

respect to loans, grants, tax rebates, etc.; (2) the majority opinion, through its lengthy statement upon the first amendment, makes it clear beyond all question that the first amendment is not to be taken as a weapon for the liquidation of the salutary American tradition of government-religion relationships. It moreover makes clear that the phrase, "separation of church and state," is not to be taken in any absolute sense:

The First Amendment . . . does not say that in every and all respects there shall be a separation of Church and State. Rather it studiously defines the manner, the specific ways, in which there shall be no concert or union or dependency one on the other. That is the common sense of the matter. Otherwise, the state and religion would be aliens to each other—hostile, suspicious, and even unfriendly. Churches could not be required to pay even property taxes. Municipalities would not be permitted to render police or fire protection to religious groups. Policemen who helped parishioners into their places of worship would violate the Constitution. Prayers in our legislative halls; the appeals to the Almighty in the messages of the Chief Executive; the proclamations making Thanksgiving Day a holiday; "so help me God" in our courtroom oath—these and all other references to the Almighty that run through our laws, our public rituals, our ceremonies would be flouting the First Amendment. A fastidious atheist or agnostic could even object to the supplication with which the Court opens each session: "God save the United States and this Honorable Court."⁶⁵

Far from holding to absolutist concepts respecting a "wall of separation," the Court further stated:

We are a religious people whose institutions presuppose a Supreme Being. . . . When the state encourages religious instruction or cooperates with religious authorities by adjusting the schedule of public events to sectarian needs, it follows the best of our traditions. For then it respects the religious nature of our people and accommodates the public service to their spiritual needs. To hold that it may not would be to find in the Constitution a requirement that the government show a callous indifference to religious groups. That would be preferring those who believe in no religion over those who do believe.⁶⁶

The Court also suggested limits beyond which government might not go in cooperating with religion, stating that government may not (1) "finance religious groups," (2) "undertake religious instruction," (3) "blend secular and sectarian education," or (4) "use secular institutions to force one or some religion on any person."⁶⁷ These points had already been stated in *Everson*, and here again it is plain that they cannot be

⁶⁵ Id. at 312-13.

⁶⁶ Id. at 313-14.

⁶⁷ Id. at 314.