

Should High Schools Allow Bible Clubs?

"It still terrifies me that the school won't let kids of similar belief get together and talk and pray, although they can get together for all kinds of other clubs. It's censorship."

The Issue in Question

The comment above was made by a young woman named Bridget Mergens, a recent high school graduate of Westside High School in Omaha, Nebraska. While a student, Mergens had asked for permission to lead a student Bible club. The school turned her down. Mergens then sought the aid of attorney Douglas Veith, who filed a lawsuit charging that the student's civil rights had been denied.

Veith turned to the First Amendment to support the charge.

"I see this as a First Amendment case no different from civil rights cases in the 1960s," explained Veith. "Where blacks were discriminated against based on color, Christian students are being discriminated against based on creed."

One Small Part of the Issue School officials, however, did not see it that way. They said their authority to run the school was being called into question. Associate Superintendent Sharon Krueger argued that the Westside district "has a right to determine what is curriculum-related and what is not, and to sponsor those clubs we feel are related to our educational mission." Like Veith, Westside officials cited the First Amendment to defend their position. Krueger said, "Because of the issue of separation of church and state, we do not sponsor religious clubs."

The delicate issue of how to handle religious clubs in a public school setting is not limited to Westside alone. Schools across the country have faced the controversy in recent years. Some have decided to permit the clubs and others have banned them. High school Bible clubs, however, are only one small part of a tangled issue rooted in our nation's past. The issue in question—how to

define the limits of church and state power—dates back to colonial times.

A Setting for Religious Freedom Many of the original colonists were Europeans looking for greater religious freedom. In their native lands many had suffered discrimination as members of unpopular faiths. European monarchs had the power to establish the religion a kingdom would follow. In America, however, people had the chance to begin societies in which they could worship as they pleased.

The Puritans, for example, fled England in the early 1600s when King James I refused to give in to their demands for reform of the Church of England. They sought greater freedom to practice religion as they saw fit. From England, they sailed to Holland. They eventually crossed the Atlantic and settled on Cape Cod, Massachusetts.

Puritans in Power Once established in Massachusetts, the Puritans combined the powers of church and state. Functions that we now think of as belonging to the state, such as education and care for the poor, were church responsibilities. Church power touched the smallest points of a person's daily life. Puritans were expected to observe the Sabbath from Saturday afternoon to Sunday evening. During this time, everyone prayed. Any work—even so small a task as cooking a meal, making a bed, or shaving—was against church law.

Those who disagreed with church teachings were cast out. Quakers, who believed in a different form of worship, found their citizenship in the Puritan community denied. Other doubters and disbelievers were expelled from Massachusetts. For example, Roger Williams, who called for greater religious freedom within the Puritan community, was driven out of the state in 1636. He later founded the colony of Rhode Island.

A Gradual Change This extreme degree of church control over life in America did not last forever. Gradually, as the population of

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the country grew and different groups of people mingled, the church became less powerful and state authority grew stronger. After winning independence in 1776, the nation moved toward a strict separation of church and state. By 1790, the states had ratified the Constitution, to which was added ten amendments known as the Bill of Rights. The First Amendment established the following principle regarding certain freedoms, including freedom of religion:

“Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.”

The first clause of the amendment focuses on religion. The 20th century has seen repeated disputes over interpretation of this clause. Prayer in the public schools and state aid to church-related schools are two issues that have fueled public debate and generated banner headlines in recent years. And in 1985, the debate came to Omaha’s Westside High School. It all began with a simple request.

Background on the Case

In 1985, Westside senior Bridget Mergens asked her principal if she could start an after-school Bible study club. He said no. Soon afterward, Mergens happened to meet attorney Douglas Veith at an Assemblies of God church group meeting. After hearing her story, Veith agreed to accept the case and represent Mergens in a lawsuit against the school system.

The basic charge in *Mergens v. Westside* was unfair discrimination. Veith said, “If other

clubs are allowed to meet in the school during nonschool hours, those interested in a Bible club have a constitutional right of equal access to the school.” Veith supported his argument by citing the Equal Access Act of 1984. Under the act, public schools that receive federal aid and permit school clubs are prohibited from discriminating against students who wish to meet to discuss such subjects as philosophy, politics, or religion.

In response to the lawsuit, Westside argued that its existing clubs were all related to classroom work. “They’re asking us to do something we’re not obligated to do,” said the school’s attorney. “The point is, if this club were allowed, we would create an open forum that would no longer allow us to say no to other clubs we didn’t want.” Mergens’s attorney countered that the chess and scuba diving clubs then granted space at Westside hardly seemed related to classroom work.

Students Divided Over Issue Westside students lined up on both sides of the Bible club question. Some felt the club should be given a prompt go-ahead by school officials. “My friends and I want it badly,” said junior Matt Schulz, “because it will be a lot more convenient than having to get rides to different people’s homes and churches.”

Other students took the opposite view. Senior Chris Patil, for example, was not comfortable with the school permitting the Bible club to meet on school grounds. In his words: “I see the school as government, and allowing this club as government establishment of religion, because it will be meeting in a building that all taxpayers pay for.” If the Bible club won its case, Patil vowed to establish an anti-Christian club for balance.

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The Arguments For the Bible Club

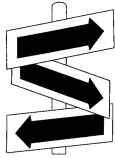
1. If other clubs are allowed to meet after school, those students interested in a Bible club must also be allowed to meet.
2. Christian students should be protected from discrimination, just as are black people or any other members of our society.

The Arguments Against the Bible Club

1. A clear separation of power should be maintained between church and state, as specified in the First Amendment of the Constitution.
2. If the Bible club is allowed, the Westside school system will be unable to deny other clubs access to school facilities.

The Decision-Making Checklist

✓	Clarify the problem. (What is the issue or conflict?)
✓	Create a list of possible solutions. (How might you resolve the problem?)
✓	Compare the pros and cons of each solution. (What are the strengths and weaknesses of each solution?)
✓	Consider your values and goals. (What is important to you in choosing a course of action, and why?)
✓	Choose a course of action and evaluate the results. (What would you decide, and how would you judge the outcome?)



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Objective Answer the following questions based on your understanding of the issues in this case. Use an additional sheet of paper when necessary.

A. Comprehension

1. What incident led Bridget Mergens to file a lawsuit against the Westside public schools?

2. How has the struggle between church and state power been expressed throughout the history of the United States?

3. Describe the views of students at Westside High regarding the Bible club issue.

B. Critical Thinking

1. **Identifying Central Issues** The lawyers for both sides in *Mergens v. Westside* cited the First Amendment to the Constitution to support their case. Why do you think this was so? Do you think the lawyers are citing the same or different parts of the amendment? To which part do you think each side is referring?

2. **Predicting Consequences** What effect might approval of the Bible club request have on school life at Westside High? What effect on students might denial of the Bible club request have?

3. **Demonstrating Reasoned Judgment** If you were a judge assigned to rule on *Mergens v. Westside*, what position would you take? Why would you take that position? Use the Arguments For, the Arguments Against, and the Decision-Making Checklist in *Should High Schools Allow Bible Clubs?* to help you make your decision and develop your answer. Write your answer on a separate sheet of paper.