

THE ATHEIST MADALYN MURRAY O'HAIR



BRYAN F. LE BEAU

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*To Freedom of Religion
and the Separation of Church and State*

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Introduction

ON DECEMBER 8, 1960, Madalyn Murray (later O’Hair) filed suit in the Superior Court of Baltimore, Maryland, asking the Court to rule that required Bible reading and recitation of the Lord’s prayer in the city’s public schools are unconstitutional. She claimed that her son William’s First Amendment rights were being violated, and that he was being discriminated against because he refused to participate in his school’s morning religious exercise. Defeated in the lower courts, Madalyn appealed what became *Murray v. Curlett* to the United States Supreme Court, where it was joined with a similar case from Pennsylvania, *Schempp v. School District of Abington Township*. On June 17, 1963, the Court found in favor of the Murrays and the Schempps and by a margin of eight to one declared that the Maryland and Pennsylvania laws violated the Establishment Clause of the First Amendment.

Although these events did not occur without some warning or precedent in the courts, much of the nation was stunned and angry. But while the Schempps, who had taken a low profile throughout their case, shunned the limelight, Murray seized it. She took credit for having single-handedly banned Bible reading and prayer from the nation’s public schools. She overstated the case, but Americans, searching for someone to blame, were only too willing to accept her claim. When she chose to push for the further separation of church and state—challenging the words “under God” in the Pledge of Allegiance and “In God We Trust” on American currency, the tax exempt status of religious organizations, the pope’s performing mass on the Washington Mall, and U.S. astronauts’ reading the Bible in space—she became the most visible of American atheists. Indeed, she was branded with, and welcomed, the title, “the most hated woman in America.”

2 INTRODUCTION

The details of Madalyn Murray O'Hair's life are fascinating, but even more so is the story of how Americans responded to her. Similarly, her ideas on religion are interesting, but no more interesting than how those ideas related to American culture from the Cold War to the end of the century. Those themes provide the framework for this book, moving it beyond simply being a biography of Madalyn Murray O'Hair to an assessment of the beliefs behind her actions and how she came to symbolize all that postwar Americans hated and feared. Her son William, who later broke with her over her atheist activities, wrote: "In reality my mother did not create the time, the time created her."¹

Madalyn Murray O'Hair was a "mover and shaker" who struggled against the cultural and political consensus on many subjects. By her own admission, she was no philosopher and had little patience for theoretical explorations of unbelief. That is not to say that O'Hair failed to explain the tenets of atheism; she did that at great length. She was well grounded in the history of religion, theology, and skepticism, but she broke little new ground in those areas intellectually. Instead, she accepted what was prepared for her, popularized it, and applied it to the world around her. Not being content to personally and quietly reject the idea of belief in God, she launched a crusade against it and brought atheism out of the study and shadows of society to the masses.

Her enemies pictured O'Hair as stupid. This was not the case. She was intelligent and well educated, both formally and informally. Her use of foul language shocked people, but her message was always accessible even to the minimally educated. And she made effective use of the media in delivering her message. By her personal behavior—in part exaggerated by her enemies and the press—she personified what people expected of atheists. She fulfilled Americans' expectations of what would happen if someone were to lose his or her belief in God. In sum, in her hands atheism was no longer exclusively a matter of scholarly debate or hushed acceptance among fringe groups. O'Hair placed it near the top of America's public agenda, where, her enemies maintained, it threatened to subvert, debase, and pervert all that was holy or at least good about American life.²

Madalyn Murray O'Hair became American atheism's leading proponent, educator, spokesperson, and symbol, but she neither invented atheism nor introduced it to the United States. In exploring the history of atheism in the United States, historians have wrestled with the key questions: When did nonbelievers first appear in America? How did

their “movement” develop? And why was nonbelief never embraced by more than a very small percentage of Americans? The answers to these questions merit our brief attention before we turn to Madalyn Murray O’Hair.

Although what might be termed “public atheism” was rare until the Enlightenment, nonbelief, or unbelief, to use James Turner’s label, has roots in antiquity. It appealed to freethinkers of ancient Greece and Rome like Democritus and Epicurus, and Seneca, Lucretius, and Marcus Aurelius, who believed that religion rested on superstition, whose philosophy of materialism did not require a God, or who concluded that religion was a tool to control the masses. Later skeptics, including O’Hair, claimed such figures as pioneers in their movement, but they were few in number. If there were other nonbelievers, they remained hidden because it entailed risk. To question religion, let alone the very existence of God, was likely to lead to ostracism, imprisonment, and even death. Socrates, who was charged with disbelieving in the gods of the state and put to death, is an early example.³

In the beginning, and indeed for most of its history, the term “atheism,” defined as the absence of belief in God, has been applied to the much larger group of people who questioned the dominant religions of their day, even though most continued to believe in a supreme being. Ironically, the early Christians were persecuted as atheists because they did not worship the Roman deities. Such usage became more common in Europe after the fourth century, when Christianity became the official religion of the West. Critics and skeptics had a nearly universal church to oppose. They could build on the resentment of people against being forced to honor faiths in which they did not believe, thereby employing antichurch and anticlerical sentiment. Nevertheless, with the single, notable exception of the Reformation, institutional repression by church and state—the Inquisition being one of its more visible forms—effectively blocked nonbelievers and unorthodox believers from disrupting the fabric of the officially approved religion in public life.⁴

Beginning in the late sixteenth century, Unitarians challenged mainstream Christian beliefs by calling into question the doctrine of the Trinity. In the century to follow, British philosophers like Thomas Hobbes and David Hume planted the seeds of deism. But in the middle of the eighteenth century, European rationalist movements and the Enlightenment established themselves among the educated classes. Voltaire, who believed that religion was still necessary to keep the

lower classes ethically in line, nevertheless shouted “Crush the infamy!” at what he saw as the repressive Roman Catholic Church. Denis Diderot denounced the Catholic Church as well, for its intolerance and persecution, making clear his preference for “natural religion” (deism) over orthodox Christianity. Deism challenged theism, favoring an impersonal Being, force, power, or principle over a personal and intervening God. Deists insisted that people did not have to be bound to superstition, miracles, or supernatural revelation in order to live full and rich moral lives. Most Christians considered them atheists.⁵

In the United States, though the nation was born of the Enlightenment, people did not have to contend with an established church. As a result, even those influenced by European rationalists had comparatively greater freedom to worship as they pleased. As a result, the fires that forged militant opposition to religion were far cooler. Those who did not believe what a religion, or all religion, taught simply lived lives apart from those churches, though this often meant that they lived in isolation among a people consisting overwhelmingly of believers—at times militant believers.⁶

Continuing the historical tradition just outlined, Americans used the word “atheist” pejoratively and inclusively to label those who did not believe in God, as well as those who were non-Christians or even unorthodox Christians. To cite just two early examples, in 1682, in the narrative of her captivity during King Philip’s War (1675–76), the devout Puritan, Mary Rowlandson, described her Indian captors as “atheistical, proud, wild, cruel, barbarish, [and] brutish.”⁷ Six decades earlier, Pilgrim governor William Bradford referred to fellow English settler, Thomas Morton of Merrymount, as “Lord of Misrule” and for his “profaneness” and “dissolute life” charged him with maintaining “a School of Atheism.”⁸

In a similarly inclusive manner, atheists—including Madalyn Murray O’Hair—included prominent unorthodox believers in their histories. They pointed out that deists, or individuals who questioned orthodox Christianity in some way, were numbered among the nation’s Founding Fathers: Benjamin Franklin, John Adams, George Washington, Thomas Jefferson, Ethan Allen, and Tom Paine. They were not atheists, but neither were they fans of dogma. Most retained some loose church affiliation, but they openly favored the separation of church and state.⁹

For the most part, these prominent freethinkers escaped severe public opprobrium. But not all deists were spared some criticism, despite their otherwise untarnished, even heroic, reputations. Thomas Jefferson's views were clearly deistic and well known. As a result, his critics ridiculed him as an atheist during his campaigns for the presidency.¹⁰ Similarly, the American Revolutionary War hero, Ethan Allen, got himself into difficulty when he wrote *Reason the Only Oracle of Man* (1784), which the Library of Congress catalogued as the first published American book challenging the claims of organized religion.¹¹ But perhaps the best example of the price to be paid for challenging religious orthodoxy is Tom Paine, whom Madalyn Murray O'Hair proclaimed "the patron saint of the American free thought movement."¹²

Paine, the English-American writer and political pamphleteer who wrote "Common Sense" and "Crisis" essays in support of the American Revolution, was an American hero. But he was also a militant free-thinker. After the war, Paine returned to his native England to promote his plans to build a single-arch bridge across the Schuylkill River near Philadelphia, but he was diverted from that project by the French Revolution. When Edmund Burke published his critical perspective on the revolution, *Reflections on the Revolution in France* (1790), Paine responded with *Rights of Man* (1791). By speaking out in favor of republicanism, as against monarchy, Paine provoked the government to charge him with seditious libel. Paine left for France before his trial, where he was given French citizenship and elected to a seat in the National Convention. He hailed the abolition of the monarchy but condemned revolutionary terrorism and opposed the execution of Louis XVI, thereby angering extremist Jacobins. In 1793 he was arrested and imprisoned for ten months, at which point American ambassador to France, James Monroe, gained Paine's freedom on the grounds that he was still an American citizen.

After his release from prison, Paine wrote open letters to President George Washington criticizing his lack of support for the French Revolution and for allowing Paine to languish in prison during the Reign of Terror. His letters were not welcome in the United States, but the final straw was Paine's publication of *The Age of Reason* (1794, 1796). In this book Paine advocated a return to simplicity of worship, "unshackled by the fables of books pretending to be the word of God." He included the Bible among those fables and attacked the irrationality of existing, organized religions, the source of "the most detestable wickedness, the

most horrid cruelties, that have affected the human race." He advocated reason rather than divine revelation as the proper guide for man and attacked superstition and dogma. Paine made it clear that he believed in God, but as it was written in the midst of the collapse of formal religion during the French Revolution, *The Age of Reason* was seen as advocating anarchy and atheism. The nation that had claimed him as their hero shunned him and regarded him as one of the world's great infidels. A century later, Theodore Roosevelt referred to him as a "filthy little atheist."¹³

By 1850 the terms "deist" and "deism" fell into disuse, but the nineteenth century spawned other unorthodox groups and individuals who were often branded atheists. Octavius Brooks Frothingham organized the Free Religious Association (FRA) in 1867, and Felix Adler the Ethical Culture Federation (ECF) in 1876. At its first convention in Boston in 1867, the FRA adopted a constitution which stated that the aims of the association were to promote "the interests of pure religion" and to encourage the "scientific study of theology." They substituted a divine faith in human nature for a faith in Christ, but they did not reject Christ's example or the Bible as inspiration.¹⁴ Adler, a former Reformed rabbi, established the ECF in order to demonstrate that "one could ritualize a religious impulse that had no supernatural reference," that "did not advocate belief in God," and that "was not denominational." Instead, the ECF was designed to be "a religious society which shall be practical as well as spiritual, and unhampered by sectarian religious dogmas," and to show the supremacy of the ethical factor in life.¹⁵

Robert Green Ingersoll's popularizing of the higher criticism of the Bible, humanistic philosophy, and scientific rationalism earned him the title patron saint of rational humanists in America. Critics called him "the Pagan Prophet." Humanists were nearly as suspect as atheists; some saw them as atheists in disguise, and therefore even more dangerous. Ingersoll's public persona, however, was above reproach. Indeed, it was commonly said that "even his critics could not point to any blemish in his personal morals," which saved him from the level of criticism heaped on Paine and Madalyn Murray O'Hair, who referred to Ingersoll as American freethinkers' "high priest."¹⁶

Ingersoll became a successful lawyer, politician, and public orator. After service in the American Civil War, he became a staunch Republican, serving as attorney general in Illinois and a national party leader.

But he was also active in the National Liberal League, which was dedicated to the complete separation of church and state. In 1884 he became president of the new American Secular Union, which favored taxation of church property, elimination of chaplains in the military, and abandonment of religious teaching in the public schools.¹⁷ Ingersoll's public lectures on religion, science and religion, and agnosticism—exemplified by his book *Why I Am Agnostic* (1896)—drew large crowds. His audiences were seldom antagonistic, but Ingersoll's public agnosticism—holding that any ultimate reality, like God, was unknown and unknowable—ultimately prevented his appointment to the cabinet and diplomatic posts he desired. His was a time of labor unrest and fear of anarchism, often attributed to alleged atheistic immigrants who did not share in America's supposed divine mission.¹⁸

Emma Goldman was representative of that group of foreign atheists who posed such a threat to the nation. Born in what is now Lithuania but generally considered to be a Russian Jew, Goldman emigrated to the United States in 1885 and she soon embraced, and became prominent in, the American anarchist movement. The 1880s and 1890s were decades of civil unrest and violence in the United States, and anarchists were often held responsible. Goldman publicly proclaimed her opposition to the use of violence, but it was a position difficult to defend when her lover, Alexander Berkman, attempted to kill Carnegie steel plant manager Henry Clay Frick during the Homestead strike of 1892, and she publicly defended him.¹⁹

Goldman was inspired by a deep ethical and moral passion that led some of her contemporaries and biographers to see her as an essentially religious figure, "bearing witness to the evils of her time." Nevertheless, Goldman made no secret of her antipathy toward organized religion. She frequently lectured on the failure of Christianity, a religion she thought "admirably adapted to the training of slaves." She issued provocative attacks on religion that scandalized middle-class Americans, thereby causing her critics to label her with the double condemnation, "atheistic anarchist."²⁰ All it took was the right national mood for the government to move beyond repeated arrests and brief imprisonments to deportation, which occurred in 1919 in the midst of the nation's first Red Scare led by U.S. attorney general A. Mitchell Palmer. In the wake of the Russian Revolution, those who supported that triumph of "atheistic communism" were ostracized. Immigrant leaders who were seen as posing a threat to the nation by seeking to

import international communism were rounded up and deported. Among them was Emma Goldman.²¹

The next four decades of American history witnessed the slow but gradual growth of an organized free-thought movement. The American Association for the Advancement of Atheism, the most explicitly antireligious movement in America prior to O’Hair’s American Atheists, organized in 1925. Its only creedal requirement was a formal profession of atheism. It was followed in 1941 by the less explicitly antireligious American Humanist Association.²² The American Association for the Advancement of Atheism (AAAA) helped set the stage for O’Hair through an incident in 1928 that foreshadowed O’Hair’s protest a half-century later. Two Brooklyn, New York, high school students walked out of class during Bible reading. When brought before their principals, they explained: “We don’t believe in the Bible and we don’t want it stuffed down our throats. We’re members of the Society of the Godless.” In the end, school authorities excused the boys from attending the morning exercise, but an investigation into the Society of the Godless found that it was linked to the AAAA. The report quoted William George Henry, president of the Los Angeles branch of the AAAA, as saying: “We believe that the teaching of children to bear pain and undergo sacrifice in this world in order to get post-mortem happiness is a criminal folly.”²³

Clarence Darrow, one of the century’s best-known lawyers and a professed agnostic, gained notoriety as “an infidel” when he took on William Jennings Bryan in the celebrated Scopes Trial in Tennessee in 1925. John T. Scopes was arrested for violating the state’s statute forbidding teaching of the theory of evolution in the public schools. Bryan, former secretary of state and three-time presidential candidate, who supported passage of the law, announced before the trial: “A successful attack would destroy the Bible and with it revealed religion. If evolution wins, Christianity goes.” Darrow lost the case. He won on appeal—based on a technicality—but otherwise triumphed in the arena of public opinion by ridiculing the fundamentalist opposition to evolution.²⁴

The equally well known reporter, H. L. Mencken, reported favorably on Darrow’s defense and critically on the brand of religion he associated with Bryan and credited with depriving people of their civil liberties and crushing the human spirit. In 1930 Mencken wrote *Treatise on the Gods*, a “full-fledged attempt at deflation” of the powers of organized religion. But Mencken was too much of an individualist to or-

ganize any movements. Although he provoked many of his readers, and reveled in provoking them, he did not shock the nation the way O'Hair would.²⁵

The group with the most immediate influence on Madalyn Murray O'Hair and her organization, American Atheists, was the American Humanist Association (AHA). Whereas groups such as the Ethical Culturists preferred to define themselves as "religious humanists," assuming a position similar to that held by Renaissance humanists, members of the AHA employed the phrase "nontheistic humanists" or "naturalistic humanists." In 1961, U.S. Supreme Court Justice Hugo Black referred to such beliefs as "secular humanism," but, through popular usage, it became a pejorative phrase. Corliss Lamont, AHA's unofficial philosopher, described members as dedicated to advancing "the simple proposition that the chief end of human life is to work for the happiness of the humans upon this earth and within the confines of the Nature that is our home."²⁶

The twentieth-century humanist movement got its start in 1927 when a group of students at the University of Chicago formed a "Humanist Fellowship" to promote "building a society in which every human being shall have the greatest possible opportunity for the best possible life" and began publishing the magazine, *The Humanist*. Philosopher and educator John Dewey was among the new movement's earliest subscribers. Dewey publicly opposed sectarianism, but he held out for a role for organized religion in some dimensions in life. *The Humanist Manifesto* (1933), of whose signers Dewey was the most visible, included many classic humanist themes. It included the statement: "We are convinced that the time has passed for theism, deism, modernism, and the several varieties of 'new thought.'" People could be moral and society could give expression to the virtuous without reference to supernaturalism; indeed, it insisted, they could do so better without such reference.²⁷

The *Humanist Manifesto's* rejections of any theology involving a supernatural God, as well as its call for a "socialized and cooperative economic order" to make possible a more equitable distribution of the world's goods, coming as it did in the midst of the Great Depression and the election of Franklin Roosevelt and his New Deal, assured it widespread publicity. Its membership grew to about 5,000 by the end of the century. In 1973 Paul Kurtz, head of the American Humanist Association and publisher of the journal *Free Inquiry*, helped produce *The*

Humanist Manifesto II, which further supported free inquiry, the power of reason, and the belief that human cultures were most promising when free of the trammels of religion and the distractions of supernaturalism or a life to come. Among its signers were Andrei Sakharov, Gunnar Myrdal, Betty Friedan, and Isaac Asimov, but by then Madalyn Murray O'Hair stood center stage and proudly and loudly proclaimed herself "the" American atheist.²⁸

Whereas most freethinking groups, and most of their members, had avoided the term "atheist" in their organizational names or in describing their beliefs, O'Hair did not. Soon after launching her movement to effect the greater separation of church and state, she publicly proclaimed herself an atheist and established American Atheists. In part, other groups avoided the term because the purpose of earlier groups was broader than the promotion of atheism, and because many, if not most, of their members were believers. But it was also the case that the word "atheist" retained its pejorative association, an association most, though not O'Hair, sought to avoid.

To understand why atheists met with persistent, ardent opposition, it is important to recall that for most of their history Americans considered the United States God's New Israel—a redeemer nation. This view was especially pronounced during the Cold War, when Madalyn Murray brought her case against school prayer to the Supreme Court. But it was an idea born at the very settling of the British colonies of North America, encapsulated in the rhetoric of Puritan John Winthrop in his shipboard sermon, "A Model of Christian Charity." Winthrop sowed the seeds of Americans thinking of themselves as a nation set apart from the rest of the world by employing language of the Hebrew Bible. They had entered into a covenant with God, he explained, whereby in exchange for his blessing and protection, they would undertake an "errand into the wilderness" to become like a "city on a hill," providing a "model of Christian charity" for the world.²⁹ They could fail only if they failed to honor their covenant with God.

From the seventeenth century on, a sizable segment of the population—at times a majority of the American people—bore the burden of responsibility of a providential mission. In a 1799 sermon, Abiel Abbot stated the case directly: "It has often been remarked that the people of the United States come nearer to a parallel with Ancient Israel, than any other nation upon the globe. Hence our American Israel is a term frequently used; and common consent allows it apt and proper."³⁰ Even

Benjamin Franklin, hardly known for his piety but nevertheless an astute observer of his fellow Americans, thought it appropriate that the image of Moses crossing the Red Sea adorn the Great Seal of the United States.³¹ This moral mandate would find expression in the nation's civil religion and its claims of "manifest destiny," of being a "righteous empire," and in the post-World War II era of being the leader of the anti-Communist "free world." A key point, here, is that America's world role was providential and preordained, and that all views to the contrary were un-American as well as unrighteous. Those who challenged, or even questioned, this relationship ran the risk of incurring not only the wrath of God but of his chosen people.³²

The coming of the Cold War witnessed a campaign against international communism led by prominent preachers like Carl McIntire and Billy James Harges, as well as political figures like Joseph McCarthy and Richard Nixon. The fact that the Soviet Union was not just a military foe but a nation committed to communism and atheism posed a unique challenge to the United States.³³ American Communist leaders like Gus Hall, longtime national chairman of the Communist Party USA, insisted that "belief in God is not an issue in our Party," and that American Communists respected the right of people to practice their religion. But American anti-Communists insisted that communism was not only opposed to religion but was also the natural enemy of religion and those countries founded on belief in God and God's word. Thus, communism—popularly branded "atheistic communism"—became anti-American as well, and the United States became a bulwark against it, at home and abroad.³⁴

Although the Cold War reshaped, even distorted, many aspects of American life, there was little fundamentally new about American Culture in the Cold War era. Most of the characteristics by which we define it were the result of long-standing concepts, the most relevant of which were previously noted. The principal effect was psychological.³⁵ During the 1950s, America's belief in itself as a redeemer nation took on millennial overtones. In large part due to the threat of nuclear war, many believed that an apocalyptic confrontation between God's chosen nation and the forces of godless communism would usher in the millennium, the thousand-year earthly reign of Christ as foretold in the Book of Revelation. This added to the urgency of the battle against atheism and Madalyn Murray O'Hair. As one observer pointed out, whenever their opponents began railing against "those atheists," the latter ceased

to be individuals who mattered to God. Instead, they become “a monolithic mass of faceless enemies—and in a war, there’s no fraternizing with the other side.”³⁶

O’Hair protested that she was not a Communist. There is evidence that at one point in her life she drew close to the movement, and that she subscribed to elements of Communist ideology. Ultimately, she renounced any ties to American Communists; but even if she had no involvement with the movement, she could not have escaped the label. When she stepped into the national limelight as an atheist, most Americans could not help but see her as a Communist as well.

Similarly, atheism and immorality were linked. Cold War Americans believed that to be a moral person, you had to be religious, preferably Christian. Therefore, Americans associated O’Hair with what they saw as the growing immorality of postwar America. And her private life confirmed this association in the minds of many. “This person’s denial of God has opened the door to a selfish, vulgar, and often immoral lifestyle,” wrote one observer. “Words like liar, cheater, hypocrite, and publicity-seeker only scratch the surface in describing this individual’s depth of personal corruption.”³⁷ For preachers and evangelists, she was proof that the archenemy was real. But they were not alone in attacking her. So too did those who had their own doubts, who balked at the moral contradictions and high ideals of Cold War America. As one representative individual explained, when he met Madalyn Murray O’Hair he too harbored disbelief, but he was afraid to face it. He feared standing alone on what popular opinion assumed atheists were supposed to be: “drunkards, dope fiends, serial killers, and communists.”³⁸

O’Hair reminded doubters of where their doubts could lead. As one critic put it, O’Hair was “a religious phenomenon in the same way that antimatter is an expression of matter. She was a black hole of belief.” She “understood the power of disbelief” and “used it to change our country and to rattle our ideas about who we are.”³⁹ Doubters, too, persecuted disbelievers in order to purge themselves of the same doubts. But, as one doubter acknowledged, some no doubt felt exhilarated by O’Hair’s actions:

Emotionally, it was like watching a city burn, horrifying but thrilling. A sneaky underlying feeling of relief at the distraction of everything I had counted upon, a welcoming sense of chaos, and, above all, joy at hearing the unspeakable truth brayed out loud—what a load of pow-

erful but ambivalent feelings I had when Madalyn Murray entered our public consciousness.⁴⁰

O'Hair saw this. She explained to a Texas newspaper in 1985 that hers had been a lonely battle, not only against God and God's spokesman, but also against hypocrisy and the indignant defenders of the status quo. How revealing it had been of the sanctimoniousness of American society, she explained, that the voice of a single woman denying God would create such mob hysteria: "I am a walking, talking personification of their doubt. The more they doubt, the more tenuous their hold, and the more they're going to attack."⁴¹

Opponents of "atheistic communism" saw the family as particularly vulnerable. Its proponents, many feared, would seek to control not only government and the media, but the nation's schools to disseminate "anti-God, anti-moral, anti-restraint, and anti-American" ideas. Thus came the significance of those cases in 1963 that excluded organized prayer and Bible reading in the schools, and Madalyn Murray's willingness, indeed eagerness, to step forward to take credit for that ruling—though she was divorced and the mother of two children born out of wedlock. Americans believed that without faith the moral fabric dissolved. "One lived only for the senses," and "gradually one became a slave of sensation. Family and loved ones lost their significance, and the only lasting attachments were money, pleasure, and power." When the Supreme Court "banished God from the public schools," many saw it as signaling the moral dissolution of the nation and the triumph of the life-style O'Hair represented.⁴²

Madalyn Murray O'Hair was no angel. She violated some of the nation's most sacred codes of behavior. But she did not have to put her "transgressions" on display for the nation to see. Others shared her beliefs and engaged in the same socially unacceptable behavior, but they chose to do so quietly, out of the limelight. O'Hair seized the moment, claimed full responsibility, and challenged the believing public to contend with her.

On occasion, especially early on, O'Hair played down her differences. "I am thoroughly American," she noted in 1969,

thoroughly feminine, very motherly, and no one can make me look sinister. I'm a grandmother. I'm fat and usually jolly. I work in my house, hang my washings outside when the weather is nice, do my

own ironing and cooking. I love my flower garden and I trim grass. I love to do everything everyone else does, who is a woman. . . . I have grey hair. . . . I fuss over my parsley bed and I'll exchange recipes with any of you who thinks she can make better barbecued ribs. To think that I am a snarling, sneaky dog and an anti-Christ is just too funny for words.⁴³

Most of the time, however, O'Hair emphasized her differences with mainstream Christian America. "I am more than an Atheist. I am, in fact, the Atheist," wrote Madalyn Murray O'Hair in 1980.⁴⁴ And for her words and deeds, she was as controversial within American atheist circles as she was in the nation, generally. Most prominent atheists in America chose to maintain a low profile and to stay focused on the cause of defending the right not to believe in God O'Hair was outspoken on many controversial subjects that even her supporters believed were a distraction for the movement and brought discredit on their efforts.

In 1965 *Playboy* magazine asked O'Hair if her crusade to separate church and state was her *raison d'être*. She replied that it was "only one expression" of her *raison d'être*. She was an atheist, but she was also an anarchist, a feminist, an integrationist, an internationalist, "and all the other 'ists' that people seem to find so horrible these days. I embrace them all." She said that she did not intend to be a bystander or spectator. She would get involved "right up to my nose—totally involved in the community, in the world, in the stream of history, in the human image":

I want to drink life to the dregs, to enlarge myself to the absolute limits of my being—and to strive for a society in which everyone—regardless of race, creed, color and especially religious conviction—has the same exhilarating *raison d'être*, and the same opportunity to fulfill it. In other words, to paraphrase Jack Kennedy and John Paul Jones, from this day forward, let the word go forth, to friend and foe alike: I have not yet begun to fight.⁴⁵

The public response to O'Hair may best be described as a firestorm, and as even one of her critics was forced to admit, he "had never seen anyone with such a breathtaking willingness to endure public hatred."⁴⁶

Why did she do this? Why did she so willingly assume such a persona? As one critic puzzled: "She thoroughly personified the Christian

stereotype of an atheist. Rude, impertinent, blasphemous, a destroyer not only of beliefs but of esteemed values. . . . She popped off like a chain of fireworks in a sanctuary, merrily detonating everything we held dear. It was impossible not to admire her nerve, while at the same time wondering at her apparent compulsion to be loathed."⁴⁷ Was she simply committed to changing the world, to making it, by her way of thinking, a better, more humane place? Not entirely. O'Hair was a complex personality, and as Lawrence Wright accurately put it: "Everyone has an opinion about Madalyn Murray O'Hair, yet no one who knows her will claim to understand her."⁴⁸ Nevertheless, there were some personal reasons for her behavior that go beyond her stated public goals.

Madalyn Murray was condemned to a largely tragic life of social ostracization by her mistakes—her violations of the social code of behavior in an age of unforgiving mass conformity. A child of the Great Depression that shook her world to the core, she might still have settled into a traditional family life had not World War II intervened. But the war separated Madalyn from her young husband and offered her a world of experiences which, when she seized them, had dire consequences. By the mid-1950s, try as she might to rise above it, society shunned the divorced mother of two children born out of wedlock to two different fathers. She was forced to take and lose jobs beneath those for which she qualified by her above-average education for a woman of the 1950s. And, as will be shown, this only served to embitter her, to make her more difficult with whom to live and work, and even to push her in a more self-destructive direction.

At one point Murray privately contemplated her life and fate accepting the premise that she had made mistakes and was paying the price for them. Then, however, she responded differently, in essence arguing that all she had done wrong was to violate social codes that were the product of an irrational, inhumane, repressive, and authoritarian state unduly and unconstitutionally influenced by organized religion, the result of which was truly immoral. Murray set out to undermine every aspect of that repressive system, especially religion, which she identified as the principal source of her condemnation. By toppling it, she would free herself of the burden she bore from having violated its taboos. Her fight, then, was as much to free herself as it was to free American society.

It might be argued that Madalyn Murray did not realize what she was doing—that she did not foresee what the reaction to her would be

until it was too late. The evidence suggests that was not the case. Indeed, her public persona may well have been her most original creation. She took what was given her and instead of accepting it passively, turned it around to serve her—to serve her personal, psychosocial needs, but also to gain considerable wealth and power. It is true that it took four or five years for Murray to fully come to terms with her situation and to formulate a plan of action. By the end of the 1950s, she had several causes she might have seized upon as weapons, only one of which directly involved religion. Then, “in the midst of my life,” she later wrote, “I inadvertently stumbled upon a full-scale prayer fight which was to consume thirty years of my efforts.”⁴⁹ The absolute separation of church and state—and atheism—became her *raison d’être*.

As explained in chapter 2, Madalyn Murray began her challenge to the Baltimore Public Schools after the Cold War had peaked and was in decline, but was still very much with us. This helps explain the public reaction to her protest against prayer in the public schools and the outrage at her success. Indeed, though it made her one of the most hated women in America, it also made her one of the best known. And it gave her a cause that would serve her well during the quite different, reform-minded, countercultural, even iconoclastic, mid-1960s and 1970s. As I explain in the succeeding chapters, it was during those years that Madalyn Murray O’Hair reached her peak of popularity and influence and attracted the most public attention. She was never more energized and optimistic.

But, then, as the final chapter of this book shows, the “times” changed again. The Cold War reheated during the Reagan years, complete with renewed ideological crusades against the “Evil Empire” and its sympathizers at home, turning a cold shoulder to liberals, reformers, and those standing outside the ideological mainstream. The more conservative mood of the nation, the fact that much of what people found so shocking, and appealing, about O’Hair and her cause during the previous decades became “old hat,” and errors made on her own part precipitated O’Hair’s gradual decline. O’Hair roared in opposition to the “Reagan decade,” but it was like tilting with windmills—especially when those to whom she once appealed tired of the battle for liberal reform and might well have been heard to respond, “Madalyn, we’ve heard it before.”

As O’Hair lived into her mid-sixties and once again faced issues she thought were long ago resolved, she increasingly despaired and

spoke of ill-health and being exhausted. She rallied at times in challenging the New Christian Right and allied forces mustered to drag the nation back to the Dark Ages, as she saw it. But, then, her son William Murray—in whose name she brought *Murray v. Curlett*—defected, was born-again, and became her worst enemy. The press had a field day with the turn of events, and its coverage of American Atheist activities was limited to periodic confrontations between the two groups, portrayed much like the carnival come to town—complete with sideshows and other attractions at which to marvel or laugh, but not to take seriously.

As O’Hair prepared to retire, American Atheists faced their most serious challenge since its inception. As O’Hair rose to prominence, attracted people to her, and expanded her operation, she became increasingly dictatorial. She had no patience with those of lesser skills and energy or who challenged or even questioned her, and, as a result, she alienated many of those who might have served her organization well. This was not a significant problem as long as she had the lime-light. It became a problem as she lost that prominence, and members of her own organization began to blame her for the decline of the movement and sought to remove her from power. Others simply sensed her growing weakness and moved in for the kill for their own reasons.

By the mid-1980s, O’Hair lost the support of several of her state chapters and even her Board of Directors. Trusting no one beyond her immediate circle, she insisted on passing the baton to her son, Jon Garth Murray. His leadership and interpersonal skills were questionable, and the method by which he was thrust into power outraged many within the national organization. Combined with its mounting financial problems, on the eve of the disappearance of Madalyn, Jon, and Robin Murray (Madalyn’s granddaughter) in 1995, American Atheists seemed on the verge of being torn apart, if not collapsing altogether.

Except for a brief epilogue on the mysterious, bizarre, and tragic circumstances of the Murray-O’Hairs’ disappearance and death, this book ends in 1995. By then, except for the brief attention she attracted while missing and when she was found murdered, Madalyn Murray O’Hair had been pushed out of public view, only occasionally emerging as a caricature of what she once was: an American original—smart, but with little patience for pure intelligence; iconoclastic, though she often

missed the very institutions she condemned; publicly self-confident, but privately often riven with self-doubt; uncompromising, but lonely in the resultant isolation; confrontational, though she often regretted the results—and, of course, profane.

Out of Obscurity

THE FORMATIVE YEARS

AS WITH SO many people whose early life gave no hint of the levels of fame or infamy they would attain, the records of Madalyn Murray O'Hair's first years are few, and the personal accounts of those who knew her, recorded decades after the fact, are biased and contradictory. William Murray's *My Life without God* (1982) is an important case in point. Murray provides the most detailed insight available into his mother's personal and public life. But he recorded his recollections after his break with his mother, whereupon he became her leading opponent. Madalyn's diaries are very helpful, but they begin in 1953, when she was nearly thirty-four, and they are incomplete. Further, like so many before her who later in their lives wrote autobiographical accounts, Madalyn's successive self-portraits differ dramatically. Always struggling to better explain herself in the face of her new interests and involvements, she continually revised the "facts," and altered her interpretations, of the seminal events in her life.¹

She was born Madalyn Evalyn Mays on April 13, 1919, in Beechview, then a suburb of Pittsburgh, Pennsylvania, to Lena Christina Scholle and John Irwin Mays. She was the Mays' second child, their firstborn, John Jr.—called Irv—having been born two-and-a-half years earlier. According to his daughter, John Mays claimed ancestors whose arrival dated to mid-seventeenth-century Massachusetts. According to William Murray, John and Lena Mays came from families of sixteen and fifteen children, respectively. Due to the poor circumstances at home, John ran away at age twelve, and for lack of room Lena was forced to

leave as a teenager. They met one night in 1912 and were married the next day.²

Family tradition has it that Madalyn was born on Palm Sunday in a foreboding manner. According to William Murray, his grandmother “swore years later” that his mother had been born “with an unusual dark membrane covering her whole body.” “It resembled a black shroud,” she explained. The doctor said it was very unusual, but he offered no explanation. He gave a portion of the membrane to Madalyn’s mother, who kept this odd keepsake for many years.³

Madalyn recalled: “I don’t believe there could have been a happier or more secure childhood than mine.” She described her mother as beautiful and her father as “a knight in shining armor.” She loved her house, “where mahogany gleamed, and hardwood floors were parqueted.” She “loved all the seasons, and my school and church.” Madalyn identified her father as a building contractor, the sole proprietor of the Pittsburgh Steel Erection Company. She claimed to have been affluent as a child, having grown up “in Cadillac cars, commodious homes, with linen damask table cloths and heavy silver and oriental rugs and a concert-grand Steinway piano.” She spoke of having had “fur coats and diamond rings and designer dresses” and having been carried about on the shoulders of her family’s black chauffeur.⁴

The account was exaggerated. William later reported that his grandfather “operated a small but reasonably successful construction firm” before it went bankrupt in the late 1920s. He was never “nearly so prosperous” again. The chauffeur, it was later reported, worked for a wealthy uncle. *Polk’s Pittsburgh City Directory* lists no such company during those years. Nor does it include any steel erection or construction company with John Mays as proprietor. Several small companies are noted without reference to their managers or owners, so it is possible that Mays was the proprietor of one of them. But the *Directory* lists Mays in the residential section as a “steel worker.”⁵

Madalyn dated her father’s economic collapse to October 1929, the stock market crash and the Great Depression. Mellon National Bank, she recalled, closed its doors with all of her father’s money, and they lost their home. That not only brought them “a different way of life,” but it also left an indelible impression on her world view. In her 1964 interview with *Esquire* magazine, Madalyn’s comments concerning the Depression led the author to write that her “rather bitter view of America is tailor-made for a Communist publication.” But, he quickly added, her

remarks did not “mean necessarily” that she was a Communist.⁶

For the next several years, the family moved to various places in the region—including Cleveland, Detroit, and Chicago. For a time “Pup,” as his daughter referred to him, operated a roadhouse in Ohio. During Prohibition, roadhouses were clandestine taverns located along rural roads to take advantage of laxer law enforcement. In 1931 the family moved to Madison, Ohio, and, for a time, the family lived in Rossford, Ohio, while John Mays worked for Libbey-Owens-Ford, a glass manufacturer.⁷

Accounts of the Mays family in the 1930s are sketchy, but Madalyn often referred to those years and their influence on her later life. If once they were prosperous and carefree, this was no longer the case. Moreover, by her telling, the hardships she suffered bore the seeds of her later rejection of God. Her father was Presbyterian. Her mother was Lutheran, but attended a Presbyterian church; she taught the young Madalyn a brief bedtime prayer, which she could still recite as an adult. Her parents baptized Madalyn in the Presbyterian Church in 1923 at the age of four, and she attended church and Sunday school regularly. She “loved the stain-glass windows, the polished wood of the pews, the soaring hymnal music, the flouncing starched dresses smelling vaguely of Satina, a special clean and youthful odor.”⁸

After the Crash, however, at the age of twelve or thirteen, while in the sixth grade and living in Akron, Ohio, Madalyn read the Bible. She read it cover to cover in one weekend and “realized it was a perfectly bizarre book.” She was “completely appalled, totally turned off, [and] filled with repugnance” by what she discovered: “I came away stunned with the hatred, the brutality, the sadomasochism, the cruelty, the killing, the ugliness.” At about the same time, while attending church, she began to take note that the minister accused his flock of “being full of sin,” though he never explained why. Instead, they passed the collection plate, and “I got in my mind that this had to do with the purification of the soul, that we were being invited to buy expiation from our sins. So I gave it all up. It was too nonsensical.”⁹

The Mays were not “enthusiastic churchgoers.” Nevertheless, when Madalyn explained her conclusions concerning the Bible to her parents and read them the offending passages, her mother simply “drew herself up” and responded: “That’s not in my Bible!” Madalyn was not to be dissuaded, however: “I never accepted the Bible after that day at all. I refused to go to Sunday school. I refused to go to church.”

Elsewhere, Madalyn discounted the idea of her immediate or sudden rejection of religion, preferring to see it as a gradual process of education. That might explain why, when she was graduated from high school, Madalyn recorded as her life's goal "serving God for the betterment of humanity," a statement her son later attributed to peer pressure.¹⁰

O'Hair was not reluctant to let her feelings toward her parents be known, and despite her professed fond recollections of childhood—at least before the Crash—they were not always warm. On the one hand, she wrote: "I never understood people who hated their parents. I idolized mine." She recalled that her father was a "benevolent capitalist," the only contractor in Pittsburgh "who went to the union for his journeymen and paid union wages." On the other hand, she described him as "brutal and demanding," a "slave driver," which, when he lost ownership of his company, allowed him to find a new job as superintendent, foreman, or "pusher" by squeezing profit from his men. She even called him a Nazi and a racist.¹¹

Later, as an adult, when she and her parents continued to live together, O'Hair and her father, by all reports, including Madalyn's, often quarreled. In recalling his life in Baltimore during the 1950s, William Murray spoke of the constant quarreling, but he admitted that he was not sure as to the source of their mutual antagonism. William had little to say in praise of his grandfather. "Most of what he did," he later wrote, was "illegal or ill advised." But, he suggested, it might have been Madalyn's "loose morality" that caused them to clash, often and occasionally violently. On one occasion, Madalyn had to be restrained from attacking him with a butcher knife.¹²

During the morning of January 9, 1963, in the midst of the *Murray* case and the strain that it caused in the family, Madalyn and her father engaged in an argument, at the end of which she stormed from the house. According to William, Madalyn screamed: "You old bastard! I hope you drop dead. I'll dump your shriveled body in the trash for the niggers to pick up!" Later that day, her father, age sixty-nine, had a fatal heart attack at the local A&P supermarket. Madalyn's reaction was less than sympathetic, William recalled, ordering William to find "the cheapest" undertaker he could.¹³

Madalyn recalled the incident differently. She explained that her father died of a heart attack "following a foray against our home in Baltimore . . . by the religious Christian community" that was angered by

there being “an Atheist in our family.” Vandals broke the house’s exterior lights and stuck metal in the sockets, shorting out the electrical systems. The young men danced on the roof and hood of “Pup’s” car. They called the police, who apprehended four of the assailants, who admitted to trespass, breaking the porch lamps, walking on the car, and cursing Madalyn and her family.¹⁴

Madalyn intended to press charges against the boys, but her father persuaded her not to. “I can’t take anymore of this,” she recalled him saying. “The police are in the house constantly. There is too much noise all of the time, and there are the arguments that go with it. . . . All it does is wear us down.” He paused, then continued: “Babe, I can’t take any more of it. It upsets me. I’m no young man. I want you to let these kids go. And, next time, I don’t even want you to go after them, because I can’t take this much constant excitement. I don’t want the police in our house any more.”¹⁵

Madalyn agreed not to press charges. She noticed that her father did not look good. Further, she wrote, she had a premonition of death, though at the time she could not explain it. The next day Madalyn decided to drive to western Maryland to see a man who offered her financial assistance for her case. Her father opposed the trip, explaining that if the man really intended to help, he would have sent her the money—sparing her the time, effort, and expense of driving the distance to get it. Madalyn reported being angry at her father and accusing him of picking on her. They exchanged angry remarks and she left, slamming the door, and, by her own admission, shouted: “Oh, I wish you would drop dead.” The trip turned out to be as fruitless as her father predicted, and when Madalyn returned home, her mother greeted her by saying: “You got your wish. Dad dropped dead from a heart attack about 2:00 this afternoon.”¹⁶

In 1970 O’Hair dedicated *An Atheist Epic*, her account of the Murray case, to her father, “Pup, who died in Baltimore, MD, and for Bill Moore, a friend, who died in Alabama, and for those glorious Christians, known to us by name, who killed them.” In 1991 she dedicated the second revised edition of *Why I Am An Atheist* to her father as well.¹⁷

In her more philosophical reflections on her father’s death, Madalyn said that she had not had much “direct connection” with death until her father died. “It really threw me. I could not believe that he was actually dead.” She said that every day she went to the cemetery, stood over his grave, and asked herself: “What was the purpose for his being

alive?" Even her son William acknowledged that his mother experienced some sense of guilt as the funeral drew near and ordered "the most expensive casket money could buy."¹⁸

Her father was a Presbyterian, O'Hair allowed, and although he "did not care much for the trappings of the church," he believed in God and was religious. As a result, in deference to what she assumed would be his wish, she asked a Presbyterian minister to provide "a decent religious burial." Realizing that she was struggling with her father's death, she reported, the minister "seized upon the occasion" to try to "convert" her. "It filled me with disgust that he should have been so callous as to use such an occasion for the furtherance of his particular madness," she reported. "I asked him just to read 'Thanatopsis' for Dad and to make a short statement of religious faith."¹⁹

Madalyn recalled that she sat by her father's casket in the funeral home, alone, from 10:00 A.M. to 10:00 P.M. for three days. "We were in absolute communion, somehow. He was dead and I was alive, but I know that we understood each other at last. It was more than a moment of truth, it was three days of it. I brought him red roses, and they were the only flowers that he had for quite some time. But I felt that he should not be there alone, and I stayed with him until he got used to the idea of being dead, or until I got used to it." "It's all right, Pup. It's all right now," she said. "This is the most that can happen now." And she wept, concluding: "Baltimore had buried one of us."²⁰

And, finally, Madalyn seldom missed making note of the anniversaries of her father's birth and death in her diary. Without hiding the fact that they had their disagreements, her entries nevertheless reflected a sense of loss and continued mourning, as well as understanding. On August 5, 1995, in one of her last diary entries, Madalyn recalled her father's birthday and wrote: "He did the best he could and I always loved him and love him still."²¹

Madalyn made note of her mother's birthday in her diary as well, largely with fond and loving recollections. But Madalyn's relationship with her mother was similarly complicated. On one occasion she admitted seeing her mother as a "cowed, whipped dog"; on another she is quoted as saying that she hated her mother. William Murray recalled that the relationship between Madalyn and her mother after Madalyn's stint as a WAAC in World War II, and during the tumultuous *Murray* years of the early 1960s, was as strained as that between Madalyn and her father, if less confrontational. He speculated that this may have been

in part due to her mother's revealing to Madalyn that when she was several months pregnant with her, she had tried to abort Madalyn by jumping from a second-floor window of the family home in Pittsburgh.²² But most of the hostility between mother and daughter, as well as father and daughter, grew out of their disapproval of her personal behavior and the public causes she advocated, and the attention she attracted as a result.

The family lived together for nearly the entire time from Madalyn's birth until her father's and mother's deaths. At the height of the controversy surrounding *Murray*, her mother was photographed with Madalyn, once on the front steps of the U.S. Supreme Court building when the decision was handed down, and again with Madalyn when she was in Kansas examining land given her for American Atheists. Reports that Madalyn was not speaking to her mother during the final months of her mother's life, and that Madalyn had a lawsuit pending against her mother when her mother died in April 1967, are unsubstantiated.²³ If true, both may have been connected to legal action Madalyn brought against her brother, Irv, and son, William, while she was in Texas, and they were in Hawaii, as is explained below.

The Mays family may have been poorer as the result of the Depression, but in 1936 Madalyn was able to spend one year at the University of Toledo. In 1938–39 she enrolled at the University of Pittsburgh when the family returned to that city. Madalyn explained later that the war boom in the economy made things better for her father, especially when the Mellon National Bank began to pay off a percentage of the money it owed its customers. That brought them back to Pittsburgh. She did not graduate. Instead, on October 9, 1941, at age twenty-two, she eloped with John Henry Roths, a steelworker. He was a local guy whom Madalyn had met in high school. They went to Cumberland, Maryland, where they were married by a Methodist minister.²⁴

MADALYN'S LIFE IS CHANGED BY WAR

Two months later, the Roths' young marriage was disrupted by American involvement in World War II. Both enlisted but received separate assignments. He became a marine and was sent to the Pacific. She enlisted in the Women's Auxiliary Army Corps (WAACs) and in 1943 was commissioned as a second lieutenant. Madalyn served on the cryptographic

staff in the Supreme Allied Headquarters in North Africa, France, and Italy. She later recalled that she received “the highest security clearance that the nation could give,” and that she “lived with the army brass, the royalty and nobility of Europe, and the top stars of show business—and came home after the war with medals.”²⁵

Madalyn wrote that her antireligious ideas were so well developed by the time she entered the military that her acquaintances began to call her an atheist. “Believe it or not,” she insisted, “it was the first time I’d ever heard the word.”²⁶ William Murray recalled, however, that his mother wrote home from Europe expressing confidence in an Allied victory because “God is on our side.” Both recalled the story Madalyn “relished telling” about a night in the Vatican. As William recorded the story, while Madalyn was in Rome she and some friends went out for a night on the town:

After a more or less conventional round of dining and drinking . . . they arrived at the Vatican around three o’clock in the morning. Drunken and rowdy, they nevertheless gained entrance to St. Peter’s Basilica by bribing a Swiss guard. Once inside, with champagne bottles in hand, they made their way to a room where the three-tiered crown used in papal coronations was on display in a glass case. . . . They managed to remove the crown from its case. Thereupon they proceeded to act out a mock coronation of my mother as the first female pope.

If true, Murray added, “mother’s knack for attention theatrics was already fully refined.”²⁷

Madalyn told the story somewhat differently. She said that it was on that occasion that she first learned about the wealth of the Vatican. She said that a Vatican employee took her to see the wealth and personal belongings not normally seen by visitors: “The Crown of Ferdinand and Isabella was in the case, and I asked if I could try it on. The guy said no, but I said, ‘Come on, let me try it on.’ I tried it and my god, my knees buckled.”²⁸

Whatever Madalyn’s experience at the Vatican might have been, it was during her enlistment that her life began to go awry. She later recalled how shocked she was at the sexual promiscuity in the army, but that she eventually grew “more tolerant and understanding” and had an affair

of her own. While stationed in Italy, Lieutenant Madalyn Roths met and conceived a child with William Murray Jr., an officer in the U.S. Eighth Army Corps.²⁹

According to their son, William Murray, when Madalyn returned home from the war, her parents were living in "a shack with no electricity or running water." Her father, he explained, "had spent on booze all the money she had sent for savings." The family was destitute, and she was pregnant. When Roths returned, he offered to stay with his wife and raise the child as his own, but O'Hair declined and proceeded to sue for divorce. The "illegitimate" birth was not noted on the divorce decree. Instead, Madalyn was granted a divorce because "such indignities" had been committed against her, "the injured and innocent spouse," that it "render[ed] her condition intolerable and life burdensome."³⁰

William Murray Jr. was the son of the postmaster at Rockville Center, Long Island. He would become the Director of Port Development, Virginia State Port Authority, Newport News, and Norfolk, Virginia. According to Madalyn, he refused to leave his wife because he was a Catholic and opposed to divorce. But at first he denied he was the father. Madalyn established his paternity in court, and she received support of \$15 per week from him until their son was eighteen years old. William Murray Jr. visited Madalyn and his son "off and on" for several years, but then the visits ceased. In her diary in May and June 1956, she wrote that she thought William Jr. sought to renew their relationship at some level, but that he wanted to keep it secret. Madalyn rejected the idea.³¹

Although William Murray's refusal to divorce his wife cannot be ascribed solely to his being a Catholic, his son concluded that it provoked his mother's antagonism toward Roman Catholicism and even God, the latter signaled by one of the most dramatic episodes in Madalyn's life. One night in early 1946, during a violent electrical storm, according to family legend, Madalyn, still pregnant and in despair, announced that she was going out into the storm to challenge God to strike her and her unborn child dead with lightning bolts. She stood in the rain waving her fist and cursing God, and when nothing happened, she returned inside. "You see," she cried, "if god exists, he would surely have taken up my challenge. I've proved irrefutably that god does not exist." On May 25, 1946, she gave birth to William J. Murray III.³²

Madalyn always contended that she and her son assumed the Murray name upon William's birth. The record calls that into question. On

the birth certificate filed on May 27, 1946, and signed by the attending physician, William Joseph Murray III is reported to have been born on May 25 at Pittsburgh's Mercy Hospital to Madalyn Evalyn Mays, housewife. William Joseph Murray Jr.—age thirty-one, residing in New York City and employed as a broker on the New York Stock Exchange—is listed as the father, and the birth was deemed "legitimate."³³

The information concerning William Murray's employment obviously came from Madalyn, as he was not present at the birth. But that is not the important point here. On June 5, Madalyn secured a second birth certificate in Mansfield (Richland), Ohio. The family had just moved to nearby Hayesville (Ashland), Ohio, where Madalyn was attending Ashland College. Based on information provided by Madalyn Mays, the certificate noted that her son was born on May 25 in Mansfield's General Hospital. Once again Madalyn listed William Joseph Murray Jr. as the father—this time as an insurance broker—but described herself as unmarried and a student, and her son's name as William Irvin Mays.³⁴

The reason for Madalyn's arranging the second birth certificate is open to speculation. It is clear, however, that she was not entirely comfortable with taking the Murray name, nor even with naming her son after his father. This is further underscored by the fact that she continued to use her maiden name, if not exclusively at least in legal matters, at least until 1954. She graduated from Ashland College in 1948 and from the South Texas School of Law in 1952 using her maiden name, and, as noted below, in 1954 she listed Madalyn Mays as the mother of her second son Jon Garth Murray. Although an exact date cannot be determined, Madalyn assumed the Murray name soon after Jon Garth's birth.

Using Madalyn's VA loan privileges, the Mays/Murray family purchased a farmhouse near Haysville, Ohio. While her father renovated the place, Madalyn found work at different clerical jobs, none of which lasted very long. As her son later recalled, "I've been told there was always some fellow employee or supervisor with whom she could not get along." She has often said that the "supervisors were forced to get rid of her because they were made insecure by her intimidating intelligence and wit."³⁵

Neither Madalyn nor her father, not even her brother, Irv, who lived with them, made enough money to cover their expenses, and the mortgage payments fell behind. Nevertheless, Madalyn returned to

college, where she earned a bachelor's degree. Her apostasy notwithstanding, she graduated from Ohio's Ashland College, which was affiliated with the Church of the Brethren. Moreover, Ashland required two years of Bible study, which launched her lifelong study of religion. As she later noted, "You can't rationally reject something until you know all about it."³⁶

Madalyn studied history at Western Reserve University and one year of law at Ohio Northern University. During the winter of 1949–50, however, the family moved to Houston, Texas, so that Madalyn's father could work in the oil fields. Madalyn transferred to South Texas School (later College) of Law, where, in August 1952, she earned an LL.B., which was automatically converted in 1965 to a Juris Doctor.³⁷

Madalyn often boasted of her intelligence and education, especially as compared to other women of her time. In a 1964 *Life* magazine interview she explained: "Compared to most cud-chewing, small-talking, stupid American women, I'm a brain. We might as well admit it, I'm a genius." In 1980 she wrote: "There is no woman in the United States, who has the education, the family, the background, or the IQ I have." Nevertheless, she never passed the bar exam so that she could practice law. Her son claimed she failed the bar exam, but Madalyn said that she never took it because it required a religious oath, calling on her to affirm a belief in a Supreme Being. It is probably the case that Madalyn did not take the bar exam in Texas because, first, she moved within months of earning her degree. Second, the South Texas School of Law was not ABA approved at the time, so her degree was not recognized by the State of Texas. Time permitting, she might have qualified to take the exam through other means, but that was not to be the case. Instead, she worked as a probation officer for Harris County, Texas.³⁸

LIFE IN BALTIMORE

In early 1952 John Mays' sister-in-law invited him to join her family's business in Maryland, so in November of that year the family moved to Baltimore. They bought a small brick row house at 1526 Winford Road in a quiet middle-class neighborhood, and Madalyn began a diary in which she voiced some guarded optimism for the future. On January 5, 1953, as her first entry, she wrote: "The year has the look and the feel of a good one; well paced, eventful, prosperous." She nevertheless listed

several issues that gave her pause and even presented “a dismal foundation on which to build.” To begin with, she found that her LL.B. was not recognized by the Maryland Bar examiners. Second, the family continued to be in a financially precarious position, which she expected to last for two more years.³⁹

Madalyn reported that her former employer had written “a condemning note” to the Department of Public Welfare, for which she wanted to work, and that she was to begin work the next day at the Glenn L. Martin Company instead. She feared that the job was beyond her mathematical skills. She was not comfortable with her boss, whom she described as “an Armenian” whose name she could not pronounce, and she could not “abide” with those with whom she would be working. Madalyn described them as unable “to hold a conversation,” “narrow-minded,” and uninformed. In the matter of her employment, she concluded: “I feel like fleeing.”⁴⁰

Some of Madalyn’s other observations in her first, comparatively lengthy diary entry are worth noting as well. Not yet thirty-four and a single mother of one, she wrote that she found it odd to discover that men in their thirties preferred twenty-year-olds. “They have the bouncing pep and vitality, the giggle and the awe of the male that we oldsters lack. I cannot be coy to a man. They can accept me as a person, not as a fawning caterer, or they can avoid me—which they do. So be it.”⁴¹

As to her family, Madalyn wrote that her father had found work as a laborer, but that he had “broken his belly open again,” and that he could not take another head blow. He was always getting hurt and was being “cranky,” understandably, after receiving “so many low blows.” An electroencephalograph had revealed brain damage, and he suffered from “nervous and muscular affectation.”⁴²

Madalyn’s mother was more irritable than in the past, Madalyn confided, but “she never seems to tire. . . . We all tax her and the home would be nothing without her.” She was “a source of continual wonderment” to Madalyn. “I doubt she knows how much we are devoted to her. I owe her a debt not repayable for how she has reared William.”⁴³

Madalyn thought William to be “odd.” Television engrossed him. He alternately liked and disliked school, and he was nervous. Nevertheless, on May 7, 1953, she wrote: “We love him so. He is a beautiful child—so beautiful and well behaved it raises a fear in me. This can’t have happened to me: to have a charming, intelligent, courteous, well

built and beautiful child. . . . If only he would stay so happy and laughing well."⁴⁴

"We should start to church," Madalyn noted, but William had no overcoat or hat, her father and brother no hats, and none had money "for our tithes." Nevertheless, she insisted, "hope springs eternal. We have a nice home in a good neighborhood, and we have enough credit reference to get furniture and a car." They had plenty to eat and even some money left over to pay some of their bills. Moreover, she had intentions of writing, detective stories to start, more serious literature later. She did not want to be tied to an 8 to 5 routine. "I dream too much and do not translate the dreams into action. I feel I have power in my pen."⁴⁵

As the months passed, Madalyn's optimism slowly waned, and her frustration grew. She made little progress in her writing. The family's financial situation improved, but she felt trapped by her job. On January 14, 1953, she wrote: "I am faced with the stark necessity of doing this [her job]. Otherwise I am condemned indefinitely to the stupid job at Martin's. I have no hope for a future. It appears my life has been lived and there is only endless work, work, work, ahead."⁴⁶

On May 16, 1953, she observed: "I don't like these row houses: nests of bees. Identical homes with identical people in identical lives. Yet truly I long to be part of society. I would like to have a routine humdrum existence, or so I have thought. A set of contradictions if ever there were any." In September 1953 she even volunteered for Extended Active Duty in the Officer's Reserve Corps, but was turned down when the army required that she arrange to have her mother formally adopt Bill, and Madalyn refused.⁴⁷

It was neither exorable nor relentless. Madalyn had moments of renewed optimism and satisfaction, but generally the remaining years of the decade, as reflected in her diary, were marred by even greater despair and anger, both with herself and the world around her. She condemned her own laziness and mistakes, but she also condemned the society in which she lived for the situation in which she found herself inextricably mired. On May 16, 1953, she confided to her diary: "There is nothing for me ahead but a petty existence eked out from day to day. I am frustrated and bitter and full of hate. They are right. I am impossible to live with. I'm not much of a mother. I shift my child rearing responsibilities to mother. All I can do is correct him, spank him, discipline him." Whereas her mother nurtured William, and he loved her

“better” in return, Madalyn was impatient with him, too quick to anger. She punished him too severely, and he responded by “sassing” and being “deliberately flagrant of rules.” But, she concluded, “To know one’s faults is not to correct them.”⁴⁸

Madalyn also commented on world and especially on national events—again increasingly critically. On May 6, 1953, she described herself as “disspirited. [Joseph] McCarthy and his probes are robbing us of freedom to read and think and experience opinions. We conform to his ideals as we are labeled.” On May 16, 1953, she observed that “we” ridicule President Eisenhower and “overt authority in the United States. We disdain church. We criticize our legal system.” She ruminated: “Surely Bill will be an anarchist.”⁴⁹

Madalyn turned to liberal and then radical politics. As early as 1953 she joined the Americans for Democratic Action (ADA) but was soon disappointed. She found it not to be the “small intimate group genuinely interested in an active spread of knowledge” that she had expected. She found its speakers “loaded with platitudes” and ADA organizers bent on maintaining a “classroom air” rather than one conducive to an open exchange of ideas.⁵⁰

By the mid-1950s, she began to attend meetings of the Socialist Labor Party and to host meetings of that group in her home. Madalyn insisted that she did not befriend any Communists until after she filed her famous lawsuit, and then only to solicit their support when all other avenues were closed to her. She did admit to having been “intensely involved in disarmament, peace, desegregation, and union activities,” as well as being “a major opponent of Senator [Joseph] McCarthy during the era of ‘un-American’ concepts.”⁵¹

Madalyn claimed to have been an early proponent of feminism, “taking her cue from her grandmother, Alice McHenry Mays,” and an opponent of French and American involvement in Vietnam. She wrote that she opposed the American police action in Korea, the testing of nuclear weapons in the atmosphere, and suppression of the rights of Algerians and South Africans, but promoted improving the lot of migrant workers, foster home care recipients, inmates of detention centers, and child offenders of the law.⁵²

Madalyn wrote critically of America’s booming suburban population. She called them “a turncoat class” that had turned away from its blue-collar, urban roots. Having been educated on the G.I. Bill, they emulated the life-style of the rich, embraced Republican philosophy and

the fable of the self-made man, accepted conservative Christianity, and rejected the needs of the workers and the poor. "They are half-men. They are half-women. Their standards are half-truths."⁵³

But Madalyn could not live by politics alone. On July 3, 1953, she wrote in her diary: "I need to unlock again my emotions. I need to love. I have been pent up and hard and cynical too long. I need to be a woman—soft and yielding." She blamed "misadventure" for confining her to "a group where there is no eligible person." Two months later she wrote: "I feel I should be married this year. The idea has haunted me since January. Yet the horizon, near and far, is clear blue and devoid of any hint of a man. If he doesn't soon appear in his dazzling white charger, I'm done. I'll be too old to enjoy the nuptial bed."⁵⁴

Soon thereafter Madalyn began seeing Michael Fiorillo from New York City, whom she probably met at work. Her father so disapproved of Fiorillo, according to Bill, that he seldom came to the house. Madalyn obviously felt differently. She confided that she felt like a high school girl again: "He folded me into his arms and naturally and completely kissed me . . . like I have wanted to be kissed for twenty years. I was so absolutely pleased and surprised . . . I almost got kittenish."⁵⁵

Madalyn described Fiorillo as possessing movements that were "liquid" and combined "gentility and strength." He had "a sureness of purpose." He was "capable and intelligent," and his hands were soft. Madalyn insisted that she was not in love, but she admitted to wanting to make love to him. She acted on that impulse and became pregnant with his child. On November 16, 1954, Madalyn gave birth to her second out-of-wedlock child, whom she named Jon Garth Murray.⁵⁶

When she first realized she was pregnant, Madalyn wrote in her diary, "This will come out alright." She admitted that she and Fiorillo were different, but that she accepted that. Moreover, she didn't expect anything from him, so she would "suffer no disappointment." Two months later she wrote: "I don't want him. I want him. I don't want his child. I do want a child. I would never live with him. . . . But I want to date him. What a hell of a confused mess."⁵⁷

In her 1965 *Playboy* interview, Madalyn referred to her "Dago" love as the one man who came closest to being her ideal man. "I loved him madly for some time," she said. He was gentle and treated her "like a woman." But "he never outgrew his particular intellectual commitment, so I outgrew him." She explained that he was an engineer, totally involved in his work and limited by his engineering education. "You

need to move into the broader humanities," she ventured, "in order to become a total person. But I loved him very much."⁵⁸

In acknowledging that her relationship with Fiorillo was over, Madalyn philosophized about her situation. On a more personal level, she wrote: "I must face up to analyzing this situation with Mike. I was lonesome. What a hell of a reason!! He fascinated me . . . and also revolted me. . . . Yet I went back again and again. Why? First, I was losing weight. [Weight was a problem for Madalyn throughout her adult life.] Second, I began to menstruate regularly. I reasoned that my body needed that sexual contact even if my mind rebelled." She explained that she was disgusted by Fiorillo's lack of education and social sophistication. She vowed not to tell Jon Garth about his parentage or to name Jon for his father. Fiorillo challenged his paternity of Jon Garth, but lost and ended up supporting him until he was eighteen.⁵⁹

Madalyn also ruminated about her social situation. "I say I have 'bad luck.' But don't we make our luck? Isn't it a combination of poor judgment, indiscretion? I don't really believe that: why do I write it? I see social mores that are wrong, stupid, immoral. The people who live by the mores see me as a flagrant violator, an extremist, something foreign to them and dangerous."⁶⁰

Madalyn baptized Bill a Presbyterian and Jon a Methodist. "It pleased their grandparents," she later explained, "and I figured the kids would think it was like any other splashing on their heads. My attitude then was, 'You go your way, I'll go mine—you think Christ was born of a virgin; I think he's the hero of a beautiful story.'" For the next seven months, in return for the minister's services, the family attended the Methodist church. Madalyn recalled having been perplexed over the matter. She said she sent Bill to church and to Sunday school "in the interests of fairness." His grandparents reinforced his religious education, but she thought she should not teach him anything about atheism. She insisted that Bill knew she was an atheist, "and by my actions, he could see how I lived and what I felt and thought." After his conversion and defection, she believed she made a mistake.⁶¹

Madalyn reported that she did not teach Jon Garth anything about, or expose him to, religion. She never took him to church or sent him to Sunday School—except for one trip to a Roman Catholic mass while he was in the second or third grade to satisfy his curiosity. Madalyn re-

ported that he disliked what he saw and never went back or evidenced any interest in religion again.⁶²

By the early months of 1955 Madalyn hit "absolute bottom," but she refused to be counted out, as there was no place to go but up. She attacked the "moral code inculcated in school, church, and other institutions." She explained that she ignored the code completely and lived "by raw rules that disgust, revolt, and injure. Everyone is playing a horrible game of lip service vs. the darkest and most cruel conduct . . . in dead earnestness. It is macabre and hysterically funny. These dark games are dangerous and men die for false ideals and distorted truths . . . and will forever and ever amen." The question, she continued, was "how to resolve yourself to this insane situation." The answer, she suggested, was that "one must lie and cheat and steal and dissemble to belong to society. This I am not willing to do. Consequently I will be ostracized, by my own volition, from society henceforth. And since I've decided, I'm rather happy about it."⁶³

Although she would waiver in her commitment, Madalyn was committed to a life of confrontation with American society. What she needed was a cause. Madalyn might have committed herself to any one—or more—of the causes that interested her: feminism, nuclear disarmament, social reform, or political activism. Atheism was neither her only nor even primary concern. In 1957, she confided to her diary: "I can see my role. I'm pleased with it. So, I'm an outsider. What better is there to be? I'm a dissenter. I'm a critic and there is always a need for them. I think I see the outline of our future here in America and me in a barbed wire enclosure with my ilk as a political renegade. At least I'll have a planned future." She began to compare herself, in her loneliness, to Eugene Debs, Clarence Darrow, and Rosa Luxemburg, and that gave her strength.⁶⁴

At times, she admitted being contemptuous of the whole human race. "Who can be so gawd damn dumb as people who smoke, war, believe in God, worship pettiness and routines, and exploit other human beings." She felt the need to get around them. "I don't want to get along with them, because I don't like them." At other times she was optimistic. In June 1957 she wrote in her diary: "I find more and more people are organizing together on the basis sometimes of personal glorification but the job is getting done"; to wit, she noted resistance to Joseph McCarthy and J. Edgar Hoover, as well as defiance of conformity in

general. She acknowledged “panting over the concept of community organization” and added, “Damn, but I love a good fight.”⁶⁵

Madalyn insisted that there was more to her than met the public eye. She spoke of her educational and professional accomplishments. She boasted of her organizational and leadership skills, but insisted that they were not enough, “for in my everyday life I find the need to have other skills.” She spoke of making her own curtains and drapes, tailoring her father’s shirts, designing her own clothes, knitting bedspreads, crocheting tablecloths, painting and wallpapering her homes, and breeding flowers. She reported having been married twice and having four love affairs, “in the most wonderful, filled life that anyone can imagine. I have delighted in being a mother and a woman.”⁶⁶ William Murray, however, saw things differently. He insisted that Madalyn’s “conflicts with society” resulted in her being far less the loving, caring—or even typical—mother Madalyn often suggested. William recorded the following recollection of his childhood in Baltimore in the mid-1950s:

Mine was not the typical American family, where a mom and the kids cuddled up on the couch with hot chocolate and popcorn to watch Father Knows Best. At my house we argued about the value of the American way, whether or not the workers should revolt, and why the Pope, Christians, Jews—anybody who believed in God—were morons. We rarely did anything together and mother barred such wholesome scenes. And instead of talking and playing games, we cursed each other and screamed.⁶⁷

He also reported: “While I was growing up, my mother often told me that she didn’t care if I became a drug addict or a bank robber or if I brought home a boyfriend instead of a girlfriend. There was only one thing she didn’t want me to do in life—become a Christian. Anything else was fine with her.”⁶⁸

William recalled that he was often the victim of Madalyn’s “fluctuating moods” and resulting verbal abuse, and that his relationship with his mother lacked any real intimacy. She seemed remote from him, and they shared very little. “Her image was so indistinct I didn’t know clearly until I was in grade school that she really was my mother.” He was accustomed to calling her by her first name until one day in a supermarket she corrected him, pointing out that she was his mother. Bill

claimed that until that moment, he had not realized it, because most of his parenting had come from his grandmother. "To learn Madalyn was my mother," he explained, "was confusing and painful, because in many ways she was a stranger to me."⁶⁹

Bill reported that Madalyn told him, when she was pregnant with Jon, that Jon's father would not marry her unless she gave William away. "I love you too much to do that," she told Bill, but the announcement proved troubling to the child, who had seen his own father for the last time at his eighth birthday party. Also troubling to him was her reminding him that as an illegitimate child, some Christian churches taught that he was condemned to hell without the possibility of salvation.⁷⁰

Prior to Jon's birth, Madalyn often commented in her diary on how much she loved William, and what a beautiful, well-behaved, charming, intelligent, and courteous child he was. After Jon was born, he began to eclipse William in his mother's view. By way of example, in December 1957 she wrote: "I have a mystic assurance of this: Garth will have as much effect on the world as Jesus Christ, Freud, or Marx have had on the total Western historical development or more. . . . I never had this feeling with Bill." A few weeks later she wrote: "I feel [Jon] is my entire *raison d'être*."⁷¹

Intimate or not, Madalyn and William Murray would be joined in one of the nation's landmark court cases. But before that happened, they embarked on one of the most bizarre episodes of this entire story—a story recorded in detail by William and neither confirmed nor denied by Madalyn. Madalyn was stunned by the Soviet launch of Sputnik in 1957. She confided in her diary, "I have been duped. Nowhere along the way have the American historians pointed out the significances of the Russian Revolution . . . and I swallowed their garbage whole. I see now the daily papers reflecting a distortion—I have been long years coming of age." A month later she wrote: "I am aglow with joy" over Sputnik, "and have enough pride in it that one would think they were my own accomplishments." And, she condemned capitalism: "The characters of capital are idiotic. It is finally going to crumble to an R.I.P." In August 1959 she wrote in her diary: "Perhaps I should label this document evolution to anarchist as my political convictions move further and further left and my actions remain not too far behind them."⁷²

As the decade drew to a close, Madalyn left the Socialist Labor Party (SLP) for the more radical Socialist Workers Party (SWP). She

preferred the SWP's more active approach to the more meditative SLP. She became involved in a pro-Castro group, gathered information on the USSR, and in 1959 applied for Soviet citizenship. She was approached at her home by a member of the American Communist Party, Robert Lee, a Fuller Brush salesman. Lee had learned of her wish to go to the Soviet Union and urged her to stay in the United States to work for the party instead, but she persisted in her plans. Madalyn urged Lee to teach her about communism, a subject about which she claimed to know very little.⁷³

Events other than national and political ones no doubt contributed to Madalyn's decision to leave the United States. In 1957 she enrolled at Howard University, seeking a master's degree in psychiatric social work. At first she was pleased, having received a generous scholarship from the National Institute of Mental Health. But, in time, she grew critical of her fellow students and the Howard faculty. In July 1958, for example, she opted to do a group thesis because she did not believe anyone at Howard had "brains enough to recognize a good piece." Moreover, she thought that if she were "closely supervised" and had "some other will than mine imposed" on her, she could not "freely create." She vowed to bide her time, and the time was almost at hand when she would be free to express herself: "Actually I have the large framework thought out now for many things: my own theory of evolution . . . human, animal, behavioral," as well as sexual roles and "religion and its place."⁷⁴

In February 1959 she reported having told her supervisor off, receiving a bad evaluation, and being expelled from Howard. Blaming her supervisor, however, was insufficient in this case to mask her frustration. Perhaps thinking of her failure to take the bar exam—or even to have failed it, if that was the case—she questioned whether she had "a built-in compulsion" to fall just short of reaching her goals. She confided:

Here I am—on the edge of 40, with no references—the worst thing, anything, in our society—with a law degree and I can't practice—with all this social work background and no degree now—with two kids and no husband—with parents both sick—with judgments galore—with a mortgaged house and a mortgaged car. Has anyone anywhere been such a glorious failure? I weep for me. . . . I feel as if I am in the middle of a tremendous reevaluation.⁷⁵

Madalyn had found a job in the Social Security Administration, on which she had hoped to build with her graduate degree. That door now appeared closed to her. During the spring and summer of 1959—for about three months—she moved into an apartment with a man called Ricardo, who gave her a sense of “completeness” and “well being.” She left her sons in the care of her parents and admitted that her family was unhappy with her decision. She hoped all would be reconciled in time, but the relationship failed, and she moved back home.⁷⁶

Madalyn’s desperation rose. She confided to her diary that she would like to live on a commune in China or join the “underground” in Spain. “I profess to love America, but what can I do here?” She confessed to being “malcontented and vaguely undirected.” She allowed that she had been “plagued” by the idea of suicide for years, but no longer: “Life is for living, not for dying.” She admitted to feeling trapped: “I’m trapped and I know it.” She had not realized it before, she noted, but now she did, and she said she “should sing a hymn of praise for the events of the last four years” that had given her that knowledge.⁷⁷

By the summer of 1960, having received no response to her letter applying for Russian citizenship, Madalyn and William visited the Soviet Embassy in Washington, D.C. William later recalled that, upon his mother’s coaxing, the fourteen-year-old presented an official with a scrapbook Madalyn had made for him on cosmonaut Yuri Gargarin’s first-ever launch into orbit around the earth. The official accepted it, but still there was no response. Finally, Madalyn announced that she and her two sons were going to Paris, where she would continue the application process. They left on August 24, 1960, aboard the liner *Queen Elizabeth*.⁷⁸

After nearly a month of frequent visits to the Soviet Embassy in Paris, Madalyn was informed that the president of the Supreme Soviet would have to rule on her request, and that would take months. In frustration, in late September the Murrays returned to Baltimore. Madalyn chose not to speak of this episode over the years, except for brief references that largely implied that it was a vacation and that they went to Paris as tourists. She tried to distance herself from her Communist ties for fear they would compromise her atheist mission. William, however, insisted that *Murray v. Curlett*, which soon followed their return to Baltimore, was little more than a ploy to persuade the Soviets to accept her.⁷⁹

MADALYN TAKES ON THE BALTIMORE PUBLIC SCHOOLS

When they moved to Baltimore, Madalyn enrolled William in Park School, a private school which in 1959 moved to West Baltimore. After a semester of an exhausting, long commute and a struggle to meet the tuition bills, she decided to switch him to the local public school. William later recalled that as they passed through the halls of Woodbourne Junior High, his mother was perturbed to see the students standing and pledging allegiance to the flag, and angry when she observed them bowing their head and reciting the Lord's Prayer.⁸⁰

Upon entering the counselor's office, Madalyn confronted the man who greeted her, asking why the students were praying. "It's un-American and unconstitutional!" she proclaimed and let him know that she did not want her son taught any prayers. Bill reported that the young man was clearly flustered by Madalyn's charge and at first responded by noting that nobody else had ever complained, and that even those who were not very religious thought prayer recitation set a nice tone for the day. After he regained his composure, he added: "There were prayers in the school of this city before there was a United States of America. If our forefathers had wanted us to stop this practice, they would have told us that when they formed the government." His response infuriated Madalyn. She informed the counselor that people like him had to be stopped, whereupon he replied: "Then why don't you sue us?" He could not have anticipated the results of what he suggested. When they met with the Woodbourne principal, Madalyn repeated her position and received much the same response.⁸¹

The school year ended without Madalyn taking any further action. That August, Madalyn, William, and Jon went to Paris. When they returned, Madalyn faced yet another moral dilemma. William explained that when Madalyn took Jon to enroll in Northwood Elementary School in Baltimore, she needed a birth certificate, which she claimed to have lost. Over the next few weeks, as the school continued to demand the certificate, Madalyn stepped up her attack on the public schools and their morning exercise. William claimed not to have understood the connection until he recorded it in 1987, when he wrote: "Only now do I realize that Jon's birth certificate was the reason why prayer and Bible reading were removed from public schools. Prayer was abolished in public schools not because of my mother's political beliefs, but because of a moral dilemma."⁸²

William explained that his father had refused to divorce his wife to marry Madalyn—that he even contested paternity. She was hurt, William insisted, sometimes telling him she wished he had never been born. Then, eight years later, just as she was starting life again in Baltimore, she bore her second out-of-wedlock child, Jon Garth. Jon’s birth certificate read:

Name of Father: Michael Fiorillo
 Name of Mother: Madalyn Mays
 Name of Child: Jon Garth Murray

“She might as well have written the word BASTARD in bright red letters across the face of her son’s birth certificate,” William pointed out. He saw it as a gesture on Madalyn’s part—“stating for the record what she thought of men and society that would allow women to be abused by men. At the same time she was condemning herself as a woman of loose morals.” Elsewhere William noted that in 2001 Madalyn’s transgressions would have been less damning, but that American society in the 1950s was not as tolerant or forgiving. He concluded that Madalyn’s moral problems “left her no choice, but atheism.”⁸³

According to Madalyn, however, it was William who “shamed” her into stepping up their protest. During their return flight to the United States, Madalyn noted, William accused her of not standing up and fighting for things in which she believed. “You see all of these injustices, and in a way you let them flow over you,” she quoted him as saying. He explained that he didn’t think he believed in God, but that his mother nevertheless had let him continue to participate in the prayer recitation and Bible reading exercise. She had “registered opposition,” but nothing had resulted except that he “got some lumps out of it.” He explained: “Either you believe in something and you act on those beliefs, or you believe in something and you don’t act on those beliefs. In the first case you have character; in the second case, you’re a hypocrite.”⁸⁴

William admitted that he had encouraged his mother’s actions against the Baltimore public schools. He explained that he thought his mother’s view of America changed upon her return from France: “She found out other governments were a lot worse. . . . I told her then: ‘Look there’s no use in running all over the world looking for the perfect democracy, when the perfect democracy is right here.’” Prayer and Bible reading in the public schools was wrong. It was unconstitutional,

he believed, so, "Let's do something about it." It was after that conversation, he acknowledged, that his mother took action.⁸⁵

Madalyn explained that to that point she had tried to live by her convictions, that she had made her own decisions without regard to what others thought of those decisions and the way she led her life. When confronted by her son, however, she admitted that she did care what he thought, and she resolved to act. According to Madalyn, William asked her to explain what an atheist believes, something she was reluctant to do for fear of influencing him—of indoctrinating him. He responded that it was no different from other parents explaining their religious beliefs to their children.⁸⁶ "I don't know if there is a god or if there isn't," William said, "but I do believe one thing: it's fruitless to pray to him if there is one, and damn stupid to pray if there isn't, and no one should be forced into doing either one." Therefore, he announced, by her account: "I've decided that I'm not going to read the Bible in school. . . . Or, listen to anyone else read it to me. . . . And, I've decided that I'm not going to recite the Lord's Prayer."⁸⁷

Madalyn vowed to end the practice of school prayer in the Baltimore public schools and asked William to provide the evidence upon which a case could be built. He reported on daily recitations of the Lord's Prayer and Bible reading, and organized pledges of allegiance complete with the recently added phrase "under God." Madalyn came to agree with Robert Lee that she was needed more in the United States than in the Soviet Union.⁸⁸

The new school year was already two weeks along when Madalyn and her sons returned to Baltimore from Paris. Madalyn later wrote that William devised their plan of attack. He suggested that on the morning he returned to school, his mother should call the school and tell them that he was no longer going to say prayers or read the Bible. She did as William suggested and reached Vernon Vavrina, Assistant Superintendent for Secondary Schools. When Madalyn delivered the agreed-upon message, Vavrina replied that prayers had been in the schools for as long as there had been any schools. "This is a part of our history and our culture, our total background. I never had a request like this in my life." Madalyn simply restated her position, explained that she was an atheist and that she supported her son "without equivocation." Madalyn demanded that school authorities permit her son to be absent from his homeroom during Bible reading and prayer. If they did not allow this, she intended to withdraw him from school.⁸⁹

Madalyn so informed the junior high principal and district superintendent by mail, and on October 12 Vavrina notified her that the school system would not comply with her demand. According to Madalyn, he concluded that William would not be allowed to leave the room. "He shall attend the services," Vavrina concluded. He could refuse to say the prayer, but he would be required to move his lips as if he were saying it, so as not to offend those who chose to pray. Vavrina later denied having made the final stipulation, and in *An Atheist Epic* Madalyn quoted Vavrina as saying: "He will stand. He will assume an attitude of respect and reverence and he will bow his head." In her interview for the *Saturday Evening Post* in 1964, she commented that George Brain, the city's superintendent of schools, had agreed to let William remain seated "in respectful silence."⁹⁰

William stayed home from school, and together he and Madalyn wrote a letter to Vavrina explaining their action. They wrote, in part:

When there is a clear violation of the principle of separation of Church and State, and when my good conscience as a confirmed and practicing Atheist requires that I must rebel against such a flagrant violation of basic constitutional rights, I am compelled, in an action of civil disobedience, to withdraw my son, William, from the Maryland public schools. I do not intend to send him to a private school. He will remain at home and will be schooled under my personal tutelage, without religion.⁹¹

Madalyn sent copies to Brain, every member of the School Board, and Dorothy Duval, the principal of Woodbourne Junior High. Anticipating a legal battle, she sent copies to the American Civil Liberties Union, the Baltimore Ethical Culture Society, and the American Humanist Association. Only the Baltimore Ethical Culture Society and the American Civil Liberties Union responded. The Ethical Culture Society wrote, "You have our hand in heartiest handshake," but it did not publicly endorse the Murrays' position. The Civil Liberties Union sent an attorney to the Murray home. He tried to convince Madalyn that she was wrong to keep her son home from school, in that it complicated her case against prayer in the schools by violating the state's truancy laws.⁹²

Nevertheless, William stayed at home and the school system ignored both Madalyn's threats and her son's absence. Principal Duval did send the Murrays a letter informing them that she might have to

charge William with truancy. Otherwise, the school's policy was to maintain a low profile and avoid publicity.⁹³ Madalyn took the next step; she wrote a letter to the editor of the Baltimore *Morning Sun*.

