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**Catholics, Bibles, and Schools: How the Clash between Catholics and Protestants in the
19th Century Shaped The Modern School Bible Debate**

On June 17, 1963, the Supreme Court struck down Bible reading in public schools as unconstitutional under the Establishment Clause of the First Amendment to the Constitution. The *Abington v. Schempp* opinion would go on to become one of the most controversial decisions in the court's history. On the frontlines of the legal battle was atheist activist Madalyn Murray O'Hair, founder of American Atheists, who was dubbed "The Most Hated Woman in America" for her role in removing the Bible from public schools. What is less known, though, is that the court's decision was the resolution of a centuries long battle beginning with conflict between Catholic immigrants and Protestants in the 19th century. It was god-fearing Catholics, not godless atheists, who declared the war over the Bible in public schools.

Congress adopted the Establishment Clause of the First Amendment to the United States Constitution ("Congress shall make no law respecting an establishment of religion. . . .") in 1791. Like the Bill of Rights, the First Amendment only imposed restrictions on actions by the federal government. The federal government was prohibited from establishing a national religion or interfering with the establishment of religion in the states. At the time of the adoption of the First

Amendment, at least six states had established religions in some form; Maryland, South Carolina and Georgia levied taxes in support of all Protestant churches, while Massachusetts, Connecticut and New Hampshire allocated taxes to local Protestant denominations selected by a majority of residents of each city. Other states, such as Rhode Island, Pennsylvania, and Delaware, had been founded by religious minorities fleeing persecution and never established state religions. Virginia had recently disestablished the Anglican church.¹

Catholic immigration to the United States

Before the incorporation of the religion clauses in the First Amendment in the 20th century, issues of separation of church and state were resolved through local school boards and state courts. One of the most critical debates among the states in the 19th century was the “school question,” the question of whether the King James Bible should be read in public schools amid a growing immigrant population of Catholic.

The majority of the early settlers in the United States at the founding had been members of various denominations of Protestant Christianity. In 1790, Archbishop John Carroll took a census that showed that there were approximately 35,000 Catholics in the United States in a population of 3.2 million with Catholics comprising roughly 1% of the total population.² In the mid 19th century, the United States experienced a large influx of Catholic immigrants to the United States from Ireland following the 1845 Potato Blight. Ireland’s agriculture was largely reliant on potato crops and an outbreak of potato blight resulted in devastating famine and starvation. Within five years, a million Irish had died and another half a million Irish fled

¹ *Town of Greece v. Galloway*, 572 U.S. ___, 1836 (2014)

² Tim Pat Coogan, *Wherever Green is Worn: the Story of the Irish Diaspora* (London: Arrow, 2002).

Ireland.³ Between 1820 and 1930, an estimated 4.5 million Irish migrated to the United States and represented nearly half of all immigrants to the United States.⁴ In 1850, Irish Catholics made up a quarter of the population in Boston, New York City, Philadelphia, and Baltimore, where several of the debates over separation of church and state would take place.⁵

Upon arriving to the United States, Catholic immigrants encountered state favoritism toward Protestant Christianity and anti-Catholic sentiment among the Protestant majority. While Article VII of the United States Constitution declared “there shall be no religious test for public office” for federal office, states continued to discriminate against Catholics seeking public office. In the 1770s, six states banned Catholics from holding public office. New Jersey and New Hampshire, did not repeal their religious tests for office until the 1870s. Massachusetts’ constitution required a test of oath for candidates for public office that “disavowed any allegiance, temporal or spiritual, to any foreign prince or prelate,” a clear reference to Catholic deference to the authority of the Pope.⁶

Nonsectarianism and common schools

From the colonial period to the 19th century, schools were largely run by various Protestant churches and were only open to the children of church members. Education reformers, like Horace Mann, who served as the chairman of the Massachusetts Board of Education from 1827 to 1837, led the movement for common schools: public, tax-funded schools that provided instruction to all children regardless of income, religion, and ethnicity. In 1827, Massachusetts

³ Irish-Catholic Immigration, Library of Congress, accessed December 18, 2017, <https://www.loc.gov/teachers/classroommaterials/presentationsandactivities/presentations/immigration/irish2.html>.

