

Book Review: The Legal Status of Church-State Relationships in the United States, By Alvin W. Johnson

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The Legal Status of Church-State Relationships in the United States, with special reference to the Public Schools—by Alvin W. Johnson, executive dean, Union College. University of Minnesota Press, Minneapolis, Minn., 1934. pp. 314.

This work is in large part a result of the questionnaire method of writing books. The author therefore in his preface thanks the officials of the various departments of education for their unanimous response to his questionnaire and for other information so generously supplied. As might be expected it shows the strength and the weakness inherently connected with its method of production. It is a source book for those who wish to have a ready reference to the constitutional provisions, statutes, court decisions, and opinions of attorneys general of the various states dealing with its subject matter as well as to miscellaneous array consisting of newspaper editorials, statements made by prominent men, state practices, etc. In other words it is a digest and does not aspire to be anything more and is useful as such. The map of the United States on page 24 and the table on pages 26 and 27 are useful to acquaint the inquirer with the practice which exists at the present time in regard to Bible reading in the public schools throughout the country.

One prominent illustration of the digest character of the volume must suffice. The author on pages 22 and 95 refers to the statement made by President Grant to the "Army of the Tennessee" at its annual meeting at Des Moines, Iowa, on September 29, 1875 in regard to appropriations of public moneys for sectarian schools, but does not even hint at the tremendous historical importance of this utterance. The message of the president two months later dealing with the same subject matter is dismissed with a short sentence (page 199). The text of the proposed amendment to the United States constitution submitted a week later by James G. Blaine, the "plumed knight," and subsequent Republican presidential candidate in the first Grover Cleveland campaign, is indeed reprinted in full, and its defeat by the Senate in 1876 is noted (pages 21 and 22); but the protracted debate in the Senate which preceded its defeat and the fact that it had been greatly strengthened by amendment before the Senate defeated it by a strictly partisan vote is not referred to. The fact that sectarian schools were a national issue in the famous Hayes-Tilden campaign of 1876 and that the platforms of the two major parties contained planks in regard to it (page 22) finds expression in a very short and colorless sentence. The state constitutional amendments and provisions which have been adopted in practically all the states in consequence of this agitation are industriously gathered together in the appendix, but their relationship to their history is not traced. Yet it is this history which throws a flood of light over these provisions without which they cannot be properly understood and indeed have already been grossly misinterpreted by some of the courts. Curiously enough this part of our national history appears to be completely forgotten. The writer of this review has read practically all the cases cited by the author in reference to the schools and has not found a single reference to it. In view of this would it not be well for a book such as this to bring out this history and make it available to lawyers and courts?

The work has special reference to the schools. While 55 pages are devoted to Sunday legislation, 228 pages deal with school matters. Parallel citations are sometimes supplied and sometimes omitted. The index and table of cases are thrown together. The printing job and the paper used are excellent and the binding is sufficient to hold the volume together.

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