

We must now halt those coming to our country from forming groups, establishing schools, and thereby bringing up their children in an environment often antagonistic to the principles of our government.

Mix the children of the foreign-born with the native-born, and the rich with the poor. Mix those with prejudices in the public school melting pot for a few years while their minds are plastic, and finally bring out the finished product—a true American.⁸¹

The “Americanization” campaign swept the state and the measure became law. The Hill Military Academy and the Society of Sisters sought injunctions restraining enforcement of the statute, alleging its unconstitutionality. Ranged on the side of the Society of Sisters and Hill Military Academy were the Domestic and Foreign Missionary Society of the Protestant Episcopal Church in the United States of America, the North Pacific Union Conference of Seventh-Day Adventists, the Evangelical Lutheran Synod of Missouri and Ohio, twenty-five ministers of the Presbyterian Church, the Catholic Civil Rights Association of Oregon, and the American Jewish Committee.

The Protestant Episcopal brief *amicus curiae* saw the state monopoly over education created by the statute as “threatening the whole structure of religious education and morality.” The Seventh-Day Adventist brief *amicus curiae* saw the statute as breaching “the common law, or natural right” of the parent “to direct the education of the child” and:

The natural rights of the parent for which we contend in this case preceded the state, and the government, formed to “secure these” certainly ought not to take any action which would subvert the very purpose of its creation.⁸²

The most extensive and learned brief *amicus curiae* to be filed in the case was that written by Louis Marshall on behalf of the American Jewish Committee. He expressed his fears as to what the practical results might be of state absorption of all education:

Recognizing in the main the great merit of our public schools system, it is nevertheless unthinkable that public schools alone shall, by legislative compulsion rather than by their own merits, be made the only medium of education in this country. Such a policy would speedily lead to their deterioration. The absence of the right of selection would at once lower the standards of education. If the children of the country are to be educated in accordance with an undeviating rule of uniformity and by a single method, then eventually our nation would consist of mechanical Robots and standardized Babbitts.⁸³

⁸¹ Oregon School Cases: Complete Record 732 (1925).

⁸² *Id.* at 594.

⁸³ *Id.* at 615.