

“In God We Trust” In Public Schools

Talking Points

Displaying “In God We Trust” posters in public schools raises serious constitutional questions.

- “In God We Trust” has specific Christian contextual history. With the increasing diversity of religions in our society it is both bad public policy and morally wrong to risk insulting that diversity.
- The posting of the motto in public schools would create the impression among young school children that the school endorses the religious, rather than the historical, message of the motto.
- The nation’s motto was originally “E Pluribus Unum” (or, “From Many, One”), a phrase selected by a committee of Founding Fathers that included James Madison. “In God We Trust” made its first appearance on United States currency in 1864, during the Civil War. It was placed on the 2 cent piece as a statement that God was on the side of the Union Army during the Civil War. The motto “In God We Trust” dates from the Civil War not the founding of the nation.
- Religious Right activists have long argued that use of “In God We Trust” as the national motto and display of the phrase on American money means that church-state separation was never intended by the Founders. That contention, however, is entirely without basis. Adoption of the motto dates back only to 1956, and its use on coins started during the Civil War, not the founding period.
- The movement to place the phrase in the public schools is a transparent attempt by religious right political groups to post a statement of faith in our public schools where it will be seen by impressionable young school children.

Congress authorized use of the phrase in 1956, an action that was subsequently held constitutional. However, the mere fact that conduct is permissible in certain contexts does not render it constitutional in *all* contexts.

Courts have been particularly vigilant in monitoring compliance with the Establishment Clause in elementary and secondary schools. This is because students are impressionable and their attendance is involuntary. Thus, while it is constitutional for Congress to open with a ceremonial prayer, it is unconstitutional for the very same message to be presented in the context of the public schools because of the nature and age of the audience.

Although some Religious Right groups argue that the motto should be posted for its historical significance, it is undeniable that they have selected this item – rather than any other historical documents – for its religious, rather than historical, nature. The poster amounts to an effort to advance religion by hiding behind the motto’s official status. Public schools who decide to join with Religious Right groups in furtherance of this religious agenda, create serious legal risks for the school district, particularly given that courts look beyond an asserted rationale for government action to determine whether the action was, in fact, taken with a religious purpose.

Recently, a federal court held that the posting in public schools of “historical documents” containing religious language – including the motto, the Ten Commandments, and the phrase “one nation under God” from the Pledge of Allegiance – communicated an unconstitutional religious message. The Court found that a display in Harlan

County, Kentucky schools that contained the national motto, the Ten Commandments, and other historical documents was unconstitutional. Importantly, the historical importance of the documents did not exempt them from constitutional scrutiny.

Accordingly, the posting of the motto in public schools would create the impression among young school children that the school endorses the religious, rather than the historical, message of the motto. We therefore believe posting of "In God We Trust" in the public schools may be ruled unconstitutional by the courts.

If you would like to learn more about religious liberty, please contact:

*Americans United for Separation
of Church and State
518 C Street N.E.
Washington, D.C. 20002
Phone: (202)466-3234 Fax: (202)466-2587
e-mail: americansunited@au.org
website: www.au.org*