Madalyn informed the editor of her plight. She argued that the rights of atheists were being trampled on not only in Baltimore but throughout the United States. "I have had enough, for I am an Atheist, and I will no longer be maligned and abused by identification with all that is evil, corrupt and noxious. . . . What is an Atheist that he is so vile?" She wrote: "Hath not an Atheist eyes? Hath not an Atheist hands, organs, dimensions, senses, affections, passions? Do we not love, work, bear children, praise, honor and seek worth? Do we not have a right to our opinion as to the existence or non-existence of a supreme intelligent being?"⁹⁴

"Anybody in America can worship this alleged God in his own way, organize a church, publish religious books or magazines, operate a religious school and preach to his heart's content," Madalyn wrote. "This is fine, but please, 'include us out.' We Atheists and Agnostics want only the freedom of our opinion. We desire to be excluded from your collective madness. We desire not to have this forced upon us against our good conscience and our considered convictions."⁹⁵

In one paragraph Madalyn Murray listed three of the issues that were to become her causes for years to come: public prayer, the phrase "In God We Trust" on U.S. coins, and the words "under God" in the pledge of allegiance. She ended the letter by claiming that the Board of Education had violated the First and Fourteenth Amendments of the U.S. Constitution by requiring daily Bible reading and recitation of the Lord's Prayer in its public classrooms. She wrote that she had decided to take a stand—to exercise "an act of civil disobedience"—by keeping her son out of school. She closed with the line: "And may my conscience now Rest in Peace."⁹⁶

The *Sun* delayed publishing the letter for five days, but on October 26 it decided to send a reporter, Stephen Nordlinger, and a photographer to the Murrays' home. Madalyn explained her case to Nordlinger and vowed to take it all the way to the U.S. Supreme Court if necessary. She would not return her son to school as long as he was required to stay in class during the morning exercise. She acknowledged that withdrawing her son from school violated the law, but insisted she had no choice. Putting him in private school would defeat her purpose.⁹⁷

When asked by the reporter, William Murray offered that he thought what his mother had done was right: "As an atheist I shouldn't be subjected to prayer and Bible reading in order to get a free education." Murray told Nordlinger of a report he had submitted on the Soviet Union, in response to which several students in his class had accused him of being a Communist and roughed him up. Madalyn described the report as "very factual . . . cold and objective," making reference to the country's geography, natural resources, economic theory, and government. She said that it was "neither condemning nor praising." School officials, however, told Nordlinger that the report was inflammatory.⁹⁸

On Thursday, October 27, the face of William Murray graced page 1 of the Baltimore *Morning Sun* beneath the headline: "Boy, 14, Balks at Bible Reading." The three-column article reported the facts of the case, the Murrays' position, and that this was the first reported challenge to the Baltimore school board's rule on prayer since its adoption in 1905. The rule—Section 6 of Article VI of the Rules of the Board of School Commissions of Baltimore City—required that a chapter from the Bible (King James or Douay), or the Lord's Prayer, or both, be used in the opening exercise of all schools under the board's jurisdiction. Madalyn also protested inclusion of the words "under God" in the pledge of allegiance—another part of the morning exercise. Nordlinger reported that George Brain was consulting state educational authorities about the proper course of action to take in the case, but that in the meantime he was following the law. As there was no provision in the law for excusing those who did not want to participate in school prayers, William Murray was to remain in class and be respectful.⁹⁹

Nordlinger quoted Madalyn as being determined not to have her son "bow down to any concept of what an average American is given to be," and that if necessary she would go on a "hunger strike in jail" to defend her position. Madalyn and William Murray also protested use of the textbook, *The Story of Nations*, in William's ninth grade world history class. Madalyn complained of its "distortions and misrepresentations . . . particularly in the areas of religious and political interpretation of events, both historic and current." She objected to a picture of Jesus Christ ascending into heaven. Bill objected that "all of the religion in the book was given as fact," as well as to the text's reproduction of the *Last Supper*. He said he objected in class to the "opening statement in history

that God created the earth." "What about the tidal theory and the twin-star theory and the other scientific theories?" he asked.¹⁰⁰

Nordlinger reported on the conflict over William's report on the Soviet Union, and his complaint that students were not free to express their views at Woodbourne. Woodbourne principal Dorothy Duval reported that she had reprimanded the boys for their actions. She added, however, that although she thought William had a great deal of ability, he was arrogant, disparaging of others, and not living up to his potential. She dismissed his charges of censoring by pointing out that the paper had in fact been admitted as legitimate class work. The article concluded with a reprinting of the entire report.¹⁰¹

The telephone calls began immediately—first from local reporters, but then from NBC, CBS, ABC, AP, UPI, and Hearst newspapers, all seeking interviews. They made local and national news, but Madalyn was disappointed with the press coverage. "I saw and heard myself and William on television and radio, with the words cut out, tapes edited, so that we said things which were incredible. . . . Everything we did was misinterpreted—methodically, deliberately, and with premeditation." She accused the press of following the school's line that she and William were Communists and nuts. But, as one reporter told her, "Without the smear of your being a Communist and William being a nut, nothing would have appeared." She described the school principal's tactics as first "shouting Communist" and then attacking her son as "a nut, a trouble maker, a personality problem, a delinquent," effectively avoiding the prayer issue.¹⁰²

Among the other callers was Fred Weisgal of the American Civil Liberties Union. He offered his advice but added that the ACLU could not commit itself to the case, yet. Once again Weisgal urged Madalyn to send William back to school immediately. The issue was prayer and Bible reading, and he wanted to make sure the courts stayed focused on that issue, not William's truancy. Madalyn agreed to send her son back, but promptly notified the news media so that they could witness and report the event. On Friday, October 28, William Murray walked back to school amid reporters and television cameras, and the story was featured throughout the various media.¹⁰³

Under Weisgal's and Madalyn's direction, William was to report to his homeroom, from which he would withdraw at the start of the morning exercise in order to avoid participation in the Bible reading and prayer exercise. Before leaving, William was to state: "I refuse to partic-

ipate in this opening exercise of Bible reading and prayer recitation because it violates my freedom of conscience and the Constitution of the United States." Nordlinger reported the plan in the morning newspaper even before William left home, as well as Superintendent Brain's vow to expel him if he did it. William was taunted en route about being a "Commie lover," and that he and his mother should move to Russia. "Few if any of these remarks concerned my atheism," he later wrote. "The possibility that I was a Communist seemed to be my most horrid fault." He ignored the taunts and arrived on time, a little before 8:00 A.M.¹⁰⁴

Reporters were not allowed in the building. William was directed to the main office to see Vernon Vavrina, but he refused and headed for his homeroom, as planned. By the time he got there, the door was locked, and Principal Duval was speaking to the students. William went to the principal's office, where he met with Assistant Superintendent Vavrina. Vavrina questioned him as to his atheism and his opposition to school prayer. He told William to proceed to his first class, morning exercises having been concluded, and to report to the office upon his arrival for the next school day, as well.¹⁰⁵

Madalyn was outraged and demanded to see Vavrina. He explained the school's actions and his own presence as a response to reports that William had been "a disturbing influence in the school," rather than to his refusal to participate in the morning exercises. Madalyn demanded to see the principal, who refused to discuss anything besides William's absence from school. She attended a school board meeting, where she attempted to state her case, but was ignored.¹⁰⁶

Madalyn and William Murray were immediately subjected to community pressure to withdraw their challenge, as well as outright vilification and harassment. William's life at school consisted of silence in the classroom and catcalls and violence on the playground. Teachers continued to escort him to the principal's office until morning exercises were over, frustrating Weisgel's tactics and putting William in the position where he could not complain about having been forced to participate in morning prayers. Vavrina tried to persuade him to desist in his plans. In their conversation he accused Madalyn of forcing her son "to do these terrible things" and offered to settle the matter quietly and without reprisals. He told William that he did not have to say his prayers, after all. He could just stand quietly, but that the law required that he attend school and be in the room during morning exercises.¹⁰⁷

On October 31, William entered school through a back door, evaded his teachers, and managed to get into his homeroom. The teacher decided to ignore him and asked everyone to stand for morning exercises. She began to read from the Bible, whereupon William stated his objection to the exercise and walked out of the room. William Murray had officially challenged Bible reading and school prayer. The newspapers reported the challenge, and the school district was forced to respond.¹⁰⁸

On November 2, 1960, Maryland attorney general C. Ferdinand Sybert ruled that “objections to exercises were not a valid reason . . . for non-compliance with the public school law, and that anyone who absented himself from school to avoid it could be prosecuted for truancy.” He added that the children of Maryland “had the right and the duty to bow their heads in humility before the Supreme Being.” Sybert recommended, however, that pupils who objected to Bible reading or school prayer be allowed to remain silent, upon written requests of their parents, or be excused from the exercise. He acknowledged that such non-conformity would cause individual embarrassment, but that was the price to be paid for nonconformity.¹⁰⁹

There was a little bit for both sides in Sybert’s ruling. The morning religious exercises remained, but the Murrays won the right to absent William from it. Madalyn, however, viewed the decision as “almost total victory for the school board” and would not compromise. She would press on. The public response toward her was negative, as well. Phone calls and letters poured in accusing the Murrays of being Communists, and worse. Some responses were violent. In one attack of “teen-age commie beaters,” as William Murray described them, he nearly lost his life. While visiting a local shopping center, a group of boys began taunting him about being a “commie,” and his being “Mr. Madalyn Murray.” William ran to the bus stop, but they caught him, assaulted him, and attempted to push him in front of an approaching bus, which he was able to board and escape. When the school let it be known to the press that William would receive “testing” and “special counseling” in lieu of Bible reading and prayer recitation, Madalyn protested and no counseling took place. But the message had been delivered to the public—William was a troubled and troublesome child.¹¹⁰

Madalyn threatened school administrators with a lawsuit. No one seemed willing to either intervene in, or even identify those responsible for, the various incidents. The principal took action to limit the violence against William. She explained that due to the hostility of his classmates

she could not guarantee his safety as long as he mixed with the crowd of students. So she would separate him: William was to use only the school's front doors and he would not be permitted to use the school library or to attend study hall. In the latter case, he could use an empty classroom. And he would have to go home for lunch rather than use the school cafeteria. Madalyn accused the principal of isolating her son, but she responded that she was "looking out for the well-being of the entire student body."¹¹¹

Supported by the Maryland attorney general's ruling, the school's new rules for William Murray were put into effect. Madalyn would have to write a letter asking the principal to excuse William from the morning exercises. He would then be required to stand in the hall outside the room during the activity. The principal allowed William to eat in the cafeteria, but alone and at a special table. He would not be permitted outside the building during lunch, and, finally, he was now officially labeled truant. He would be required to make up every homework and class assignment he had missed during the time he was absent. Madalyn considered the makeup work to be excessive. She subsequently charged that some of the homework assignments William had already submitted disappeared, forcing him to keep carbon copies to prove he was completing them. In the end, however, William complied with the makeup order—if only with his mother's considerable help.¹¹²

Attacks on the Murrays' home intensified. Neighbors made their disdain clear and tried to drive them from the neighborhood. The word "Communist" was painted, in red, across the alley in two-foot letters. Antennas were snapped from their cars, the paint damaged, and tires slashed. The house windows were broken, and at one point they found a bullet lodged in one of their cars. The young Jon Garth was shunned by his former playmates, harassed by others, and his cat was killed.¹¹³

Madalyn sought protection from city police and courts, but it took two years of petitions and incidents before the city finally offered Madalyn and her family a police guard at their home after dark and directed patrol cars to swing by their house during their daily route through the neighborhood. In the matter of the bus incident noted earlier, Madalyn swore out warrants against eight of her son's attackers. The case went to Municipal Court in September 1962, and according to Madalyn the boys confirmed William's account. Their attorney entered guilty pleas for them and threw them on the mercy of the court. The

judge questioned the boys as to their past behavior, lectured them, ordered them to shake hands, and dismissed the case.¹¹⁴

All of this, of course, worsened relations in the family. Madalyn's father privately sided with the community in the controversy. Her mother adopted the same position, though less ardently. She may have seldom attended church, but she nonetheless considered herself to be an upstanding citizen and religious person. Moreover, the whole spectacle became an embarrassment for her and her husband. Madalyn explained that her father was initially supportive. He told her that he may not have agreed with her actions, but he supported his family and "the principle." Her mother was opposed from the start, because she was religious, because of the social embarrassment, and because of the situation's toll on the children.¹¹⁵ Madalyn, however, became more focused on, if not obsessed with, the case.

Madalyn became ill and checked herself into the local V.A. hospital. She needed a hysterectomy, and due to complications remained in the hospital for over five months, finally being released in September 1961. During that period she had a few one-day passes to return home and attend to business, but that was all. She continued to work on her case from the hospital, reportedly writing "to every freethought society in existence in America," asking for their support. They were slow to respond; most never wrote at all.¹¹⁶

Her efforts did bring about some supportive responses, as well as some unanticipated collateral developments. They prompted Tobi Weibe, for example, a French teacher at Woodbourne, to take a stand. She and her husband, a philosophy professor at Johns Hopkins University, visited Madalyn and William one day to explain that Weibe had released a statement to the newspaper that she could no longer in good conscience participate in the morning exercise. She did not identify herself as an atheist, but rather that she was Jewish and the prayer was Christian. Weibe was warned by the school not to make her decision public, but she did. Her unwillingness to participate in the opening exercises was included in her annual evaluation report as a teacher, and her contract was not renewed at the end of the school year.¹¹⁷

The ACLU pulled back on their assistance. It was already fully committed to the nearly identical *Abington Township v. Schempp* case in Pennsylvania, which had begun with far less fanfare in 1958. Madalyn later explained the parting as the result of "a personality clash." The Murrays accepted local attorney Leonard Kerpelman's help, as well as that of

Harold Buchman. They met Buchman through Robert Lee, who, according to Madalyn, cleared it with George Meyers, local head of the Communist Party. Buchman, she learned, had represented Communist Party members in various legal matters.¹¹⁸ Their relationship would not last.

After meeting Buchman, Madalyn went to the public library, where she researched the *Cumulative Index to Publications of the Committee on Un-American Activities* from 1938 to 1954. She found Buchman's name, as well as Lee's, Meyers', and other names she had heard pass in conversation between Buchman and Lee.¹¹⁹ Madalyn later wrote that she "saw injustice everywhere" and sought to correct those injustices. But, she decided, "If I accepted the allies at hand, I would be a hypocrite. . . . I did not believe in god and that meant that I could not accept Karl Marx as god either, or Engels, or Stalin, or any of the others." She concluded: "I knew that night that I would not continue with the C.P. attorney. I knew that night that I would probably blunder through somehow with the uninformed and eager but grossly inept little Jew, Sammy the Shyster [Kerpelman]. . . . I figured the less I had to do with any of them, the better off I would be . . . and I was coming to that determination which would set my course for years: I would do it myself, or perhaps with my son."¹²⁰

Although Buchman's name appears on the original legal papers filed with the Superior Court of Baltimore, it disappeared soon thereafter, leaving only Kerpelman's. Madalyn's version may explain his departure, but other explanations have been offered as well. Jane Kathryn Conrad, for example, has written that Buchman withdrew when he discovered that Madalyn was receiving financial assistance from Charles Smith, the editor of *The Truth Seeker*, who was an atheist but also an anti-Semite and racist. Smith had sent Buchman a copy of the *Truth Seeker*, wherein he had seen examples of Smith's anti-Semitism and racism. Buchman, who was a Jew, then promptly notified O'Hair that he was withdrawing from the case. O'Hair explained that the realization simply provided Buchman the means with which to effect the separation. He later told the Communist Party that O'Hair was too difficult to work with, but he made no comment to the press other than that he was withdrawing.¹²¹

Madalyn reported being relieved by Buchman's withdrawal. One reporter had already commented on his history of representing Communist organizations, in response to which O'Hair feigned surprise. She later wrote that the case "never got near the CP from that time

forward." Kerpelman offered to work for his expenses only, and no fee, but Madalyn was not enthusiastic about hiring him. According to Madalyn, the ACLU attorney was the first to call Kerpelman "Sammy the Shyster," though she soon adopted the phrase herself. Buchman suggested Madalyn visit the courthouse to observe Kerpelman at work. The "dirty little attorney," as she also called him, earned his money as a court-appointed attorney for cases involving indigents charged with minor felony charges, usually persuading them to plead guilty.¹²² But Madalyn had little choice, and Kerpelman took the case through to the U.S. Supreme Court.

In 1964, *Esquire* reporter Bynum Shaw described Kerpelman as a Baltimore-born Orthodox Jew, then thirty-six years old. He had tried teaching and politics, losing his bid for a seat on the Baltimore City Council. He had done patent work and criminal law, but was also known for his "offbeat" cases. He had unsuccessfully represented a socialist who wanted a taxi license, and a South American who wanted to hold bullfights in Babe Ruth Stadium. Shaw found that Kerpelman was not enthusiastic at first about the *Murray* case. He saw it as a "nutty thing," but he eventually got absorbed in it. As a Jewish student in the Baltimore schools, he had had some unpleasant experiences with the prayer rule, though he never considered testing it.¹²³

Kerpelman said he took the case because "everyone has a right to a legal counsel." He described Madalyn as an "ideal client," except for her "inflammatory public statements," and that she did not always follow his advice. He reported his fee for the three years of work as \$1,000, a token amount compared to the \$20,000 estimated to be fair for the amount of time and work involved. He claimed that the *Murray* case cost him some clients at first, but that after his victory it increased his business.¹²⁴

The *Murrays'* attorneys filed a petition for a writ of mandamus on December 8, 1960, in the Superior Court of Baltimore. The case, initially called *William J. Murray III v. Baltimore School Board*, became *Murray v. Curlett*, Curlett being the school board president. In effect, they were asking the court to force the Board of Education to stop mandatory Bible reading and prayer exercises. The petition stated, among other things, that William's religious liberty was being threatened by favoring belief as against nonbelief. Even by being permitted to leave the classroom during the "offensive" proceedings, it continued, William was losing "caste" with his fellow students and "being sub-

jected to reproach and insult." The petition included a statement on what atheists believe, which Madalyn Murray wrote and will be discussed in a later chapter.¹²⁵

In mid-January, the Baltimore school board filed a brief demurrer, an objection to the presentation of the petition in court. In summary, the board argued that the facts of the case as the Murrays had presented them were correct, but that they did not result in a case worthy enough to be heard. The board asked the judge to toss the case out as inappropriate and trivial. Although she recognized it as high-handed contempt, Madalyn was not entirely disappointed with the Board of Education's response. Having to prove their various allegations in court would have taken days and cost thousands of dollars. Instead, the judge would confine consideration to the motion to dismiss.¹²⁶

On March 2, 1961, Judge J. Gilbert Pendergast heard the case, and eight weeks later, on April 27, dismissed the Murrays' petition. Pendergast denied the writ on two grounds: (1) that the plaintiff had not stated a good "cause of action," since the school board was acting in its discretion by requiring the Bible reading and prayer recitation; and (2) that William Murray had not "spelled out any violation" of his constitutional rights. Judge Pendergast opined that the Murrays' "real objective" was "to drive every concept of religion out of the public school system. If God were removed from the classroom," he continued, "there would remain only atheism." The religious beliefs of "virtually all the pupils" would be "subordinated" to those of William Murray, and any reference to the Declaration of Independence and Lincoln's Gettysburg Address would be prohibited because of their reference to God or Divine Providence. "It is even possible that United States currency would not be accepted in school cafeterias because every coin contains the familiar inscription, In God We Trust." On April 29, the day after the Baltimore Superior Court threw out the Murrays' petition, they appealed the decision to the Maryland Court of Appeals.¹²⁷

One week after Madalyn had her hearing before Judge Pendergast, in March, she filed suit in the Baltimore Circuit Court alleging that her son's teachers were abusing and harassing him in a calculated effort to deter her from pressing the prayer suit. She pointed to school rules that she argued were intended to isolate William and to bring ridicule upon him, and to the unreasonable amount of homework assigned him to make up for his nineteen-day absence. The school board pointed out that William had missed thirty-five days of school, all told, and that the

amount of makeup work was appropriate, as were the rules that were intended to protect William and maintain order in the school. In May the court found against Madalyn, but she vowed to appeal.¹²⁸

William Murray graduated from Woodbourne Junior High the following spring. He had not completed all of his makeup work, according to the school, but, according to Madalyn, officials were willing to let him graduate if Madalyn withdrew her harassment suit against the school that was still pending. Madalyn countered by suggesting that if her son graduated, the case would be moot. William graduated, but at the ceremony—wherein students were called according to class rank—he was listed last. When he crossed the stage to receive his diploma from the principal, there was no applause. He took the diploma but refused to shake her hand, and then he exited the hall.¹²⁹

In September 1961 William began to attend Baltimore Polytechnic Institute, a public high school devoted to preparation in science and engineering. Madalyn described the school as “no nonsense” and the principal as making it understood that William was not to be isolated, singled out, harassed, or harmed. He was to be treated like anybody else. As William put it, he was able to regain a more-or-less normal adolescent life. He became active in the United Nations Club, of which he was elected president in his junior year, and he served as representative to the United Nations Association. He joined the Ham Radio Operators’ Club, the Chess Club, and the Debating Club, attended meetings of the Students for a Democratic Society, and “dabbled” in Marxist causes, to which “all” of the club members were attracted, he later wrote. His social life improved considerably, as well.¹³⁰

Madalyn’s notoriety soared. In the first year after she challenged the Baltimore public schools, the mail poured in, including a large number of communications from sympathizers. Many included donations. Carl Brown, a wealthy Kansas farmer, atheist, and nudist, sent a check for \$5,000. Brown later donated a sizable block of stock in an insurance company and 160 acres of land in Kansas on which to build a university, information center, radio station, and printing establishment. The Freethought Society of America helped, as did Joseph Lewis, a prominent atheist and publisher, who urged his readers to support the Murays. In all, the gifts amounted to tens of thousands of dollars.¹³¹

Charles Smith contributed \$5,000. Madalyn respected his magazine, which had long been devoted to atheism, as well as his American Association for the Advancement of Atheism (AAAA). Smith had

founded the AAAA in 1925, and as one of his first acts filed suit to remove government-supported chaplains from the army, navy, and both houses of Congress. He lost. In 1928 he moved to Arkansas to fight a bill introduced into the state legislature that would prohibit the teaching of evolution in the state's tax-supported schools. He opened an office in Little Rock, from which he dispensed tracts opposed to the measure that portrayed the theory of evolution in a positive light, and that opposed creationism. Smith was arrested for violating a city ordinance that banned the publication, sale, and distribution of "obscene books and publications," and he spent twenty-six days in jail working off his fine of \$25.¹³²

Nevertheless, admire him as she might, Madalyn also realized that Smith was a racist and an anti-Semite. When Madalyn confronted him on these beliefs, Smith insisted that they were irrelevant to the case at hand and offered her financial support on the sole condition that she make note publicly that atheism was her "moving cause." Smith explained that he had supported Vashti McCollum in the *McCollum* case with the same conditions, but that McCollum had not honored their agreement. Smith gave Madalyn a list of several attorneys in Baltimore who subscribed to the *Truth Seeker*. None agreed to take the case, but Smith nonetheless provided the retaining fee when counsel was secured.¹³³

Madalyn was forced to accept whatever support she was offered, but she acknowledged three reactions to the response of other atheist, or freethinking, groups. First, she was disappointed by the small number of responses and poor show of support for what she saw as a crucial case for all of them, not just her. Second, she described them as a "motley" crew of "windbags and blowhards." She wrote: "I must confess that they were often more nutty than the religionists." Third, and perhaps most important for what lay ahead of her, she found the nation's atheists to exist in a "maelstrom of petty jealousies and rivalries and internecine warfare." They "called one another liars and thieves and hypocrites" and sent letters and reports indicting one another. And all the while, Madalyn added, the world remained ignorant of atheism.¹³⁴

Madalyn helped Kerpelman prepare their case. She also maintained her public profile by picketing pro-Cuban groups, attending antinuclear weapons rallies, and sending out cards describing "the true meaning of Christmas." In what became an annual event for her organization,

American Atheists, Madalyn offered “Greetings on the Winter Solstice Season” and popularized the well-established position among atheists that Christians had taken over the ancient pagan holiday as the birthday of their “mythical Christ.” She explained how historians and biblical scholars had found that there was no basis in fact for establishing the birthdate of Jesus as December 25, but that Christians had chosen the winter solstice because it was such an important celebration in the pagan religious calendar. It had already been an “old and wonderful joyous season” that Christians made their own. Her position, made public in the media, added to opposition of the Murrays.¹³⁵

On January 9, 1962, *Murray* was heard before the Maryland Court of Appeals in Annapolis. Kerpelman presented their case, but soon thereafter the entire seven-judge tribunal decided to rehear the constitutional arguments of the case before making a decision. A second presentation was made, and on April 6 the court ruled, four to three, against the Murrays—concluding that the Maryland law did not violate the U.S. Constitution. The majority opinion stated that “neither the First nor Fourteenth Amendment was intended to stifle all rapport between religion and government.” Judge William Horney wrote for the majority that there was no compulsion for a student to take part in the religious exercise. If William chose not to participate, the deleterious effects of that decision on his relationship with other students were not the court’s concern. The equal protection provisions of the Fourteenth Amendment did not protect individuals from embarrassment or other like repercussions arising out of nonconformance with the mores of the majority. The court found that the amount of school time and public funds involved was negligible, and that the exercises were in the same category as prayers in the legislature, Congress, and at public meetings and conventions.¹³⁶

On May 15 the Murrays appealed the case to the United States Supreme Court, where it was joined with the *Schempp* case. In that case, a Federal District Court had found the Pennsylvania law unconstitutional. Maryland Judge Horney acknowledged the contrary decision in *Schempp* but added: “We do not find the decision . . . persuasive and decline to follow it.”¹³⁷ At that point, the U.S. Supreme Court had another important school prayer case under advisement from the state of New York. We take up that case, as well as the legal, political, and social environment in which *Murray* was heard, in the next chapter.

2

Murray v. Curlett

ATHEISM IN COLD WAR AMERICA

AS IN SO many things, timing is crucial, and that was the case for Madalyn Murray's suit against the Baltimore Public Schools. By 1960, the McCarthy era, a period of rabid anticommunism in which communism and atheism were assumed to be synonymous, had peaked but not run its course. Similarly, the era in which prayer in the public schools was being called into question had begun, but not peaked. Twenty years later, Murray's crusade against religion would have raised much less concern. Twenty years earlier, prior to *Everson v. Board of Education* (1947), her suit against the Baltimore public schools may never have made it to the U.S. Supreme Court. But she brought her suit in 1960, and that made all the difference.

Anticommunism in America predates the Cold War by decades, being particularly virulent just after World War I and the Russian Revolution. In 1919, however, although the immediate stimulus of fear was Russia, the underlying reason for fear was not fear of foreign invasion, but the potential spread of Communist ideas. Prophecies of national disaster resulting from subversion from within abound—at the highest levels. Attorney General A. Mitchell Palmer advised the U.S. House Appropriations Committee that “on a certain day, which we have been advised of,” radicals would attempt “to rise up and destroy the government at one fell swoop.” Senator Charles Thomas of Colorado warned that “the country is on the verge of a volcanic upheaval.” And they were hardly lone voices.¹

The American flag became a sacred symbol, as did national purity. In 1916 Woodrow Wilson issued the first presidential proclamation of

Flag Day. When he marched in a parade with an American flag draped around him, patriotism entered a boom period, to which, in 1918, was added Loyalty Week. In that year, in the midst of war, July Fourth was rechristened Loyalty Day and the nation was treated to an array of loyalty pageants, parades, and ceremonies.² “We must remake America,” a popular author wrote. “We must purify the source of America’s population and keep it pure. . . . We must insist that there shall be an American loyalty, breaking no amendment or qualification.” Attorney General Palmer did his part in purifying America by rounding up and deporting over 6,000 aliens.³

The Red Scare died out in 1920, but it revived in the post-World War II period. After 1945, anti-Communist leaders in the United States were able to perform an extraordinary propaganda coup when they turned the American people from an anti-Hitler coalition *with* the Soviet Union, *against* the Soviet Union by creating an enemy image of tremendous proportions. They employed techniques honed during World War II to consolidate home-front citizens into the war effort in order to make citizens an integral part of the Cold War. It took only two or three years to move from the war-time alliance to the Evil Empire theory.⁴

Moreover, the fear of internal subversion was as great in the post-World War II period as it was after World War I. Americans believed the external threat was really only as great as internal weakness through subversion allowed—that fortress America was impregnable as long as it remained strong at home and committed to its ideals and God. By 1945, God had guided his people to the promised land. By remaining faithful to his charge, Americans had become the most powerful and prosperous people in the world. Thereafter, if they faced the threat of destruction from a godless enemy from without—an enemy that for the first time in history was capable of massive destruction within the borders of the United States—they had to be certain not to breach their covenant with God, not to pursue their “carnal intentions,” whereby God, in his wrath, would remove his protection. In Cold War America, the pursuit of “carnal intentions” was linked to atheistic communism.

In March 1947, President Harry Truman issued Executive Order 9835, the first anti-Communist act to be made into law by presidential fiat. It decreed that anyone perceived to be disloyal (read a Communist) could not hold a government job. A loyalty board—and there would be two hundred such boards in the late 1940s and early 1950s—was put in

place, soon to be followed by Congress's entry into the fray through the House Un-American Activities Committee (HUAC). The hunt was on, and to underscore it, in 1954 Congress added the phrase "under God" to the Pledge of Allegiance. Signing the law on Flag Day, June 14, 1954, President Dwight Eisenhower praised the addition for "reaffirming the transcendence of religious faith in America's heritage and future." On July 11, 1955, he signed a federal law which required "In God We Trust" on the nation's currency. On July 30, 1956, he made it the national motto.⁵

Other such actions followed. The American Legion sponsored an annual "Back to God" program. On July 4, 1953, President Eisenhower, Vice-President Richard Nixon, and the Cabinet launched "The March of Freedom," a movement to affirm America's "spiritual heritage" and the divine basis of its freedoms. In 1955 Eisenhower told the nation: "Recognition of the Supreme Being is the first, the most basic expression of Americanism. Without God, there could be no American form of government, nor any American way of life." And clearly these leaders were in tune with the American public. A 1954 survey showed that 60 percent of Americans would not permit a book written by an atheist to remain in a public library, if they could prevent it; 84 percent believed that atheists should not be allowed to teach in the nation's schools.⁶

The fear of militant atheism was an important part of the anti-Communist movement. John Foster Dulles, the U.S. delegate to the United Nations, made a significant contribution to the creation and dissemination of that fear when he spoke of the threat it posed in 1948 at the founding assembly of the World Council of Churches in Amsterdam.⁷ In 1953, as secretary of state, he made the following remarks at a hearing before the U.S. Senate's Committee on Foreign Relations:

Soviet communism is atheist in its philosophy and materialistic. It believes that human beings are nothing more than somewhat superior animals, that they have no soul, no spirit, no right to personal dignity.

The result, he argued, was "an irreconcilable conflict" between "the doctrine of Soviet communism and the doctrine of a Christian or Jew, or, indeed, any religion."⁸ Senator Joseph McCarthy put it directly when he explained that "the fate of the world rests with the clash between the atheism of Moscow and the Christian spirit throughout other parts of the world."⁹

Americans did not distinguish between atheists and Communists. The ideological amalgam of atheism and communism created a demonic force that achieved supernatural status. "Kill a Commie for Christ" became a popular slogan. As Barbara Ehrenreich put it, the result was "a theopolitical [O'Hair's term] history which will make no distinctions, in the Armageddon we are so abundantly prepared for, between atheism, un-Americanism, and the enemy outside." Given the success with which the Evil Empire image was portrayed, the churches in the United States were unprepared for the McCarthy period and "were in a sense reaping what they had sown in terms of support for irrational anticommunism." The litmus test, or credibility of true Christianity, became anticommunism.¹⁰

Conservative Christians in particular made anticommunism an article of faith. George Marsden has shown that from the 1920s on, Bolshevik communism became a focal point for fundamentalist politics, serving to funnel more diffuse fears of atheism, evolutionism, and modernism into a single embodied enemy.¹¹ As Michael Lienesch has pointed out, the most important element of communism to its American opponents was atheism, which made it inherently anti-Christian. Historically, they argued, it was an enemy and persecutor of the church. When communists took over a nation, they pointed out, they shut down the churches, killed or imprisoned the priests and ministers, and took the people's Bibles.¹²

In December 1951, in what became quite typical in the media, the *Indianapolis Star* published a photostory on the fall of Rushville, Indiana, to communism. The reporter described the story as a "fictionalized account of what could happen anywhere in the United States" and "a composite of the fate of thousands of persons behind the Iron Curtain." The religious overtones were clear. "On the First Sunday in Advent," the article began, "Christianity faced its greatest peril at the hands of the blood-hungry communist masses of the Anti-Christ." Communists swept into a Catholic children's mass and carried off the priest and nuns while restraining parishioners at gunpoint. The newly mandated prayer began, "Our father who art in Moscow."¹³

The Roman Catholic Richard Cardinal Cushing articulated this religious-civic anticommunism in *An Appeal to All Americans to Join the Battle against Communism*, originally published in 1950 but republished in 1959. What brought about the revised edition of Cushing's very popular pamphlet was the meeting of the Seventh World Festival of Youth

and Students. The festival, he noted, caused him "to gaze in wonderment at the dynamic and expanding activities of the international communist conspiracy," especially at attracting young people. Its aim, he insisted, was "to manipulate the youth of non-communist countries in the interest of Soviet foreign policy. . . . The Soviet regime hopes to facilitate its future actions on the international scene by gaining full or partial support for its foreign policy from the youth of the non-communist world."¹⁴

The enemy, Cushing insisted, was not only without but within. "As long as we pursue our complacent attitude toward the communist conspiracy in this country," he wrote, "represented by the letting down of almost all the bars on subversive activity, we can be of little influence in offsetting Red advance(s)" elsewhere. "After all," he explained, "when we note the history of the past twenty-five years, we will understand that communism's power to take over so much of the globe was the fruit of its partly successful attempt to conquer the American mind by infiltrating our thought processes."¹⁵

Conservative church leaders raised the alarm, but they did not act alone. They were joined by several prominent liberal Protestants, including Reinhold Niebuhr, one of the major architects of liberal anti-communism in Cold War America. Niebuhr developed what was called Christian realism and denounced the destructive illusionary nature of communism. The Soviet Union became the embodiment of evil, the United States the embodiment of freedom and justice, or "The American Way." In 1952 he began *The Irony of American History* with the following words: "Everybody understands the meaning of the world struggle in which we are engaged. We are defending freedom against tyranny, we are trying to pressure justice against a system which has demonically distilled injustice and cruelty out of the original promises of a higher justice."¹⁶

Niebuhr came to believe that the greatest evil of communism was its utopian illusions. Its greatest danger was the secularization of Christianity's hope for humankind, to convince people that they could transcend "the ambiguities of history, and create the kingdom of God on earth." Richard Fox has argued that Niebuhr's "The Evil of the Communist Idea," in which he spelled out this position and which was included in a collection of essays published in 1953 titled *Christian Realism and Political Problems*, was one of his most important tracts. It appeared ten days before the execution of Julius and Ethel Rosenberg.

Bertram Wolf, who at the time was working for the ideological advisory staff of the State Department, later recalled that the Department used Niebuhr's essay to publicly justify the execution—especially Niebuhr's description of communism as "an organized evil which spreads terror and cruelty throughout the world," and that "confronts us everywhere with the faceless men who are immune to every form of moral and political persuasion."¹⁷

During the early 1960s the consensus from which rabid anticommunism sprang fractured. Cold War pageantry subsided, as did interest in observances like Loyalty Day and Armed Forces Day. Prompted by the civil rights and antiwar movements, both of which pointed up flaws in the "American way of life," critical left-wing dissent rose, as did cynicism in response to continued patriotic, anti-Communist endeavors. The Cold War itself seemed less threatening, and calls for "peaceful co-existence" with the Soviet Communists could now be heard.¹⁸

But anticommunism was by no means dead or a force no longer to be reckoned with. Indeed, some historians have argued that it did not decline significantly until after 1965, at which point the convergence of military, ideological, and psychological warfare that nurtured the Cold War finally broke down.¹⁹ Patriotism remained vital, if less obtrusive—more customary, as ritualized in school flag raisings, the singing of the National Anthem, recitations of the Pledge of Alliance, and other such public displays. Congressional hearings on internal security continued, but they were less publicized and generated less "heat" before television cameras. Senator Joseph McCarthy had been censured, but the Right was mobilized in opposition to the 1955 Geneva Conference between the United States and the Soviet Union and the so-called Spirit of Geneva it evoked, as well as the proposed summit between Eisenhower and Russian premier Nikita Khrushchev in 1959. One newspaper reporter headlined his column in opposition to the Soviet leader's visit with "Eisenhower Invites the Undertaker." The Right began "to hunker down with the American flag," but it continued to draw considerable mass support with slogans such as "The Flag—Love It or Leave."²⁰

LEGAL PRECEDENTS FOR MURRAY

The First Amendment to the United States Constitution begins with the words: "Congress shall make no law respecting an establishment of

religion." Perhaps no other clause in that founding document has proven so controversial, its intent so hotly debated. Most would agree that given the extraordinary religious diversity of our nation, the Establishment Clause functions to depoliticize religion, and, thereby, it helps to defuse a potentially explosive situation. The clause substantially removes religious issues from the ballot box and from politics. Beyond that, however, there is little agreement. To some it was intended to ensure government neutrality between religious factions, but not between religion and irreligion. To others it was intended to distance government from issues of religion in every possible manner, to erect a wall separating church and state.²¹

The authors of the First Amendment held strongly differing opinions on the establishment question.²² Most historians, however, agree that the framers wanted to leave it to the states to choose for themselves whatever position on establishment they might wish.²³ As Thomas Curry put it: "The debate in Congress represented not a clash between parties arguing for a 'broad' or 'narrow' interpretation or between those who wished to give the federal government more or less power in religious matters. It represented rather a discussion about how to state the common agreement that the new government had no authority whatsoever in religious matters."²⁴ And, in fact, only after World War II did the United States Supreme Court extend the reach of the Establishment Clause to the states, via the Fourteenth Amendment's incorporation clause.

Murray v. Curlett was not the first case concerning school prayer to be decided. Prior precedent-setting cases included *Everson v. Board of Education* (1947), *McCullum v. Board of Education of Champaign, Illinois* (1948), and *Zorach v. Clauson* (1952). *Engel v. Vitale* (1962) was decided while *Murray* was being appealed to the Supreme Court, and, as noted, when *Murray* finally made it to the Supreme Court it was joined with *School District of Abington Township v. Schempp* (1963).

In 1940, in *Cantwell v. Connecticut*, the U.S. Supreme Court incorporated the free exercise of religion clause into the Fourteenth Amendment. It also assumed that the Establishment Clause imposed upon the states the same restraints as upon Congress.²⁵ In *Everson*, that assumption, or *obiter dictum*, became a holding of constitutional law. The Supreme Court provided the definition of the Establishment Clause and its relationship to state and federal law upon which subsequent cases would be decided. Justice Hugo Black wrote for the majority:

The “establishment of religion” clause of the First Amendment means at least this: Neither a state nor the Federal Government can set up a church. Neither can pass laws which aid one religion, aid all religions, or prefer one religion over another. Neither can force nor influence a person to go to or to remain away from church against his will or force him to profess a belief or disbelief in any religion. No person can be punished for entertaining or professing religious beliefs or disbeliefs, for church attendance, or non-attendance. No tax in any amount, large or small, can be levied to support any religious activities or institutions, whatever they may be called, or whatever form they may adopt to teach or practice religion. Neither a state nor the Federal Government can, openly or secretly, participate in the affairs of any religious organizations or groups and vice versa. In the words of Jefferson, the clause against establishment of religion by laws was intended to erect a “wall of separation between Church and State.”²⁶

In *Everson*, while upholding the constitutionality of a New Jersey law allowing the use of public school vehicles to bus parochial school students, the court laid down principles for interpreting the Establishment Clause. One such principle was that an establishment of religion includes “aid to all religions” as well as aid to just one in preference to another. Another principle was that no tax in any amount can be used “to support any religious activities or institutions.” Justice Black then employed child benefit as the reason to uphold the state practice, a practice that “requires the state to be neutral” but not an adversary of religion.²⁷

The vote was 5 to 4. Dissenting judges disagreed over whether the practice at issue in this case breached the “wall of separation,” but they concurred with the majority on the intent of the framers.²⁸ Justice Wiley Rutledge wrote for the dissenters:

The Amendment’s purpose was not to strike merely at the official establishment of a single sect, creed, or religion, outlawing only a formal relation such as had prevailed in England and some of the colonies. Necessarily it was to uproot all such relationships. But the object was broader than separating church and state in this narrow sense. It was to create a complete and permanent separation of the spheres of religious activity and civil authority by comprehensively forbidding every form of public aid or support for religion.²⁹

The application of these commonly agreed upon principles of separation of church and state raised havoc. In 1971, in *Lemon v. Kurtzman*, the court established a three-part test for determining such cases. To be constitutional the act must have a secular purpose, have a primary effect that neither advances nor inhibits religion, and avoid excessive entanglement of church and state. Nevertheless, the court has allowed several breaches in this "wall of separation," clearly hoping to be reasonable and flexible without violating the principles of *Everson*. As Leonard Levy put it in reference to the supposed "wall of separation": "Even seemingly direct aids that endorse or reflect religious beliefs honeycomb official practices, despite the fact that the Supreme Court holds that the Establishment Clause prevents government sponsorship of religion." Witnesses in court continue to swear on the Bible and take an oath that concludes, "so help me God." The Supreme Court opens its sessions daily with the invocation, "God save the United States and this honorable court." Our currency carries the motto, "In God We Trust," and our school children pledge allegiance to "one nation under God." The Supreme Court has declined to hear cases challenging these practices, instead taking the position that "public opinion and historical custom dictate a prudent abstention."³⁰

In *McCullum* the United States Supreme Court applied the due process clause of the Fourteenth Amendment in declaring religious instruction in the schools unconstitutional. The ruling dealt with laws that permitted clergy to give religious instruction in the public schools during the regular hours set aside for secular teaching. It did not affect prayer and Bible reading. It did, however, offer some important commentary on the nature of the public schools. The public school, the court said, is a mirror of society. "Designed," as Judge Felix Frankfurter wrote in a concurrent opinion, "to serve as perhaps the most powerful agency for promoting cohesion among a heterogeneous democratic people, the public school must keep scrupulously free from entanglement in the strife of sects," and this requires "strict confinement of the state to instruction other than religious, leaving to the individual's church and home indoctrination in the faith of his choice." Dismissing the argument that students were not compelled to attend religious instruction classes in the schools, Justice Hugo Black wrote for the court: "Here not only are the state's tax-supported public school buildings used for the dissemination of religious doctrines, the state also affords sectarian groups an invaluable aid in that it helps to provide pupils for

the religious classes through use of the state's compulsory public school machinery. This is not separation of Church and State."³¹

In *Zorach* the U.S. Supreme Court heard its second religious instruction case, in essence deciding whether to extend the *McCullum* ruling. The court sustained New York's program of releasing students from school, on written request of parents, so that they could attend religious centers of their choice for instruction off campus. The sectarian instructors were required to take attendance and report the results to the students' homeroom teachers, and students who did not take part in the program remained in school for study hall. In this instance, the court saw no coercion and no violation of the Establishment Clause.³²

The clause, Justice William O. Douglas wrote for the court, "is absolute: there cannot be the slightest doubt that the First Amendment reflects the philosophy that Church and State should be separated." Nevertheless, he continued, it "does not say that in every and all respects there shall be a separation of Church and State." If the separation were absolute, he reasoned, government and religion would be "aliens to each other—hostile, suspicious, and even unfriendly." In this case, the public schools did no more than "accommodate their schedules to a program of outside religious instruction." Douglas offered the following words by which the court would be guided:

We are a religious people whose institutions presuppose a Supreme Being. We guarantee the freedom to worship as one chooses. We make room for as wide a variety of beliefs and creeds as the spiritual needs of men may deem necessary. . . . 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 traditions. For it then 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. . . . But we find no constitutional requirement which makes it necessary for government to be hostile to religion and to throw its weight against efforts to widen the effective scope of religious influence.³³

The three dissenting judges offered remarks particularly relevant to our discussion. In essence they argued that the state's compulsory at-

tendance laws were being used to enlist new recruits for religious sects. Where the majority saw no coercion, the minority saw substantial coercion. The most stinging critique came from Justice Jackson, implying that the nation had to be made safe for irreligion, as well as religion:

As one whose children, as a matter of free choice, have been sent to privately supported Church schools, I may challenge the Court's suggestion that opposition to this plan can only be irreligious, atheistic, or agnostic. My evangelistic brethren confuse an objection to compulsion with an objection to religion. It is possible to hold a faith with enough confidence to believe that what should be rendered to God does not need to be decided and collected by Caesar.

The day that this country ceases to be free for irreligion it will cease to be free for religion—except for the sect that can win political power. . . . We start down a rough road when we begin to mix compulsory public education with compulsory godliness. . . .

The wall which the Court was professing to erect between Church and State has become even more warped and twisted than I expected.³⁴

On February 10, 1962, the *Saturday Evening Post* published "Our Right Not to Believe" by Robert Bendiner. The U.S. Supreme Court decision in *Engel v. Vitale* was only four months away, and it was in the news, but Bendiner made direct reference to another case, *Torcaso v. Watkins*, that had been decided in June 1961. *Torcaso* involved a First Amendment challenge to a provision of the Maryland Constitution which allowed for "a declaration of belief in the existence of God" in its oath of office for state employees. The provision was applied to deny Roy Torcaso a commission to serve as a notary public. Torcaso claimed that the requirement violated the First Amendment's Establishment and Free Exercise Clauses, and the U.S. Supreme court agreed. The Maryland law, the Court ruled unanimously, violated both provisions because it effectively punished a person whose religious beliefs precluded him or her from publicly subscribing to a belief in the existence of God. By that ruling the state could no longer exclude from public office any person on the basis of his or her religious beliefs or affiliation.

In his *Post* article, Bendiner reminded readers that in *Torcaso* the U.S. Supreme Court simply confirmed what he saw as the original intent of the authors of the Constitution—namely, that there were to be no religious tests for public office. He began by making reference to the

"triumph of fair-mindedness over a prejudice as old as the Republic" in the election of 1960, which produced the nation's first Roman Catholic president. He regretted, however, that the prejudice against Catholics was replaced by "an attempt to ostracize another group of Americans." He quoted Republican presidential candidate Richard Nixon as saying, in reference to Kennedy's religious views: "There is only one way that I can visualize religion being a legitimate issue in an American political campaign. That would be if one of the candidates for the Presidency had no religious beliefs."³⁵

Bendiner noted that no one was surprised by the remark. Certainly no one responded by defending "the political rights of atheists, agnostics, and free thinkers, who were being casually put beyond the pale, as though the Constitution sanctioned their exclusion and national tradition hallowed it." Thus, the importance of *Torcaso*, Bendiner offered, especially, because several other states were guilty of the same practice of exclusion. He feared the phrase "so help me God" would remain in official oaths in various states. He voiced concern over "so-called blasphemy laws" that forbade "the casting of doubts on the fundamentals of religious beliefs," even though they were rarely invoked.³⁶

Bendiner moved beyond legal difficulties to state his concern for the "climate of opinion" that handicapped nonbelievers. He made reference to a Florida university student who was barred from his student teaching internship because he was a nonbeliever, a New York couple that could not adopt a child "through public channels" for the same reason, and a New England city's rejection of a statue of the patriot, but deist, Thomas Paine.³⁷

Bendiner briefly discussed Paine's and Thomas Jefferson's religious views, with references to others like John Adams, "to show that a fairly relaxed and free wheeling attitude in matters of religion marked our ancestors, in contrast to the rigid conventionality of their political descendents." The "tradition of freedom" prevailed, he added, until the early years of the twentieth century, whereupon he noted the unorthodox beliefs of Abraham Lincoln, Mark Twain, Robert Ingersoll, H. L. Mencken, Clarence Darrow, and others. "Today," however, "by contrast, a public man who publicly doubts is regarded as a shady figure. . . . For aside from being 'unpatriotic,' agnosticism is 'immoral.'" He quoted another columnist: "If an office holder doesn't believe in God, he may or may not be a person who believes in honesty or morality. He

might not accept the Ten Commandments, for example, as necessarily governing his conduct."³⁸

Bendiner reasoned that if it were true that nonbelievers were immoral, then forcing them to take an oath was useless, as perjury would not bother them in the least. "Infidelity," he continued, does not consist in believing or in disbelieving, but "in professing to believe what he does not believe. That is where the dry rot begins. In short, it is not the avowed agnostic who threatens the health of a society, nor the devout believer. It is the religious communicant who does not mean what he says, who uses religion to maintain his status or advance his career; and who, having in reality little or no faith himself, demands it all the more loudly of others."³⁹

In 1951, during the Korean War, the New York State Board of Regents voted to recommend the reading of a prayer in the public schools at the start of each day. The prayer was: "Almighty God, we acknowledge our dependence upon Thee, and we beg Thy blessing upon us, our parents, our teachers and our Country." Parents of ten pupils in the public schools of New Hyde Park, Long Island, brought suit. Two of the parents were Jewish. One was a member of the Ethical Culture Society, one a Unitarian, one a nonbeliever. They insisted that use of this official prayer was contrary to the beliefs, religions, or religious practices of themselves and their children.⁴⁰

This was not the first time a challenge was brought against prayer in the schools, but it was the first challenge heard by the U.S. Supreme Court and not limited to state courts. Moreover, earlier litigants challenged the prayers because they were sectarian—too Protestant—and because the Bible employed was limited to the King James version. The complaint of the Hyde Park families went beyond this limited scope of concern. They charged that the prayer violated the Establishment Clause of the First Amendment, because it was "composed by governmental officials as a part of a governmental program to further religious beliefs."⁴¹

The State of New York had composed the prayer in an attempt to create a nonsectarian prayer. Thus the need to bring suit on a broader, more encompassing, level—the legality of any kind of organized, teacher-led prayer in the schools. Twenty states came into the case as friends of the Court to urge upholding the prayer. The American Civil Liberties Union supported the plaintiffs. Religious groups like the

Roman Catholic Church and conservative Protestant groups supported the prayer. More liberal bodies and Jewish groups did not. The New York State Court of Appeals rejected the protest, but on June 26, 1962, the United States Supreme Court reversed the lower court and ruled in *Engel v. Vitale* that such official prayers violated the First Amendment's Establishment Clause. The vote was 6 to 1, with two justices abstaining.⁴²

The Regents did not deny the religious nature of prayer, but they insisted that it should be distinguished from traditional prayers because it was based on the nation's spiritual heritage. They further stated: "We believe that this statement will be subscribed to by all men and women of goodwill, and we call upon all of them to aid in giving life to our program." They described the prayer as nondenominational and voluntary, in that with their parents' permission children who wished not to participate could either leave the room or remain seated and silent during the exercise. The U.S. Supreme Court disagreed. It ruled that the prayer was religious in nature and that it constituted "an establishment of religion" forbidden by the First Amendment to the U.S. Constitution. Justice Black, who wrote for the majority, insisted that the prayer was "a solemn avowal of divine faith and supplication for the blessings of the Almighty."⁴³

The Establishment Clause, Black continued, "must at least mean that in this country it is no part of the business of government to compose official prayers for any group of American people to recite." Neither its denominational neutrality nor the fact that participation in the saying was voluntary freed the prayer from the reach of the First Amendment. Government, Black continued, could not, under the Establishment Clause, influence the prayers uttered by any citizens. Placing "the power, prestige and financial support of government" behind a particular form of religious observance, he insisted, tends to coerce religious minorities to conform. But, "compulsion" was not the issue; the enactment of a law that established an official religion was.⁴⁴

Black explained that by adoption of the First Amendment the Founding Fathers sought to preclude such establishment and coercion that had plagued the history of England and many of her colonies:

It was in large part to get completely away from this sort of systematic religious persecution that the founders brought into being our nation, our Constitution, and our Bill of Rights with its prohibition against

any governmental establishment of religion. . . . These men knew that the First Amendment, which tried to put an end to governmental control of religion and of prayer, was not written to destroy either. They knew rather that it was written to quiet well-justified fears which nearly all of them felt arising out of an awareness that governments of the past had shackled men's tongues to make them speak only the religious thoughts that government wanted them to speak and to pray only to the God that government wanted them to pray to. The Constitution was intended to avert a part of this danger by leaving the government of this country in the hands of the people rather than in the hands of the monarch. But this safeguard was not enough. Our founders were no more willing to let the content of their prayers and their privilege of praying whenever they pleased be influenced by the ballot box than they were to let these vital matters of personal conscience depend upon the succession of monarchs.

The New York law prescribing the Regents' prayer, Black concluded, was inconsistent with the intent and purpose of such protection.⁴⁵

Although he concurred with the court's ruling, Justice Douglas wrote a separate opinion in which he compared the Regents' program to daily supplication uttered by the court's own Crier and the practice of each house of Congress in opening with a prayer. He concluded, however, that the principles in each case differed. First, one involved children, the other adults. The former constituted a "captive" audience, thereby not likely to leave the classroom though permitted to do so. Second, prayer in the public schools was government financed. It did not matter that it took only a "minuscule" amount of time, comparatively, and a similarly tiny investment of public funds (i.e., payroll, space, etc.). "The principle is the same . . . the person praying is a public official on the public payroll, performing a religious exercise in a governmental institution." "I cannot say," Douglas continued, "that to authorize this prayer is to establish a religion in the strictly historic meaning of those words. A religion is not established in the usual sense merely by letting those who choose to do so say the prayer that the public school teacher leads. Yet once government finances a religious exercise it inserts a divisive influence into our communities."⁴⁶

Of the seven participating members of the court, only Justice Potter Stewart dissented. "I cannot see how an 'official religion' is established by letting those who want to say a prayer to say it," he argued. "On the

contrary, I think that to deny the wish of these children to join in reciting this prayer is to deny them the opportunity of sharing in the spiritual heritage of our nation." Stewart agreed with Douglas that the various governmental practices that invoked God did not constitute an establishment of religion. But, he insisted, neither did the Regents' prayer. It did not interfere with the free exercise of anyone's religion, and coercion was not involved.⁴⁷

Stewart further found that Black's historical review of quarrels over establishment and coercion in England and the colonies shed no light on the issue before the court. That dealt with established churches, which were no longer constitutionally permissible in the United States. He also argued that "uncritical invocation of metaphors like the 'wall of separation,' a phrase nowhere to be found in the Constitution"—but rather used by Thomas Jefferson in a letter to the Danbury Baptists in 1802—did not "responsibly aid" the court's task. What mattered was "the history of the religious traditions of our people, reflected in the countless practices of the institutions and officials of our government." Stewart concluded:

It was all summed up by this court just ten years ago [in *Zorach*] in a single sentence: "We are a religious people whose institutions presuppose a supreme being. I do not believe that this court or the Congress, or the President has by the actions and practices I have mentioned established an "official religion" in violation of the Constitution. And I do not believe the State of New York has done so in this case. What each has done has been to recognize and to follow the deeply entrenched and highly cherished spiritual traditions of our nation."⁴⁸

Some welcomed the *Engel* decision. George Rundquist, executive director of the New York Civil Liberties Union, hailed the case as a "milestone" in the separation of church and state. The Anti-Defamation League of B'Nai B'rith called the ruling "a splendid reaffirmation of a basic American principle," adding that it provided "another safeguard for freedom of religion in the United States."⁴⁹ The New York Board of Rabbis hailed it, as well: "The recitation of prayers in the public schools, which is tantamount to the teaching of prayer, is not in conformity with the spirit of the American concept of the separation of church and state. All the religious groups in this country will best advance their respective faiths by adherence to this principle." Dean Kelly, director of the

National Council of Churches' Department of Religious Liberty, said: "Many Christians will welcome this decision. It protects the religious rights of minorities and guards against the development of 'public school religion' which is neither Christianity nor Judaism but something less than either."⁵⁰

Others acquiesced. James Allen, the New York State commissioner of education, expressed no opinion on the decision, but noted that he would instruct the schools to comply with it. Governor Nelson Rockefeller did not quarrel with the decision, but rather said that he hoped "adjustments" could be made in the prayer so that it could continue to be used. He said it was important to inculcate belief "in the brotherhood of man and the fatherhood of God" in young people.⁵¹ The Reverend Arthur Kinsolving, president of the Protestant Council of the City of New York and pastor of St. James Protestant Episcopal Church, expressed disappointment, but he said that he understood the thinking of the court. He continued: "Ultimately we will have to review the decision and find some way back to the religious foundations of this country."⁵² Sterling McMurrin, U.S. Commissioner of Education, commented: "I believe it is no loss to religion but may be a gain in clarifying the matter. Prayer that is essentially a ceremonial classroom function has not much religious value." And Edgar Fuller, executive secretary of the Council of Chief State School Officers, said: "My judgment is that the Supreme Court is right. . . . *Engel* [will] make the schools a little more strictly secular for the peace of mind of the minorities."⁵³

For others, however, the decision ignited a firestorm of protests. *Engel* was ardently attacked by Roman Catholic and conservative Protestant leaders, as well as political leaders. "I am shocked and frightened," responded Cardinal Spellman, "that the Supreme Court has declared unconstitutional a simple and voluntary declaration of belief in God by public school children. The decision strikes at the heart of the Godly tradition in which America's children have for so long been raised."⁵⁴ James Francis Cardinal McIntyre of Los Angeles said:

The decision is positively shocking and scandalizing to one of American blood and principles. It is not a decision according to law, but a decision of license. In denying the privilege of prayer to God, under the law, the court is biting the hand that feeds it. This, because all law comes from God. Yet the court presumes to deny the children of God in our schools the opportunity to speak to the Creator, the Lawmaker,

the Preserver of Mankind. This decision puts shame on our faces, as we are forced to emulate Mr. Khrushchev.⁵⁵

Evangelist Billy Graham also expressed shock and disbelief, declaring it “another step toward secularism in the United States” and a “most dangerous trend”:

Followed to its logical conclusion, prayers cannot be said in Congress, chaplains will be taken from the armed forces, and the President will not place his hand on the Bible when he takes the oath of office.⁵⁶

“The Supreme Court made God unconstitutional,” said North Carolina Senator Sam Ervin. Representative George Andrews, Democrat of Alabama, commented: “They put the Negroes in the schools and now they’ve driven God out.”⁵⁷ Newspaper headlines screamed that the court had outlawed God from the public schools, and both houses of Congress considered amendments to the Constitution designed to supersede the decision.⁵⁸

Several people predicted that other similar cases would quickly follow. Various sources estimated that about 30 percent of all public schools, nationally, practiced some form of morning exercise that usually included the Lord’s Prayer, and that between 40 and 50 percent used Bible reading. *Engel* would call such exercises into question, resulting in new court challenges. Two cases in particular were commonly cited as likely to be decided by the U.S. Supreme Court—*Schempp* and *Murray*.⁵⁹ In his June 26, 1962, *New York Times* article on *Engel*, Anthony Lewis wrote:

But the impact of the [Supreme Court] decision goes far beyond the New York prayer. The clear implication of the ruling was that any religious ceremony promoted by the state in public schools would be suspect. That would include, for example, reading of verses from the Bible—a practice now under challenge in Pennsylvania [the *Schempp* case].⁶⁰

In *Schempp* a Unitarian named Edward Schempp and his wife, Sidney, filed suit on behalf of their children, challenging a Pennsylvania law that required the reading of ten verses from the Bible. The plaintiffs also complained about group recitation of the Lord’s Prayer in the Abington

Senior High School, but that was not covered by the challenged statute. The Bible reading exercise was conducted over the school's public address system or in the classrooms. Students were permitted to select and read any passages from any Bible, but the school district had provided the schools with the King James version. No comments were made during the exercise, and students with written permission from their parents were not required to participate. Insisting that they were religious, the Schempps nevertheless protested that the doctrines purveyed by a literal reading of the Bible were "contrary to the religious beliefs which they held and to their familial teaching."⁶¹ In contrast to *Murray*, the lower courts found in favor of the Schempps, but the Abington township School District appealed the case to the U.S. Supreme Court.⁶²

MURRAY MOVES FORWARD

Soon after the Maryland Court of Appeals ruled in *Murray* and after Madalyn announced she would appeal the case to the U.S. Supreme Court, the FBI opened a file on her and began to collect information.⁶³ One of the first entries was a copy of a letter written to the *Washington Post*, dated Baltimore, April 11, 1962, and signed by Madalyn, Robert Lee, and others, protesting what they saw as U.S. Attorney General Robert Kennedy's attempt to invoke the McCarran Internal Security Act of 1950 and the Immunity Act of 1954 to close down *The Worker*, a Communist newspaper.⁶⁴

The day after sending the case to the Supreme Court, Madalyn lost her job as a caseworker for the Department of Public Welfare of Baltimore City. Madalyn claimed that she was let go for fighting prayer in the school and the public pressures for her dismissal it brought upon her supervisors. She quoted her supervisor as telling her that she had "brought disgrace" to the city by her actions, and that she was fired for misconduct in that the "disgrace" redounded on that office. Her son later suggested that when she was given the job, it had been with the understanding that she needed to pass the Maryland Bar exam within a year of employment, but that she never took the exam. The stated cause was "incompetence."⁶⁵ Madalyn received "two weeks' notice" and vacation pay. Because she was employed by the Department of Public Welfare for only a matter of months and had

been unemployed most of the previous year, she did not qualify for unemployment compensation.⁶⁶

In May 1962 Madalyn formed a nonprofit corporation, Maryland Committee for the Separation of Church and State, which was intended to attract support for her case. She purchased a mimeograph machine and began issuing a newsletter initially called "Newsletter on the Murray Case." Her only other source of income at the time was her job as manager of the New Era Book Shop. It sold left-wing literature and reportedly was subsidized by the Communist Party. With this income, in early 1964 she was able to acquire a small building for her cause on North Calvert Street, which American Atheists later claimed as the first "Atheist Center."⁶⁷

Madalyn's newsletter kept subscribers informed as to the progress of the *Murray* case. She explained it to them and told them of her plans to appeal lower-court decisions to the United States Supreme Court. She wrote:

We are Atheists. As such, we are foes of any and all religions. We want the Bible out of school because we do not accept it as being either holy or an accurate historical document. We want the Lord's prayer out of school because we doubt the historicity of Jesus Christ and also we do not believe in the efficacy of prayer.

To attack the practices in school now, we need a legal base. Fortunately we have one. The Constitution of the United States prohibits religious establishments, that is, religious services in schools. However, and we want to make this clear, if our Constitution did not say one word about religion, and if our Constitution did not furnish us the basis for our suit, we would try to get religion out of schools by some other method, by some other type of law suit, probably in a court of equity. We want this clear: we are foes of religion. We are using what means are available to us, legally, to pursue our object: the fight against religion. This case is one aspect of that fight only.

