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RELEASE: OCTOBER 20, 1981

SECULAR HUMANISM VS. PARENTAL RIGHTS

"Secular humanism" has become the battle cry of many parents who are distressed at the way the public schools have expelled religious values and replaced them with a moral neutrality based on situation ethics. These parents claim that the schools teaching Secular Humanism are themselves in violation of the First Amendment's Establishment Clause.

Is Secular Humanism a "religion"? These parents say Yes, and cite as evidence the 1961 Supreme Court decision in Torcaso v. Watkins which states: "Among religions in this country which do not teach what would generally be considered a belief in the existence of God are Buddhism, Taoism, Ethical Culture, Secular Humanism and others."

Since the First Amendment's ban on the "establishment" of a religion has effectively barred prayer, Bible reading, and all evidences of a sectarian religion, should not that same First Amendment likewise bar the teaching of the religion of Secular Humanism? There is much in the language of Supreme Court decisions to encourage parents to assert their rights to prevent Secular Humanism from being taught to their children.

The same Supreme Court which prohibited prayer and Bible reading cautioned that "the state also 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.'" (Abington School District v. Schempp, 1963)

In Zorach v. Clauson in 1952, the U.S. Supreme Court said, "We are a religious people whose institutions presuppose a Supreme Being. ... When the state encourages religious instruction or cooperates with religious authorities by adjusting the schedule of public events to sectarian needs, it follows the best of our traditions."

Although the schools may not require that an official state prayer be recited in the public schools, the Supreme Court said that this decision does not indicate a hostility toward religion or prayer. The Court added, "School children and others are officially encouraged to express love for our country by reciting historial documents such as the Declaration of Independence which contain references to the Deity or by singing officially

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espoused anthems which include the composer's professions of faith in a Supreme Being." (Engel v. Vitale, 1962)

Finally, there is the ultimate parents'-rights decision, Wisconsin v. Yoder, in which the 1972 Supreme Court said: "The primary role of the parents in the upbringing of their children is now established beyond debate as an enduring American tradition."

That role had been recognized three decades earlier, in Prince v. Massachusetts, when the 1943 Supreme Court ruled: "It is cardinal with us that the custody, care and nurture of the child reside first in the parents, whose primary function and freedom include preparation for obligations the state can neither supply nor hinder."

We can thank the 1969 decision that upheld the right of students to protest the Vietnam War with black armbands, Tinker v. Des Moines School Dist., for the Supreme Court rule that "School officials do not possess absolute authority over their students. ... Students may not be regarded as closed-circuit recipients of only that which the state chooses to communicate. They may not be confined to the expression of those sentiments that are officially approved."

In upholding the right of students not to stand during the singing of the National Anthem, the U.S. District Court in Sheldon v. Fannin, stated in 1963: "Where, however, a particular application of a general law not protective of some fundamental state concern materially abridges free expression or practice of religious belief, then the law must give way to the exercise of religion."

"Free speech does not grant teachers a license to say or write in class whatever they may feel like, and ... the propriety of regulations or sanctions must depend on such circumstances as the age and sophistication of the students, the closeness of the relation between the specific technique used and some concededly valid educational objective, and the context and manner of presentation." (U.S. Court of Appeals in Mailloux v. Kiley, 1971)

The same First Amendment and Court decisions which enabled parents to stop the schools from forcing their children to stand during the National Anthem should also enable parents to stop the schools from forcing their children to listen to lectures on Secular Humanism, sex, situation ethics, and values clarification. It's time for parents to start asserting their natural power over the education of their children.

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