⁴ Ibid.

⁵ Ibid.

⁶ Maura Jane Farrelly, *Anti-Catholicism in America, 1620-1860*(Cambridge, United Kingdom: Cambridge University Press, 2018), 143.

became the first state to establish a uniform common school system which prohibited “sectarianism” or the teaching of sectarian doctrines from any particular Protestant sect. Between 1900 and 1835, “nonsectarian” common schools were established in Philadelphia, Boston and Baltimore.⁷

Schools had traditionally used the King James Bible, as well as hymns and catechisms, to teach school children how to read and write. As the majority of European immigrants who established American colonies had been members of the Protestant faith, the Bible was not regarded as a “sectarian” book by most educators and parents because it was the foundational text of all sects of Protestant Christianity. But new Catholic immigrants, who were quickly becoming the nation’s largest religious minority, saw the King James Bible as sectarian.

Catholic objections to the King James Bible in common schools

One of the earliest and most consequential challenges to the reading of the King James Version of the Bible was brought by Catholics in Philadelphia, Pennsylvania in the early 1840s. In 1834, the Pennsylvania state legislature passed a Free School Act that established a public school system and authorized the levying of taxes from each school district to maintain the common school fund.⁸ A 1838 law passed by the Pennsylvania state legislature mandated that school teachers Pennsylvania read from the Bible. "The Old and the New Testaments, containing the best extant code of morality, in simple, beautiful and pure language, shall be used as a school book for reading, without comment by the teacher, but not as a textbook for religious discussion," the law declared.⁹

⁷ Ibid.

⁸ Vincent P. Lannie and Bernard C. Diethorn, "For the Honor and Glory of God: The Philadelphia Bible Riots of 1840," *History of Education Quarterly* 8, no. 1 (1968): doi:10.2307/366986.

⁹ Ibid.

Amid a growing Catholic immigrant population in Philadelphia, Catholic parents raised objections to the reading of the King James Bible in the city's public schools. The Catholic population of the Philadelphia diocese had increased from 6,000 at the time of the American Revolution to 35,000 in 1840 to 170,000 in 1851 with the majority of them migrating from Ireland.¹⁰ By 1850, 72,095 foreign-born Irish immigrants resided in the city.¹¹

The majority of Catholic parents in Philadelphia sent their children to public schools as parochial students had yet to become commonplace. Many Catholic parents forbade their children to participate in the reading of the King James Version of the Bible in school. In response, school administrators in Philadelphia singled out Catholic children who disobeyed the law. One child was whipped before class for refusing to read the Protestant Bible, another was reprimanded for bringing a copy of the Douay Bible to school, and others were kept after school for punishment.¹²

In 1841, Francis Patrick Kenrick, who served as Bishop of the Diocese of Philadelphia from 1842–1851, wrote a letter to the Board of Controllers on behalf of the Catholic community in Philadelphia urging them to respect the rights of conscience of Catholic parents and children who objected to the reading of the King James Bible. Kenrick did not ask for the Board to remove the King James Bible, or replace the King James Bible with the Douay Bible, but instead asked to provide Catholic students the opportunity to read the Douay Bible while Protestant students read the King James Bible.

“To this regulation we are forced to object, inasmuch as Catholic children are thus led to view as authoritative a version which is rejected by the Church,” he wrote. “We do not ask you

¹⁰ Ibid.

¹¹ Ibid.

¹² Ibid.

to adopt the Catholic version for general use; but we feel warranted in claiming that our conscientious scruples to recognize or use the other, be respected.”¹³ Kenrick pointed out how Baltimore City Schools had accommodated Catholic school children by allowing them to read the Douay Bible in lieu of the King James Bible. “Is it too much for us to expect the same measure of justice?”, Kenrick pleaded with the board.¹⁴

By January 1843, the Board of Controllers responded by adopting the following resolution:

RESOLVED, that no children be required to attend or unite in the reading of the Bible in the Public Schools, whose parents are conscientiously opposed thereto:
RESOLVED, that those children whose parents conscientiously prefer and desire any particular version of the Bible, without note or comment, be furnished with the same.¹⁵