We have Bible and prayer in our public school because the school boards, with pressures from the religious communities, have put the Bible and prayer in the schools in defiance of the Constitution and out of their political strength. There has been some challenging of this from time to time and in some states Bible and prayer are approved

by the state courts, as in Maryland. But, the issue has never been taken to the highest legal authority in our land: the United States Supreme Court, to be weighed against the provisions of the Constitution of the nation.⁶⁸

Murray reprinted the relevant clauses on religion in the First Amendment and explained that the Fourteenth Amendment made those provisions applicable to the states. She singled out the Establishment Clause and continued: "The court must decide if the States of Maryland and Pennsylvania, by forcing children to participate in religious exercises—reverent reading of the Bible and reverent recitation of the Lord's Prayer—is an establishing of religion." In response to those who argued that if "religion is drawn out of the school, there will be only Atheism," she restated the following from their presentation to the Court:

The Petitioners wish to point out to the court that they expressly disclaim any objection to such matters as the use, in classes, of literature having a religious background, including the Bible in all or any of its versions, when such material is presented and discussed as literature or history; and to the presentation of such objects as comparative philosophy or comparative religion when presented as sociology, history, or philosophy, and not a teaching of a specific religion; and to the display of religious symbols upon the person of students, or even in and about the school when such school display is made as decoration of an artistic nature, and not in the form of a religious devotional object; or to music in music classes or elsewhere though such music may have a religious history. . . . The Petitioners do not, in short, wish to curtail objective study or discussion of any subject, including religion, in the public school. What the Petitioners do object to is the sanctioning of favor for religion as opposed to non-religion, and to the conduct of religious teachings, whether such teachings be called sectarian or whether they be called non-sectarian.⁶⁹

Madalyn spoke of the harassment her family had endured and her desperate financial situation. And she offered a number of ways her readers might send help, including pledging to contribute on a regular basis to a Sustaining Fund until the case was decided by the Supreme Court, or by making a one-time contribution to her Legal Fund. She

even offered a box that could be checked which read: "I am with you in spirit but I don't have any money to spare. Keep fighting," intended to get an idea of the level of support for the case, regardless of people's ability to invest in it.⁷⁰

The initial newsletter mailing went out to 750 people. Within the next two weeks, she received 325 replies. In addition to subscriptions for future newsletters, she received \$134 for the legal fund and \$709 to be used without restriction. There were pledges of various amounts to be sent on a monthly basis to the Sustaining Fund, including Gus Broukal's pledge of \$50. Although the amount contributed fluctuated from month to month, Madalyn estimated that she could count on at least \$162 a month, which she could use to pay the mortgage and maintain her case. She later wrote: "The newsletter saw us through that year and part of 1963 which brought an end to the Bible and prayer case."⁷¹

At the same time, Madalyn continued to be educated on the nature of the "atheist crowd" with which she was running. Despite her relief at having been offered financial support, she estimated that only 6.5 percent of those to whom she mailed her newsletter/appeal gave any money in response, and even fewer wanted to be acknowledged by name. "It is not infrequent for us to receive a two dollar check," she continued, "and a fifteen page letter instructing us how to spend it." Even by those who contributed or otherwise indicated support, she and William were "criticized, castigated, and abused." They never did anything right, according to those letters, and each of those who wrote could have done it better.⁷²

Madalyn suggested that those who had written to her organize themselves into state groups. In the December 1962 issue of her newsletter she offered to send the names and addresses of all such individuals in each state to others in that state so that they could organize. When she did so, Madalyn was inundated with "shockingly brutal letters," as she put it, informing her that she had no right to reveal their names to anyone. Madalyn chose to hide these responses, pretending instead that atheists nationwide rallied behind her. But she was learning, as she later put it, that her atheist supporters were "the hardest masters anyone could have."⁷³

During the summer and fall of 1962, Madalyn and William took time to attend meetings of various atheist, freethinking, and rationalist groups. Her celebrity status brought her several such invitations, on which she hoped to capitalize to raise money for the cause. In August,

for example, they drove to St. Louis to attend the American Rationalists' annual convention. By Madalyn's estimate, only fifty or sixty people attended the convention—most of them elderly—which was held at a "very dreary and grimy hotel." But she nevertheless collected over \$600 in contributions and was delighted.⁷⁴

From St. Louis, the Murrays drove to Iowa to visit Gus Broukal. Broukal, a retired stone mason, lived in a modest home. He was an immigrant of German and Austrian origin. He had been married three times, all three wives having died, and he was living on Social Security and, according to Madalyn, small insurance policies collected on the death of each wife.⁷⁵ And after Iowa, the Murrays visited Carl Brown in Kansas. Brown had invited them to come and sent them money to cover expenses. Brown, who also lived alone on a farm, offered to give William and Jon Garth eighty-five shares of stock each in an insurance company if the Murrays won their case. He had also collected a sizable library on atheism and hoped some day to build an atheist university on his land.⁷⁶

Notwithstanding the support she received from such individuals, Madalyn found the leaders of rationalist, humanist, and freethinking groups reluctant to commit their organizations openly to her case. She sensed that they were embarrassed by her open avowal of atheism and kept their distance for fear of the disgrace any connection Madalyn might bring on their organization, regardless of the merits of her case and their commitment to separation of church and state. Thus, although in six months Madalyn collected \$2,234 from individual members, she received nothing from any of those organizations.⁷⁷

Madalyn appealed to numerous groups to file *amicus curiae*, or "friend of the court," briefs with the Supreme Court on her case. The American Humanist Association, American Jewish Committee, Anti-Defamation League of B'nai B'rith, Civil Liberties Union, and American Ethical Culture Union promised briefs, according to Madalyn, but in the end only the American Jewish Committee, Synagogue Council of America, and American Ethical Union submitted them. Eighteen states rallied to support Maryland and Pennsylvania, and in a very public display of unified action, the attorneys general of Maryland and Pennsylvania made headlines for jointly planning their strategy in the two cases.⁷⁸

On December 23, 1962, U.S. Supreme Court Justice Tom Clark published an article in *This Week* magazine titled "A Supreme Court Justice Speaks of God." As attorney general and even after he became Supreme

Court Justice in 1949, Clark was a major spokesman for American anti-communism. As attorney general he instigated the 1949 federal loyalty program and the prosecution of Communist Party leaders. The Freedom Train, one of the nation's most visible signs of patriotism, which was launched in 1948, was his signature contribution, and Communist subversion at home his greatest concern.⁷⁹

With *Engel* decided and *Schempp* and *Murray* soon to be heard, Clark ventured into the area of religion. "The Bible tells us," he wrote: "When thou prayest, thou shalt not be as the hypocrites are . . . standing . . . on the corners of the streets that they may be seen of man. . . . When thou prayest, enter into thy closet and when thou has shut the door, pray to thy Father." Clark noted that there had been "quite a crusade recently for public prayers by our children. But," he continued, building on the biblical passage, "little has been said in support of prayers by our children at home. I submit that private prayer in the home would be much more effective." He continued:

The truth about it is that the home is not "what it used to be. . . ." We have turned over the rearing of our children to the schools. . . . We look to the state to provide spiritual training through public prayers at school.

There has been a recent loud chorus that recitation of prayers by children in schools is a right guaranteed to parents by the rights of man. It is, of course, true that our Constitution contains a Bill of Rights. But those guarantees are not absolute. Nor do they relieve us of personal responsibility.

The Fourteenth Amendment to the Constitution incorporates the prohibitions of the First Amendment against the states—which means that both state and federal governments shall take no part respecting the establishment of religion.⁸⁰

THE COURT CONSIDERS MURRAY

Debate on the *Murray* case began before the United States Supreme Court on February 26, 1963, amid great fanfare. Controversy still raged over *Engel*, and the fact that Madalyn Murray—by then the nation's

most celebrated atheist—was the litigant guaranteed popular attention. The brief submitted to the Court argued that the school's policy on prayer threatened William's and other atheists' "religious liberty" by placing a premium on belief as against nonbelief and subjecting their freedom of conscience to the rule of the majority: "It pronounces belief in God as the source of all moral and spiritual values; equating these values with religious values, and thereby renders sinister, alien and suspect the beliefs and ideals of . . . petitioners, promoting doubt and question of their morality, good citizenship and good faith." A similar brief had been filed in the *Schempp* case on behalf of Edward Schempp's three Unitarian children.⁸¹

The Supreme Court was called into session with the traditional words, "Oyey, Oyey. God save our nation and this honorable court." Baltimore was represented by City Solicitor Francis Burch; his deputy, George W. Baker Jr.; and State Attorney General Thomas B. Finan. Leonard Kerpelman argued that organized, teacher-led prayer and Bible reading in the schools was unconstitutional. It had been condoned for so long that its supporters claimed it was traditional, but anything unconstitutional in the first place does not become constitutional through tradition. School prayer, he insisted, violated the wall of separation erected by the United States Constitution between church and state.⁸²

Kerpelman built his case on the court's decision in *Engel* to retain a wall of separation between church and state. This prompted Justice Potter Stewart, who had been the sole dissenter in *Engel*, to interrupt Kerpelman, pointing out that the "wall of separation" wording could not be found in the Constitution, and that the only relevant passage was the portion of the First Amendment that reads: "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof." Justice Black chimed in that Jefferson had cited those words and that the Court then sitting had incorporated them into the decision in a prior case. This initiated hours of give and take, questions and answers between and among the judges and lawyers, that lasted into a second day, February 27. Every justice but Tom Clark entered the fray. Madalyn speculated that his *Sunday Parade* article, which she interpreted as exposing his bias in their favor, had brought him too much criticism to comment further. On Thursday and Friday, February 27 and 28, the Court heard the *Schempp* case, and they adjourned to consider both.⁸³

Madalyn later wrote that she saw the questions asked of Kerpelman by the seven friendly judges as “so leading, so obvious, so couched in terms to educate and assist our attorney, that I thought I was Snow White in the friendly cabin of the seven dwarfs.” When the attorneys for the states of Maryland and Pennsylvania tried to persuade the Court that Bible reading and recitation of the Lord’s Prayer did not constitute a religious activity—but rather an exercise in inculcating moral principles—they were met by stiff resistance. In response to a letter entered by the Baltimore superintendent of schools that the children were not such disciplinary problems when they began the day with the services under discussion, Justice Stewart asked why the schools didn’t just use tranquilizers. Justice Black suggested that if the exercise set such a high tone for the day in only three minutes, why not use the entire school day to read the Bible and pray—to be really certain of the moral uplift? Justice Douglas asked why the students did not read the Koran, while Justice Warren offered Buddhism. At one point, the Maryland attorney proposed that each local school board determine which holy book to use, a proposal Justice Black labeled “religion by local option.” Justice Brennan questioned the appropriateness of majority rule in such situations, and Justice Warren said that it would result in the political issue of: “Who can control the School Board.”⁸⁴

Focusing on the “free exercise” clause, the states’ attorneys argued that there was no attempt to establish religion because the exercise was only moral instruction, from which the students could be excused. Justice White then asked why they had decided to excuse students from moral instruction. “If it is only moral, and not religious,” he reasoned, “they should be compelled to attend.” When the attorneys argued that not only were students not compelled to participate, but they were not punished in any way for not participating, the justices pointed out that in a prior case the Court had ruled that no pressures, even psychological, could be used to force a profession of faith. In the case of William Murray, he had suffered loss of caste with his fellow students, was regarded with aversion, and was subjected to reproach and insult—a point the Maryland attorneys had earlier conceded.⁸⁵

Finally, Maryland’s attorney tried to make the point that *Murray* was a classic case of the atheist versus the nonatheist or religious person. Chief Justice Warren interrupted and contradicted him on that point. He noted that many persons were against prayers in schools, and they were not all nontheists or godless persons, but members of “fine

groups" who had even entered into the case with *amici curiae* briefs. He mentioned the Jewish people specifically.⁸⁶

While the Court considered *Murray* and *Schempp*, the editors of *Life* magazine weighed in. In their March 15, 1963 issue, they argued that the Founding Fathers did not intend to outlaw prayer or Bible reading in the schools, that the Supreme Court's doing so would "offend the nation's natural piety and sense of its own past," and that the matter should be left to the school boards to work out.⁸⁷ "The Bible Better in School than in Court" provided an excellent summary of moderate public opinion on the eve of the Court's decision.

The editors predicted that the *Murray/Schempp* decision—brought by "a Maryland atheist and a Pennsylvania Unitarian"—might have "even more seismic political effects" than *Engel*. They recommended that, in view of the Court's decisions in *Engel* and other related cases, the Court "re-examine the premises" on which it had been deciding such cases. The editors admitted that the Regents' prayer in *Engel* "had little to recommend it but its innocuous nonsectarianism," but that "millions of Americans" were nevertheless "shocked to learn that any prayer could be unconstitutional." *Murray/Schempp*, they pointed out, dealt with the Bible and the Lord's Prayer, both of which "have quite a different place in the national conscience."⁸⁸

The wording of the First Amendment notwithstanding, the editors saw conflict between what was being challenged in Pennsylvania and Maryland and the original intent of the amendment's authors. Neither involved an establishment of religion, they insisted. Early leaders in the public school movement, such as Horace Mann, prescribed Bible reading "as necessary to a rounded education." And public schools had become increasingly more secular over the years, "their purpose having shifted from the salvation of souls to the literacy of the electorate."⁸⁹

Since the Supreme Court involved itself in what had been a state matter until the 1940s, it had only muddied the waters, "leaving school boards and citizens in mounting perplexity." The editors pointed out the inconsistencies of permitting state-funded textbooks and bus rides for parochial school students, and allowing religious instruction for public school students during the school day but not on school property—as long as it was not compulsory. "The precedents are now so confining," the editors continued, "that the Pennsylvania school board lawyer [in *Schempp*] felt obligated to argue as though the Bible were not a religious book, just a source of morality! He thus 'denigrated' the Bible

(said Justice Goldberg) without explaining how morality, even if it is proper state business, can have other than a religious source."⁹⁰

Life's editors accused the Supreme Court of leading the nation into a "morass" and that it would be no surprise if it extricated the country by moving to "complete secularization, a literal 'wall of separation' between public property and piety of any kind." In support of this prediction, they cited Justice Douglas's opinion in *Engel*, wherein he suggested that even the Marshall's words in court—"God save the United States"—must be unconstitutional. "This logic" the editors reasoned, "could lead to the outlawing of 'In God We Trust' on our coins and a similar phrase in *The Star-Spangled Banner*."⁹¹

The editors allowed that one salutary result from such a dramatic court decision might be "to force some parents to take more care for their children's religious education at home and church. Complacent Protestant parents could no longer feel that the public schools . . . are a 'kind of Protestant institution to which others are cordially invited.'" Beyond that, however, it would constitute a "radical break with the American past" and was more likely "to lead us into darkness than into light."⁹²

The editors quoted Alexis de Tocqueville, author of *Democracy in America* (1835–40): "Religion in America takes no direct part in the government of society, but it must be regarded as the first of their political institutions. . . . Despotism may govern without faith, but liberty cannot." They listed Washington, Jefferson, Adams, and "most of the Founding Fathers" as agreeing, "whether Christian or deist." They quoted Supreme Court Justice Douglas: "If a religious leaven is to be worked into the affairs of our people, it is to be done by individuals and groups, not by government," to which the state of Pennsylvania replied, in the editors' words: "If you outlaw the Bible from our schools, the government is working a religious leaven *out* [the editors' emphasis] of our affairs where the people have put it and want it." They concluded: "Unless the Court . . . can throw a blinding new philosophical light on this problem, satisfactory to parents, educators and civil libertarians alike, it had best let the school boards work it out themselves, as they have been conscientiously trying to do."⁹³

It is interesting to note, in terms of the above reasoning about the Supreme Court's involvement in the cases and the effects of any decisions opposed to state practices, that the *Life* editors compared the prayer cases to cases such as *Brown v. Board of Education of Topeka*,

Kansas, which forced states to desegregate their public schools. They argued that the cases were alike in that they all required political decisions that had to “take account of custom and belief as well as justice and legal precedent.” The 1954 decision, however, though unpopular in many quarters at the time, has “been generally supported by the moral senses of the nation.” Any court decision that would completely secularize the public schools, they insisted, “would be not merely unpopular . . . but it would offend the nation’s natural piety and sense of its own past.”⁹⁴

Madalyn Murray responded to the *Life* editorial in a letter to the magazine that appeared along with her picture in the April 12 issue. The editors had not mentioned her or Schempp by name. Instead, they referred to them as the “Maryland atheist” and the “Pennsylvania Unitarian.” Madalyn announced herself as “the Maryland atheist.” She described the atheists’ position in the matter as “founded in science, in reason and in love for fellow man rather than in a love for God.” She continued:

We find the Bible to be nauseating, historically inaccurate, replete with the ravings of madmen. We find God to be sadistic, brutal, and a representation of hatred, vengeance. We find the Lord’s Prayer to be that muttered by worms groveling for meager existence in a traumatic, paranoid world.

This is not appropriate untouchable dicta to be forced on adult or child. The business of the public schools, where attendance is compulsory, is to prepare children to face the problems on earth, not to prepare for heaven—which is a delusional dream of the unsophisticated minds of the ill-educated clergy.⁹⁵

The letter set the tone of what would be Madalyn Murray’s confrontational public posture on church and state. The Schempps remained silent.

The readers’ responses to the *Life* editorial, the magazine’s editors wrote, were “substantial and impressive.” Moreover, they were “evenly divided pro and con.” They reprinted nearly three pages of excerpts from those letters. One letter denounced the editors’ “narrow viewpoint . . . typical of orthodox religious thinking.” A second writer took offense at the phrase “nonreligious minority,” insisting that because a

person “does not share the dogmatic beliefs of others does not mean she is nonreligious. A truly religious person is not necessarily one who goes to church and reads the Bible regularly. The issue, it seems to me, is what is meant by ‘religion.’” She continued: “If it is the quest for the meaning of life or the study of man’s ethics down through history, then it is right that education and religion be merged. But education has no need for religion when it is the creeds and rituals of religious denominations that seep into the schools.”⁹⁶ A third letter—by Daniel McCollum of the *McColum* case—challenged the editors’ point that education is “best left to states and communities,” asking how long it would have taken southern states and communities to desegregate their schools if the Supreme Court had not intervened in 1954. He argued that what the Murrays and Schempps wanted was for the governments of Maryland and Pennsylvania “to conduct their essential functions without preference to sectarian religious practices or beliefs.” Such neutrality, he insisted, was not hostile to religion.⁹⁷

Other letters supported the Murrays and Schempps because a decision in their favor would protect minorities’ rights from the actions of “a well-intentioned desire on the part of the majority”; prevent the assigning of “second-class status” to other religions by insisting on one particular religion in the nation’s public institutions; end the “depressing” history of church-state relations that has been good for neither church nor state; and allow for a more beneficial movement of silent contemplation. As the last author wrote: “Since religion is an extremely personal matter, there is no need for direction from secular school authorities at this time.”⁹⁸

Opponents to the Murrays and Schempps had their say as well. One contributor encapsulated the most common response when he urged that Americans not be “stampeded into complete secularization of our schools and other public institutions by denying to the majority the right to read and study the greatest book ever written.” Another insisted that prayer was not being imposed on any student because anyone offended by the exercise did not have to participate. Moreover, “to abolish an opening exercise thanking God for our great country would be submitting to the will of a small, radical minority.” One writer pointed out that the nation had just reached the point where it was “showing respect for the many varieties of genuine religious faiths, realizing that they were the strongest possible bulwark against un-American ideologies” when the Supreme Court declared that “our freedom

to believe cannot be publicly acknowledged." Another warned that "divorcing the states from support of all religions . . . would ultimately establish the sect of secularism and seriously limit freedom of worship."⁹⁹

Life's editors found it necessary to clarify their position. They insisted that they agreed that separation of church and state was "the best possible method of keeping peace in a religiously pluralistic society," but that the separation "need not be absolute." Government was forbidden to legislate "respecting an establishment of religion," but such a prescription left "ample room" for government to support it. "We agree with Justice Douglas's statement," they wrote, that Americans were "a religious people whose institutions presuppose a Supreme Being," and that "when the state encourages religious instruction . . . it follows the best of our traditions." Bible reading in the schools fit that description, the editors concluded, and it did not violate anyone's constitutional rights.¹⁰⁰

On June 17, 1963, the United States Supreme Court returned the *Murray* and *Schempp* cases. In writing for the majority, Justice Tom Clark explained that "while raising the basic questions under slightly different factual situations," the two cases permitted joint treatment. By an 8 to 1 margin, the Court declared unconstitutional the Pennsylvania and Maryland laws requiring Bible reading and prayer recitation in the public schools because they violated the Establishment Clause of the First Amendment. Only Justice Potter Stewart dissented. The majority opinion maintained that the Establishment Clause is violated by any government sponsorship of religion in the public schools, regardless of whether a showing of coercion exists. In extending the *Engel* decision, the Court established purpose and effect tests regarding the Establishment Clause. As Justice Clark put it, for a law to be valid, "There must be a secular legislative purpose and a primary effect that neither advances nor inhibits religion." The Maryland and Pennsylvania laws failed that test.¹⁰¹

All of the justices, including the dissenting Stewart, agreed that the state might not establish a religion of secularism, in the sense of opposing religion or showing hostility to it, thus preferring irreligion. Unlike Stewart, however, the remaining justices insisted that the neutrality demanded of the state by the Constitution extended to believers and nonbelievers alike, without the state being the adversary of one against the other. In sum, the majority could not use the machinery of the state to further or practice its beliefs. Any governmental measure

whose primary purpose and effect advanced religion infringed on the Establishment Clause.¹⁰²

In reference to the Pennsylvania law, Clark wrote: "Since the statute requires the reading of the 'Holy Bible,' a Christian document, the practice . . . prefers the Christian religion." Moreover, the record demonstrated to the Court that the State of Pennsylvania intended "to introduce a religious ceremony into the public schools of the Commonwealth." "Nothing we have said here," Clark wrote, should be construed to preclude the study of the Bible or religion in the public schools, "when presented objectively as part of a secular program of education." But that was not the case in reference to the laws of Maryland and Pennsylvania brought before the Court. To the argument that by the ruling the majority was being denied its will, Clark responded that the purpose of the free exercise clause was to protect the minority from the pressure of the majority.¹⁰³

Clark allowed that "religion has been closely identified with our history and government," a position recognized by the Court in earlier decisions. In *Engel v. Vitale*, he pointed out, the Court found that "the history of man is inseparable from the history of religion." In *Zorach v. Clauson*, the Court gave specific recognition to the proposition that "we are a religious people whose institutions presuppose a Supreme Being." Clark wrote that the Founding Fathers "believed devotedly that there was a God and that the unalienable rights of man were rooted in Him," and he pointed to the various supporting traditions such as chaplains providing prayer at the opening of Congress and oaths of office that mentioned God. He continued:

It can be truly said, therefore, that today, as in the beginning, our national life reflects a religious people who, in the words of Madison, are "earnestly praying . . . that the Supreme Lawgiver of the universe . . . guide them into every measure which may be worthy of His . . . blessing."¹⁰⁴

Having paid tribute to the importance of religion in American society, however, Clark argued: "That is not to say, however, that religion has been so identified with our history and government that religious freedom is not likewise as strongly imbedded in our public and private life." Such an insistence on religious freedom had resulted from "the most telling of personal experiences in religious persecution suffered by

our forebears." Further, it was "indispensable" in a country with such "diversity of religious opinion."¹⁰⁵

Clark cited the various cases that reaffirmed protection offered by the First Amendment for the free exercise of religion and from a religious establishment. Expanding on the latter provision, he added that the Court had rejected "unequivocally" the contention that the Establishment Clause forbade only governmental preference of one religion over another. He cited *Everson* as insisting that government was precluded not only from setting up a church, but also from passing laws "which aid one religion, aid all religions, or prefer one religion over another." He pointed out that the Court took the same position in *McColum* and *Torcaso*, and that none of the parties in *Murray* and *Schempp* had questioned it.¹⁰⁶

The Court's "inhibition of legislation" in *Cantwell*, Clark explained, had two effects: "On the one hand it forestalls compulsion by law of the acceptance of any creed or the practice of any form of worship. . . . On the other hand, it safeguards the free exercise of the chosen form of religion." In sum, the First Amendment guarantees our freedom to believe and freedom to act, though unlike the first, the second cannot be "absolute." The Court reaffirmed that interpretation in *Everson*, insisting that the First Amendment required the state to be "neutral in its relations with groups of religious believers and nonbelievers." It "does not require the state to be their adversary," but it does insist that "state power is no more to be used so as to handicap religions than it is to favor them." This, Clark defined as "wholesome neutrality."¹⁰⁷

Clark said that government cannot enter the citadel of religion, "whether its purpose or effect be to aid or oppose, to advance or retard." He continued:

The place of religion in our society is an exalted one, achieved through a long tradition of reliance on the home, the church and the inviolable citadel of the individual heart and mind. We have come to recognize through bitter experience that it is not within the power of government to invade that citadel, whether its purpose or effect be to aid or oppose, to advance or retard. In the relationship between man and religion, the state is firmly committed to a position of neutrality. . . . The breach of neutrality that is today a trickling stream may all too soon become a raging torrent, and in the words of Madison, "It is proper to take alarm at the first amendment on our liberties."¹⁰⁸

“The Establishment Clause,” he continued,

is not limited to precluding the State itself from conducting religious exercises. It also forbids the State to employ its facilities or funds in a way that gives any church, or all churches, greater strength in our society than it would have by relying on its members alone.¹⁰⁹

He added:

The very purpose of a Bill of Rights was to withdraw certain subjects from the vicissitudes of political controversy, to place them beyond the reach of majorities and officials and to establish them as legal principles to be applied by the Courts. One’s right to . . . freedom of worship . . . and other fundamental rights may not be submitted to vote; they depend on the outcome of no elections.¹¹⁰

Clark explained that allowing students not to participate in the morning exercises did not “mitigate the obligatory nature of the ceremony for [the law] unequivocally required the exercises to be held every school day in every school.” Moreover, they were conducted “by and under the authority of the local school authorities and during school sessions.”¹¹¹ Justice William Brennan, in a concurring opinion, added a quote from Justice Felix Frankfurter in *McColum*: “The law of infiltration operates, and nonconformity is not an outstanding characteristic of children. The result is an obvious pressure upon children to attend.” Further, nonparticipating students call attention to themselves “for reasons that ought to be none of the business of the school or of fellow students, who are liable to persecute the one or few who are different.” The school becomes a place where individuals in a minority become stigmatized because of their beliefs.¹¹²

Brennan also elaborated on the historical note introduced by Clark in reference to the relationship between church and state. He spoke about what he saw as the profound differences in the society that framed the First Amendment and that of the United States nearly two centuries later. In response to those who would criticize the court for not heeding what they saw as the clause’s original intent, he explained that the record surrounding the founders’ original intent is murky, or ambiguous, and not generally responsive to the issues that confronted the nation in 1963. There were no public schools in the

eighteenth century, he pointed out, and religious diversity was largely limited to differing Protestant denominations. Brennan wrote:

The American experiment in free public education available to all children has been guided in large measure by the dramatic evolution of the religious diversity among the population which our public schools serve. The interaction of these two important forces in our national life has placed in bold relief certain positive values in the consistent application to public institutions, generally, and public schools, particularly, of the constitutional decree against official involvements of religion which might produce evils the Framers meant the Establishment Clause to forestall. . . . It is implicit in the history and character of American public education that the public schools serve a uniquely public function: the training of American citizens in an atmosphere free of parochial, divisive, or separatist influences of any sort—an atmosphere in which children may assimilate a heritage common to all American groups and religions.¹¹³

In his dissent, Justice Potter Stewart did not question the majority's opinion on the meaning of the Establishment Clause or on the dangers of violating the protections therein in a substantial and unusual manner. Rather, he argued that evidence of "the dangers both for government and to religion" posed by the issue at hand, and upon which the court based its majority opinion, was not present, and that the cases should have been remanded for the taking of additional evidence.¹¹⁴

Stewart insisted that the court recognize that "as a matter of history and as a matter of the imperatives of our free society . . . religion and government must necessarily interact in countless ways." He cited government funding of military chaplains by way of example. Moreover, "there are areas in which a doctrinaire reading of the Establishment Clause leads to irreconcilable conflict with the Free Exercise Clause." Such was the case with the Court's majority opinion, he argued. Making note of provisions made to prevent coercion, Stewart insisted that the provisions authorizing religious exercises in the two situations before the court should "properly be regarded as measures making possible the free exercise of religion."¹¹⁵

Stewart argued that the Maryland and Pennsylvania cases involved "a substantial free exercise claim on the part of those who affirmatively desire to have their children's school day open with the

reading of passages from the Bible.” If such religious exercises were ruled impermissible in schools—insisting that they take place off school grounds or at least not during the school day—not only would that free exercise be denied, but religion would be “placed at an artificial and state created disadvantage.” By Stewart’s reasoning, a truly neutral position would be to allow such exercises, provided they were not mandatory.¹¹⁶

Stewart concluded by stressing that parallels should not be drawn between *Murray* and *Schempp* and *Brown v. Board of Education*:

A segregated school system is not valid because its operation is coercive; it is invalid simply because our Constitution presupposes that men are created equal, and that therefore racial differences cannot provide a valid basis for governmental action. Accommodation of religious differences on the part of the state, however, is not only permitted but required by that same Constitution.¹¹⁷

Madalyn Murray felt vindicated by the decision in *Murray v. Curlett/School District of Abington Township v. Schempp*, and she basked in the sunlight of public and media attention. She vowed to go beyond removing prayer and Bible reading from the nation’s public schools. But as had been the case throughout her adult life, she was not without her second thoughts even when most determined to push forward with her crusade. She continually struggled to understand herself and her seemingly uncontrollable need to challenge and change some of the most dearly held beliefs of the world around her.

Several years after the cases were decided, she described one such contemplative moment. One evening in Baltimore, as she sat alone in her basement library trying to decide whether to press ahead with her lawsuit, Madalyn reflected on her sense of separateness. “When we had first moved into those row houses in Baltimore,” she wrote, “I think that I had picked out one for purchase deliberately, in the hopes that I could be ‘like everyone else.’ I had wanted so desperately to fit in.” But “I could not engage in conversation about which bleach was the whitest for the wash,” she explained. “I never gave a damn about the chlorophyll in toothpaste. The idiotic idea of back fence visiting left me completely cold.” She acknowledged that none of her work had ever fully occupied her mind and “thinking processes,” and that out of frustration she would “too often . . . pace the basement library floor like a lioness

caged, the wrap of loneliness, of aloneness, always about me. I had just wanted one person somewhere, sometime, to understand me, and I had never found any."¹¹⁸

When the Supreme Court ruled in *Murray*, few Americans understood Madalyn Murray, much less supported her aggressive brand of atheism. Or at least few were willing to admit that they understood or supported her. Instead, they attacked her in a manner so vicious, it was as if she posed a threat to their very personal and collective being—which of course she did.

“The Most Hated Woman in America”

THE PUBLIC RESPONSE

THE DECISION IN *Murray/Schempp* affected a majority of the nation’s schools. According to a *New York Times* report, 41 percent of the nation’s public school districts—in thirty-seven states and the District of Columbia—required Bible reading and/or recitation of the Lord’s Prayer. Those districts, however, included a high proportion of large systems and a majority of schools.¹ Many school officials accepted the decision and took steps to comply with it. Typically, Calvin Gross, New York City’s superintendent of schools, appealed to the State Education Commission for instructions on how to proceed, but he made it clear that he intended to obey the law. He noted: “I think the handwriting is on the wall.”²

Several church groups—mostly mainstream Protestants and Jews—accepted the decision or even welcomed it. The National Council of Churches asserted that the decision served as a reminder to all citizens that “teaching for religious commitment is the responsibility of the home and the community of faith . . . rather than the public schools. Neither the church nor the state should use the public school to compel acceptance of any creed or conformity to any specific religious practice.” Such a policy, it added, “endangers both true religion and civil liberties.” The Synagogue Council of America, representing Orthodox, Reform and Conservative Judaism, through its president, Rabbi Uri Miller, said: “We fervently believe that prayers, Bible readings and sectarian practices should be fostered in the home, church and synagogue, and that public institutions such as the public school should be free of such practices.”³

Some of those who disagreed with the United States Supreme Court's ruling in *Murray/Schempp* argued that it had come about as the result of a misreading of First Amendment provisions regarding religion. Originally conceived to prevent the establishment of a state church and to assure the free exercise of all faiths, they reasoned, the First Amendment had come to be interpreted by "humanist judges" as requiring the removal of religion from public institutions. The result was that the judges acted to limit prayer in the public schools, while at the same time refusing to protect the rights of religious groups against the state. Moreover, they contended, the courts had in effect established another religion, the religion of the secular state, or secular humanism.⁴

Mark Murphy, vice-president of Citizens for Educational Freedom, charged that the decision established "Godless schools" and was "another step toward the elimination of God from all public American life."⁵ Monsignor John Voight, secretary for education of the Roman Catholic Archdiocese of New York, observed that the decision came as no surprise. He continued:

I deeply regret the court action. I say this for two reasons: One, because it will bring about the complete secularization of public education in America, which to me represents a radical departure from our traditional and historical religious heritage; and, two, because it completely disregards parental rights in education and the wishes of a large segment of America's parents who want their children to participate in these practices in public schools.⁶

Critics of *Murray/Schempp* sought to restore school prayer as a means of restoring traditional values. Charles Boehm, Pennsylvania's superintendent of public instruction, recommended that "an inspirational period," silent meditation, and readings on the role of religion in history and literature be adopted in that state. He predicted that the *Schempp* ruling would be interpreted in Pennsylvania "to mean the elimination of religious services and ritual, but God and religion will remain in the school."⁷

Even before the *Murray* decision was handed down, the Maryland state legislature introduced a law that would require a silent meditation period each morning in school. In the preamble to the bill, however, they criticized the U.S. Supreme Court. The Supreme Court, it read,

has drastically curtailed the right of the people in this country to hold brief religious exercises in their public schools. They . . . are taking away the right of a free people to give some belief and nonsectarian acknowledgement of their reliance and belief in their God.

The bill passed the lower house of the legislature by a vote of ninety-four to twenty-five in March 1963, but the Senate refused to consider the bill. Several senators saw as its only purpose to "criticize the United States Supreme Court."⁸

Several states and localities adopted laws that provided prescribed prayers that students could voluntarily recite in school. All were challenged in court and ruled unconstitutional. *Stein v. Oshinsky* (1965) blocked one such attempt in New York. Two years later, in an Illinois case, *DeSpain v. DeKalb County Community School District* resulted in a similar ruling on a prescribed prayer that omitted the word "Amen" and substituted the word "you" for the word "God." In Hicksville, New York, the Board of Education adopted the last stanza of the *Star-Spangled Banner* as a working prayer in its schools' opening exercises, only to be overruled by the state's commissioner of education. A Michigan Board of Education developed a rule which would continue prayer but called upon each teacher to accommodate individual requests for prayer and/or Bible reading by devising "reasonable rules and regulations controlling such exercises." When challenged and taken to District Court, in *Reed v. Van Horen* (1965), the judge suggested that the exercise be conducted outside the hours of the regular school day, as well as voluntarily, but even as amended the measure was found unconstitutional by a higher court.⁹

Many called for an amendment to the Constitution to reaffirm and reestablish what they believed was the original intent of the religious freedom clause of the First Amendment. The issue, they insisted, was "the guaranteed preservation of religious liberty." Francis Burch, the attorney who represented the city of Baltimore in *Murray*, started a group called the Constitutional Prayer Foundation. The group won the immediate support of former president Dwight Eisenhower, William Randolph Hearst Jr., Francis Cardinal Spellman, Conrad Hilton, and the governors of several other states. Constituents besieged their congressmen with mail, and within a year—in April, May, and June 1964—the U.S. House Judiciary Committee held eighteen days of hearings to eval-

uate 147–150 resolutions proposing thirty-five different constitutional amendments relating to prayer and religion in the public schools. None of the proposed amendments got out of Congress with the required two-thirds majority.¹⁰

The so-called Becker Amendment was most prominent, as it was backed by dozens of prominent religious organizations. It read, in part:

Section 1. Nothing in this Constitution shall be deemed to prohibit the offering, reading from, or listening to prayers or biblical scriptures, if participation therein is on a voluntary basis, in any governmental or public school, institution, or place. Section 2. Nothing in this Constitution shall be deemed to prohibit making reference to belief in, reliance upon, or invoking the aid of God or a Supreme Being in any governmental or public document, proceeding, activity, ceremony, school, institution, or place, or upon any coinage, currency, or obligation of the United States. Section 3. Nothing in this article shall constitute an establishment of religion.

The proposed amendment never made it out of the Judiciary Committee of the House of Representatives. Emanuel Celler of New York, in reporting that the measure would not be reported out of his committee, explained: “My committee, after exhaustive and comprehensive study, could not devise language for an amendment that would not do violence to the First Amendment.”¹¹

In September 1966, Senator Everett Dirksen of Illinois brought a resolution directly to the floor of the Senate, which if adopted by both houses of Congress would have gone out to the states for ratification as an amendment. It read that nothing in the U.S. Constitution could be interpreted as prohibiting the administration of any school district receiving public funds from “providing for or permitting the voluntary participation by students or others in prayer.” It added: “Nothing contained in this article shall authorize any such authority to prescribe the form or content of such prayer.” It received only forty-nine votes in favor, far short of the required two-thirds vote.¹²

There were those who condemned the decision in *Murray/Shempp* as “a prelude to the fall of the West,” or to the toppling of “civilization as we know it.”¹³ Evangelist Billy Graham, at the time conducting an evangelical campaign in West Germany, was quoted as saying:

I am shocked at the . . . decision. Prayers and Bible reading have been a part of public school life since the Pilgrims landed at Plymouth Rock. Now a Supreme Court in 1963 says our fathers were wrong all those years. . . . In my opinion, it is the Supreme Court that is wrong. . . . At a time when moral decadence is evident on every hand, when race tension is mounting, when the threat of Communism is growing, when terrifying new weapons of destruction are being created, we need more religion, not less.

He added: "Eighty percent of the American people want Bible reading and prayer in the schools. Why should the majority be so severely penalized by the protests of a handful?"¹⁴

Senator Strom Thurmond of South Carolina called the decision "another triumph for the forces of secularism and atheism," and several governors and other high state officials openly said they would defy the Court's ruling. Alabama Governor George Wallace vowed to stand in the schoolroom himself, if necessary, to read the Bible. In the end, a few school systems—mostly in the deep South—did defy the Court, to no avail.¹⁵ Delaware's attorney general declared Delaware a sovereign state and publicly stated that his own son would lead the prayers in his school. Garry DeYoung, who worked with Madalyn Murray on her case but had a wife who taught in Middletown, Delaware, and children in the community's public schools, brought suit. He won, but his wife lost her job in the process, and they were subject to so much harassment that they left the state.¹⁶

MADALYN MURRAY TAKES CONTROL

It has been argued that the singular importance of *Murray v. Curlett* was the involvement of Madalyn Murray, who seized the opportunity to attain national notoriety as the leader of the American atheist movement.¹⁷ Justice Clark, in his majority opinion, referred to both *Murray* and *Schempp* and did not single out one over the other. Thus, Madalyn Murray might easily have followed Schempp's example and avoided the limelight at that point. But she did not. Madalyn visited the Schempps in Philadelphia while both cases were working their way through the courts. She suspected that they were atheists, but that they publicly professed to be Unitarians and regularly attended

that church for "cover." Moreover, Mr. Schempp had not asked that his son be excused from the opening exercises; his son said the prayers and recited from the Bible every morning, fearing the stigma that would result if he did not. And on the eve of *Schempp* being argued before the United States Supreme Court, the family was photographed sitting in their living room, reading the Bible.¹⁸

When the newspapers reported on the *Murray/Schempp* decision, Madalyn, William, Jon Garth, and Madalyn's mother were pictured standing on the steps of the U.S. Supreme Court building.¹⁹ The Schempps were nowhere to be seen. Madalyn proclaimed herself an atheist and stepped forward to claim credit for the deed, and the public welcomed her as the personification of those cases. Soon, every newspaper, magazine, and radio and television commentator in the land referred to her as "the woman" who brought "the case" that removed prayer and Bible reading from the schools. The *Baltimore Sun* was typical when, in April 1964, it referred to her as "chief litigant" in the "major Supreme Court decision which banned required religious exercises in public schools."²⁰

Madalyn resented any attempt to limit her responsibility in the prayer cases.²¹ Her most explicit claim of responsibility came in her "complete unexpurgated story," in chapter 3 of *An Atheist Epic: Bill Murray, the Bible and the Baltimore Board of Education*. Madalyn laid claim to being the primary figure in the 1963 Supreme Court decision by arguing that Ed Schempp, in his failure to seize the moment and lead the movement for separation of church and state, forfeited that role to her. She further suggested that the hostility of the U.S. Supreme Court clerk toward atheists, rather than the timing of the cases or the justices' preference, resulted in her case being denied the status of case of record. She pointed out that *Murray* was received first by the Court, resulting in their being numbered cases 119 and 142, respectively. Further, *Murray* was heard first, then *Schempp*. "So great was the onus against us," she argued, however, "that in the historical recording of the case it was titled *School District of Abington Township v. Schempp* rather than let the name of Atheists be reported out in any official United States legal reports."²²

Forty years after she initiated the case and four years after her mysterious disappearance, the *Washington Post* made the point that the Murrays were neither the only plaintiffs involved in the 1963 Supreme Court ruling, nor "even essential." Madalyn Murray, however, it added

"was the litigant with the loudest mouth. And it made her a celebrity."²³ William Murray insisted that *Murray*, by itself, had little, if any, impact on American society. Nearly forty years after the fact, he argued that if it had not been *Murray*, or even *Schempp*, it would have been another case. The "activist" U.S. Supreme Court was looking for cases by which it could create a more "progressive nation," for which he cited *Roe V. Wade* as another example. What the case did succeed in doing, he insisted, was to provide Madalyn Murray the means by which she launched her atheist enterprise.²⁴

Madalyn's attorney, Leonard Kerpelman, observed that from the start Madalyn wanted "to exclusively and undeservedly claim all the credit for herself."²⁵ In the process she made enemies among atheists as well as theists. Jon Rappoport quoted "one of Madalyn's former lieutenants," who he believed spoke for many of her atheist critics:

Here's what happened. In a nutshell. She took credit for a landmark case that really didn't involve her at all. She parlayed that into seven or eight or twelve so-called atheist organizations, over the years. . . . She can invent them at the drop of a hat. She gets 501(c)(3) status for them. So she can accept [tax deductible] donations from supporters. That's the game.²⁶

At times, Madalyn responded to those who accused her of stopping prayer in the public schools in a reasoned, measured, civil manner. In one instance, for example, she explained that children could pray anywhere they wished by just pausing, bowing their heads, and praying. It had to be done privately, however, rather than with "the official *impri-matur* of government on it," which is what the Supreme Court actually found unconstitutional. Moreover, she did not remove required Bible reading and prayer recitation from the schools; she insisted that in this instance, the Supreme Court did, based on the "founding principles" of the U.S. Constitution.²⁷

She often tried to set the record straight on majority rule in a similarly civil manner. In one case, she rather gently corrected someone who insisted that if the majority of people in the United States wished to have organized prayer in the schools, they had that right. Rather than belittle the person, she pointed out that such majority rule had permitted child labor, refused to give suffrage to women, and maintained slavery. She also explained that the Bill of Rights was created to prevent the

will of the majority from imposing on the rights of minorities. She read from *West Virginia State Board of Education v. Barnette* (1943): "One's right to life, liberty, and prosperity, to free speech, a free press, freedom of worship and assembly, and other fundamental rights may not be submitted to vote; they depend on the outcome of no elections."²⁸

Most of the time, however, she was caustic, sarcastic, even outrageous in blatant attempts to attract attention. She attacked anyone—atheist or "religionist"—who stood in her way or questioned her tactics or leadership, and her use of profanity in public became her trademark. She responded to those who questioned her use of such vocabulary by explaining that she recognized no restraints on language. She insisted that she never used "curse words," in that she defined such words as "a prayer or invocation to god for harm or injury to come upon someone." She explained: "You can bet your very life that I would never supplicate god to do harm or injury, since I know that 1) there is no such an animal as god, and 2) that it would be impossible for such a conjured entity to visit harm on another in my behalf."²⁹

"Freethinkers" sought to distance themselves from Madalyn Murray because of the scandalous image she cultivated, and that they feared would be associated with them and their cause. A few prominent figures, such as Bertrand Russell, protested against some of her arrests. Various free-thought societies gave her plaques and awards in recognition of her accomplishments.³⁰ But many more agreed with Vitali Negri's comment in *The American Rationalist* in November 1964:

Madalyn Murray has brought more discord to adherents of the free thought movement, more bad publicity in the press, more hatred by the public at large toward free thinkers, rationalists, secularists and humanists than have all the combined theologians from the beginning of man's fight for freedom. As a public representative of atheism, Madalyn Murray's general abnormal behavior has branded all atheists in the eyes of their antagonists as extremists, vulgarists, opportunists and law breakers.³¹

Fellow atheist Jane Kathryn Conrad, in *Mad Madalyn*, described Madalyn as "a paranoid type of personality with obsessive, fixed ideas." She was "rebellious against all existing authority, and tyrannical in conduct in forcing her will and ideas on others." She also exhibited "delusions of grandeur and delusions of prosecution." Virgil McClain,

publisher of the *Ripsaw* in St. Louis, who soon after *Murray* tried unsuccessfully to join forces with Madalyn, branded her a psychopath and "an opportunist using atheism as a means to gain publicity and money."³²

Intentionally or not, Madalyn managed to alienate those who might have been valuable allies. Schempp is a case in point, but so too was Roy Torcaso, with whom she had a very public confrontation. As previously noted, Torcaso, in *Torcaso v. Watkins* (1961), challenged a law that he believed violated a provision in the Maryland Constitution that stated that "no religious test ought ever to be required as a qualification for any office of profit or trust in the State other than a declaration of belief in the existence of God." He won, and in some important ways paved the way for *Murray*.³³ But Madalyn would have nothing to do with him. Twenty years after *Torcaso*, in 1982, after several less than cordial encounters, Roy Torcaso heard Madalyn being interviewed on a Washington, D.C. radio show. Torcaso telephoned in and identified himself, only to have Madalyn immediately cut in: "Roy Torcaso, I wouldn't talk to you like I wouldn't talk to a dead dog. You're one of the most despicable persons who has ever lived or breathed." She continued, refusing to let him speak: "I think it is astonishing that you would have nerve enough to call up this station and say that you even knew me remotely. . . . I think that there is nothing that you have ever done that has been honest, sincere, or a credit to humanity, to your position, to anything at all. I am thoroughly and completely ashamed of you."³⁴

Madalyn identified Torcaso for the audience as a humanist and Communist, to which she added: "They intrude themselves into every organization and they attempt to take the organization over." Fred Fiske, the host, tried to allow Torcaso the chance to speak. Torcaso began, "Well, I sent an application for membership [in American Atheists] some time ago," and was promptly cut off by Madalyn, who yelled: "That's right, and I refused it. I would rather put a dead dog into our organization." Fiske then terminated the call.³⁵

Even attorney Kerpelman distanced himself from Madalyn Murray after the *Murray* case. He continued to work for the cause and rights of nonbelievers, including the Freethought Society in a tax suit versus the churches, that was quite similar to Murray's. But he did so with a spokesperson other than Madalyn Murray. He sought "a logical atheist, a dignified atheist, an intellectual, polite, and earnest atheist, who

speaks well, who reasons brilliantly, who refrains from unfair emotionalism, who respects the beliefs of others, who, if he cannot persuade, will not impose."³⁶

The Murray family continued to be the subject of harassment after the Supreme Court decision of 1963, with 1964 being particularly difficult for them. By Madalyn's account they were subjected to hate mail, obscene telephone calls, killing of pets, physical attacks, and even death threats. The press proclaimed her "the most hated woman in the world," a title she readily accepted and even used to her advantage in further gaining the limelight. She decided to send a questionnaire to everyone on her mailing list to see if they would like to start an atheist movement which actually called itself that—to see, she wrote, "if they would support a movement so that we could stand in the community with respect and dignity, fighting for what we wanted without any of us needing to undergo the harassment which had been visited upon us."³⁷

Gustav Broukal offered to buy her a press and offered an additional \$3,000, in return for which Madalyn listed the Gustav Broukal Freethought Press as the printer of *American Atheist*. Carl Brown honored his promise upon hearing of the *Murray* victory and donated 160 acres of land near Centralia, Kansas as a location for the proposed American Atheists center. And Lou Alt, a Pennsylvanian who had been publishing *The Free Humanist*, offered Madalyn his entire operation, which included books, records, a small bank account (about \$75 by Madalyn's recollection), and a mailing list, estimated by William Murray to include about six hundred names.³⁸

Beyond these important offers, Madalyn received only a small number of responses to her letter. Nevertheless, in part to cover up the fact that she had little support, and in part because she believed she would succeed in her efforts to organize the nation's atheists, Madalyn resolved to "organize the unorganizable," and to make money in the process selling an atheist magazine and atheist books. She later admitted to having been overly optimistic, but her national crusade had begun. The organization that was later to become American Atheists—the Maryland Committee for State/Church Separation—was founded on July 1, 1963.³⁹ A total of five persons (none from Maryland) agreed to form a corporation. Madalyn drew up the corporation papers, and the first meeting of the Committee was set for mid-July 1963. Due to the escalating hostility and increased media coverage surrounding her

court case, Madalyn recalled, two of the five incorporators resigned, but the remaining three proceeded.⁴⁰

Lee Harvey Oswald's assassination of President John Kennedy in November 1963 further complicated Madalyn's life. Oswald was a member of the Fair Play for Cuba Committee, and although his membership was in the New Orleans Branch, Madalyn feared any connection with him. William Murray reported that Madalyn was told by some higher figure in the committee to search the Baltimore chapter files for any reference to Oswald or the New Orleans group and to destroy anything she might find, which she did. Given the potential embarrassment of her association with that committee and other such leftist groups, and her newfound celebrity status as a result of *Murray*, Madalyn distanced herself from them. For the rest of her public life she repeatedly boasted of having "kicked out" Marxists from the atheist organization and severed the link in the public eye between atheists and Communists.⁴¹

In her primary publication, *American Atheist*, Murray noted that the news she chose to include in the magazine was intended to demonstrate to the reader "that the dead reactionary hand of religion is always with you. It dictates how much tax you pay, what food you eat and when, with whom you sleep, if you should have children, if you die in concentration camps, if you are segregated in some manner from other human beings, what you read, what movies you see, and what you should or should not believe about life. Religion is politics and, always, the most reactionary politics."⁴²

In the January 1964 issue of *American Atheist*, Madalyn attacked a College Aid Bill, recently passed by Congress and signed into law by President Lyndon Johnson. It authorized the making of federal student grants and loans to church-related colleges and universities. She wrote: "This bill, along with tax exemptions, puts the churches now, in strength, in the education business. This is the field in which there is most danger for the shaping of the minds involved."⁴³ In the same issue, Murray printed an article by Jack Brady, "Pray for Peace." Brady, a journalist and newspaper publisher as well as an English Rationalist, responded to a recent appeal by Pope Paul VI to Roman Catholics to pray for peace. He charged the Church with taking the lead in "urging the prosecution of war" during World War I. He also accused the Roman Catholic Church of "playing the leading role in Nazifying Italy and Germany, citing the Concordat with Mussolini of February 11, 1929, and

with Hitler of July 20, 1933. These agreements "played a vital role in the support Roman Catholics gave their dictators," in return for which the Church received recognition, protection, and financial support.⁴⁴

Murray listed the aims of her Freethought Society of America. In brief, she stated that the society's intent was "to stimulate and promote freedom of thought and inquiry concerning religious beliefs, creeds, dogmas, tenets, rituals and practices; to collect and disseminate information . . . on all religions; to . . . promote . . . the complete separation of church and state; to encourage the development and public acceptance of a humane ethical system; to develop and propagate a social philosophy in which man is the central figure, who alone must be the source of strength, progress, and idealism for the well being and happiness of humanity; to promote the study of the arts and sciences and of all problems affecting the maintenance, perpetuation and enrichment of human life; [and] to engage in such social, educational, and cultural activity as will be useful and beneficial to the members of this Society, and to society as a whole."⁴⁵

Murray continued to "act locally but think globally." In February 1964, for example, Murray demonstrated her ongoing opposition to school prayers by altering a billboard urging people to "Preserve Our Religious Heritage." It was erected by the Constitutional Prayer Foundation, whose name was printed across the bottom of the sign. Murray changed the name to "Unconstitutional Prayer Foundation." The billboard was placed on the side of her Freethought Society of America office building in Baltimore. In taking responsibility for the action, she said that she did it because she supported the Supreme Court, and that she might write to "the Senate committee investigating false advertising" to complain of the Foundation's billboard. Francis Burch, foundation chairman, decided not to bring charges against Murray and delayed making any immediate repairs: "We might let it stay there as a landmark to show people what she's willing to do. . . . I think people will be interested to see how low she will stoop."⁴⁶

In the March 1964 issue of *American Atheist*, Murray printed a lengthy segment of the debates of the 88th Congress on February 8, 1964, concerning a proposed amendment to the Civil Rights Act of 1963. The amendment would have eliminated atheists from those groups protected by the provision within the Act prohibiting discrimination in employment on the basis of religion. The amendment, offered by Ohio congressman John Ashbrook (R), read:

Notwithstanding any other provision of this title, it shall not be an unlawful employment practice for an employer to refuse to hire and employ any person because of said person's atheistic practices and beliefs.⁴⁷

Ashbrook explained to the Judiciary Committee, which conducted a hearing on the proposed amendment, that it was his understanding that the Civil Rights Act of 1963 did not attempt to include all types of discrimination, but that it did "prescribe very definite and positive requirements on employers"—namely, that if an employer refused to hire someone because he was an atheist, he might be found to have violated the act. Chairman Emanuel Celler (R-NY) took the position that the act outlawed "discrimination on the ground of religion," but that it did not necessarily follow that employers would be forced to hire an atheist. It would depend on "the surrounding circumstances." Celler did not elaborate, but he did suggest that there was no need for Ashbrook's amendment. Nevertheless, Ashbrook persisted.⁴⁸

Congressman Carl Elliot (R-Ala) rose in support of the amendment. He began: "I cannot but recall that when word spread that land was near, the brave band of our forefathers aboard the *Mayflower*, 350 years ago, immediately met in the hold of their ship and adopted an agreement, now known as the Mayflower Compact, which started with the words: 'In the name of God, Amen.'" He explained that "America started under God," and that it had "progressed under God to the highest pinnacle of perfection of any nation on this earth." From its earliest years, the United States dedicated itself to God and said as much on all its basic documents—"upon her constitutions, her declarations, and her tablets of stone." He pointed to "In God We Trust" on the nation's currency, which, he continued, had been inscribed above the Speaker's chair in the House of Representatives. And, he reported, he had "the privilege," as a member of the House, of helping to write into "our basic statutes the recitation of the Pledge of Allegiance to our flag that we are 'one nation under God.'"⁴⁹

Elliott explained that God had given man "the wonderful attribute of free choice of religion." The United States protected that freedom in its Constitution. Further, it gave atheists "the right of disbelief." However, he continued, "our America gives the employer the right to reject an applicant for employment who does not believe in God." He pointed out that the amendment encompassed private em-

ployment, and that private employers had the right to insist that his employees believe in God. The proposed amendment would protect that right.⁵⁰

Several congressmen made essentially the same points in support of the amendment. Paul Jones (D-MO) added that he was sorry that the amendment did not exclude Communists, as well as atheists, from discrimination protection. John Baldwin (R-Calif) hastened to add that "the theory of communism also included the theory of atheism," a point seconded by Basil Whitener (D-NC) and William Tuck (D-Va), the latter of whom was a member of the House Un-American Activities Committee. And when it was suggested that the right not to hire an atheist might be upheld by the courts even without the amendment, no doubt in response to *Murray* and other related cases, Congressman James Bromwell (R-Iowa) warned that they should not anticipate such a ruling from the Supreme Court.⁵¹

Further underscoring the importance of the matter at hand, Congressman D. R. Matthews (D-Fla) concluded that there were two fundamental differences between the American way of life and that of the Communists. The first was that the United States was founded on belief in God. As evidence he quoted Jefferson's words in the Declaration of Independence: "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights." He emphasized "Creator," and the idea that the "unalienable rights" of man come from God, not men. "So if this nation were not founded on God, I contend we would not have the kind of nation we do." The second difference, Matthews continued, was America's belief in private property—that a person "ought to have the right to own his property and to manage it within rules and regulations that are not alien to the interests of the people."⁵²

Congressman Peter Rodino (D-NJ) spoke for those opposed to the proposed amendment. Rodino noted that he was one of the original co-sponsors of the proposal to include the words "under God" in the Pledge of Allegiance. He offered that he was a Catholic, but that he respected "the right of other people to believe or not to believe." He saw no reason to discriminate against a person on account of religion, and that the person had the "American right" not to believe: "Believing that this nation grew because it had in its basic fabric a strong belief in God, nevertheless, I as an American and as a member of this Congress feel that this amendment is entirely out of order."⁵³

Congressman Chet Holifield (D-Calif) took the same position, adding that he believed that "any nation that protects freedom of religion has no right to impose compulsory religion on any citizen in this country. . . . This is a matter of individual conscience." He made reference to the Bible and Christ's condemnation of the Pharisees and Sadducees for their adherence to the forms of religion but not its spiritual principle, and, in particular, for their "making long prayers in the marketplace where they could be seen by men and for the purpose of being applauded for their false piety."⁵⁴

"There is something wrong with your religion," Holifield continued, "if you seek to impose upon any man a specific form of religion or an adherence to a religion of any type." He called it tyranny, whether it be done by the sword or legislation, and quoted Thomas Jefferson:

I have sworn eternal hostility against every form of tyranny over the minds of man. To enforce the form of religion on a man against his will is tyranny.

Holifield pointed to the many crimes committed, and the millions killed, in history because of religious persecution. And he pleaded with his colleagues not to embrace tyranny, but rather to recognize people's constitutional privilege not to believe.⁵⁵

Rodino's and Holifield's protests failed to carry the day. The amendment was agreed to in the House by a vote of 137 to 98. But it failed in the Senate.⁵⁶

In the same March 1964 issue of *The American Atheist*, Murray criticized a proposal in the Senate to appoint an envoy to the Vatican. Senator Hubert Humphrey (D-Ill) made the overture in February 1964, explaining: "It is in our self-interest to have regular representation at the Vatican. It is foolish public policy for us to deny ourselves this vantage point at a crucial period in world history. The religion of our envoy is not significant, but because of certain rituals, a Catholic might have certain advantages there."⁵⁷

Under the title "Whose Envoy?" Murray suggested that "free thinkers" might take two views on the matter. First, they might see the "Roman Catholic Church as a political state and should be recognized as such." If that were done, she continued, it would follow that aid to parochial schools in the United States, grants for building funds to parochial schools, and grants of federal land to specific dio-

ceses "would need to be handled through Foreign Aid Funds. Since most of our Foreign Aid goes to military assistance for dictators of one ilk or another, this would follow a pattern established." Second, because the United States does not recognize the temporal power of Protestants as political statehoods, it should not recognize the claims of the Roman Catholic Church "to be the official government of all human activities."⁵⁸

Murray published an article by William Moore titled "The Interlocking Dictatorship." Moore wrote of "a subtle tyranny" he believed "hovered over this land and its people"—"the tyranny of custom, of fear of disapproval, or a self-defeating search for inner security." He described it as "the antithesis of democracy" involving "a tangled mess of associated—and revered—taboos that cause men to worship authority more than freedom." Cutting to the heart of it, Moore focused on religion as "the embodiment of authority." He defined religion as "the recognition of man's relation to a divine or supernatural power to whom obedience and honor are due" and asserted that religion is used to assure conformity to the state. Failure to conform, he added, is seen as "disturbing the peace," when it really disturbed "the fascist minded onlooker."⁵⁹

Immediately following the *Murray* decision, Madalyn filed suit, in *Murray v. Goldstein* (1963), to force the churches of Maryland to pay income taxes on their business and land holdings—to eliminate that portion of their tax exemption.⁶⁰ She lost, but in April 1964 Murray threatened to bring suit against the Baltimore public schools to force them to drop the words "under God" from the daily pledge of allegiance. In a letter to the city's Board of Education, she wrote: "We believe that it is an unconstitutional practice which violates the principle of separation of church and state guaranteed by the First Amendment to the Constitution of the United States." She added that she wanted her sons to participate in the pledge, but not with reference to God. To seek to be excused from the exercise "is a signal for abusive treatment by fellow students, teachers, administration, and neighborhood persons. We will not accede to this again."⁶¹

The Board took up the matter at the next public meeting and refused to take action because it had no authority either to drop the Pledge of Allegiance or delete the words "under God." In voting for the resolution discounting authority, one board member urged that the board "go on record" as supporting not only the wording in the pledge,

but also "analogous measures" such as the recently signed state law allowing a minute of silent meditation in the schools. He was ruled out of order. Superintendent of Schools George Brain commented that he knew of "no other issue [in his tenure as superintendent] that has precipitated the emotion" of Murray's request. He said that the board had received a "tremendous amount" of correspondence, telegrams, and telephone calls from all over the world. And Elizabeth Allen, head of the Freedom of Prayer group, reported that she had collected 2,600 signatures in twenty hours opposing the proposed change in the pledge. Murray vowed to appeal the board's decision to the Maryland Supreme Court.⁶²

FAMILY PROBLEMS INTERVENE

Just as Madalyn Murray's public life was launched, family problems intervened. In March 1964, William Murray's girlfriend, Susan Abramovitz, moved in with the Murrays. Her father insisted that William enticed his daughter (then a minor) to leave home to live with him. William maintained that he offered her no such encouragement. Madalyn insisted that Susan's parents "were making life hell for her with impossible restrictions and discipline," and that they could not "kick her out in the street." The Murrays' attorney, Leonard Kerpelman, warned them that Susan's presence was "dynamite" and urged them to get her to the YWCA as soon as possible, but they did not. On the morning of May 25, 1964, his birthday, Susan's father filed a formal complaint against William in Baltimore criminal court. Abramovitz, an Orthodox Jew, charged him with not only improperly enticing Susan to leave her home, but also to abandon the Jewish religion for atheism.⁶³

A hearing was set for June 2, wherein William Murray would have to appear before the court and "show cause" why Susan should not be given into the care of her aunt and uncle, and why William and his mother should not be restrained from having further contact with her. Susan wrote to Judge James Cullen that she did not want to live with her parents or her aunt and uncle, that she did not want to cause trouble for anyone, and that she was planning on leaving the area permanently. But the judge found in her parents' favor. To further complicate matters, Susan discovered she was pregnant.⁶⁴

William, age eighteen, and Susan, age seventeen, eloped to Montgomery County, where seventeen-year-olds could marry. They obtained a license, dated June 16, 1964, and were married by a local judge in Frederick, Maryland. In order to further elude Baltimore authorities, they honeymooned in New York City, whereupon they were cited for contempt of court.⁶⁵

William and Susan returned to Baltimore on June 20. When the police realized the couple had returned, they approached the family home, but William refused them entry, because they did not have a search warrant. Madalyn and her mother drove up, entered the house, and reemerged with William holding a tape recorder to record the conversation with police. Following a verbal confrontation, and while the police awaited a copy of the judge’s order, Madalyn decided—and by her account told the police—that she intended to take Susan to her office on North Calvert Street, where they would be joined by her attorney and better prepared to talk to the police, away from her hostile neighbors. As they began to drive away with Susan, however, one officer tried to stop the car and was knocked to the ground.⁶⁶

Madalyn drove Susan to a neighbor’s house and returned to her home, which by then was surrounded by nine police cars, at least fifteen policemen, and 100 to 250 angry neighbors shouting obscenities at the Murrays. A melee ensued, during which, Madalyn charged, the police beat her and William and knocked her mother unconscious with a nightstick. The police claimed William, who had a tape recorder with him, started it by shoving and striking a policeman who tried to intercept Susan and his mother, and that Madalyn’s mother fainted. Madalyn’s injuries, they insisted, were the result of her resisting arrest.⁶⁷

Madalyn claimed that although William’s tape recorder was dropped to the ground during the commotion it did not break, and it recorded the conversation between her and the police, in which the police admitted the illegality of the seizing Susan. She added that two days later, men—one wearing “a lieutenant’s badge”—attempted to break into her home to get the recording, but she chased them off. William, Madalyn, and Susan were taken to the police station, where they were held until Kerpelman posted their bail. William and Madalyn, however, faced charges of criminal assault.⁶⁸

The *Baltimore Sun* listed the number of assaults at five. In an unpublished letter to the editor of *Texas Monthly*, dated December 24, 1988,

however, she reported: "I was charged with 'assault' Un-American Activities against twelve police as police and with 'assault' against individual persons as the twelve police were individually named, [for] a total of twenty-four counts of assault." Mrs. Mays was charged with assaulting a police officer, and William with assault and interfering with the police's attempt to do their business.⁶⁹

Madalyn, William, and Madalyn's mother were released on bail: \$1,500 for Madalyn, \$2,500 for William, and \$250 for Mrs. Mays. Upon her release, Madalyn showed the press bruised and swollen arms, which, she claimed, resulted from the beating police had given her "before a cheering crowd of 250 people." She and William charged police with beating William while he was being interrogated—kicking him in the face, in the chest, and in his genitals. Madalyn and William were taken to University Hospital, where her mother had been taken unconscious on the day of the incident. Madalyn was photographed by the UPI—the photo appearing in the *Washington Post*—hands swathed in bandages, but no medical records attesting to William's alleged injuries could be found.⁷⁰

The Murray family, including Susan, decided to flee Baltimore to avoid the assault charges. Madalyn explained that they were fleeing for their lives: "We could go to a state where we couldn't be extradited and continue the fight for separation of church and state, or we could go out of the country as exiles." She decided on the former, because she was an American and because she was "fighting it out on home soil." She planned on asking the governor of Hawaii for religious asylum. She expected to get it because Hawaii had a more liberal atmosphere, "created by its racial admixture and because of its relatively large population of Buddhists, "who are largely nontheistic, and might therefore be more tolerant of our views." She also thought that the distance would make it prohibitively expensive to extradite her for the assault case, a point made by Charles Moylan, Baltimore's deputy state's attorney, as well. He initially discounted the prospect of pursuing the extradition. Only "a small percentage of such cases," he explained, resulted in extradition, as the seriousness of the case had to be weighed against the cost involved.⁷¹

All of this public attention continued to fuel antagonism toward Madalyn Murray and even to cause a member of the U.S. House of Representatives to denounce her on the floor of that legislative body. On July 2, 1964, Congressman Frank J. Becker read from a letter com-

posed by Mrs. Phil Regan titled, "Women of America, for God's Sake, Awake." Regan described herself as "a great grandmother who is very concerned about the lethargy of our women of today." Becker identified her as being from Palm Springs, California, and the letter as "a wonderful expression," in which "there is little doubt of the truth and wisdom of her statement."⁷² Though Regan did not identify Murray by name, she referred to her as "one persistent atheistic woman" who "never stopped until she reached the Supreme Court." She described *Murray* as a case decided "on the technicality of the interpretation of the letter of the law," but which nonetheless succeeded in banning Bible reading and prayers in the schools, "while we women—mothers, grandmothers, and great-grandmothers . . . looked on, too lethargic to prevent this audacious woman who was speaking for her own child."⁷³

"Who is financing her?" Regan asked. "Who are the unseen insidious forces behind her atheistic move?" She did not answer the question directly, but rather pointed to "those who would enslave man" as being her supporters. Further, she continued, nothing in the Constitution prohibited Bible reading and prayer in the schools. So "why change and play into the hands of atheistic Communists." She explained:

The atheistic aim is clear. Without God the consciousness of man is lowered. With this accomplished, man will be unable to discern evil if it has a legal dress. Without God in our schools, we shall perish.⁷⁴

Regan argued that in countries where God had been "deliberately rejected by atheistic rulers; the value of human life is soon belittled." Those who seek such an end "concentrate first on schools as the most effective place to deform and debase impressionable minds. Thus they quickly eliminate all teaching that reminds the human being that he is made in God's image and that his rights come from his Creator." The Supreme Court contributed to those who sought such an end by going "beyond its power in amending the Constitution." Moreover, it ran counter to the widely held belief in the nation's dependence on God, expressed by all the country's presidents, and the 97 percent of Americans, by her count, who believed in God.

