Because to redirect public instruction towards heritage and tradition as the ultimate rationale for the very existence of public education (the thesis of these guidelines), it is obvious that the changes must commence in the institutions of higher education. It is in these institutions where teachers and other professional citizens are trained in the techniques to transmit this heritage to our children and to posterity. In other words, the universities and colleges must become involved in this rededication to American moral standards if their graduates are to be effective torch bearers. How this is to take place will certainly give rise to many other questions. The question often before the public and the Legislature is whether the three branches of higher education are performing the function expected of them; that is, preparing teachers and other professionals who know the American heritage and who are dedicated to its perpetuation. The advisory committee feels this is the crucial issue to be resolved by the State Board of Education.

Some key books, recently published, should be noted here as suggested materials for teachers and administrators to train their instructors in this important area.

Your American Yardstick, by Hamilton A. Long, (Your Heritage Books, Philadelphia, 1963) is an encyclopedia of original quotations and references concerning the "Twelve Basic American Principles" which undergird our culture. It is a source book of unique value as America enters upon its 200th anniversary years. It would be used as a teacher-training textbook or as a classroom source book. The Boston City Schools recently adopted it for this latter purpose. Highly recommended.

And We Mutually Pledge, by Stewart M. Robinson, a Presbyterian minister and former chairman, General Commission on Chaplains, (Long House, Inc., New Canaan, Connecticut, 1964). This small but compact book records and describes how significant were the speeches and pamphlets of Ministers of the Faith in the growing examination of the "cause of freedom" between 1770 and 1776. He demonstrates the links between the natural law and the divine law concepts as recognized by the various Christian denominations.

Unto the Generations, The Roots of True Americanism, by Daniel L. Marsh, former President of Boston University, (Long House, Inc., New Canaan, Connecticut, 1968) is the republication of a text once called The American Canon published in 1939. As with authors Long and Robinson, Dr. Marsh returns to the essential documents and the men who wrote and supported them to discover the "roots" of the American Creed. It is excellently written.

A Religious History of America, by Edwin Scott Gaustad, (Harper and Row, New York, 1966) is an excellent text, full of original source materials, and is most appropriate for teacher-training institutions.

Chapter V

Morality and the Challenge of Secular Humanism

HUMANISM IN THE EIGHTEENTH CENTURY

George Washington, in his "Farewell Address," warned in a subtle way of an intellectual confrontation that was gathering force in his age. Commenting on the need to promote the practice of religion as a safeguard to political stability, he said: "And let us with caution indulge the supposition, that morality can be maintained without religion. Whatever may be conceded to the influence of refined education on minds of peculiar structure, reason and experience both forbid us to expect that National morality can prevail in exclusion of religious principle."

That "supposition" to which Washington referred was not new to the eighteenth century, nor were "minds of peculiar structure" to whom he attributed that "supposition" unknown in previous ages. Yet, our forefathers were well aware that a new form of secularism was arising in the eighteenth century and that this "new morality" was a philosophy of life to be avoided, or even suppressed. The new "religion" which gave rise to the French Revolution and the terror has been known by many names since the eighteenth century. Most often it is characterized by what it rejects, than by what it fosters. The iconoclastic but wise Voltaire even made fun of his own destructive achievements when he once counseled a young revolutionary who wanted to know how to establish a new religion. Said Voltaire, "Get yourself crucified and then rise from the dead after three days."

John Jay, when serving abroad in the 1780s as an emissary for the Confederation of States, relates how he was challenged by Jacobin intellectuals. Once during a party he related how the conversation fell on religion and a guest asked him if he believed in Christ. "I answered that I did," responded Jay, "and that I thank God that I did." A cold silence fell upon the group, he records in his memoirs, and "nothing further passed between me and them on that subject."

On another occasion, Jay relates, he was in an argument with a fellow about the existence of God. His host affirmed that he would welcome the day when there would be no religion at all in the world. Jay argued that if there was no God, there was no morality, and if no morality then no obligations at all among men. His antagonist agreed with alacrity and declared that then they could all establish a substitute religion based upon "enlightened self-interest." Jay concluded that he turned a cold shoulder on his companion and that ended the conversation.

A few years later, in 1789 when the French Revolution was about to burst, Alexander Hamilton wrote to his old comrade-in-arms, the Marquis de Lafayette, to be wary of the Jacobin intellectuals. "I dread the reveries of your philosophic politicians" he remarked. He urged his old friend not to collaborate with them.

The advice was not heeded, history tells us, and following the overthrow of the old regime in France and after the religion of "reason" gave way to the

tyranny of Napoleon, Hamilton attempted to organize a highly tight-knit society to arrest the progress of Jacobinism in the U.S. "Let an association be formed," he suggested, "to be denominated by the Christian Constitutional Society. Its objects to be: First, the support of the Christian religion; second, the support of the Constitution of the U.S. "

The foregoing observations could be broadened extensively to demonstrate that antireligious forces of the modern age were well-known to our Founding Fathers and that they were prepared to organize against them. These forces of antireligion are generally the creations of "minds of peculiar structure," as Washington noted. In previous centuries they were not organized, but isolated "free thinkers," intellectuals who challenged the established creeds because their country's religion had become corrupt or perhaps because out of sheer intellectual curiosity. Protagoras, for example, the fifth century B.C. philosopher, wearied of the routine explanation that the pagan gods were responsible for man's behavior, wiped out theology as a subject of discourse when he declared: "Man is the measure of all things."

Alexander Pope echoed Protagoras in the eighteenth century when he wrote his Essay on Man in which he declared: "The proper study of mankind is man." True enough, so long as the analyst sees in man a spiritual as well as a physical nature.

It was not until the eighteenth century, however, when this philosophy emerged as the moving force of organized societies to divorce the nature of man from his spiritual half and to concentrate solely on his physical self, composed, chemists tell us, of 95 percent water. In the second third of the eighteenth century, these "minds of peculiar structure," as Washington described them, conspired to overthrow the existing system of government and to change the basic intellectual structure of society upon which those governments rested. Their "creed" rejected the proposition that any form of supernatural order exists. Their only cure for man's ills was to destroy the very conception of God Himself, as well as any civilization based upon divine revelation.

How concerned the men of the eighteenth century were with this creeping cult of secular Humanism is reflected in a document recently extracted from archives in Philadelphia and republished by Robert Donner of Colorado Springs.¹ Not only is the natural and divine law theory expressly stated here as the underlying intellectual foundation of America's political and judicial systems, but the analysis of the "intellectual left" as early as 1800 makes it a suitable document to demonstrate that secularist Humanism as a minority movement is not exactly new upon the American scene. Some caution should be executed, however, when reading Judge Addison on the participation of Masons in these developments. The destruction of French Freemasonry was a result of the infiltration of revolutionary elements into masonry, as Judge Addison laments. American masonry,

¹Alexander Addison, Rise and Progress of Revolution: A Charge to the Grand Juries of the County Courts of the Fifth Circuit of the State of Pennsylvania, at December Sessions, 1800, Philadelphia, 1801. (Robert Donner, 7 West Las Vegas St., Colorado Springs, Colorado)

identified in the person of George Washington, was conscious of this penetration and successfully combated it.² Our Founding Fathers were aware of these revolutionary developments in our early history and they brought them into the open. This is in the tradition of free inquiry in a country of free men. This atheist creed has grown over the years and decades and is today in full bloom across the world. Generally the creed assumes the name of Humanism despite the fact that the original Humanists, the Christian latinists of the Renaissance -- Petrarch, Erasmus, Juan Luis Vives, John Colet, St. Thomas More -- have as little in common with these "peculiar minds," as William F. Buckley, Jr. has with Gus Hall.

HUMANISM IN THE TWENTIETH CENTURY

Time magazine, August 17, 1962, gave the following account of the rising Humanist movement in an article entitled "The Supreme Being: Man":

The Renaissance "Humanist" was a foe of medieval scholastic philosophy, an admirer of the Greek and Latin classics. Now Humanist means a believer in an ethical nonreligion, in which the Supreme Being is man, and prayer is "a telephone conversation with no one at the other end." To Humanists, God is a bundling up of all life's mysteries in one package, just as a man with bills at many stores might consolidate his debts with a bank loan so as to owe only the bank. Humanists, reject both consolidations as equally delusive.

Contemporary Humanism is catching on. Last week, at the Third Congress of the International Humanist and Ethical Union in Oslo, 400 sober-minded Humanists were on hand, representing more than 300,000 of their fellow believers in 24 countries. Although West Germany subsidizes some Humanist organizations, and The Netherlands allows them to have their own army chaplains, Humanist societies are generally denied the recognition that governments accord to religious groups. But what they lack in privilege, the Humanists make up in prestige: the ranks of the American Humanist Association are heavy with scientists and intellectuals, and the international union boasts such influential leaders as British Biologist Julian Huxley and two Nobel prizewinners, British Agriculturist Lord Boyd Orr and U. S. Geneticist Hermann Muller.

From Atheists to Agnostics. Chief purpose of the Oslo congress was a discussion of long-range Humanist goals, and talk at the six-day session centered on the problem of how to develop a mature (meaning nonreligious) personality, and how Humanists could help preserve individual freedom in

²Evidence of strong anticommunist sentiment in American Masonry today is the effort of the Supreme Council, 33rd, Ancient and Accepted Scottish Rite of Freemasonry, (Southern Jurisdiction, United States of America, 1733 16th St., N. W. Washington 9, D. C.) to inform their brothers of the international menace. See their "Communism Menaces Freedom" by Willard E. Givens and Belmont M. Farley, and other pamphlets which can be used in schools to bolster American understanding of the problem and gird up the American intellectual structure.

an overorganized world. The socially conscious delegates also thought about goals closer to hand, passed a resolution approving the anti-hunger work of the United Nations' Food and Agriculture Organization as "a notable example of Humanist action." To abet the work of FAO, Humanists of the world were urged to work for better birth-control campaigns at home, and for the industrialization of underdeveloped nations.

Delegates ranged from dedicated atheists to questioning agnostics eager to cooperate with well-meaning Christians in building the good society, and they differed widely in their attitude toward religion. Norwegian Psychiatrist Gabriel Langfeldt argued that individuals would, in the future development of mankind, have to make a choice between religion and ethics: "Crediting ethics to supernaturally inspired messages and to revelations has led and still leads to brutal wars. Ethics, anchored as it is in purely human needs, will always win where religion and ethics come into conflict."

"We Cannot Go Back," Belgian Astronomer Karel Cuypers pointed out that Humanism is the heir of organized religion, and warned the delegates that totalitarian ideologies may take advantage of the decline of organized religion to substitute themselves for God. "The loosening of the grip of religion has created great danger both for religion itself and for Humanism," Cuypers warned. "But we cannot go back. We cannot return to irrationalism and to mysticism without denying ourselves."

Does Humanism's godless, man-centered faith offer much hope to the world? So far, the world as a whole has its doubts, but Humanists are convinced that their emphasis upon life here and now frees man to concentrate upon the improvement of the earth he occupies. Sums up Humanist Langfeldt: "As man becomes more educated, mysticism and dogma disappear and are replaced by rational thinking. We believe in the goodness of men. If we can get rid of the political and religious pressures burdening man today and encourage his honest, generousness and intelligence instead, we can make a better world for all of us."

