

Religious studies 50 years after the *Schempp* decision

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Recently, Secretary of State John Kerry explained that if he could do it all over again, he would [major in “comparative religion.”](#) Were it not for a Supreme Court decision 50 years ago, this might not have even been possible.

We’ve been commemorating events from the anniversaries of the Civil War and the civil rights movement. But this landmark was not about race; it was about religion. In [Abington School District v. Schempp](#) (1963), the Court held that Bible reading and the Lord’s Prayer in public schools violated the establishment clause of the First Amendment. But while the Court declared that teaching children how to practice religion was unconstitutional, the majority and concurring opinions in *Schempp* also insisted that the academic study of religion was a valid and essential approach.

[Winnifred Fallers Sullivan](#) and her religious studies colleagues at Indiana University recently organized a conference to examine the legacy of the case—and of this distinction the Court made. Jan Shipps, Nancy Levene, Emma Wasserman, James Turner, Jonathan Sheehan, Mark Chancey and Steven K. Green were all there, among many others. While the Court’s opinion was clearly directed to religious exercises in public schools, *Schempp* is also an important subject in the history of religious studies. Religion scholars often credit the decision with creating the field.

Many conference participants revisited this claim, several arguing that the Court provided a valuable constitutional justification for the field in public universities. Sarah Imhoff argued that before the decision the field itself was already sophisticated, forward-looking, and increasingly accepted at universities (mostly private, but also some public) around the country. The conference, then, provided an opportunity to revisit the case itself, and—through the sharp divisions in the various opinions in *Schempp*—to consider whether the categorical separation of religious from secular can survive close scrutiny.

Plenary speaker Gerald Larsen criticized the field itself, arguing that religious studies has been caught up in counterproductive debates about whether the concept of

“religion” is exclusively the result of scholars’ work. He urged the field to broaden its scope, to value the work of theorists outside the standard American and European Protestant bandwidth.

Charles Long added that the American Academy of Religion and many of its members have never accepted that religion is an umbrella term. He argued that we should understand how religion emerges not as an abstract category but as a vital space in human life, politics, law and culture. In this way, we can account far better for the fact that Americans have inhabited an aboriginal, European and African land from the first moment of settlement—a truth and history that is still not widely acknowledged.

The papers bore out Long’s and Larsen’s points. They included topics as varied as “character building” education in the era following *Schempp*, religious education in Russia after the collapse of the Soviet Union, Bible-reading classes for academic credit in the Dallas public schools as late as 1985, the role of the Cold War in the study of religion, the changes in the constitutional law of religion since *Schempp*, the history of teaching religion in European as well as American universities, and more.

Most notably, the conference featured a rare integration of religious studies and legal expertise, each working to construct a productive dialogue about how to make sense of a tangled world of constitutional law—and its role in understanding how (and whether) modern scholarship in religious studies has its roots in *Schempp*’s injunction to teach about religion (as opposed to teaching children how to practice it).

Scholars have examined how the 13th Amendment abolishing slavery affected Chinese immigrants on the West Coast and how *Brown v. the Board of Education* affected churches. In a similar vein, religious studies scholars are revisiting the history of *Schempp*—to understand not only what happened in public schools but also the decision’s broader impacts. Its legacy even reaches our current secretary of state, who knows firsthand the centrality of religion to human life around the world.

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