Regan quoted from Murray's interview in *The Realist*:

If I can't come through this case the same offensive, unlovable, bull-headed, defiant, aggressive slob that I was when I started it, then I'll

give up now. My own identity is more important to me. They can keep their g— damn prayers in the public schools, in public outhouses, in public H-bomb shelters, and in public whorehouses.⁷⁵

Pointing out that these were the words of the woman who brought the school prayer case to the Supreme Court, because she did not want her child exposed to prayer, Regan closed by urging every woman in the United States to "act now." She encouraged them to "do something"—to support and vote for state and national initiatives that would restore prayer and Bible reading to the schools. More specifically, she suggested they immediately send the following letter to their congressmen:

In order to insure our freedom of speech and religion, we, the women of America, demand that some legally effective measure be adopted forthwith to protect all Bible reading and prayer in every school throughout our nation, the United States of America.⁷⁶

The Murrays flew to Hawaii on June 23, 1964. The minister of the Unitarian church in Honolulu invited them to stay in a church building while they sought other lodging. A number of local dissident groups came to their aid. They found a house on Spencer Street, and William and Susan enrolled at the University of Hawaii in the fall of 1964 and found their own apartment.⁷⁷

In the meantime, the city of Baltimore moved against the Murrays. In June a grand jury handed down an eleven-count indictment, clearing the way for extradition. Madalyn was charged with seven cases of assaulting police officers. William and his grandmother were accused of taking part in the assault as well. Susan remained free on \$5,000 bail on a contempt-of-court citation. Attorney General Thomas Finan commented that he did not believe that Madalyn was worth extraditing, but that he was studying the matter prior to making his recommendation to the governor. He explained that he and the governor would be guided by what William O'Donnell, state's attorney of Baltimore city, wished to do in the matter. Finan explained that if Madalyn were just an average citizen charged with assault, he doubted Maryland would "take the trouble" to extradite her. She was, however, "a publicity hound" and was "flouting . . . the laws of this state." Moreover, he pointed out, if Maryland decided not to extradite Murray, the bondsman who posted

more than \$8,000 in bail might argue successfully that the state had no right to forfeit the bond.⁷⁸

Madalyn continued to contend that their lives would be endangered by their return to Baltimore: "I'll not be murdered by the law enforcement agency in Baltimore." But on June 30, 1964, O'Donnell said he would seek extradition. The state filed the necessary papers, but Madalyn appealed. When a judge in Baltimore Criminal Court threatened to order forfeited bonds posted for the Murrays, amounting to \$12,600, if the defendants did not return within thirty days, the bondsman offered to pay the extradition expenses, amounting to about \$2,811. The Murrays refused to return and hired attorney Hyman Greenstein to represent them. Greenstein vowed to take the case to the U.S. Supreme Court if necessary.⁷⁹

On July 22, 1964, a Baltimore judge found Madalyn and William Murray guilty of contempt of court, *in absentia*, for associating with Susan Abramovitz despite the court order forbidding them to do so. Judge Joseph Carter sentenced Madalyn to one year in jail and fined her \$500. William was sentenced to six months in jail. The Murrays were represented in Baltimore by attorney Joseph Wase. Greenstein, in the meantime, insisted that after having talked to the residents of Baltimore, he came to agree with Madalyn that her life would be endangered by her return and that she would never receive a fair trial: "She is being persecuted for her non-belief. She is a very hated person."⁸⁰

On August 18, 1964, the day Madalyn and William had their extradition hearing, Greenstein announced that he intended to file a motion in Circuit Court "challenging the entire judicial setup of the State of Maryland," calling the state's court system unconstitutional. Greenstein explained that in Maryland no person could serve as a judge, juror, or witness unless he or she professed to believe in God. The Grand Jury indictments, therefore, were invalid. "In my opinion," he continued, "this means that if the Murrays are taken back to Baltimore they will not even be permitted to testify in their own defense. They will thus be denied due process of law." He filed the motion in the form of an application for a writ of habeas corpus when the Murrays were formally arrested for extradition, arguing that the judge should dismiss the extradition proceedings.⁸¹

The Murrays were released on their own recognizance as their appeal continued—a process that was expected to take up to two years. Circuit Judge Ronald Jamieson, who first ordered the Murrays to be

returned to Maryland, allowed them to go free on the grounds that Greenstein was to be responsible for their future court appearances. Interestingly, Jamieson agreed that the Maryland system was unconstitutional, but that it was up to the Murrays to challenge it in the Maryland courts. Denial of the extradition was not the way to deal with the problem.⁸²

Jon Garth enrolled in public elementary school in Hawaii in September 1964, and Madalyn soon brought suit in federal court against the school for conducting the pledge of allegiance, which included the words "one nation under God." The suit by Madalyn and her son, Jon, then nine years old and in the fifth grade, was directed against Burl Yarberr, superintendent of public instruction, and Faith Ai, principal of Lincoln School, which Jon Garth attended. The phrase, "one nation under God is offensive and objectionable," Madalyn charged, because it violated her son's beliefs and "is in violation of [his] right to be free from religion." More specifically, she asked that the words "under God" be stricken from the pledge, and that the Act of 1954 of Congress that inserted them be ruled unconstitutional.⁸³

In October, a Hawaii state deputy attorney general filed an answer in federal court to the Murrays' suit. Kenneth Sarnwatari argued (1) that the defendants had nothing to do with the case because they did not make school rules and regulations; (2) that there is no requiring pupils to repeat the pledge; and (3) that there was no federal or substantial constitutional question involved, thereby negating the need for the convening of the three-judge federal court.⁸⁴

Also in October, Madalyn filed a complaint with the Federal Communications Commission (FCC) charging that fifteen Oahu radio stations refused to grant her air time to discuss the "Freethought" philosophy of her organization. She filed the complaint as a president of both the Freethought Society of America and of the International Freethought Society. She alleged that the denial of her "expression of freethought" constituted a violation of FCC rules on controversial issues of public importance. She pointed out that the same stations provided time each week for religious programs, affording them "both primetime and preferential cost rates." This "systematic" and "thorough" exclusion, she argued, resulted from "the monolithic monopoly enjoyed, and artificially enforced, by the religious community."⁸⁵

Murray asked the FCC to order the fifteen radio stations to grant "primetime and the preferential rates afforded to religion" to her or-

ganizations. But in June 1965 the FCC denied her request. The FCC held that the stations "acted reasonably and in good faith" when they refused to make time available to her. The majority opinion noted that the broadcasters had not expressed viewpoints on "controversial issues of public importance," which warranted equal time for atheists. One commissioner disagreed, however, saying that the FCC was assuming "the role of supervisor of religious programming" in violation of the Constitution. He thought the FCC should have dismissed the case for lack of jurisdiction and not ruled on it.⁸⁶

The previous spring, it will be recalled, Madalyn Murray had brought a similar case in Baltimore, but her flight to Hawaii jeopardized that case. Also pending were her suits in Maryland to challenge the tax-exempt status of churches and her proposed challenge of Maryland's new law on "silent meditation" in the schools. Her attorneys—Kerpelman and, later, Joseph Wase—argued that the cases could proceed because Madalyn's status as a taxpayer and Baltimore resident had not changed. Although she publicly announced that "no matter what happens, I won't go back to Maryland," for the purposes of these cases she insisted she was living temporarily in Hawaii.⁸⁷

The Murrays' trial was delayed until September 1964. In the meantime, members of the Freethought Society in Maryland also moved against Madalyn. In June, Lamoin Cree announced that he would act as editor of *American Atheist* and as head of the Freethought Society of America. In July, the society cut all ties with her. Cree explained to the association's members that with her flight to Hawaii, Madalyn had been relieved of her offices. She had been offered the position of chairman of the board "at a very liberal salary (\$10,000 per year)," but the offer had been withdrawn. Murray, Cree noted, had alienated "a substantial number of people" in the organization by "dragging it into her personal entanglements." Moreover, the society needed to be "put on a sound financial and intellectual basis with competent leadership." Cree and the society's attorney, Leonard Kerpelman, who had left the Murrays, sought to become the plaintiffs for the church taxation case.⁸⁸

In a related case involving many of the same individuals, Lamoin Cree led Other Americans, another atheist organization Murray had formed, in breaking with her. The break ended up in court when the Maryland National Bank asked the Circuit Court to determine the rightful owner of \$2,795.32 on deposit in the name of Other Americans. Murray had tried to close out the account by mail, only to be blocked by

Cree, who identified himself as the new president and only officer authorized to sign checks. Cree was represented by Kerpelman, who alleged that Murray's action had "come to be characteristic" of her, including making allegations which "are either gross exaggerations or completely without substance."⁸⁹

Cree reported to the court in early August that Murray's conduct in her scuffle with the police "was such as to shame observers who were members of the defendant corporation." He further observed that Murray had left the organization's financial matters "in great disarray and confusion," and that in her absence she had tried to turn over the group's affairs to "one Willie Mae Mallory . . . (who) held herself out as an anarchist and an advocate of armed Negro revolution," neither ideal being connected with Other Americans. In another case in People's Court, Judge Carl Bachrach dismissed a suit brought by Willie Mae Mallory on behalf of the Freethought Society to evict Cree and his family from property at 2302 North Calvert Street. Mallory claimed to be Murray's "resident agent," and that Murray insisted that Cree had no right to the premises.⁹⁰

Madalyn organized a new "freethought" group in Hawaii,⁹¹ but she faced other problems, including her public and major falling-out with William. On October 3, 1964, Madalyn complained to Honolulu police that her son had stolen mailing lists and records of her Freethought Society of America. She explained that William no longer lived with her, but that he had entered the house without permission and, over his grandmother's objections, taken the information. She stopped short of swearing out a formal complaint, but about three weeks later William announced that he had broken with Madalyn because of her "extremist views." He accused her of "muckraking" in her new newsletter, *A Voice of Reason*, pointing in particular to one article entitled, "New York Atheist Reveals Plans to Promote Legalized Prostitution," and to another, a reprint, that praised the late Communist Elizabeth Gurley Flynn. Madalyn simply responded that her son was under psychiatric care.⁹²

MADALYN BECOMES A CELEBRITY

One of the earliest major published exposés on Madalyn Murray appeared in *Life* magazine on June 19, 1964. *Life* seized upon her title, "The

Most Hated Woman in America," as its headline, making it household currency. Author Jane Howard described Murray, who was still in Baltimore at the time of the interview, as "America's most outspoken and militant atheist." Her cause was "the total and utter separation of church and state." "In a land where most people believe in God and those who don't keep quiet," Howard continued, such a cause "is as good a way to win public favor as bringing back polio." Murray, she added, which outlawed official prayer ceremonies in public schools, had "made the name of Murray anathema to millions of Americans." Howard quoted Madalyn as agreeing with her assessment and made note of the death threats she had received. Once again Madalyn said that she loved life—including sewing, yard work, reading, and cooking—but that she simply had to fight what she knew in her "guts" was wrong. She quipped: "I think sooner or later some night some nut is going to get a message from Jesus Christ and I'm going to have had it. But as long as I'm still around I'm going to keep on being a squeaking wheel."⁹³

Madalyn reported that the Freethought Society had a mailing list of 25,000, and that her monthly magazine, *American Atheist*, had a readership of 7,500. She described the Freethought Society as intended to "propagandize atheism" and Other Americans as "a particularly nasty organization." It promoted lawsuits against "religious intervention in the secular world." Ironically, when asked why she did not follow her critics' advice and leave Baltimore, given her many problems with the city's population and police, she responded: "Well, they can go to hell. I've got a right to live any place I want." Madalyn continued:

I wonder how long it took to make these faces I see around here so expressionless. We have a horribly monolithic society. We need more radicals. If enough of them don't turn up to fight, we'll get to Orwell's 1984 right on schedule. We've got just 19 years and 6 months, and the way things are going now we ought to make it on time.⁹⁴

Howard concluded by noting that Murray expressed

"blasphemous" ideas about Christ's parentage and about his "probable fate if he were around today." Madalyn claimed Christ would be on her side, not theirs: "We wouldn't crucify him now, we'd just make damn sure he never got a job again as long as he lived."⁹⁵

An even more influential public account appeared in the July 11, 1964, issue of the *Saturday Evening Post*. That article established many of the popular images with which Madalyn would be associated for the rest of her life. Robert Liston used "Mrs. Murray's War on God" as his title. He announced that having abolished school prayer, Madalyn had set out "to uproot religion altogether by taxing the nation's churches out of existence." He described her as "the nation's most militant atheist," and as "coarse of manner, broad of gesture, masculine of voice," who told him: "If people want to go to church and be crazy fools, that's their business. But I don't want them praying in ball parks, legislatures, courts, and schools. I don't want to see their religion emblazoned on the public buildings I look at." Liston added that in response to Madalyn's "unrelenting pugnacity, a good part of society" had declared war on her, and that a confrontation between the Murrays and Baltimore police, which resulted in assault charges against her, had led to the family's fleeing to Hawaii. The incident occurred after his interview with Madalyn, but before it went to press.⁹⁶

Madalyn responded to the various charges that had already been lodged against her in the media. She admitted being an anarchist, but defined an anarchist as being "fundamentally antiauthoritarian." She said that she thought some forms of authority should be examined. "I'm beginning to believe," she offered, that "we could do away with Congress and many state legislatures." She also questioned the need for military conscription and the Federal Reserve System, suggesting instead that the nation investigate "some forms of cooperatives for industry and government at lower levels" that would "permit people to make an honest attempt at self-government."⁹⁷

Madalyn denied being a Communist. "Communism is a bunch of baloney. I know all the Communists, and they know me. Every one of them hates my guts. . . . The Communist Party mouths all that drivel about workers being the only ones you can trust. That's nonsense. I know plenty of workers, I wouldn't trust. . . . Listen, I wouldn't hesitate to be a Communist, if I thought it made any sense. And if I were one, I'd tattoo the word right on my forehead and feel I had a right to be one." She also noted that she "made her pitch to intelligent people—and I don't mean the intelligentsia," to which she added, if the workers, whom the Communists so highly valued, had any brains, "they wouldn't be factory workers."⁹⁸

Madalyn explained how she became an atheist, pretty much as reported in chapter 1 of this book. She explained that her parents were not regular churchgoers, but they were religious and she respected their beliefs—even to the point of having her sons baptized when she did not believe in the ritual. Madalyn attacked the notion of Christianity's beneficent moral influence, pointing out that Christianity had been around for 2,000 years and "we are no more moral now than before":

If anything, we are more beastly. Would the Greeks have killed six million Jews? Would the Romans have dropped an A-bomb on a city largely populated with women and children? Personal morality has suffered too. Just look at the crime statistics.⁹⁹

Madalyn explained that her antiauthoritarian beliefs prevented her from imposing her beliefs on her children, including her atheism. As a result, she concluded, "Bill grew up in a void. In a way I regret that. He's lost part of our culture and heritage, but I was trapped, and it couldn't be helped." She explained that her son came to her and asked about religion, but that she sent him to the library to read on the subject and otherwise "left him alone." Further, she insisted that William came to her and told her of the school prayers, that he was an atheist, and that he could not participate in school prayers. "If I made him do it or allowed him to do it," she added, "I was a hypocrite. He was right. I had to support him."¹⁰⁰

Madalyn told Liston that the "abuse, hatred, and vilification heaped on her" and her family continued. She could find no work and her credit had been cut off. She had become impoverished and had been forced to sell some of her personal possessions to survive. William had been physically beaten by other boys "over 100 times," she reported. She had been spit on, and her younger son, Jon, had been stoned. Every window in her house had been broken at least once, her property—including her car—damaged, and at least one bullet was shot at the house. She told the story of the prank phone call informing her of her father's death while she was in the hospital, and she blamed her father's death of a heart attack on the harassment to which the family had been subjected.¹⁰¹

Liston included excerpts from some of the letters sent to Madalyn, "only somewhat expurgated":

Lady, you are as deadly to our city as a snake. Return to Russia.

A true Believer in our God who
gave you the air you breathe

You don't belong in this country. Russia is where you should go, and when you get there, kiss the hind end of dictator K. He is an atheist, too, and will be pleased to give you a big bear hug.

You must be an insidious creature, without even a brain. No wonder you're crazy. You probably have no children either, let alone a man. Your hooked, ugly nose, triple chin and fat "sloppy" body are enough to make you godless.

You filthy atheist. Only a rat like you would go to court to stop prayer. All curses on you and your family. Bad luck and leprosy disease upon you and your damn family.

You will repent, and damn soon a 30-30 (rifle bullet) will fix you nuts. You will have bad luck forever. You atheist, you mongrel, you rat, you good for nothing s—, you damn gutter rat. Jesus will fix you, you filthy scum.¹⁰²

If the aim of the harassment was to discourage Madalyn, Liston reported, it had "worked in reverse":

After the school-prayer decision, I thought people would accept it and say, "Well, you were right," and I could go back to a normal life. I thought I'd be able to get a job, but I couldn't, and I looked all over the country. The only thing I can do is fight in an area where I can carve out a job for myself—in the field of militant atheism, free thought, and church-state relations.¹⁰³

Madalyn told Liston that after the *Murray* decision was handed down, 5,000 people wrote to her or called her urging her to continue the fight against religion. She met with a few supporters in New York, and together they organized the Freethought Society, the membership of which she refused to disclose. She claimed a \$40,000 war chest

with which they vowed to fight "the unlimited power of the churches" through the U.S. Supreme Court. "There is only one force in government with any guts," she said, "the Supreme Court. Congress has been dead for years. It hasn't passed one single bill of importance in ten years. The Presidency is dead. . . . But the Supreme Court, by its decisions on school integration, school prayers, and reapportionment of state legislatures, has transformed this country. In ten years you won't be able to recognize America because of these decisions."¹⁰⁴

Liston spoke to Leonard Kerpelman as well. He described Kerpelman as "an Orthodox Jew who masterminded" Madalyn Murray's case against school prayers. "He is a devout man," Liston continued. "When I told him of Mrs. Murray's prophecy about the withering-away of the church, he said 'Rubbish, it'll be stronger than ever.'" Kerpelman told Liston that his first inclination was not to take Madalyn's next case, challenging the tax exemption of churches. He wanted no part of pure antireligious malice, "but the more I thought about it, the more I realized that grandiose churches do not lead to grandiose theology or morality."¹⁰⁵

Liston concluded the article with one of the most repeatedly asked questions of all: "What's in it for Mrs. Murray?" Liston asked her the question "many times" and received as many different answers. In one instance, she responded, "Because I'm right." In another, as previously noted, she mentioned the motive of using the cases and the attention it brought her to carve out a job for herself. On a third occasion, she answered:

I don't really care that much about atheism. . . . I've always been more interested in politics and social reform. But I've gotten into this thing and I've been driven out of the community. Atheism is all I have to fight my way back in with. I want respect for my right to have any opinion I want—and to live. I could be a damned fascist and do the same thing I'm doing now.¹⁰⁶

And on yet another occasion, Madalyn explained:

I love a good fight. I've always been like this all my life—and I've always won. I've believed I could do anything better or faster or both than anyone else. And I've never had any real competition. I wish I

did. I'd like to lose in a good, tough fight. I guess fighting God and God's spokesman is sort of the ultimate, isn't it.¹⁰⁷

In the end, Liston found Madalyn to be "full of paradoxes, conflicts, and challenges." One moment she could be "loud, profane, vain, arrogant, seemingly paranoid, messianic, rebellious, and implausible in her ideas." At other times she could be "gentle, intelligent, reasonable, thought-provoking and monumentally courageous . . . an admirable conversationalist, able to listen and to discuss, even argue issues and ideas without rancor or abuse of personalities."¹⁰⁸

In October 1964, Madalyn was the subject of a third major article—in *Esquire* magazine. Writer Bynum Shaw referred to Madalyn as "the woman who expelled God from the public schools," and whose office in Baltimore, even after she fled to Hawaii, was still known as "the Devil's Workshop." He also described her as having "a quick mind and deadly tongue," who in insisting on what she considered to be her constitutional rights—a position upheld by the U.S. Supreme Court—had been harassed and systematically excluded from gainful, "conventional" employment. "She has been forced to grub a living out of the only thing left open to her—atheism. She raises money by the thousands of dollars, but she takes for herself less than she would draw in unemployment compensation."¹⁰⁹

The year 1965 resolved Madalyn Murray's legal battle with the Baltimore police, but it did not put an end to her quarrel with the nation, and the nation's quarrel with her. In January, newspapers reported that Madalyn wished to leave Hawaii for Japan, but that her application for passports for herself, her two sons, her mother and daughter-in-law had been held up because of the still pending extradition. In February the State Department made it official, citing federal regulations which stated that "passport facilities, except for direct and immediate return to the United States, shall be refused to a person when it appears to the satisfaction of the Secretary of State that the person's activities would violate laws of the United States."¹¹⁰

Madalyn and her family continued to live in Hawaii. On February 6, 1965, her daughter-in-law gave birth to Robin Ilene Murray, and William dropped out of school to support his family. The Murrays' appeal of the governor's decision to allow their extradition to Maryland was turned down by the Hawaii state court.¹¹¹

The spring of 1965 was a low point for Madalyn Murray. In her interview for *Playboy* magazine, which was conducted just prior to the decision on her appeal, she confessed:

Five years ago, before I opened Pandora’s box by starting the school-prayer case, I was doing all right financially: I had my health, a good job, a nice brick Colonial home, beautiful furniture, three cars: we were a happy, close-knit, well adjusted family. Well, brother, look at me now, as the saying goes: Here I am in a termite-ridden bungalow in Hawaii, my savings are gone; my job is gone; my health is gone. . . . My brother can’t find a job. . . . I lost my father by a heart attack and my son Bill has broken down emotionally to the extent that he’s under psychiatric care. My aged mother is with me, and she can’t even be buried next to Dad. . . . And my son and I are living under the Damoclean sword of imminent extradition.¹¹²

Madalyn feared that she would be jailed for a crime perpetrated against them, but she had no intention of abandoning her cause. It had been worth it, she was convinced:

It’s uncovered a vast cesspool of illegitimate economic and political power in which the Church is immersed right up to its ears, and I intend to dive in head first and pull it out of there dripping wet for all the world to see—no matter how long it takes, no matter whose feet get stepped on in the process, no matter how much it costs, no matter how great the personal sacrifices.¹¹³

Nevertheless, when her appeal was rejected, William and Madalyn decided to flee to Mexico, leaving Susan, Uncle Irv, and Jon Garth behind, for the moment. They left on separate flights on May 9 and 10 and met in San Francisco, where a friend arranged for a car to drive to Mexico. The car broke down just after they crossed the border, whereupon they sold it and continued the trip by train to Mexico City and then by bus to Valle de Bravo, a nearby hill town. On July 6 Susan and Robin joined them, unexpectedly according to William, and soon thereafter Jon Garth. Their new location was not reported in the press until mid-July. In mid-August, Hawaii’s deputy attorney general notified state’s attorney Charles Moylan, that the Murrays were to appear in Honolulu

Circuit Court. If they did not, on the appointed date, he would seek fugitive warrants against them from the FBI.¹¹⁴

William, Susan, and Robin moved secretly to Mexico City and then to New York City. For three weeks in August they lived in an apartment in the Bronx. On September 1 they left for Canada, where they stayed for two weeks. Bored and tired of running, Susan and Robin returned to Honolulu. While still in Mexico, William had contacted his Honolulu attorney, Hyman Greenstein, seeking his advice on whether to return to Hawaii. Greenstein advised him to return to Maryland, instead, to face the charges against him: "I said he was too young to be running away from this thing for the rest of his life." William decided to return to Baltimore and turn himself in to the police. He hitched rides as far as Wheeling, West Virginia, where, on September 18, he was arrested and returned to Baltimore.¹¹⁵

William went to court on September 24, 1965. Leonard Kerpelman volunteered to represent him and entered a plea of innocent to the charge of assault, disorderly conduct, and contempt of court for not obeying the order to cease having contact with Susan. Attorneys Charles Evans and Joseph Kaplan first joined and then replaced Kerpelman. The assault and disorderly conduct charges were dropped, due to William's age at the time, but the contempt charge remained, and he was returned to jail to serve a six-month sentence. William returned to court on October 13 to face four outstanding traffic charges, at which point his lawyers appealed the contempt citation. The decision was handed down on October 19. Murray forfeited bond on two of the traffic charges and was fined \$100 on a third. The state chose not to prosecute the fourth. In finding Murray guilty of driving on a revoked driver's license, Judge John Clark yielded to pleas presented by attorneys Kaplan and Charles Reese not to return Murray to jail. In addition to claiming, again, that the contempt citation was illegal, they pointed out that Murray, age nineteen, had been separated long enough from his young wife and child. In speaking for himself and his associate judge, Philip Sybert, Clark released Murray and commented: "We are moved by the plea, and we feel badly that he spent thirty-one days in jail on charges that were without substance."¹¹⁶

Upon his release, William Murray said that the trials had been fair, that the decision rendered had "proven that there is definitely justice here for all of us." When asked by reporters about his mother, he re-

sponded that what she did was her own business. He intended to further his education with the idea of ultimately entering the legal profession. In commenting that his immediate concern was "just trying to become a good citizen," he took a swipe at the Students for a Democratic Society and its protest against the war in Vietnam staged the previous Saturday at Johns Hopkins University in Baltimore. "This is a very dangerous thing that is undermining America," he noted, and he would have no part "in anything of that nature."¹¹⁷

William returned to Honolulu, where he told the press that he intended to create a new image for the movement to separate church and state. He explained that he was directly opposed to his mother's "philosophies"—other than the separation of church and state—and that they had not been in contact with each other "for many months." "My mother is a name-caller," he noted. "I'm not." "My mother has continually criticized the American court system, which I believe in." It may move slowly, he allowed, but it does work. "My mother is an anarchist. . . . I believe in government. I'm a liberal Democrat," he continued, probably a Social Democrat, in that he believed in government support of the basic needs of people. In December 1965 Madalyn petitioned the Post Office Department and the Honolulu police to stop William and her brother, Irv, from soliciting funds for the Freethought Society, which, she alleged, remained her organization.¹¹⁸

Madalyn Murray stayed in Mexico. While William was in jail awaiting trial in Baltimore, on September 23, 1965, Madalyn and Richard O'Hair, whom she had met in Mexico, announced to the press their plan to marry. She reported that she had filed papers asking for political asylum, but that she intended to continue the battle for atheism in the United States, even if she might never be able to live there again. On September 24, Mexican authorities took Madalyn into custody. William later explained that Madalyn had applied for permanent residency in Mexico, and in an effort to ingratiate herself to authorities she had given them information concerning an illegal drug operation at a college in Valle de Bravo. The Mexican authorities decided to expel her instead, but they also closed the school, Blake College, after a police investigation found Madalyn's charges to be true.¹¹⁹

Blake College, an experimental college, was founded by Raymond Peat in 1962. Peat claimed he hired Madalyn as a faculty member—sympathizing with her situation—but that the two clashed when she tried to "take over the running of the institution." Jane Kathryn Conrad

found that Madalyn had attended a demonstration in Cuernavaca of those who had fled the House Un-American Activities Committee. She was arrested, and Mexican authorities found a fake name on her passport—which she had used to flee the United States to Mexico.¹²⁰

Madalyn described her expulsion from Mexico in a letter to the *Mexico City Times*. At about 8:00 P.M. on September 24, 1965, two men from the Mexican Department of Migration came to her apartment in Valle de Bravo and told her she had to accompany them to Mexico City in order to have her tourist card inspected. Madalyn, her son Jon Garth, and Richard O'Hair traveled together, but when they arrived in Mexico City, Madalyn and her son were separated from Richard and taken to a facility in the outskirts of the city, where they were put in "prison cells."¹²¹

On September 25, Madalyn was moved to another location where she was fingerprinted, but she refused to answer questions. Officials informed her that she and her son would be flown out of Mexico, and that if she ever returned she would be jailed for ten years and fined 10,000 pesos. She was refused a lawyer and the opportunity to seek help from the U.S. Embassy, as well as the opportunity to return to her apartment to gather her belongings or to go to the bank to withdraw her savings. With twenty-eight pesos on her, officials drove the pair to the airport, from which they were to fly to Houston, Texas.¹²²

According to the press, Madalyn and Jon Garth disappeared before the scheduled flight and flew to San Antonio instead. But Madalyn insisted that she was flown to San Antonio, and not Houston as was customary. They passed through U.S. Immigration and were then picked up by San Antonio police, who informed Madalyn that they had a wire from the state's attorney general of Maryland saying that Madalyn would be on that flight. She concluded: "This is clear collusion of the Mexican authorities and the authorities of Maryland . . . skirting all of the Mexican and United States treaties respecting extradition." She also suspected that "the Roman Catholic Church, which dominates Maryland politics" and Texas governor John Connally were involved in the "shanghai."¹²³

Madalyn and Jon Garth Murray were taken into custody to await extradition, but made bail in a matter of hours. She was represented by attorney Maury Maverick, with assistance from the American Civil Liberties Union's San Antonio and Baltimore chapters. According to an ACLU report, Madalyn Murray maintained that if she were sent back

to Baltimore, she would risk being murdered. "ACLU representatives," however, tried to persuade her to forgo extradition proceedings and return voluntarily. They were unsuccessful, but Maverick "was obliged by legal ethics to represent her at the extradition hearing." Madalyn explained that she and her family had been subjected to "repeated acts of religious persecution." The ACLU's Maryland branch went on record as not believing that her life was in jeopardy in Baltimore, but it made it clear that it would provide counsel for her to be sure that "her every right" would be secured, and that she would not be tried "for her opinions."¹²⁴

Madalyn pleaded with the state of Texas to grant her asylum and mercy, but Texas governor John Connally ordered her extradition on October 11. Madalyn appealed the decision, and on October 20, the same day that William was finally released from the Baltimore jail, Fred Weisgal, the ACLU attorney who had briefly helped her with the *Murray* case, filed a motion in Baltimore asking that all charges against her be dropped.¹²⁵

Weisgal based his motion on a decision recently handed down by the Maryland Court of Appeals in a case brought by a Buddhist, and was similar to the case mentioned earlier by Hyman Greenstein, which declared that jury members and witnesses need not affirm that they believed in God—that they would do their duty "in the presence of Almighty God"—something they had been required to do as part of their swearing in. The grand jury that had indicted Madalyn had taken such an oath, and the court resolved that Madalyn—and others—had therefore been denied equal protection under the law. In sum, she was improperly indicted.¹²⁶

On October 26, 1965—following on a Maryland Court of Appeals decision that voided an estimated 2,500 indictments on the same grounds—a Baltimore criminal court judge threw out the indictments and dismissed the assault charges against Madalyn Murray. Maryland's attorney general decided not to try to reindict her, and the contempt of court charge was dropped as well. Madalyn settled in Austin, which had a more tolerant environment, she thought, instead of returning to Baltimore.¹²⁷

“The Atheist”

MADALYN ATTRACTS A FOLLOWING

THE YEARS 1965 through the early 1980s were good to Madalyn Murray. The previous two decades—the height of the Cold War—had helped to set her apart, to create her image as “the most hated woman in America.” She flourished in the more tolerant environment created by the political, social, and cultural unraveling beginning in the mid-sixties in response to challenges posed by radical civil rights leaders, feminists, antiwar demonstrators, homosexuals, and others.¹ As Leo Ribuffo put it:

Issues of identity and “lifestyle” which for decades had been stigmatized as irrelevant, neurotic, or retrogressive manifestations of a cultural lag . . . again became central to politics in the sixties. . . . Once authority figures and then authority itself were subjected to close scrutiny, primal questions about race, class, sex, patriotism, and faith began again to divide the nation.²

The period is often painted as politically and culturally radical—which it was in large part—but it was also an era of polarization. As a result, most radical groups were met with considerable resistance, and, much as had been the case with Madalyn Murray, they were often branded un-American, even Communist. But their numbers were large, so Murray found herself with plenty of company. She chose to join forces with only some of the movements of the period—feminism and the antiwar movement, for example—and even then cautiously. But, on a broader level, she stood amid a far larger army of anti-establishment figures and groups than she had ever known.³

Madalyn Murray was able to settle down in Austin and to pursue her crusade with fewer personal distractions than before and to become, as she put it, "the Atheist" in America. To tell by her diary and the accounts of those around her, she was a hard-driving and driven woman, who was as demanding of herself as she was of others. Her use of sarcasm and obscenities, her raucous public appearances and numerous, inflammatory court cases became her hallmarks.

On October 18, 1965, Madalyn married Richard Franklin O'Hair, the man she had met in Valle de Bravo. He described himself to the press as a retired artist.⁴ Others described Richard O'Hair, once a U.S. Marine, as a former intelligence and FBI agent. Madalyn claimed that the FBI and CIA employed him to infiltrate Communist and other left-wing organizations. According to the *Austin American-Statesman*, in 1952 O'Hair had testified at a House Un-American Activities Committee investigation of communism in Detroit. He had joined the Communist Party in Detroit in 1943 as an FBI informant and "fingered" dozens of party members for the committee. He then moved to Johnson City, New York, to spy on workers in a plant that made shoes and uniforms for the army. O'Hair's family told the press that he left the government in 1963 while serving undercover in Mexico and was ordered to assassinate a "head of state," whom he never identified.⁵

Richard and Madalyn were married by Justice of the Peace J. H. Smith, who called the ceremony "an interesting experience."⁶ In October 1965, the same month she married Richard O'Hair, Madalyn was also featured in a *Playboy* magazine interview. The interview had been conducted before she left Hawaii, and Madalyn played the magazine and its risqué image for all it was worth. *Playboy* referred to her as "the most hated woman in America," as well as "the embattled atheist who sparked the controversial Supreme Court decision banning school prayer."⁷

After reviewing the incident that led to her flight from Baltimore, and the subsequent developments, Madalyn addressed more intimate matters. She complained that neither her parents nor her first husband and lovers understood her. She thought she actually frightened men, and that it would take "a pretty big man to tame this shrew." She had found no such man, and neither had other women with similar ideas. She claimed not to have found the right man for an "enduring love relationship" because she was constantly growing and changing, enlarging

her viewpoints. No man could keep pace with her. "So men finally bore me. They get in a rut."⁸

"I just want a man," Madalyn explained, "a real, two-balled masculine guy—and there aren't many of them around, believe me." She wanted someone with enough brains to keep her interested, and who earned enough money to support her in the style to which she had become accustomed. She concluded:

I want a man with thigh muscles to give me a good frolic in the sack, the kind who'll tear hell out of a thick steak, and yet who can go to the ballet with me and discuss Hegelian dialectic and know what the hell he's talking about. I want a strong man, but a gentle one. And, most unlikely of all, but most essential, I want a man with a capacity for love—to give it generously and accept it joyously.⁹

When she announced her marriage to the press, Madalyn held up a copy of the *Playboy* article and quipped: "I'm really in love. I guess I've found at last what I was looking for. A man. I mean a real man. After looking at this [the magazine], I realize it is a growing scarcity in the United States."¹⁰

Elsewhere, Madalyn credited Richard with bringing her "the revelation of values in life." She described his "powerful hands," with which she had seen him "fall a man with one judo chop." She recalled seeing him "hammer bullets on target with any gun, assist a small animal in a difficult birth, carefully fold and help mend the wing of a bird, make colors leap onto a canvas, ripple the pages of a book of poems," to which she added: "He is cruelty and love; patience and anger; ignorance and knowledge."¹¹

Whether Richard O'Hair matched Madalyn's ideal is open to question. They did remain married for eleven years, until his death, but by all reports he was not the gentlest of men. He abused both alcohol and Madalyn. Madalyn filed aggravated assault charges against him in February 1970, and that landed him in the Travers County jail.¹² William Murray reported that his mother intended to divorce O'Hair until she learned that he had terminal cancer." Then she hung on to him for his death benefits. This is not clear from existing evidence, but William nevertheless concluded that disappointments in her relationships with men colored Madalyn's attitudes toward religion: "It is my opinion," he wrote in 1987, "that my mother's maniacal campaign to remove all ref-

erence to God in public schools and government . . . stems back to this issue. Madalyn Murray was mad at men, and she was mad at God, who was male."¹³ For the record, at least, Richard and Madalyn espoused similar attitudes toward religion and joined forces in promoting their atheist programs. He served as president of the Society of Separationists from 1965 to 1975.¹⁴

Once settled in Austin, Madalyn moved to reestablish her operation. She created a trustee organization that she named the Society of Separationists. On March 1, 1968, she succeeded in recapturing the original Maryland operation, only to find that all of its real estate, equipment, furnishings, and bank accounts had disappeared. So on May 20, 1969, Madalyn merged the two organizations into the Society of Separationists, Inc. (SOS). In 1974 SOS received educational, tax-exempt, nonprofit organization status from the IRS—the first outright atheist organization to attain that status.¹⁵

In 1968 Madalyn described the Society of Separationists as "a nonprofit, non-political, educational organization." She already claimed international status, as the society had "associates" in all fifty states and "friends" in Mexico, Spain, England, France, Germany, Japan, Korea, Sweden, Ireland, and Vietnam. It had state directors in California, Ohio, New York, New Jersey, Illinois, Pennsylvania, Maryland, Oklahoma, Texas, Utah, Nevada, South Carolina, Alabama, Kentucky, Iowa, and Michigan. "We don't have membership," she explained. "We rather have persons who are associates of ours." It was not possible to keep a "regular count" of those associates, because the society was "growing every day," but she ventured an estimate of 28,000.¹⁶

O'Hair described the society's membership as living mostly in small communities across the nation. The oldest member at the time was ninety-three, with many in their seventies and eighties. The average member was forty-five and had two children. It also had two groups of teenagers, both in New York, ages fourteen to sixteen. For reasons she could not explain, the largest percentage of members by occupation consisted of medical doctors. Veterinarians came next, with "a good number" of psychiatrists.¹⁷

"We don't particularly like Atheists who convert from the really wild religions," Madalyn O'Hair offered, "because they become wild Atheists, and we are not like that. Once a person is bitten by the Atheism bug, that person stays an Atheist for the rest of his or her life. It is very rare that an Atheist ever lapses back into religion." In 1968, according to

her report, about 10 percent of the Society of Separationists' "associates" came from atheist homes. About 40 percent were Republicans and 10 percent "Birchites," while the number of Democrats matched that of the Republicans, and those further to the left took up the remainder. "Atheism has nothing to do with any political conviction," she hastened to add: "Anyone anywhere is just as liable to be an Atheist as not." That she sought to include the political affiliation of the separationists might be explained by the presumption that Republicans could hardly be expected to be in the ranks of an organization dominated by atheists and Communists.¹⁸

O'Hair explained the philosophy that undergirded the goals of the Society of Separationists. She began by defining free thought, upon which the society was based. She described free thought as a "mental attitude which unreservedly accepts the supremacy of reason and aims at establishing a system of philosophy and ethics verifiable by experience, independent of all arbitrary assumptions of authority or creed." Free thought, she continued, "is based on Atheist materialist philosophy, which asserts that the cosmos is devoid of imminent conscious purpose, that it is governed by its own inherent, immutable and impersonal laws." In establishing that there "is no supernatural interference in human life," man must find the resources within himself to create his own destiny. It also concludes, therefrom, that "man's potential for good and higher development is, for all practical purposes, unlimited."¹⁹

The goals of the Society of Separationists followed from this philosophy. SOS intended

to promote freedom of thought and inquiry concerning religious belief, creeds, dogmas, tenets, [and] rituals; to collect and disseminate information, data and literature on all religions and promote a thorough understanding of them, their origins and history; to advocate, labor for and promote, in all lawful ways, the complete separation of church and state and the establishment and maintenance of a thoroughly secular system of education available to all; to encourage the development and the public acceptance of a human ethical system stressing the mutual sympathy, mutual understanding, and mutual independence of all people, and the corresponding responsibility of each, individually, in relation to society; to develop and propagate a social philosophy in which man is the central figure who alone must be the

source of strength and progress through ideals for the well being and happiness of humanity; to promote the study of the arts and sciences and the study of all problems affecting the maintenance and perpetuation and enrichment of human life; [and] to engage in such social, educational, legal and cultural activities as will be useful and beneficial to . . . society.

O'Hair promised "many major lawsuits" as soon as they gathered a strong base from which to do so, adding: "Atheists have the biggest underground movement in America. They are everywhere."²⁰

Over the course of the next fifteen years, O'Hair built the American Atheist Center in Austin and established the American Atheist Press and Charles E. Stevens American Atheist Library and Archives. The purpose of the Center, O'Hair offered, was to help other atheists who were being persecuted for their beliefs by providing them with support and the information they needed to defend themselves.²¹ The library took its name from one of O'Hair's earliest supporters. In the midst of her legal difficulties of the mid-1960s that had caused her to flee to Hawaii, Stevens, of Hawthorne, California, sent her \$8,000, which O'Hair learned was his entire life savings. Stevens, a retired stonemason and atheist, eighty-seven years old in 1966, was living off a veteran's pension he had earned for service in the Spanish-American War. O'Hair later resolved to return the amount to Stevens, she explained, only to find that he had died. In December 1969 O'Hair established the Charles E. Stevens American Atheist Library and Archives to honor his memory. By 1987 the library grew to 40,000 volumes, 25,000 individual pieces of archival material, and 20,000 periodicals.²²

O'Hair published *American Atheist* magazine, which actually predated the Society of Separationists and started out as *The Free Humanist*, whose first issue appeared in July 1963. Insisting that she was an atheist, not merely a humanist, Madalyn changed the magazine's name to *American Atheist*. In early 1964, she claimed a paid circulation of 2,500 plus another 500 sold through agents, news dealers, and other sources. Publication fell into disarray when Madalyn fled to Hawaii, but it was stabilized after she settled in Austin. In 1988 she said that it was available in over 1,000 public libraries.²³ American Atheists also distributed a radio series to as many as 150 stations at one point. In 1977, in order to conserve time and money, however, AA stopped broadcasting the radio series and focused its efforts on a cable television program, *American*

Atheist Forum. The first *Forum* shows were taped in July 1980 at the American Atheist Center. In the early 1990s, Madalyn, Jon, and Robin claimed the show aired on over one hundred cable access stations.²⁴

By January 1976 Madalyn thought that she and the other atheists whom she had attracted to the cause had acquired enough strength to function openly, "doing business as" American Atheists.²⁵

ON THE WARPATH AGAINST GOD

In 1968 the *Austin Statesman* ran a lengthy article on Madalyn Murray O'Hair entitled "On Warpath against God/Mrs. O'Hair Operates Here." Operate she did—she even prospered.²⁶ By 1969 O'Hair was able to move the American Atheist Center out of her spare bedroom to a separate building on Sinclair Street in Austin. In 1972, separate, small buildings were purchased for the library and American Atheist Press on Medical Parkway. Three years later the center was relocated to another building on Medical Parkway, only to move to larger, more modern office buildings on Hancock Drive and Cameron Road in 1976 and 1988.²⁷

By the late 1960s and early 1970s, Madalyn Murray O'Hair became the leading proponent and spokesman for atheism in the United States. Some observed that she achieved "a kind of sainthood status with the undergraduate [college] intelligentsia." It was a time to be angry, outrageous, and outside the mainstream. Many, however, continued to proclaim her a heretic and to attack her with ferocity. There was one thing on which both sides could agree: neutrality was never present around O'Hair; she polarized everyone who came into contact with her.

Madalyn seized every opportunity to promote her cause before as large an audience as possible. She appeared on dozens of radio and television shows hosted by the likes of Steve Allen, Mike Douglas, Joe Pyne, Pia Lindstrom, Johnny Carson, Phil Donahue, Merv Griffin, Tom Snyder, and David Hartman. And she lectured on campuses such as Dartmouth, Harvard, UCLA, Howard, Rice, Tulane, the Universities of Pennsylvania, Illinois, Maryland, and Michigan, and even the Roman Catholic St. Edwards, St. John's, and Loyola universities.²⁸

On April 5, 1966, the *Washington Post* reported on Madalyn's appearance at Howard University. Under the title "Mrs. O'Hair Fights Now over Taxes," the article opened: "Madalyn Murray O'Hair is on the bandwagon again, this time fighting for a Supreme Court decision

that would separate church and state—especially in the realm of tax-free operation." As had already become common practice, the newspaper identified O'Hair as having brought a suit that "wound up as a Supreme Court decision against prayer and Bible-reading in public schools." It reported that in her Howard talk to an estimated 250 listeners, she insisted that the churches be forced to pay the millions of dollars in taxes they rightfully owed on their extensive tax-free properties, which she listed at length.²⁹

O'Hair soon escalated her rhetoric, incurring both cheers and boos from her university audiences, but also drawing large crowds. In her lecture at Tulane University in 1969—to a "standing-room-only audience," according to press coverage—O'Hair "attacked traditional values from married life to the respectability of Jesus Christ." Most cheered her remarks, it was noted, but not all. At one point, a man seated in the front row called her "a fool" and attempted to quote from the Bible before he was shouted down by the audience. "Mrs. O'Hair answered several comments with obscenities and threatened to leave the stage if her rivals were allowed to speak," the press reported. In response to this and to continuing interruptions, an officer from the Tulane security police removed two middle-aged persons from the audience. O'Hair quipped that she considered nonbelievers "the only mentally healthy people in the world," and she branded believers "fools and idiots."³⁰

O'Hair opposed United States military involvement in Vietnam. In 1967 she decided to explain her opposition, which was based on what she considered to be its "religious connection." Originally written to be included in O'Hair's *Freedom under Siege* (1974), she later claimed the publisher refused to include it in that book. O'Hair published it under separate cover in 1982. O'Hair described the war as "just as baleful, just as bloody, and just as full of horrifying inequities" as any war in history. "The religious crime in Vietnam," as she described it, "has caused a tiny peaceful Asian nation to be almost totally decimated and the character of the American nation to be debauched."³¹

O'Hair saw it as a "semi-religious war." She explained that Vietnam was Buddhist, and that Vietnamese Buddhists had harbored a special hatred for Christianity for centuries. It began with the arrival of Christian missionaries with the Portuguese in the sixteenth century and continued through periods of their intense persecution in the seventeenth and eighteenth centuries. There was even an imperial edict outlawing such efforts to spread the faith. The maltreatment of

Christian missionaries provided the French with a pretext for intervening in Vietnamese affairs, resulting in the French conquest of all of Indochina and political control established by treaty in 1883.³²

Under French control, Roman Catholicism made even deeper inroads, especially among the ruling elite. Although displaced by the Japanese during World War II, Western victors reimposed French rule after the war, which lasted until their defeat in 1954. In the meantime, the United States played an increasingly greater role, especially economically, in the war until 1956, at which point it became the dominant power over the divided country. By then, O'Hair pointed out, "America was in the grip of the hysterical anticommunist period of 'McCarthyism.'" "The bug-a-boo" of "godless communism" reigned, and no one suspected of being a Communist, or a Communist sympathizer, like Ho Chi Minh, would be allowed to rule. Instead, the United States turned to "an aloof doctrinaire Roman Catholic mandarin," Ngo Dinh Diem.³³

Diem was bitterly anti-Communist. Moreover, O'Hair wrote, during his years in self-imposed exile, from 1949 to 1954, he lived and studied in Roman Catholic Mary Knoll seminaries in the United States and France. When the French appointed him prime minister of the Republic of Vietnam in 1954, Diem returned to his native country with the support of U.S. secretary of state John Foster Dulles, CIA director Allen Dulles, and Francis Cardinal Spellman. Spellman organized American Roman Catholic relief funds for the war-torn country and persuaded President Eisenhower to increase aid and other forms of support—and to keep Diem in power after the French left Indochina.³⁴

O'Hair described Diem as a corrupt ruler who used land reform to hurt the peasants, blocked democratic elections, and installed unpopular and unscrupulous Roman Catholic family and friends in positions of power. She also charged him with favoring Roman Catholic churches and schools with special tax funding, while denying the same to Buddhists. Spellman, in the meantime, made regular trips to Vietnam, where he encouraged American troops to fight on as "soldiers for Christ." He characterized the opposition as "godless goons of communism." Columnist Drew Pearson reported that "in some diplomatic and political circles, the war in Vietnam is called 'Spellman's War.'"³⁵

Opposition to Diem arose in the form of demonstrations and riots, to which Diem responded with force. Buddhists began to go on hunger strikes, and then to burn themselves to death in town squares. The

United States recoiled in horror and the State Department began officially to condemn Diem and to distance itself from his regime until he was toppled in a coup d'état in 1963. For the next two years, chaos reigned as governments came and went, but Roman Catholics remained in power, further alienating the largely Buddhist population.³⁶ With only a brief reference that the Tet offensive had been due to Buddhist collaboration, O'Hair said little about the war itself.

O'Hair summarized the U.S. debacle in Vietnam in political-religious terms. She explained that during presidential elections, the Roman Catholic vote had to be placated, "and that religious groups in America supported the war in Vietnam with tenacity." When Roman Catholics are in power, and their power is unrestricted by constitutional or other checks, she noted, "they tend to conduct a policy more and more consonant with the spirit of the religion." That is, they combine the interests of their country with those of their church. When that happens, they use their political or military power against their opposition. Such was the case with Diem, and as long as America feared the "godless communism" of Diem's opposition, they supported him.³⁷

"America appears to be under a psychological compulsion to continue our military pressure in Vietnam," she wrote, "by seeing godless communism as a monolithic enemy to our way of life." It had begun in the early 1950s, when John Foster Dulles and Joseph McCarthy set into action "a moralizing Christian capitalism." It had been actively supported by Cardinal Spellman, culminating in "two tragic expressions: the Vietnam War, which was 'Cardinal Spellman's War,' and the slogan 'Kill a commie for Christ,' which characterized the peak of our military threat in Vietnam."³⁸

On April 3, 1972—apparently as she was completing *War in Vietnam: The Religious Connection*—O'Hair read a *New York Times* article dated January 5, 1972, that underscored other denominations' complicity in the war. In "Report Says 10 Churches Abet 'Immoral Acts' of Arms Industry," Douglas Robinson reported that the Corporate Information Center of the National Council of Churches had accused ten Protestant denominations of complicity through their stockholding with the "irresponsible, immoral and socially injurious acts" of twenty-nine corporations holding military contracts.³⁹

Among the churches with military stockholdings, according to the report on religious investment practices, were those that had been in the forefront of the criticism of the Vietnam War and of the growing

militarism in the United States. The ten denominations and the Council itself had almost \$203 million invested in companies that in 1971 provided more than \$10 billion worth of war materiel, ranging from guns to missiles. The dollar figure, however, the report insisted, was less important than the investments themselves, which gave a "moral aura of legitimacy" to the war. Frank White, director of the Corporate Information Center, charged the churches with being hypocritical, a point O'Hair also emphasized repeatedly.⁴⁰

In 1968 O'Hair explained why she claimed to have become "a national heroine" among college students. "The young people coming up now," she observed, "have absolutely repudiated the god idea. This repudiation has been a personal experience with them, based on their own personal life experience and what they have experienced *vis-à-vis* religion."⁴¹ And it was as the result of one university visit—to the University of Florida at Gainesville in February 1969—that she reached an optimistic high point in her crusade.

During her February 24, 1969, radio show, O'Hair proclaimed: "Atheism is here to stay in America. We can't be burned at the stake any more." She had just returned from speaking at the University of Florida in a series called "Accent: Dimensions of Protest." The opposition had staged a protest, but the event had proceeded and she was pleased with the results: "The religious community knows now that they cannot do anything but meet us face to face and have it out intellectually. The fight was easier for them when they could kill us, burn us at the stake, or put us in jail. But with the light of public opinion on them now, they cannot."⁴²

O'Hair reported that for the first time in American history, government leaders had appeared on the same program with the head of an atheist movement. Sharing the stage with her were Ray Osborne, the lieutenant-governor of Florida; Lou Harris, the pollster; John Finlator, associate director of the Bureau of Narcotics; Frederick Flott, special assistant to Henry Cabot Lodge in Vietnam; Julian Bond, civil rights leader and member of Congress from Georgia; social analyst and critic Michael Harrington; attorneys William M. Kunstler and Melvin Belli; South Carolina senator Strom Thurmond; Oregon senator Wayne Morse; and U.S. Supreme Court justice William O. Douglas.⁴³

The university undertook the symposium, O'Hair said, "because it believed that a university's reason for being is to offer a forum for all points of view, to be a market place of ideas and principles." With that

event, she believed, the tide had turned—her opinions, and the opinions of other dissidents in America, could be voiced without fear of at least governmental opposition and, even, with official protection for the right to speak. Given the state of the nation in 1969, in the midst of antiwar and civil rights protests and riots and an active counterculture movement, she may have been right and justified in taking heart. The anti-Communist crusade that had plagued her movement for years was in disarray.⁴⁴

That is not to suggest that O'Hair's visits to university campuses were always cordial. On December 9, 1972, she reported on her confrontation with "Jesus freaks" while at the University of Akron, Ohio. At the end of her presentation they blocked her exit and shouted: "Jesus loves you, Mrs. O'Hair." O'Hair was neither amused nor appreciative. She tried to talk with them, but found it impossible. She described them to her radio audience as being on drugs, speaking only in slogans, and otherwise speaking in a "disjointed and confused" manner. "I thought that they were empty Coca-Cola bottles in our throwaway culture. One long draught of the Jesus-cool and all that was left was these empty bodies with the slogan, 'it's the real thing.'"⁴⁵

On her January 18 and 25, 1971, radio programs, O'Hair read from the large volume of correspondence her public appearances had generated—equally balanced between positive and negative assessments. Several of the letters were written after O'Hair's appearance on Boston radio station WEEI. A listener from nearby Scituate, Massachusetts wrote: "I admire you and your work. I would appreciate progress reports or other information regarding what you are doing." She was convinced that Christianity, particularly Roman Catholicism, was "the greatest enemy mankind" ever had, and she insisted on living by her own ethical code.⁴⁶

Another Boston area listener wrote: "Bravo to the courage of your convictions." The Lynn, Massachusetts resident explained that he felt the same way about the separation of church and state, and that he was a fellow atheist. He wondered if his seven-year-old daughter would "follow after" him or her Baptist mother. But, he added, "I will not brow-beat her to go either way."⁴⁷ A Fairhaven, Massachusetts woman thanked O'Hair for "standing up so honestly for those facts that reverse encroachments on our human freedoms."⁴⁸

A man from Hyde Park, Massachusetts responded to O'Hair's Boston appearance by writing that he had admired her and her beliefs

for years. He had become an atheist at the age of fourteen, after an uncle gave him one of Robert Ingersoll's books—one of O'Hair's favorite atheist writers. He noted how difficult it was for him to meet people who shared his ideas, despite his attending some humanist meetings.⁴⁹

A physicist from Concord, Massachusetts wrote to tell O'Hair that he and his wife "enjoyed enormously" O'Hair's remarks on WEEL. He continued, making reference to a court case O'Hair initiated, discussed below:

We have supported you all along and particularly since you and both of us (and others) protested the sacrileges of the Apollo-8 mission. Two years ago, I called NASA, Houston from Boston and complained about the mixing of church and state. I followed my long-distance call with a letter/telegram to NASA-Houston's public relations director, Mr. Howard Gibbons. My protest was swamped by the press coverage of your own comments, but that is alright so long as the issues are brought out vociferously and honestly.⁵⁰

A South Weymouth, Massachusetts listener found that he was not in total agreement with O'Hair's assertion that Jesus never lived on earth. Otherwise he praised her for the "splendid job she had done on the program" and urged her to "keep up the good fight." Tom Paine and Robert Ingersoll were his "patron saints," he reported, and he proudly owned the complete works of both.⁵¹ And finally one listener to the Boston show, from Newton, Massachusetts, thanked her not only for being knowledgeable, but also for being an "eloquent spokesman for our beliefs, which seem to be exactly like yours. We were born Jewish and are Ethical Culturalists."⁵²

O'Hair received her fair share of critical letters, as well. On January 25 she read from a sample of letters she had received just that week. Most came from the South, a few from elsewhere. Several mentioned hearing her on the radio, one on the Phil Donahue program, and certain common themes united them. She reprinted them in *All About Atheists* with their original spelling and grammar. She led off with a poem written in various colors—purple, red, black, blue, and orange—on cardboard:

*Dear Madalyn Cardinal O'Hari:
Your hair is long*

*Your tongue is loose.
You're full of "shit"
like a Christmas Goose.*

It was postmarked, Boston, but not signed.⁵³

O'Hair read from six letters she had received from Pine Bluff, Arkansas. All had listened to her on radio station KOTN and were not pleased with what they heard. One pleaded with her not to "try to make people believe that there isn't a God when there is one. Let people believe what they want." The author made it clear that she believed in God, that those who praised God would go to heaven, and that those who did not believe in God—like Madalyn—would go to hell, so she should reconsider. She said that schools and churches were trying to help her "understand about God," and she reasoned that if Madalyn did not believe in God, she could not believe in people—even in her son and husband. She made reference to the old saying, to the effect that "if God is dead who's this living in my soul." She concluded: "Everyone is praying for you. No matter how hard you work you can't stop prayer or church service. When you get all of these letters [from Pine Bluff] I hope you'll understand. One more thing, you should be ashamed of yourself."⁵⁴

A second Pine Bluff letter allowed that O'Hair had freedom of speech, but that the right did not allow her to force her beliefs on others. The author of the letter insisted that he believed in God, as was true of most people, and he insisted that O'Hair "stay off the air and talk to a more willing people." All she was succeeding in doing, he observed, was to make the listeners believe in God more than ever.⁵⁵ A third person wrote that she, too, had heard O'Hair's "speech" on the radio: "I was very surprised. I know most people have their own beliefs, but to broadcast them over the radio is a disgrace. . . . I don't mean to be harsh or anything like that, but letting everyone know about your feelings to the religious belief is a disgrace. It really has made a disgrace of our city. It makes us feel low."⁵⁶

Another Pine Bluff resident admitted not understanding why O'Hair was "taking prayers out of school." She asked if O'Hair was just seeking publicity. She urged O'Hair to put herself back when she was in school and to imagine how she would feel if prayer had not been allowed. She added: "The people of Pine Bluff want to go to heaven and believe in God. And to get to heaven you are supposed to pray. Please

do not take away part of our way of getting to heaven by taking away the privilege of saying our prayers."⁵⁷

And in a final letter from Pine Bluff, Arkansas, the writer begged O'Hair not to tell the children that there is no God. "Who created the world," she asked, among other things, if not God? Surely O'Hair had made that up, and instead of being angry with herself, she was spreading that belief. Again she pleaded with O'Hair not to teach the "poor children" that there was no God, and concluded: "All the children are ashamed that you're an American, you silly person. Keep your mouth shut woman. Give praise to God for He is good. . . . Tell all your sins to God."⁵⁸

In May 1971 O'Hair appeared on Public Television's *Face to Face*, debating a Methodist minister, Edward Baumann. Again the response was mixed, but considerable. One couple from Natick, Massachusetts, for example, wrote to O'Hair noting how impressed they were with what she had to say and the manner in which she said it. "You're a very courageous person. *Vive!*"⁵⁹ An Erie, Pennsylvania woman wrote that she appreciated O'Hair's "throwing a multitude of dishonesty back into the faces of our capitalistic society." But, she continued, "because it has been male dominated I am at present going to concentrate on reaching women *vis-à-vis* religion and trying to wake up my female Unitarian counterparts to the fact that they will have to take a more active part in religion in order to get rid of the façade we call Christianity. . . . I feel you to be a Sister, so right on!!! with your work."⁶⁰

In contrast, a woman from Lawrenceville, Illinois reported that she had seen the confrontation between O'Hair and Baumann. "You were superb," she wrote, "as a bold-faced buffoon you were superb. You would not have fared so well if I had faced you—for I would have fought you with the weapons of your choice, namely intolerance, vindictiveness, teary sarcasm, blasphemy, narrow-mindedness, and a savagery unequalled within the animal kingdom against their own kind." She found no evidence to support O'Hair's claim that atheism was taking over the world, but she then turned personal and ugly:

Woman, you had better take a good, hard look at yourself in a mirror. You are empty, hard, ugly, vicious, uneducated, inhuman, and unloved. You are so lost and loathsome that I am sorry for your empty soul. I will put you on my prayer list—the critical one. . . . Quit whining about not being given TV, radio, etc. time. If your "Hate-ism" is as good as you say

it is, it will get its own time. . . . Christians don't owe you time for anything. Quit griping.⁶¹

O'Hair was never more popular, infamous, or at least better known and in demand. On that same February 24, 1969, radio program she commented, while announcing her success to the world, "I look now at my calendar and cannot believe it." She listed some twenty appearances for which she had been scheduled on university campuses, television, and radio. Her appearance on a San Francisco talk radio show, alone, drew some 30,000 calls.⁶²

In May 1972 the Vatican Secretariat for Non-Belief commissioned the Jesuits in the United States to bring nonbelievers and Roman Catholics into dialogue. The dialogue was held in New York City, and Madalyn attended, representing American Atheists. Her summary opinion of the press coverage of the event was that "nontheists were depicted as nonhuman," Roman Catholics as "warm, love-filled humans who were also intellectuals." Roman Catholics "were all in harmony." Humanists and nonbelievers were "at one another's throats." O'Hair, of course, disagreed with these reports.⁶³

O'Hair explained that one of the main areas of concern for those in the dialogue was critiques of one another's positions. The humanist critique of Roman Catholicism was given by Paul Blanshard, whom she quoted at length, indicating her approval of each point. Blanshard began by explaining that he had begun as a "very devout Protestant," become a "genial Unitarian," and finally concluded that "Christianity is so full of fraud, that any honest man should repudiate the whole shebang and espouse atheism."⁶⁴

Blanshard offered that humanists should fight "institutional Catholicism with every weapon at our command because it stands for a false and archaic set of values." In particular, he listed the church's repudiation of free speech among its members, its promotion of "a system of magic and miracles which is at best childish and at worst corrupt," its "papal primacy in a self-perpetuating dictatorship," and its "sexual and marriage code," which he described as "an absurd matrix of inhibitions and misinformation which was born out of monasticism and is now imbedded in celibacy."⁶⁵ O'Hair had made, and would continue to make, the same points.

O'Hair also read from the Roman Catholic critique of humanism, which was presented by Robert J. Roth of Fordham University. Roth

said that humanism was "opposed to all forms of theism, supernaturalism, divine revelation, established church and immortality." It did so in the name of reason, which he cited as the distinguishing element of humanism. O'Hair agreed. Roth, however, found such a stance "all too simple and not a little naïve," especially when it was underscored by the assertion that the goal of man should be "human happiness . . . achieved in the present life"—happiness derived from doing what is beneficial to others or from joining in cooperative efforts to promote social well-being. This was simply insufficient, Roth insisted. If people are tempted to abandon theism because it demands too great a faith commitment, they should be aware that humanism demands an even greater measure of faith: "For it demands that humanity now and for the future place all its hopes, desires, and aspirations in a purely human goal." O'Hair agreed that humanism, or atheism, was more demanding, in that it made man exclusively responsible for his fate. Failure to take such responsibility, she insisted, was a failure of nerve, and theism was a "flight of folly."⁶⁶

Madalyn was never satisfied with her own performance, or that of others. She always insisted they could do more. Further, she never believed her battle with religion was progressing as well or as quickly as she would have liked. She was never satisfied with the amount of financial support she received from her membership or the loyalty of her workers, Board of Directors, or chapter officers. During the early 1970s, however, even by her own admission, things were going her way. With the turn of each calendar year she recorded in her diary her thoughts on the past year and on the future. Her entry for January 1973 is typical for this period.

Madalyn reported that she had won a tax exemption for her library. She had purchased a new building—4203 Medical Parkway—with the help of a grant from the Norman Thomas Foundation. The "Kaplan estate matter" was settled, providing her with enough money to pay off the mortgage on her building on Shoal Creek. An unnamed publisher had offered her a \$5,000 advance on a book he wished her to write. Madalyn noted that her American Atheist Radio Series was being heard on sixteen radio stations, and that she had received "equal time" on the Johnny Carson show to call Billy Graham a liar for his remarks that were critical of her. She had won a seat on the Board of Directors of the American Humanist Association, "hands down—without campaigning," and she had been listed in *Who's Who*.⁶⁷

Looking toward the future, Madalyn was as energetic, self-confident, and inflexible as ever. She wrote: "I am going to do what needs to be done. Gung-ho and dead ahead and whoever does not like it can clear out, get off the tracks. The hell with being amenable and trying to get others involved. They can merely take orders." She continued: "The bullshit stops today. I can take on any ten men, hands down, and win the battle, and I am going to do it. I want money and power and I am going to get it. . . . By age 55 [she was nearly 54] I want a \$60,000 home, appropriately furnished, a Cadillac car, for everyone, a mink coat and svelte clothes, a cook, a housekeeper—and this as a reward for the leadership I have shown and exerted."⁶⁸

Madalyn pledged to run for governor of Texas in 1974 and United States president in 1976. She hoped to double her membership to 3,500, to begin a Bible chair at the University of Texas, and to defy the American and Texas Bar Association and practice law.⁶⁹

O'HAIR AND THE COURTS

On April 11, 1966, the *Washington Post* ran a lengthy article on Madalyn O'Hair under the title, "Tax the Churches, Mrs. O'Hair Urges." It included her picture with the subtitle and picture caption, "Woman Who Fought School Prayers . . . On New Crusade." Peter Winterble, a staff writer, began by noting that O'Hair appeared "wearing her familiar flower-print sack dress," looking "just like she did in 1963 when litigation she initiated wound up as a Supreme Court decision banning compulsory prayer and bible reading in public schools." O'Hair, having established her identity and personality, had appeared in public to explain her church tax-exemption case.⁷⁰

O'Hair argued that the public should not be forced "to support, in effect, a particular church just because the public wants to buy a particular product—like a train ride or office space." It was a violation of the First Amendment of the Constitution. She accused the churches of keeping quiet on major issues because they were afraid of losing their tax-free position." She noted: "Show me a church that has come out against the war in Vietnam, or that has begun a really significant project for social good—the kind we need right now."⁷¹

O'Hair explained that she was not against the good work that churches "could do if they tried," but that she was fighting to secure the

"basic human freedoms that should be guaranteed to any human being—freedom from religion as well as freedom of religion." She noted that she favored the compulsory study of religion in the schools—"the history, literature and the psychopathology of religion"—which, she predicted, would result in students rejecting religion "out-of-hand by age 12." Whether her views would gain mass acceptance during her lifetime was questionable, she allowed, but she was nevertheless dedicated to them and would fight to the end.⁷²

The article was prompted by O'Hair's appeal of her church tax case, which she had initiated while still living in Baltimore, to the U.S. Supreme Court. The Court declined to hear the case, thereby upholding a lower court decision unfavorable to O'Hair.⁷³ In 1970 she filed an amicus curiae in *Walz v. Tax Commission*, wherein the plaintiffs sought to eliminate the tax exemption on real estate owned by churches in New York City. The case was lost at the Supreme Court level as well.⁷⁴ Not to be completely undone, however, O'Hair took another approach to the matter. In 1970 Madalyn and Richard O'Hair formed Poor Richard's Universal Life Church.

Both Madalyn and Richard had obtained divinity degrees from "a California religious organization." Richard was the president, pastor, and prophet of the church; Madalyn was bishop and she wore a clerical collar to show it. The Associated Press quoted Madalyn as saying at the press conference at which she and Richard made the announcement that they had organized the church for tax purposes: "From here on," she noted, "we're going to take every exemption. We are not going to pay any taxes on telephones. We're not going to pay any tax on our airplane tickets. We're going to operate just as all churches do. . . . Now the churches have told us a million times over and so has the federal government that atheism is a religion so we're going to accept this."⁷⁵

In a 1975 newspaper interview, O'Hair commented: "Every time the pope issues an encyclical, we issue one. Since it's all an absurd joke, the Catholic Church gives us plenty of opportunity for comment."⁷⁶ In 1978, upon her husband's death, she said: "Poor Richard's was our laugh machine. It existed on paper and in the hearts of atheists. We had encyclicals, saints . . . all the silly things religions do. We'll keep Poor Richards's."⁷⁷ But she also spoke seriously of the new church, which she described as a new religion. She explained that she had come to the conclusion that "traditional religion, in America, was dead," and that the

country needed a new faith—that of the Universal Life Church. Her church—as opposed to the Protestant and Roman Catholic churches and Jewish synagogues—was based on faith in man, “the most obvious faith of them all. . . . The ultimate faith, the faith toward which the others had merely been striving.” O’Hair claimed that this “Fourth Faith” was the faith that liberates man, restores to him his dignity and his intellectual integrity, is “life-asserting,” and “considers the struggle for progress and social justice as a moral obligation.”⁷⁸

Madalyn defined faith in man as faith in man’s intelligence, in his desires, and in his ability “to order our lives in rational, beautiful, emotional, rich, and orderly ways.” Further, according to that faith—with its pronounced atheism—there is “no passing of the buck to god. There is no hope for life after death. There is no forgiveness for your harming mankind. . . . You are responsible for your transgressions . . . [and] to make of your life something of beauty.”⁷⁹

“We are mystic,” O’Hair continued, “in that we love the mystery and the excitement and the beauty of life. We are ecstatic in that we perceive that life is for living. We are free in that we can function without beads, wafers, thimbles of wine, recitatives, responsive readings, hymns, and charity. We are individuals, and so we challenge authority, rigidity, doctrinarianism, creeds, rituals, structuring.” Insisting that “no god ever wrote any book,” she announced that members of the Universal Life Church would write their own books of ethical perceptions and criteria of human conduct.⁸⁰

O’Hair explained that her church was casual and nonstructured, but not formless, mobile but not rigid. Paraphrasing the Declaration of Independence, she declared:

We declare these truths to be self-evident: that men are equal, that men are endowed with inalienable rights which flow from their essence of being, that these rights are truly those of life, of individual liberty, and of the pursuit of happiness . . . rights so long now disdained in our country, rights timidly and fearfully approached.⁸¹

O’Hair noted that “many theologians” in the United States had concluded that “god is dead” or that “faith is in a crisis.” O’Hair disagreed—faith is not in a crisis but rather misdirected, “misplaced outside of ourselves”:

We have sought after an elusive form which never has been, nor could be, nor will ever be. We have abused our best attributes—reason, common sense. We have not lived our lives as we have prepared for death and the reward of an eternal tedium in a miasma of an on-stretching unknown.

We have vested countless precious hours of human activity in fruitless supplications of something that never was. We have poured our boundless energies into the building of barren shells where we have gathered too many Sundays to be abused and criticized, humiliated and flagellated, for mythical sins of mythical ancestors who had deposited in their religions only anguish, anxiety, sin, grief, and guilt for us to bear.⁸²

Madalyn credited her husband, Richard, with having seen "the necessity of a new religion." After five years of patiently observing her struggle as an atheist, "It was from Richard—Poor Richard, who had suffered the most during those five years—that the idea came." He pointed out that she was engaged in a useless fight with "the great writhing corpse" of religion, "which was being given further life by her grappling with it." It was time to ignore it and start again. He prophesized "that in this decade man would come of age," so she called him "the Prophet," and, she added, "I came to believe that he is that—simply because what he says is true." She ended the show by inviting her listeners to join the Universal Life Church and to send contributions, or gifts, which would be tax deductible.⁸³

O'Hair tried to stop the "religious exploitation of outer space." In August 1969 she brought suit—*O'Hair v. Paine*—in Federal District Court against the National Aeronautics and Space Administration (NASA) to prevent it from making any public display of religion in space. More specifically she sought an injunction against NASA and its administrators to prohibit them "from further directing or permitting religious activities or ceremonies and especially reading of the sectarian Christian religion's Bible, and from prayer recitation in space and in relation to all future space-flight activity." The previous Christmas Eve, December 1968, while orbiting the moon on Apollo 8, Colonel Frank Borman had said a prayer for peace that was broadcast around the world. Borman, Major William Andrews, and Captain James Lovell read the first ten verses from the first chapter of Genesis. Madalyn alleged that rather than being spontaneous, NASA had ordered the reli-

gious event. She also objected to the placing of a small disk of prayers by Pope Paul VI on the moon by Apollo 11's Neil Armstrong and Edwin Aldrin Jr. in July 1969. O'Hair described such actions as attempts to "establish the Christian religion on the U.S. government before the world." She added: "The world watching this human spectacle was a captive audience for the proselytizing of the religious convictions of the sectarian minor world religion of Christianity."⁸⁴

On her September 1, 1969, radio show, O'Hair referred to two Supreme Court cases with respect to the separation of church and state for which she was preparing legal briefs. She reported some of the information she had amassed in the process. She explained that she was acting on behalf of 74 million Americans who were not church members and over 100 million who did not attend any church—out of a population of approximately 200 million. Moreover, she pointed out, the figures for those who attend church may actually be high, as she relied on numbers provided by the churches. The United States Department of Commerce, Bureau of the Census, did not gather such information.⁸⁵

History, Madalyn noted elsewhere, made just as strong a case against Americans being a churchgoing people. The largest percentage of Americans that ever went to church, she pointed out, did so during the McCarthy era of the 1950s; and that was only about 47 percent. It had been in steady decline since. And if it be argued that increased secularization brought that about, she noted that in 1780 only 4 percent of the population went to church. In 1890 it reached 22 percent. Moreover, "persons having no religion tend to remain in the church structure as participating members for social and business reasons." In sum, O'Hair concluded, "we are working on behalf of one-half of the United States which does not attend church and cannot be identified as belonging to any denomination."⁸⁶

On December 8, 1969, O'Hair spoke directly to her space case. She began by reading from two letters she received on the case, which she said reflected "the general tenor of what the Christian community feels in respect to this matter." The first, postmarked Charleston, South Carolina, and dated November 26, 1969, read:

Dear Heathen Communist Bitch:

Words cannot express my contempt for you. You should have your tongue cut out and your breast sliced off like slim sliced roast beef to

make it more painful. The very idea of attempting to ban prayer from space or any other place. Shame on you! There is more prayer in schools and colleges than ever before in spite of your outrageous efforts. Don't you dare come to Charleston or we will tear you from limb to limb. People like you are what is wrong with this country today. You should be slowly burned at the stake with no prayers allowed. We hate you with a passion.⁸⁷

The letter did not include the name of its author. A second letter did, but O'Hair chose not to announce it on the air.⁸⁸ The letter, dated November 24, 1969, was postmarked York, Pennsylvania:

Well, you low-life mongrel, you're at it again. It is too bad someone does not take hold of you, fill your filthy mouth full of vitriolic acid, bind you up and throw you into some ravine.

If we had honest sincere men sitting on the judges' bench, as well as forthright honest attorneys, your name would never reach the newspapers except to announce your being sent either into prison or out of these United States. There is no room for such filthy-mouthed, damned traitors as you in this country. There is only one place for such as you, that is somewhere in deepest Africa. A filthy low-down bum like you, an idiotic damn fool half-wit, should be allowed to remain here only if your citizenship is revoked and you are gagged.⁸⁹

Having established the public reaction to her case, O'Hair read at length from her brief entered before the U.S. District Court in Austin:

We [O'Hair and the Society of Separationists] represent those who do interpret a founding principle of our nation: the need for separation of state and church, as that principle is in our Constitution. There are two different parts to the idea of "separation of state and church"; one is that there shall not, in the United States, be an established church or an established religion supported by government. The second part of this principle is that there should be freedom of religion. We interpret this to mean that there should also be freedom from religion for those persons who want that, and we do, and many other millions of persons do also.

The letters she had received, she suggested, "would deny us this right . . . and punish us severely for even entertaining the idea that we have that right."⁹⁰

O'Hair continued from her brief:

Any citizen, including an astronaut, is free to pray, read holy books (including the Bible), take communion, say rosary beads, carry or wear religious medallions at any time if that citizen desires to do so, and this may be in the privacy of his home, as he goes about the nation, in his personal life, in his church, synagogue or meeting place, in his employment, consonant with the requirements of his employers, in public places such as schools, or in the privacy of such public vehicles as a spaceship.

When, however, any citizen performs these essentially personal and private rituals in such a way as to coerce others to participate therein, or before television cameras in the capacity of official representatives of our secular government when performing a totally secular function supported by tax expenditures from all our people, then this is an entirely different matter.