Another article in the Brooklyn Tablet, July 8, 1965, is indicative of the movement's progress in Europe:

German Christians, almost evenly divided among Catholics and Protestants, are being faced with a new force that is frankly dedicated to undermining Christian influence in public and private life. . . . The "third church" as it is sometimes referred to, is the Humanist Union, an organization of intellectual atheists. Most of the union's influence has sprouted up in the past two years under the direction of Gerhard Szezesny, onetime culture editor of Bavarian radio in Munich. . . . The Humanist Union differs from other anti-clerical organizations. First, it is avowedly atheistic. Second, it is not limited to a small esoteric circle of believers. The union is growing day by day, and it is finding most of its followers among intellectual groups, college students, artists and professors.

The Humanist movement is important to analyze if we are to arrive at an objective approach to the teaching of morality in our public schools, because Humanism, a twentieth century synonym for atheism, is a religion according to their own proclamations and according to law. For this important reason, the role Humanism has in the California school system must be well comprehended if we are to evaluate "activity alien to our heritage and/or contrary to public policy."

Probably one of the most complete statements ever made public about the Humanist religion was published in The New Humanist, Vol. VI, No. 3, in 1933. It was called "A Humanist Manifesto" and is reproduced here in its entirety:

A HUMANIST MANIFESTO

The time has come for widespread recognition of the radical changes in religious beliefs throughout the modern world. The time is past for mere revision of traditional attitudes. Science and economic change have disrupted the old beliefs. Religions the world over are under the necessity of coming to terms with new conditions created by a vastly increased knowledge and experience. In every field of human activity, the vital movement is now in the direction of a candid and explicit HUMANISM. In order that religious Humanism may be better understood we, the undersigned, desire to make certain affirmations which we believe the facts of our contemporary life demonstrate.

There is great danger of a final, and we believe fatal, identification of the word RELIGION with doctrines and methods which have lost their significance and which are powerless to solve the problems of human living in the 20th Century. Religions have always been means for realizing the highest values of life. Their end has been accomplished through the interpretation of a total environing situation (theology or world view), the sense of values resulting therefrom (goal or ideal), and the technique (cult), established for realizing the satisfactory life. A change in any of these factors results in alteration of the outward forms of religion. This fact explains the change-fulness of religion thru the centuries. But thru all changes religion itself remains constant in its quest for abiding values, an inseparable feature of human life.

Today man's larger understanding of the universe, his scientific achievements, and his deeper appreciation of brotherhood have created a situation which requires a new statement of the means and purposes of religion. Such a vital, fearless, and frank religion capable of furnishing adequate social goals and personal satisfactions may appear to many people as a complete break with the past. While this age does owe a vast debt to the traditional religions, it is none the less obvious that any religion that can hope to be a synthesizing and dynamic force for today must be shaped for the needs of this age. To establish such a religion is a major necessity of the present.

It is a responsibility which rests upon this generation. We therefore affirm the following:

FIRST: Religious humanists regard the universe as self-existing and not created.

SECOND: Humanism believes that man is a part of nature and that he has emerged as the result of a continuous process.

THIRD: Holding an organic view of life, humanists find that the traditional dualism of mind and body must be rejected.

FOURTH: Humanism recognizes that man's religious culture and civilization, as clearly depicted by anthropology and history, are the product of a gradual development due to his interaction with his natural environment and with his social heritage. The individual born into a particular culture is largely molded by that culture.

FIFTH: Humanism asserts that the nature of the universe depicted by modern science makes unacceptable any supernatural or cosmic guarantees of human values. Obviously humanism does not deny the possibility of realities as yet undiscovered, but it does insist that the way to determine the existence and value of any realities is by means of intelligent inquiry and by the assessment of their relation to human needs. Religion must formulate its hopes and plans in the light of the scientific spirit and method.

SIXTH: We are convinced that the time has passed for theism, deism, modernism, and the several varieties of "new thought".

SEVENTH: Religion consists of those actions, purposes, and experiences which are humanly significant. Nothing human is alien to the religious. It includes labor, art, science, philosophy, love, friendship, recreation -- all that is in its degree expressive of intelligently satisfying human living. The distinction between the sacred and the secular can no longer be maintained.

EIGHTH: Religious humanism considers the complete realization of human personality to be the end of man's life and seeks its development and fulfillment in the here and now. This is the explanation of the humanist's social passion.

NINTH: In place of the old attitudes involved in worship and prayer the humanist finds his religious emotions expressed in a heightened sense of personal life in a cooperative effort to promote social well-being.

TENTH: It follows that there will be no uniquely religious emotions and attitudes of the kind hitherto associated with belief in the supernatural.

ELEVENTH: Man will learn to face the crises of life in terms of his knowledge of their naturalness and probability. Reasonable and manly attitudes will be fostered by education and supported by custom. We assume that humanism will take the path of social and mental hygiene and discourage sentimental and unreal hopes and wishful thinking.

TWELFTH: Believing that religion must work increasingly for joy in living, religious humanists aim to foster the creative in man and to encourage achievements that add to the satisfactions of life.

THIRTEENTH: Religious humanism maintains that all associations and institutions exist for the fulfillment of human life. The intelligent evaluation, transformation, control, and direction of such associations and institutions with a view to the enhancement of human life is the purpose and program of humanism. Certainly religious institutions, their

ritualistic forms, ecclesiastical methods, and communal activities must be reconstituted as rapidly as experience allows, in order to function effectively in the modern world.

FOURTEENTH: The humanists are firmly convinced that existing acquisitive and profit-motivated society has shown itself to be inadequate and that a radical change in methods, controls and motives must be instituted. A socialized and cooperative economic order must be established to the end that the equitable distribution of the means of life be possible. The goal of humanism is a free and universal society in which people voluntarily and intelligently cooperate for the common good. Humanists demand a shared life in a shared world.

FIFTEENTH: We assert that humanism will: (a) affirm life rather than deny it; (b) seek to elicit the possibilities of life, not flee from it; and (c) endeavor to establish the conditions of a satisfactory life for all, not merely for the few. By this positive morale and intention humanism will be guided, and from this perspective and alignment the technique and efforts of humanism will flow.

So stand the theses of religious humanism. Though we consider the religious forms and ideas of our fathers no longer adequate, the quest for the good life is still the central task for mankind. Man is at last becoming aware that he alone is responsible for the realization of the world of his dreams, that he has within himself the power for its achievement. He must set intelligence and will to the task.

Signers:

- | | |
|-------------------------|---|
| J. A. C. Fagginger Auer | - Parkman Prof. of Church History and Theology, Harvard University; Prof. of Church History, Tufts College. |
| E. Burdette Backus | - Unitarian Minister. |
| Harry Elmer Barnes | - Gen. Editorial Dept., Scripps-Howard Newspapers. |
| L. M. Birkhead | - The Liberal Center, Kansas City, Mo. |
| Raymond B. Bragg | - Secretary Western Unitarian Conference. |
| Edwin Arthur Burtt | - Prof. of Philosophy, Sage School of Philosophy, Cornell University. |
| Ernest Caldecott | - Minister, First Unitarian Church, Los Angeles. |
| A. J. Carlson | - Prof. of Physiology, Univ. of Chicago. |
| John Dewey | - Columbia University |
| Albert Dieffenbach | - Former Editor Christian Register |
| John H. Dietrich | - Minister, First Unitarian Society, Minneapolis. |
| Bernard Fantus | - Prof. of Therapeutics, College of Medicine, Univ. of Illinois. |
| William Floyd | - Editor of The Arbitrator, New York, N. Y. |
| F. M. Hankins | - Prof. of Economics and Sociology, Smith College. |
| A. Eustace Hayden | - Prof. of History and Religions, Univ. of Chicago. |
| Llewellyn Jones | - Literary critic and author |
| Robert Morse Lovett | - Literary critic and author; Editor New Republic; Prof. English, Univ. of Chicago. |
| Harold P. Marley | - Minister, The Fellowship of Liberal Religion, Ann Arbor, Mich. |

R. Lester Mendale	- Minister, Unitarian Church, Evanston, Ill.
Charles Francis Potter	- Leader and Founder the First Humanist Society of New York, Inc.
John Herman Randall, Jr.	- Dept. of Philosophy, Columbia University.
Curtis W. Reese	- Dean Abraham Lincoln Center, Chicago.
Oliver L. Reiser	- Associate Prof. of Philosophy, Univ. of Pittsburgh.
Roy Wood Selaars	- Prof. of Philosophy, Univ. of Michigan.
Clinton Lee Scott	- Minister, Universalist Church, Peoria, Ill.
Maynard Shipley	- Pres. The Science League of America
W. Frank Swift	- Director, Boston Ethical Society
V. T. Thayer	- Educational Director, Ethical Culture Schools.
Eldred C. Vanderlaan	- Leader of the Free Fellowship, Berkeley, Calif.
Joseph Walker	- Attorney, Boston, Mass.
Jacob J. Weinsten	- Rabbi, Advisor of Jewish Students, Columbia University
Frank S. C. Wicks	- All Soul's Unitarian Church, Indianapolis, Ind.
David Rhy Williams	- Minister, Unitarian Church, Rochester, N. Y.
Edwin H. Wilson	- Managing Editor, The New Humanist, Chicago; Minister, Third Unitarian Church, Chicago, Ill.

The New Humanist ceased publication in October, 1936, and was succeeded by the Humanist Bulletin, which also became defunct within a few years.³

THE CONTEMPORARY HUMANISTS

Thus, it is evident that what was said about adherents of Humanism in Europe is also true about America. Subscribers to that now defunct journal, The New Humanist, indicated a membership almost wholly intellectual or literary, or church affiliated. An ingredient has been added to the revival of Humanism in the 1960s as the Time magazine article indicated. Scientists, especially biologists and psychologists, and their allied disciplinarians, such as sociologists and anthropologists, have joined together in recent years to create the American Humanist Association. Their publication, The Humanist, begun in 1963, features well-known intellectuals who are also frequent campus guest lecturers -- Erich Fromm, Julian Huxley, Harry Elmer Barnes, and Lester Kirkendall. The British philosopher Bertrand Russell, whose books are widely used in U. S. colleges, recently was featured by a letter to the editor of the Humanist refuting speculation that he, Russell, was about to convert to some religion before he died. Retorted Russell to the rumor: "How often must I deny that I have become religious? There is no basis whatsoever for these rumors. My views of religion remain those that I acquired at the age of 16. I consider all forms of religion not only false, but harmful. My published works record my views."⁴

³ Californians will have a hard time finding copies, since our research revealed that only libraries on the East Coast still retain copies of The New Humanist.

⁴ The Humanist, September/October 1968, p. 24.

The ideas of the "Humanist Manifesto" of 1933 are incorporated in brief on the inside cover of each issue of the present Humanist magazine as follows:

Humanism is way of life which relies on human capacities and natural and social resources. Humanists see man as a product of this world -- of evolution and human history -- and acknowledge no cosmic mind or supernatural purpose or forces. Humanism expresses an attitude or conviction which requires the acceptance of responsibility for human life in this world, emphasizing mutual respect and recognizing human interdependence.