The resolution of the Board of Controllers was met with staunch opposition from the Protestant community who saw it as a Catholic minority undermining the will of the Protestant majority. A letter from a local Protestant newspaper, *The Presbyterian*, wrote: “Protestants founded these schools, and they have always been in a majority; why then should the minority who have come in afterwards for the benefits of these schools, regard the most vital principle entering into their constitution as an infringement of their rights?” The letter continued, “Were the Roman Catholics forced to send their children to these schools, their complaints would be well grounded; but there is no compulsion; they act in the full knowledge of the facts, and should not therefore complain.”¹⁶ Over eighty ministers from every Protestant denomination in Philadelphia went on to found the American Protestant Association to support the continued use

¹³ Ibid.

¹⁴ Ibid.

¹⁵ Ibid.

¹⁶ Ibid.

of the King James Bible in public schools and oppose efforts to accommodate Catholic students and parents.¹⁷

The tension between Protestant and Catholic communities in Philadelphia over the “school question” culminated in the May and July 1844 riots that resulted in the killing of 14 people, injuries of 50 people, and over 150,000 of property damage to Catholic churches.¹⁸ After the riots, Kenrick made no further complaints against Bible reading in public schools. He turned his efforts toward the establishment of parochial schools as the alternative to public schools and the leadership of Roman Catholic bishops in the United States did the same.

The conflicts between Protestants and Catholics over the reading of the King James Bible in public schools continued to take place across several states where Catholic immigrants had settled. In 1853, a Catholic parent, Lawrence Donahoe sued the Ellsworth, Maine school district on behalf of his daughter Bridget after she was expelled from school for refusing to read the King James Bible as she felt it violated the tenets of her Catholic faith. He alleged that the school policy mandating Bible reading violated the Maine state constitution’s prohibition on religious preferences and violated Bridget’s rights of conscience. Bridget was “required to take place in a religious exercise from which her conscience shrunk, because, as she believed, God’s word was perverted in its meaning,” the complaint alleged. School officials could not require a student to “sacrifice any portion of the constitutional right of liberty of conscience in order to secure her right to a common school education.”¹⁹ Ultimately the Maine court ruled against Bridget, finding that the Bible did not constitute a “sectarian” book but instead providing a moral foundation.²⁰

¹⁷ Ibid.

¹⁸ Ibid.

¹⁹ Ibid.

²⁰ Steven K. Green, *The Bible, the School, and the Constitution: the Clash that Shaped Modern Church-State Doctrine* (New York: Oxford University Press, 2012), 36.

In Massachusetts, a 1826 state law directed public school teachers to read the Lord's Prayer and the Ten Commandments at the beginning of each school day. In 1859, an eleven year old Catholic boy, Thomas Wall, refused to participate in the religious exercises as his father urged him "not to be a coward for his religion and not for his life to say the [Protestant commandments]." His teacher, McLaurin F. Cookie, proceeded to beat Wall with a rattan stick that was three feet long and three-eighths of an inch thick for thirty minutes until he finally agreed to obey her.²¹

Establishment of parochial schools

Catholic opposition to the reading of the King James Bible in public schools and Protestant resistance to reform mobilized Catholics to establish parochial schools run by the Catholic parishes. In November and December of 1884, the Third Plenary Council of Baltimore, a convening of all Roman Catholic bishops and archbishops, made it a top priority for the Roman Catholic Church to establish maintain parochial school systems for all Catholic school aged children. "There are still thousands of Catholic children in the United States deprived of the benefit of a Catholic school," the pastoral letter addressed parishioners. "No parish is complete till it has schools adequate to the needs of its children, and the pastor and people of such a parish should feel that they have not accomplished their entire duty until the want is supplied."²²

At the time of the third plenary council meeting, the Catholic population had risen to 16 percent or 8 million out of the country's total population of 50 million. The growth of parochial schools kept pace with public schools. In 1869, the number of Catholic children enrolled in area parochial schools had grown between 12,000 to 15,000, compared to public schools which

²¹ Ibid. at 40

²² Ibid. at 97

enrolled 19,000. By the turn of the century, parochial schools increased by 40 percent, reaching 1,275 secondary schools affiliated with the Roman Catholic Church and serving 74,500 students.