When they do these things in this way, they become the witting propaganda agents for particular sectarian religious creeds, in this instance before the court, Christianity, and by so doing make it appear that this government officially sanctions those particular creeds or beliefs, or that particular religious book.⁹¹

O'Hair explained that she did not intend to deny "those brave men" their God or the right to worship their God, but rather "to stop the further encroachment of blatant religious practices into still more government functions and programs." She continued reading from her brief:

It is . . . bad enough that our coins and currency, flag pledge, postage stamps and the very halls of Congress and the courts make use of religious phrases and supplications in open defiance of the Constitutional prohibitions which specifically bar this—without permitting these practices to grow to the point where the wall of state-church separation has been completely breached resulting in a working partnership of government and religion.⁹²

O'Hair asked the Court to "press that the First Amendment affirmed and affirms yet that religion is a private matter in its free exercise and that the government is barred from assisting in its establishment in whatsoever form." She noted that this was the "historical and reaffirmed principled interpretation of the First Amendment," extended into a new area for judicial approval only insofar as it includes freedom from religion "for the plaintiffs and those persons whose class they represent."⁹³

Elsewhere in the brief O'Hair pointed out that Congress appropriated money for the exploration of space, not to "program Christianity into space explorations." NASA, therefore, misused those tax moneys when "offered an opportunity, aided in the act, supplied world attention, gained private network affiliation, and gave ostensive government approval to religious ceremonies in outer space and on the moon" in violation of the Constitution and contrary to the intent and policy of Congress.⁹⁴

O'Hair explained to her radio audience that she and SOS "were the only ones in America to challenge this blatant disrespect to our founding principles, irrespective of and in the face of the hostility of the majority Christian public-at-large." They had a hearing before a three-judge panel of the District Court that week, and they had prepared for, and appeared at, the hearing with no support. "Not one attorney in Austin would assist us because of the emotional impact of this case." They had to fly in an attorney from Baltimore, "pricing out our ability to pay." She ended with a plea for her listeners' support.⁹⁵

O'Hair did attract support, but she also spawned a major letter-writing campaign to block her suit. The campaign was prompted by Texas Junior Chamber of Commerce president Eddie Dwyer. Pampa Jaycees member Gene Schneider explained to the UPI that O'Hair had overstepped her bounds by making the request that American citizens have to be told where and when they can pray. The astronauts had to be allowed to pray or not to pray as was their right under the Constitution.⁹⁶

The Jaycees hoped to solicit 300,000 letters statewide to be mailed to officials at the Manned Spacecraft Center in Houston and to officials in the National Aeronautics and Space Administration. Their cover sheet explained that O'Hair had collected more than 27,000 signatures on a petition condemning the astronauts for their Christmas Eve Bible reading. "Lest we take this lightly," it noted, "we should be reminded

that through this woman's efforts we awoke one morning nine years ago to find it illegal to read the Bible and pray in public schools." It was time for those who "approved and appreciated the Christian testimony made by [the] astronauts" to "let it be known" by sending their letters: "Too often the 'pagan minority' have had their way because the 'Christian witness' has remained silent."⁹⁷

O'Hair v. Paine was dismissed, the court ruling that Bible ceremonies in a space capsule did not violate the First Amendment, but the case did succeed in discouraging Apollo 11 astronaut Buzz Aldrin from taking a televised communion on the moon. Rumors then circulated that O'Hair was gathering signatures on a petition to stop prayers on the joint American-Soviet Apollo-Soyuz mission and to ban all religious programming from television and radio. Both rumors proved to be false, but they provoked millions of pieces of mail to NASA and the FCC.⁹⁸

How the first incident got started remains a mystery. Cyril Baker, the chief administrator of NASA's astronaut office, said that he could not explain it, but that between January and June 1975 the Johnson Space Center received almost a million pieces of mail on space prayer. During the first two weeks of July, to the point he was interviewed, more than 200,000 additional letters and petitions had arrived. Baker described many of the petitions as having similar wording, suggesting that they may have come from one source, but added that the entirety of the collection came from all over the country.⁹⁹

Madalyn described how the second rumor got started and what happened. In the 1960s and early 1970s Jeremy Lansman and Lorenzo Milam—both "religious men"—were working to help minority groups set up noncommercial, educational FM radio stations. They sought places for small, low-powered local stations but found that big religious organizations were swallowing up the FM band. At the time, the AM band required more stringent federal requirements and necessitated more elaborate and costly equipment.¹⁰⁰

On December 1, 1973, Lansman and Milam petitioned the FCC to freeze applications on the FM ban until its policies could be reviewed and the problem addressed. The FCC received the petition, gave it a file number, and placed it with its Rules and Standards Division on December 6. Within a month, Madalyn alleged, the Association of National Religious Broadcasters began a rumor that she had filed 27,000 signatures on behalf of the petition, which the Association explained

was an attempt to stop all religious broadcasting. She had done nothing of the kind, Madalyn insisted, but the rumor spread like wildfire.¹⁰¹

The FCC was besieged by mail. On August 1, 1975, it denied Lansman and Milam's petition, but the rumor persisted. By April 1977, the FCC received 5,500,000 letters. Madalyn publicly denied the rumor, as did the FCC, but to no avail. By the start of 1986, the total letter count reached 25 million. Madalyn blamed the persistence of the rumors on the religious community, which hoped that by inciting the public it would gain unlimited access to the media. The press found that it was driven by Christian fundamentalists, led by those in Dallas, Texas.¹⁰²

The other court case to which Madalyn O'Hair referred in 1969 involved her challenge to tax exemption for churches. She devoted two radio programs in October 1969 to arguing the pros and cons, as she saw them. On February 16, 1970, in one of many radio programs devoted to "church wealth," she reported on the fate of a bill that had been introduced in the U.S. House of Representatives in 1969. The bill would have provided for the taxing of religious businesses, unrelated to the religious mission of churches, at a rate equal to secular businesses. It never made it out of committee, she explained, wherein it was "killed . . . by powerful church lobbyists." She added: "Heretofore the churches have been adept at this: they can prove with nicety that one gets to heaven in a day coach and hence can hold their railroads tax-free."¹⁰³

O'Hair argued that it was constitutional to provide "the special privilege of tax exemption" for religious organizations as long as the exemption "deals equally with all religions, without discrimination." The exemption provided "a subsidy from the state in direct proportion to the amount of taxable property" owned by the church, however, and, therefore was not "equally applicable" to all religions. "The richer denominations have a clear advantage over the poorer ones." In fact, "members of the poorer congregations are put in the position of contributing to the support of the richer denominations by an increased rate of taxation upon their individual property—and they pay more this way than they would give to a church of their choice."¹⁰⁴

O'Hair acknowledged the argument that in exchange for tax exemption, churches provided certain services that would otherwise fall upon the state. She countered that such services could be provided effectively and efficiently by the state. But if churches provided such services, they should qualify for exemptions to the extent of such pro rata activity under the existing laws that exempt other such organiza-

tions. She quoted Vice President Hubert Humphrey, however, as reminding the General Assembly of the National Council of Churches in 1968 that their member churches spent "only forty-one cents a month for everyone who belongs to a church in America" on other than religious services to those outside the church. The amount, she argued, was "negligible" or "insignificant."¹⁰⁵

O'Hair argued that if churches were taxed, local real estate taxes could be reduced by 6.4 percent in Nashville, 4.6 percent in Washington, D.C., and 3 percent in Boston, according to a report of the National Conference of Christians and Jews, and it would not prove calamitous financially for churches. She cited a recent Wall Street investment company that reported securities held by churches of at least \$3 billion, a 1962 IRS report that churches received \$5.5 billion in collection plates, and that neither figure included profits from their businesses and property rentals, or the yield of their stock holdings.¹⁰⁶

To those who would say that if churches must be taxed, it should be to pay only for services such as fire protection, mail service, police protection, street repairs, water and sewage outlets, assistance in times of natural catastrophe, and protection in times of war, and nothing else, O'Hair pointed out that the same argument might be made by all taxpayers. Many might request a more limited number of services, those they more directly consume, for which to pay. But, instead, they are required to pay taxes to go to the general welfare, which should be the case for churches as well.¹⁰⁷

In response to the position that because churches are nonprofit organizations, they possess no net income and therefore no capacity to pay taxes, she once again referred to such large surplus funds controlled by churches that had become "on open scandal." She noted a recent CBS survey of public opinion on whether the churches should disclose their property holdings and incomes, or at least their commercial property and income from those sources. To the first question, 66 percent of the general public, 65 percent of the members of Congress, and 53 percent of the clergy said yes. The numbers rose to 77 percent, 94 percent, and 91 percent, respectively, on the second question.¹⁰⁸

O'Hair noted that some would argue that churches are "good institutions" and therefore "deserve to receive governmental support so that they can pursue their programs," or that "churches are the fountain of ethics and morality in our culture" and should be encouraged. She pointed out that "many beliefs and practices of one church are

repugnant to other churches." She pointed to "a religious diversity of opinion" on birth control, legalization of abortion, liberalizing divorce laws, and tax support of parochial schools. She denied that churches had any monopoly on either ethics or morality, and that other institutions foster values, notably the public school system. Further, she insisted, "it is not the business of the state to raise its revenue only from the "basic elements" of the population. "Scientists, inventors, and educators do good but are not tax exempt." Private citizens are not taxed "in relation to their virtuous characteristics, or lack thereof." Neither should churches be exempt on that premise.¹⁰⁹

Some would argue that to tax churches would constitute a double tax on churchgoers—on their personal income and on their church contributions—and that if churches were taxed, personal taxes would be reduced, thereby eliminating any increased burden. O'Hair pointed out that individual contributions were tax deductible. To those who insist that "the power to tax is the power to destroy," or at least to hamper the free exercise of religion by church members, a right guaranteed by the First Amendment, she countered: "Not while there are one hundred million churchgoers in the United States!" Further, the Free Exercise Clause protects "the rights to prayer, mass, sermons, sacraments and all practices of religious beliefs." It does not require "a subsidy to be given for 'Free Exercise' of a religion. . . . Freedom from taxation is not a prerequisite attaching to the privilege." To those who would simply note that "exemptions have been with us always," she pointed out that so was segregation, until lately. Custom is no argument for or against.¹¹⁰

O'Hair allowed that some people had cited scripture in support of church tax exemption. Ezra 7:24 reads, for example: "We also notify you that it shall not be lawful to impose tribute, customs, or toll upon any of the priests, the Levites, the signers, the doorkeepers, the temple servants, or other servants of this house of God." O'Hair added several contradictory passages. She included the well-known passages from Mark 12:14–17 and Matthew 22:17–21: "Render to Caesar the things that are Caesar's and to God the things that are God's," as well as Matthew 17:24, Romans, 13:6–7, and Luke 2:3–5. All make essentially the same point.¹¹¹

O'Hair allowed that the repercussions of abolishing religious tax exemptions might rebound against the U.S. Supreme Court, but that the case should not be overstated. The National Council of Churches, she noted, had reported that "the influence of the churches and the pressure

they can exert might be less than may be assumed." The Council cited polls suggesting that between 1957 and 1967, the percentage of Americans that believed religion was losing its influence rose from 14 percent to 47 percent. Moreover, she added, "the United States Supreme Court has weathered other storms—most notably desegregation and one-man, one-vote."¹¹²

O'Hair concluded her October 15 program by speaking at length in opposition to the idea that churches should be above the law and in favor of retaining, even strengthening, the separation of church and state. She summarized the first position: "The claim of religion is of a superior right because of certain ideas the religious person holds. They [the churches] ask to be free of the ordinary burdens of society at the expense of those who support the society generally." Her immediate response was to point out that there were "256 brands of religion in America, all claiming to be the 'one true faith.'"¹¹³

The Constitution sets religion apart from the government, O'Hair explained, not above it. "Each religion has full liberty to spread respective doctrines, at its own cost." Whether they succeed, or not, is none of the state's business. The state's job is simply to insure "a free field to all." She quoted Benjamin Franklin: "When a religion is good, I conceive it will support itself; and when it does not support itself . . . so that its professors are obliged to call for help of the civil power, 'tis a sign, I apprehend, of its being a bad one."¹¹⁴ She also quoted from James Madison's "Memorial and Remonstrance against Religious Assessments."

Madison wrote the "Remonstrance" in response to the state of Virginia's attempt in 1784 to levy taxes for the support of the Christian religion. He argued that the proposed tax violated "that quality which ought to be the basis of every law." "All men are to be considered as entering into society on equal conditions; as relinquishing no more, and therefore retaining no less, one than another, of their natural rights." They are guaranteed "equal title to the free exercise of religion, according to the dictates of conscience," something violated by the proposed tax, in that it subjected some to "peculiar burdens" while exempting others. Put another way, it unfairly burdened those who would be forced to pay a tax to support an establishment of religion to which they neither belonged nor subscribed.¹¹⁵

And, finally, O'Hair insisted that tax exemption was a breach of separation of church and state, and not merely an indirect subsidy, as

some would argue. Using the words of the U.S. Supreme Court in *Lemon v. Kurtzman*, she argued that "there is no secular legislative purpose in any of the constitutions or the statutes of any of the United States in respect to religion. All aid given there by tax exemption is for that which is specifically prohibited—money aid to religion." The primary effect of such laws, she continued, again using the "Lemon Test," "is to advance religion and to advance church organizations which own land." The exemption is "a classification solely in terms of religion and its promotion," and, as explained earlier, it favored the larger landholders over the smaller.¹¹⁶

O'Hair used an excerpt from Justice Douglas's opinion in *Murray*, which she believed was "the best summary" she knew on the point:

The establishment of a religion can be achieved in several ways. The church and state can be one; the church may control the state; or the state may control the church; or the relationship may take one of several possible forms of a working arrangement between the two bodies. Under all of these arrangements the church typically has a place in the state's budget, and the church law usually governs such matters as baptism, marriage, divorce, and separation, at least for its members and sometimes for the entire body politic. . . .

The vice of all such arrangements under the Establishment Clause is that the state is lending its assistance to a church's efforts to gain and keep adherents. Under the First Amendment it is strictly a matter for the individual and his church as to what church he will belong to and how much support, in the way of belief, time, activity or money, he will give to it. . . .

The most effective way to establish any institution is to finance it; and this truth is reflected in the appeals by church groups for public funds to finance their religious schools. Financing a church either in its strictly religious activities or in its other activities is equally unconstitutional. . . . The institution is an inseparable whole, a living organism, which is strengthened in proselytizing when it is strengthened in any department by contributions from other than its own members. Such contributions may not be made by the state even in a minor degree without violating the Establishment Clause. It is not the amount of public funds . . . it is the use to which public funds are put that is controlling. . . . What may not be done di-

rectly may not be done indirectly lest the Establishment Clause becomes a mockery.¹¹⁷

O'Hair lost this case and two other cases of note in this period. In 1970, in *O'Hair v. Nixon*, she tried unsuccessfully to stop President Richard Nixon from having weekly religious services in the White House.¹¹⁸ On a more personal level, in September 1975 O'Hair sued *Screw* magazine for \$7 million for falsely representing a nude tabloid centerfold as Madalyn Murray. O'Hair described the centerfold, which appeared in the April 9, 1973, issue, as "one of the most disgusting, pornographic pictures" she had ever seen. It portrayed a young man and woman engaged in sex and included the captions: "Madalyn Murray" and "Sex-Education Is an Atheist Plot." She charged the magazine with having libeled her "with actual malice and willful intent," and with having "injured her reputation and her standing in the community as a moral person." The case was later dismissed.¹¹⁹

O'HAIR BROADENS HER ATTACK AND EXPANDS HER OPERATION

Madalyn relished the prospect of taking on the most prominent individuals possible. Throughout the 1970s she engaged various religious leaders in debate on television and on radio. She dreamed of publicly humiliating evangelist Billy Graham, and in 1976 she made headlines when she challenged Graham to debate the constitutionality of holding prayer meetings in the courtroom. The incident grew out of Judge Fredrick Byrd's practice of allowing his Detroit Common Pleas courtroom to be used over the lunch hour for Bible study and rosary devotions. O'Hair called the practice "wholly illegal and unconstitutional, being an impermissible mixture of state and church" and challenged Byrd or any minister of his choice, including Graham, to prove her wrong.¹²⁰

O'Hair's public rebuttal of the pope, however, gained her even more attention. In 1979 Madalyn joined forces with the Chicago chapter of American Atheists to picket the pope's mass in Grant Park. They sent a letter to all like-minded organizations in the Chicago area—about fifty in all, according to one source—inviting them to join AA on October 5. In the letter, Jon Garth Murray—then American Atheist

Center director—described the pope as “the leader of one of the most reactionary and oppressive organizations in history” and the public mass as a “slick, highly-funded stage show.”¹²¹

Jon wrote that “women, gays, civil libertarians, racial minorities, taxpayers and all progressives” should be concerned with telling “the truth” about the Roman Catholic Church. He noted four specific issues: abortion, gay rights and sexual freedom, racism, and censorship. He described the Church’s position on abortion as denying women “the right to their own bodies by prohibiting and campaigning against safe, legal abortions.” He charged parochial schools (“supported by a good deal of our tax monies”) with “guilt-ridden indoctrination of youth” on sexual matters and the Church with vilifying gays. He labeled parochial schools “exclusionary” and “often the racists’ alternative to busing and integration of classrooms.” And he placed the Catholic Church in “the forefront of the movement to censor and ban books, cinema, and theatre.”¹²²

American Atheists sent a flyer to members in the Chicago area, as well. The flyer pictured the pope as a vampire reaching for a terrified Statue of Liberty and the Church as a sow suckling a litter. The sow was eating money while the piglets were labeled war, censorship, misery, bribes, repression, tax fraud, courts, and Congress. The text, signed by Jon Murray, extended the points made earlier by suggesting that the pope’s visit and public mass would establish “a renewed cohesion of State and Church.” It reviewed constitutional provisions for the separation of church and state, as well as the “three pronged test” established in *Lemon v. Kurtzman*, and argued that the pope’s masses taking place on public property violated both and constituted a violation of the separation of church and state. Thus, it was important not only to take action in the courts, but also to object publicly by picketing in Chicago.¹²³

On the other side of the flyer was a press release dated September 17, 1979. It announced that Jon and Madalyn had filed suit in the Federal District Court of Washington, D.C. to stop Pope John Paul II from celebrating mass on “federally owned public land,” the Washington Mall. It noted that the Roman Catholic Church owned land in the U.S. valued at \$162 billion, thereby giving it plenty of other locations for the mass. To have it on the Washington Mall constituted “an impermissible, unconstitutional, admixture of state and church.” It concluded: “The Redskins-Eagle game scheduled for Washington, DC on the 6th of Octo-

ber, now cancelled, would have brought more good will to that city than the Pope. . . . Such religious intrusion cannot be countenanced."¹²⁴

Jon and Madalyn held a press conference on September 17 to discuss the Washington lawsuit, and it was well attended by the press. As many as fifty television appearances and two hundred telephone calls followed. They had their day in court in Washington on October 1, but lost, the Court siding with the federal government's contention that the Mall was open to other religious groups as well. They also lost on appeal. Moreover, the decision helped establish the precedent of equal access in public facilities, which further weakened Madalyn's position.¹²⁵

On the morning of October 5, the Chicago police at first refused to let the picketing take place, but then relented as long as it took place in Grant Park. The demonstration proceeded at what the police considered a safe distance. Only a small number of protesters—forty-seven by one count—took part, but press coverage was considerable.¹²⁶ Years later, Madalyn recalled that they had "created quite a stir" in Chicago, especially when, on one radio program, Jon characterized the pope as the "pimp of peace" rather than a peacemaker. She explained his remark as suggesting that the pope was "really sending out his flock of priests to whore after an alleged peace while he raked in the money from the mockery." She insisted she was right in attempting to prohibit the pope's saying mass on the Washington Mall. She criticized politicians for courting the Catholic vote by "falling over one another in order to kiss his hand," of being hypocrites, and extending the pope recognition due only to heads of state—not religious leaders.¹²⁷ When the pope returned to the United States in September 1987, O'Hair organized protestors for his visit to San Antonio, Texas, and brought suit in a failed attempt to block the U.S. Postal Service from offering special postmarks in the cities where the pope visited.¹²⁸

In 1975 O'Hair discovered that the FBI was keeping a file on her. She said to the press, "What am I doing that they need to have a file on me? I sure as hell think the people of the United States need to know this is going on." She reported that documents sent to her by an associate of columnist Jack Anderson indicated that she had been under surveillance by the FBI and CIA since May 12, 1964—one year after *Murray*. O'Hair said that her husband, Richard, had FBI contacts for years and that some of the information in the file came from him. Further, she claimed that someone was trying to hang a Communist tag and a "dangerous label" on her. "If I'm dangerous," she noted, "I want to know what kind of file

they have on Nixon." The FBI had no comment, but, as noted earlier, they indeed had kept such a file, which, it appears, was closed at about that time.¹²⁹

On September 1, 1977, O'Hair made national headlines when she filed a lawsuit against Secretary of the Treasury W. Michael Blumenthal and Director of Engraving and Printing James A. Donlon to stop the printing of "In God We Trust" on United States currency. She, Jon Garth Murray, and William Murray were the plaintiffs. The inspiration was the creation of the Susan B. Anthony dollar coin. Madalyn identified Anthony as an atheist, and called the religious motto on the coin an insult to her memory.¹³⁰

O'Hair has been criticized for filing lawsuits that she had little chance of winning, and that she knew she had little chance of winning. Critics have argued that such cases not only held her and her cause up to ridicule, but also that they provided opponents with a body of precedents by which to protect themselves. O'Hair, however, saw such lawsuits as symbolic and very important. The motto, "In God We Trust," for example, was a symbol of the government's endorsement of religion and, therefore, an appropriate target. The outcry that resulted from the suit, she pointed out, was proof of religionists' attachment to the motto. Further, she added, such very narrow cases were much less expensive than the more complicated tax-exemption lawsuit.¹³¹

O'Hair also had another reason for bringing such symbolic and less-than-likely cases. As she explained to Larry Flynt in 1979: "I will file a suit, knowing that there is a 95% chance I'm going to lose. But I use that suit as a vehicle to go out and make speeches, appear on television and radio programs, go to high schools and colleges, be interviewed in newspapers and magazines, in order to argue for the end of that I was trying to reach in the suit." That others supported her in such cases is reflected in her having collected at least \$15,000 in support of the "In God We Trust" case.¹³²

It is interesting to note that even by her critics' reports, Madalyn O'Hair exercised considerable control over the cases she brought, even to the extent of preparing the briefs. In his description of the "In God We Trust" case, G. Richard Bozarth, who worked in the American Atheists Center at the time, wrote that although the brief was drafted by the center's attorney, Paul Funderburk, O'Hair substantially rewrote it. She was not a member of the bar, so Funderburk had to sign off on it. Moreover, he did the drudge work of research and drafting. But as Bozarth

put it in reference to Funderburk, "The best he could have hoped for was that any brief he might have written would not have been rewritten beyond recognition by Madalyn."¹³³

O'Hair publicly condemned the law by which "In God We Trust" was made mandatory on U.S. currency as a vestige of the hateful, hysterical McCarthy era. As early as 1865 the U.S. Congress gave official recognition to the motto by authorizing the inscription on certain coins. On July 11, 1955, however, Congress required it on all currency. The law was challenged as a violation of the First Amendment's Establishment clause in *Aronow v. United States* in 1970, but the Ninth Circuit Court of Appeals ruled that the phrase was of "a patriotic or ceremonial character" and did not bear "true resemblance to a governmental sponsorship of a religious exercise."¹³⁴ In her argument for *O'Hair and Murray v. Blumenthal*, O'Hair wrote:

In making its decision, the District Court [which found against O'Hair] did not consider or accept any evidence, oral or written, as to the impact upon the freedom of conscience of Atheists who are compelled to carry upon their body in their clothing, or in accompanying purses, government sponsored religious sloganing which they abhor. In the ordinary course of daily life they are, many times each day, forced to broadcast a trust in god in their unavoidable handling of the coin of the realm. The unique and first impression question before the United States Supreme Court is: Does the concept "freedom of religion" contain within its precepts the rights of Atheist to "freedom from religion."

. . . . In this case, the District Court avoided any effort to establish the intent of the United States Congress when the subject laws were passed because the congressional record so clearly and so embarrassingly shows that it was to establish a "Christian" nation. . . .

The Petitioners are Atheists and citizens whose patriotism is impugned when the government legislates that "we," i.e., the citizens of this nation, "trust in God," since the Petitioners have no such trust.¹³⁵

O'Hair pointed out that the media had suggested that the Supreme Court was "afraid of the issue of Atheist civil libertarian rights" due to the rise of born-again Christianity, but that the petitioners placed their trust in the Court. She argued that her case did not differ, substantially, from *Wooley v. Maynard*, wherein the Court ruled that a state's requirement that a citizen carry "offensive ideology" was an unconstitutional

violation of the First Amendment of citizens. She also noted parallels in cases involving nativity scenes on public property and required recitation of the pledge of allegiance in the public schools, which she followed with a list of relevant cases on the issue of separation of church and state beginning with *Everson* and continuing down to the moment of her writing. She concluded:

If it is argued that the ceremonial purpose of the national motto is secular, it should be remembered that "the First Amendment prohibits a governmental agency from attempting to effect a secular goal by the propagation of a religious concept." *Malnak v. Yogi*. . . .

If on our currency there was an inscription, "There is no God in which you can trust," would not the constitutional rights of Christians receive the attention of this honorable court through a writ of *certiorari*?¹³⁶

In June 1979 the United States Supreme Court turned down the writ of *certiorari* without comment and let stand the Federal District Court's ruling against O'Hair, which was based on the *Aronow* decision.¹³⁷ But Madalyn had other irons in the fire. By her own count, she still had three cases in the Fifth Federal Circuit Court of Appeals and one at the U.S. Supreme Court. She had two cases before the U.S. District Court and one before the Court of Appeals of Texas. Madalyn had two cases pending in Travis County District Court, one in the New Jersey Court of Appeals, one in the Ohio Court of Appeals, and one coming up in California. In September she brought her case against the pope and the U.S. Park Service. In May 1970 she announced she was "taking on the entire state of Texas in a determination to make it change its constitution."¹³⁸

Madalyn founded United World Atheists in 1976. Her primary focus was on atheism and separation of church and state in the United States, but she often made reference to atheists abroad. On her October 27, 1969, radio show she wondered about atheism in South America, China, Germany, the Slavic countries, Egypt, and Greece. She focused, however, on India and reported information that suggested that "the overwhelming majority" of Indian philosophers were atheists. "For them," Debiprasad Chattopadhyaya wrote in a book on Indian atheism, from which she quoted: "God is simple superstition, an empty assumption, an object of misdirected reverence. . . . They frequently exhibited highly sophisticated logical acumen to prove why the concept

of God was a baseless assumption and how it was riddled with unresolved contradictions." Chattopadhyaya explained that Indian philosophers did not realize that "belief in God had ultimately a social root," however, "and as such it could not be destroyed by logical demonstrations alone." Thus, they "showed little awareness of the need of extending their materialism to society and its history."¹³⁹

On her October 5, 1970, radio show, O'Hair reported that she had been "attempting to influence everyone everywhere to stand up and be counted as Atheists." She reported that an Australian Atheist group had been formed, "using our basic credo as its reason for being," and that similar groups had been formed in Belgium and France. She was working with atheists in Italy. Once again, however, she focused on India, where a person named Gora had established an atheist center.¹⁴⁰

Gora, she reported, was not shy to call himself an atheist, even when his friends urged him to drop atheism as a lost cause and his opponents called him "mad." Clearly, Madalyn thought she had found a kindred spirit. Gora's life mission was "to propagate and popularize Atheism, in spite of the odium attached to it through prejudice and misunderstanding." Further, he believed in individual freedom and democracy, that "god is a falsehood," and that religion was "responsible for dividing humanity into fragments." He stood for "the removal of social and economic inequalities which are perpetrated by the exploiters and tolerated by common believers in the name of god and religion."¹⁴¹

In 1970 Gora embarked on his first tour outside India. It included a stop in the United States and a visit to Madalyn Murray O'Hair. It was decided that a World Atheist Meeting be held every three years, and Gora offered to host the first meeting in India in 1972. He invited atheists, humanists, freethinkers, and rationalists from around the world, but the Indian government denied the Murray-O'Hairs visas—at the request of the United States government, Madalyn suggested.¹⁴²

In 1978 Madalyn, Jon, and Robin were able to visit India. They had been invited by leaders of that country's five atheist groups, led by Joseph Edamarku, who hoped to establish an international network of atheists. They met at the Indian Atheist Centre in Patamata, Vijayaurda. In March 1979 the American leaders began publication of *World Atheist Journal*, soon after which the United Nations extended United World Atheists official NGO (nongovernmental organization) status. In April, Indian leader Edamarku visited Austin and with Madalyn and Jon

drew up the UWA constitution. Thereafter, the Murray-O'Hairs became regular attendees at UWA meetings around the world.¹⁴³

In the late 1970s, Madalyn considered running for public office, but found that she continued to elicit the image of a subversive if not a Communist. She made a concerted effort to deflate that image but found it difficult. She actually ran for the Austin City Council, but received only 6 percent of the vote.¹⁴⁴ As we have seen, O'Hair did come into contact, and collaborated at times, with those who were considered to be socialists, Communists, or Marxists, especially during her early public days. Her movement attracted such types, but in 1976 she claimed to have purged her organization of them. "The moment we mix politics with us, we're dead. We do not pretend to be one thing when we're another." Moreover, when confronted by those who accused her of being a Communist, she charged it with being no more than "the old red herring, again" of the McCarthy years, intended only to damn her and her movement by guilt of association.¹⁴⁵

Madalyn never publicly addressed her attempted defection to the Soviet Union, and when asked why she did not go to the Soviet Union if she was not happy with the Christian majority in the United States, she commonly replied: "We love it here. This is our nation." The United States had its problems, but she would stay and work to solve them: "Atheists fight for 'truth, justice, and the American Way.'" ¹⁴⁶ Nevertheless, in the 1976 edition of *Contemporary Authors*, Madalyn is quoted as considering herself an "individual anarchist," and in 1979, when asked what she wanted her epitaph to say, she replied: "I just want it to say, 'First she was a woman; second she was an anarchist; third she was an Atheist.' That's all." ¹⁴⁷

In December 1978, Madalyn O'Hair represented American Atheist Women at the Conference for Women on SALT II, sponsored by the U.S. Arms Control Disarmament Agency. She urged other atheists to take the same disarmament position. She at least briefly flirted with the idea of running for the American presidency, and repeatedly urged her members to get involved politically—to pick, run, and support candidates sympathetic to, or even supportive of, their causes.¹⁴⁸

As noted earlier, all of this highly visible atheistic activity occurred during one of the most tumultuous—indeed divisive—periods in American history. The ravages of the Vietnam War and civil rights tore the nation apart. The "center" no longer held in the United States, and many feared the country had lost its bearings. It was also a period not

only of a perceived, but a real, increase in crime, divorce, and counter-cultural values, and if she gave little reason to associate herself with any of this, many held her responsible for what they saw as the nation's immoral, illicit, and illegal behavior.¹⁴⁹

Many Americans attributed the "decline of America" to the *Murray* and *Schempp* cases and the "loss" of God from the schools. And if anyone needed an example of how godlessness leads to disparaged behavior, they only had to look at Madalyn Murray O'Hair, who was not only "the Atheist" in America but, by traditional American standards, rude, blasphemous, and immoral. As a result, at the height of her popularity, Madalyn Murray O'Hair illicited hate and fear from as many as she thrilled. And, people wanted to know more about her and her movement. Thus, the same fifteen-year period was also a very prolific period for O'Hair in terms of literary production. In her newsletter, magazine, and books, she expressed her ideas on a wide range of matters relating to American society, all of which were tied in some way to the irrational nature of religion and its negative effects on believers. Little of what O'Hair wrote was original. She quoted extensively from, and relied heavily on, the works of others. She was a synthesizer and popularizer, but more importantly for our purposes, in the process she made clear that in which she believed.

“Why I Am an Atheist”

O’HAIR COMPOSED THE original draft of *Why I Am an Atheist* in 1961. She was in the midst of her legal battle with the Baltimore Public Schools, which she was asked to address by the student body of the University of Maryland. It became her “perennial favorite lecture,” which she revised, recorded on a two-record LP album, and used as a publication to inaugurate the American Atheist Press.¹ In *Why I Am an Atheist*, O’Hair introduced herself as “the Atheist,” not merely “an Atheist,” and explained that she was the person who fought the battle that removed Bible reading and prayer recitation from the public schools. In the 1991 edition, she added that she was “probably the best-known Atheist in the world today.” Moreover, although at other times likely to include herself among a collection of freethinkers, whose common goal was the separation of church and state, in its earliest printing, she specifically rejected all other labels but atheist. She suggested that nonbelievers chose other titles, like agnostic, in order to hide and to avoid reprisals and sanctions. “Well, I am neither afraid nor ashamed to say what I believe or what I think,” she announced. “I am an Atheist.”²

O’Hair established her “intellectual lineage” in *Why I Am an Atheist*. She traced the origins of her beliefs to the ancient Greek materialist Democritus, who theorized that matter is composed of atoms and concluded that nothing exists but natural phenomena; Anaxagoras, who personified the spirit of scientific inquiry; and Epicurus, the proponent of “a modest life lived in the pursuit of its natural sweetness,” or hedonism. “Reactionary aristocrats” destroyed Democritus’s work because “he rejected the idea of divine intervention in nature and in human affairs.” Religion, he insisted, arose as a result of man’s fear and awe of the wonders of nature. Anaxagoras was banished from Athens for impi-

ety or, as O'Hair preferred to put it, for being an atheist. And although he was revered by the ancients for liberating man from fear of the gods and for asserting the validity of science, Epicurus was anathematized as "an enemy of morality and a disseminator of vice."³

O'Hair sought to differentiate materialists from idealists, who maintained that "idea or spirit or mind existed before nature or that it created nature." Materialists proposed that matter exists without regard to thought and that there would still be a universe if we were not here to perceive it. There is no larger consciousness or universal life force. Nor is there a creator. Matter and energy are eternal and do not require a "first cause" or a "grand designer." She wrote: "Everything traced has been found to be materialist (i.e., comprised of matter). The physical laws of nature are always in operation. They do not step aside even for a moment to permit anything else, such as spirit, to rule. The materialist holds that there is no spiritual existence apart from the material body." The argument between idealists and materialists is not "academic," she insisted. "It is a very real and living thing," and it concerns "the goal of life."⁴

Materialism, O'Hair emphasized, "liberates us by teaching us not to hope for heaven beyond the grave, not to hope for happiness in death, but rather to prize life on earth and strive always to improve it. Materialism restores to man his dignity and his intellectual integrity." At the same time, she pointed out, contrary to common opinion, materialism is more than the practice of hedonism as popularly defined—namely, as focused exclusively on the accumulation of material goods and "getting pleasure out of life." Materialists are not accumulators, wasteful users, or conspicuous consumers, she insisted. Neither do they "revel in the glorification of man." They do not hold that man is "an exceptionally unique being." They "shy away from systems which exalt the human animal" and realize that they "must share the earth with all other animals."⁵

O'Hair explained that materialism was driven underground by Christianity, but that it was reborn in the nineteenth century as scientific materialism. Darwin, Marx, Nietzsche, and Freud led the attack on religion, using reason and science as their weapons. Religion fought back and held its ground, she allowed, but scientific materialism made inroads in the forms of Marxism, humanism, and atheism.⁶

O'Hair explained that she did not believe that God existed, and that she did not believe in heaven or hell, life after death, miracles,

angels, prophets, any holy book, saviors, or the efficacy of prayers.⁷ Having established what she did not believe, however, and in response to the charge that atheists are negative—that they have no positive program—she offered the following excerpt from *Murray v. Curlett*. O'Hair wrote it and had it placed in the record, explaining what atheists believe:

An Atheist loves his fellow man instead of god. An Atheist believes that heaven is something for which we should work now, here on earth, for all men together to enjoy. An Atheist believes that he can get no help through prayer, but that he must find in himself the inner conviction and strength to meet life, to grapple with it, to subdue it and enjoy it. An Atheist believes that only in a knowledge of himself and knowledge of his fellow man can he find the understanding that will help [both] to a life of fulfillment. He seeks to know himself and his fellow man rather than to know a god. An Atheist believes that a hospital should be built instead of a church. An Atheist believes that a deed should be done instead of a prayer said. An Atheist strives for involvement in life and not escape into death. He wants disease conquered, poverty banished, war eliminated. He wants man to understand and love man. He wants an ethical way of life. . . . He believes that we are our brothers' keepers, and are keepers of our own lives; that we are responsible persons and the job is here and the time is now.⁸

Such a statement, O'Hair suggested, might prompt people to respond that she was merely stating what everybody really wants, and that, therefore, atheists are no different. "Well, you're right in a way," she allowed. "We try to find some basis of rational thinking in which we can base our actions and our beliefs and we have it."⁹

O'Hair claimed to live by Kant's categorical imperative. The eighteenth-century philosopher established three rules of conduct and morality. First, in O'Hair's words, "we should treat every other person and ourselves as ends, and never as means. That is, we should treat others, and more important, ourselves, as ends in and of themselves, and not as means to an end." Second, we should act in such manner as any of our actions "could be made into universal laws." And third, we should "search for truth," or, failing that, "knowledge . . . about everything," and not take anyone's word for it, including her own. In the

1991 edition, O'Hair added that since 1966, she had clarified her position to suggest that atheists use "the ordinary legal test of 'a reasonably prudent man' in their conduct," which is to say that an atheist should engage in actions whose consequences are not detrimental either to himself or to society."¹⁰

Elsewhere, O'Hair allowed that there were different kinds of atheists, and that she did not like most of them because they were not "motivated to move into the community and to attempt to correct the injustices which [were] everywhere apparent against them." She also complained that most remained "against theism, rather than free from it," and as a result, were still "entangled in its coils."¹¹ Somewhat flippantly, in sarcastic humor, O'Hair singled out "hate-ridden Atheists, who usually convert from Roman Catholicism; fanatical Atheists, who usually convert from Jehovah's Witnesses; tired Atheists, who usually convert from Judaism; [and] mentally drugged Atheists, who convert from the Hare Krishnas." More seriously, she let it be known that she despised those atheists, who had "a hatred reaction to religion." Those atheists—"psychologically injured by religion"—often had a traumatic conversion to atheism as the result of some injury inflicted on them by a particular church, and could not get beyond their hatred of what they left behind. They could "recite an extraordinary number of incidents where priests were discovered to be living carnally with their housekeepers," where ministers were guilty of misappropriating church funds, or where a young choir boy accused the male director of indecent advances. They belonged "to minute Atheist groups which meet in cellars and send out mimeograph sheets in opposition to religion."¹²

O'Hair denounced what she called the sectarian atheist, who flourished "only in bitter internecine warfare and factional strife." His entire energy was devoted to attacking other atheist groups, and was therefore "destructive to our cause." His cause—feminism, gay rights, abortion rights—took precedent over the cause of atheism. He believed he had the absolute truth and commonly identified himself as a freethinker, rationalist, or secularist.¹³

Madalyn sarcastically referred to other types of atheists she had encountered in her public life. There was the Opinion Atheist, who made his opinions known at every opportunity, whether he was well informed or not, and whether it was appropriate or not. "Freddy, the Free Loader" atheists used American Atheists' services, but refused to

contribute to it. And she had met Messiah Atheists, those who followed without question the teachings of Issac Asimov, Carl Sagan, and others.¹⁴

O'Hair listed four other categories of atheists: primitive, discreet, philosophic, and practical. She claimed to have been among all three, in that order, at one point or another. The primitive atheist existed in "vast numbers," usually on college campuses. "Someone comes of intellectual age, does a doubletake at Christianity, finds it to be incredible . . . and announces, 'I don't believe that crap,' and lets it go at that." Primitive atheists usually joined the Ethical Culture Society or the Unitarian Church, O'Hair explained, "and live happily ever after with substitute dogmas, creeds, and routines to fill a gap they imagine was left in their lives. They float around in a small esoteric group which plays the game of 'group discussion' in private, specifically the game of 'we exceptional few with our superior beliefs.'" By and large, however, due to social pressures and a culture that makes him "feel a little like a freak," he keeps his ideas to himself and adjusts, "forced into a life of hypocrisy."¹⁵

Discreet atheists, Madalyn continued, begin in much the same manner, and for much the same reasons they cannot take the next step of proclaiming themselves atheists. They tend to come from the more liberal branches of religion, but then take the half-step of joining the Unitarian church or the Ethical Culture Society. As Madalyn put it, they then live "(semi-)happily ever after with substitute dogmas, creeds, and routines to fill the gap they imagine was left in their lives when they stepped away from their church." They maintain the form, if not the content, of a religious institution and "with this deceit can remain in the human community without censure."¹⁶

The philosophical atheist, O'Hair continued, "does a triple-take at Christianity and gets hopelessly bogged down in reading the Bible in order to clarify that to which he is opposed." He knows all the arguments for the existence of God, and how to refute them. "He can use up hours of priceless living time analyzing all of the religious theories, histories, diverse theologies, and personalities." They usually join the American Humanists or Mensa "and live happily ever after deeply immersed in obscurantism—reading in depth the genteel, erudite, and completely worthless articles in the journals of those societies. They play the game of beating ideas to death with words. They usually, also, have Ph.D.'s."¹⁷

O'Hair described the fourth group—practical atheists—as “a Maslovian type.” The practical atheist, she noted, “just has a natural thrust to what is healthy and normal in life.” He responds to his instincts, as well as his intellect. “He has, as a way of life, an underlying basic positivism. He is grounded in life and its natural rules. He has a free-wheeling, open-ended philosophy.” The practical atheist emphasizes “the worth of the individual, his human dignity, his intelligence, his ability to order his own life, his ability to enjoy the emotions with which he is endowed.” He emphasizes reason, life experience, and common sense. If the practical atheist is negative, it is only in denying fantastic dogma, creeds, and rituals that defy reason and reality. “He has no negative emotion-laden reaction to religion,” however, “because it isn’t worth his time.” Most of these atheists, she continued, are objectivists and follow Ayn Rand.¹⁸

O'Hair explained that there were atheists who had even gone beyond this positive, practical point. They “realize that every aspect of living depends on the total living of all mankind.” They know that they are shaped by the culture and the times into which they are born. They believe that the “irrational ideas which have long underpinned our total philosophy of living have been religious ideas which are sick. They can see how these anti-life, anti-human ideas have distorted our value systems.” They recognize the need for direct confrontation with religion, and the “necessity of triumph in the notion of separation of state and church.” They see the need for “a better, more rational, basis for culture” and “care desperately that our children and our grandchildren shall not need to experience the stifling monacles of thought restriction which bound humankind to suffering for thousands of years.” O'Hair insisted that she had become that type of atheist, and that she was trying to lead others to become the same.¹⁹

Having established that she did not believe in God, O'Hair critiqued what she considered the most widely held “proofs” of God’s existence. The first, the empirical argument, relied on sensory experience. As O'Hair described it, “someone says he has actually talked to god, or heard him, or seen him or smelled him or touched him.” She dismissed this as being what psychiatrists classify as hallucinations.²⁰ The second proof had to do with intuition or mystic insight, which she simply dismissed by asking, “Don’t we all know this never works?”²¹ While O'Hair’s third proof had to do with faith and is predicated on accepting that someone else had the experience noted above. Modern theologians,

O'Hair noted, had abandoned all of these proofs, quipping: "When one or two people have such an experience, it is called a delusion." When a large group shares it, "it is popularly called religion."²²

O'Hair's fourth proof depended on people's acceptance of authority—of an institution, a book, or an individual. Theologians no longer supported this proof, either, she explained, because it did not rely on rational argument. Because history had shown that although it would appear that people have freedom of choice, even they realized that in matters of religion, the choice was usually determined for people without their full—or at least cognitive—consent. "Authority, whoever is in power, rules."²³

In contrast to the preceding argument, the next three proofs O'Hair addressed relied on rational or logical proof, but she found such reasoning flawed as well, and therefore all three proofs were similarly invalid in her view. Her principal quarrel with these proofs was that they ultimately depended on a priori, or self-evident, truths. She identified the cosmological argument, advanced by Thomas Aquinas, as the most popular of the three. Based on the principle of causality, it held that everything required a cause for its existence, even the world and life itself. The problem with this, she asserted, is that eventually, as we proceed from one cause to another, working backward in time, we confront the need for the first cause. That is usually assumed to be God, whom we identify as the uncaused first cause, in that he had no cause but always existed. O'Hair found this logically inconsistent and insisted on knowing what caused God. There being no answer to that question, but the a priori acceptance of God as the uncaused first cause, the proof fails.²⁴

O'Hair offered that the teleological, or natural-law, proof was once popular in the eighteenth century due to the influence of Sir Isaac Newton, but no more. Cosmologists, working from Newton's various observations on the solar system and the laws of nature, assumed an order and design in a harmonious universe that had to be the result of a "planning intelligence." Modern science, however, saw no such harmony, O'Hair explained. There is little evidence of purpose in the world, and the "unprejudiced mind can only allow that the universe appears indifferent to the life that swarms over it."²⁵

The ontological argument for God's existence holds that it is implied by nature, which is to say: If we can define perfection, then it must exist. O'Hair found this reasoning completely irrational—as attempting

to prove existence by the process of definition. "If I try to describe an elf to you, or a leprechaun," she offered, "no matter how much detail can be given, this does not make that elf exist."²⁶

Finally, O'Hair found fault with Kant's "moral argument" for God. Kant argued that "goodness, justice, truth, love and wisdom flow from god and therefore he exists." This left unresolved, however, "the problem of badness, injustice, untruth, hate, and folly," and thus it fails. "After all," she inquired, "if god is omnipotent, omnipresent, omniscient, omnibenevolent . . . how could he permit evil."²⁷

O'Hair concluded her commentary on the proofs of God's existence by noting that yet another argument was surfacing in America. The pragmatic argument, she explained, asks us, "Does it work? Is mankind advanced or retarded by faith in god?" The answer to that question, she insisted, was that religion "has caused more misery to all men in every single stage of history than any other single idea." She concluded: "Has not the idea of Santa Claus alone brought more happiness? Of course it has."²⁸

On a subject to which she returned repeatedly in her work, O'Hair attacked the credibility of the Old and New Testaments. She imagined her audience arguing that the Bible is "the greatest book in the world," that "it is good and it is true." "Like hell it is," she retorted. "It is poor literature, poor history and poor ethics and all in all it has nothing to recommend it. The bible is so unimportant that we hardly need to look at it here."²⁹ O'Hair found the Old Testament contradictory, to wit she cited the two different stories of creation. She also found it "nothing but hatred, vengeance, cruelty, oppression, lust, and depravation," and branded it "a perfectly horrible book." "Do you honestly believe that story about Noah's ark," she asked, "or the Red Sea parting, or Eve being made out of Adam's rib, or the sun standing still, or Jonah and the whale?" She insisted that they were "tall tales told in the age of ignorance and superstition."³⁰

O'Hair argued that the New Testament was worse. She pointed to the many conflicting theories of when it was written and by whom. She pointed out that there are two genealogies for Jesus. One notes that Jesus was supposed to descend from David; thus Joseph's role in his birth. According to the other, however, the Holy Ghost, not Joseph, was the father. No one in the New Testament, or in writing about the New Testament, seemed to agree on much of anything, she concluded, so how can we take it seriously?³¹

Finally, in *Why I Am an Atheist*, O'Hair returned to a point made at the start, namely, establishing her identity as an atheist. She emphatically distanced herself from agnostics. Agnosticism, she explained, "puts forward the false notion that the world is unknowable." Agnostics claim not to have sufficient evidence to know if God exists, and, therefore, might be counted among nonbelievers, O'Hair allowed, but they actually undermine the cause of nonbelievers by undermining science and reinforcing theology. In the process, they become allies of the church. Their stating that man cannot know the world "inclines man to faith, inducing him to trust religious doctrines." As a result, she argued, "the church does not anathematize the agnostic" like it does the atheist.³²

O'Hair quoted John Robertson:

The best argument for the use of the name Agnostic is simply that the word Atheist has been so long covered with all manner of ignorant calumny, that it is expedient to use a new term, which, though in some respects faulty, has a fair start, and will in time have a recognized meaning.

The disadvantage of using the name, Robertson added, underscoring O'Hair's position, is that agnosticism has been associated with several conflicting forms of doctrine, "varying loosely between Theism and Pantheism." The word atheism, he insisted, "escapes that drawback. Its unpopularity has saved it from half-hearted and half-minded patronage."³³

Agnosticism appeared to be a compromise between the opposing positions of theism and atheism. O'Hair would have nothing to do with it. She accused agnostics of "sitting on the fence," depending on later events to determine the way they will jump—which way will most benefit them. She suggested that agnosticism "may be classed as a kind of Atheism that lacks the courage of forthright expression. . . . Don't be a gutless agnostic," she chided. "Come out in the open. . . . You don't need to live in fear anymore."³⁴

O'Hair accused humanists as well of being unwilling to publicly avow their lack of belief in God. But she also commonly pointed to prominent humanists, whose views were substantially in accord with hers. By way of example, she spoke of the British biologist, Julian Huxley, who defined a humanist as "someone who believes that man is just

as much a natural phenomenon as an animal or a plant; that his body, mind, and soul were not supernaturally created, but are all products of evolution, and that he is not under the control or guidance of any supernatural being or beings, but has to rely on himself and his own powers."³⁵

O'Hair quoted from "our great spokesman," Robert Ingersoll, and his "Humanist Credo":

We are not endeavoring to chain the future, but to free the present. We are not forging fetters for our children, but we are breaking those our fathers made for us. . . . We are the advocates of inquiry—of investigation and thought. . . . We are satisfied that there can be but little liberty on earth while men worship a tyrant in heaven. . . . We know that doing away with gods and supernatural persons and powers is not an end. It is a means to an end, and that real end is the happiness of mankind.³⁶

O'Hair also referred to Bertrand Russell and his "Why I Am Not a Christian," wherein he denied not only Christianity but belief in God. Instead, he wrote: "We want to stand upon our own feet and look fair and square at the world. . . . See the world as it is, and not be afraid of it. Conquer the world by intelligence, and not merely be slavishly subdued by the terror that comes from it."³⁷

O'HAIR TAKES TO THE AIRWAVES

What on Earth Is an Atheist!, *An Atheist Speaks*, *All About Atheists*, *Atheist Heroes and Heroines*, and *The Atheist World* contain the transcripts of the first five years of radio programs O'Hair broadcast on the *American Atheist Radio Series*. The program originated at KTBC Radio in Austin, Texas, a station belonging to the Lyndon Baines Johnson family. At its peak it ran on 150 stations nationwide and constituted some of O'Hair's most important work in reaching out to a widespread audience.³⁸

By way of introduction to *An Atheist Speaks*, O'Hair reported that as late as 1963, when she and her family "were catapulted into the nation's eye" by their victory before the United States Supreme Court, she knew "damn little" about atheism. She "could not accept the god idea, nor the Bible upon which the Judeo-Christianity of our nation is based." She believed that religion was wrong—"wrong in what it did to individual

persons, wrong in its proposed solutions to human problems," and more, but "I did not know any Atheist theory, any history, any way to analyze." Moreover, she could not find any information on atheism in the public and school libraries available to her. She resolved to correct that omission through her radio program.³⁹

O'Hair explained that atheists could neither publish nor present their ideas in the leading newspapers and magazines or on network radio and television programs. The religious community dominated those venues, and if any radio or television station attempted to air an atheist program, public opinion commonly rose in opposition, even bringing pressure to bear to have its license revoked. They were supported in such efforts by the National Association of Broadcasters' Television Code, which read:

Attacks on religion and religious faiths are not allowed. Reverence is to mark any mention of the name of God, his attributes, and powers. When religious rites are included in other religious programs the rites shall be accurately presented. The office of minister, priest, or rabbi shall not be represented in such a manner as to ridicule or impair its dignity.

As O'Hair noted, "Well, that leaves the Atheist out in the cold."⁴⁰

During the early 1960s, the Federal Communications Commission decided that television and radio stations could use religious broadcasting as part of their public affairs/public services programming. Moreover, religious programming would not have to follow the usual requirements for time used for commercials. This proved beneficial to both radio and television stations and religious groups, and religious broadcasting soon became big business.⁴¹

Atheists—or more commonly freethinkers—had been on the radio at various times prior to O'Hair's first broadcast, but none in nearly so sustained and visible a manner. O'Hair struggled to be heard. In 1965, while in Hawaii, she filed suit against twenty-seven radio stations, challenging their license renewals for their refusal to sell airtime to her. The case worked its way up through the administrative levels of the FCC, but she could not proceed with the suit because of the legal complications surrounding her Baltimore assault charges.⁴²

In 1967 O'Hair sued the Federal Communications Commission for having promulgated rules in derogation of the rights of atheists. A Fed-

eral District Court ruled that she had no standing to bring suit,⁴³ but she tried again in December 1970. In preparation for that court challenge, beginning in December and continuing through 1971, O'Hair reported having demanded airtime on all 6,033 radio stations then on the air. She mailed each station a letter identifying the Society of Separationists as representing "the Atheist point of view in America"—a "minority, but nevertheless controversial point of view"—and requesting sufficient time on that station "to express our opinions in contrast to religious programming." If necessary, and if religious programs paid for their airtime, she offered to pay for her time.⁴⁴

O'Hair explained that the communications media were becoming more aware of and appreciative of the striving for ethnic identity by members of minority groups. "The need for complete assimilation into the dominant culture is no longer recognized as being absolutely essential to being a 'good American.'" But the practice of "giving complete dominance of the airways to the Judeo-Christian religion," she continued, threatened the religious liberty of millions of Americans who chose not to affiliate with any religious group. It was "repugnant to the American concept of fair play" and contrary to "the Constitutionally protected freedom of expression" in that it "places a premium on belief as against nonbelief, and subjects freedom of conscience to the rule of the majority."⁴⁵

The letter referred to the FCC's "Fairness Doctrine," as incorporated into the Communications Act of 1934. In earlier cases the FCC had insisted that the Fairness Doctrine did not require equal time to be afforded for each or every side, when a radio or television station presented a controversial issue. Instead, the broadcaster had a duty to encourage the airing of contrasting views in its overall programming. O'Hair interpreted it differently—and as supporting her case—in that atheism qualified as a "controversial issue" of public importance, and therefore deserving of "equal time to counter the saturation of the media which religion everywhere presented."⁴⁶ The letter also reprinted an excerpt from the National Association of Broadcasters Creed:

Radio broadcasting in the United States of America is a living symbol of democracy; a significant and necessary instrument for maintaining freedom of expression, as established by the First Amendment to the Constitution of the United States.⁴⁷

The letter was signed by Richard O'Hair, as president of the Society of Separationists; but it was clearly Madalyn O'Hair's handiwork, and she was arming for battle. Anticipating hundreds, if not thousands, of rejections, she was planning a full-scale assault on the FCC, and in this case, her standing could not be questioned. By her own account, she had "a nice, legal fund" built up and was prepared to start the process by suing those stations that refused to air the radio series.⁴⁸

Many did not respond. And there were those who were outraged by O'Hair's suit. As one local Michigan newspaper columnist wrote:

This woman has not retired from her efforts to succeed in eliminating Christian efforts in the United States. This is a powerful woman and there is speculation that she is the leader of a group within the United States, possibly the Communists, who are striving to first eliminate religious broadcasts, and we can be quite sure the next step will be closing of the church doors. Part of the petition . . . which is now being reviewed, requests a freeze on religious broadcasting.⁴⁹

"It makes one wonder," the writer continued, "what the United States was doing in Viet Nam fighting Communists who are atheists and do not believe in democracy." Fifty thousand American soldiers had lost their lives "yet, here in America, there aren't many fighting against people like Madalyn O'Hair, whose beliefs suspiciously coincide with those of the Communists." He called such reluctance treason.⁵⁰

The times had changed, however, and the columnist's opinion was no longer as widely shared, or at least publicly voiced. America in the early 1970s was a decidedly more liberal and tolerant place than it was a decade earlier. When compared to the civil rights movement and the anti-Vietnam War movement, both of which had erupted into violence, as well as the much larger countercultural assault on "traditional" values, the prospect of giving atheists fifteen minutes of radio time was no longer perceived as posing much of a threat. At the very least, station managers were no longer willing to face the court challenge that was almost certain to result in such cases.

One hundred and seventy stations, from forty states, responded favorably to O'Hair's letter, offering to sell her time. Seven were willing to give her time, free of charge. One station president pointed out that the FCC had recently ruled that stations need not carry opposing views

in matters of religion, and that the president of the National Association of Broadcasters endorsed the decision, but that he himself disagreed with it. "How they rationalize that with the 'Fairness Doctrine,'" he wrote, "I know not," whereupon he offered O'Hair free airtime.⁵¹

O'Hair was stunned by the response. "This was too much. Where we had expected another big battle, we were finding acceptance from a large group of affable broadcasters." In fact, rather than fighting to obtain airtime, her problem became finding the time and money to supply the stations willing to take the show.⁵² O'Hair struck one cautionary note. Of all the stations they contacted, 56 percent agreed to sell her time; 9 percent agreed to have her on talk shows, give her free time, or give her local representatives free time. The rest either failed to reply, refused, or were evasive. Of this last group, the "overwhelming number" were CBS affiliates. Although it was mostly independents who responded positively, she once again found reason to be hopeful that the days of reprisals for atheists were over in this country, as was the time when they could be silenced. "The moral of this is that when the time for an idea has come in history, nothing can suppress that idea. And the time for Atheism is now in human history."⁵³

During her first radio program, on June 3, 1968, O'Hair announced that hers was the first broadcast of a regularly scheduled weekly program of an atheist. And she was not just any atheist, she added: "No matter who you are, or what your age, sex, race or creed, I have affected your life in recent years because everyone in America goes to school or has gone to school in his life, and I am Madalyn Murray O'Hair . . . the American Atheist who removed Bible reading and prayer recitations from the public schools of our country." For the next year, O'Hair announced, she would discuss three things: the principle of separation of church and state in America; the need to tax the church; and atheism. What motivated her to purchase the airtime, she emphasized, was the desire to inform people what atheists were all about—what motivated them. "There is a little bit of Atheist in everyone," she continued, "even you." She did not mention that her fifteen-minute program on KTBC was immediately followed by a gospel program of equal length, intended to counter O'Hair's points.⁵⁴

The response of her listeners was mixed. On September 2, 1968 O'Hair read some of the letters she had received in response to her first broadcasts. One wrote:

I have listened to a lot of people on radio, but when I hear you I actually get sick. Taking away prayer from public schools shows your rotten communistic ideas. Why don't you take a fast jet to Russia and stay there. Many people like you, without faith, go to psychiatrists for treatment. How I pity you. You are a disgrace to humanity. God will punish you.

Another listener called her an idiot, a troublemaker, and an attention seeker: "All I can say is good luck when you die, cause no one's gonna be there but you and Christ, face to face." The letter was signed "A Blessed Believer in Christ." O'Hair noted that she intended to publish a collection of such letters under the title: "Letters from Christians."⁵⁵

Others sang her praises. One wrote: "I am pleased to have the pleasure to hear you. I'm an agnostic and have experienced the hate and bigotry of the demented. This is why a great many Atheists just do not reveal their views on the subject for fear of persecution." Another paid similar tribute:

Thank you for expressing in public what so many of us are not given a chance to do. Thank you for the courageous stand you are taking in behalf of freedom from superstition and the power of organized religion. I hope you will continue your work until the United States becomes a truly secular society as guaranteed in the Constitution. Organized religion is surely the epitome of hypocrisy when they deny Atheists the right to their own beliefs.⁵⁶

One person wrote that he admired her work and valued her accomplishments, admitting that he had no heart for the combative situations in which O'Hair found herself. He preferred to let them "stew in their own juices." He added that he had read her *Playboy* magazine interview and was "put off" by it. "While agreeing with and admiring your views, I could not admire the way in which they were expressed. I cannot help feeling that you did your movement a great deal of harm in that interview." But, he continued, he had since watched her debate two clergymen on television and was very impressed by the way she handled the situation and conducted herself.⁵⁷

O'HAIR CLAIMS PROMINENT COMPANY

As noted earlier, O'Hair liked to claim prominent company. Beginning in her second radio program, dated June 10, 1968, and on several occasions thereafter, O'Hair argued that she and the Society of Separationists represented freethinkers. This allowed her to use the popular tendency of labeling all unorthodox believers as atheists to show not only that there was a history or tradition of what she believed in America, but also that the nation was founded on such beliefs. Freethought in America, she asserted, had a three-hundred-year history, and during that time members had "shown high idealism applied to praiseworthy objects." Moreover, "the majority of freethinkers have shown dignity and constancy and even heroism to a so-called unpopular cause."⁵⁸

Beginning on September 2, 1972, O'Hair devoted seven weekly programs to the most prominent freethinkers in history. She began among the ancient Greeks and Romans and continued down to the present. From abroad she listed Voltaire, Rousseau, Freud, and Herbert Spencer, as well as Queen Elizabeth I of England and Catherine the Great, Empress of Russia. Among Americans she recognized Jane Addams, Susan B. Anthony, Clara Barton, Elizabeth Cady Stanton, William Lloyd Garrison, Andrew Carnegie, and others.⁵⁹

O'Hair focused most often, however, on the "founding fathers"—Benjamin Franklin, Thomas Jefferson, James Madison, even George Washington—without whom the Revolution, independence, and the U.S. Constitution would not have been possible. All voiced unorthodox religious views and concern about the historic relationship between church and state. Thomas Paine was clearly one of O'Hair's favorite freethinking founding fathers. She was always certain to remind her listeners that Paine was the author of *Common Sense* and the first "crisis" papers, wherein appeared the words, "these are the times that try men's souls." She quoted well-known figures like John Adams, who lavished praise on Paine for his efforts on behalf of the revolutionary cause. She added that Paine was also "a remarkably keen critic of the injustices that existed" and advocated reforms such as the abolition of slavery, international peace, and equal rights for women. But then, she charged, his name and memory had been "smeared by the lies of religious bigots and fanatics, who objected to his deism."⁶⁰

O'Hair quoted liberally from *The Age of Reason* to show that she and Paine were of like mind on matters of organized religion, if not on the existence of God. She made clear, in his own words, that he believed in God and hoped "for happiness beyond this life."⁶¹ But he also wrote: "I do not believe in the creed professed by the Jewish church, by the Roman church, by the Greek church, by the Turkish church, by the Protestant church, nor by any church that I know of. My own mind is my own church." Paine continued: "I believe in the equality of man; and I believe that religious duties consist in doing justice, loving mercy, and endeavoring to make our fellow creatures happy. . . . All national institutions of churches . . . appear to me no other than human inventions set up to terrify and enslave mankind, and monopolize power and profit."⁶² To this extent, Paine, the American Revolutionary War hero, and O'Hair spoke the same language.

O'Hair made similar remarks concerning Ethan Allen. She asserted that Allen, another American Revolutionary War hero, "despised Christianity," and that he was "one of the great deists of that day and age." After the war, following his release from prison, Allen wrote *Reason, the Only Oracle of Man* (1784), a deist tract that caused quite a scandal, despite his heroic public status. To make her point concerning his attitude toward Christianity, O'Hair quoted at length from *Reason*, especially Allen's debunking of the story of Adam and Eve, Original Sin, and the imputation of that sin to their human progeny. He described it as a "chimerical . . . representation of the apostasy of man," as well as "the very basis on which Christianity is founded" and "the very cause why Jesus Christ came into this world." Allen found the doctrine of the imputation of merits or righteousness of Christ as irrational as that of original sin. Neither, he insisted, can be imputed, or transferred, from one person to another. Every person stands "accountable to their creator and judged on the basis of their own moral agency."⁶³

O'Hair referred to the first paragraph of the Declaration of Independence as including some of the most "thrilling" words ever written, and she added: "They were written by freethinkers or deists." She pointed out that the Declaration did not say "one nation, under God," which was added to the Pledge of Allegiance nearly two hundred years later. Neither did it state that "God has ordained" anything. Rather, she pointed out, it assumed that God does not get involved in such matters on earth, which happen instead "in the course of human events." Also in deist tradition, O'Hair continued, the Declaration spoke of "Nature's

laws" and "Nature's God" with "the laws and nature parts always enumerated before the God part." "Our forefathers," she concluded from this, "were not that concerned with the opinion of god and his agents. They respected first the opinion of 'We the People.'"⁶⁴

O'Hair insisted that the nation's first four presidents—Washington, Adams, Jefferson, and Madison—were "deists, not Christians," or at least freethinkers.⁶⁵ Although she spoke about all four, she clearly felt the need to elaborate on George Washington, the Founder of the Nation, whom, she argued, Christian writers had misrepresented. O'Hair pointed out that although much was made of Washington's pew in Christ Episcopal Church in Alexandria, Virginia, and that he was listed as a vestryman, for example, Washington repeatedly refused to take communion, walking out of the church before each communion service. When he continued the practice in Philadelphia and the Reverend James Abercromie took him to task for it, Washington stayed away from the church entirely on communion Sundays.⁶⁶ This being unacceptable to Christian Americans who sought to idolize Washington, O'Hair reported, they either ignored his true religious behavior or fabricated a false impression of more orthodox belief.⁶⁷

O'Hair pointed out how contemporaries reworked some of the better-known and influential documents of Abraham Lincoln to the same end. She pointed to conflicting versions of the Bixby letter—allegedly written by Lincoln to a Mrs. Bixby of Boston, who supposedly lost five sons in the Civil War. The facts of the case surrounding the letter, dated November 21, 1864, reveal a number of inaccuracies in the story's telling. O'Hair's point, however, was that her reading of the different texts suggested that certain phrases were inserted by others in the transcribed and published texts—such as "I pray that our Heavenly Father"—in order to make Lincoln appear to be an orthodox Christian believer when he was not. She pointed to evidence of what she thought represented the same tinkering with Lincoln's Gettysburg Address.⁶⁸

O'Hair read from a letter written by Abraham Lincoln's longtime law partner, William Herndon, to the *Truth Seeker*. The letter was dated November 25, 1882, and sought to refute what he considered lies told about Lincoln's religious beliefs. Most of the literature of the day portrayed Lincoln as a deeply religious, Christian person, despite his apparent lack of membership in any particular Christian denomination. Herndon denied that view of Lincoln and called him "an Infidel, sometimes bordering on Atheism." "Lincoln was an Infidel of the radical

type," Herndon explained. "He never mentioned the name of Jesus, except to scorn and detest the idea of a miraculous conception."⁶⁹

O'Hair also spoke often and at length on Jefferson's unorthodox religious views. On her August 30, 1975, radio program, for example, she offered that she found the mood of celebration of the bicentennial of the nation an appropriate time to consider Thomas Jefferson's letter to his nephew and ward, Peter Carr, wherein Jefferson advised Carr to "fix reason firmly in her seat" and to "call to her tribunal every fact, every opinion." He urged Carr to "question with boldness even the existence of a god, because if there be one, he must more approve the homage of reason than of blindfolded fear." If, as a result, he should conclude that there is no God, "you will find incitements to virtue in the comfort and pleasantness you feel in its exercise and in love of others which it will procure for you."⁷⁰

Having established that the God of the Old Testament was "cruel, vindictive, capricious, and unjust," Jefferson turned to Jesus Christ. He urged Carr to "keep in [his] eye the opposite pretensions" of those who said that Jesus was "begotten by God, born of a virgin, suspended and revised the law of nature at will, and ascended bodily into heaven," and those who suggested that Jesus was "of illegitimate birth, of a benevolent heart and enthusiastic mind, who set out without pretensions to divinity, ended in believing them, and was punished capitally for sedition." Jefferson was more direct in a letter to John Adams just before his death: "The day will come when the mystical generation of Jesus, by the supreme being as his father, in the womb of a virgin, will be classed with the generation of Minerva in the brain of Jupiter."⁷¹

Jefferson described the gospel history of Jesus as "a groundwork of vulgar ignorance, of things impossible, of superstitions, fanaticism, and fabrications." He charged Jesus' biographers with formatting "falsehoods" and "charlatanisms," and condemned the torture of innocent people in the name of Christianity. Jefferson described Christian revivals as so much fanaticism, and showed himself anticlerical to the extent that he found "in every age the priest has been hostile to liberty . . . in alliance with the despot, abetting his abuses in return for protection to his own." He added: "If anybody thinks that kings, nobles and priests are good conservators of public happiness, send him here (Paris). It is the best school in the universe to cure him of that folly."⁷²

ON THE SEPARATION OF CHURCH AND STATE

So as we have seen, O'Hair pointed out that in the Declaration, the Constitution, and the other writings of the Founding Fathers, "we find over and over again a repudiation of Christianity and a reliance on Nature and Nature's God." She cited the Treaty of Tripoli with the Barbary pirates in 1797, which stated that "the government of the United States is not, in any sense, founded on the Christian religion." She noted that there are no references to God in the Constitution, despite pressures to do so, and that, in fact, there are repeated "safeguards against such religious intrusions," such as religious tests for office.⁷³

O'Hair made two points in underscoring the importance of such "safeguards against religious intrusions." First, she sought to eradicate the myth that the land that was to become the United States was colonized by persons fleeing oppressive European theocracies, who sought not only religious freedom but to establish colonies wherein settlers could worship freely. And second, she rejected the idea that the Founding Fathers were determined to establish a Christian nation. Instead, she argued, the first colonists were minority religious sects that may have fled persecution but that upon their arrival sought to establish the same type of "theological tyrannies" from which they had fled. Realizing the abuses and denomination strife this colonial practice had created, the founders of the nation developed "a healthy disdain" for organized religion and its historical influence on government. As a result, O'Hair argued, they sought to erect "a wall of separation between church and state." In making the argument, O'Hair hoped to counter two centuries of attempts on the part of Christian Americans to make the words of the Founding Fathers so ambiguous as to become meaningless.⁷⁴

O'Hair often recalled past abuses perpetrated in the name of religion. "Let me read you a little about the tolerant Christians who founded our first states while we were still tied to England as our mother nation," she proposed during her April 7, 1969, radio show, "and see if you don't immediately perceive why our 'Founding Fathers' wanted no part of this hypocrisy." She then read excerpts from the laws of colonial Virginia, wherein "to speak impiously of the Trinity or one of the Divine Persons, or against the known articles of the Christian faith was punishable by death." She recalled fines for nonattendance at church and compulsory tithes for the established Church of England.⁷⁵

O'Hair referred to similar statutes in New England. She pointed to the Puritans' brutal treatment of heretics—the flogging, branding, and hanging of Quakers, for example—most of which, she insisted, had been left out of our history books.⁷⁶ She quoted from Plymouth Colony laws that provided for fines and whipping in cases of profaning the Lord's Day or not attending church. Such nonattendance, she explained, was believed to be "contrary to God and the allowance of the government, tending to the subversion of religion and churches, or palpable profanation of God's holy ordinances."⁷⁷ In the case of Massachusetts Bay Colony, she pointed to laws providing penalties for sleeping in church, children playing in public places on the Sabbath, and other such common human failings and pleasures.⁷⁸

Thomas Jefferson and James Madison, O'Hair insisted, were well aware of those abuses and sought to protect the new nation from their continuation through the separation of church and state. When "religionists" spoke of separation of church and state, O'Hair explained, they were being "self-centered to their religion and denominationally oriented in their goals." When Jefferson spoke on separation of church and state, liberty of conscience and freedom of religion, he spoke for dissenters and not for denominations: "Jefferson was particularly opposed to an established religion that required conformity of conscience, uniformity of worship and that laid taxes upon all citizens for the support of one state church, or for the support of all denominations of Christianity generally."⁷⁹

O'Hair quoted from Jefferson's letter to the Baptists of Danbury, Connecticut, dated January 1, 1802, in which he explained his position on church and state with reference to the First Amendment. "Believing with you that religion is a matter which lies solely between man and his God," the president wrote,

that he owes account to none other for his faith or his worship, that the legislative powers of government reach actions only, not opinions, I contemplate with the sovereign reverence that act of the whole American people which declared that their legislature should "make no law respecting an establishment of religion, or prohibiting the free exercise thereof," thus building a wall of separation between church and state.