The American Humanist Association was incorporated as an educational membership organization in 1941 to represent the views of humanists in the United States and Canada. It is a founding member of the International Humanist Ethical Union.⁵

In the "Credo of a Humanist" written by a U. S. Air Force Captain, Dale E. Noyd, who is seeking conscientious objector status because of his Humanist religion, we learn who some of the prophets of the new religion are:

The basis of my faith, beliefs, and values is humanism; this essentially means respect and love for man, faith in his inherent goodness and perfectability, and confidence in his capability to ameliorate some of the banes of the human condition. Included in my faith is the belief that, apart from the issue of the existence or non-existence of a supernatural being, the preoccupation with such an object-being has been functionless and diversionary; that it has reflected principally the lack of imagination and courage of man; that it has been inimical to man defining his highest ideals; and that it has been pernicious to the individual integrity and moral purpose necessary to achieve those ideals. I have faith in man, and concomitantly, what may be called ultimate concern for man. My beliefs concern the value, dignity, and particularly the growth of man -- ideas found in disparate sources. They may be found in what has been termed "earthly salvation" by certain Christian sects, "personal integration or self-actualization" by Rationalists, "being" by existentialists, "neogenesis" by Teilhard, "the courage to be" by Tillich, and "affirmation and rebellion" by Camus. Humanism is eclectic but at the same time simple and singular: and whether it be labeled a religion, movement, philosophy, or creed, it is the sustaining and directing force in my life.

It is, of course, impossible for me to state the entire content of my humanist faith in a paragraph, but the communalities that exist among the writings of men such as Camus, Tillich, Huxley, Fromm, Potter, Russell, Pike, Lippmann, Cummings, Buber, and Teilhard offer an indicant of this credo.⁶

⁵The Humanist, July/August 1967.

⁶Humanist, July/August, 1967, p. 130.

Moreover, there are two U. S. Supreme Court decisions cited by the Humanist magazine which gives legal sanction to the claim that Humanism is a religion. One is the Torcaso case, 1961, and the other the Seeger case, 1964.⁷ In The Fellowship of Humanists v. the County of Alameda, (153 C. A. L., A. P. P. 2nd 673) September 17, 1957, a California court agreed that the fellowship was a church in the sense that their facilities were used as a church and therefore tax exempt. The Humanist won its claim by arguing that "the state has no power to decide the validity of the beliefs held by a humanist group." The court agreed that religion fills a void that exists in the lives of most men" and accepted the arguments of the defendants, the Humanists:

(13) Id. -- Exemptions -- Property Used for Religious Worship. -- The proper interpretation of "religion" or "religious" in tax exemption laws should not include any reference to whether the beliefs involved are theistic or nontheistic; religion simply includes (1) a belief, not necessarily referring to supernatural powers; (2) a cult involving a gregarious association openly expressing the belief; (3) a system of moral practice directly resulting from adherence to the belief; and (4) an organization within the cult designed to observe the tenets of the belief.

HUMANISM AND PROGRESSIVE EDUCATION

If we keep in mind the yardstick for measuring American traditions and heritage as defined in chapters III and IV, we will be better able to grasp the subtle and challenging nature of dealing with secular Humanism in the public schools:

- Humanism is, by definition, a religion.
- Humanists meet in places which have the legal status of "churches."
- Humanists claim pacificism as a religious tenet, and it has been conceded to them by the courts of our nation.

More important, since the Humanist religion is solely materialistic, the goals of the Humanists are also solely materialistic. This means that "the things of this world" dominate all aspects of the Humanist personality.

This purely secularist philosophy of life, entrenched in high places, has created an intellectual confrontation within the educational system which must be recognized, especially as it touches on the issue of morality in school curriculum and on the question of sectarianism in the schools.

The one name that stands out in the signatures of the "Humanist Manifesto" is that of John Dewey, known commonly as the high priest of "progressive education." Many writers have, over the years, critically examined the

⁷ Ibid., p. 115.

"philosophy" of John Dewey and concluded that it is incompatible with the American Tradition. But few have openly asserted that Dewey's disciples are teaching a religion in the public schools of our nation. Says Albert Lynd:

Many of Dewey's educational disciples may be copy or confused, but the master himself is clear enough in his writings about the implications of his philosophy. It excludes God, the soul, and all the props of traditional religion. It excludes the possibility of immutable truth, of fixed natural law, of permanent moral principles. It includes an attitude toward social reform which is anti-Communist, but unmistakably socialist.⁸

In the Turning of the Tides,⁹ Congressman Paul Shafer and John H. Snow pointed out how progressive education had penetrated nearly every discipline of the public school system through the national professional organizations. In 1950 William Buckley, Jr., hammered at the theme in his Man and God at Yale:

The teachings of John Dewey and his predecessors have borne fruit. And there is surely not a department at Yale that is uncontaminated with the absolute that there are no absolutes, no intrinsic rights, no ultimate truths. The acceptance of these notions, which emerge in courses in history and economics, in sociology and political science, is psychology and literature, makes impossible any intelligible conception of an omnipotent, purposeful, and benign Supreme Being who has laid down immutable laws, endowed his creatures with inalienable rights, and posited unchangeable rules of human conduct.¹⁰

HUMANISM AND "SEX EDUCATION"

How has the rejection of the American premise that we are a people "grateful to Almighty God for our Freedom" affected the curriculum of the public schools?

Put another way, has the religion of Humanism penetrated the curriculum of the schools without being classified as a religion, and therefore subject to the limitations of all religions; that is, that it should be identified and studied as a religion?

The controversy over "sex education" in California's public schools has been shown to be closely associated with the recent affirmation of a "new morality." Both of these movements are in turn connected with the "sex revolution," which has been a planned program of indoctrination underway on

⁸ Augustin G. Rudd, Bending the Twig, American Book-Stratford Press, Inc., New York, 1957, p. 135.

⁹ Paul W. Shafer and John Howland Snow, The Turning of the Tides. New Canaan, Conn.: Long House, Inc., 1956.

¹⁰ Rudd, op. cit., p. 167.

many college campuses for many years. Any cursory examination will reveal all three movements to be connected with leading personalities in Humanist or allied organizations of one type or another.¹¹ Often the sex education programs for the K-12 years follow upon the heels of these well-planned "sex revolution" programs, such as that conducted in Sacramento the week of February 26 through March 1, 1968, and sponsored by the colleges of the community. Entitled "The Sexual Revolution, 1968," the program featured a number of well-established "sexologists": Ira Reiss; James E. Elias, an associate of Alfred C. Kinsey; a newcomer, but very popular, Anson Mount, Public Affairs Manager of Playboy magazine; plus the granddaddy of all sexologists, Albert Ellis, a man who has devoted his life and fortune to "urge young Americans to perpetrate almost any sexual act their cunning little minds can devise."¹²

A member of the staff of the State Department of Education and two legislators attended one of Mr. Mount's lectures at American River College on February 27, 1968, and reported the following to the Superintendent of Public Instruction:

Throughout his address Anson Mount referred to "situation ethics," that right and wrong in the old sense is dead. Medicine and modern science have made "sex relatively safe." That premarital sex is dangerous is old hat, and guilt feelings about "illicit sex" are ridiculous.

The new measure for right and wrong is whether "it affects the human happiness of others." Intercourse OK among students if it doesn't violate their own moral standards. It is immoral only when it interferes with human welfare or happiness." The only evil in life is a lack of love for fellow man. Nothing is wrong except as it affects people. "The older generation is unqualified to judge" since they have actually rejected Christian morality and are "sick, inhuman, unchristian, boobs and babbits." The New Morality is a rebellion against this phoney parental authority.

Mount discusses "morality" of business, of war, of greed, etc., and claims adults are shocked at "one little 'dirty' deed of a boy and a girl out in the woods."

His address is colored with the words Humanistic and Secular, which holds that "The Highest Good is Human Welfare and Happiness." The

¹¹See the publication "Sex/Family Life Education and Sensitivity Training-- Indoctrination or Education" presented to the California State Board of Education, February, 1969, by the Citizens for Parental Rights, P. O. Box 241, San Mateo, California 94401. This document has become part of an overall Report of the State Department of Education as a result of the series of reports and hearings conducted by the State Board between January and April, 1969.

¹²Robert A. Liston, "Biographical Sketch of Albert Ellis," The Man's Magazine, (March 1966).

religions of your parents are fossilized ... better to join the Peace Corps, or the "Southern Christian Leadership Conference"

Mount's heroes are Bishop James Pike and the English Bishop, Robinson, lately of the English Anglican Church. He mentioned the Hippie retreat at Esalon at Big Sur and confirmed at the end of his speech that "OUR RELIGION IS OUR LOVE AFFAIR WITH LIFE."

If one calculates that such teams of "sexperts" are storming the ivy walls of college campuses across the country preaching this "religion," there is little wonder demands are now made to prepare adolescents for the environment into which they will step upon graduation from high school.

One of the apostles of Humanism and of sex education who joins the secondary level and higher education with the various noneducational organizations is Lester Kirkendall, formerly of Oregon State University. Dr. Kirkendall is now devoting full time to preparing teachers how to teach "sex education" K-12. The fact that Dr. Kirkendall is an officer of the American Humanist Association and of the Sex Information Educational Council of the U. S. (SIECUS) as well as an editor of the Humanist makes his work particularly important for us to analyze. The following orientation for discussing the sticky questions about right and wrong are from a position paper he issued to teachers at a training session in southern California. The paper is entitled "A Morality for Twentieth Century Living."

The moral code must concentrate upon what behavior, attitudes and experiences will do to actualize man's sociality, rather than upon maintaining prescribed or proscribed patterns of behavior. The practice of considering moral standards wholly in terms of acts which are acceptable or which are to be renounced has become completely impractical as a result of the cultural intermingling which is now occurring and growing rapidly. This factor in particular emphasizes the need to undercut various differences as they are reflected in overt acts, and find a common ground which will enable us to interpret all behavior in its context.

It is these considerations which have crystallized for me the idea that morally our first concern should be for the development of effective interpersonal relationships. It was this which led me to write:

Whenever a decision or a choice is to be made concerning behavior, the moral decision will be the one which works towards the creation of trust, confidence, and integrity in relationships. It should increase the capacity of individuals to cooperate, and enhance the sense of self-respect in the individual. Acts which create distrust, suspicion, and misunderstanding, which build barriers and destroy integrity, are immoral. They decrease the individuals sense of self-respect, and rather than producing a capacity to work together they separate people and break down the capacity for communication.

This concept may be set up in chart form.

BASIS FOR MORAL JUDGEMENTS Those actions, decisions and attitudes are

Right

1. increased capacity to trust people
2. greater integrity in relationship
3. dissolution of barriers separating people
4. cooperative attitudes
5. feelings of faith and confidence in people
6. enhanced self-respect
7. fulfillment on individual potentialities and a zest for living

Wrong

1. increased distrust of people
2. deceit and duplicity in relationships
3. barriers between persons and groups
4. resistant, uncooperative attitudes
5. exploitive behavior toward others
6. diminished self-respect
7. thwarted and dwarfed individual capacities and disillusionment¹³

An examination of several guides from various school districts indicate that this foundation for "moral" behavior has been adopted by some school districts.¹⁴ To put it another way, the Humanist religion is being used as the basis for moral judgments, whether it be in sex education or those sessions called "interpersonal relationships."