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Yet the establishment of parochial schools did not resolve the conflict between Protestants and Catholics over the separation of church and state in 19th century America. Catholics petitioned state governments to allocate a portion of the taxes levied to support parochial schools. In response, nativists mobilized to support the passage of laws prohibiting the funding of “sectarian” education.

In December 1875, President Ulysses S. Grant, 18th president of the United States, called for a constitutional amendment that would mandate free public schools and prohibit the use of public funding of sectarian schools. “Resolve that neither the State nor Nation, nor both combined shall support institutions of learning other than those sufficient to afford to every child growing up in the land the opportunity of a good common school education, unmixed with sectarian, pagan, or atheistical dogmas,” Grant urged. “Leave the matter of religion to the family altar, the Church, and the private school, supported entirely by private contributions. Keep the Church and State forever separate.”²⁴

Following President Grant’s speech, Senator James B. Blaine of Maine introduced legislation in the Senate for a constitutional amendment. The text of the proposed amendment provided:

No State shall make any law respecting an establishment of religion, or prohibiting the free exercise thereof; and no money raised by taxation in any State for the support of public schools, or derived from any public fund therefor, nor any public lands devoted

²³ Ibid. at 86

²⁴ “The President's Speech at Des Moines,” 22 *Catholic World* 433, 434-35 (1876).

thereto, shall ever be under the control of any religious sect; nor shall any money so raised or lands so devoted be divided between religious sects or denominations.²⁵

In 1875, the proposed constitutional amendment, which became known as the Blaine Amendment, passed by a vote of 180 to 7 in the House of Representatives, but failed to garner the four votes in the Senate needed for a two-thirds vote. Although the federal Blaine Amendment was ultimately defeated, 38 states adopted state constitutional provisions prohibiting the funding of parochial schools.²⁶

The pivotal role Catholics played in influencing the debates over Bible reading in public schools in the 19th century is no better demonstrated than by a reading of the Supreme Court's opinions in the landmark school cases themselves. In a concurring opinion in *McCullum v. Board of Education*, Justice Felix Frankfurter, who himself was an immigrant, urges us to put the school question into historical context. It begs us to ask who raised the question and why.

“Separation in the field of education was not imposed upon unwilling states by force of superior law,” Frankfurter argues. Rather, “the basis of the restriction is the whole experience of our people.” The “zealous watchfulness against fusion of secular and religious activities by government itself” thus “was the democratic response of the American community to the particular needs of a young and growing nation.”²⁷

²⁵ Steven K. Green, *The Bible, the School, and the Constitution: the Clash that Shaped Modern Church-State Doctrine* (New York: Oxford University Press, 2012), 212.

²⁶ *Ibid.*

²⁷ *McCullum v. Board of Education*, 333 U.S. 203, 214 (1948)

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The School Question provided Americans with the opportunity to address and articulate these pressures, and.Â But as Steven K. Green reveals in *The Bible, the School, and the Constitution*, this debate actually reached its apogee just after the Civil War, between 1863 and 1876. Green shows that controversy over Bible reading in public schools, commonly called the School Question, captured national attention to an unprecedented degree.Â He also shows that while public reaction to a growing Catholic presence was a leading factor in this development, it was but one element in the rise of the legal doctrines the high court would embrace in the mid-twentieth century. The years between the crowning of Henry VII in 1485 and the death of Elizabeth I in 1603 saw the old religious order swept away, the establishment of the American colonies, the foundation of the Royal Navy and the power of Europe challenged. 1485. Henry VII seizes the throne. Henry Tudor is crowned King of England on the battlefield at Bosworth after his army defeats and kills Richard III. Henry VII presents himself as the unifier of the warring Lancaster and York dynasties “ symbolised by his adoption of the red and white Tudor Rose. His reign brings 85 years of civil war to an end.Â Years of discord between Protestants and Catholics follow. Title page of the Great Bible. Henry VIII authorised it to be the first English Bible for public use in 1539.