Jefferson explained that he adhered to that "expression of the supreme will of the nation in behalf of the rights of conscience."⁸⁰

O'Hair turned to Jefferson's Virginia bill for Establishing Religious Freedom, however, to explain why he—and Madison—were so insistent on religious freedom. Jefferson wrote that he believed that

the opinion and belief of men depend on their own will, but follow involuntarily the evidence proposed to their minds; that almighty God hath created the mind free, and manifested His supreme will that free it shall remain by making it altogether insusceptible of restraint; that all attempts to influence it by temporal punishments, or burdens, or by civil incapacitations, tend only to beget habits of hypocrisy and meanness, and are a departure from the plan of the holy author of our religion, who being lord of body and mind, yet chooses not to propagate it by coercion on either, or has in His almighty power to do, but to exalt it by its influence on reason alone.⁸¹

O'Hair commonly made reference to cases of blasphemy brought against those who publicly criticized religion, especially Christianity. On her October 11, 1971, radio show she made reference to the Woolston case, heard in England in 1729, which American courts regarded as authoritative in the nineteenth century. Woolston, she pointed out, was not an infidel or atheist, but rather a fellow of Sidney College in Cambridge, who argued that the miracles attributed to Jesus Christ not be taken literally, but allegorically or mystically. Woolston was fined and imprisoned, where he remained, unable to pay his fine, until he died in 1731.⁸²

One of O'Hair's favorite cases, however, on which she commented during her June 9, 1969, show, concerned George Jacob Holyoake, one of the last blasphemy trials in England. In December 1840 Holyoake delivered a speech in Chetenham titled "How Colonisation Is a Means of Superseding Poor Laws and Emigration." When asked whether he thought the government ought to involve the churches in the reform of which he had just spoken, he said no—that he opposed government funding of such church involvement. He admitted that he was not a religious person. "Morality I regard, but I do not believe there is such a thing as God." He acknowledged that others had been imprisoned for making similar public statements, but nevertheless concluded: "For myself, I see the Bible as a viper, and revolt at the touch of a Christian."⁸³

Holyoake was arrested and accused of having "wickedly and profanely uttered, made use of, and proclaimed in the presence of a public

assembly of men, words against God . . . against the peace of our lady the Queen [the head of the Church of England], her crown and dignity." He was tried on August 15, 1842, found guilty, and sentenced to six months in prison. The judge explained: "The arm of the law is not stretched out to protect the character of the Almighty; we do not assume to be the protectors of our God, but to protect the people from such indecent language."⁸⁴

No doubt recalling—and hoping to remind others of—the public's response to her own public pronouncements, O'Hair recalled that the newspapers described Holyoake as "a wretch," "a miscreant," and "a monster" who advocated "devilism." They described him as a "creature" with "wiry" and "disheveled hair" and classed him with a young man who had just taken a shot at the Queen of England. They charged him with having a morbid imagination, and a craving after notoriety. One newspaper labeled him a bigot.⁸⁵

O'Hair explained that the American legal system was built on English precedent, and that it included laws relative to blasphemy. By way of example, she cited the Massachusetts law of 1641, whereby any person who blasphemed "the name of God, the Father, Son, or Holy Ghost . . . shall be put to death."⁸⁶

One of the earliest U.S. blasphemy cases O'Hair discussed involved Abner Kneeland of Massachusetts. Initially a carpenter by trade, Kneeland became a Baptist minister, then a Universalist minister. In 1822 he wrote a two-volume work called *The Deist*, and in 1829 *A Review of the Evidences of Christianity*. In 1831, while living in Boston, he began a magazine, *The Boston Investigator*, which O'Hair considered the first freethought, or atheist, magazine in America. And in 1833 he was indicted and tried for blasphemy, when he said that he "did not believe in the god which Universalists did." He was sentenced to two months imprisonment and fined \$500. Kneeland, O'Hair explained, was a pantheist. He identified God and nature, and rejected the idea that "god is some kind of transcendental reality, of which the universe and man are only a manifestation."⁸⁷

O'Hair concluded the June 9 program by reading from an article published on that date by the Associated Press, reporting that Maryland's highest court had struck down the state's 246-year-old blasphemy law as unconstitutional. The ruling overturned a lower court's conviction of Irving West in June 1968 for disorderly conduct and blasphemy. The Maryland law provided for a jail sentence of up to six

months and a fine up to \$100, "if any person, by writing or speaking, shall blaspheme or curse God, or shall write or utter any profane words of and concerning our Savior Jesus Christ, or of and concerning the Trinity, or any of the persons thereof." Judge Edward Weant ruled that the Maryland law violated "the free speech, freedom of religion, and equal protection provisions of the First and Fourteenth Amendments to the U.S. Constitution."⁸⁸

As we have seen, O'Hair considered tax exemptions for churches one of the most flagrant violations of the separation of church and state. She liked to provide historical perspectives on this issue as well. For example, she pointed out that in 1875, President Ulysses S. Grant proposed a Constitutional amendment, if necessary, to provide that "all church property shall bear its proportion of taxation." Six years later, President James Garfield addressed Congress on the issue of taxing church property, stating that "the divorce between church and state ought to be absolute. It ought to be so absolute that no church property anywhere, in any state or in any nation, should be exempt from taxation; for if you exempt the church property of any church organization, to that extent, you impose tax upon the whole community."⁸⁹

O'Hair employed not only the historical precedent of separation of church and state, however, but also the churches' current great wealth, derived in large part, she argued, from the businesses and property they owned and that had nothing to do with religion—other than providing wealth for the churches and its leaders. She referred to church owned factories, hotels, and banks, and the wealth they generated, and questioned churches' attempts to separate related from unrelated businesses in order to minimize their taxes.⁹⁰

Here and elsewhere, O'Hair was particularly critical of the Roman Catholic Church, although at one point or another she included most major denominations in her attacks. She insisted that her constant attacks on the Catholic Church not be construed as anti-Catholic. "The Roman Catholic Church simply happens to be the biggest, most powerful, and most organized of the denominations in Christendom."⁹¹ She attacked the Episcopal Church, for example, pointing out that it owned, and rented out, twenty Manhattan office and industrial buildings, as well as the lot on which New York's Rockefeller Center was built. She read from the church's recently issued report that it had over \$39 million in trust funds as of December 1971.⁹² In January 1972 she announced on her radio show that the Annuity Board of the Southern

Baptist Convention had reported assets of over \$247 million.⁹³ And so it went, over the years, as O'Hair poured through reports on church wealth—of Mormons, Lutherans, Quakers, Seventh-day Adventists, Presbyterians, and others.⁹⁴ In December 1968 O'Hair asserted that the gross revenues of the churches were greater than the after-tax incomes of General Motors, American Telephone and Telegraph, Standard Oil, Ford, Texaco, and Sears Roebuck combined—and that the churches were exempt from taxation on those revenues. Nevertheless, they expected all the services of government derived from taxation, including roads and water and sewer lines.⁹⁵

On her June 30, 1969, radio show, O'Hair quoted from a book on the subject published in 1916 and offered comparisons to her own time. *Exempting the Churches* reported that the value of church property in the United States had nearly doubled between 1890 and 1906, far exceeding the rate of increase of church membership. O'Hair added that whereas the value of church property in 1906 stood at \$1.25 billion, sixty years later it had risen to over \$100 billion. Based on figures provided by the churches, which she insisted were exaggerated, while the value of tax-free church lands increased 1000 percent, church membership rose only 450 percent. Income derived from church businesses, she continued, topped \$21.5 billion. If they were required to pay regular income tax on those profits, she argued, the revenue gained would pay for the cost of the war in Vietnam.⁹⁶

In the meantime, O'Hair offered, in February 1972 the churches received nearly \$7 billion a year in "cash-out-of-hand" from the federal government for its various programs, supplemented by low-interest loans. Among the church programs O'Hair listed as receiving federal financial support were church retirement homes, for which they received funding from the Department of Housing and Urban Development; church-affiliated schools and colleges, drawn from several different sources, especially the Higher Education Facilities Act; religious-based hospitals, provided for by the Hill-Burton Act; and so on. She was especially critical of the GI Bill's failure to differentiate state colleges and universities from those with church affiliations.⁹⁷ Once again, she quoted from the 1906 publication, underscoring her position:

Whether one or any particular religion thrives or declines is none of the business of the state. All the state should do is to give a free field to all, and then let them succeed or fail in proportion to their own merits

and their ability to convince men and women of their truth, and of the merits of their claims to monetary support at the hands of the individuals thus convinced.

All [church] tax exemptions violate the fundamental doctrine of democratic neutrality and impartiality by the government. It favors a portion of the community at the expense of the rest. It is the worst form of taxation without representation. It places a premium on dogmatic faith. . . . It places the state in the position of formally endorsing the proposition that religion is a public function and not an affair of the private conscience.⁹⁸

In her September 30, 1968, radio show, O'Hair reported on two cases ruled on the previous summer, that she feared would perpetuate what she considered to be such violations of the separation of church and state, the *Flast v. Cohen* and *Board of Education v. Allen* cases. *Flast* raised the question of whether a taxpayer could bring suit against the United States government questioning the constitutionality of a congressional spending statute. It sought to overturn *Frothingham v. Mellon* (1923), which had established the premise that no taxpayer could question such expenditures because a single taxpayer had too small an interest in the total tax money spent. In *Flast* the plaintiffs claimed to have standing to sue as taxpayers because federal aid to parochial schools for textbooks and other items violated the First Amendment principle of separation of church and state.⁹⁹

The United States Supreme Court held that in First Amendment cases the taxpayer did have standing, or the right to sue, but it avoided any comment on the issue of government funding of parochial schools under the Federal Aid to Education Act. Instead, it remanded, or returned, the case to the New York court with the following guidelines in hearing the case: first, the taxpayer must show a logical link between their status as taxpayer and their being affected by the law in question; and, second, the taxpayer must show that the tax or spending program violates a specific constitutional limitation upon those powers.¹⁰⁰

The Supreme Court clarified its position in the *Allen* case, and O'Hair was not pleased. From her reading of that decision, "the Roman Catholic Church would be the winner in any case" that made it to the court thereafter. A taxpayer had challenged a New York State law, under which the state gave parochial schools \$25 million worth of textbooks each year. In a 6 to 3 decision, the court ruled that this did not violate

the First Amendment provision for the separation of church and state.¹⁰¹ O'Hair, of course, sided with the three dissenting justices, quoting Justice Hugo Black in particular:

This is . . . a flagrant, open violation of the First and Fourteenth Amendments. . . . [The decision] bodes nothing but evil to religious peace in this country. . . . I still subscribe to the belief that tax-raised funds cannot be used to support religious schools, buy their school books, erect their buildings, pay their teachers, or pay any other of their maintenance expenses, even to the extent of one penny.¹⁰²

On her June 7, 1991, show, O'Hair gave a history of "released time" for religious instruction, which she opposed as well, as a violation of the separation of church and state. It began in Gary, Indiana in 1913, she explained, when a group of parents urged their local school district to provide time during the school day for religious instruction off school grounds at their churches. By 1925, two hundred communities in twenty-four states adopted the program. By 1947, 2,000 communities, 1.5 million children, and forty-seven states were involved.¹⁰³

O'Hair noted that released-time programs began as a Protestant effort to bolster declining Sunday School enrollments. She suggested that public schools were, in effect, sanctioning or promoting religious instruction in this program by allowing school property to be used as an assembly place for students to collect, keeping records of absences for religious classes, distributing information on religious classes, and even attempting to persuade students to attend.¹⁰⁴

Roman Catholics and Jews had their own schools and religion classes and at first tended not to participate in the released-time program. In time they did avail themselves of this opportunity, however, and within several years Roman Catholics dominated the program. O'Hair cited statistics for New York City which showed that 81 percent of the students participating in the released-time program were Roman Catholics, even though they constituted only 23 percent of the public school's total enrollment.¹⁰⁵

This pattern, she noted, gave Protestant leaders considerable concern. O'Hair explained that one of the principal arguments for teaching religion to children, as part of a released-time program or any other arrangement, was that it reduced juvenile delinquency and increased morality. She presented evidence to the contrary. She referred

to a 1943 study by Hartshorne and May that appeared in *Religion in Public Education* written by V. T. Thayer. It found that there was no significant relationship between religious training and delinquent or non-delinquent behavior. Hartshorne and May studied children who either attended or did not attend Sunday School. George Rex Mursall of the Ohio Department of Welfare compared boys in the Ohio Reform School and nondelinquent boys in law-abiding homes and came to the same conclusion.¹⁰⁶

On September 6, 1969, in a paper that made *New York Times* headlines, Professor Hightower of Butler University, at the Ninth International Congress of Psychology at Yale University, reported that his examination of some 3,300 children failed to show any significant relationship between their being given knowledge of the Bible and their walking "the straight and narrow way." In the late 1940s, John DeMaris studied penal institutions in forty-four states and found that of a total of 71,490 prisoners, 85 percent were labeled religious in that they claimed to belong to a particular denomination; 14 percent considered themselves religious, or at least to believe in God, though they listed no church preference; while only one percent (a disproportionately low figure for the general population) claimed to be agnostic or atheist—to not believe in God.¹⁰⁷

O'Hair allowed that she had "great doubts" about many factors of the public school system, but that she believed that the schools tried to educate "with fairness and equality." The assumption, she suggested, was that children "should think of their classmates as equals in all respects" and be taught to work and play in harmony. They were not, and ought not to be, taught to think of themselves and their classmates as Protestants, Catholics, or Jews. Released-time programs, she argued, ran counter to that goal by accentuating the differences between those groups, as well as between believers and nonbelievers. By grouping them in preparation for their release, the schools were pointing to their different faiths and encouraging their sense of separateness. This lack of ecumenicism may have been intended, O'Hair supposed, because "Christianity is a sectarian religion. People think of themselves as a Baptist, a Methodist, a Presbyterian, a Roman Catholic, and then only second as a Christian. . . . The separation of pupils in schools into groups for religious instruction demonstrates this more than anything else."¹⁰⁸

O'Hair concluded that she opposed the released-time program because it discriminated against minorities, disrupted classes and lessened

"school efficiency," promoted "division and segregation among school children by emphasizing religious differences, and failed to improve the morals of children or to reduce juvenile delinquency." Moreover, she insisted, released time violated constitutional provisions for the separation of church and state.¹⁰⁹ She quoted William Howard Taft, Chief Justice of the United States Supreme Court from 1921 to 1930: "Religion itself may not be taught in the public schools, or under associations so near to the public schools that they become part of the instruction."¹¹⁰ She also employed the words of Robert A. Taft, U.S. senator from 1939 to 1953:

When the state offers a full education to every child, it cannot offer religious instruction without imposing the religious views of those who happen to be in authority over all the children who attend those schools and are unable to pay for instruction elsewhere. I, therefore, always opposed any teaching of religion in the public schools.¹¹¹

"I repeat a truth which cannot be squelched," O'Hair added: "If religion did not have the protection and encouragement of civil government in the United States, if that civil government did not give religion a preferred position, and if the government did not help it financially, religion would die rapidly in America. It does not support itself. It cannot coax people into full participation. It must rely on tax money and the coercion of government to make it viable—to keep it alive."¹¹²

DRAWING ON HISTORY AND HISTORY'S PROMINENT FREETHINKERS

As we have seen, in making her case for the separation of church and state, O'Hair often looked to history and employed the words of its most prominent proponents. She did the same in espousing the cause of atheism, often referring to James M. Robertson, Charles Bradlaugh, Chapman Cohen, and Robert Ingersoll. By way of example, on October 14, 1972, O'Hair did a radio show on atheism in England from 1800 to 1850, as presented by James M. Robertson in *A History of Freethought in the Nineteenth Century* (1929). Robertson's thesis was that "infidelity" made significant gains in England at the close of the eighteenth century—indeed, that in 1780 it permeated all contemporary literature. He

attributed this change to political developments in France and pointed out its repercussions in the United States at about the same time.¹¹³

Robertson explained that this liberalization brought about a conservative reaction, including passage of England's Treasonable Practice's Bill in 1795. The bill clamped down on freethinking and atheistic writing for decades to come—reasserting the religious nature of the country. O'Hair asserted that much the same reaction occurred in the United States in response to the age of deism. "During the time of revolution and thereafter," she explained, "we were much devoted to freethought and we were specifically a non-Christian, even an anti-Christian country. But religious forces began to work with ardor after the conclusion of our Revolution and the cries of 1776, so that we also, as a nation, were much more religious from 1800 to 1850 than we had been from our inception through the Revolution itself."¹¹⁴

Continuing to suggest parallel developments in the United States, O'Hair noted Robertson's report that a new middle class developed in England in the nineteenth century, whose wealth was "at the disposal of the Church [of England]." The new capitalist class sought to insure that the "new order" would be free of the days of democracy, so it joined hands with the established Church to maintain orthodoxy. The result was "a conflict between propaganda always backed by large vested interests and propaganda from isolated and embattled individuals." One party to the fray stood on the side of endowed institutions, "collectively rich, broad-bottomed on common principle," while the other—militant atheists and freethinkers—appealed to "the more thoughtful few" and fought the good fight with far less.¹¹⁵

O'Hair preferred to focus on individual atheists or freethinkers from history as models for her listeners or readers, but she also established a lineage in the process. For example, she proclaimed Charles Bradlaugh, an English atheist, "the granddaddy Atheist of Western civilization." "Always there has been—at least—one person willing to speak up, and the first one was Charles Bradlaugh." O'Hair suggested that Bradlaugh was followed by George Jacob Holyoake and then the American, Robert Ingersoll, to which she added: "and then—after a very long gap—me. . . . They were the first angry men. I am, in this area of thought, the first angry woman."¹¹⁶

Bradlaugh wrote his first atheist pamphlet in 1850, at the age of seventeen, *Vide Ut Infra*. He enlisted in the British Army for East India service, where he studied Greek, Hebrew, Arabic, and law. He soon grew

unhappy with the military, however, and his parents "purchased" his discharge. Bradlaugh returned to London, where he spoke and wrote about atheism under the nom de guerre of Iconoclast.¹¹⁷ His atheist pronouncements incurred the wrath of his religious opposition, to which he responded in 1863: "I have deemed that I attacked theology best in asserting most the fullness of humanity. I have regarded iconoclasm [which O'Hair translated as atheism] as a means, not as an end. The work is weary, but the end is well."¹¹⁸

For twelve years, Bradlaugh ran for public office unsuccessfully, being vilified as "that atheist." Finally, in 1880, he became the first "notorious Atheist" to be elected to a seat in the House of Commons. Faced with the requirement of taking the Oath of Allegiance to the British crown, so help him God, Bradlaugh asked that he be allowed to affirm his allegiance to the crown without reference to God, setting off a debate in the British Parliament that lasted six years. By not taking the oath, Bradlaugh repeatedly vacated the seat, only to be reelected by his constituency five times with increasing voter support. He was finally allowed to take his seat in Parliament in 1886, and an Affirmation Bill was passed two years later. As O'Hair noted in 1969, "that is only eighty-nine years ago, so strong has the stranglehold of religion been in the civilized world even in London, England."¹¹⁹

O'Hair took up Bradlaugh's *Plea for Atheism* (1880), wherein he argued that it was "too often the fashion with persons of pious reputation" to describe atheism as "favoring immorality," of engaging in "vicious" conduct, and as having "adopted Atheistic views as desperate defiance against a deity justly offended by the badness of their lives." Bradlaugh argued instead, as would O'Hair, that atheism afforded a greater possibility for human happiness than any system based on theism, and that the lives of true atheists must be more virtuous—more human—than those of theists, because the humanity of the devout believer often finds itself neutralized by a faith with which that humanity is necessarily in constant collision. "The devotee piling the faggots at the auto-da-fé of a heretic, and that heretic his son, might not withstanding be a good father in every other respect. Heresy, in the eyes of the believer, is highest criminality, and outweighs all claims of family or affection." Atheism, Bradlaugh continued, is not merely disbelief. Neither is it "cold, barren, [or negative]." Rather, it is "a hearty, fruitful affirmation of all truth, and involves the positive assertion of action of highest humanity."¹²⁰

O'Hair read a similar passage from Bradlaugh's *Humanity's Gain from Unbelief* (1889). In this case, however, Bradlaugh was more pointed in his criticism of Christianity. He asserted that "humanity had gained a great deal from skepticism and gradual and growing rejection of Christianity," including adding to "man's happiness and well-being." He pointed to progress in science, which he asserted had been made in spite of religion's resistance, which in turn made supernaturalism and dogma less credible. "No religion is suddenly rejected by any people," he explained, "it is rather gradually outgrown." Religions do not just die, they "decay" over time. "The gain to humanity" by this growing unbelief, he continued, is that "the teaching of Christ has been modified, enlarged, widened and humanized, and that the conscience of a Christian is in quantity and quality made fitter for human progress by the ever increasing additions of knowledge of these later and more heretical days."¹²¹

Finally, O'Hair read from Bradlaugh's *Who Was Jesus Christ?*, his most famous work, published in 1860. She took excerpts from his chapter entitled "What Did Jesus Christ Teach?" Bradlaugh asserted that the "keystone" of Jesus's teachings may be found in Matthew 5:4: "Blessed are the poor in spirit, for theirs is the kingdom of heaven." Much as O'Hair asked, Bradlaugh wrote: "Is poverty of spirit the chief amongst virtues. . . ? Is it even a virtue at all?" "Surely not," he responded. "Manliness of spirit, honesty of spirit, fullness of rightful purpose, these are the virtues; poverty of spirit is a crime." When men are poor in spirit, the proud and haughty oppress them. When they are "true in spirit, they are able to resist and find happiness," and "as even Christians ought to admit, no lesser fitness for the enjoyment of further happiness in some may be heaven."¹²²

"Jesus teaches that the poor, the hungry, and the wretched shall be blessed," Bradlaugh concluded. "But blessing only comes when they cease to be poor, hungry, and wretched. Contentment under poverty, hunger, and misery is high treason, not to yourself alone, but to your fellows. Human misery spreads quickly wherever humanity is stagnant and content with wrong." He closed: "The teachings of Jesus are a failure." They are not, and ought not to be, "generally received."¹²³

O'Hair reflected further on Christianity's emphasis on suffering when she read from, and discussed, the essays of English atheist Chapman Cohen. Cohen wrote that Christianity had historically prided itself on being "a gospel of pain." In this respect it stood out in sharp contrast

to the older, pagan religions it deposed. Pagan religions, he explained, "taught their votaries that life was a good thing and ought to be a joyous one." Christianity taught that life was "at best, a burden." The world was given over to the devil; enjoyment was an indication of his control. Man's duty was to mortify the flesh; and as a reward "to look forward to a future existence wherein he would lead a life that could appeal only to an emasculated humanity." Pain was to be endured, pleasure deferred.¹²⁴

Cohen insisted that "no man is better for suffering. . . . The normal consequence of suffering is to lower resistance, to deteriorate character"—which is what Christianity intended so as to control its members. Atheists disagreed with the church's "gospel of pain," which is why they were persecuted. When burning them fell into disfavor, the church turned to slander. When slander lost its impact, straining human credibility, Christians began to pity the atheist: "They expressed sorrow for him in the same tones that they might use of a dear friend who had just caught yellow fever"—all because the atheist refused to be miserable.¹²⁵

Of all those she included on her list of historical spokesmen for atheism, O'Hair quoted Robert Ingersoll more often and at greater length than any other figure. She claimed that Ingersoll's granddaughter, Eva Ingersoll Wakefield, and her husband Sherman Wakefield, a "non-belief scholar and writer," were members of the Society of Separationists.¹²⁶ She credited Robert Ingersoll with having preceded her in the cause of challenging church tax exemptions by a half-century, and she read from his 1916 publication, *Exempting the Churches*, wherein he made many of the same points.¹²⁷ She also quoted from Ingersoll's poem "If," which she described as "famous" among freethinkers:

*If Cathedrals had been Universities,
If Dungeons of the Inquisition had been Laboratories,
If Christians had believed in Character instead of Creed,
If they had taken from the Bible only that which was good
and thrown away the wicked and absurd,
If Temple domes had been Observatories,
If Priests had been Philosophers,
If Missionaries had been taught useful arts instead of Bible lore, . . .
If Religion had been Humanity,
The World would be a Heaven filled with Love, and Liberty and Joy.*¹²⁸

In 1983, on the 150th anniversary of his birth, O'Hair criticized Ingersoll for refusing "to assist the Atheist organizations of his time," for not getting involved in legal cases to create a greater separation of church and state, and for not joining Susan B. Anthony's fight for women's rights. This last was a telling observation, because over a decade earlier, on her February 2, 1970, radio program, she commented: "I have not, in my research, found one single Atheist leader who was not a champion of female rights. This makes them doubly precious to all of us who are both women and Atheists."¹²⁹

O'Hair nevertheless recognized Ingersoll as the "most effective spokesman against organized religion of his time."¹³⁰ He stated what "should be in every man's heart," she offered, when he wrote:

*Happiness is the only good;
Reason the only torch;
Justice is the only worship;
Humanity the only religion.*¹³¹

ON RELIGION, FEMINISM, AND MORALITY

In October 1965, in her *Playboy* interview, Madalyn announced that she was "a militant feminist." She said that she believed in "complete equality with men: intellectual, professional, economic, social, and sexual," all of which, she insisted, were "equally essential" and "equally lacking" in American society. On that occasion, when it was pointed out that sociologists reported greater freedom and equality for women than ever before, Madalyn responded that it was necessary to distinguish between freedom and equality.

Madalyn told *Playboy* that she agreed that women might be more liberated sexually than their mothers, but that they did not enjoy more sexual equality. American men continued to use women sexually for their own gratification. Further, they were not much better off intellectually or socially, wherein they were "just beginning to break the ice." In that regard, America was "still very much a male dominated society," and American men still felt threatened by women who were "more intellectual, better educated, better paid, and higher placed statuswise in the business place." Regardless of what men

said, she insisted, men preferred "empty-headed" and "very submissive" women—and younger rather than mature women.¹³²

Not surprisingly, Madalyn pushed the envelope on marriage and sex. When *Playboy* asked her if she believed in traditional marriage, she responded, "I feel that relationships should be nice and easy and convenient and happy and not structured with legality or jealousy." She explained that she knew many couples that would be happier "if they were released from the contract": "A man-woman relationship is physical and emotional, not legal. Legality can't create love if isn't there, or preserve it if it's dying, but it can destroy love by making it compulsory."¹³³

When asked how she felt about "puritanical sex," she recoiled and said it was "for the birds" and that anyone that continued to prescribe it should "grow up": "Sex is where you find it. I say take it and enjoy it. Give and receive freely, without fear, without guilt and without contractual obligations." She thought young people should be able to engage in sex whenever they were biologically ready and "feel like it"—in most cases around age thirteen for girls, fifteen or sixteen for boys. Madalyn described herself as a sexual libertarian, as opposed to a libertine. "To each his own," was her motto, and that included sex between consenting individuals that was not exploitive. The law should have nothing to do with it.¹³⁴

Madalyn's views on marriage and sex did not change over the years, despite her legally formal but tumultuous relationship with, and near divorce from, Richard O'Hair. In the 1980s, after Richard's death, she described marriage as "a physical, psychological, intellectual, emotional union which is of such a nature of privacy that it is beyond the sanction of the state." When two people want to live together, she explained, it is their decision, and there is no reason why the state should have to provide a license. If the couple wants legal union, that is their business.¹³⁵

O'Hair was insistent on identifying women freethinkers, pointing out repeatedly how the religious world oppressed them.¹³⁶ She was just as insistent on showing how freethinking liberated them. On her November 8, 1972, radio show, O'Hair read from Samuel Palmer Putnam's *Four Hundred Years of Freethought* (1894). Putnam, a nineteenth-century American writer, began as a Congregationalist minister, became a Unitarian, and finally embraced freethought. He served as president of the American Secular Union and the Freethought Federation of America.

O'Hair quoted from his comments on women and the Bible, the church, and the state.¹³⁷

"The Bible opens with the degradation of women," Putnam observed: "She was made out of Adam's rib. What a cursed rib that was, the instrument of perpetual tyranny. It's a pity that Adam wasn't killed in the operation." Putnam explained that the Bible made woman the "original sinner." She entered into a partnership with the devil and Adam—man was her victim. For that, God condemned her to the pains and torments of childbirth and the lordship of men. "Woman sought for knowledge," he added, "and bitterly has she paid the penalty."¹³⁸

Putnam quoted Susan B. Anthony's assessment of the Bible as a "He-book" with a "He-God, He-Christ, He-angels." Women have no glory therein. Instead, the Bible instructs her: "Wives, submit yourselves unto your husbands as unto the Lord. For the husband is the head of the wife, even as Christ is the head of the church. Let the woman learn in silence with all subjection."¹³⁹

Putnam wrote that the church, founded on the Bible, has obeyed its precepts to the letter. "It has ground women, in all ages, beneath its heel." They had been made "the instrument of the most brutal passions." The church has held that women are not people. It has deprived them of "the right of security, the right of liberty, and the right of property." And, he continued, the state followed suit. "For the advantage of despotism, and influenced by the church," it too had degraded women: "It is a significant fact that, of all the Christian countries, in those where the church stands highest, and has most power, women rank lowest, and have fewest rights accorded them, whether of personal liberty or proprietary interest."¹⁴⁰

O'Hair spoke of women who overcame their repressive cultures to become world leaders, like Queen Elizabeth I of England and Catherine the Great, Empress of Russia. But O'Hair generally focused on American women like Susan B. Anthony, Clara Barton, Elizabeth Cady Stanton, and Frances Wright.¹⁴¹ On November 4, 1972, she devoted an entire show to "women atheists of the nineteenth century."¹⁴²

O'Hair spoke of Margaret Sanger, whom she described as one of "the very great leaders against religion who were women" and "a member of our Society until her death." Sanger, O'Hair explained, led the "fight for the human dignity of women in America." Because she saw religion as stripping away that dignity, she became "violently anti-religious and specifically anti-Christian."¹⁴³

O'Hair reported that as a public health nurse in New York City, Sanger "ran into the ugly face of abortion and religion." "Under the guise of religious platitudes and legal enforcements coerced upon the legislative bodies by religious pressure groups," the law prohibited the dispensing of contraceptives or information concerning contraceptives. Sanger began by writing articles on birth control for the *New York Call*, but they were declared illegal and blocked from publication. She started her own monthly magazine, *The Woman Rebel*, and edited a birth control pamphlet, *Family Planning*, and distributed 100,000 copies before being arrested and brought to trial. The case was dismissed.¹⁴⁴

Sanger took a trip to the Netherlands to learn more about modern methods of birth control. When she returned, she smuggled into the country a diaphragm—then illegal. Her clinic was raided, the contraband found, and she was jailed for thirty days. She continued her battle, being jailed eight times in the process, but contributing to the gradual loosening of laws on contraceptives. Her main concern, however, "was the dignity of the individual mother-woman." O'Hair quoted Sanger: "No woman can call herself free until she can choose consciously whether she will or will not be a mother."¹⁴⁵

Madalyn made it clear that she opposed abortion as "a primary means of birth control," but that she favored access to abortion for pragmatic reasons—to give women some control over their bodies and childbearing that is legal and safe. She pointed out that she had rejected abortion in her own case, that she personally found it repugnant, that she had "a certain reverence for life," loved children, enjoyed being a mother, and would have had more children if circumstances had permitted.¹⁴⁶

O'Hair insisted that Margaret Sanger's major nongovernmental critic was the Roman Catholic Church. She then linked Sanger to "another great women crusader"—a nun. In 1752 a French nun, Marguerite Delamarre, went to court asking that she be released from her religious vows on the grounds that she had made them under duress. The case lasted six years. She did not win, and she was returned to the convent. Her cause, however, was championed by the French writer and intellectual, Denis Diderot.¹⁴⁷

Diderot's sister, Catherine, died insane in a convent when she was twenty-seven years old. Diderot seized upon the Delamarre case to attack its "elements of injustice and suppression" in a book titled *La Religieuse* (1796), or *The Nun*. It created an uproar. In 1962, the French film-

maker, Jacques Rivette, decided to make a film of the book, but censors stalled its production by forcing rewrites until 1965. When shooting finally began, the Roman Catholic Church launched a campaign to stop it. The Board of Censors passed it in 1966, but after a limited showing at Cannes, it was banned in France. "I doubt that the real story of Marguerite Delamarre will ever be told," O'Hair concluded, "and I wonder if that of Margaret Sanger will be."¹⁴⁸

Putnam's and Sanger's attacks on religion provided O'Hair with the opportunity to address the issue of religion and morality. It was a widely prevailing opinion that morality is an essential element of religion, and that failure to believe leads, or is likely to lead, to immorality. O'Hair made critical reference to this "misconception" on several occasions, in one instance quoting at length from Fred S. Elder's *Morals and Religion* (1963). Elder argued that morality was of purely human origin. Moralities have come to be regarded as fundamental to religion, he reasoned, because they are impressed on children by religious parents as commandments from the gods. Good works, honesty, morality, and ethical behavior, however, "form no part" of it. Instead, "awful crimes, massacres, [and] human sacrifices have taken place in the name of God and religion and at the direction of her gods and priests in all ages of man and in all religions of man."¹⁴⁹

In human history, Elder wrote, for the family or clan to survive, certain social instincts had to evolve. Those social instincts evolved out of a need for mutual aid and cooperation for the good of the group. It had little to do with morality as religious people would define it. Simply put, man realized that "where there is most gregariousness, most cooperation, [and] least friction, there is the most successful living. . . . [F]eelings of sympathy, patience, understanding, [and] duty" followed necessarily and naturally and became fundamental to man's survival, or being. Taboos or disapproval of actions also quickly followed for much the same reason. Thus, concepts of morals and morality, ideas of right and wrong, and the sense of duty and obligation were born naturally into the world. "They were not handed down from the sky nor from Mount Sinai." Rather than originating from religion, "they evolved *pari passu* (with equal step, or at equal rate or pace) with ourselves and apply equally to all; and the science of ethics rests on this wholly natural base."¹⁵⁰

Taking his argument another step, Elder suggested that no one is ever born religious. For reasons just noted—for evolutionary reasons—

people are born with social instincts and are naturally amiable, friendly, kindly, or, in short, good. Becoming religious, he insisted, "is a matter of indoctrination." "Unfortunately," he continued, individuals born "good" are ordinarily less suspicious and more credulous than they otherwise might have been. They conceive of the world as good like them, and thus they easily become religious when so taught. Put another way, rather than a person becoming good because he is religious, he becomes religious because he is good.¹⁵¹

O'Hair took the matter one step further by actually examining the purported ethics of Jesus. She relied on the New Testament, but noted from the start that the New Testament, and the Synoptic Gospels in particular, are not primarily concerned with ethical teaching. "Jesus is neither a moralist, nor a teacher primarily," she pointed out, "but a mysterious and miraculous divine leader." O'Hair insisted that Jesus' ethical teaching, as recorded in the New Testament, is unsystematic and often "vague, puzzling and obscure." Moreover, "the teaching has a prominent strain of harshness in it," in that Jesus threatens those who do not receive his message with great misery and damnation." It is to be pursued with no thought of tomorrow and reliance on prayer and faith, alone, and it will result in the disapproval of others and poverty.¹⁵²

O'Hair identified five main commandments that Jesus did offer. He commanded "devotion to God," which O'Hair interpreted as "devotion to piety, a fulfillment of the religious obligation to propitiate god through our thoughts and actions." Second, he insisted that people believe in him as "the anointed," the "son of man," or the "son of god." Where he was reluctant to describe himself as such, he got others to do it. Jesus' third commandment was that man should love others, even his enemy who has harmed him. O'Hair found this precept contradictory to the first, in that in setting piety as our priority, we will not be able to give material help to those who need it. The law of piety, she insisted, demands improvidence and poverty. We cannot emphasize family love, because it will "interfere with our devotions."¹⁵³

Jesus taught that we should be humble, or "humiliate and lower ourselves, at all times and at all costs." This, O'Hair found potentially conflicting with the third commandment, at least so far as being able to do anything but love your neighbor. She found the fifth commandment, that we be pure of heart, nebulous. She guessed that it meant that laws were to be maintained externally and internally. She gave the example of Jesus repudiating ritual and ritual laws as existing for their own sake,

but allowing those laws that were "an extension of the internal condition of the supplicant."¹⁵⁴

"The only great good beyond these virtues is god and Jesus," O'Hair argued. And Jesus' only reasons for obeying his commandments were the promise of heaven or the threat of hell. Missing, she continued, are the ideals of beauty, truth, and knowledge. Jesus "never recommended the use of reason," and the virtues of conscientiousness or respect for the moral law" only seemed to offend him. He never touched on any social question but divorce, and he never pronounced on war, capital punishment, justice, administration of the law, the distribution of wealth, sexual equality, tyranny, freedom, or slavery. Jesus spoke out against divorce, O'Hair continued, and he labeled adultery as a vice. But in the story of the woman taken in adultery, she pointed out, he preached "a humane and forgiving attitude toward the 'sexual error' of adultery."¹⁵⁵

O'Hair made the following points in summarizing her observations on Jesus' ethics. Jesus' ethical ideas are inconsistent, thereby destroying their value. Jesus insisted that God be revered, but he also insisted on his own recognition as God. He asked others to love their enemy and forgive, but he threatened "unforgiving damnation" to those who did not follow him. "While he preached love, he showed himself as an unloving, threatening, destructive divinity" And, finally, Jesus asked people to obey his precepts "because it is prudent to do so, not moral to do so, for if you don't obey, hell awaits you."¹⁵⁶

Articulating the Atheist Position

ON HOLY WRITINGS AND THE HISTORICITY OF JESUS

MADALYN MURRAY O'HAIR attacked "Holy Writings," especially the Bible. She acknowledged they were treated as "sacred, independent of any earthly or temporal authority." They were distinguished by "external marks" such as the unusual veneration accorded them, the religious merit attached to the reading of them, their being attributed to divine origin, and their being held to be inspired. Nevertheless, they deserved scrutiny.¹

O'Hair often commented on the supposed origins of the Bible. She labeled as myth the belief that the first five books of the Old Testament were written by Moses, when the historical evidence suggests that the oldest biblical manuscript of record was written in the seventh century B.C.E., long after Moses' death. She wrote that Moses may well have been a mythological figure, in that outside of the Old Testament there is no mention of his existence—even in the comparatively extensive Egyptian records. The "yarns" did not become part of "Christian dogma" until the fourth century C.E., she suggested, when St. Jerome and "two Roman ladies" compiled the books of the Old Testament, which was pronounced "inspired" in the sixteenth century at the Council of Trent.²

O'Hair was similarly skeptical of the origins of the New Testament. The first four books of the New Testament, the canonical gospels, she explained, were not written until about one hundred years after Christ's death. Neither Christ nor his closest contemporaries left any written records of his ministry. Instead, like the books of the Old Testament, the books of the New Testament were written from memory, and were therefore likely inaccurate to begin with, as well as intentionally

changed, doctored, and tampered with many times since. Jerome compiled the New Testament, as well, and the Council of Trent pronounced it sacred.³

O'Hair described "Holy Books" as including metaphysical speculations on the nature of the deity, doctrines of the past or the future existence of the soul, accounts of creation, lives of the prophets or a collection of their aphorisms, theories on the origins of evil, prescriptions for rituals, and morals. Nevertheless, she insisted, "in all ages of man, all of the holy books have been just as error-ridden, just as absurd, just as unintelligible as our own 'Holy Bible.'"⁴ On several different occasions she pointed out what she considered to be contradictions in the Old and New Testaments, contrasting passages which she believed made opposite points. She quoted from Romans 15:33, for example, wherein the Lord is called "the God of peace," and then Exodus 15:3, which says that "The Lord [was] a man of war." From the New Testament she quoted John 10:30, "I and my father are one," and from John 14:28: "My Father is greater than I." "It often has been said that you can prove anything by the Bible," she observed. "I think I have illustrated that."⁵

O'Hair listed the "atrocities" of the Old and New Testaments. She pointed to people being burned to death for complaining, in Num. 11:1; women being stoned to death for being unchaste, in Deut. 22:20–21; priests being burned alive for offering God the wrong kind of fire, in Lev. 10:1–2; God responding to complaints by sending fiery serpents, in Num. 21:5–6; God ordering the massacre of men, women, and children, in Num. 31:1–8; children punished for their fathers' sins, in Isa. 14:21, Exod. 34:7, and Num. 14:18; God sanctifying slavery, in Lev. 25:44–46; his ordering witches to be killed, in Exodus 20:18; and his telling those who believe in him that in doing battle against their enemies, they should capture, violate, and turn out of doors the women they encounter, in Deut. 21: 10–14.⁶

Referring to the New Testament, O'Hair interpreted various passages as sanctifying and upholding many Old Testament atrocities— Luke 16:31, 24:25, 27; John 5:39, 46, 47; Matt. 5: 17–19, and elsewhere. She then added new ones, found only in the New Testament, largely in the form of descriptions of hell for those who do not follow God's word, who anger God, or who must atone for sin. Hell consists of "everlasting fire," according to Matt. 18:8; the fire never shall be quenched, says Mark 9:43–48; and many, if not most, people will experience those fires.

The New Testament promises damnation for not knowing God, 2 Thess. 1:7–9, and for those who do not believe in him, Rev. 21:8. God’s anger can be appeased by the sacrifice of an innocent person, O’Hair concluded from 1 Cor: 5:7; and 1 John 2:1,2. And, according to Heb. 9:22, “almost all things are by the law purged with blood”; there is no remission without the shedding of blood.⁷

O’Hair pointed out what she considered to be unfulfilled prophecies in the Bible. Abraham was to receive the land of Canaan and his descendants were to retain it forever, according to Gen. 17:3, 8 and 33:15. Nations that did not submit to Jewish rule were to perish, per Isa. 60:12. In Matt. 24:3, 4, 27, 29–31, 34, 35, Christ promised to return in glory during the lifetime of the generation to whom he spoke, and in Matt. 21:22 he affirmed that all prayers of the faithful would be answered.⁸

O’Hair listed examples of Old Testament immoralities, indecencies, and obscenities. She interpreted Gen. 4: 17, 26, as suggesting that the world was peopled by incest; Gen. 20:12 as reporting that Abraham married his father’s daughter; Gen. 19:1–8 as recording that Lot offered his daughters to be raped by a mob of Sodomites. She listed several Old Testament laws that described bestiality, sodomy, incest, rape, adultery, unchastity, and castration, mostly in Leviticus and Deuteronomy. And she quoted several passages that indicate that heroes of the Bible, God’s chosen and presumably holy people, frequented houses of ill repute.⁹ Not to belabor the point any further, O’Hair bracketed all of these textual “absurdities” by noting that religious authorities differed so greatly in their interpretations of these and other biblical passages that “one would think that they were all talking about entirely different religions.”¹⁰

O’Hair bemoaned the absence of nineteenth-century “higher criticism” in the United States. The result, she explained, was that Americans were unaware of anything that resulted from research that called into question “a great number of things about the Bible and about Jesus.” She declared America the “Texas of the World” in “believing in its ignorance that things are as they are represented to be, especially the Bible and the old folklore hero, Jesus Christ.” “My suggestion to you,” she concluded, “is pick up the Bible and read it. More Atheists come from this exercise than any other single thing.”¹¹

O’Hair questioned the historicity of Jesus Christ. She pointed out striking parallels between what Christians say about Jesus and representations of the older Indian god, Krishna. Like Jesus, O’Hair reported,

"Krishna was believed to be of supernatural and divine origin. He had a human being for a mother and a god for a father; he was woman-conceived . . . deity-begotten, and molded in human form." And people believed that Krishna would "descend from heaven and relieve them of their earthly state." She added numerous other parallels, calling into question what Christians "know" about Jesus, and took on "the secular proofs" of his existence. In one notable case, O'Hair quoted extensively from an authority in the field with whom she agreed, Joseph Campbell, and his writings on "the mythical Jesus."¹²

History, Campbell argued, is completely silent on Jesus Christ. The only sources on Jesus are the Pauline Epistles and the Four Gospels of the New Testament. Having eliminated them as having no historical or evidential value, all that remained were alleged references to Jesus by Jewish and pagan writers, upon whom "religious apologists" rely to make their case for the historical Jesus. They are from the writings of the Jewish historian Josephus, and from the three Roman writers Tacitus, Pliny the Younger, and Suetonius. None, he argued, could withstand critical testing.¹³

O'Hair often pointed to contradictions concerning the life of Christ in the New Testament.¹⁴ But on August 30, 1971, she provided what might be considered her summary points on the subject. She did this by referring to American atheist DeRobigne Mortimer Bennett's *An Open Letter to Jesus Christ*, written in 1877. Bennett started the newspaper, *Truth Seeker*, which by the 1880s was the world's largest and best freethought journal. It became the organ of the American Association for the Advancement of Atheism, and given their similar ideas and objectives, O'Hair insisted that a "straight line" could be drawn from Bennett and his newspaper through the AAAA to O'Hair's radio program.¹⁵

Bennett's 1887 letter consisted of a series of questions he posed to Christ concerning, for example, the lack of information in the New Testament about Christ's infancy, childhood, and youth. Bennett asked: "How is it that the 'Evangelists,' who are said to have been divinely delegated to write your life and teachings, should have been so silent in reference to this interesting portion of your existence? Were those items purposely suppressed, or was it simply accidental?" Bennett asked Christ if he had been "begotten by the Creator of the Universe," how he liked "the carpentry business"; did he think it was "amiable and filial" to treat his mother with disrespect by asking "Who is my mother?" Did

he believe it morally correct to require some to hate their parents, brothers and sisters, wives and children? Would he explain the discrepancy between his prediction that the world would end within a generation, and its continuing some 2000 years later? Whether it was part of his father's plan, or through the devil's intrigue, that he was put to death—and did it do any good?¹⁶

Moving beyond Christ's life on earth to the history and teachings of his church, Bennett asked whether Christ would agree that it was time to replace "all mythologies, man-made gods, mortal cruelties . . . senseless creeds, and superstitions" with "truth, science, reason, fraternal love, and human brotherhood"; whether he approved of "that infernal institution called the 'Holy Inquisition' which for five hundred years cursed the most populous portions of Europe"; did he participate in the Crusades, which in an attempt to "wrest the Holy Land from . . . the Infidel . . . caused the blood of scores of millions of human beings to saturate the earth"; was he mindful of the "villainous popes," who had from time to time filled that chair and claimed to be his "vice regents and special favorites"; and whether members of the Christian churches were really any better off than "the average of non-professing people"?¹⁷

O'Hair questioned the historical validity of Christian claims to most martyrdoms. She did not deny all accounts of such sacrifices. She simply argued that there were fewer than the number Christians claimed and upon which they staked so much. She recalled one of the church's most familiar maxims: "The blood of martyrs is the seed of Christianity." O'Hair allowed that the Roman Catholic Church began investigating claims to martyrdom in the seventeenth century and had since exposed and dismissed "99 per cent" of them. Protestants, she added, have not done the same, "for they prefer to cling to the idea of 'Christian Martyrs,'" and in a point she emphasized with italics, "*No American priest has ever had any part in this work.*" Such stories, therefore, continue to circulate in America.¹⁸

O'Hair quoted Origen as reporting that Christian martyrs were "few and easy to count," largely because most Christians were "orderly and law abiding." And she denied the "martyrdom of Peter," a major tenet of the church, especially Roman Catholicism. According to legend, Peter established the church in Rome and was crucified head-downward for his efforts. "Nothing of the sort happened," O'Hair insisted. "This legend came primarily from the forged 'Acts of Sts. Peter

and Paul,' a fabrication of the fourth century." In sum, O'Hair concluded, Christian persecution of heretics and opponents, in witch hunts, inquisitions, crusades, and holy wars, resulted in far more deaths than martyrs at the hands of the church's opponents.¹⁹

ON SCIENCE AND RELIGION

O'Hair emphasized the incompatibility of science and religion. On her radio show of November 17, 1969, for example, she quoted at length from an article, "Are Science and Religion Compatible?" by D. A. Richards, whom she described as a friend and a member of the Society of Separationists. Richards described the methods used in science as consisting of making controlled observations, from which knowledge is used to describe, explain, or predict the event in question. The object of science, he continued, was "to coordinate our experiences and bring them into a logical system." Overall, "science is interested in truth," and truth "does not lie for the glory of some ancient fable, it does not twist its results to suit some political group. It lets the observations speak for themselves. . . . In the words of the astronomer, [Pierce] LaPlace, 'there is no need for (God) in the hypothesis.'"²⁰

Richards defined religion as "fear of the gods." Religion originated, however, from "re" meaning again, and "ligere" meaning to tie. "Hence the word religion means to hold back or to be tied down to sets of beliefs or dogmas." He did not take the time in his article to discuss religion or any particular religion—though he wrote most often of Christianity—but he did insist that one way to assess the value of religion is to measure its effect on men and nations. As did O'Hair, Richards found a history of intolerance and abuse.²¹

In historical perspective, then, have science and religion been compatible? "It is inconceivable that anyone could seriously say yes," Richards answered, "when religion flourished, science declined." Where the boundaries of science were widened, the domain of religion was narrowed. Not only was religion incompatible with every branch of scientific work, he insisted, it was actively opposed to all scientific progress. The conflict between theology and science was the conflict between authority and observation; to wit, he quoted St. Augustine: "Nothing is to be accepted save on the authority of scripture, since greater is that authority than all the powers of the human mind."²²

O'Hair read from a passage wherein Richards acknowledged, but dismissed, the argument that religion and the Church were different—the first good, the second bad. “The Judaeo-Christian religion,” he reminded his readers, “made the churches what they were and the churches with all their intolerance were firmly based on religious principles.” He allowed that Christianity no longer persecuted scientists. “No more are heretics burned at the stake, no more can witches be tortured. We have reached the Age of Compatibility! Ministers, priests, and rabbis are still arrayed like Solomon in all his glory. They are still called upon to give their blessings and invocations. But in reality, they have become like the legendary emperor—they have no clothes.” The churches were faced with compatibility or extinction, he explained. Thus, it is understandable that they preferred compatibility.²³

O'Hair returned to the incompatibility of science and religion on several occasions, adding substance to essentially the same message.²⁴ She quoted at length from Andrew Dickson White's critique of Christianity in his *History of the Warfare of Science with Theology in Christendom* (1896). White's contribution to the cause was his arguing, in O'Hair's words, that “as injurious as was the absolute blocking of any kind of scientific exploration, even more injurious to the evolution of science and in many respects more destructive was the influence of mystic theology and theories which penetrate, permeate, vitiate, sterilize, and distort every branch of science for hundreds and hundreds of years.”²⁵

O'Hair discussed how science had undermined Judeo-Christian teachings on creation. She spoke of how geology, in its determining the true age of the earth and its living creatures, had belied major church figures' reading of the biblical story of creation. She cited St. Augustine, “the greatest church father of them all” and his belief that the earth was only 6,000 years old, and the similar conclusion of Anglican Archbishop Ussher as late as the mid-seventeenth century.²⁶

On a related note, O'Hair criticized the impact of religion on medicine and treatment of the insane. She pointed to faith healing and belief that disease resulted from God's wrath or demonic possession as preventing medicine from developing in the West for 1,500 years. She explained:

When Christianity came into flower, the idea of disease and its cure became twofold: first, there was in Christianity a new and strong evolution of this old idea that physical disease is produced by the wrath of

god or the malice of Satan, or by a combination of both: second, there were evolved theories of miraculous methods of cure based upon modes of appeasing the divine anger, or of thwarting satanic malice. In 1970, in America on television, one can watch the vestiges of these ideas today, accepted, worshipped—and one can only whisper to oneself: “Incredible! Fantastic!”²⁷

O’Hair blamed Christianity for retarding progress in psychiatry. On one side of the struggle between Christianity and the science of psychiatry stood “the dogmatism of various theologies, interpretations of various sacred books, the greatest theologians, all compacted into a creed that insanity is mainly or largely demonical possession.” On the other side stood “battered science saying that it was gradually accumulating proofs that insanity is always the result of some physical or emotional imbalance.” The former’s weapons included exorcism and the scourging of demons out of the body. The latter chose science.²⁸

ON ROMAN CATHOLICISM AND CHRISTIANITY, IN GENERAL

Due to its prominence, and because of the high profile of its earthly leader, O’Hair spent more time attacking the Roman Catholic Church than any other church or denomination. Her son surmised that it might at least in part have been due to the failure of her Catholic lover, William Murray, to seek a divorce and marry her after she became pregnant with his child. But for whatever reason, she seldom missed an opportunity to criticize the Church’s teachings. O’Hair identified the Roman Catholic Church as her foremost opponent. She accused the Catholic Church in Baltimore of being behind a conspiracy to have her jailed on any pretext so that she could not pursue her anti-tax exemption case and as having instigated a “campaign of extralegal harassment” by police, the courts, and the people of the city.²⁹ And she struck back with a vengeance, on more than one occasion insisting that “the Pope should be arrested . . . for crimes against humanity.”

In 1982, in a talk at Southwestern University in Texas, O’Hair described Pope John Paul II as “a medievalist who would drag the culture of the world back at least three hundred years if he had the power to do so.” She criticized him for not speaking out against the proliferation of

nuclear weapons, except in generalized and, therefore, meaningless terms. He could bring "his enormous power" to bear on the Roman Catholic population of the world to cease in the design, production, and financing of nuclear weapons—even denying the sacraments of the church to those who persisted. If the pope did this, Madalyn suggested, he could "stop the nuclear arms race tomorrow." By his not doing so—having a greater concern for the number of "souls he can get into heaven" and "warm wallets" into the church—he "commits a crime against the human race."³⁰

Madalyn charged John Paul II with "crimes against humanity" for his attitude toward women. She accused him of calling women to the bearing of more children while subjecting them to the domination of men, of denouncing science and education, and of "reinstating the inquisitorial office" and reimposing censorship. The result was defiance and defection among the Catholics, lay and clerical, in matters of birth control, men entering the priesthood, donations to the church, and more.³¹

In her talk at the University of Wisconsin on December 27, 1971, on zero population growth, O'Hair found fault with all the major faiths, to one extent or another. She concluded: "We are faced with a conflict of basic values, and religion is the older cherished and protected value in our culture. But now the situation is one of our private self-determinations, our national self-interest, being set within the confines of international and global well-being and survival on spaceship earth." She called for "a moral commitment": "The whole family of man must be respected, and only the illogic of religions of the world stands in the way."³²

O'Hair was particularly critical of celibacy, which she identified as "a constant problem" in the Roman Catholic Church. O'Hair pointed out that for the first several centuries of the Church's history, no absolute injunction against marriage existed. In the eleventh century, she continued, Rome publicly admitted that the apostles were married, as referenced in one of Paul's letters, I Corinthians 9:5. In that letter, in describing the apostles, Paul noted: "Have we not power to eat and to drink? Have we not power to lead about a sister, a wife, as well as other apostles and the brethren of the Lord?" Married clergy administered the primitive church, O'Hair added, and clergy were permitted to marry at least until the reign of Pope Innocent I in the early fifth century.³³

The Church changed its policy on celibacy, O'Hair offered, when it discovered that its vast land holdings were in jeopardy. Over the course of several centuries, the Church received vast accessions of property from its wealthy members, on the deathbed of repentant despairing sinners, and as a result of the generosity of kings. These lands were to be kept for the use of the church in perpetuity, but they were in danger of being lost to priests with families who had to provide for them. "The simplest mode of keeping the wealth out of danger," she explained, "was to relieve the churchmen of the cares of paternity, and by cutting them asunder from all the ties of family and kindred, and binding them completely and forever to the church and the church alone." Combined with the desire of the ascetics in the church, "the powerful move for the celibate priest was born."³⁴

The Church struggled to enforce its ruling on celibacy. Councils in the tenth and eleventh centuries reminded priests of the requirement, but were not entirely successful. In March 1074, Pope Gregory decreed that no one in the future should be admitted to holy orders without a vow of celibacy, and he commanded the people not to attend the ministrations of those who violated the rule. In 1089 Pope Urban II denounced married clerics and even tried to suspend them, a tactic repeated by Clement IV in 1267. It was a long, hard battle, O'Hair concluded, and when it was finally won, in 1525, Protestant leader Martin Luther married.³⁵

O'Hair criticized other Christian beliefs and practices as well. She attacked the concept of hell, but in that case she allowed that it did have biblical roots. Indeed, she pointed out, "there is no doubt at all that Jesus Christ, according to the New Testament and his own words allegedly recorded there, believed in hell." In particular she cited Matthew 13:42, wherein Jesus described hell as a "furnace of fire, in which there shall be wailing and gnashing of teeth." St. Augustine, whom O'Hair titled "the greatest writer for Christianity," described it as "that lake of fire and brimstone" that was real and corporeal, and that it would burn "both men and devils, the one in flesh, the other in air."³⁶

O'Hair declared the doctrine of the Fall "the foundation of the Christian religion." Christianity taught, she explained, that due to Adam and Eve's original sin, all humanity was "consigned to everlasting hell and damnation upon their deaths." The only way around this, to be saved, was to accept Christianity and its teachings, thereby accepting, but also avoiding, hell. The doctrine of hell, she concluded, was

Christianity's way of frightening people to accept it, when it could not be sold "on merit." It should be discarded "with other fables of barbarian times."³⁷

O'Hair attacked the concept of religion itself. On her January 30, 1973, radio program, for example, she read a passage from the German author of *The God Pestilence* (1902), Johann Joseph Most:

Among all mental diseases which have been systematically inoculated into the human cranium, the religious pest is the most abominable. Like all things else, this disease has a history, only in this case nothing will be found of the development from nonsense to reason which is generally assumed to be the course of history.³⁸

O'Hair argued that religion consisted of four elements that held the minds of man in captivity: "recognizing a higher power, person, or entity; supplication or propitiating that power; having that power intervene in your behalf in your life," and believing that "continued existence after death is assured to you on a reward or punishment basis."³⁹ She referred to the various theories concerning the origins of religion: that religion grew out of fear, that it was related to the study of astrology, that it evolved from dreams, that it followed ancestor worship, and so on. She cited Herbert Spencer as contending that every god was once a living being, enlarged in the memory of succeeding generations. That being's deeds were reported from one generation to the next by word of mouth, "and inevitably elaborated and embellished by the narrators of the wondrous tales," seeking to impress their audiences. Deeds were invested with magic and made to be "marvelous and supernatural" until they became "distorted . . . out of resemblance" to actuality.⁴⁰

Gods brought rain, abundant crops, and healthy babies, but then there was death with which to contend. Someone had the idea, she offered, that something—the spirit—left the body, and rituals were introduced to keep it from acting adversely toward the living and to guarantee those spirits safe passage to a better world than that on earth. In brief, people came to lean on religion as a crutch or support, O'Hair explained, to derive "comfort and solace" from it. She repeated the observation that "if there were no gods, men would have to invent some to fill their needs." She added: "People distressed by the miseries of meager and sorrowful lives on earth are buoyed up by hopes of Valhalla, or Mt. Olympus, or Mohammedan paradise, or Christian heaven, where

all will be bliss for all eternity." "This is especially true of women," she pointed out, "and they are the main reliance of the priesthood, the most numerous attendants in the temples."⁴¹

Christianity, O'Hair explained, came to power in the Western world "simply because one of its adherents came to power and then suppressed all other religions." Constantine called the Council of Nicaea, reorganized the Church along imperial lines, and had drawn up an official creed for it. "Christianity did not come into dominance by the wondrous act of god, or by sweet reason, or the truth of the ideas of the church," she continued. "It came into dominance by the blood of the sword."⁴²

Christianity has been "a reign of terror" ever since, O'Hair insisted. It had been the source of fierce and bloody wars and crusades, and it had undercut the ideas of personal freedom while serving as "a constant brake on scientific progress, art, music, culture and the intellectual progress of man." She criticized Christians for being averse to the acquisition of knowledge or the exercise of reason that was not useful to salvation, and she blamed it for having "obliterated education," "obstructed human inquiry," "paralyzed . . . intelligent examination of the natural world," and "railed against the concept of human betterment," substituting "the fear of death for the love of life."⁴³

O'Hair made repeated use of the Inquisition to make her point about Christianity's "reign of terror." She identified Pope Gregory I as the "real father of the worst slaughter" of the Inquisition. In 1231, she explained, he enacted a church law whereby all heretics, "who were stubborn in their opinions," were to be put to death. The Inquisition made it its business, however, to persecute not only heretics—that is, Christians with unorthodox views—but also Muslims and Jews. "First they were compelled to become Christians, and then they were roasted alive because they were bad Christians"—often to confiscate their gold, she suggested, or to place all business and commerce in Christian hands.⁴⁴

O'Hair quoted extensively from the nineteenth-century German philosopher, Friedrich Nietzsche, and his *The Antichrist* (1895), a condemnation of Christianity. "Neither as an ethical code nor as a religion," Nietzsche wrote, "has Christianity any point of contact with things as they actually are. It is concerned with fantastic causes . . . and it is concerned with fantastic effects"—like God and the soul, on the one hand, sin and salvation on the other. "It communes with fantastic creatures,"

like God and ghosts, “professes a fantastic science,” with no conception of natural causes, and “a fantastic psychology” that allows for possession by the devil and the voice of God. “The whole Christian fantasy world,” as Nietzsche put it, was based on an aversion from what is natural, from which he concluded: “Ah, but this explains everything. . . . Who would have reason for escaping actuality?—the man who suffers from it! And if he suffers from actuality a man must be a misfit in the world as it actually is. A predominance of pain over joy is the explanation of this religion and ethic of escape: just as in the same way a predominance of pain over joy is the formula of decadence.”⁴⁵

O’Hair reminded her audience that Nietzsche wrote that the Christian God was “as a deity of the sick, god as a spinner of cobwebs, god as a ghost,” and, thereby, “one of the most corrupt ideas that has ever been generated on earth.” He suggested that it could be the “low-water mark in the ebbing of the god-type—god degraded into the negation of life instead of being its glorification and eternal affirmation!” Nietzsche accused the Christian god of declaring war on life and the will to live. He concluded, O’Hair emphasized: “Every act of everyday, every instinct, every principle which leads to action, is today anti-Christian: what an abortion of falsehood that modern man must be, to call himself a Christian without blushing for shame!”⁴⁶

As representatives of religion, O’Hair was particularly critical of the ministry. Again, she could be caustic:

An old adage says, “Where a priest has trod, no grass will grow!” That means, in other words, if a person is once in the clutches of the priests, his intellect becomes barren—his intellectual functions cease to operate in a normal way, and instead religious maggots and divine worms wriggle through his brain. He resembles a sheep that has the staggers.

These misguided, unhappy wretches have been defrauded of the real object of life, but what is worse, they form the great crowd in the train of the opponents to science and the march of reason, to revolution and to liberty. Whenever new claims are to be forged for mankind, they are willing to work at the anvil as if possessed by demons.⁴⁷

At other times, she was more reasoned. She allowed that many priests and ministers “do a lot of good, as dedicated human beings, in the

sphere of social service," helping the orphaned, comforting the bereaved, and trying to inculcate moral standards. "This, too, is called religion," she allowed, but then there was "the field of dogma, ecclesiastical tenets and faith in the supernatural," with which she found fault.⁴⁸

O'Hair allowed that "credence in unbelievable supernaturalism" may be necessary, but, she insisted, out of that necessity the ministry created "fanaticism, supernaturalism, and rigid sectarianism." They take possession of the young "to inculcate their doctrines early and firmly with liberal use of emotion rather than reason, before the child has any judgment." They depend on emotion, rather than reason. They require adherence to certain man-made rules in order to belong to their churches, and people turn a blind eye and willingly accept those rules to attend the churches of their forefathers. "It is socially 'the thing to do,' because there they must meet their friends, and because there is behind the churches . . . the traditions of centuries."⁴⁹

Priests also depended on rituals. O'Hair voiced no objection to rituals, in general, but rather to religious rituals, in particular, which she described as consisting of the performance of acts which serve no practical end. Moreover, for the "vast majority" of religious people rituals were not merely a part of religion, but religion itself. That is to say, religion consisted in due performance of rituals. O'Hair observed that religious belief was commonly belief in the value and efficacy of rituals, and theology consisted of giving reasons why the rituals should be performed.⁵⁰

Rituals, O'Hair allowed, are highly complex. Moreover, they have been handed down from generation to generation such that the slightest deviation in their performance makes the performer feel that they are ineffectual—like making the sign of the cross. Thus, no one dares change, or even question, such rituals. O'Hair criticized the ritual of prayer, or rather, the "presuppositions which are at the heart of religion in order to comprehend the concept and practices of prayer." Those presuppositions included "a power superior to the power of man"; "a belief that this super-human or super-power . . . can be approached by humans who are designated as worshippers as subjects or converts of the super-entity"; "that the super-power can be induced to listen to the desires of the supplicants"; and "that the super-power has the ability to grant the petitions addressed to him, her or it, by man."⁵¹

"Looked at objectively," O'Hair explained, "prayer is merely a natural outpouring of our wants before a hoped-for power which is

considered capable of fulfilling them." She allowed that this had "a self-therapeutic purpose," because when a person begins to pray, he or she is "starting a problem solving process"—defining and delimiting a problem, the first step in solving the problem. "Atheists feel that persons in prayer actually do this, if they are serious in the need for help. They are getting self-help." Other than this, however, O'Hair continued, "tossing compliments into the air and making desires and wants known will accomplish nothing for anyone. We get what we need or what we want through our own labor and efforts."⁵²

O'Hair criticized other rituals, as well, but in her criticism she always returned to the same points—that rituals were developed by organized religion and sold to the people as a benefit to them provided they were performed by priests or ministers and followed without question or variation. She found this completely irrational and of no value. Rituals were also counterproductive, in that they distracted people from those activities that might actually improve their lot in life as well as the lot of humankind. She agreed with Lord Raglan, British anthropologist and author of *The Origins of Religion* (1949), who theorized that rather than being a natural growth, rituals were social institutions that arose in well-organized communities and spread from there, adapted to local conditions or needs. All extant rituals, Raglan argued, were derived from a single ritual system, based on certain theories, especially that everything goes in cycles, and one primary historical idea. "That is," as O'Hair put it, "that they were all creation rites, and in essence that they still are. What each rite gives to the individual is life, a life which he derives from the rites, symbolically now."⁵³

Whether its participants realize it or not, and most do not because they are mindlessly caught up in them, O'Hair continued, creation rites are based on the idea that "once upon a time a god renewed the life of his worshippers by creating a replica of his body and blood, and giving it to them to eat and drink, and that periodical repetitions of the rite are necessary to renew the life of contemporary worshippers." The follower or priest is subsequently empowered to repeat the ritual himself, to the same end, following the procedure exactly as prescribed by his church, which was supposedly given the church by that god. Their intent, once again, is to infuse new life into those who, because they are human and dependent on that god, cannot sustain life without such rituals. Such reliance on "mystique," without any sense of reason or pur-

pose, O'Hair concluded, is why religion is in trouble. People need more meaning in their lives.⁵⁴

TAKING POSSESSION OF THE YOUNG

O'Hair repeatedly made reference to churches' attempts to "take possession of the young," underscoring her position in *Murray*. Among her most extended discussions on the subject was "The Struggle for the Child," first presented on her radio program on December 15, 1969. "Of all the very large struggles in which man has been involved," she began, none is longer, more involved, or more bitter than the struggle for the child." She spoke of "new minds born in old environments," meaning environments of "prevailing ideas, beliefs, customs, and stored-up knowledge which shape" children and are intended "to mold children and children's minds into the conformity of 'not rocking the boat.'"⁵⁵

O'Hair's principal target, of course, was organized religion, Christianity in particular. "From the beginning of the Christian era forward," she argued, "in Western civilization, churches have demanded the children." She noted that for a time the schools in the United States, including colleges, were founded and run by religious groups. They recognized the importance of "gaining the child early and keeping the child late, to thoroughly instill into the minds of the young . . . those habit patterns of thought which would yield power to the church—the ability to control and direct the mind, mental processes, and ideas."⁵⁶

O'Hair explained that the first battles for secular education were ferocious, and that although they lost those battles, the churches' struggle for the minds of the young continued. She singled out the Roman Catholic Church as being unyielding in its attempt to maintain an unchanged environment. She noted that more liberal churches had modified their ideas to make "the acceptance of them more palatable in the face of the increasing store of human knowledge and experiences and the earnestness of the young and inquiring mind," but that their intent remained the same. Religious instruction conflicted with many scientific ideas and theories, O'Hair insisted. Therefore the churches had come to rely on "social life" to enforce their teachings. They had divided the environment into the "sacred and the profane . . . which is to

say, religious and secular activities and duties." A scientist could work all week at his profession, she noted by way of example, "but on Sundays he is expected to divorce his mind from reality and make believe that the wine of the sacrament is indeed the blood of god." Even this, however, she allowed, depended on religious instruction of the young.⁵⁷

Churches could not rely on children being educated, or even allowed "to examine religion objectively and with regard to history, science, and technology." They insisted on protecting children from that environment and building into the child "an uncritical acceptance of their tenets before the child gets to the age of objective examination." O'Hair opposed this. Much as we want to present the more complicated concepts of science and mathematics to more mature minds, she argued, so too the teaching of religion should wait until the child is old enough to understand and evaluate it.⁵⁸

The state, O'Hair explained, made certain subjects compulsory and determined when they should be taught. It no longer mandated religious instruction, having concluded—or having been forced to conclude—that it could "teach the rudiments of good citizenry, and prepare children for life in our economic world without resorting to religion." O'Hair claimed credit for helping to bring this new public school environment about, but added she was not done. "When the Society of Separationists fights to remove prayer from schools or from the public arena," she explained, "we are fighting to rescue the children. . . . The fight for control of education is the fight to dominate the mind of the rising generation. The fight for liberation of the child is thus a fight for control or direction of civilization. . . . This is a fight for the future of civilization."⁵⁹

O'Hair asserted that "we in the United States" are engaged in such a fight; "it will be a fight to the bitter end." She cited the religious community's attempt to persuade legislators to provide tax money for religious schools. She accused church representatives of holding for ransom legislation that would provide federal aid for education—a ransom paid when the church schools were included in federal grants. She charged that such provisions were unconstitutional, and pointed out that at one point, in December 1969, there were forty-one cases pending in the courts, at all levels, challenging them. Fourteen, she noted, were intended to prevent tax money from being given to church schools. Six were at the federal level. The rest challenged the use of tax money to bus

children to church schools, to provide public services to church schools, to subsidize parents who send their children to church schools, to construct new church schools, to repair or expand church schools, to furnish books for church schools, and so on. "The Society of Separationists feels that it is the finger in the dike as the powerful sea of church influence stands ready to overwhelm our civilization."⁶⁰

Continuing to reflect on her own era, O'Hair warned that churches were doing everything they could to retain their own members. They were accommodating new conditions, reinterpreting the Bible so that it conformed to new knowledge, and being led by liberal theologians like Martin Buber, Paul Tillich, Reinhold Niebuhr, Jacques Maritain, and Norman Vincent Peale, representing different faiths but all with the common goal of "coat[ing] the pill differently so you can swallow it."⁶¹

FREEDOM UNDER SIEGE

In 1974 O'Hair published *Freedom under Siege*, her most significant, in-depth attack on organized religion as a source of social control. Every society, she allowed, has a system of social control, whereby individual members learn to adjust to the social behavior of which society approves. This training begins in infancy. It instills values that become so internalized that the socialized person neither questions, nor even thinks about, alternatives or even how he or she is being controlled. Those who question those values—who depart from the expectations of society—are subject to means of repression or discrimination to dissuade or marginalize them. In openly tyrannical countries, O'Hair wrote, direct and physical means may be employed. In a free nation, like the United States, less obvious but equally coercive, economic, social, and psychological methods are employed. Agents of control include the family, one's peers, clubs and associations, businesses, and organized religion, as well as government.⁶²

O'Hair argued that organized religion was "one of the most powerful institutions involved in this massive psychological and social conditioning." She described organized religion as being "formidable in its ability to make disadvantageous and often distasteful controls seem palatable and even desirable for the individual and to weaken his will to act as an individual and to combat injustice." It used its prominence, its hallowed status, its doctrinal controls—emphasizing obedience, repentance, fear

of punishment, self-abnegation, and elevation of faith over reason—as well as its “unconstitutional partnership with the state,” to “impose the most irresistible, if covert, controls conceivable.” As such, it posed “one of the most ominous threats to individual liberties.”⁶³

O’Hair saw the church-state partnership in this endeavor as a violation of the principles of the separation of church and state. The result, she pointed out, was organized religion’s intrusion in secular matters, such as public education, freedom of the press and speech, and laws concerning birth control and abortion, as well as its accumulation of vast wealth. The churches’ intrusion in secular matters was being made easier, O’Hair continued, “by the increasing consent and compliance of the state.” “Not only is organized religion seeking involvement in affairs of states, but government itself is inviting that involvement.” O’Hair protested this collusion: “I plead the unalienable right to freedom from religion as well as freedom of religion.”⁶⁴

O’Hair divided *Freedom under Siege* into two parts: “The Church as Big Business” and the “The Church as Big Brother.” In the first section, she once again provided statistics concerning church membership, the churches’ wealth, and the churches’ stake in private enterprise. O’Hair argued that the churches were not using their great wealth to benefit their members, but rather to develop even greater power over the nation’s politics, society, and culture. To underscore the repressive use to which organized religion put its power, O’Hair returned to the history of Church censorship. She argued that Church censorship began soon after the birth of Christianity with the persecution of pagans and those Christians holding unorthodox opinions. In c.e. 325, she noted, the Council of Nicaea formulated orthodox doctrines for that very purpose, and in 391 the Emperor Theodosius I set the tone for future church relations with non-Christians by ordering the great library of Alexandria razed and burned.⁶⁵

O’Hair made note of Pope Paul IV’s Index of Forbidden Books, begun in 1557 and that continued until 1948, which included the works of Emile Zola, Voltaire, Descartes, Gibbon, Hugo, Flaubert, and other major writers. She also included a brief history of censorship in the United States, which, though enforced by law, had the backing of organized religion. By way of example, she wrote about Anthony Comstock, a YMCA crusader from New York who became one the most famous names in the history of censorship, giving his name to the word “Comstockery.” Comstock authored New York State’s first obscenity

law in 1868, and in 1873 organized the New York Society for the Suppression of Vice, which pushed through the U.S. Congress an anti-vice law that banned from the mail any “obscene, lewd, lascivious, or filthy book, pamphlet, picture, paper, letter, writing, print, or other publication of any indecent character.” Comstock and his YMCA anti-vice society were given the legal power—search and seizure—to enforce the law in New York.⁶⁶

O’Hair allowed that beginning in the 1920s and 1930s the courts began to limit the power of censorship in the United States. She cited *Halsey v. New York Society for the Suppression of Vice* (1922), wherein the New York State Court of Appeals held that a book could not be ruled obscene because of the selected words of passages; the work must be considered as a whole. She pointed to the 1934 U.S. Circuit Court of Appeals decision that applied this “dominant effect” stand to find that James Joyce’s *Ulysses* was not obscene. O’Hair added several post-World War II cases that defined and redefined obscenity in a gradually, if not entirely consistent, more accepting, permissible direction, like *Roth* (1957), *Fanny Hill* (1966), *Miller v. California* (1973), and *Carnal Knowledge* (1974). At the same time that the courts moved in the direction of applying “contemporary community standards,” they insisted that books deemed obscene had to be “utterly without redeeming social value.” They had to “appeal to the prurient interests in sex,” “portray sexual conduct in a patently offensive way,” and, when “taken as a whole,” have no “serious literary, artistic, political or scientific value.”⁶⁷

O’Hair wrote that by the early 1950s the major Protestant anti-vice societies “ceased to count.” Not so, however, efforts led by the Roman Catholic Church, most notably through the National Organization of Decent Literature (NODL). Established by the Catholic bishops of the United States in 1938 to rid the country of “lascivious” literature, it attracted considerable support during the “Great Fear” of the 1950s. It compiled blacklists of books and magazines, which it published in the national Catholic weekly, *Our Visitor*, and NODL’s own newsletter. It organized boycotts of publishers and vendors and pressured local authorities to act to end or eliminate such sources of immorality.⁶⁸

O’Hair also discussed the Church’s Legion of Decency. It was established in 1934 with the stated goals of publishing lists of offensive films and securing pledges from the faithful not to see those films. In large part in response to the Legion, the Motion Picture Producers and Distributors of America drafted a production code of its own, but the

Legion stayed in business, gaining force in the 1950s. O'Hair quoted from *Censorship of the Movies* (1968), in which Richard Randall concluded that during the 1950s and early 1960s, the Roman Catholic Church ranked "as the most important single group in the control of movies in this country at any level: production, distribution, or exhibition." Its strength, he explained, rested on the church's numbers, "a potential for militancy, and a programmatic development which includes a moral evaluation and a systematic rating of all leading commercial films shown in the country."⁶⁹

O'Hair also wrote about how the power of organized religion, working with the state, kept atheists off the airwaves. In our earlier discussion of Madalyn O'Hair's radio program, I reported O'Hair's frustration with the media's—especially the FCC's—reluctance to air atheist programs. She expanded on the larger subject of radio and television censorship in *Freedom under Siege*. She wrote:

Perhaps in no other area is collusion between the churches and the government more obvious, and the results so suppressive of independent thought, than in the broadcast media. Here one sees in its most blatant form the effect of religious influence when applied to the means of social communication.⁷⁰

By way of another example of "freedom under siege," O'Hair took aim, once again, at organized religion's "oppression of women." Women's socioeconomic position changed dramatically during the 1960s, when feminists denounced the suburban housewife life-style that kept women dependent, undereducated, underemployed, and largely underfulfilled. Although the life-style that feminists criticized was neither as universal nor as entirely imposed as they suggested, the result was a movement toward reorganizing gender relations that had a significant effect on the very real inequalities that existed between men and women. Growing numbers of women sought to change their social roles, redefine the nuclear family, and assert control over their bodies.⁷¹

On the one hand, O'Hair considered herself way ahead of the feminists, insisting that she sought such changes at least a decade earlier. On the other hand, she never felt entirely comfortable in their company—nor they in hers. Most scholars have argued that the Cold War culture reinforced the subordination of women and the suppression of sexuality. Fear of communism, they have explained, pushed middle-

class Americans to look to masculine strength and the patriarchal home as protective forms in a dangerous world. Independent women, gay men, lesbians, and dominating wives and mothers appeared to threaten masculinity, the nuclear family, and the nation, just as communism threatened the internal order.⁷²

Joanne Meyerowitz, however, has argued that Cold War culture did not entirely suppress sex and gender reform efforts, or at least reform ideas. It may have curtailed its public expression, but not its appeal.⁷³ Kate Weigand agrees, pointing to “a small but vibrant women’s movement” that persisted throughout the 1940s and 1950s and that transmitted influential terminology, tactics, and concepts to the next generation of feminists.” Those involved in the earlier phase of the women’s movement, Weigand explains, had to contend with anti-Communist sentiment that linked the movement to communism and un-Americanism. Moreover, during the 1960s, they were reluctant to embrace younger reformers—or even to assume the label “feminists.” Their objection stemmed not from any opposition to the larger good of women’s liberation, but rather from their belief that the feminist movement was too limited in its scope, too conservative and bourgeois—seeking only legal equality, through its emphasis on adoption of the Equal Rights Amendment, rather than widespread systematic reform of the basic institutions that repressed women.⁷⁴

This was true of Madalyn Murray O’Hair, as well. During the 1950s, if not earlier, if largely for personal reasons and in response to personal needs, she sought to change the status and condition of women in America. Like other reformers of the period, she looked beyond legal equality, in her case to curtailing the repressive influence of organized religion. And like other women reformers of the 1950s, she shunned the title and company of the 1960s feminists while fighting for many of the same goals.