For example, Ashley Montague, a self-described "social biologist" who has been promoting "the sex revolution" for some decades, reflects this amoral religion in "The Pill, The Sexual Revolution, and the Schools" when he wrote:

Young unmarried individuals who are sufficiently responsible will be able, in the new dispensation [sic], to enter into responsible sexual relationships in a perfectly healthy and morally acceptable and reciprocally beneficial manner which will help the participants to become more fully developed human beings than they would otherwise have stood a chance of becoming. The dead hand of ugly traditional beliefs (such as the nastiness and sinfulness of sex, the wickedness of premarital sex), which has been responsible for untold human tragedies, will be replaced by a new flowering of human love.¹⁵

¹³Obtained at the Charter House inservice training session, Anaheim, California.

¹⁴Review Committee, Supplementary Evaluation of Curriculum Guides on Family Life and Sex Education and an Overview of the Guides, State Department of Education, Sacramento, March 5, 1969.

¹⁵To balance this kind of "morality" one could reach into history's great storehouses and select many works on moral theology to propose as an antidote. We think The Handbook of the Militant Christian, by the Christian Humanist Desiderus Erasmus would be a real challenge to this generation.

What is important for educators to remember is that such indoctrination is not labeled as "religious instruction." If Dr. Kirkendall's seven commandments of Humanism were placed alongside the Ten Commandments, "right and wrong" could be more properly analyzed. In other words, Humanism, as a religious approach to life, must be identified as such, studied as such, and taught as one of many creeds which form the fabric of our American civilization. To teach Humanism's "moral code" any other way is tantamount to indoctrination in a religion and contrary to public policy according to Education Code Section 8453.

The State Board of Education accumulated huge quantities of materials about SIECUS and its adherents during its lengthy investigation of sex education in California's schools. The investigation was completed on April 10, 1969, after which the Board adopted the following resolution:

RESOLUTION

WHEREAS, The California Constitution prescribes "moral improvement" as one of the principal purposes of the public schools;

WHEREAS, The traditional institutional sources of family and sexual information and guidance for young people are often inadequate and absent;

WHEREAS, The local public schools as one social institution accessible to all young people reflect broad community support and with sufficient intellectual and material resources, can aid substantially in the development of sound and individual codes of family life and sexual behavior;

WHEREAS, Too much misinformation is being learned by our children who receive no formal instruction in Family Life and Sex Education, and many are truly damaged emotionally and psychologically; now, therefore be it

RESOLVED: That a Family Life and Health Education program be included as a necessary part of our over-all educational system (grades K-12) in order to aid in the carrying out of the full intent of the Constitution; and

BE IT FURTHER RESOLVED, That the local school district maintain the local control over materials and methods needed in achieving this program in its proper perspective and fulfillment for the needs of the community by utilizing guidelines as recommended by the State Board of Education.

1. The primary responsibility for sex education is that of the home. However, the school, along with the church, has a secondary role in supporting and supplementing the home's responsibility.

2. That instruction concerning sex education programs be conducted by a team of qualified instructors, including professionals who have shown an aptitude for working with young people and who have received special

training; and utilizing physicians as recommended by local medical societies as consultants, advisors, and resource persons in the development and guidance of such curriculum.

3. All materials to be used to be studied by a citizens committee with avoidance of materials not approved. Suggest members of committee include:

- a. medical doctors approved by local medical society and/or public health department
- b. registered nurse (school nurse)
- c. representatives of administration of school districts
- d. representatives of PTA and/or other responsible parent groups
- e. representative of clergy (all major faiths)
- f. representatives of police department -- especially juvenile probation officers
- g. other concerned members of the community

4. Programs dealing with sex education should be voluntary and not be mandatory.

5. Harmful effects of premarital sex, etc., and a code of morals be emphasized with no derogatory instruction relative to religious beliefs and ethics, and to parents' beliefs and teachings. Emphasize family unit - and especially moral values.

6. Earliest instruction relative to human reproduction not to be introduced prior to age of 9.

7. Acquaintance and instruction of parents with materials (not just an outline) to be utilized in home and in the classroom with re-evaluation of objectionable materials.

8. Evaluation of sex education, as well as in-service training of personnel involved, should be a continuing process.

9. Successful programs such as that in San Diego could well be used as guidelines for other districts.

10. Elimination of SIECUS materials from California schools.

These Guidelines for Moral Instruction are thus to be considered an integral part of the Family Life and Sex Education program suggested for use in California schools. Moreover, SIECUS is to be eliminated as a source of materials for those schools which choose to teach sex education. But how then does the curriculum specialist select materials? What about such nonconnected Humanists as Margaret Mead, who has taught a couple of generations of American teachers?

In her most famous book, The Coming of Age in Samoa, first published in 1928, Miss Mead described the lives of 50 Samoan girls whom she observed in childhood over a period of nine months. Forty years later she revisited the island and reestablished contacts. She apparently believes as firmly today as she did 40 years ago that "moral relativism" is the only solution to the human problem. In her last chapter, "Education for Choice," she reduces the formula to this:

The home must cease to plead an ethical cause or a religious belief with smiles or frowns, caresses or threats. The children must be taught how to think, not what to think. And because old errors die slowly, they must be taught tolerance, just as today they are taught intolerance. They must be taught that many ways are open to them, no one sanctioned above its alternative, and that upon them and upon them alone lies the burden of choice. Unhampered by prejudices, unvexed by too early conditioning to any one standard, they must come clear-eyed to the choices which lie before them.¹⁶

Moreover, after having promoted the "open ended" society for so many decades, Miss Mead brings us up-to-date in "The Generation Gap" by lamenting:

... now, nowhere in the whole world are there any elders who know what the children know, no matter how remote and simple the societies in which the children live. In the past there were always some elders who knew more -- in terms of experience, of having grown up within a system -- than any children. Today there are none. It is not only that parents are no longer a guide, but that there are no guides, in the older sense of the term, whether one seeks them in one's own country, or in China, or in India.¹⁷

Again, she says, "We have to realize that no other generation will ever experience what we have experienced. In this sense we have no descendants. At this breaking point between two radically different and closely related groups, both are inevitably very lonely, as we face each other knowing that they will never experience what we have experienced and that we can never experience what they have experienced."

It is hard to say how representative Miss Mead's ideas are in her profession or whether the vibrant American people grasp what she is saying. The similarities between her views and those of Anson Mount and Dr. Kirkendall cannot be lost to the critic. The crisis of our time is that these people have not bothered to examine the guides which history and experience offer to us. Their rejection of our traditions begs the questions: Can a child in a school system dedicated by law to the affirmation of a religious and moral heritage be taught to question

¹⁶ Margaret Mead, Coming of Age in Samoa. New York: Morrow, William and Co., 1961, p. 246.

¹⁷ Science, April 11, 1969, Volume 164, No. 3876.

the substance of that heritage? Can children be taught to judge "right or wrong" as the unsteady product of their individual consciences?

Is this not in violation of Education Code Section 13556.5 (formerly Section 7851)? Is it not also in violation of more recent legislation designed to protect the child's (and parent's) morality from attack by secular Humanists?

It was the consensus of the State Board of Education that morality, the morality of America's religious heritage, be part and parcel of whatever family life and sex education is inaugurated in California's schools. There are books which approach the issue from this viewpoint, and they are the books that properly fit the suggestions of the State Board of Education.

HUMANISM AND THE BEHAVIORISTS

Another area of public school endeavor which should be examined according to our traditionalist yardstick and put in proper perspective is the tendency to look upon the schools as a kind of psychiatric or mental health center. To the behaviorists, education is no longer the mastering of a specific discipline; their goal is to achieve "adjustment" of the individual to the group. "Group consensus," "self analysis," and "interpersonal relationships" are terms commonly used by this school. The most widespread term today is "sensitivity training."

The drive to introduce these "counseling" techniques into the schools was launched with great zeal at the end of World War II when the first president of the newly organized World Health Organization (a part of the United Nations), R. Brock Chisholm, participated in a symposium on "The Psychiatry of Enduring Peace and Social Progress."¹⁸ The goals of the UN and of the WHO, observed the speakers at this symposium, were to abolish war and to redistribute the world's economic wealth through world government. The way to do this is to win the minds of the people of the world to think as world citizens, that is, to embrace Humanism.

There was one major "hangup," however, which impeded this development, according to Dr. Chisholm. Mankind through the centuries, he said, has been obsessed by the concept of "sin" and of morality:

We have been very slow to rediscover this truth and to recognize the unnecessary and artificially imposed inferiority, guilt and fear, commonly known as sin, under which we have almost all labored and which produces so much of the social maladjustment and unhappiness in the world. For many generations we have bowed our necks to the yoke of conviction of sin.

¹⁸The complete text of this speech can be found in Psychiatry (February, 1946). A review of its meaning for our generation can be found in Triumph, (October, 1968), 11-14.

The objective, therefore, should be to eradicate this awful mental distortion for all mankind. And only psychiatrists know how to do this. Whatever hampers or distorts man's thinking ability works against him and even "tends to destroy him." And this is why, proclaimed Dr. Chisholm, that "an effective psychotherapy" had to be prepared for an all-out attack against the concept of right and wrong. His goal was to change the human psyche, man's basic personality, through psychotherapy.

If this means ripping the child away from the values and traditions of his parents, then so be it. A mature person, says Dr. Chisholm, has the qualities of adaptability and compromise, and he chastises those parents who bring up their children "to be absolutely loyal and obedient to the local concept of virtue whatever that happened to be.... It almost always happened that among all the people in the world only our own parents and perhaps a few people they selected, were right about everything. We could refuse to accept their rightness only at the price of a load of guilt and fear, and peril to our immortal souls. This training has been practically universal in the human race; variations in content have had almost no importance. The fruit is poisonous no matter how it is prepared or disguised."

The behaviorists solution is, as follows, according to Dr. Chisholm:

The re-interpretation and eventually eradication of the concept of right and wrong which has been the basis of child training, the substitution of intelligent and rational thinking for faith in the certainties of the old people, these are the belated objectives of practically all effective psychotherapy. Would they not be legitimate objectives of original education? Would it not be sensible to stop imposing our local prejudices and faiths on children and give them all sides of every question so that in their own good time they may have the ability to size things up, and make their own decisions.

"If the race is to be freed from its crippling burden of good and evil," adds Dr. Chisholm, "it must be psychiatrists who take the original responsibility," because "freedom from moralities means freedom to observe, to think and behave sensibly, to the advantage of the person and of the group, free from outmoded types of loyalties and from the magic fears of our ancestors."

It can be seen that the vocabulary of Dr. Chisholm, of Margaret Mead, of Mary Calderone, of Lester Kirkendall has a good deal in common, and it pervades the world of American education and psychology. There is much evidence that teachers are being trained in this school and are destined to become, not disseminators of knowledge, but directors of a child's behavior development. Dr. Chisholm called for collective action around the Humanist philosophy. His design was to organize the young parents, teachers, parent teacher associations, service groups, and so forth around the Humanist goal of world government through the abolition of national cultures and their value systems. The means is through group therapy. Recent revelations about the successes of "sensitivity training" in the colleges, and now in the high schools, suggest that those dedicated to this goal, however well-meaning they may be, are in fact aligned with revolutionary groups acting contrary to public policy; that is, they intend to use the schools to destroy American culture and traditions.

The technique of sensitivity training on the campus at the University of California at Berkeley was brought to public attention during the 1968 hearings on sensitivity training held in the State Capitol, Sacramento.¹⁹

One of the witnesses speaking at the hearing was Hardin Jones, Professor of Medical Physics and Assistant Director of the Donner Laboratory at the University of California, Berkeley. Dr. Jones' testimony shocked a good many listeners and is so crucial to an understanding of the forces dedicated to the destruction of American institutions that we include it here in its entirety.

