

Engel v. Vitale / Background ••

In 1951, public school officials in the state of New York established a program of “moral and spiritual training” in schools. One part of this program was a recommendation that students and teachers in many of New York’s public schools say this school-provided **non-denominational** prayer after the Pledge of Allegiance at the beginning of each day: “Almighty God, we acknowledge our dependence upon Thee, and we beg Thy blessings upon us, our parents, our teachers and our country.”

That prayer, also known as the Regents’ prayer, was written and approved by the state education agency, the New York State Board of Regents. At the time, prayer in school was not unusual in the United States. In fact, it was part of a long-standing tradition of public schools engaging in the moral, spiritual and character education of students. Under the New York program, a teacher was always in the room when the prayer was said and either led the prayer or chose a student to do so. Students did not have to say the prayer; they could remain silent.

Even though the prayer was **voluntary**, some people, including parent Steven Engel, disagreed with it. They felt that reciting the prayer at the beginning of every school day went against their religious beliefs and practices and those of their children. They sued William Vitale, the head of the local school board, arguing that saying a prayer at the start of the day in a public school **violated** the First Amendment’s **Establishment Clause**. The Establishment Clause says “Congress shall make no law respecting the establishment of religion.” The school system argued that the prayer did not encourage a specific religion, was voluntary, and was protected by the **Free Exercise Clause** of the First Amendment, which says that “Congress shall make no law ... prohibiting the free exercise” of religion.

The New York State trial court upheld the practice of saying the prayer, citing the voluntary nature of the prayer and saying, “The state is not imposing a religious belief by using this prayer.” The New York Court of Appeals agreed and found that “there was a sufficient separation of church and state so that the First Amendment was not infringed.”

After the New York courts upheld the prayer, the objecting families filed for a **writ of certiorari**, and the U.S. Supreme Court agreed to hear the case.

Questions to Consider

1. Why did the state of New York want to encourage prayer in public schools?
2. Why did some parents disagree with the policy of reciting a prayer in school?
3. What was the school district's (Vitale's) argument for keeping the prayer?
4. How might the two religion clauses in the First Amendment conflict with each other in this case?
5. In your opinion, does the recitation of a teacher-led prayer in a public school violate the Establishment Clause?