In the preface to *An Atheist Looks at Women and Religion*, which was actually an expanded version of *Freedom under Siege*, Madalyn wrote: “I have always felt that there could be no more satisfying life than that of a woman. Motherhood is simply the most wonderful aspect of life. I adored my children when they were young and love them fiercely as adults. . . . The family, I have always thought, was the best of all institutions ever invented.” She added that she had never thought women were inferior to men, which, she allowed, ran counter to the common attitude toward women in “our culture.” That cultural attitude, she explained,

was the product of the Judeo-Christian tradition, from which she had disassociated herself at an early age.⁷⁵

Given the time during which she wrote *Freedom under Siege*, O'Hair singled out the churches' opposition to birth control and abortion as the principal source of frustration to women's struggles for "emancipation." The churches, she insisted, were "in concert" to prevent birth control methods from coming into the hands of women for fear that by being able to avoid pregnancy, they would become sexually promiscuous. She added that the information was withheld from men, as well, "since the Protestant work ethic heavily emphasized fidelity to the employer and the home, long hours, and rigid self-control."⁷⁶

O'Hair retold the story of Margaret Sanger. She pointed to the importance of Sanger's medical clinics for women and dissemination of information on birth control. After two decades of resistance, however, O'Hair pointed out, the tide began to turn. By 1930 there were fifty-five birth control clinics in twenty-three cities. In 1936 the U.S. Court of Appeals ruled that physicians could mail whatever was needed "for the purpose of saving life or promoting the well-being of their patients." In 1937 the American Medical Association came out in support of birth control, and by the time of O'Hair's writing, Planned Parenthood had affiliates in nearly two hundred U.S. cities.⁷⁷

Nevertheless, O'Hair continued, the battle continued. The legal position of the churches, led by the Roman Catholic Church, was weakened, but its opposition was actually hardening. The churches demanded that their hospitals—despite receiving public funds—not distribute birth control and/or conduct abortions. In the 1960s, many states began to liberalize their abortion laws. Some churches "even began cautiously supporting women's rights." Not so the Roman Catholic Church, O'Hair wrote. It continued to insist on the position enunciated in 1869, that the embryo is ensouled at conception and that women, therefore, were not to be allowed to abort it. The church, and its allies, formed anti-abortion groups, led by the Right to Life group, headquartered in the U.S. Roman Catholic Conference Building in Washington, D.C.⁷⁸

Battles were fought at the state level—in New York in 1972, most notably, where anti-abortionists challenged that state's more liberal law, adopted in 1970. The church succeeded in pressuring the state legislature into voting for repeal by a majority of one vote, but Governor Nelson Rockefeller vetoed the measure. Pennsylvania acted similarly, and

in 1973 the U.S. Supreme Court handed down its landmark decision, *Roe v. Wade*, which not only overturned restrictive abortion laws in Georgia and Texas but also decreed that in the first three months of pregnancy the decision to induce an abortion should be left solely to the mother and her doctors. During the second trimester, the Court ruled, the state could establish restrictions, but only of a regulatory nature, leaving only the final three months open to state prohibitions to protect the fetus—after its viability had been demonstrated. Nevertheless, the Roman Catholic Church continued to hold fast in its opposition to abortion, and even in its opposition to artificial means of birth control, as restated in Pope Paul VI's *Humanae Vitae* (1963). It continued to pose a threat to the continued liberalization of the law, O'Hair insisted, and freethinkers had to remain vigilant.⁷⁹

ON CHURCH AND STATE

In *Freedom under Siege*, O'Hair revisited and expanded on her position relative to the separation of church and state. She provided some historical perspective. O'Hair explained that the Protestant churches suffered from disestablishment. They were divested of their exclusive powers and tax support, and some began a steep decline in membership. They survived, however, gradually regained their following, and, in the process, lobbied for renewed special legal considerations.⁸⁰

The Protestant churches tried to get Christianity declared the religion of the land. O'Hair cited the example of U.S. senator (later president) James Buchanan, who on January 18, 1844, introduced a resolution in the Senate that the United States become a Christian nation and acknowledge Jesus Christ as America's savior. The Senate rejected the motion, but nearly seventy more similar bills were introduced to the Congress from 1874 to 1910, the most famous of which proposed that the Preamble to the U.S. Constitution be changed as follows:

We, the People of the United States, in order to acknowledge Almighty God as the source of all authority and power in civil government, the Lord Jesus Christ as the ruler among the nations, and His will, revealed in the Holy Scriptures, as the Supreme Authority, in order to constitute a Christian government, form a more perfect

union, establish justice, insure domestic tranquility.⁸¹ [The proposed new wording is underlined.]

On February 18, 1874, the House's judiciary committee stalled the effort by reporting that the framers of the Constitution had seen fit not to enter such Christian wording and that their determination should be sustained.⁸² Nevertheless, although with less sustained popular support, the quest for a "Christian amendment" continued. In 1925 some considerable support rallied behind a proposed rewording of the Preamble of the Constitution that had been circulating and periodically reappearing in Congress since 1894. It would have added:

Acknowledging the supreme authority and just government of almighty God in the affairs of men and nations; grateful to him for our civil and religious liberty, and encouraged by the assurance of His word to invoke His guidance, as a Christian nation, according to his appointed way, through Jesus Christ.⁸³

Mass immigration of non-Protestants, especially Catholics and Jews, added to the urgency of the Protestant quest for special recognition of their faith in the nineteenth century. The religious orientation of the new immigrants troubled the older Protestant establishment. Orientals were simply excluded. Others, of European extraction, were subjected to discriminatory quotas in the early 1920s. Efforts were made to control the influence of Roman Catholics, who soon constituted the largest single religious denomination in the United States, while reactionary groups such as the Order of the Star-Spangled Banner and the American Protective Association applied other, often extra-legal, pressures.⁸⁴

The effort at establishing a Christian nation gained renewed vigor during the Cold War. O'Hair pointed out that during those years, "freedom from the dictates of religion had perhaps undergone the severest trials in the history of our country." She also acknowledged, however, that the Supreme Court issued a number of decisions opposing violations of the separation of church and state and discrimination against ethnic or religious minorities, defending their right to believe as they wish. While not agreeing with all of its decisions, she nevertheless concluded that overall the Court had "tried to make a considered judgment

and interpretation of the First and Fourteenth Amendments as related to religion."⁸⁵

O'Hair pointed out that the Supreme Court had made decisions supporting the separation of church and state while not harming those churches involved, even deciding in favor of some denominations. So, it could not be seen as being antagonistic, or even unfriendly, to religion. She pointed to *West Virginia v. Barnette* (1943), which upheld the right of the Jehovah's Witnesses to freedom of conscience in a case involving laws attempting to force their children to salute the flag in public schools. O'Hair pointed to the landmark case, *Everson v. Board of Education* (1947). It affirmed the right of the state to provide financial assistance to parents obliged to pay for bus transportation for their children to private, including church related, schools. But it also formulated the first standard prescribing just what the Establishment Clause meant, while applying it to the states.

And she noted that the Court reaffirmed its position the next year in *McCullum*.⁸⁶

Congress and the Executive Branch, on the other hand, O'Hair continued, as well as the states, had "promoted policies and acts dangerously inclining toward establishing virtually a civil religion. They have put through one act or order after another giving aid and assistance or preferred standing to religion." At the same time that the churches sought to augment their own power and influence, the government had abetted that expansion of influence.⁸⁷

"While the U.S. Supreme Court was thus carefully and legally defining what was permissible and impermissible in church-state relations," O'Hair continued, "the political leaders were on the march, embracing the symbols of the church in opposition to what they conceived as a grander menace to liberty and democracy." She identified Winston Churchill as having sparked much of this Cold War religious conservatism by his famous "Iron Curtain" speech in Fulton, Missouri in 1946. Churchill warned the American people of the menace not only of the Soviet Union, but also of "Communist first columns" operating in other countries around the globe, posing "a growing challenge and peril to Christian civilization."⁸⁸

Dwight Eisenhower defined the spirit of the times even more starkly, O'Hair insisted, when, during his 1952 presidential campaign, he spoke of the war against "atheistic communism in Korea":

We know that—for all the might of our effort—victory can come only with the gift of God’s help. . . . In this spirit—humble servants of a proud ideal—we do soberly say: this is a crusade.⁸⁹

O’Hair explained that this was “a harbinger of the Christian civil religion” that developed in the 1950s, “as an adjunct to our foreign policy”:

Between about 1947 and 1954 the nation was gripped by what has later been termed the Great Fear, the fear that the nation was about to be undermined by communism and communist agents. Anything traceable to communist ideology immediately became suspect, and a witch-hunt of persons with un-Christian ideas was carried out by government and by private groups.⁹⁰

She pointed to the executions of Julius and Ethel Rosenberg as symptomatic of the “context of hysteria” in which “godless communism came to be thought of as aligned against Christian America.”⁹¹

“Godliness,” O’Hair argued, “thus became a test of national loyalty,” and she listed numerous examples of how this test was manifested in American law and culture. She referenced the 1948 law whereby federal judges were required to take an oath concluding with “so help me God”—which she identified as the first such legislatively enacted religious test for office in American history—as well as the additions of “under God” to the Pledge of Allegiance and “In God We Trust” to our currency, mentioned earlier.⁹²

She portrayed the mood of the nation leading up to *Murray*, in 1963, by reference to extralegal political, social, and cultural developments. She wrote about the religious spirit that entered the White House with President Eisenhower and soon spilled over into Congress and beyond. She pointed to the prayer breakfasts he instituted with other public officials, which were replicated in congressional, governors’, and mayors’ prayer breakfasts across the nation. “Although it might be granted that, as private citizens, these officials have a right to attend prayer breakfasts,” she allowed, “it cannot be denied that these breakfasts constitute governmental policy meetings and, as such, mix religion and government.”⁹³

O’Hair also included public remarks made by prominent figures reflecting and reinforcing the hyper-religious mood of the nation. Again,

by way of example, she quoted from President Eisenhower's speech in 1956 to Israelis on the Middle East crisis:

There can, of course, be no equating of a nation like Israel with that of the Soviet Union. The peoples of Israel, like those of the United States, are more imbued with a religious faith and a sense of moral values. We are entitled to expect, and do expect, from such peoples of the Free World a contribution to world order which unhappily we cannot expect from a nation controlled by atheistic despots.

O'Hair opined: "In his years in office Eisenhower seldom missed an opportunity to contrast the 'atheist' foe with the freedom-loving people of America under God. Americans had become God's chosen people."⁹⁴

Although *Murray* and *Schempp* continued the Supreme Court's record of guarding "the wall of separation of church and state" legally, O'Hair saw little change in American attitudes as a result of those cases. She discussed the "relentless campaign" waged by "organized religion and its political allies" to have religion restored in any form whatever, either as overt prayer or as covert religious studies. By April 1964, she noted, no fewer than 150 amendments to the Constitution had been offered in the House of Representatives to overturn that single court ruling. They all failed, but as late as June 1973, to commemorate the tenth anniversary of the removal of prayer from the public schools, Senator Richard Schweicker (R-Penn) proposed yet another amendment:

Nothing contained in this Constitution shall prohibit the several states and the District constituting the seat of our government of the United States from providing for voluntary prayer in the public schools of that jurisdiction, nor shall it abridge the right of persons lawfully assembled in any public building to participate in voluntary prayer.⁹⁵

It too failed to muster enough votes to be sent to the states for ratification.

Finally, O'Hair pointed to a law passed by Congress in 1966 that required that anyone elected or appointed "to an office of honor or profit" in the civil service or the uniformed services (with the exception of the president) take an oath or affirmation of allegiance concluding with the phrase "So help me God." O'Hair saw this as a violation of Article VI of

the U.S. Constitution, which precluded religious tests as a requirement or qualification to hold federal office, and she challenged the law in court—to no avail.⁹⁶

O’Hair explained that the president was not included in this measure because his oath was already spelled out in Article II of the Constitution. No reference is made to God, therein, but, she pointed out, Richard Nixon added the expression “So help me God” to his oath when he took it in 1969, thereby establishing the ongoing precedent. Nixon also continued prayer breakfasts, and even “brought full-scale religious services directly into the White House.” This, she insisted, “is the symbol of the new executive branch of government” that continued as of her writing, “and of the new evangelism now comfortably quartered there.” She made reference to Nixon’s close, public relationship with evangelist Billy Graham:

It is tragic that the Chief of State, sworn to uphold and defend the Constitution of the United States, should be a focal point and a chief aid for those who would establish a civil religion, with a nationalistic, evangelistic base. We are completing the circle. If this trend is not reversed, we will again have the situation described at the beginning of the chapter [i.e. the repressive established churches of the colonial period].⁹⁷

ON STATE AID TO PAROCHIAL SCHOOLS

Finally, in *Freedom under Siege*, O’Hair took up the matter of state aid to parochial schools. She began by reviewing the history of the struggle between public and private, especially parochial, education in the United States. She emphasized the contest over the use of public funds for parochial education—a battle far from entirely won by the public schools, she insisted. She referenced and quoted from some of the earliest laws and pronouncements against the use of public funds for sectarian institutions. Beginning in 1855, for example, Massachusetts and various other states began to adopt state constitutional provisions forbidding the granting of public funds to sectarian schools.⁹⁸

In 1876, on the nation’s centennial, in a speech in Des Moines, Iowa, President Ulysses S. Grant explained:

Now . . . is a good time to begin the work of strengthening the foundations of the structure commenced by our patriotic fathers a hundred years ago at Lexington. Let us labor to add all needful guarantees for the greater security of free thought, free speech, a free press, pure words, unfettered religious sentiments, and equal rights and privileges to all men, irrespective of nationality, color, or religion. Encourage free schools and resolve that not one dollar of the money appropriated to their support shall be appropriated to the support of any sectarian school; that neither the state or nation, nor both combined, shall support institutions of learning other than those sufficient to afford to every child in the land the opportunity of a good common-school education, unmixed with sectarian, pagan, or atheistical dogma.

Leave the matter of religion to the family altar, the church, and private schools entirely supported by private contributions. Keep the church and state forever separate.⁹⁹

Grant's plea led James G. Blaine, future Republican presidential candidate, to introduce to Congress the following resolution to amend the Constitution:

No state shall make any laws respecting an establishment of religion or prohibiting the free exercise thereof; and no money raised by taxation in any State for the support of the public schools, or derived from any public fund, be under the control of any religious sect, nor shall any money so raised or lands so directed be divided between religious sects or denominations.

Although the proposed amendment received a majority of votes cast in both the House and Senate, it failed to meet the two-thirds support necessary to send it to the states for ratification. A strong current of opinion held that the matter was best left to the states.¹⁰⁰

O'Hair discussed attempts by organized religion to continue to influence public education by providing religious instruction during the school day, but during "release time," either on school grounds or off, and with the support or tacit approval of school officials. This was already discussed in chapter 5. She touched on attempts to include the "objective" study of religion in the public school curriculum—in history, for example, or in classes that were supposed to teach the Bible as

literature. But she devoted the major portion of her criticism to public aid to parochial education. Roman Catholics had demanded such aid at the state level—in Massachusetts, New York, and Pennsylvania, for example—prior to the Civil War, but failed. By the 1950s, Roman Catholics advocated a complicated trustee device whereby federal funds could be channeled indirectly into their schools, but they were blocked by Protestant church groups and the National Education Association.¹⁰¹

Roman Catholics were more successful in persuading taxpayers to purchase textbooks for parochial school students. The practice was upheld in 1930, in *Cochran v. Louisiana State Board of Education*, which, in the process, established a principle that would serve the parochial schools well, the so-called child-benefit theory. In allowing the state to purchase textbooks and to supply them free to all students, including those in parochial schools, the court explained: “The schools . . . are not the beneficiaries of these appropriations. . . . The school children are the beneficiaries.”¹⁰²

The U.S. Supreme Court applied the “child-benefit theory” in *Everson v. Board of Education of Ewing Township* (1947). It upheld a state program wherein New Jersey reimbursed parents for fees charged their children on public buses, a practice begun in the 1940s in several states. The reimbursements covered children attending public and private schools, although only Roman Catholic schools were involved in the case. The Court agreed that the program aided the children and their parents; any benefit occurring to the sectarian schools was indirect.¹⁰³

O’Hair cited other examples of state aid to church-related schools. She mentioned the GI Bill of 1944, which provided for direct payments to denominational, as well as other, colleges and universities for war veterans’ higher education. She listed state aid to religious schools, beginning in 1963, for building construction. In 1965 the Johnson administration, under the Elementary and Secondary Education Act, offered grants and loans to religious elementary and secondary schools to acquire equipment, textbooks, and certain types of teacher training. And she commented on the continued efforts of parents of students attending religious schools to be given tax credits or some other form of tuition reimbursement.¹⁰⁴

O’Hair’s list of state aid to religious schools, acquired and requested, was lengthy. She concluded: “There is only one real issue. It is this: Should all of the citizens of the Untied States be coerced into subsidizing, by whatever scheme, the religious indoctrination of the chil-

dren of any faith?" To answer that question, she addressed the various arguments that had been used in support of such use of tax revenues. The first argument O'Hair listed was that without state aid to schools, the parents of parochial school children became the victims of "double taxation"—that is, they paid a state tax for public schools and a private "tuition tax" for their parochial school. She quoted from a 1967 American Civil Liberties Union brochure in response. In effect, they argued that whereas everyone was obligated to pay state tax, no one was forced to send his children to a private or parochial school. Tuition, in that case, was not a tax. State taxes are "the required share of all" to pay for governmental services" such as libraries, hospitals, roads, and public schools. Payments to parochial schools were entirely voluntary, and, in contrast to public schools, in return for their private status, parochial schools had the right to discriminate in admission and employment, to teach a particular religion, and to set their own academic standards and financial policies. Moreover, the statement continued, if parochial schools did receive tax funds, that would indeed constitute a double taxation. Citizens would be taxed for both schools and likely be excluded from admission, employment, and a voice in the policies of parochial schools on religious grounds.¹⁰⁵

The second argument for aid to church schools posited that it gave parents "true freedom of choice" in education by allowing them to send their children to public or private schools. O'Hair countered that this was not be the case, because parochial schools—she pointed to Roman Catholic schools in particular—often both discouraged parents from enrolling their children in public schools and refused admission to those of different faiths.¹⁰⁶

Some argued, O'Hair wrote, that aid to church schools could be earmarked for secular purposes or studies, thereby not constituting aid to religion. O'Hair challenged this argument by making reference to two papal encyclicals that expressly denied separation of religious and secular studies. One stated that the only kind of school approved by the church was one in which teacher, syllabus, and textbooks were all "regulated by the Christian spirit." The other encyclical explained that it was necessary not only that religious instruction be given to the young, but also "that every other subject taught be permeated with Christian piety."¹⁰⁷

O'Hair quoted from Justice William O. Douglas's opinion in *Murray v. Curlett*:

The most effective way to establish any institution is to finance it; and this truth is reflected in the appeals by church groups for public funds to finance their religious schools. Financing a church either in its strictly religious activities or in other activities is equally unconstitutional. . . . Budgets from one activity may be technically separate from budgets for others. But the institution is an inseparable whole, a living organism which is strengthened in proselytizing when it is strengthened in any department by contributions from other than its own members.¹⁰⁸

Returning to the “child benefit” theory, O’Hair posed the next argument: “Aid to church schools is really aid to the students, not aid to the church.” She explained that Justice Douglas had addressed the argument in part in the opinion noted above, but she also described the position as “deceitful.” The church, she insisted, “is concerned more about perpetuating its authority than about nurturing the aspirations of individual children.” She quoted Justice Robert Jackson in *Everson*:

I should be surprised if any Catholic would deny that the parochial school is vital, if not the most vital, part of the Roman Catholic Church. If put to the choice, that venerable institution, I should expect, would forego its whole service for mature persons before it would give up education of the young, and it would be a wise choice. Its growth and cohesion, discipline and loyalty, spring from its schools. Catholic education is the rock on which the whole structure rests, and to render tax aid to its Church school is indistinguishable to me from rendering the same aid to the Church itself.¹⁰⁹

The final argument O’Hair noted for providing tax revenues to church schools was that church schools saved taxpayers money by educating children who otherwise would have to be enrolled in public schools. O’Hair denied that duplicating educational systems would save any money, any more than duplicating police forces, fire departments, or highway departments would. Rather, she argued, “aid to church schools would eventually diminish the economic efficiency of running public schools because unquestionably many new systems would spring up as public funds became freely available.” The tax burden would thereby be increased.¹¹⁰

It is further the case, O'Hair concluded, that taxpayers were already indirectly supporting churches and their parochial schools. "Whenever churches—or contributors to churches—are excused from paying taxes, the average citizen's tax burden must be increased correspondingly. And these religious exemptions are unending." She pointed to tax-exempt status of parochial schools—their revenue, building, and land—and donations to the church, and she reiterated that those exemptions favored the larger churches over the smaller—those that operate the largest number of schools, own the most property, and receive the greatest donations.¹¹¹

Madalyn Murray O'Hair's crusade peaked in the fifteen-year period from 1965 to 1980, but toward the end of that period she faced two significant setbacks—the death of her husband, Richard, and the defection of her son and Supreme Court case namesake, William Murray. Murray did more than defect, he publicly apologized for his roll in the case that bore his name and dedicated himself to the defeat of both atheism and his mother's cause. He publicly denounced his mother as a "cult leader" and blamed the defeat of school prayer for leaving in its wake "a nation basically devoid of any moral principles." For the rest of Madalyn Murray O'Hair's life, the history of atheism in America can be written as a contest between O'Hair and her son.

O’Hair’s Prominence Recedes

Hungry all her life for money and power, she lives at last in a world of material comfort, surrounded by luxurious German cars and expensive artwork. Yet the organization that she created to carry on her crusade is little more than a hollow shell, a sounding chamber for the roar of O’Hair’s complaints. She has suffered the loss of her husband to cancer and the defection, in 1980, of her elder son, William Murray, to Christianity.¹

THIS IS HOW an O’Hair observer pictured Madalyn near the end of her public life. He reported having seen “anxiety” in her eyes, which he allowed might have been due to recent family losses. But he also noted that some of her religious opponents had begun to gloat over her decline in influence, for which they often took credit. They pictured her as “quaking at the prospect of death,” to which Lawrence Wright wondered if it was not death but life that frightened her—“life, and the contradictions, the lies, the deceit that make up the furious existence of Madalyn Murray O’Hair.”²

Such comments by O’Hair’s critics might be dismissed as wishful thinking or a projection of what they believed she should feel. In 1982 someone actually asked her, publicly, if she had found happiness, to which she responded: “Many times, many places, with many people and many things.”³ But even her friends questioned her state of mind. Frank Zindler thought she looked frightened, but explained that he thought it was because she had been betrayed so many times. She had to worry about physical assaults and betrayal, so fear was not an irrational response for her. “Madalyn,” he added, “is very sensitive to the reality of mortality.”⁴

Charles Dew remarked that he saw that anxious look while they were in the American Atheists Center employee kitchen, and she began

talking about feeling ill. "She was worried that she was not going to live much longer. There was vulnerability about her that I wasn't expecting." He concluded:

It seemed to me that she must have lived a hard life, a hard life and an empty life—not because her life is not full of God but because she has no real friends. I intuited something that made me feel really sad. It wasn't that she imagined that she was going to hell or anything like that. It was that she created a nothingness out of her life.⁵

Whether they really did see anxiety in O'Hair's eyes, or even if she was "quaking at the prospect of death," neither anxiety nor fear of death slowed her down. Although she did make certain concessions to her years, age did not diminish her zeal, and it only slightly curtailed her level of activity. As the decade of the 1980s began, American Atheists prospered. As it continued, however, Madalyn Murray O'Hair's prominence receded, as did American Atheists. By the 1990s it might be said that, although she remained the best-known atheist in America, no one much cared anymore.⁶

Atheists could be seen in the national media, but as Robin Murray put it, "only under conditions designed to ridicule them and negate the value of their presence." Talk show hosts bearbaited them, photo editors published unflattering, even demeaning pictures, and the print media ridiculed their intelligence, education, hair, clothing, and personal relationship—rather than addressing the issues. This was not the result of "an intelligent conspiracy," Robin added, as atheists no longer caused such fear in the hearts of Americans. Rather, it was the product of "a self-perpetuating cultural conditioning."⁷ Otherwise, as O'Hair wrote in 1991: "No one listened. No one cared." For most, instead of being the most hated woman in America, she became a curiosity—crossing "In God We Trust" off two-dollar bills, autographing them, and selling them as souvenirs.⁸

WILLIAM AND MADALYN PART COMPANY

After a brief stay in Baltimore following his release from jail, William Murray was at loose ends. He returned to Hawaii, where he and Susan tried to continue their marriage. Still only nineteen, he drove a cab and,

by his own reckoning, had little direction. He took up with another woman, Julie Ann Mathews, and in December 1965 the two left for California, where William worked as an installer in a San Francisco private telephone, intercom, and television systems company.⁹

William and Susan decided to divorce and agreed that William would take custody of Robin until Susan graduated from college. The Associated Press published an article, that was run by the San Francisco *Chronicle* under the headline: "Atheist's Son Divorces, Brings Daughter to San Francisco Bay Area." Two months later, under pressure from his fellow workers, William resigned his job. He handed Robin over to his mother in Austin, in what was supposed to be temporary care, and took a job with American Airlines as an airport agent. In a letter to his mother dated December 17, 1967, William explained that Julie did not want Robin.¹⁰

William tried to remain as anonymous as possible, but in April 1967 Madalyn came to San Francisco to appear on television and once again their names were in the news. Made uncomfortable at work by the notoriety, William left his job with American Airlines and departed San Francisco. After a brief visit with Robin in Austin, he and Julie drove to Montreal. William had received a letter from the Selective Service inquiring about his marital status, and he feared being drafted once his divorce became final. Because he needed the money, he later explained, William went public for the first time since *Murray*. He agreed to an interview with the Canadian Broadcasting Company. He was introduced as the "son of the U.S. atheist and antiwar activist Madalyn Murray O'Hair," and as being a member of the Murray-O'Hair family, which was "well known for stopping the recitation of prayers in U.S. public schools." William said that he was in Montreal "to organize local support" for a worldwide atheist movement.¹¹

William and Julie soon returned to the United States. They stayed briefly in Massachusetts with friends, during which time they accompanied Madalyn to one of her appearances at Harvard. Then they left for Hawaii, where they were married in January 1968.¹² When notified by his draft board to report for military service, William decided to enlist in the Air Force, but to do so in Texas. Before enlisting, however, on March 31, 1969, William was Madalyn's surprise guest on her radio show.

Madalyn asked William to describe his religious convictions. He answered that he was an atheist, but that he would prefer not to be fur-

ther categorized, as there were many variations therein. He explained that American atheists had an unusual place "in the overall world society" because they were Americans and lived in a democratic state. He was freer to profess his beliefs than atheists living elsewhere. Further, he continued, "to be an atheist in this country, is to be a person who is critically interested in his fellow human beings, his advancement of himself and, thereby, the advancement of the entire society."¹³

Religion, William added, especially organized religion, is a crutch for the individual, and this enables the individual to excuse himself from being a man and being a part of the human race. The individual who believes in God and prays to God for forgiveness, and who gives God credit for everything he does, is not to the fullest extent a man. Murray described organized religion as "a group of certain individuals who are aware of the weaknesses in other people and who take financial advantage of them, as well as psychological advantage of them, in order to make them do their bidding."¹⁴

Because of its controlling nature, religion must keep individuals where they are, he continued: "Keep them static in order to keep them in a position where they do not think that they are even men, and where they will not go out and attempt to improve themselves or their society." But coercion will not work, he insisted. The more the religious minority attempts to force the majority to believe, the more the majority will "laugh at it. . . . The more they force people to enter a chapel, the more of a joke the whole idea of religion is going to be for the masses."¹⁵

Murray explained that rather than "accepting" anything, he had "come to an intellectual decision" about what he believed and what he should do in society—something he insisted should be "completely individualistic." And as to those around him, he guessed that the majority of middle-class Americans had done much the same: "If they are not atheists, then at the least they are agnostics. The more they come to understand the role of man in the world around them, the less room there is for God." Most of those in America who were true believers in God, he concluded, were of the lower class, "the persons who are poor, who have less education, who have less chance for advancement. When it comes to religion, the middle class is largely hypocritical. They go to church on Sunday but joke about it the rest of the week. As the lower class shrinks in our country, and the middle class expands, you will find less and less religion."¹⁶

William enlisted and enrolled in an Air Force flight training program, but his association with his mother caught up with him. William protested that he had renounced his mother's various left-wing causes and her antiwar statements, with which his superiors were most concerned. But when he began to receive "unsatisfactory" flight reports, he was given the chance to resign from the training program, which he accepted. During the last week in September 1969 William took ten days' leave, visited Robin in Austin, and decided to go AWOL rather than return to the Air Force. Four months later he turned himself in at a military hospital in Honolulu, having suffered a concussion in an automobile accident. Rather than court martial him, the military gave him an honorable discharge.¹⁷

In March 1970 William returned to Austin, only to learn that Madalyn had gained legal custody of Robin while he was AWOL. William let it be and took a job at Kennedy Airport in New York City. In late 1971 he switched to Braniff Airlines in Dallas. In February 1973 William and Julie returned to Honolulu, where he went through a series of jobs, including one financed by Julie's parents that failed. He divorced her and took a position with an advertising agency, which spun off an electronic media company. In February 1975 William and the company moved to San Francisco, where he took up with the company secretary Valerie Guellermo.¹⁸

Madalyn observed all of this from Austin and recorded her disappointment and sadness in her diary. On October 31, 1973, she wrote that William had many problems, but that he had created most of them for himself: "I have sat and watched him make one horrible mistake after another . . . and I have helped him till I can't stomach to do it further. When do they learn?" She accused him of lying and conning, but "he's my number one son. I can't love him less. I should have known he was in trouble. He always will be. But it hurts. My gawd. It hurts." In January 1974 she confronted William and tried to get him to sign a consent form so that she could legally adopt Robin. He refused, but she proceeded anyway and, despite William's opposition, succeeded—with Susan's approval.¹⁹

William and Valerie formed their own printing company in Denver, but by July 1975 relocated to Austin, where Madalyn Murray O'Hair would become their principal client. William claimed that Madalyn begged him to move to Austin to handle the printing of her magazine and other materials, which were "in shambles." *American*

Atheist had not been published in years, the newsletter was mailed irregularly, and Richard had ruined her printing equipment.²⁰ Madalyn confided in her diary that she had offered him \$100 a week to return to work for her. She noted how very busy she was, but she also repeatedly wrote about William's unfortunate circumstances and how sorry she felt for him. On June 8, 1975, she noted: "Bill arrived last night. . . . Now, to make it work."²¹

William helped rebuild the American Atheist Center. In addition to attracting printing jobs from the local builder's association, William began to publish *American Atheist* once again, as well as the monthly newsletter of the Society of Separationists. They sold more than a thousand subscriptions to the magazine within a month at \$15 each. They offered audio tapes of Madalyn's radio programs, which became very popular at \$8.95 for a set of four on two tapes. They purchased an office building on Medical Parkway for \$85,000, in which they were able to consolidate their various enterprises. At the grand opening, Madalyn announced to the press that the moment signaled the coming triumph of atheism.²²

William tried to launch a political career by running in the May 1976 Republican primary for the congressional seat held by Democrat J. J. "Jake" Pickle. Murray described himself as a conservative. "My campaign themes were simple," he recalled. "I maintained that first, no man should be forced to join any organization, not even a union; second, the majority should rule with respect for minority opinions; and third, people who work harder to earn more should not be punished with higher taxes."²³ But life with his mother and extended family in Austin proved to be too much for William. "I was back in all the irrationality, the screaming, the hollering, the profanity, the drinking," he wrote.²⁴

William's run for Congress caused such a storm within the family that he and Valerie left their company behind and moved to Houston, where he continued to run his campaign for the congressional seat in Austin. They returned in April 1976, when William and Madalyn were temporarily reconciled. He received an unexpected, and gratifying, 46 percent of the vote, which encouraged him to stay in Austin and even to continue to work with his mother. He and Valerie decided to marry and remain near Robin, then eleven years old.²⁵

Madalyn continued to make headlines, generating public uproar on a regular basis. She announced that henceforth every Thursday would be the Sabbath for American atheists, and that atheists should take the

day off from work. If their employers objected, they were to seek protection under a recent U.S. Supreme Court ruling that ordered businesses to rearrange work schedules to accommodate religious observances other than the Christian Sabbath.²⁶ In February 1976 O'Hair announced that she would be meeting with a special assistant to President Gerald Ford to ask that Thomas Jefferson's birthday be set aside to reaffirm the allegiance of Americans to the principle of separation of church and state.²⁷ That summer she let it be known that she was considering running for governor of Texas. When asked if she expected to win, she commented: "Of course not, but that isn't important. I expect to get a count on the atheist population." As noted earlier, she ran for a seat on the City Council, instead, but lost.²⁸

In the meantime, the relationship between Madalyn and Richard grew worse and even violent. In February 1974 she tried to have Richard arrested. She complained about his slovenliness, abuse of alcohol, and laziness, and his tendency to do more harm than good when he did get to work. In December 1974 she feared he was preparing to walk out on her, but she vowed not to let that happen as she still had some affection for him—even "a quiet love." Three months later he left her for four days with some undeposited organization checks and check books.²⁹

By December 1975 it was clear that Richard was seriously ill. Madalyn's anger toward him abated, only to be renewed when in January 1976 her suspicion that Richard was having an affair with another woman was confirmed. Madalyn threw him out and resolved never to take him back. She removed him from the Board of Directors and presidency of both of her operations, but she continued to confide to her diary that she loved him.³⁰ She started divorce proceedings against Richard on the grounds of adultery, but on the same date, January 29, 1976, entered this plea in her diary:

Please:

*somebody,
somewhere,
love me . . .*

Please:

*someone else,
somewhere,
share a dream with me . . .*³¹

Still in possession of her minister's papers from the California divinity school, Madalyn married William and Valerie, and Valerie soon became pregnant. During the spring of 1977 the entire family attended the annual American Atheists' convention in Chicago. The highlight of the convention was the selection of the atheist and religious "hypocrites of the year." William reported that Madalyn pushed hard to have a nun, who had become pregnant and aborted the baby late in pregnancy, named the religious hypocrite. The media pounced on it. William, however, headed off the nomination and Madalyn reluctantly settled on El-dridge Cleaver.³²

During the summer of 1976 William negotiated the purchase for the Society of Separationists of a brand new building on Hancock Drive with 10,000 square feet, which they named the American Atheist Center. They moved in June 1976, and Madalyn used this occasion to call a news conference and announce a new lineup of upcoming legal actions, including suits to remove "In God We Trust" from U.S. coins and drop "under God" from the country's pledge of allegiance. She was quoted as saying that President Jimmy Carter was a great aid to the atheist cause: "He keeps smiling and putting his foot in his mouth and quoting those idiocies, because the Bible is an idiotic book."³³

By the summer of 1977 both Richard O'Hair's life and Richard and Madalyn's divorce were coming to an end. According to William, Madalyn sought to delay the date, realizing that if Richard died prior to their divorce she stood to gain college expenses for Robin and widow's benefits from Social Security of up to \$800 a month.³⁴ That may have been true, in part, but earlier that year, when it became clear that his cancer was terminal, Madalyn expressed her great sorrow at Richard's condition in her diary. She noted that she was attending to his needs—buying his medicine, making soup for him, and sitting up with him. On May 8, 1977, she wrote: "So I'll do the death watch, and I'll bury him. During that time, I'll try to see that he is comfortable and has the best possible care."³⁵ The divorce case, which had dragged on, more over disagreements on property settlement than for any other reason, was never settled. In June, she agreed to drop the case altogether, and on March 13, 1978, Richard O'Hair died. He was given a military burial in Arlington National Cemetery.³⁶

At about the same time, Madalyn and William hit on the idea of commercializing some debates between Madalyn and the Reverend Bob Harrington, the "chaplain of Bourbon Street" in New Orleans, who

ran an operation as large, if not larger, than Madalyn's. They had debated before, and those debates had been aired on radio stations in Louisiana and Texas. According to Madalyn, Harrington initially agreed to pay the court costs of her "One Nation under God" and "In God We Trust" cases if she would debate him publicly around the country. In the end, Madalyn agreed to 44 percent of the income, after expenses, with a \$1,000 per night minimum. Harrington paid her an advance of \$15,000.³⁷

The debates began during the first week in August 1977 in Tennessee, accompanied by much fanfare. It would be a "fight to the finish," it was announced, between the "demon-directed damsel" and "the chaplain of Bourbon Street." The contestants gave interviews and appeared on talk shows, raising enough controversy and curiosity to produce a sizable crowd, most opposed to Madalyn.³⁸ It was, as Madalyn described it, a carnival-like atmosphere; nevertheless, she feared for her life wherever she went—provoking the crowd in her own inimitable style, then fearing she would be killed by one of those she provoked.

A gospel band stirred the audience with religious and patriotic music, and then the two were introduced. Madalyn spoke first, inciting the audience, whereupon Harrington weighed in. Harrington ended his opening remarks by having the audience stand to recite the pledge of allegiance. When the assembly reached the phrase "under God," on cue Madalyn dashed back on stage, "enraged," and tried to wrestle the microphone away from Harrington. This antagonized the crowd even more, at which point the debate actually began—laced by an exchange of insults. One night when the crowd was particularly nasty, Madalyn responded, "You're very rude, but that's to be expected from Christians." A man in the audience yelled back, "Praise the Lord," and the crowd roared with laughter. Harrington announced he would fight Madalyn every step of the way and then distributed envelopes in which people could "vote" for Harrington ("God and country") or Madalyn ("No God and no country") by inserting money.³⁹

In August 1977 alone, Madalyn earned \$12,500 plus \$3,500 in expenses. In six weeks she and Harrington appeared on ABC's *Good Morning America*, *The Phil Donahue Show*, and CBS's *Sixty Minutes* and in feature articles in every major newspaper plus *Newsweek*, *Playboy*, and *Playgirl*.⁴⁰ The debates made for great theater and much publicity, but not all of it good. A local New Orleans reporter investigated the de-

bates, resulting in several critical stories that implied they were staged. Finally, the newspaper—the New Orleans *Times-Picayune*—printed an editorial titled “The Bob and Madalyn Show Is a Deplorable Thing.” It read, in part: “Rehearsed like a soft-shoe routine, manipulated for money’s sake, it is a deplorable performance, a mocking of the deeply held spiritual belief.” Other newspapers offered similar reports and attendance declined.⁴¹ The debates ended in October 1977 when Madalyn unexpectedly left “the tour.”

Despite her newfound success, popularity, and increased income, and even though William was seen by insiders as her heir apparent, difficulties between Madalyn and William continued. Madalyn announced that she intended to send Robin to a private school, Fenster, in Tucson, Arizona. William attributed the decision to her wanting to keep father and daughter apart. This may have been true, but she was also unhappy with the public school education Robin—who reportedly scored in the 98th percentile of her class—was receiving.⁴²

William and Madalyn clashed over various matters, including William’s purchase of new office equipment, his use of their new RV, and Madalyn’s firing of new employees he had hired. She accused one of them, Susan Strobel, of stealing an important IBM computer program tape when she left. Madalyn reported the theft to the police, but Strobel secured the legal services of former Austin mayor Jeff Friedman and filed a slander lawsuit. William testified on Strobel’s behalf. In 1978 the court found in Strobel’s favor and awarded her \$80,000, but O’Hair filed an appeal. In January 1979 an appeals court threw out the Strobel award, but it remained active up until the time of O’Hair’s disappearance.⁴³ In the meantime, following the birth of their daughter, Jade Amber Murray, on October 11, 1977, William and Valerie left Austin.⁴⁴

WILLIAM DEFECTS

Madalyn was upset at William’s departure. On October 24, 1977, she wrote in her diary: “Bill. I love you. And you worry me and upset me.”⁴⁵ Perhaps not coincidentally, it was about that time that O’Hair grew markedly more frenetic in her attacks on those around her, within the organization and without, and for all practical purposes declared war on Austin. Until that point, she had by and large spared Austin her wrath. That would no longer be the case.

William's departure and subsequent challenge to her position among atheists, then his becoming her leading "religionist" opponent, was a major factor in O'Hair's altered state and level of activity. So too was her recent, painful separation from her cancer-ridden and terminally ill husband, for whom she nevertheless had elected to care until he died. And, as her diary suggests, although she needed and welcomed the money, she found the Reverend Bob Harrington Show horrifying and demeaning. Yet another factor, however, may have been Robin's departure for the private school in Arizona. All of these developments added to the burdens of a hectic schedule and sparked a series of actions that even caused the local newspaper to raise the question that she may have gone insane.

A newspaper article, titled in part "I'm Going to Teach Austin a Lesson," appeared in the October 30, 1977, issue of the *Austin American-Statesman*. The reporter, Jane Daugherty, referred to O'Hair's recent activities and posed the question, had she "lost her perspective"? Less kindly, Daugherty asked, "Is Madalyn O'Hair crazy?" Daugherty concluded that O'Hair was not crazy, but rather a fanatic, but her story merits closer attention. Daugherty's report began with Madalyn's sudden departure from the Harrington debates. During the course of the highly publicized, and lucrative, encounters, Harrington and O'Hair had traveled from Chattanooga to Peoria with dozens of mostly Bible-Belt town stops in between. She seemed to be enjoying the entire roadshow, by most accounts. After a particularly grueling day in October, however, which took her from Tyler to Dallas to Bryan, Texas, with a four-hour radio show debate in between, she "stomped out on Harrington." She left behind a \$1,000 per week fee without explanation, save the fears and misgivings expressed in her diaries.⁴⁶

Daugherty reported on O'Hair's storming an illegal bingo game at San Jose (Roman) Catholic Church on October 26, protesting that although such gambling was illegal, police simply looked the other way. O'Hair told the press that after the police ignored her complaints concerning the illegal games, she decided to take the law into her own hands and make some citizen's arrests. One witness described O'Hair as rushing in, "grabbing bingo cards, pushing and shoving people, [while] a man who was with her [Sam Miller] started punching people." O'Hair and Miller denied that they had done any such thing, blaming the confrontation on those already in the church hall. O'Hair complained that a policewoman shouted at her: "You are an atheist troublemaker."⁴⁷

Following the confrontation, O'Hair filed a federal lawsuit seeking \$1 million in punitive damages against Governor Dolph Briscoe, Attorney General John Hill, Austin Police Chief Frank Dyson, Travis County Attorney Jim McMurtry, and District Attorney Ronald Earle for not enforcing antigambling laws. O'Hair dropped Briscoe, Hill, and Dyson from the suit, but in June 1978, U.S. District Judge Jack Roberts threw the case out, ruling that O'Hair had no standing to bring the action. She had not been "injured in any way by any actions or omissions by the defendants."⁴⁸

O'Hair called the illegal bingo games "a joke" and vowed to stop them. She explained that the Baptists had pushed through the legislature a law prohibiting gambling because they thought it was sinful. "Then the Catholics turn around and violate the law three times a week and get away with it because they're a church," and because they have "enough punch that they have been able to defy this law with impunity."⁴⁹

Daugherty reported in her article that in the previous two weeks alone, in addition to the bingo incident—which the press likened to Jesus' attack on the moneychangers in the temple⁵⁰—Madalyn had abruptly called off a debate by telling the predominantly Christian crowd in Bryan "to go to hell" and arrived on stage in Tyler riding a broom to introduce herself as "that atheist witch."⁵¹ A week later she was arrested for disrupting the opening prayer at a meeting of the Austin City Council, and upon her release, sued Austin mayor Carole McClellan and the city council for \$1 million in an effort to stop the practice.⁵²

Perhaps the most revealing part of the interview, however, was Daugherty's account of O'Hair's clash with the Parent-Teachers Association at Robin's school the previous May. Briefly put, Madalyn had attended Robin's junior high school band concert. When the PTA president began an opening prayer, Madalyn stormed the stage in protest. Booing and shoving ensued. On October 26 Madalyn charged the PTA president with assault. Madalyn's case was dropped for lack of evidence, but the PTA president countersued and in 1978 was awarded \$50,000 by the court when O'Hair failed to appear in court to defend herself. That decision was overturned in January 1979.⁵³

From her subsequent interview with O'Hair, Daugherty learned that Robin's school, Lamar Junior High School, and by extension the PTA and even the school board, occupied "a prominent place on

O'Hair's new agenda for changing Austin." And prayer was not the only issue. "Because of Robin Eileen Murray O'Hair," Madalyn told the reporter, "I will demand that there be no Christmas, no Easter in these schools—it's unconstitutional and they're going to have to face it. . . . I represent that thing which they fear," she continued, absence of belief in God. "If those doubts linger, those people don't want to be reminded of them by an old woman, 185 pounds on the hoof. They call me hysterical, obscene . . . a devil woman."⁵⁴

O'Hair went on to explain that twelve-year-old Robin had been the victim of "50, 60, 70 incidents" aimed at her because she was the granddaughter of Madalyn Murray O'Hair. As a result, Madalyn had decided to remove Robin from the public schools and to send her to a boarding school. Neither Robin nor Madalyn liked the idea, but they had no choice. The children at the school had taunted Robin with being the granddaughter of an "atheist witch." "In a rare show of emotion," Daugherty wrote, "O'Hair's voice cracked. Tears filled her eyes," and she said, "There's no Robin to make supper for; there's no Robin to make dresses for." "Impatiently wiping her eyes with a freckled hand," the reporter noted, "O'Hair regained her composure and in a flinty voice connected the cause and her intended effect: 'I'm going to teach Austin a lesson.'"⁵⁵

O'Hair concluded the interview by explaining that she did not believe her battles could have been fought effectively with less abrasiveness, less deliberately shocking behavior. "All of their threats, all of their vilification, all of their hatred," she explained, "they have to wrestle with that. . . . [But] there is no way I'm going to sell myself out, represent myself as a clown." She insisted that she did not believe in violence. "I've never struck another person, including at the bingo game the other night. I'm covered with bruises, but I didn't go in there swinging, and I didn't hit anyone—it would have been suicidal." Jon Garth Murray quipped: "The problem is now she's too old and can't run fast enough when they start reacting violently."⁵⁶

O'Hair was angry. In November Jon Murray appeared before a meeting of the Austin School Board in what the press termed a "low-keyed protest" compared to Madalyn's. He reiterated their complaint against prayer at PTA meetings and added prayers at football games and in private group meetings of teachers to the list. He had intended to disrupt the meeting if the board began with a prayer, but it did not.⁵⁷ In mid-December, O'Hair took on the nativity scene in the state capi-

tol's rotunda. She filed a \$9 million damage suit against Governor Briscoe, Attorney General Hill, and Director Homer Foerster of the Board of Control, contending that the state abridged her constitutionally guaranteed freedom of religion by the religious display on public property.⁵⁸

According to her suit, seeking a court injunction prohibiting its further display, Madalyn and Jon objected to the nativity scene because of its "physical representation of Jesus of Nazareth, his purported mother, Mary, her purported husband, Joseph, their mule, the three individuals known in the Christian tradition as 'wise men' and all related objects . . . commonly believed by Christians to have been present at the purported birth of Jesus." She did not object to the presence of the decorated cedar tree, because it was a pagan symbol. "What we're saying is if they bring this Christian stuff in here, they should have Hanukkah . . . something for Vishnu." The suit also asked the three cited in the suit to state "why the symbols are not displayed on Ground Hog Day."⁵⁹

O'Hair warned the press that even more was in the offing and predicted that 1978 would be "a year of litigation" for American Atheists. "We now have the base of support . . . the money we need to see these suits through. We're going to hit everything that's a church-state issue." To be more specific, she announced plans to sue the city for having polling places in churches and the state for requiring that public officeholders swear a belief in a supreme being.⁶⁰

O'Hair's anger, of course, provoked anger in others. A week after she brought suit in the nativity case, an Austin attorney sued O'Hair for \$30 million. Attorney Merrell Frazer Jr. sought an injunction to keep O'Hair from further disrupting public assemblies. Frazer maintained that his civil rights had been violated by O'Hair's actions, that her "self-serving antics" had caused him to suffer "grievous distress, disgust, revulsion, and the physical fear that his constitutionally guaranteed rights were being infringed." To the press, he said he filed the suit as a Christian and a father who "had enough" of O'Hair campaigns. "Someone's got to stand up."⁶¹

In the meantime, William decided to distance himself from his mother, but he was not yet willing to believe "that all atheists were like [his] mother." He gave other nonbelievers one last chance. He wrote to about four hundred American Atheists, asking their support for a positive rather than a negative atheism, and the creation of another atheist group called Second Foundation. William charged that Madalyn

had led them “down the path,” and that they had “been taken.” He proposed use of funds to establish atheist chairs at universities, the construction of monuments to leading and socially constructive atheists, and the building of hospital wings—the kinds of things his mother had championed as the true work of atheists but never actually did. He explained that there would be “no special requests for operating funds, or legal funds, building funds,” and that every three months members would receive “a certified copy of the financial condition” of his new foundation.⁶²

Only a handful contributed to William Murray’s new venture. Some were no doubt confused. As G. Richard Bozarth, at that point a member, but not an employee, of American Atheists, wrote: “He only succeeded in confusing me. He did not make it clear that the Second Foundation was independent from American Atheists. I decided to wait until I got some word about it in the newsletter or magazine before I made a donation.” No word came, so Bozarth made no donation. “It seemed silly to give money to a new outfit with such a nebulous, ineffective plan of activism when an already established organization was in need of money for the really important fight.”⁶³ Most of those who responded pelted him with abuse. “Over and over,” William later wrote, “I read that the principal goal of atheism was the destruction of religion and that this was no time to build.”⁶⁴

William Murray opened a bookstore in Tucson, Arizona, near Robin. By January 1978 the bookstore failed, and he, Valerie, and baby Jade moved to San Francisco, where he returned to airline management. He became more bitter and drank more than ever. In August, William took a job with a commuter airline, Universal Airways, at Hobby Airport in Houston. He became director of operations, and in March 1979 he became director of passenger services with Commutair.⁶⁵

William began to consider that there might actually be a God, because there certainly was a devil. “I have met him, talked to him, and touched him. He is the personification of evil,” naming his mother and others like her. He prayed with the rest at an Alcoholics Anonymous meeting, and in the days that followed he gave credit to God that he could live without alcohol. God seemed like a kind of “big buddy” to him: “I did not know His true nature or that He really existed and could be known intimately,” but he believed he had become a new man.⁶⁶

The idea occurred to William that he should write a book about his experiences:

How many of the sons and daughters of people like my mother had there been in history? How many were there now and how many would there be? How many people could I help out of lives of misery by sharing what had happened to me? Then, too, I thought, shouldn't America know the truth? How could I tell Americans that a huge portion of their history and heritage was lost because one woman could not admit to sin and failure and had decided to fight God.⁶⁷

But it did not last. Marital strains drove William to drink once again, and he shredded what he had written. He proclaimed that there was no God: "It is all a bunch of shit. If there is a God, all He does is shit on people anyway."⁶⁸

On the night of July 10, 1979, an intoxicated William fell asleep in a drunken stupor after an argument with Valerie. Valerie had stormed out. When he awoke, someone was trying to get in the front door. "My first thought was that Valerie had come back with a friend, maybe even a boyfriend, since I thought she might be cheating on me," he later recalled. "In my drunken stupor I thought he might be armed. I took my . . . automatic rifle from the shelf. . . . I lifted the rifle and said, 'Get out or I'll shoot.'" The person continued to play with the lock, so William fired a "warning shot" through the top of the door. Valerie, however, had returned with the police.⁶⁹

William surrendered and was charged with attempted murder of a police officer. But because the police officer had tried to enter without a search warrant and without identifying himself, it was later reduced to aggravated assault. He pleaded guilty and received five years' probation. Before he could be bailed out, the police gave him a pretty severe beating, William alleged, and when he returned home, Valerie and Jade had left. The newspaper headlines read: "Son of Atheist Tries to Kill Cop. Mother Said He Was Always Bad."⁷⁰

In August 1979 William moved to San Francisco and took a job with Air Pacific. Valerie and Jade stayed in Houston, and Valerie and William were soon divorced. William struggled with his alcoholism and relationship to God. He wrote a book on the *Murray* case, but when he could not find a publisher, he burned it. Just before Christmas 1979, William read *Dear and Glorious Physician* (1959) by Taylor Caldwell. He "identified strongly" with the book's main character, Lucanas. Lucanas was not an atheist, but he had carried anger toward God since his childhood. Lucanas's anger, however, turned to love as he searched

for and found God in Jesus Christ. By the time I finished the book," William wrote, "I would have willingly changed places in history with Lucanas."⁷¹

Then, on the night of January 24, 1980, William had a dream that changed his life. He experienced "a consuming nightmare of unmentionable horror. Suddenly, the nightmare was sliced in half by a mighty gleaming sword of gold and silver. The two halves of the nightmare peeled back and "a great winged angel" stood before him with a sword in his hand. Inscribed on the sword's hilt were the words *In Hoc Signo Vince*, meaning "In [or by] this Sign Conquer." The blade of the sword pointed down, making it resemble a cross, and the tip of the sword touched an open Bible.⁷² The dream, of course, is reminiscent of the famous vision of Constantine the Great as he stood on the banks of the Tiber River in 312 C.E. Constantine saw a burning cross in the sky bearing the same message. The next morning he defeated the pagan forces threatening Rome, whereupon he proclaimed Christianity the official religion of the Roman Empire.

William's response to this sign was to realize that his quest for truth would end up in the pages of the Bible, "the very book my family had helped ban from educational use in the public schools of America." He got up in the middle of the night, drove to downtown San Francisco to an all-night discount department store, and bought a Bible—which he found "under a stack of porno magazines." In one account he added: "The gay checkout clerk laughed at me for buying a Bible."⁷³ He returned to his apartment and read the Gospel of Luke:

There I found my answer—not the book itself, but Jesus Christ. I had heard many times in various churches that all one needed to do was to admit guilt and ask Jesus in. I had not made that one step, to ask Him into my heart. I knew I must take that step, and I did so that night. God was no longer a distant, impersonal "force." I now knew Him in a personal way.⁷⁴

William Murray's life changed. He could not save his marriage with Valerie, but he gave up drinking and smoking. William stopped hating his mother and struggled to love her rather than take revenge. But that was not easy for him. He began to see Madalyn as a sinner, just like him, who blamed God for her personal sins and inadequacies. "She had demanded things of God, and when He had refused her demands, she had

fought with Him openly." He looked back at the devastation he believed he and his mother had caused and felt the need to apologize to everyone they had hurt. And he felt the need to take a public stand as "a strong deterrent" to keep him from backsliding.⁷⁵

On February 10, 1980, William apologized in letters to the Austin and Baltimore newspapers. To the people of Baltimore, he apologized for the part he played in the removal of Bible reading and prayer from the public schools. To the people of Austin, he apologized for helping to establish the American Atheist Center in their city. Murray's letter to *The Baltimore Sun*, published on May 10, 1980, read:

Editor:

This story began with a letter of defiance to the editor of this paper in the fall of 1960. It is my sincere hope that the story ends with this letter of both apology and forgiveness.

First, I would like to apologize to the people of the City of Baltimore for whatever part I played in the removal of Bible reading and praying from the public schools of that city. I now realize the value of this great tradition and the importance it had played in the past in keeping America a moral and lawful country. I can now see the damage this removal has caused to our nation in the form of loss of faith and moral decline.

Being raised as an atheist in the home of Madalyn O'Hair, I was not aware of faith or even the existence of God. As I now look back over 33 years of life wasted without faith in God, I pray only that I can, with His help, right some of the wrong and evil I have caused through my lack of faith.

Our nation, our people, now face a trying time in this world of chaos. It is only with a return to our traditional values and our faith in God that we will be able to survive as a people. If it were within my personal power to help return this nation to its rightful place by placing God back in the classroom, I would do so.

I would also like to publicly forgive those who assaulted me and destroyed my property during those years that *Murray v. Curlett* moved through the courts. I do this even as I know that a loving God has already forgiven them.

William J. Murray⁷⁶

William's letter to *The American Statesman* read:

Editor:

I would like to apologize to the people of Austin for the part I played in the building of the personal empire of Madalyn O'Hair. My efforts to that end were an affront to the people of Austin, the people of this nation, and to God.

My crime was twofold in that I was aware of the wrong of my actions at the time and continued them for the purpose of my financial profit. I was continuing to practice the hateful and antimoral way of life I had learned from birth in an atheist home. . . .

Looking back on 33 years of life I wasted without faith and without God, I pray that I may be able to correct just some of the wrong I have created. The part I played as a teenager in removing prayer from public schools was criminal. I removed from our future generations that short time each day which should rightly be reserved for God. Inasmuch as the suit to destroy the tradition of prayer in school was brought in my name, I feel gravely responsible for the resulting destruction of the moral fiber of our youth that it has caused.⁷⁷

William mailed the letters but immediately moved to Houston. When the Baltimore and Austin papers received the letters, it took them nearly two months to track him down. The return address on the letter was for San Francisco. That delayed publication of the letters until May 1980.

William Murray's conversion made headlines. Articles appeared in *Time* and *People* magazines and the nation's newspapers. The article in the *Austin American-Statesman* was typical. Headlined, "O'Hair's Son Turns to God," it reported that for the past five years, Murray had "grappled with the demons of disbelief and doubt instilled in him by his mother." Now that he was a "believer," however, he wished "to make retribution for his 'criminal' activities of helping to remove prayer from public school." He professed belief in a "Supreme Being, a force or a power greater or higher than mankind, one that you can turn to, not only in crisis or in time of need." He acknowledged that he

believed that faith "works and can literally work miracles for the believer," including using God to get through life's crises.⁷⁸

William's comments on his mother, however, were interesting, as well. Whereas his criticism would become more direct, cutting, and personal, at this point his assessment was more philosophical. "I think Madalyn mistook religion for God, and the two words aren't even synonymous. She mistook the nature of some of these evil people who were considered religious as the evil nature of God, so she rebelled against God."⁷⁹

William appeared on television and radio programs. On the *Tomorrow* show with Tom Snyder, William announced that he was determined to put prayer back in the schools.⁸⁰ Four months later, he was asked to go to Washington, D.C., to appear with Jerry Falwell and Senator Jesse Helms in support of a constitutional amendment for school prayer.⁸¹ A year later William formed an organization that would organize crusades and outreach events in conjunction with atheist conventions around the country, especially but not exclusively American Atheists. He called it William J. Murray Faith Foundation, Inc., but later changed the name to Murray Faith Ministries.⁸²

William's apostasy hurt Madalyn. As a staff member of this time recalled, "More than one staff meeting thereafter was colored by her angst and anger over the betrayal."⁸³ Privately, in her diary, she wrote: "What a Mother's Day present from my son." Two weeks later, she continued: "Bill has turned traitor to his family, his principles, his nation, and to his country. He is a traitor to the future. He has sold out for money and to strike a blow at me because he was in trouble again. 'See what you made me do!'" But, she insisted she still loved him.⁸⁴

Publicly, Madalyn ignored William and refused to answer questions on the matter. Typically, she commented: "My personal thoughts are my own. I do not put them out for public scrutiny." She insisted that people in the public should not "insert their personal lives in the public arena." "Since we [Madalyn and Jon] speak for all Atheists, in public discussion or presentations we try to remain on the topic instead of the personality."⁸⁵ Madalyn is quoted as saying: "Bill simply got fed up on being poor and he has sold out to the highest bidder: religion.⁸⁶ The American Atheist Center's official response was that it noted "in the news that William Murray is going to retire early and live off religious money. We anticipate that he will tithe to the American Atheist Center since the money to him comes from his attack on us."⁸⁷ Within atheist

circles, Madalyn is reported to have blamed William's defection on his being psychologically damaged by the beatings and other forms of scorn heaped on him during the *Murray* lawsuit.⁸⁸

A FLURRY OF COURT CASES

Madalyn O'Hair continued to bring suit over a wide range of legal and constitutional issues. In fact, at one point in 1979–80 American Atheists was involved in at least four lawsuits simultaneously. In *Hunter v. Dallas Independent School District*, she championed the cause of a former Dallas teacher, Bruce Hunter, who had been fired when he announced publicly that he was an atheist. *O'Hair v. Blumenthal*, noted earlier, was still in the courts, as was *O'Hair v. Clements*, which sought to have the government-sponsored nativity scene in the rotunda of the state Capitol in Austin ruled unconstitutional. To this she added *O'Hair v. Hill*, discussed below. O'Hair lost three of her four cases. The Hunter dismissal was upheld, the nativity scene was ruled to be sufficiently secular in its symbolism, and the U.S. Supreme Court let stand the federal court ruling that "In God We Trust" is a harmless ceremonial motto.⁸⁹

In 1981, under Jon Garth's name, American Atheists challenged the opening prayers in the U.S. House of Representatives and Senate. The court upheld the practice as largely traditional rather than religious (*Murray v. Buchanan*). In 1982 AA challenged the IRS's practice of permitting taxpayers to deduct gifts to religion on their 1040 returns, but the court ruled the organization had no standing to sue (*Tucker v. United States*).⁹⁰ Although neither case was successful, they were sufficiently high profile to spark several public attacks on Madalyn O'Hair, who continued to be seen as the driving force of AA. One of those openly and publicly critical of O'Hair was Brigadier General, and national war hero, William D. McCain.

In 1983 O'Hair brought suit, to no avail, against McCain and his organization, Americans United for a Sound Foreign Policy. She claimed that the general violated her trademark by using her name when he said publicly: "If Madalyn Murray O'Hair had been at Normandy, she wouldn't have let our boys have the comfort of a chaplain." She also brought suit against the University of Texas to remove religious courses from the curriculum. She explained that fifteen credit hours could be compiled by taking "highly secular" courses in religion off

campus, at churches or synagogues, while paying tuition to the state. The courses were not supervised by the university as to content, and the teachers were not required to have the same academic credits as faculty at the university: "We think this an entanglement of religion and government, a fostering of religion and a giving of preference to one religion over another since smaller churches are not given the same access as established churches are." As she had all along, Madalyn insisted that she was not opposed to the study of religion "when it is taught from an unbiased secular standpoint." She even suggested that study of religion be made compulsory beginning in junior high—including a comparative religion course, the history of religion, and a critical analysis of the Bible.⁹¹

Madalyn never lost sight of the need to maintain her "home base," continuing to focus on the Austin City Council and Texas Congress.⁹² In the 1970s and 1980s she encouraged her state chapters to do the same and often worked with those chapters to bring suits on various matters. In 1977 O'Hair challenged opening prayer at Austin city council meetings, but lost when the court saw it as an acceptable means by which to call the council to order (*O'Hair v. Cooke*). In 1987 she unsuccessfully challenged religious caroling and religious ceremonies in the rotunda of the state capitol (*Doe v. Clements*).⁹³

O'Hair insisted that requiring oaths of office with references to God for federal offices violated Article VI of the U.S. Constitution, which read that "no religious test shall ever be required" for such offices. O'Hair's principal case in the 1980s, however, focused on the judicial system of the state of Texas, which she challenged as "unconstitutionally constituted," in that by its oath of office, which required individuals to swear to God, it implied belief in God and precluded all atheists and agnostics from holding public office.⁹⁴

American Atheists instigated similar suits in other states, all of which were successful, if not actually in court then at least in persuading states to abandon the restriction rather than go to court, where it became clear they would lose.⁹⁵ American Atheist Patricia Voswinkel brought suit in North Carolina, and a favorable ruling came down in that case in April 1979. The United States District Court declared the law a violation of the First Amendment of the United States Constitution, in that it disqualified for office "any person who shall deny the being of Almighty God" but who might be otherwise qualified. O'Hair, who had worked with Voswinkel on the case, used the finding to challenge the

Texas law, *O'Hair v. Hill*, which was resolved in 1984 when Texas abandoned the law. She followed up on the case in 1987 with *Murray v. Travis County District Court*, when the county persisted in requiring the phrase "so help me God" in the swearing in of its jurors.⁹⁶

Other examples of national-state chapter collaborations include *Society of Separationists, Inc. v. Byrd* (1976), in which SOS supported the Michigan chapter in challenging the practice of a Detroit judge to permit a prayer group to use his courtroom for prayer meetings each day. The atheists' lawyer disappeared with their money, however, and the case was later dismissed. In 1978 and in 1980, the Austin office supported local efforts in New Jersey and Arizona challenging opening prayer at city council meetings (*Marsa v. Wernick*) (*Woodworth v. City of Tucson*). And in 1980 they challenged the hiring of a minister to fill a counselor's position in Charlotte, North Carolina city government (*Voswinkel v. City of Charlotte*).⁹⁷ They lost those cases as well.

In 1978 AA supported a case brought by one of its members against a North Carolina county library that refused to accept or display *American Atheist* magazine. In *Voswinkel v. Mecklenburg* the court ordered the library system to accept the magazine as long as it accepted religious magazines. In 1980, in *Andrews v. Monson*, AA and its Utah chapter were successful in opposing broadening of its property tax exemptions for religion. In the same year, AA blocked legislation intended to reintroduce prayer in the Massachusetts public schools. The legislature changed the measure before the case came to trial (*Doe v. Governor*). Similarly, in 1981 a coalition successfully challenged organized prayer at a high school commencement in Chandler, Arizona (*Collins v. Chandler*).⁹⁸

In sum, although she lost more cases than she won, Madalyn did have victories. But all of this legal activity cost money, something American Atheists never seemed to have in sufficient quantity to cover expenses. O'Hair made continued appeals to members for support. One typical appeal came in the form of a letter issued in 1979 over Society of Separationists (SOS) attorney Paul Funderburk's signature. The letter read:

As any reasoning Atheist can see, nothing we do is more important than our ongoing legal actions. The future of Atheism, the right to be openly Atheist, hinges on their outcome. We work ceaselessly to win these vital battles.

But sweat and time alone are not enough. These cases are expensive! They cannot be won if we cannot pay for the winning. . . .

Would you please send us whatever you can afford? Every dollar is vital, and our only resource for funding is you Atheists with the guts to declare yourselves publicly. Don't turn your backs on Atheism—give now whatever you can afford.⁹⁹

The appeal did not work. The Board of Directors met on July 26, 1980, and approved an even more direct approach. They issued a fund-raising letter, prefaced as follows:

The American Atheist Center is the only hope on the horizon to see that the United States enters the 21st century as a secular state—not a resurrected medieval theocracy. Indeed, the American Atheist Center is the finger in the dike holding back the incredible insanity of born-again Christianity which now threatens to engulf the political processes. At a recent (July 26th) meeting of the Board of Directors of the Center, it was brought home to the Directors that inflation and the national economy endangers this effort.

. . . In these times of inflation and uncertainty, it is unlikely that hard-pressed citizens will give money away—even to their most beloved cause. However, the religious community supports this great move backward with generosity and enthusiasm.

Do you care less for your freedom? Are you going to permit them to force you to pray? Will you stand by and let the born-againers increase your taxes to better support them, their churches, their schools, their businesses?¹⁰⁰

The letter went out over the signature of Gerald Tholen, a member of the Center's Board of Directors. It stated that American Atheists could achieve its goals—"state/church separation and the fight to have civil libertarian rights of American Atheists accepted"—if it could attract adequate funding. It recalled "the dark, dreary 50s and 60s," and

how far they had come, having recently reached “take off speed” only to have “all systems start to falter” due to lack of gas. Tholen reported having traveled around the country with Jon Murray, visiting various American Atheist chapters, witnessing firsthand the success of the organization in countering the “rubber stamp system of mental indoctrination” and the “splintered remnants of the damnable fences that have corruptively corralled the human mind for centuries”—only to return to the Center to find that it is not only notably “religious hordes” but also the costs of “the light bill, the mortgage, the legal funds, the necessary salaried employees” that threatened their work.