Sensitivity Training is being promoted on a massive scale in the United States. Some of this promotion already involves educational institutions. A recent national meeting of representatives of college fraternal organizations had a whole session devoted to these techniques. A training convention for this purpose was just held in San Francisco (American Association for Humanistic Psychology, Sixth Annual Meeting, Fairmont Hotel, August, '68). Various institutions, including the administrative offices of the Davis campus of the University of California, have held instruction for the staff in these methods.

The training consists of creating physical awareness of other people. This awareness is highly related to such physical contacts as between mother and infant and sexual feelings between persons. The idea is to become aware of the other person through touch and other forms of direct contact. The impact of the "training" is enhanced by removal of clothing so as to expose the skin to view and to contact and, as the training advances, this step in awareness can be reached in most people. The techniques of contact are dramatically effective in awakening alert attention to the presence of another person through animal feeling.

Sensitivity training is a powerful form of Pavlovian conditioning by which sexual-emotional types of response can be substituted for intellectual consideration of any proposition common to the group, developing a surge of animalistic mob-response. At U. C., Davis, sensitivity training appears to be the motive for the disrobing to complete nudity which took place in mixed classes. It is not unusual to have the participants of sensitivity training sessions go on to consummation of sexual contacts, as was observed and reported about the nude parties held under the Left's umbrella at Berkeley. This conditioning through emotional, animalistic responses has been developed by the Communoid forces, who apply these techniques to control of group behavior. It has also been adapted, in milder forms, by some religious groups as a means to intensify group dedication. On a massive reaction basis, its equivalent has always occurred spontaneously in countries in the first stages of warfare, when mutuality, comradeship, and sexuality

¹⁹ A Hearing on Mandatory Sensitivity Training for Public Employees, State Capitol, Room 2117, September 10, 1968.

reach much more intensive levels than during peacetime. Sensitivity training is, in fact, a recently publicized variation of Group Dynamics, which is a systematized assembly of psychological techniques applied for the purpose of directing and influencing group action without recourse to intellectual persuasion.

Many of those interested in group dynamics and sensitivity training are bent upon applying these emotional responses to increase a feeling of brotherly love with regard to international brotherly love in the antiwar movement and to generate a similar feeling of admiration between the whites and the blacks. The rise of Black Power and black racism has tended to interrupt the "love movement" between black and white. This and a beginning of awakening of the white liberals to the need for progress through rational process have now diminished this trend markedly, but it was quite evident in 1964, '65, and '66. Those who are pushing for such shortcuts to interpersonal feelings through passion disregard the importance of intellectual understanding as a means to create stable human relations. Apparently, too, they do not understand that the animalistic mass reaction can change direction rapidly, since it lacks intellectual and moral stability. The youth movements of the 1930s in Germany are a terrifying example to recall. These began with the "sensitivity"-awakening indoctrination of the young by radical socialists and Communists for political purposes. The animalistic mob-culture was rapidly taken over by Hitler and became the Hitler Junge (Youth) who, as a political army, were unthinking, obedient, and conditioned to give prompt reflex responses such as Pavlov studied. Hitler actually organized massive sexual contacts as well as mass meetings for the Junge; these social activities were nothing more than intensively applied "sensitivity training." He sought to disguise these affairs by declaring them to be necessary to increase the numbers of Nordic peoples.

To the extent we begin to be influenced by animalistic tendencies and mob psychology, we certainly lose the structure of a society based on solving its problems rationally. There is danger that the rational aspects of democracy may be lost completely due to the magnitude of the concerted effort from radical politicians in the ranks of our educators and clergymen, pushing society witlessly in the direction of substitution of emotion for moral principles and intellectual judgment. The extent of the danger yet to become evident can be judged from a few examples (see appendix) of the extent of social subversion from radical elements.

The possibility of the use of applied mass psychology to condition political behavior stemmed from the discovery of the conditioned reflex by the distinguished Russian physiologist, Pavlov. He had an important influence on all of Russian biological and social science. American scientists have tended to neglect this area of study, and American politicians have made comparatively little use of its capabilities because, until now, the politics of the country were very stable. The leaders of world Communism have relied heavily on the social methodology developed from Pavlov's principle of conditioning. It is a way that satisfaction of animalistic human needs, such as food, affection, discipline, and sexual activities, can be controlled so as to condition a person

to actions and beliefs without intellectual evaluation. The possibility of massive application of biology and psychology to change and regulate human life was described in vivid science-fiction accounts by the English scientist J. B. S. Haldane in the novel, Daedalus, by Aldous Huxley in the novel, Brave New World, and by George Orwell in the novel, 1984. These authors have been heroes to the radical Left, and it is obvious that some of these principles are being applied by Leftist forces, almost on schedule with the timetable of the nightmarish novel, 1984. It also appears that Americans are inordinately susceptible to such conditioning and that our social institutions have added to the problem of spreading the social subversion rather than being anchor positions of sanity and leadership to keep the moral fiber vital.

In part, the severity of the problems having to do with social subversion through the educational establishments was clearly set down by Richard Weaver, who foresaw the nature of the difficulties as a cultural clash between American and Western European culture on the one hand and the culture of some East European-Asians whom he identifies as the "gnostics of education." Weaver states that they have radical social goals and have come to reside in considerable numbers in our educational institutions. The following excerpts are from Weaver, Visions of Order:

It is not too much to say that in the past fifty years public education in the United States has been in the hands of revolutionaries. To grasp the nature of their attempted revolution, we need only realize that in the past every educational system has reflected to a great extent the social and political constitution of the society which supported it. This was assumed to be a natural and proper thing, since the young were to be trained to take places in the world that existed around them. They were "indoctrinated" with this world because its laws and relations were those by which they were expected to order their lives. In the period just mentioned, however, we have witnessed something never before seen in the form of a systematic attempt to undermine a society's traditions and beliefs through the educational establishment which is usually employed to maintain them. There has been an extraordinary occurrence, a virtual educational coup d'etat carried out by a specially inclined minority. This minority has been in essence a cabal, with objectives radically different from those of the state which employed them. An amazing feature of the situation has been how little they have cared to conceal these objectives. On more than one occasion they have issued a virtual call to arms to use publicly created facilities for the purpose of actualizing a concept of society not espoused by the people. The result has been an educational system not only intrinsically bad but increasingly at war with the aims of the community which authorizes it, as we are now forced to recognize.

This subversion has gone so far that gnostics of education until very recently [until the threat of nuclear warfare] constituted the greatest single threat to our culture. In the discredit that they have cast upon the higher faculties, in the way they have cut the young off from knowledge

of the excellencies achieved in the past, and in the way they have turned attention toward transient externals and away from the central problem of man, they have no equal as an agency of subversion. Their schemes are exactly fitted, if indeed they are not designed, to produce citizens for the secular communist state, which is the millennial dream of the modern gnostic. To put an end to this adventure into fantasy and to prevent the cruel awakening which would follow, we should do all we can, educationally and politically, to hasten the decline of their influence.

The antidote to this kind of education, of course, is to return to the basic purposes of public education: the teaching of skills and the cultivation of love and respect for our heritage and traditions. The opposite point of view of Dr. Chisholm and his many friends in the behaviorist world is that posed by Russell Kirk in an essay entitled "Prescription, Authority and Ordered Freedom."²⁰ It says in a few pages what must be said about the American experiment and reflects a point of view of millions of Americans were they able to articulate it as well.

A grotesque example of the technique to identify "sick" people was related by Martha White Washington in the April, 1969, issue of Triumph magazine. She tells how the New York City Mental Health Center made a survey of 175,000 souls and "found that 81.5 percent of the neighborhood inhabitants were mentally ill." But, says Mrs. Washington, the article did not reveal that the neighborhood survey was predominately a black community, precinct 19 on the upper eastside of New York City. "In the light of that knowledge, it becomes clearer what may be crazy about those people: they are black, and they act differently than 'normal' people...that is, the white political psychiatrists."

Some other interesting facts contained in that article: the number of psychiatrists in the U.S. has grown from 4,000 in 1945 to 22,680 at last count, "a growth rate more than eight times that of the overall population." As of June, 1968, there were 331 mental health centers in 49 states of the Union. Funds have been proposed to increase these centers to 1,500 by the end of the 1970s.

Especially does Mrs. Washington sense a danger in the rise of "political psychiatrists" and their ultimate effect on the natural freedoms of all Americans. She quotes several statements of the Deputy Director of the National Institute of Mental Health, Bertram S. Brown, who has approved the terminology "political psychiatrist." "As men seek for answers to the problems of our times," he writes in a professional journal, "they increasingly turn to psychiatry. In the Senate debating war and peace, a psychiatrist is there; in the court considering guilt and innocence, a psychiatrist is there; in the mayor's committee room holding a post mortem of the urban riot, a psychiatrist is there."

²⁰ What Is Conservatism? (First edition). New York: Holt, Rinehart, and Winston, 1964, p. 242.

The effort to reduce all men to the a priori standards of psychiatrists sought by Dr. Chisholm and his school is harshly judged. Asks Mrs. Washington:

What use to the black man are his newly-won "civil rights" -- his equal housing, his equal job opportunity, his equal voting rights -- if the political psychiatrists can sweepingly reduce him to an animal? This is what blacks have learned, thanks to being so profusely blessed with the benefits of psychiatry: blacks are able to recognize chattel slavery when they see it, no matter what disguise it wears. They know that the slave mentality is the product of the break-up of the family, the denial of literacy and the confiscation of earnings. Having questioned and tested the schemes of civil rights, they have finally rejected them -- because the powers of political psychiatry can betray all the promises of civil rights.

What is the solution? "Only rediscovery of and respect for man's identity -- his nature -- can do that. To this end, there is no reason why blacks, Christians, conservatives, youth -- all those alienated from the mental hygiene establishment -- cannot join, despite all their differences, in demands for restraint of political psychiatrists, before it succeeds in making America literally a nation of madmen."

HUMANISM AND SOCIAL SCIENCES

There is yet another technique of undermining our heritage and reversing the progress of human dignity as reflected in American history. This is the prevalence of a school of teachers and scholars who are professionally anti-traditionalists. They are the "debunkers" of American institutions, those who concentrate on American failings rather than on American achievements. Some of the views of these gentlemen have found their way into the curriculum of our schools. We cannot here describe the extent of this penetration, but if we examine the orientation of one of their high priests, we can readily see how such views are finding their ways into our schools. We can also suggest that to reverse this trend, the school of the antitraditionalist must also be objectively examined in the universities and colleges, rather than to allow the universities and colleges to reflect this view as the quasi-official view of public educational institution.

In the Metaphysical Foundations of American History by Roland Van Zandt, referred to in Chapter II, we have something of an outline of the Humanist philosophy as applied American history. Mr. Van Zandt blithely rejects the natural law theory which underlies the whole structure of American thought and which gives force to its continuity. Mr. Van Zandt calls it the one "dogma" which infects American history. He claims that the American Revolution built nothing, that it was a movement to destroy history in order to rebuild a new history, and that not until our day, with a new intellectual leadership, are Americans free to fulfill their obligations to construct a new history of the world. The intellectuals of our day, he claims, have rejected the "antiquated assumptions" of the traditional order. The new order is that of science -- a moving, changing, relative world of truths and values. He models his historical

views upon the scientific formulations of Einstein and laments that "the Queen of sciences," political science, has not yet come into its own. America has lost its bearings, he claims, and must reject its own history and intellectual establishment in order to create a new history. Mr. Van Zandt's primary target is Thomas Jefferson, upon whom he levels most of his criticism as if Jefferson were alone responsible for those verbal formulations he gave the world in the Declaration of Independence.

