



Union of Orthodox Jewish Congregations
of America

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MEMORANDUM

ב"ה

DATE: 2 Sivan 5724
May 13, 1964

TO: Rabbi Norman Lamm

FROM: Moses I. Feuerstein

SUBJECT: Becker Amendment

Enclosed is a draft of the statement, which I would like you to study and change, superficially or radically, in accordance with your thinking.

Since it must be ready today, I would appreciate your telephoning to Mrs. Gordon at the earliest moment the changes you recommend.

May 14, 1964

Mr. Chairman:

I think it's time to back down from this exaggeration

The Union of Orthodox Jewish Congregations of America, of which I have the honor to be its President, is the national congregational body of traditional Jewry in the United States and Canada. In ^{my official} this capacity, I speak for a constituency of over three thousand orthodox synagogues serving ~~more~~ ^{about} ~~than~~ three million ~~congregants~~ ^{Says} ~~in~~ ^{congregations} communities large and small across the country - well over half of all Jews in this country.

American orthodox Jews are deeply concerned with the need to inspire all children with ^{an} awareness of the Divine Presence, with a sense of their relation to the Deity, and with ^{an} the appreciation of the importance of personal prayer. ^{For} ^{reason} ^{deem} Towards this purpose, we ~~feel~~ ^{with a period} it to be a primary necessity ^{any} that each child ~~should~~ ^{devotion} commence his daily tasks ^{regard} upon a note of spiritual elevation.

Together with other Americans, we ~~deem~~ ^{regard} it to be the duty and responsibility of the home and the house of worship to provide each child with religious instruction and education. The wisdom of the founding fathers of our country, thanks to which America has grown great, has given to every religious denomination the unfettered opportunity to establish, develop and conduct this program of religious education, free of all intrusion ^{by} ~~on the part of~~ governmental authority. We are unshakably committed to this great principle, and its corollary, ^{separation of} ~~church-state~~ ^{the} separation, ^{as} the pillars of the American way of life. At the same time,

we are ^{deeply} ~~greatly~~ concerned with the spiritual deprivation suffered by vast numbers of American children ^{whose lives, by + large, are lacking in any relationship to} ~~who lack the opportunity to gain understanding of the role~~ of the Almighty in their lives and in the universe.

The various decisions of the United States Supreme Court holding prayer recitals, Bible readings, and other religious exercises to be unconstitutional, make it necessary that a solution to the problem be sought within the confines of these rulings. The Union of Orthodox Jewish Congregations of America endorses the principles expounded in the aforementioned decisions, ^{and considers} ~~for we feel~~ that they correctly define the intent and character of the constitution, and accordingly strengthen the foundations of American democracy. We believe that ways can be found to fill the spiritual void in the public schools ^{lives of} ~~without~~ ^{children} infringing in any way upon ^{any rule} ~~constitutional limitations.~~ ^{rights.}

With regard to the constitutional amendment proposed by Representative Becker, however, we feel that it could give rise to grave new problems that would more than negate the benefits which its sponsors envisage. Instead of remedying the ailment, the proposed amendment could have harmful effects upon the American body politic. We oppose the proposed amendment because:-

- (1) It might tend to make religious observance a matter of ~~religious~~ ~~compulsion or~~ coercion for those children who are afraid to deviate from the official norm. Notwithstanding the voluntary basis of the religious exercises provided for under the proposed amendment, school children might feel themselves compelled to participate.

(2) It will ~~make public authority the determinant of what is the~~ ^{grant to political authorities or educational administrators}
~~proper form of religious expression or exercise, thereby~~ ^{the right to determine the}
~~imposing secular authority upon religion.~~ ^{the free exercise of}

(3) It will open the doors to sectarianization of the public schools.

The influence of the majority religion is bound to dominate in
 the choice of religious texts, ~~and~~ ^{forms, + patterns.}

Accordingly, it is our considered opinion that the proposed amendment
^{will} ~~would~~ imperil the principles of religious freedom and church-state separation,
^{injurious effects upon} ~~with resultant harmful impact on~~ religion ^{itself as well as upon} ~~and on~~ the entire character of
 American life.

The Union of Orthodox Jewish Congregations of America, upon due con-
 sideration of this issue, has formulated a proposal which we feel will achieve
 the basic objective while obviating the problem cited above. The proposal is
 expressed in the following resolution passed at the National Biennial Convention
 of our organization, and subsequently welcomed by leading figures of numerous
 other denominations and by personages prominent in civic life and educational
 endeavor:-

"18. Prayer in Public Schools

The controversy that followed the recent United States Supreme Court
 decision which declared that group recitation in public schools of the
 so-called Regents' Prayer as contrary to the First Amendment manifests
 the deep commitment of American society to religious values. In the
 heat of this controversy, those expressing their agreement with this
 decision have sometimes been labeled enemies of religious faith, and
 charged with the attempt to drive religion out of American life. We
 deplore the attacks on the integrity of the Supreme Court, the highest
 judicial body in our land.

At the same time, our concern with the importance of the appreciation and understanding of the role of G-d in the world on the part of all children, particularly the hundreds of thousands of Jewish children and millions of non-Jewish children who have no such opportunity either in the religious school, the house of worship, or the home, leads us to state that we would deem it appropriate and consistent with the First Amendment to afford the pupils of public schools the opportunity to set out on their day's task with a moment of devotion. We therefore see no objection if the school day were to start with a period of meditation.* In this period of meditation,* let every pupil think of the Almighty in terms of his faith and his parental religious heritage and thusly invoke His protection for himself, his family, his country, and all mankind."

* SHOULDN'T YOU
STRESS
"SILENT
MEDITATION"?

~~The entire issue under discussion presents~~
~~In any area where action is necessary, there is always danger~~ as well
 as opportunity.¹²³ We are ~~more~~ ^{both providing} concerned with the ~~need~~ ^{and with avoiding the state's} for a religious orientation
 for the child as he matures into adulthood ~~than with apprehension of the infringe-~~
^{intrusion into the individual's religious life.}
~~ment of the state upon religion.~~ Since what we recommend has been judged on
^{is}
 high levels ~~as~~ ^{of} presumably within the interpretation of the Supreme Court, we
 are all the more assured ~~as to~~ the validity of our stand.

Thank you.