Mr. Van Zandt thinks Jefferson's "career was all a mistake ... in a way, for instance, that American history throughout his lifetime was somehow a mistake." (p. 197)

Mr. Van Zandt's arguments are in the Marxian style of thesis and antithesis. He avoids the exaltation of the spirit in human existence like the plague. His view of history is existential. He even denies that an American history ever existed. American history is now defined as that which is not, he says. Americans have come to the point where they must renounce the knowledge of their forefathers because their knowledge was circumscribed by ignorance. The dogma of natural law, he claims is a myth. It is the greatest single obstacle to the rational control of man's own life. What Mr. Van Zandt will substitute for American history or any other history is a "unity of process." It applies only to the human scene, because it is only the human scene that is important in history.

Such an approach to American history and culture, should it spread any further, would as assuredly destroy America's concepts of moral standards as it would America's faith in its political and cultural institutions. Such instruction, should it penetrate the lower grades, would be in direct contradiction of those state laws which mandate reverence and respect for our heritage. While the antitraditionist view is not a view which teaches Communism per se, it is a school which teaches the destruction of the American way of life. Certainly it would be a view "contrary to public policy," which is the policy of a people determined to protect and cherish their heritage.

How one copes with this problem is rather the task of the universities and colleges than it is the public schools. And yet, since the teachers of our children are trained in the public colleges and universities, it is logical that the State Board of Education should have a concern about the kind of orientation teachers of social sciences are receiving. Teachers need a yardstick by which to judge dangerous theories. They can get that yardstick only if the higher institutions of education provide them with it. Hamilton Long, in his American Yardstick, related how Jefferson and Madison dealt with the problem in 1825 and which could be a good example for our generation. These two former presidents wrote and caused to be adopted by the Board of Visitors of the University of Virginia the following resolution:

Whereas it is the duty of this board to the government (of the United States) under which it lives, and especially to that (of Virginia) of which this University is the immediate creation, to pay especial attention to the principles of government which shall be inculcated therein, and to provide that none shall be inculcated which are incompatible with those on which

the Constitutions of this State, and of the U. S. were genuinely based in the common opinion: and for this purpose it may be necessary to point out specifically where these principles are to be found legitimately developed. . . .

If California's universities and colleges followed this example, they would not be allowed to "inculcate" ideas alien to our heritage and tradition, although surely they would be encouraged to study them. As Mr. Long comments: "...sound teaching does not preclude, indeed it requires, students being taught about conflicting principles in order to enable them to understand the unsoundness of the latter...judged by the sound standard of the American principles, with which the students must, of course, first be made familiar so as to have a yardstick by which to judge soundly."

The antitraditionalists should be studied and compared within the context of the American intellectual heritage. To ignore that heritage and simply pass judgments on it is hardly the function of higher education.

HUMANISTS AND MARXISTS

The following section of the Education Code was referred to in the State Board's resolution of July 14, 1968, and is significant to our analysis of the problem of subversion:

Advocacy or Teaching of Communism; "Communism" Defined

8455. No teacher giving instruction in any school, or on any property belonging to any agencies included in the Public School System, shall advocate or teach communism with the intent to indoctrinate any pupil with, or inculcate a preference in the mind of any pupil for communism.

The Legislature in prohibiting the advocacy or teaching of communism with the intent to indoctrinate any pupil with or inculcate a preference in the mind of any pupil for, such doctrine does not intend to prevent the teaching of the facts of the above subject but intends to prevent the advocacy of, and inculcation and indoctrination into communism as is hereinafter defined, for the purpose of undermining the patriotism for, and the belief in, the Government of the United States and of this State in the minds of the pupils in the Public School System.

For the purposes of this section, communism is a political theory that the presently existing form of government of the United States or of this State should be changed, by force, violence, or other unconstitutional means, to a totalitarian dictatorship which is based on the principles of communism as expounded by Marx, Lenin and Stalin.

The task of identifying activity alien to our heritage and/or contrary to public policy is easier when we focus our sights on this specific case of "prohibitive instruction." The recent publicity given to the national student

organization called Students for a Democratic Society makes it abundantly clear that America's youth is being bombarded with Communist propaganda and organized by trained Communist agitators. Recently, the Superintendent of Public Instruction made it clear that all such activities as planned by SDS are already illegal, that administrators need only act to enforce the laws on the books in order to prevent subversion on high school campuses.

It is the opinion of the advisory committee, therefore, that if the tide of red indoctrination of our youth in college or in the lower grades is to be stemmed, some sort of instructional guidelines on the teaching of Communist theory and tactics has to be prepared by the Department of Education for use in all of California's schools. There are already many programs in existence, the best of which use the basic documents from the congressional investigative committees which have been recording the progress of Communist subversion since 1935. There is little evidence that the laws which have been in existence for some 15 years have been successful. Much of the problem arises from the respectability given to professional Communists when the University of California Regents agreed to allow Communists and advocates of Communism the use of campus facilities and easy contact with students. One member of the Board of Regents in 1963 spoke sharply against rights of Communists to speak freely, but few citizens apparently listened. He was Jerd Sullivan, a San Francisco banker. In the November 1, 1963, issue of the California Legionnaire, the Sullivan letter was published with the editorial statement: "Since the university has not released Mr. Sullivan's views, the California Legionnaire reproduces his letter with his permission."

The letter is as follows:

Mr. Gerald H. Hagar, Chairman
Board of Regents
University of California
Los Angeles 24, California

Dear Gerry:

As I told you on the phone last week, I am extremely sorry but I cannot get to the June meeting of the Regents at Los Angeles because of a legal situation which requires my presence here.

I was particularly anxious to attend as I understand the matter of preventing communist speakers on campus will be reopened. I personally am unalterably opposed to granting such a privilege. I do favor the objective study of Communism on our various campuses so long as that study is conducted by reputable and discerning educators. But to allow an agent of the Communist Party to peddle his wares to students of an impressionable age is just as wrong, in my estimation, as it would be to allow Satan himself to use the pulpit of one of our great cathedrals for the purpose of trying to proselyte new members.

The conflicting opinions and concepts of the radical right and the radical left must be given expression just as expression is given to the more traditional philosophies of our society. But Communism is not the radical left. It is not a natural outgrowth of our economy or our philosophy of human relations. It is a foreign ideology; a subversive conspiracy dedicated to the overthrow of our form of government, by force if necessary. Their sales ability has been well demonstrated by the strides they have made in many parts of the world. Therefore, if we as a country feel that our ideology is superior, why leave our youth open to the narcotic influence of that salesmanship.

Further, at a time like this when the greatest portion of our enormous tax burden is spent for defense against Communism, it is to me unreasonable to argue that we should allow Communist agents to plead their case to the youth of this country in our tax supported institutions of learning.

The most precious possession of the University is the good name, and the respect it has generated among the people who provide its financial support. To tarnish that good name and dilute that respect would be an irresponsible act far beneath the character of our Board of Regents.

I sincerely hope the Board will see fit to reaffirm its stand at the current meeting.

Sincerely yours,
/s/ Jerd Sullivan

Three years after Mr. Sullivan was rebuffed, three years after the Regents rejected his plea for sanity in confronting Communist subversion, Professor Lewis S. Feuer, upon resigning from Berkeley and taking up residence at the University of Toronto, wrote his devastating article, "The Decline of Freedom at Berkeley," for Atlantic Monthly, (August, 1966). The faculty had resolved that "the content of speech or advocacy should not be restricted by the university." The original idea, says Dr. Feuer, was to allow Marxists to express their views while the more than sufficient scholars on campus would defend the traditional position. But it turned out quite differently. "Freedom of discussion presupposes that the chief sides in any national debate will be represented. In Berkeley, the supporters of President Johnson's foreign policy are, in effect, denied a forum on the Berkeley campus. The New Left has made it nearly impossible for the national administration's standpoint to be presented to Berkeley students." In January, 1966, he notes, Chancellor Roger Heyns became probably the first university head in America to be taken to task by a county grand jury for condoning "the deliberate violation of criminal laws" on the campus. The Alameda Grand Jury declared that Berkeley had become "a staging area for unlawful off campus activities" and proceeded to cite some 34 examples of recent years. Berkeley, wrote Dr. Feuer, became the first "political university" in the United States. "This is a development of the highest significance. For the first time, the intellectual class of the United States is undertaking to enter politics directly, and to offer to the electorate, through the agency of faculty-student activities, something akin to an Intellectual's Party."

Given the pace of events since Dr. Feuer's article in 1966, there is much that could be added to give substance to his charges that an "intellectual revolutionary class" seeks political power. How much of this revolutionism is due to Communist-connected professors only the FBI knows for sure. The other question, however, is more academic and important to the secondary school administrators: How does one combat the scholarly Marxists who are not Communist conspirators?

One can only answer, of course, that Marxism should be taught within the context of "The American Yardstick" and as destructive to everything Americans hold dear. But if Marxism is taught by teachers favorable to the Communist system, and if by implication the pupil (whether in college or junior high school) is inculcated "with a preference in the mind of any pupil for Communism" then that student's respect for American institutions is undermined, and the teacher is guilty of indoctrination.

We enter a dangerous arena when we delve into such questions for the simple reason that there is danger of making blanket statements governing all Humanists and putting them into the same kettle of fish with Marxists or Communists. And yet, the Humanist magazine itself is an excellent source to establish the point of contact between them because of that magazine's frequent articles dealing with the fusion of their ideologies. In a recent article in the January/February, 1969 issue of the Humanist, Yugoslav Communist Mihailo Markovic wrote about "The Basic Characteristics of Marxist Humanism":

Marxist humanism is nowadays the main spiritual inspiration for very broad liberation movements. To be sure, these movements have sometimes been used for selfish and inhuman ends and still their very existence shows that Marx's humanist ideal is not only the continuation of a great tradition and not only the expression of revolt against all that is inhumane in the present day world, but also a dream that might come true.

There is, in short, a great deal of communication and interrelationship between known Humanists and known Marxists on the intellectual level; such intellectuals as Erich Fromm, for instance, and of Professor Paul Baran of Stanford, both of whom have preached since the 1950s that it is foolish to believe that Soviet Communism is aggressive or that they are an "international threat."²¹

J. Edgar Hoover, in his recent series "On Communism" which were serialized in the Copley newspapers, described how Marxists use Humanism as a semantic device to spread their Communist propaganda. Perhaps he was referring to Corliss Lamont, one of the editors of Humanist and the author of the much vaunted book The Philosophy of Humanism. But Mr. Lamont has also been associated with Communist causes for several decades and was identified as a fellow Communist by former editor of the Daily Worker, Louis Budenz. (See Senate Internal Security Report, September 28, 1958.)

Thus, it is a necessary task to use "the American Yardstick" and measure carefully those differences between Humanists and Marxists and to identify them as carriers of ideas alien to our heritage and/or contrary to public policy. Marxists like Sidney Hook may be solely intellectual in their approach and hence nonactivists. But Communists are Marxists of whatever political persuasion, be it the Russian, Chinese, Cuban, or Yugoslav variety. Humanists indeed may not be Marxists. But Marxists are, ipso facto, Humanists. The point, for teachers, is that the differences and allegiances must be examined and taught by teachers trained to distinguish the differences and to teach it in an objective manner against the backdrop of the American experience. Upon America's ability to learn to do this rests the answer to the question of that American GI who posed the ultimate question: Which way America?

HUMANISTS AND EVOLUTIONISTS

It has been noted above that Humanists hold that "man is a part of nature and that he has emerged as the result of a continuous process," that is, by evolution. In the more recent Humanist magazine, we are told that "Humanists see man as a product of this world -- of evolution and human history -- and acknowledge no cosmic mind or supernatural purpose or forces."

²¹ See L.A. Times, January 21, 1962, wherein Prof. Baran, is reported to have told a U.C.L.A. audience that the U.S. Foreign Policy is the world's greatest threat.

Evolution, in other words, is an a priori assumption of the Humanist religion. Evolution is thus inseparable from John Dewey's progressive educational theories. As Augustin Rudd points out,²² Dewey had to deny the dualistic theory of man as mind and body; therefore, the concept of the soul is patently false; therefore, there is no reason at all to include the spirit and its source (theology) as a subject of study; therefore, there are no eternal verities, but only changing conditions to which man must adjust, and therefore, traditional beliefs are largely hindrances in the broad evolutionary movement of man who is something continuously changing and "becoming."

In recent years there has been growing concern among scientists themselves concerning the teaching of evolution as fact instead of as a theory which requires continuous proof. In fact there has developed since 1963 an organization called the Creation Research Society, a nationwide association of Christian scholars who call themselves "creationists" and who are attempting to dispute the "dogma" of evolutionism as enunciated by Charles Darwin and which is often taught in the public schools as fact and not theory. The major concern of these men of science is that the origins of man are still too hazy to be accepted as fact, especially if they exclude all other theories. In a paper entitled "Discoveries Since 1859 Which Invalidate the Evolution Theory," Walter Lammerts, Director of Research, Germain's Horticultural Research Division, Livermore, California, explains why discoveries in recent decades have caused many scientists to reexamine the postulations so readily acceptable for nearly a hundred years. The "creationists," in short, have organized and are attacking the "censorship" of their own colleagues. Writes Henry M. Morris, the author of "The Twilight of Evolution:"

One reason for the apparent dearth of anti-evolutionary sentiment is that the major scientific publishing houses and periodicals are completely and exclusively under the control of leaders who are evolutionists. If anyone questions this, let him try to get a serious scientific article or book published refuting evolution ... the only outlet for such literature seems to be through conservative or private media.

"Similarly," he adds, "it is almost an impossibility for a convinced creationist to obtain or to retain an influential position on a university faculty in the various disciplines now dominated by the evolution concept, such as anthropology, geology, biology, psychology, and psychiatry. The writer has known some men personally, and heard of others, who were refused graduate degrees in geology, for example, primarily on the basis of their rejection of Lyellian uniformitarianism and Darwinian evolutionism."²³

²²Rudd, Ibid., p. 21.

²³Henry M. Morris, The Twilight of Evolution, Nutley, N.J.: Presbyterian & Reformed Pub. Co., 1963, p. 28.

The teaching of evolution as a part of the religion of Humanism, therefore, is yet another area of concern to parents and teachers alike who wish to abide by the mandates of the laws and of the State Board Resolution that "Christian parents . . . are protected by law against any attempt to destroy or weaken their children's faith in their particular church." In this instance, as with other areas of controversial instruction, it is how the subject is treated by the teachers, what materials the teacher uses that matters. If the origins of man were taught from the point of view of both evolutionists and creationists, the purpose of education would be satisfied. By concentrating on only one theory and ignoring others, it is tantamount to indoctrination in one special religious viewpoint.

Chapter VI

Teaching About Religion in the Public Schools

It is evident to the Department staff and to the advisory committee that the major obstacles confronting public education is not that the problems are unfathomable, but that implementation of the programs in the schools required to protect the American heritage and its traditions, established by custom and protected by law, are not allowed to get started. The State Board made it bluntly clear following the school prayer decisions of the early 1960s that the state is forbidden to promote a Godless religion just as it is forbidden to promote any one sect. The solution the Board adopted then, and which is still state policy, is that all religions and all creeds should be studied and evaluated within the context of the American heritage. The Board resolution of December 17, 1963, quotes Justice Brennan:

The holding of the Court plainly does not foreclose teaching about the Holy Scriptures or about the differences between religious sects in classes of literature or history. Indeed, whether or not the Bible is involved, 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 material should be cited, are matters which the courts ought to entrust very largely to the experienced officials who superintend our nation's public schools. They are experts in such matters, and we are not.

The awful truth is that the "experts" have failed to come forth with a program which would be positive and acceptable to everyone. It is likely for this reason that a group of private citizens have accepted the challenge thrown down by the courts and have developed what the Department staff and the advisory committee believe to be the only practical solution to America's future. In Religion Goes to School: A Practical Handbook for Teachers, by James V. Panoch and David L. Barr,¹ the schools have provided for them a source book of materials and bibliography which they can adopt for inservice training programs. Some 70 pertinent and basic questions about teaching in this delicate area are posed and answered. The authors explain their understanding of the present situation on page 5 of the handbook:

The Supreme Court did not remove religion from the public schools. We did. Uninformed teachers, an unconcerned public, unconscious churchmen -- all have had their hand in systematically eliminating all mention of the Bible and religion from significant areas of school life. The church, largely unconscious of the good that could come from the proper use of the Bible and religion in the schools, has withdrawn from public education. The public, apparently unconcerned, has been content to think that there could be no mention of religion in a public school. Teachers, uninformed about the legal uses of Bible and religion, have tended to use them illegally or not at all. It is apparent that our real problem with religion in the school is simply a misunderstanding of the problem itself. Once it is really understood, most of the difficulties

¹Harper & Row Pubs., 49 East 33rd Street, New York, N.Y.

dissolve. The purpose of this book is to identify the problem clearly and to make a positive contribution toward its solution.

The authors of the handbook are officials of a nationwide organization known as the Religious Instruction Association,² an organization which serves as a clearinghouse for information. It provides its subscribers with information on a variety of techniques used in various states of the Union to implement programs about religion. In what might be identified as a statement of modus operandi, they assert the following:

MATERIALS CLARIFYING THE RELATIONSHIP BETWEEN RELIGION AND PUBLIC EDUCATION

Religion may be practiced or studied. The practice is what makes religion meaningful. The study is largely a study of the practice. In private life the practice and the study of religion may be combined. But in public life they must be kept separate. The public school must not sponsor the more important practice of religion, but must sponsor the less important study of religion. Though the study of religion is less important, it is not unimportant. And a proper study of religion will make the practice of religion more meaningful. The school may study what is practiced, but not practice what is studied.

The school should sponsor the study of religion, but should not sponsor the practice of religion.

The school should expose students to all religious views, but should not impose any particular view.

The schools' approach to religion is one of instruction, not one of indoctrination.

The schools' approach to religion is academic, not devotional.

The school should study what all people believe, but should not teach a pupil what he should believe.

The school should strive for student understanding of all religions, but should not press for student acceptance of any one religion.

The school should seek to inform the student about various beliefs, but should not seek to conform him to any one belief.

To implement a program with such ends will obviously require a drastic change of thinking on the part of many citizens, teachers and laymen who have been under the impression for several years that "you can't talk about God

²Religious Instruction Association, Inc., 4001 Fairfield Avenue, Fort Wayne, Indiana 46807.

in the schools." The major need of course will be the training or retraining of teachers who can handle such a program. This may require changes in the training of teachers at the college level. It may involve the hiring of consultants with the qualifications of Messrs. Panoch and Barr to service colleges and local districts in the techniques. Certainly it will necessitate a reevaluation of curricula of the state's teacher training institutions if these programs are instituted.

There are essentially two ways the schools can teach about religion and hence reflect a moral heritage. One method is demonstrated in Chapter IV where John Swett outlined the course materials for the early grades, as well as the orientation of its teachers. The other method, for high school students, is to sponsor courses in comparative or world religions. In Claremont, California, shortly after the 1963 resolution by the State Board, history teacher Joseph Forcinelli received nationwide attention because of the methodology he uses in his course. He describes it as follows:

It is at present part of the social science curriculum, offered as an elective to juniors and seniors only and carrying six units of credit. Sessions are held three times weekly for forty-five minutes. The course runs for a full year. During the last two years, we have made a wider use of religious art as well as films and film strips. Outside lecturers who are specialists in their fields are frequently brought in to speak. A bibliography of the best works on the various religions is integrated into the course, for additional readings. We feel we have an excellent library and we are continuing to add to this resource We have been able to attend as visitors Hindu, Jewish, Catholic, and Protestant worship services. This year we hope to include a visit to a Buddhist Temple. Research papers and comprehensive examinations also make up a part of the course. In other words, grades are not given on the basis of one's piety.³

Mr. Forcinelli, in effect, preceded the Panoch and Barr orientation by more than ten years. In 1955 he finished his master's dissertation at Claremont Graduate School on the topic "School Administration and Religious Education in the Public Schools of the United States of America." In this lengthy and well-documented study, he examined all the controversies surrounding the issue up to that time, and especially those many studies made by the professional organizations on "moral and spiritual values." Forcinelli rejected, just as George Washington rejected, the views that such values could be taught without reference to religion. Such values would have no roots; they would be merely suspended from the reality of man as explained by his history. Accordingly, he reasoned, all moral values must be evaluated as they are traced to the religious beliefs of man. "Religion," affirmed Forcinelli, "can and should be considered as an empirical study. Though some religions have their ultimate source embodied in a transcendent power, all religions are manifest by empirical

³ Journal of Secondary Education, April, 1967, Vol. 42, N4.

fact in the stream of history. As such, religion in its all-inclusive form can be examined, studied, considered, and integrated into conscious thought just as any empirical science might be."⁴

Armed with such an attitude and given the proper training, any teacher could thus implement the approach identified by Panoch and Barr. Each country or culture could be examined phenomenologically and compared to all others. Secularist doctrines and religions would be included and analyzed and contrasted with "the faith that undergirds our [American] way of life" as the Board resolution of 1963 encouraged. What would emerge from such objective studies would be a better understanding of the freedoms all Americans enjoy.

In the Seeger case mentioned in Chapter V, for instance, the Court granted the young man's plea for conscientious objection because he was religious and because his human dignity was dependent upon a divine entity. "It has been noted," said the Court, "that the principal distinction between the free world and the Marxist nations is traceable to democracy's concern for the rights of the individual citizens; as opposed to the collective mass of society."

The Court said in effect what the staff identified as the law of the State in Chapter II: Californians live under the protection of God, and the individual citizen's worth is measured because of his worth to God, not to man. "We the people of the State of California," says the Preamble, "grateful to Almighty God for our freedom, and in order to secure and perpetuate its blessings, do establish this Constitution."

If such legal and traditional affirmation of man's divine image and worth are inculcated in our social science and literature and history courses, Americans will have no trouble recognizing their uniqueness as a people and as a nation. In effect, when the Court declares as it did in *Zorach v. Clauson*, that "we are a religious people whose institutions presuppose a Supreme Being," the Court is proclaiming something that 199 million Americans already know and that perhaps a million Americans may also know but refuse to accept, because they are "minds of peculiar structure."

The need today is to contrast the American genius and the American's reliance on Almighty God with the cold, dreary utilitarianism of the Secular Humanists or Marxists. Humanists who look at man as the Supreme Being have real grounds to fear for their own future as well for the faithful because they cannot deny that civilizations which in the past erased God from their value systems have also erased whatever dignity was left of man. This thesis is examined in an interesting essay, *Atheism, The Enemy of Civilization* by W. B. Riley, former president of Northwestern University. One need only recall the civilizations of the ancient Pharaohs, of the Roman Caesars, or

⁴Joseph Forcinelli, "School Administration and Religious Education in the Public Schools of the United States of America." A thesis presented to the general faculty of the Claremont Graduate School in partial fulfillment of the requirements for the degree of Master of Arts. Claremont, Calif.: February 19, 1955, p. 25.

twentieth century atheist societies of the Nazis and Communists as examples. By contrast, the little pledge of those Americans who gather every July 4th at the Liberty Bell in Philadelphia (and more recently in Sacramento) projects a grandeur of man that no tyrant can ever assault. They solemnly read The Liberty Pledge:

On July 4, 1776, the Founders of our Republic breathed a spirit into American Government totally dependent upon Revealed Truth. This Divine Spirit affirmed the sovereignty of the citizen as the just and reasonable consequence of the sovereignty of the soul. To this proposition, the essence of the Declaration of Independence and the Constitution of the United States of America, we pledge our support and, with a firm reliance on the protection of Divine Providence, we mutually pledge to each other our lives, our fortunes and our sacred honor.

About a hundred years ago, John Henry Cardinal Newman observed the encroachments of science as the new "religion" of the future. He wrote in The Idea of a University: "In word, in deed, and in idea, it is easy enough to divide knowledge into human and divine, secular and religious, and to lay down that we address ourselves to the one without interfering with the other; but it is impossible in fact." Newman was defining the science of theology and that all knowledge, including theology, had to be studied as one vast composite if man were to comprehend the world and his place in it. Continued Newman: "Granting that divine truth differs in kind from human, so do human truths differ in kind one from another. If the knowledge of the Creator is a different order from knowledge of the creature, so in like manner, metaphysical science is in a different order from physical, physics from history, history from others." Newman's point was that to strip divine knowledge from the memory of man. "You will soon break up into fragments," he insisted, "the whole circle of secular knowledge if you begin the mutilation with the divine."⁵

The successful flight of Apollo 8 has become an echo of Cardinal Newman's words. As Frederick D. Wilhelmsen observed in a recent article, man had to travel 500,000 miles into space to rediscover that earth indeed was his home. "Apollo 8 has not led upwards to a secular paradise -- awaiting us tomorrow. The arrival at the Moon, out there in a space beyond physical comprehension has hurtled us all backwards into time through the vortex of the imagination; it took all America and most of the world, on those fateful Christmas days, to Genesis and to beginnings -- to the creation of all things from nothing."⁶

Because knowledge begs for more knowledge, all men know that the horizons of space offer new frontiers for physical conquest. And as man learns to flit from planet to planet, always an alien figure and perhaps never finding other living creatures such as he, man will continue to look to the green earth as home. He will continue to signal home for information about the Creator, even while he continues to search for information about creation.

⁵ The Idea of a University, Garden City, N. Y.: Image Books, 1959, p. 66.

⁶ Frederick D. Wilhelmsen, "The Good Earth," Triumph, (February, 1969), p. 11.

The testimony of America's three astronauts as they swung around the moon on Christmas Eve, 1968, may well be the inauguration of a new beginning for Americans, because the humility reflected in their performance reflects the ties which bind together the whole human race: Genesis, or mankind's common origin.

William Anders: In the beginning God created the heaven and the earth. And the earth was without form and void; and darkness was upon the face of the deep. And the Spirit of God moved upon the face of the waters. And God said, Let there be light: and there was light. And God saw the light, that it was good: and God divided the light from the darkness.

James Lovell: And God called the light Day, and the darkness he called Night. And the evening and the morning were the first day. And God said, Let there be a firmament in the midst of the waters, and let it divide the waters from the waters. And God made the firmament, and divided the waters which were under the firmament from the waters which were above the firmament; and it was so. And God called the firmament Heaven. And evening and morning were the second day.

Frank Borman: And God said, Let the waters under the heaven be gathered together unto one place, and the dry land appear: and it was so. And God called the dry land Earth; and the gathering together of the waters called he Seas: and God saw that it was good

Merry Christmas and God bless all of you -- all of you on the Good Earth.

Appendix A

Teaching About Religion in the Public Schools¹

The State Board of Education at its meeting in Los Angeles on December 12, 1963, authorized issuance of the following statement:

Bible-reading and prayer in the public schools has become a sharp issue since the Supreme Court decision of June 17, 1963, in the case of Abington School District versus Schempp. Because of uncertainty as to what the decision implied, the California State Board of Education presents this brief summary of what the Supreme Court did and did not say. It is hoped that this will be of help to school administrators, teachers, and parents.

The issue was whether or not the "establishment" clause of the First Amendment to the U. S. Constitution was violated by the Board of School Commissioners of Baltimore and by a Pennsylvania statute. The Commissioners had adopted a statute requiring reading from the Bible without comment at the opening of each school day, and the recitation of the Lord's Prayer by the students in unison. The Court decided eight to one that such school exercises violate the First Amendment.

Some parents have expressed fear that the door is opened to the teaching of secularistic and atheistic doctrine. It has been said that in the United States God has been taken out of our public education and the rights of a minority have been raised over the rights of the majority. Some are confused as to whether or not the Bible can be referred to in any way and whether any mention of religion or churches is allowable in the classroom. That there is no prohibition against such mention seems obvious from a reading of the Supreme Court decision and the comments made by four of the justices who have written concurrences.

It may be well to begin with what the decision did not say. Justice Clark, who wrote the majority opinion, says:

It is insisted that unless these religious exercises are permitted a "religion of secularism" is established in the schools. 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."

He quotes Judge Alphonzo Taft with approval who said nearly a hundred years ago:

The government is neutral and while protecting all, it prefers none, and disparages none.

So if the state is forbidden by the Constitution to promote the Christian religion, it is also forbidden to promote a godless religion of secularism

¹Memorandum from California State Board of Education to School Administrators, Dec. 17, 1963 (Sacramento).

or atheism. It would seem to follow, therefore, that no teacher is at liberty to teach a point of view denying God any more than a teacher is at liberty to promote a particular religious sect.

The objection of the Supreme Court was to religious service, but Justice Clark makes it plain that the Bible may be available in libraries and may be used as a reference book whenever it is appropriate. He says that one cannot study history without referring to the Bible nor can one study mankind without referring to religion. So, while it is clearly unlawful to use the Bible in a devotional service in the schools, it is expected that the Bible shall be open to all students.

There is not found in the decision any tendency to discount the importance of religion in general or of Christianity in particular. Justice Clark says, "The place of religion in our society is an exalted one." He refers with approbation to the *Engle versus Vitale* case in which the court said, "We are a religious people."

Mr. Justice Goldberg with Mr. Justice Harlan concurring says the realization of religious liberty means that the government shall effect "no favoritism among sects or between religion and non-religion" and that it shall "work deterrence of no religious belief." These two justices go further and recognize the danger of a non-interference and non-involvement with religion which might promote a "passive or even active, hostility to the religious." "Such results," says Mr. Justice Goldberg, "are not only not compelled by the Constitution, but, it seems to me, are prohibited by it." It seems quite clear that the Supreme Court recognized and warned against the danger of creating passive attitudes of hostility toward religion.

Mr. Justice Brennan also concurring speaks of the line separating secular from sectarian as an "elusive" one. Then he goes on to say:

The holding of the Court today plainly does not foreclose teaching about the Holy Scriptures or about the differences between religious sects in classes of literature or history. Indeed, whether or not the Bible is involved, 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 material should be cited, are matters which the courts ought to entrust very largely to the experienced officials who superintend our Nation's public schools. They are experts in such matters, and we are not.

The Justices' opinions in this case recognize the importance of religion and reflect a great respect for it. They are men who would not willingly weaken religion in any way nor substitute a godless philosophy for it.

The California Attorney General's opinion given to the State Superintendent of Public Instruction is in this same spirit. He says, "Those constitutional and statutory provisions that provide 'no sectarian or denominational doctrine' shall be 'taught or instruction thereon be permitted directly or indirectly in any of the common schools of this state' apply equally to all forms of religious belief irrespective of whether they embody a belief in the existence of God.

Thus the 'teaching of' atheism or agnosticism in the public schools is prohibited if by the words 'teaching of' it is meant the teaching of doctrine with a view toward obtaining an acceptance as to the truth of that doctrine . . . " He goes on to say that there are penalties in the State Education Code which would apply to "the making of statements, in such schools and colleges, which advocate, tend to advocate, or implant in pupils' minds a preference for, atheism or agnosticism or which reflect unfavorably upon any particular religion, upon all religions, or upon any religious creed."

The State Board of Education believes that these matters need to be brought to the attention of parents as well as to school officials. While religious worship services are not to be held in the schools nor is any religious group to be given the right to promote its own beliefs over another, neither is the irreligious person given the right to promote his particular point of view. Christian parents, therefore, are protected by law against any attempt to destroy or weaken their children's faith in their particular church. The religious faith of the majority is protected as well as the freedom of the minority.

Our schools should have no hesitancy in teaching about religion. We urge our teachers to make clear the contributions of religion to our civilization, through history, art and ethics. We want the children of California to be aware of the spiritual principles and the faith which undergird our way of life. We are confident that our teachers are competent to differentiate between teaching about religion and conducting a compulsory worship service. This point of view, we believe, is in accordance with the tradition handed down by our fathers and reaffirmed by the United States Supreme Court.

Appendix B

Education in Depth

MAX RAFFERTY
Superintendent of Public Instruction
and Director of Education



STATE OF CALIFORNIA
DEPARTMENT OF EDUCATION
STATE EDUCATION BUILDING, 721 CAPITOL MALL, SACRAMENTO 95814

June 16, 1965

The official philosophy of the State Department of Education is the philosophy of Education in Depth.

Education in Depth maintains that there are positive, eternal values, and that the main purpose of Education is to seek out these lasting values, and to identify them, and to explore them to the greater benefit of the individual and the nation.

Education in Depth holds that the teaching of organized, disciplined, and systematic subject matter is the principal objective of the schools.

Education in Depth intends to regard the individual as the be-all and the end-all of the educative process.

Education in Depth teaches that committing important names, places, events, dates, and passages of poetry and prose to memory is a necessary part of instruction.

Education in Depth wants a curriculum to provide for the individual the tools and skills he needs to be a cultured, productive, patriotic American citizen.

Education in Depth believes that the very survival of our country and the success of the individual in later life depends upon how well he is taught to hold his own in a highly competitive world.

The purpose of an educational institution is not to make pupils popular or well-adjusted or universally approved. It is to make them learned. It is to teach them to use the tools which the race, over the centuries, has found to be indispensable in the pursuit of truth. If the schools do not so teach subject matter, the children are never going to learn it.

This is Education in Depth. This is the philosophy of the State Department of Education.