Tholen acknowledged that some of his readers probably believed that there were “countless dollars pouring in from every corner” and that the Center was “a financial bottomless pit.” He denied it. He also acknowledged that constant solicitations “turn people off.” Thus, the recent establishment of the Center’s Sustaining Trust Fund, the goal for which was set at \$2.5 million, which would generate sufficient interest to cover the Center’s operating costs. The establishment of such a fund, however, would take years, and in the meantime the bills had to be paid. “The last six months have been a disaster. We are many thousands of dollars in the red. As much as we try and as hard as we work at the Center, there are only a handful of us and in the last analysis we need the help of all of you.” To be more specific, he asked for \$27.69 per member to get back into black ink.¹⁰¹

Again the letter made little difference. In 1980 O’Hair set up a sustaining trust fund for American Atheists, but on January 13, 1981, she confided in her diary: “There is no way we can keep the Atheist Center open. The budget last year was \$212,000 to service a group of 3,500 people: that means it cost \$6,000 per person, and we can’t get that much from them.” She had other problems: “The Board of Directors met and voted 11 to 1 against me on everything.” She vowed to fight, but acknowledged that she needed allies, or at least a “single determined informed inspired person of wealth.”¹⁰²

A NEW POLITICAL AND RELIGIOUS ENVIRONMENT

By many historians’ estimates, the social and cultural period we have identified as “the sixties” ended in 1974, when President Richard Nixon resigned, American troops began leaving Vietnam, and the nation

slipped into an economic recession. Talk of social and cultural transformation gave way to concern for limits and diminished expectations, "a discourse of national decline and calls for increased discipline." More importantly, for our purposes, "religious conservatives, especially those who sought to build a new Christian right, anticipated God's retribution against a nation corrupted by secularization, casual sex, homosexuality, and abortion." The "Reagan Revolution" offered them a means by which to fight back, and fight back they did against the radical specters of the sixties.¹⁰³

Many Americans, however, had no desire to restore pre-sixties standards of decorum—least of all Madalyn Murray O'Hair. So, not surprisingly, she continued to be politically outspoken. She insisted that atheists had neglected or ignored the political arena, to their detriment. "Atheists have continually been absorbed in the issue of Bible bashing," she wrote. "Given any choice at all, they would travel for miles to hear religious debates mounted, fundamentally, on petty interpretations of biblical faux pas." In the meantime, "the politics of the land were dictated by powerful, politicized religious groups; the economies of the nation responded to religious needs; international decisions were based on the wars that religion waged in this land or that. Our entire way of life was being dictated by the mores set down by the churches." In 1991 she noted, "I was convinced that one day Atheists would wake up," but they had not—yet.¹⁰⁴

O'Hair had been critical of Presidents Gerald Ford and Jimmy Carter on church-state issues. But she clearly detested the Reagan administration. She described Reagan's position on religious issues as being "violative of the premises upon which our nation is founded." She also saw his election and policies as signaling a reversal of the gains she and liberal America had made during the previous two decades.¹⁰⁵

In March 1981, two months after Ronald Reagan took office as president of the United States, O'Hair announced in a speech at Drake University in Des Moines, Iowa, that "the powers of darkness, brutality, and death" had "gained another victory." She denounced Reagan for announcing that he intended to increase the military budget and described his secretary of state, Alexander Haig, as "aching for a nuclear war":

He prays for the final holocaust—for then biblical prophecy will be fulfilled. Armageddon will be here—and he will have brought it. Oh,

how glorious will be his reception in heaven when he can take with him most of the souls on earth. He is out to find and kill the anti-Christ.¹⁰⁶

O'Hair provided a history of U.S. opposition to communism—in the Soviet Union, China, and elsewhere—suggesting that American concern arose from its fear that communism posed a significant threat to *laissez-faire* capitalism. To combat communism, the United States resorted to “black propaganda,” whose goal was to create “Christian capitalists fighting godless communism.” It was a “theo-political” maneuver by the government to use Christianity as a weapon against “godless communism.”¹⁰⁷

American anticommunism, O'Hair argued, relied on “massive psychological and social conditioning”—subtle but effective—that relied on “big, organized religion.” Only it had the power “to make disadvantageous and often distasteful controls seem palatable and even desirable for the individual and to weaken his will to act as an individual or to combat injustice.” Organized religion would rely on its doctrines of obedience to authority, repentance, fear of eternal punishment, self-abnegation, intolerance, elevation of faith over reason, induced anxiety over human sexuality, and acceptance of outer direction rather than reliance on inner assurance.¹⁰⁸

O'Hair concluded with some remarks on her newest nemesis, the New Christian Right and Moral Majority. Jerry Falwell, she insisted, with the support of the press, and with the silent approval of other religions, was doing “exactly what the pope sees is necessary . . . taking the world by the scruff of the neck and dragging it . . . back into the Middle Ages. There is a clamp down—censorship, tighter controls.” Put another way, O'Hair described Falwell as “doing overtly what the Roman Catholics . . . the Baptists, the Lutherans, the Methodists do covertly—attempting to influence legislation, dictate ethics and morals, structure a rigid authoritarian culture.” She pronounced the task of atheists formidable—to “deprogram a nation,” to educate the people, to make them “stand proud . . . independent, self-actuating” and to utilize their full potential, reach to the possible, try to ameliorate the human condition, and treasure life and peace.”¹⁰⁹

During her talk at Southwestern University in Georgetown, Texas on September 15, 1982, she labeled Reagan “incompetent” and “dangerous,” and she tied his policies to his—and the nation’s—religious be-

liefs. "He is so paranoid and concerned with his personal fear of the USSR, that he would take us into a nuclear Armageddon. Since he believes in life after death, he does not think that a nuclear war would be the end of humankind. He would expect humankind to prosper in some kind of world after this world. That is a basically insane idea."¹¹⁰

Madalyn charged Reagan with reviving the Cold War foreign policy of opposition to "the godless Communists of the USSR," the crux of which was that "we are 'morally' right, but the USSR is not now nor can it be or become so because of its Atheism." That same rationale also explained U.S. support for the right wing Christian Democratic Party in Europe, to block any "nascent socialist tendencies" among the people of those countries. She blamed the U.S. for attempting to destabilize countries friendly to the USSR, thereby provoking the Soviets. The USSR, she insisted, wanted peace in order to continue rebuilding the nation and to spend more of its money on its domestic needs. In sum, she insisted, "The Christian United States" was "the menace" and "warmonger," not the "Atheist USSR."¹¹¹

O'Hair criticized Reagan's increased expenditures on the military and "trickle down" theory as enriching the wealthy and further impoverishing the poor, ironically enhancing communism's appeal to the poor.¹¹² She also attacked Reagan for the proposed constitutional amendment of 1982 that was intended to restore prayer to the public schools. It read:

Nothing in the Constitution shall be construed to prohibit individual or group prayer in public schools or other public institutions. No person shall be required by the United States or by any State to participate in prayer.¹¹³

In a published attack on the proposed amendment, *Nobody Has a Prayer*, O'Hair called it "an intolerable lie on its face," in that no child would ever have the courage to refuse to pray in a public classroom, realizing the peer pressure he or she would then face. She also labeled it a blatant attempt, in its reference to "other public institutions," to "spread . . . the prayerful requirement" beyond the public schools. She was not surprised, however, by Reagan's proposed amendment, because this issue of prayer in the schools had not died despite *Murray* and *Schempp*. Even though for the past twenty years every attempt to reestablish prayer and/or Bible reading in the public schools had

floundered on the court's interpretation of the First Amendment, as having erected a wall of separation between church and state, states and locales had not given up.¹¹⁴

At her Southwestern University talk, O'Hair described the proposed amendment as "an appeal for votes from the religious community" and as a "crass, deliberate political move." Further, she accused Reagan of offering the amendment as the first step in undermining the U.S. Supreme Court's authority to review other legislation as to its constitutionality—including legislation on busing, right-to-life, and funding of religious schools. The result would be rule by "the passions of the majority" and the loss of the rights of minorities. And she took it personally. On September 3, 1984, she wrote in her diary: "Reagan does everything but call us by name, but it is obvious about whom he is talking."¹¹⁵

Madalyn had been a public advocate of nuclear arms control since the 1960s, but by the 1980s her concerns were more broadly based and internationally focused. In 1982, for example, she spoke of the need for the United States to share its abundant resources more freely with the less fortunate people of the world. She emphasized U.S. surplus food distribution, but she also called for "a new kind of administrative body, or bodies," which would serve as the management end of local groups—"an international coordinating body of peace and friendship." She explained: "There are problems in all nations which might be solved by an overview of what is good for the planet, not what is good for General Motors, or good for the United States."¹¹⁶

Madalyn was not optimistic, however. In January 1982, after a string of losses in court and in the face of a conservative offensive, she confided to her diary: "Court activity on state/church is everywhere and the defender's lines falter and break. Yet people see victory where there really is none. . . . We are losing on the legal front in case after case now. The Reagan forces, the nut types, are entrenching everywhere. . . . We must start a different campaign, but dear gawd, what?"¹¹⁷

Even at the height of her power, Madalyn's mood could turn somber, even despondent. Such moments were infrequent, however, and brief. In the 1980s her bouts of depression became more frequent, her periods of resignation and fatigue longer and deeper. Clearly, Madalyn was tired and not up to fighting the new mood of the nation. She had not given up, although she increasingly thought about it, and she did have her more optimistic moments. In December 1982 she wrote

in her diary that the Society of Separationists had \$150,000 in its Trust Fund, another \$100,000 with which they could purchase property, and a \$500,000 building on which they owed \$113,000. "It gets better," she concluded.¹¹⁸

And in April 1983 Madalyn took heart over four United States Supreme Court cases that would either save, or shatter, the First Amendment. The cases involved tax exemptions for segregated schools in North Carolina; prayer in the Nebraska state legislature; tuition tax credits for private religious schools in Minnesota; and a nativity scene on public property in Rhode Island. She would be disappointed in these decisions as well, as none served to further her cause. In fact, she considered the Court's decisions almost entirely "disastrous for us."¹¹⁹

O'Hair traveled to Switzerland, Australia, New Zealand, and the Soviet Union, all of which she enjoyed and found interesting and informative, but it had only short term effects on her mood and energy. It became increasingly clear that the opposition had regained the upper hand. Her trip to the USSR is a case in point. In September 1989 O'Hair set up a booth at the annual Moscow International Book Fair to sell atheist literature. She was largely ignored while the crowd consumed religious literature, including 10,000 free New Testaments. O'Hair admitted that she was "completely stunned to find out the USSR is absolutely indifferent to atheism." The executive editor of the Evangelical Christian Publishers Association simply remarked, in response to the Association's success, "The time was right."¹²⁰

And her health began to fail. Madalyn had long fought, and mostly lost, her battle with obesity. She contracted diabetes and suffered from high blood pressure. By the mid-1980s her legs began to fail her and her feet became badly swollen. In 1988 she began using a walker and later had a hip replacement. She was just short of seventy years old, but in November 1989 she predicted she would not make it to seventy-three.¹²¹

By the mid-1980s, O'Hair's Austin operation served as the headquarters for American Atheists, American Atheist Press, *American Atheist* magazine, American Atheist Women, the American Atheist Library and Archives, the American Atheist Forum for television, the American Atheist Radio Series, United World Atheists, and more. As she reached her mid-sixties, however, Madalyn began to resign from her various leadership positions. She withdrew from the day-to-day activities of American Atheists, those duties being assumed by her son, Jon Garth

Murray, and granddaughter/adopted daughter, Robin Murray O'Hair. Jon, a graduate of the University of Texas, became director of the American Atheist Center and, in 1986, succeeded his mother as president of American Atheists. Robin, also a University of Texas graduate, became editor of *American Atheist* in 1983, took charge of the library, and assumed the position of chapter coordinator.¹²²

For the past ten years, Jon had been active in the organization and its various activities. He managed the headquarters. In 1980 he co-chaired the World Atheist Meeting in India. He coordinated the World Atheist Meeting in Helsinki, Finland, in 1983, after which he headed a delegation of atheists to the USSR. By the mid-1980s he was a leading spokesman for American Atheists in public and on television and radio in the United States. He published *Essays of an Activist Atheist* (1980) and *Essays on American Atheism* (2 vols., 1986). He collaborated with his mother on *All the Questions You Ever Wanted to Ask American Atheists with All the Answers* (1986).¹²³

Madalyn continued to preside over American Atheists' annual weekend conferences, but although each meeting received some media coverage, it was largely in the form of spectacle—especially when, year after year, meetings turned into public confrontations between Madalyn and William. Madalyn's other actions and pronouncements continued to attract attention as well. In 1983 Larry Flynt, *Hustler* magazine publisher, responded to her requests for funding by inviting her to visit him. Although no big money changed hands at first, Flynt apparently led Madalyn to believe that he would become a major supporter. And, in fact, she later made reference to her use of money that came from him. In September 1984, for example, she identified the money she was using to visit Japan as having come from Flynt.¹²⁴

In 1984 Madalyn served as Flynt's chief speech writer in his bid for president of the United States. It was an odd, and brief, pairing, not for their ideas on sex but because only a few months earlier Flynt had declared himself "saved" and returned to his native Kentucky to be baptized in Stenson Creek. But as Madalyn explained, they both "championed free speech and free press causes."¹²⁵

Flynt's campaign was cut short by his imprisonment for contempt of court, when he refused to disclose the source of the secret tapes he had released in connection with the drug arrest of car maker John DeLorean. While Flynt was in prison, he agreed to give over a power of attorney, giving Madalyn and Jon "every cotton-picking thing he owned,

all real, personal, and mixed property," including *Hustler*, she wrote. "To those of you aghast at our turning to a big pornographer for help," she sarcastically explained to her members, "you had your chance to keep me afloat." O'Hair estimated Flynt's fortune at \$300 million, but Flynt's brother Jimmy filed suit to block the deal. On March 12, 1984, he asked a Los Angeles court for conservatorship, but when Flynt got out of prison, he kept the fortune himself.¹²⁶

Madalyn put the best possible public face on it. On March 31, 1984, an AP article titled "Atheist Leader Rejects Flynt's Porn Empire Gift" reported: "Atheist leader Madalyn Murray O'Hair and her son, Jon Murray, said this week that they have rejected the gift of Larry Flynt's magazine publishing business." O'Hair told the AP that Flynt had "offered her American Atheist Center his magazine empire," but that she had declined the offer because of "a conflict of basic principles." Porn "thrives in our nation," she was quoted as saying, "because—and only because—Christianity has perverted human sexuality. We fight the cause. Mr. Flynt gains from the effect. We decline to profit from that gain."¹²⁷

Throughout the 1980s Madalyn became increasingly obsessed with organizational income. And although she did attract considerable money, she never believed she had enough. She was convinced that they simply could not continue to operate—to meet the goals she had set for SOS and AA. Although never absent at any point in her public life, her personal papers became dominated by this concern. Frustrated by her inability to raise sufficient funds through appeals to the membership, she focused on the wills and estates of anyone of like mind. In November 1985, for example, she made note of having been willed over \$1 million, of which, she later reported, they actually received \$935,000. In May 1986 she reported that they had \$1 million in trust and \$26,000 in quarterly income, but, she added, "We still have difficulties." A year later she noted with satisfaction that they had bought a \$1.7 million building for cash. In August 1988 she reported an annual income of \$64,610, but added that she needed \$212,000.¹²⁸

Madalyn saw the 1984 presidential campaign as a major test of the state of the nation. When Reagan won, she wrote in her diary that he had won by a "landslide," and that she was "stunned." She continued: "Anyone who is even partially informed should understand the damage Reagan is doing to the nation and its people and the world. . . . Rapacious, ruthless rampant capitalism is not the answer to a life of peace, prosperity and happiness for the world's human race."¹²⁹

In a *Chicago Tribune* interview in 1984, O'Hair reported that she was changing her strategy from lawsuits to a more concerted effort in the area of publicity. "We have totally abandoned lawsuits now," she is quoted as saying. "The courts are absolutely inhospitable to us. There's no way we can win."¹³⁰ In an *Austin American-Statesman* article, O'Hair admitted that hers had been "a lonely battle," waged "not only against god and god's spokesmen, but also against hypocrisy and the indignant defenders of the status quo."¹³¹

O'Hair elaborated in the same newspaper in January 1985. She explained that the country's growing conservatism had made victory impossible for atheists in the courtroom. As a result, she had decided to focus on her writing, which she believed would have a more lasting effect. "What we did was sue constantly," Jon Murray explained, "suing government to make governments comply with the Constitution. The problem is, now you know you're going to lose before you even file the papers. Now we have to regroup and reshift." What remained was to educate Americans, a difficult task, he added, "when the majority of the people don't want to listen, one, or two, don't care."¹³²

Madalyn and Jon predicted that it was only a matter of time before *Murray* was reversed—not literally but through recourses allowed by the courts that would allow some form of prayer back into the schools. "There just aren't enough voices in opposition," Jon explained. "The people who are in opposition are a minority. They just can't yell loud enough. In fact the total demise of separation of church and state in America is inevitable. It's just a matter of how long can we ward it off."¹³³

Reporter Dianne King pointed out that whereas O'Hair had been constantly in the news over the years, "the collection of clippings" had slowly dwindled. At age sixty-five, she offered, and O'Hair agreed, O'Hair was tired. She was tired of her hectic public schedules and battles, but, O'Hair noted in particular, she was tired of people coming to see her much as they would go to a "freak show," enjoying the spectacle with no intention of listening. She insisted that progress had been made over the past twenty-five years, in that the level of hatred toward atheists had been lowered. Information concerning atheists was more readily accessible than it was in 1960, and there was greater tolerance of the atheist point of view among the general public. Public opinion toward atheism had not changed, she noted, but people just did not see atheists as such a threat, as they had at the height of the Cold War.¹³⁴

While acknowledging her ill health and desire to withdraw from the fray, O'Hair said that she had no intention of letting the movement die. Fully aware that movements such as hers can lose momentum and even fail when they lose their leaders, she resolved to prepare for her departure by pushing Jon Garth Murray to the fore. She also reflected on the state of the movement she had led for over twenty years. In November 1985 she wrote in her diary: "This year it became clear to me that we are fighting for Atheism, the ideology, and for Atheists, who probably do not really exist outside of ourselves. Most persons who think they are Atheists are ass-holes and nit-wits." And as to her leadership, she added: "One starts out with a dream and treats everyone else as themselves and then slowly is drawn to tighten-up, to become more rigid, to retreat into the safety of one's self until one becomes dictatorial."¹³⁵

O'Hair Retires

IN APRIL 1986 at age sixty-seven, at the annual weekend conference of American Atheists in Somerset, New Jersey, Madalyn resigned as president of the Society of Separationists and American Atheists. She appointed her son Jon Garth Murray her successor. She made headlines by announcing that there should be a statue of her in every park in America as an acknowledgment of her twenty-four-year struggle to gain recognition for atheists. Anyone who was still praying to God, she continued, was living in "fantasy land": "Life after death, gods, angels and goblins—that's all fantasy land." Turning dominant public opinion on its head, she insisted not only that if atheists "had more guts," they would come out of the woodwork, and that if atheists got their "act together," they could "clean up the nation."¹

Instead of being memorialized, however, O'Hair was rapidly becoming a media caricature of the character she had been two decades earlier. The press referred to her as "a home grown eccentric in the grand tradition."² Madalyn Murray O'Hair had not changed, however; America had. Its postwar fears that raised such havoc had all but disappeared. The decline of antireligious communism, in action and rhetoric, incurred a similar lessening of the fear of antiatheistic communism in mainstream America. Liberal Protestants were the first to beat their swords back into plowshares, but Roman Catholics soon followed—many finding greater fault with the misuse of religion resulting in injustice and inhumanity, than with atheism.³ In sum, search for the un-American activities of atheistic Communists was no longer a driving and consuming force for most Americans.

That is not to suggest that the United States had become pro-Communist or more atheistic. The assertion of many that the modern decline

in national religiosity and morality began with Madalyn Murray O'Hair and her blow against school prayer is debatable—on both counts. Moreover, as early as 1963, the year the *Murray* and *Schempp* cases were decided, conservative Christians began to attack liberal Protestants for becoming soft on communism. In that year, evangelist Billy James Harges published a highly inflammatory pamphlet titled "The National Council of Churches Indicts Itself on Fifty Counts of Treason for God and Country." He charged the nation's largest, mainstream Protestant denominations with subversion. He accused them of having been led down the path to "unbelief" by their zeal for social reform and accommodation to Soviet communism, and then using their positions as respected men of God to infect the nation with their un-American beliefs.⁴

By the late 1970s and throughout the 1980s, the Christian Right mobilized a sizable following in opposition to communism and its "Evil Empire." In the mid-1980s, 70 percent of Americans still saw themselves as anti-Communist. And, although in 1976, O'Hair is quoted as saying that "23 percent of the population [is] now Atheistic or Agnostic," in a 1994 Gallup poll only 3 percent of those surveyed reported that they did not believe in God or a universal spirit.⁵ At best, Americans began to accept that atheists had a right to exist and to let their views be known in the United States, but little more. But, then, when she started her campaign, that was not a given.

O'Hair continued to blame organized religion for adversely affecting secular life in America. She charged it with blocking changes in the nation's divorce laws. "Why," she wrote, "in New York City, the most sophisticated town in the United States, do we still have to stage phony 'adultery' scenes to get a divorce?" She blamed the churches for opposing sex education, distribution of birth control information and devices, and the ERA, and for promoting censorship and the teaching of creationism in the schools. To those who insisted that "religion is the answer," she responded that it was the problem, in that it had "a narcotic effect on human mentality," allowing people to cope but not deal with the problems, thereby improving the world around them.⁶

Thus, even as she prepared at least officially to retire, she continued to champion the need for the continued organization of American atheists, whereby they could "band together in a group and pool their resources, both monetary and intellectual, in an effort to make their voices heard." Individually, they would be defeated by the religious

community; collectively, they had a chance to instill their "freedom from religion" and other civil rights as atheists, as well as the separation of church and state.⁷

In 1982 Madalyn and Jon listed their accomplishments. They had removed Bible reading and prayer recitation from the public schools. They had placed atheist books and *American Atheist* magazine in every major library in the United States; developed the weekly American Atheist Radio Series and the American Atheist Forum television series, "seen by 2.5 million persons each week on cable television"; maintained an American Atheist Speakers' Bureau; operated a network of forty-three chapters in twenty-eight states; established an American Atheist Sustaining Trust Fund to finance its operation; built the largest library of atheist material in the world; established the American Atheist Center in Austin and the American Atheist Museum; pioneered a "Dial-an-Atheist" program for information; and provided an international outreach operation through the United World Atheists.⁸ In May 1987 they purchased a new office building at a reported cost of \$1,750,000.⁹

Moreover, Madalyn and Jon continued to relish the notion of offending the faithful and even being different. Madalyn was asked if she considered herself a deviant. She did, explaining that all atheists were ahead of their time, "when the world will be Atheist." She admitted that it was "difficult to be a forerunner, a leader, a reformer, a radical, a revolutionary," all of which required "a significant departure from the behavioral norms of a particular society." Nevertheless, she was pleased "to be that far out of the Judeo-Christian culture of the United States. We are working for a revolution the site of which is between the ears. Americans need a revolution there."¹⁰

Jon created a stir with the December 1986 issue of *American Atheist*. It featured a crucifixion scene on the cover. Santa Claus is nailed to the center cross and two elves hang on crosses on either side. Santa's sack, full of presents, is lying at the base of the cross, and boys and girls, all with frowns on their faces, are pulling packages out of the sack. In the magazine Jon repeated the now decades-old Murray-O'Hair debunking of Christmas, renewal of the winter solstice, and critical analysis of the biblical account of Jesus' birth. In 1988 Robin Murray was jailed for refusing to take the oath for jury service in district court that included the phrase, "So help me God."¹¹

Madalyn continued to be the most visible and controversial figure. Although to a lesser extent than in the 1960s and 1970s, she continued

to receive invitations to appear on university campuses, television, and radio. In December 1987 she filed suit to block a Christmas carol program for Texas state employees in the rotunda of the state capitol. In 1989 she sued *Texas Monthly* for defaming her, and two evangelical Christian groups for portraying her in a false light to raise money. Both cases were ultimately thrown out. For the general public, however, Madalyn O'Hair's crusade became a spectacle—an entertaining quarrel between disbelievers and the “born again,” the latter group led by her son William J. Murray.¹²

Murray Faith Ministries set out “to present the gospel to people,” who, like him, “had been deceived by the lies of atheist-humanistic philosophy.” Murray began to support political candidates “sincerely advocating the need of our nation to repent and become obedient to God.” He became a political conservative, joined the moral conservative wing of the Republican Party, and rallied behind the Ronald Reagan candidacy and presidency. He became an ardent anti-Communist and organized a private aid organization for the Contras of Nicaragua in their attempt to topple the Communist government of Daniel Ortega. He traveled the country speaking in churches and other forums, and encouraging grassroots organization. He organized prayer vigils, and in April 1982 he and other religious leaders delivered to the White House petitions bearing the signatures of one million Americans who wanted “religious freedom reestablished” in the public schools.¹³

Murray also organized evangelistic crusades to counter American Atheists' annual meetings. In April 1981 he led a group to Salt Lake City, where they picketed the AA event. He purchased a half-page ad in the daily newspaper to tell the delegates that Jesus loved them and added a telephone number for further information. The newspaper interviewed William, and coverage of the day was a split between Madalyn and William, pitting one against the other.¹⁴ William picketed meetings of the American Humanist Association, American Rationalist Association, the National Association for the Advancement of Atheism, and others, but none generated as much publicity as American Atheists.

Murray and his followers picketed the 1987 American Atheists convention in Denver, Colorado, that convened over the Easter weekend. Their numbers were few, but the soap opera theme that surrounded the event attracted the press's attention. O'Hair used the occasion to characterize the recent resignation of Jim Bakker as head of

Praise the Lord (PTL), after he had an extramarital affair, as a ploy by television evangelists "to grab media attention. "You no longer have to watch *Dynasty* and *Dallas*," she explained. "You have the real live thing in PTL."¹⁵ The press, however, made more of the O'Hair-Murray split than O'Hair's remarks. One headline read: "Groups Led by Atheist O'Hair, Estranged Son Clash in Denver." O'Hair led a police-escorted, four-block march of about two hundred people to the state capitol. She carried a sign with the Clarence Darrow quotation on it: "I don't believe in God because I don't believe in the Easter Bunny." Meanwhile, a group of almost two hundred, led by William Murray, held a prayer vigil on the capitol grounds around a stone replica of the Ten Commandments. When the atheists began their rally, Christian protesters sought to seize the podium, provoking a brief confrontation, whereupon three of their ranks were arrested for causing a disturbance and trespassing. Unlike the American Atheists, they had no rally permit. Bill Talley, director of the American Atheists' Denver chapter, however, was arrested and charged with simple assault.¹⁶

During the rally, O'Hair lashed out against organized Christianity's and Judaism's celebrations of Easter and Passover, because they marked the death of Jesus and "the killing of innocent Egyptians by their monstrous God." "We want love, not hate," she explained, and she praised the "thinking animal, the primates who can find solutions to the problems laid on mankind." Several hundred yards away, Murray proclaimed that the faithful were "winning over the commissioned officers of Satan."¹⁷

AMERICAN ATHEISTS IN TURMOIL

By the mid-1980s American Atheists was in danger of coming apart. When O'Hair took control of the movement, American atheism was poorly organized. It consisted of several diverse, competing groups, none of which had any significant national recognition or a prominent leader. At least for the short term, largely by force of personality, O'Hair and American Atheists imposed some order and organization. But then some local chapters and their leaders began to accuse Madalyn O'Hair of demanding unquestioning loyalty and were either thrown out or chose to leave the national organization. William Murray made the same point, insisting that Madalyn controlled her family and immedi-

ate core of employees so closely that they came as “close to a cult as possible without qualifying as one.”¹⁸

In the early 1980s, several chapter leaders called for Madalyn’s removal from power—which would include the elimination of Jon Garth and Robin—but the family preferred to retain control rather than accept new leadership for American Atheists. This only further polarized AA members, some of whom made their concern known to others in the organization. A group of University of Texas student atheists, for example, who, after trying to assist Madalyn felt they had been treated rudely, wrote in a letter to the AA leaders:

Though we admire and revere Dr. O’Hair’s past achievements, after being personally associated with her over a period of two years, we have finally reached the painful conclusion that she is no longer competent to manage the resources of which she has disposition. . . . You may wish to give careful consideration to any further contributions of money to SOS as long as Dr. Madalyn Murray O’Hair is its chief executive.¹⁹

Critics point to the “Lincoln’s Birthday Massacre” in New Jersey as a key event. As late as December 1977, O’Hair and the New Jersey chapter of American Atheists had been allies. On December 18, American Atheists and the New Jersey chapter filed simultaneous lawsuits challenging the use of prayer to open city council meetings in Austin and Jersey City.²⁰ Then things fell apart.

The problem appears to have begun when William left his mother in 1977. A New Jersey man sent a friend to help in the Austin office, and Jon Garth took a liking to her. One day she said she was going home to visit her mother, but instead went on a cruise with an atheist of Jewish heritage. Jon vented his anger by writing to the New Jersey chapter saying Jews were liars and hypocrites. Anne Gaylor, a Wisconsin volunteer for American Atheists and columnist for *American Atheist*, later reported that Jon “sent the letter, dated January 4, 1978, to the New Jersey chapter, writing it off and telling its director, Paul Marsa, that he could not stand ‘hypocrites, liars and Jews, all of which you [the chapter] qualify for.’”²¹

The chapter was already at odds with Jon Garth and Madalyn over leadership of American Atheists. At the end of January 1978, the New Jersey chapter told her that she should have Jane Conrad, Florence Fox,

or Virginia Hartzfeld in her office, so that they could be trained to take her place, since the center was not being handled correctly.²² When, on Lincoln's birthday in 1978 Madalyn, Jon Garth, and others from the Austin office showed up at a meeting of the New Jersey chapter, their quarrel peaked. Madalyn and Jon called for the resignation of all the chapter leaders and the meeting broke up. Gaylor wrote:

Madalyn came to the meeting with two uniformed policemen as bouncers, took over the meeting, and would not let dissenters speak. To requests to speak, she would respond at full shout, "I will not tolerate any insubordination." When someone managed to point out that a majority of those present wanted a particular speaker to have the floor, she said, "What the majority wants does not matter."²³

In May 1978 the squabble within American Atheists made headlines in the *New York Times*, as well as Texas newspapers. The *Times* reported that several states had mounted challenges to O'Hair and her leadership of American Atheists. Dissidents charged her with spending too much money on herself, running "an autocratic regime," creating a bad image for atheism, allowing the expression of anti-Semitic attitudes, and practicing nepotism in forcing her son, Jon, on the association as its leader without member approval. The disillusioned had moved on to the Freedom from Religion Foundation based in Madison, Wisconsin. The split began, the *Times* piece continued, with the New Jersey chapter confrontation.²⁴

When word got out about the "Lincoln's Birthday Massacre," other chapters, like Oregon, Colorado, and Wisconsin, left AA as well. In late 1981 the Los Angeles chapter succumbed, largely the result of conflict between Madalyn and Jon and the chapter's newly elected president, Dick James. And in the mid-1980s the Chicago chapter joined the list, despite the leadership role they played in picketing the pope in 1979. In February 1985 Cathryn Bulicek was elected to succeed Robert Sherman, who had served only briefly as chapter director and succeeded in alienating many members. Bulicek was well known and liked among American Atheists. O'Hair recognized her as one of the significant contributors to the organization, and in 1984 she received AA's Outstanding Chapter Worker Award. The Chicago chapter welcomed Bulicek, but O'Hair preferred Sherman and excommunicated Bulicek from the local. The result was the departure of most of the active members of the organization.²⁵

As Anne Gaylor, who in 1978 became head of the Freedom from Religion Foundation, explained, almost from its inception American Atheists spawned splinter groups, usually led by people whom Madalyn wooed, employed, and finally alienated: "Madalyn is a very entertaining, complex and warm person at times," Gaylor explained, "but she also has a dark side to her nature. . . . She went through people like popcorn." People realized they could organize and mobilize on their own, in response to which Madalyn usually shunned them.²⁶

Stephen Thorne, former head of the San Diego chapter of American Atheists, explained: "I realized I was on the wrong side. I saw her deal with people, scream at the very people who had been loyal to her organizations. . . . That was the way they [Madalyn and Jon] were, and they didn't care about the people they trampled. Their most loyal and hard-working followers were dirt under their feet."²⁷ At the AA national convention in San Francisco on April 9, 1978, one member put forth a resolution to prohibit any member from being excommunicated except by two-thirds vote of all members, but it was defeated. O'Hair defended her actions and opposed the motion by saying that the New Jersey chapter had been taken over by Marxists, and that the Board of Directors had to be able to respond quickly to such threats.²⁸

In another letter generated by the New Jersey affair, dated February 6, 1978, Nancy and Mircea Marcovici gave their impression of Madalyn O'Hair. To begin with, they praised O'Hair's achievements in winning *Murray*, founding American Atheists, and "obtaining considerable publicity" for their cause. Along with those "eminent qualities," however, the Marcovicis wrote, she was "beset with several faults, each one of which should not be suffered in any but the most desperate of societies." There were those, they allowed, who were willing to compromise with the "dark side" of Madalyn's personality for the sake of unity, but she had nevertheless managed to create enough strain and "a level of vehemence and bitterness" that hampered their activities. They listed as O'Hair's flaws her lack of organization and managerial ability, intolerance to criticism, vilification of people who disagreed with her, distortion or withholding of important information, insensitivity to other people's concerns, disloyalty and cruelty toward her supporters, self-indulgence and self-glorification, nepotism, deviousness, hypocrisy, racism, and anti-Semitism.²⁹

It should be noted that Madalyn's anti-Semitism had long been suspected. A few speculated that her maternal great-grandmother was

Jewish and that she resented it. A handful of others said that she was a Jew and was out to destroy America. Madalyn denied both. At the same time, a number of malicious quotes were attributed to her. To one atheist of Jewish heritage with whom she clashed, she was reported to have said: "Why don't you go to the gas chambers—that's where you belong. It's people like you who provoke the need for them. Goodbye Jew!"³⁰

As has been discussed, Madalyn referred to her attorney Leonard Kerpelman as "Sammy the Shyster" and often noted aloud her distrust of Jews. *American Atheist* magazine published a number of articles that were seen by some as anti-Semitic. "First to the Jew" and "Roots of World War III" seemed to blame the Jews for the world's problems. A cartoon showed a Jew, crucified on a cross, a dollar bill dangling in front of his head. The caption read: "It's the only way we could get the stubborn Jew to move the cross." Christ, of course, was a Jew.³¹

Madalyn generally denied her writings and statements were anti-Semitic. She pointed out that her granddaughter, Robin, was half Jewish, and that she would "fight to protect her life." She would not "cease to fight the Jewish religion," however, and she was just as opposed to Judaism as Christianity. "Judaism is a religion and one of the most pernicious that was ever developed," she explained. It had "not one redeeming feature." She recognized the distinction made by many Jews between Judaism and a Jewish ethnicity. On her April 17, 1972, radio show, she read from an article authored by a proponent of that position, which he called "Jewish Humanism." Sherman Wine insisted that it was possible to speak of Judaism "in the broad sense as the unofficial national culture of the Jewish people" and not a religion. To be a Jew, he wrote, is not necessarily to be a member of a religious group, but rather—for some—to be a member of an ethnic group, a situation quite different from being a Catholic or Protestant.³²

Although on occasion receptive to this idea, O'Hair ultimately rejected the distinction and insisted that it was impossible to be both a Jew and an atheist or humanist. She often used stronger words, in one instance commenting: "There is nothing in Jewish culture or ethnicity which is not based on the sick, sadistic, masochistic religion of Yahweh." She also said that atheists who "yammer I am a Jew" are simply anti-Christian and attempting to establish their "horrible, psychotic, religious base which would exalt the self-proclaimed chosen

people." Elsewhere she put it simply, "If you are a Jew, you are not an Atheist."³³

In a talk she gave in 1982, Madalyn was critical of the state of Israel, arguing that "the Jews never had any right to the land now called Israel." She noted that the Jews had occupied that land only briefly, and that they had been driven out in the year 70 C.E. for 1,875 years. She denied they were the "chosen people" and described Jewish religion as "probably the most insane of them all. The Jewish god is the most ruthless, sadistic monster ever invented. That anyone at any time accepted or believed in the Old Testament is an irradicable taint against those who did."³⁴

One of her chief critics, it should be noted, questioned some of the evidence used against O'Hair on the charge of anti-Semitism. G. Richard Bozarth claimed that articles Jane Kathryn Conrad and Nancy and Mircea Marcovici cited as being particularly anti-Semitic that had appeared in *American Atheist* magazine were not anti-Semitic. Bozarth even admitted having authored one, himself, with no such intent. He described the other, which appeared in the January 1978 issue, titled "The Religious Roots of World War II," as a critique of Israeli policy toward the Palestinians. He added: "We must not accept the radical Zionists' assertion that criticism of Israel and Judaism is anti-Semitism."³⁵

There were also reports of gay bashing on Madalyn's part. In 1976 New York reporter John Lauritsen, well known at the time for his articles and books on the AIDS epidemic, attended a convention of the Society of Separationists. Shocked at what he heard, Lauritsen wrote to O'Hair protesting her attack on gays. She reportedly responded to him in a letter dated May 20, 1976, on SOS stationery as follows:

The California Chapter of Society of Separationists, Inc. has sent me a zerox copy of your letter dated May Day, 1976.

I would expect this kind of literature to issue from a misogynist [sic]. I am a female head of an American Atheist group. You are a cock-sucker. You like men and boys. You don't like women. We don't have cocks for you to suck.

Also, we are not Marxists as you are.

Form your own group of cock-sucking Atheist Marxists
and be happy, kiddo; but don't count on me as an ally.

Society of Separationists, Inc.
Madalyn Murray O'Hair, President³⁶

There is no question that Madalyn lashed out at anyone who criticized her, but it is also the case that she advocated freedom of sexuality among consenting adults and encouraged gay atheists to organize their own chapters. She suggested separate chapters, because she believed gay atheists would put gay concerns ahead of atheist considerations—something she did not tolerate among other American Atheist chapters.

Critics also quoted Madalyn's apparently racist outbursts against blacks, including at least occasional use of the word "nigger." When asked if she "liked black people," she responded both officially and personally. Officially, she explained, American Atheists took the position that people should be evaluated as individuals on their own merits, regardless of race, ethnicity, nationality, or "any other arbitrary division of humankind." In the matter of busing, she stated her preference for bringing black communities and schools up to par with their white counterparts.³⁷ Personally, she admitted finding herself "angry with blacks as a group." She explained:

The preponderance of them are captured in the Baptist church worshipping a white god, the representatives of which held them, as a race, in slavery in the United States for over 200 years. It is just damn dumb of blacks to lick the hand of the god that brutalized his ancestors and placed him in a class position of social/educational/economic inferiority in the culture of the nation today. I can't understand why, they, as a group, cling to psychological subservience after having been rescued from a physical subservience,

a point she claimed to have made personally to Martin Luther King Jr. She laid claim to black friends, however, and insisted that at that level, she judged them individually, not as a group.³⁸

In the end, the matter of Madalyn O'Hair's attitude toward Jews, gays, and blacks was of less consequence than her increasingly strained relations with other atheists, especially those within American Atheists.

In one of her more tempered moments, she explained what she saw as the cause of the divisions within organizational ranks: "The difficulty is that the Board of Directors are all from a different socio-economic and cultural level than we are. They have a constricted background, education, and level of experience than we have. Consequently, there is not the meeting of minds that there should be."³⁹ More often she lashed out against those who sought to expel her or Jon—through "treacherous acts," "plots and subplots"—either for personal reasons, their immediate gain, or because they neither understood nor appreciated her leadership, long commitment, and many accomplishments.⁴⁰

In 1983, on the seventieth anniversary of American Atheists, Madalyn adopted a new motto: "Unity today, power tomorrow."⁴¹ But in November 1987, she recorded in her diary: "We had a meeting of the Board of Directors, and we keep alienating people—lopping off chapters. How in the hell can we win anything when we go on like this. I'm a purist. All three of us are. Also like it or not, this is our fiefdom. It is Murray-O'Hair lock, stock, and barrel."⁴²

THE FINAL YEARS

In 1988 the nation marked with some considerable activity the twenty-fifth anniversary of the Supreme Court cases that removed prayer from the public schools. O'Hair regained the limelight, but not to the extent she once enjoyed it, and then only briefly. Even the New Christian Right that continued the battle to return prayer to the public schools took little notice of her. Nevertheless, O'Hair used the occasion to emphasize the role she played in the landmark event. At the June 1988 anniversary champagne celebration at the American Atheists' Austin headquarters, O'Hair reported that in 1963 she had invented a nonexistent interest group so it would not appear that she was fighting the battle alone:

I lied like hell during the whole thing. The public wasn't willing to listen to just one single woman alone with two kids tugging at her . . . so what I did was invent the Maryland Committee for the Separation of Church and State, which really didn't exist. That was me, but it was a good name that way. I invented an organization that didn't exist, and from that, later on, I couldn't stand calling it the Maryland Committee so I just named it American Atheists.⁴³

O'Hair used the anniversary as the occasion to formally open American Atheists' new headquarters—a 17,000 square foot, \$1.7 million building in northeast Austin—a purchase made possible, she explained, by an inheritance. Jon touted it as “the largest and most well-equipped national headquarters facility” ever owned by an atheist group, and said that it housed “the nation’s premier Atheist organization with the largest constituency and best financing of any group that has ever existed in the United States or in the world.” Proclaiming atheism “here to stay,” O'Hair reported that *American Atheist* magazine was available in 1,200 public libraries and that 2.5 million people watched *Atheist Forum* on ninety cable television systems nationally. Their current goals, she added, were to form an atheist political party, have atheism taught in public schools, get the words “In God We Trust” removed from the nation’s currency, ban polling places in churches, and end the tax-free status of churches. Jon added that AA intended to establish a headquarters in every state, and that the organization planned to diversify “into a variety of different kinds of organizations all united under a set of common goals but with each fulfilling a particular set of needs for a particular sub-group of the nonreligious.”⁴⁴

On April 14, 1990, although none of the major networks and few of the other national media chose to cover it, C-SPAN aired O'Hair's speech at the Twentieth Annual National Convention of American Atheists in St. Petersburg, Florida. O'Hair spoke about President Bush. When Texan George H. W. Bush was the Republican candidate for president in 1988, he was asked by an *American Atheist* reporter what he would do to win the atheist vote. Bush responded, first, “I guess I'm pretty weak in the atheist community. Faith in God is important to me.” When the reporter followed up, asking if he recognized “the equal citizenship and patriotism of Americans who are atheists,” Bush answered: “No, I don't know that atheists should be considered as citizens, nor should they be considered patriots. This is one nation under God.”⁴⁵

O'Hair's point was that atheists should not be excluded from the legal system or from full citizenship. Although not a new subject for O'Hair, in this instance she underscored her point by describing who American atheists were, and why there was no reason to fear them. From questionnaires she sent to her membership, O'Hair reported that 74 percent of American Atheists were male, 96 percent Caucasian, and 52 percent single. Twenty-five percent had one college degree and an-

other 22 percent more than one. Sixty-two percent of American Atheists owned their own homes. Thirty-two percent were under forty years of age, 32 percent were forty to fifty, and 36 percent were over fifty. Based on income, 65 percent of American Atheists were middle class, while the professions they pursued ranged the gamut from doctors and lawyers to farmers and career armed forces personnel. Eighty-three percent exercised their right to vote—35 percent as independents, 38 percent as Democrats, 9 percent as Republicans, and 9 percent as Libertarians. Twelve percent, O'Hair found, would vote Socialist if there was such a major party.⁴⁶

O'Hair insisted that atheists were not rationalists, realists, secularists, humanists, or agnostics, but atheists. She proclaimed: "Atheists are here now to stay. We are ready to take over the culture and to move it ahead for the benefit of all humankind. Religion has ever been anti-human, anti-woman, anti-life, anti-peace, anti-reason, and anti-science. The god idea has been detrimental not only to humankind but to the earth. It is time now for reason, education, and science to take over." O'Hair called on all atheists "to come out of the closet." She concluded:

Over the years there has been much discussion about Black liberation, women's liberation, gay liberation. That is hardly anything, a liberation from restrictions based on race or sex, or sexual orientation. The real liberation is the liberation of your mind. The inherent right of human beings to think about any damn thing they care to think about, to weigh ideas, to accept them or reject them, to compare them to others. The ultimate liberation, the liberation toward which all others just strive, is the liberation of the mind.⁴⁷

Elsewhere and privately, O'Hair showed less zeal for, or confidence in, the cause. Publicly she complained that American Atheists continued to be undermined, slandered, censored, and the subject of reprisals, or at least misunderstood. When asked to speak on the future of atheism in America at the Annual National Convention of American Atheists in April 1992, she painted a grim picture. She struck out against the Reagan/Bush administration, which she described as "in attack mode" against all progress made toward the separation of church and state. But she also bemoaned the loss of reality and heroes in American culture and society, both of which were detrimental and likely to prove fatal to the atheist cause. Reality was under attack, she insisted, by the

movie industry, television, advertising, and of course, religion, "the ultimate fantasy." Americans had become "hopelessly benighted and gullible," no longer able to see the true state of their condition or to fight for atheism—the ultimate reality. "The heroic age," in which fantasy had been challenged and in which she played a leading role, had passed. "The window of opportunity has been closed."⁴⁸

O'Hair's personal comments indicated an even higher level of frustration, even fatalism. After all she had accomplished, she noted, she continued "beating against the current."⁴⁹ As she wrote in that same anniversary year, despite all the progress made, she thought the country was "in a steady retreat":

There's an absolute steady retreat into what I call neofascism—but it's really old-time fascism—into a robber baron society and a religiously dominated society, and that's not cyclical, because they have new weapons at hand now, mainly communications technology with which they can disperse ideas.⁵⁰

O'Hair continued to disdain the low level of support she received from fellow atheists, which limited her work, and she resented their criticism of her "lavish" life-style. "There is no way to explain that 'money makes the world go round,' for a cause organization as well as for General Motors or IBM. No one accepts that. Every 'cause' leader is supposed to live in a grubby walk up apartment in a slum, ride a broken-down bicycle for transportation, eat stale bread soaked in water and soup for nourishment, and fight the establishment with courage alone." It left a taste of bitterness in her mouth, she admitted, as well as a fear that with the growing power of the Fundamentalists "manifested . . . in the politics of the nation," American Atheists would never be able to have any more impact on the nation, "or even grow beyond being 'the voice of the turtle abroad in the land' (Song 2:12)—all hope and no reality." Nevertheless, she was resigned to fight on. "There is nothing else but to keep after this task. For as long as it takes, for as much as it costs. . . . We do it how and as we can."⁵¹

In 1987 American Atheists brought suit in seven court cases on various matters, nationally and locally. It challenged the right of the United States Postal Service to cancel mail with the papal seal in the cities visited by the Pope that year (*Shirley v. Schraer*). It challenged the Dade County (Florida) School Board's decision to dismiss classes and use

school buses to transport Miamians to a papal mass (*Braiden v. Dade County*). It opposed the issuing of permits in Escondido, California, to allow religious banners to be placed on utility poles during the Christmas season (*Thorne v. Escondido*). Once again it challenged the granting of tax exemptions to church properties, this time in Texas (*Murray v. Travis County*). It opposed the use of a cross by the city of Austin on its city insignia, and the use in Zion, Illinois, and Rolling Meadows, Illinois, of similar religious symbols on its police and fire engines and other city property (*Murray v. City of Austin, Harris v. Zion; Kuhn v. Rolling Meadows*).⁵²

O'Hair's efforts, however, were largely focused on more mundane matters, like paying the bills and retaining control of her organization. In July 1988, for example, she at long last won tax exemption for all of her organizations, but she continued to lament that she could not pay the bills or even make a salary much of the time. She did not—or would not—understand why: "We are fiscally conservative. We work hard. We do try. We do have a good base. We are right in what we are trying to do. Our procedures are good. The avenues we try are well tested and there should be some response" to their pleas for contributions.⁵³

An ever larger number of atheists broke rank with O'Hair. Some were disenchanted with her leadership style, which was abrasive at best. Others left because they believed O'Hair was bringing atheism into disrepute by her public behavior and remarks. And still others harkened to rumors that she was mishandling the association's funds, living a lavish life-style, and not paying the bills. One such person was David Sonenschien, who worked at the American Atheists Center during the 1970s and wrote "Right-wing Atheism" for the January/February issue of *North American Anarchist*. The title speaks for itself as a commentary on O'Hair's leadership.

Fred Woodworth described Madalyn as "a severe embarrassment to thoughtful men and women who reject the claims of religion. . . . Because in countless instances she has shown that the only way she differs from regular religious bullies is that she has no belief in god." He called American Atheists "a dangerously authoritarian cult." "Despite her Atheism, what she wants to do is the same thing that every cult-leader desires: to command instant, unthinking obedience; to suppress dissenting points of view; and to pretend to speak in the name of a larger truth while in fact proceeding utterly unethically behind the scenes." Woodworth compared her methods to those used by Jim Jones, Sun

Myung Moon, and L. Ron Hubbard, and as relying on “censorship, stifling of inquiry, intimidation, crude propaganda, and hysterical appeals for more money from adherents whom she regards as her own private fleecable flock.” He concluded: “If Atheism were to become as repressive as a conventional religion, little would be gained by swapping one form of domination for another.”⁵⁴

In 1983 Jane Kathryn Conrad published a booklet titled *Mad Madalyn*, in which she publicly distanced herself from O’Hair. She noted: “This booklet was written for one purpose only: to assure the public that most non-theists are honorable and respect the right of every person to his individual freedom of conscience. We ask that you not judge us by the image projected by Madalyn and family members.” And G. Richard Bozarth, who worked at the American Atheists Center for nineteen months in 1979–80, provided the largest firsthand exposé in 1989. He went public because he thought it was “high time that something true be written about her [Madalyn] by someone who is not trying to score points against Atheism and who will go the full distance to provide all the evidence he has to support his conclusions.”⁵⁵ Although it covers only a brief period of time in the saga of Madalyn Murray O’Hair, it is a devastating insider’s view of O’Hair’s and Jon Garth Murray’s leadership.

The Freethought Society broke with Madalyn after several tense years of attempting to work together. Madalyn accused them of infiltrating her organization, gaining their confidence by “lies and deceit,” and then declaring themselves “hostile to Freethought and the Murrays.” Leaders of the Freethought Society denied the charges and countercharged that they had evidence to “prove gross embezzlement and gross misuse and misappropriation of funds and property.” Her relationship with other humanist and rationalist groups suffered the same fate. In general, those who worked with her found her crude, harsh, strident, and unable “to work constructively for any length of time as a member of a team which she, herself, does not dominate.” As one put it: “She seems to equate honesty with bombast, courage with sensationalism.”⁵⁶

In 1985 O’Hair moved to eliminate the problem altogether. In a memorandum dated March 5 she issued orders to chapter directors on how they should deal with other freethought groups. She offered that the 1980s, under the influence of the Reagan administration and conservative Christians, had been hard on atheists, and that they had

to band together in one organization rather than many smaller ones. She therefore ordered the chapters not to run advertisements for the other groups, including their activities and publications. She also prohibited criticism of American Atheists' national leaders in chapter newsletters.⁵⁷

O'Hair's preventative measures did not work. The 1989 American Atheists Annual Convention in San Diego made headlines, but almost exclusively for its anti-O'Hair protests. Several hundred people attended, but many showed up to voice their disapproval of O'Hair's leadership. Others boycotted the event. The San Diego chapter of the American Association for the Advancement of Atheists issued a statement that it did not recognize O'Hair as the leader of all atheists and that her tactics had done the cause more harm than good. The chapter president called O'Hair "a thorn in the side of true atheism." Others interviewed by the press described her as an embarrassment, while even the more moderate opposition, those who acknowledged her past contributions, agreed that the movement would be stronger without her at that time.⁵⁸

By the late 1980s Jon Garth took over much of the leadership of American Atheists. O'Hair acknowledged publicly that she had "a good and richful life," but that she was exhausted. Perhaps some people in the movement hoped Jon would bring peace to their ranks, but he did not help matters. Not only was he seen as doing his mother's bidding, but he was accused of doing so in a similarly antagonistic manner. David Travis, who worked for the organization from 1992 to 1995, told *Time* magazine that Jon did not "even know when to be polite. He had no special training, nor a great number of social skills." He had a speech impediment, which put him at a disadvantage, and even "he was aware that he'd been put in a position beyond his abilities to handle." Madalyn continued to go to work seven days a week in her retirement, Travis added, but Jon was very much a presence—a "screaming madman running around the office, shouting obscenities about everyone and everything."⁵⁹

American Atheists was losing nearly all of its court cases and money in the process. In February 1990 O'Hair suffered another major defeat, this time in her fight for control of a fortune left by James Herve Johnson of San Diego. In the early 1960s Johnson assumed control of *Truth Seeker*, which was the oldest freethought magazine in the United States. He also led two venerable atheist organizations: the

American Association for the Advancement of Atheism and the National League for the Separation of Church and State, also known as the National Liberal League. By all reports, Johnson was eccentric and outspoken. The *Los Angeles Times* reported that he “detested . . . blacks, alcohol, Jews, lawyers, Catholics, people on welfare, modern medicine, Mexicans, meat, liberals, and communists. But there was one thing he hated most of all: religion.”⁶⁰

Johnson was one of Madalyn Murray’s principal supporters when she was struggling both with her Supreme Court case and to launch her atheist movement. In the mid-1970s, however, Madalyn complained that Johnson would neither provide her with the finances she needed for her printing operation, nor provide for them in his will—despite his already having suffered a heart attack and two strokes. They became bitter enemies.⁶¹

In January 1984 Madalyn proposed a merger of *Truth Seeker* and American Atheists and, when that failed, launched a protracted battle to take over *Truth Seeker*. Years later, Madalyn claimed that she never intended to merge, or take over, *Truth Seeker*, but rather to have Stephen Thorne run it. She insisted that Johnson was misusing, possibly misappropriating, funds given him by atheists.⁶² It was also the case, however, that the magazine, then located in San Diego, would lend substance to O’Hair’s efforts, as well as a reported \$15–\$22 million in assets that would be left to the organization by James Hervey Johnson. Stephen Thorne, who was a volunteer in *Truth Seeker*’s office, later reported that O’Hair had asked him to “find out about Johnson because *Truth Seeker* had a kind of atheist bent. She believed that if anything in the landscape was atheist, it should automatically belong to her. Then I discovered Johnson had \$16 million. I told her. That whetted her appetite considerably.”⁶³

O’Hair created a new company, and in February 1988 sent out a letter to *Truth Seeker* subscribers on stationery with the letterhead “The Truth Seeker Co. Inc.,” reporting that the magazine had elected new officers (including her as president and Thorne as secretary) and a new board of directors, and relocated its main office from San Diego to Austin. In the same month, Thorne closed the organization’s two San Diego bank accounts, as well as the organization’s San Diego post office box. Johnson’s lawyer reopened all three. In June 1988 Madalyn mailed to subscribers of *Truth Seeker*, Volume 1, Number 1, *Truth Seeker Newsletter*. On August 1, 1988, Thorne convinced a California Supreme Court

judge to appoint a temporary conservator of Johnson's finances due to his supposed incapacitated state resulting from illness. Two days later, Johnson's lawyer had the order reversed, but on August 6 Johnson died from cancer.⁶⁴

O'Hair attended a probate hearing in October 1988 concerning Johnson's estate. According to Johnson's will, his millions were to be placed in a trust and the income used to "expose religion as against reason," as well as to publicize his views on health and to continue publication of *Truth Seeker*. He left legal control of his estate to his former banker, Lawrence True, an Episcopalian, while the magazine was being run by a Mormon, Bonnie Lange. O'Hair tried, but failed, to stop publication of the actual magazine and to derail appointment of True as executor of Johnson's will. On April 30, 1989, *Los Angeles Times* reporter Armando Acuna described Madalyn's reasoning as to why she should get Johnson's money: "She contends that Johnson's money was left to promote atheism, and that it's ridiculous to think that anyone who believes in God has any notion of how to do that." "Then why didn't Johnson leave his estate to O'Hair?" Acuna asked. "Because he despised her. And she loathed him. She continues to refer to the man she says she knew for 40 years as James Scurvy Johnson."⁶⁵

Acuna reported that Johnson had amassed his fortune by selling family property and investing the money in the stock market. He noted that O'Hair contended that he had stolen the money from "wills left in his name by dead atheists." The accusation had not been proven, however, and O'Hair's critics made the same charges about her. In 1987 O'Hair filed a suit against Johnson stating that she was a stockholder in *Truth Seeker's* parent company, the American Association for the Advancement of Atheism. She alleged that Johnson had commingled funds from the atheist organizations (*Truth Seeker* and AAAA) with his own personal bank accounts. Her suit asked the court to recognize O'Hair and her followers as the true owners of AAAA and *Truth Seeker*. Acuna noted that in the dispute over who really owned the stock, it was alleged that Madalyn had "printed up her own stock certificates," held a board meeting attended by her carefully selected members, and voted Johnson out of power. Thorne later reported that she had filed the suit after he had sent her a copy of Johnson's new 1987 will, wherein Johnson intended to hand control of *Truth Seekers* to AAAA.⁶⁶

On April 26, 1989, California Supreme Court Judge Peter Riddle ruled against O'Hair in her challenge to James Hervey Johnson's will.

On January 8, 1990, Judith Keep, a federal judge in San Diego, dismissed O'Hair's lawsuit to take control of *Truth Seeker*. Neither she nor John Jackson, of Chicago, who actually filed the suit, could prove they were shareholders. Jackson could not produce the stock certificates he said he owned and therefore was found to have "no standing" for charges of mismanagement of the organization. O'Hair's attorney, John Vinson, testified that she had told him that Johnson's predecessor, Charles Smith, had issued her "oral shares" in *Truth Seeker*, based on her good work in the *Murray* case. But she never produced any evidence for it.⁶⁷

Interviewed by Austin's *Union-Times* on Judge Keep's decision, O'Hair expressed optimism that she would prevail in the complex litigation to keep "atheist money" away from those who believed in God. O'Hair is quoted as saying: "Come on, this is atheist money for atheist purposes. It has been seized—and I use the word advisedly—by a practicing Mormon and a man very involved in the Episcopal Church." The *Union-Times* quoted O'Hair as intending to "badger them for the next 20 years." And indeed she did badger them, but on July 19, 1990, the California Fourth District Court of Appeals rejected O'Hair's appeal. The court confirmed that O'Hair had no basis upon which to challenge Johnson's will, and that she "cannot be considered an implied beneficiary of atheist Johnson's estate merely because she considers herself the country's 'pre-eminent spokesman for mainstream atheism.'" ⁶⁸

O'Hair blamed Vinson for "blowing" the case and pushed on. On April 23, 1991, the Fourth District Court of Appeals rejected O'Hair's contention that Johnson's estate, under Lawrence True, had paid excessive fees to True for the administration of the estate. Moreover, the court took O'Hair to task for persisting in her appeals, which had no basis, and ordered sanctions against her. At that point, Johnson's estate turned the tables and countersued to recoup money spent in its defense against O'Hair. They used the Racketeer Influenced, Corrupt Organization Act, created as a lever against organized crime, to file a conspiracy countersuit seeking triple real damages and punitive damages. The first trial ended with a hung jury, when one juror refused to find against O'Hair. A second trial was conducted without a jury, but the judge found against *Truth Seeker*. The magazine's attorneys filed an appeal, but the matter was not resolved before O'Hair's sudden disappearance in 1995. By her own admission, the case had drained the organization

of badly needed funds and staff time that might have been more profitably spent elsewhere.⁶⁹

O'Hair continued to seek funding. Brian Lynch, the former treasurer of the Society of Separationists, reported that O'Hair had learned from Jerry Falwell that "if you create a crisis every month, people are more likely to respond with money."⁷⁰ He added:

Her organizations were fronts. The whole thing was a front. She was into wills, getting people to leave her their estates. She would have them leave their wealth to her personally. Then she would put the money into Jon and Robin's accounts, accounts she created for them. She would take out a bit of that for her organizations, now and then, but the bulk of it was kept, hidden, or used for her personal life.⁷¹

Lynch also said that he "uncovered evidence of systematic corruption . . . money going to the Murray-O'Hairs for personal use," that they had probably lied to the IRS, and that the IRS was investigating O'Hair's finances and her tax-exempt status.⁷²

Madalyn Murray O'Hair took no formal salary for her work. Moreover, she claimed to have given the fees she earned as a speaker for American Atheists to the AA Center. In an interview only a few years before she disappeared, Madalyn claimed not to own anything, even a home (which was owned by Jon and Robin), and that Jon had claimed her as a dependent for the past ten years. But her various organizations provided her living expenses, which were considerable and even greater than the revenues they generated.⁷³

No complete, final, and objective accounting of O'Hair's finances is available. What survives are several unsolicited, biased, and often erroneous statements and only a few official documents. William Murray claimed that at one point O'Hair's lawsuits generated about \$28,000 a month. Supporters donated \$15,000 to her "In God We Trust" lawsuit, according to one report. One source claimed that followers put up \$50,000 in a case against Lee Strobel, while others insist she was the recipient of considerable estate money: from the Oliney Foundation for a library; from the Sorensen estate in California, reportedly amounting to \$1 million, though she insisted she received only 17 percent of that amount, and more.⁷⁴ A net-worth history, compiled by *Truth Seeker's* attorneys, showed that tax forms filed by O'Hair's various corporations reported that the five largest of them, from 1986 to 1992, acquired

\$7,260,502.⁷⁵ And, by her own public admission in 1986, the American Atheist Center's income stood at \$400,000 a year.⁷⁶ But, then, their expenses usually exceeded their income.

O'Hair and Jon Garth Murray readily admitted they lived well. Both drove Mercedes cars; Robin Murray drove a Porsche. Jon explained that you "don't need to be poor because you're a dissenter." He pointed out that their life-style was no different from that of Jerry Falwell or Jimmy Swaggart. On Swaggart, Jon added: "He's in with a particular set of folks, and he's got to compete. The people in his church are happy for him to do that. It's just the outsiders who don't understand."⁷⁷

Jon's reference to Swaggart and the televangelists struck a responsive chord with others in the movement, who found their flamboyant life-styles inappropriate. "Madalyn was sort of the Jimmy Swaggart of the movement," commented Anne Gaylor, editor of *Freethought Today*, the journal of the Freedom from Religion Foundation. "I'm not implying criminal activity," she explained, "but they were always bragging about silk suits and Cadillacs. At the same time the roof was always leaking," and "please send money" was their continued plea.⁷⁸ In fact, in the August 1995 issue of the *American Atheist* newsletter, Jon published an extended plea for funds to keep the organization going. He added: "You can't imagine how I feel to have to come on like a two-bit preacher getting ready to pass the hat at a tent revival, but enough is enough. We need financing, and we need it now." Without help, he added, "we are dangerously close to saying, 'Okay, we quit.'"⁷⁹ A month later, Jon disappeared.

At the same time, the Internal Revenue Service sought \$1.5 million in back taxes and penalties from Jon and Robin, according to published reports. Their lawyers insisted that the amount was eventually dropped to \$36,787.⁸⁰ Moreover, as a result of her suit to gain control of *Truth Seeker*, executors had countersued for \$7 million, costing American Atheists \$500,000 in legal fees.⁸¹ On December 21, 1991, as part of that lawsuit, Madalyn made an official sworn declaration that she was "completely 'tapped out.'" In 1993, citing a lack of operating funds, the organization ceased production of its cable television series, discontinued its magazine, and stopped holiday conventions. By the time of her disappearance in 1995, her headquarters on Cameron Road was up for sale. To quote Scott Kerns, who had left the organization by then: "The game was over."⁸²

ASSESSING MADALYN O'HAIR'S CRUSADE

Not everyone remembered Madalyn in the same way. A few had had personally positive relations with her. Scott Kerns, who for awhile led the Texas chapter of American Atheists, had fond memories of his wedding in March 1989, at which Madalyn officiated. Madalyn invited the couple to be married in her home. "She took the ceremony very seriously," he recalled, offering that it was a lovely moment and that Madalyn was "the funniest person on earth."⁸³ Some explained Madalyn's offensive public behavior as a reaction to what she saw as an enemy of incredible proportions. And many of her enemies were formidable. But she also assumed her public posture in order to bind her followers more closely to her.⁸⁴

Others looked beyond O'Hair's public persona to what she accomplished. In 1989 Stephen Thorne, director of the San Diego chapter of Americans Atheists, then badly divided over O'Hair, described her critics as motivated by jealousy. "She's hard nosed, she is determined and she's a scrappy fighter who knows more about the atheist movement than anyone else. What she's accomplished is more than any of her critics have. . . . Maybe she isn't the best leader for atheists any longer, but let's see if someone more qualified steps forward. A lot of people take cheap shots at her, but she's still probably the best known atheist in the country because she's been in the hot seat longer."⁸⁵

In 1997 *Time* magazine wrote that "what became a sideshow for the public remained a vital issue for the small groups of people whose isolation she had broken." Edward Cohen, who at the time was working on a book on modern atheists, explained: "Into the 80s, [when] people would hear her speak live or on the air, their mouths would hang open. It reassured them that they weren't the only ones on earth to feel this way." Former employer Orin ("Spike") Tyson commented: "She went out in public and made it acceptable to at least say the A word. She put it on the map."⁸⁶ And even critic and fellow atheist G. Richard Bozarth conceded two points for all her faults. For some, she had "the ego of Napoleon, but the scope of vision of a parish priest in 18th century Ireland," and she may never have become more than "a mouse that roars." But in the end, he allowed, she could "fire Atheists up," and she "made her niche in the history of the United States. No one who writes about the twentieth-century struggle over state and church separation in this country can avoid Madalyn and do an honest job."⁸⁷

Those who seek to minimize Madalyn O'Hair's accomplishments often point to evidence that her prognosis of its likely demise notwithstanding, religion in the United States has held its own, and even by some measures gained ground, over the half-century following *Murray*.⁸⁸ More pointedly, they note not only that O'Hair's organization was never very large, but also that it never represented more than a small fraction of nonbelievers. For *Writer's Market '72*, O'Hair claimed 30,000 subscribers to *American Atheist* magazine, presumably including all members. In 1988 she claimed a circulation of 50,000.⁸⁹ For other media, however, her numbers were considerably higher. In 1981 O'Hair claimed as many as 100,000 members. In 1975 and 1978 she reported 60,000 to 70,000 "families."⁹⁰ In 1985 she lowered the number of member families to 34,000, but in June 1988 Jon Garth told the press that the number was up to 48,000.⁹¹

Those "on the inside" for a time, but who later became O'Hair critics, offered very different figures. William Murray said that when he resigned from the center the association's mailing list totaled only 2,517 people, fewer than half of whom—about 1,240—were actual members. G. Richard Bozarth later reported that when he worked at the American Atheists Center and helped publish the magazine, it had only about 2,400 subscribers, and that actual members totaled only around 1,800.⁹² Brian Lynch reported a membership of about 2,400, as well, adding that it was "the highest total she's ever had." Another former employee, Cloe Sofikits, who "handled the mailing list," set the number at 2,200 to 2,400.⁹³ And in 1997, two years after Madalyn disappeared, American Atheists claimed 2,400 to 2,500 members.⁹⁴

O'Hair's critics point to their lower figures as proof that she inflated the numbers in order to support her claims of organizational success, which is probably the case. Their number are likely close to the mark. But, then, as even O'Hair critic Bozarth admits: "Free thinkers are notoriously hard to organize. . . . All the Freethought organizations I've been associated with admit this failure honestly and are trying to overcome it."⁹⁵ Upon American Atheists' twenty-fifth anniversary, Jon Garth Murray described organizing atheists as being like organizing anarchists. "It is not easy to make fiercely independent persons relinquish just enough of their personal sovereignty to form a productive association with others. The level of bickering that has gone on within American Atheists over the past twenty-five years would make a substitute elementary school teacher cry. It has been almost as if the organization

were composed entirely of adolescents."⁹⁶ The only issue around which they readily rallied—loosely—was the constitutional separation of church and state.

In 1983 Paul Kurtz supplied statistics on various prominent American free-thought groups that were not out of line with those attributed to American Atheists. He found that the American Humanist Association had 3,500 members after one hundred years; the newer Society for Humanistic Judaism had 4,000 adherents; while the Fellowship of Religious Humanists attracted only three hundred members. The Freedom from Religion Foundation, organized in 1978, claimed 3,500 members.⁹⁷

It is true that few Americans have acknowledged that they are nonbelievers, but their numbers have far exceeded the figures just cited. Gallup polls since 1948 have consistently found that around 95 percent of Americans believe in God.⁹⁸ The 1999 Statistical Abstract of the United States uses the figure of 1.6 million atheists, but then adds an additional 27 million "nonreligious" inhabitants—which it defines as "persons professing no religion, nonbelievers, agnostics, freethinkers, and dereligionized secularists indifferent to all religion."⁹⁹ O'Hair always maintained that many of the people in this category were "closet" atheists—nonbelievers who had neither the courage to face their lack of belief nor to make it public.¹⁰⁰

There is no single reason for the low number of nonbelievers in the United States, a percentage of the population that has hardly changed since such statistics were gathered. For comparison's sake, it should be noted that in 1998 more than 23 million Europeans classified themselves as atheists.¹⁰¹ Clearly, one explanation—perhaps the major explanation—is the perceived link between being American and believing in God, or to put it another way, the closely held belief that not to believe in God is un-American. Nevertheless, the unescapable conclusion is that neither American Atheists, nor any similar groups, have attracted more than a few of the acknowledged nonbelievers. Some no doubt rejected O'Hair's confrontational approach. Most, however, even as the twenty-first century began, continued to keep their thoughts on God and religion to themselves.

Due to O'Hair's efforts, significant progress has been made in defending the rights of nonbelievers. Proclaimed atheists are less harassed and stigmatized than they were in the 1950s, and in many quarters, unbelief "is a mere topic of conversation" or the occasional subject of "genteel intellectual debate."¹⁰² But this is not generally true, especially

during times of crisis. Outspoken atheists remain marginalized and believe themselves excluded and even attacked by religion-based public rhetoric. As *New York Times* science writer Natalie Angier recently wrote, "Nothing seems as despised, illicit, and un-American as atheism."¹⁰³ In a 1999 Gallup poll, only 49 percent of Americans said they were willing to vote for an atheist candidate for president, while 94 percent reported that they were willing to vote for a black candidate, 92 percent for a female or Jewish candidate, and 59 percent for a gay candidate. In another recent Pew Foundation poll, 35 percent of those polled expressed "very unfavorable" views toward atheists.¹⁰⁴ In sum, atheism remains unpopular in America.

Some might argue that because they are so few and relatively powerless, the only purpose of organized groups such as American Atheists is to serve as foils for religious militants. That was certainly true for Madalyn Murray O'Hair. She was probably right when she described herself as the most hated woman in America. Her laying claim to the *Murray* case and its role in removing prayer from the public schools assured that characterization. But rather than rest with that victory, she continued to afflict the comfortable. During the 1950s and 1960s, much as has been the case throughout most of American history, religion was the outlet for respectable, if casual, America. O'Hair forced them to be less casual. As Peter Steinfels has commented, "There are key segments of our culture that unthinkingly operate, regardless of the private beliefs of individuals, on the premise that 'God is dead,' the cosmos without inherent purpose and life without meaning except whatever can be rather arbitrarily and transiently imposed on it." He referenced art, literature, and drama, by way of example, pointing out that this constituted a reversal of the position commonly taken a century ago, wherein the notion of God was assumed to be true because it was "ethically useful." As Steinfels put it: "Today, critics who retain beliefs in an ultimately loving, just and death-defeating God usually bracket those beliefs and proceed as if the essentially atheist premise of much contemporary culture is beyond contesting."¹⁰⁵

William Murray insisted that his mother "did not create the times," but that "the times created her." "She was what America was about in the sixties and seventies." The "left-wing Court of the day," he explained, wanted prayer out of the schools: "They virtually were advertising for cases to change America." The *Murray* case got there first.¹⁰⁶ But as William Murray also noted, Madalyn was less an ideologue than

"her own greatest victim." She arrived at her militant atheism as much by the result of her personal problems as by intellectual processes. As late as February 26, 2001, William continued to make reference to their "dysfunctional home" where God was denounced and Marxism taught. He again insisted that his mother launched the school prayer case only because the Soviet government refused to allow the family to become citizens. "My mother had got quite wealthy hating God," he concluded, but he admitted, nevertheless, that she was unequivocally committed to a secularized nation—"a nation without God."¹⁰⁷

During her public life after 1963, Madalyn continued to provoke the courts not to allow any significant legal establishment, or privileging, of religion. And beyond the courts, she kept reminding Americans that those who could not, or did not wish to, believe in God could nevertheless generate their own systems of ethics, especially when it came to issues of human dignity, freedom, or justice. O'Hair herself may not have personified, or not been allowed to personify, any traditionally acceptable ethical or moral image in her life, or in the life the public witnessed. But at least for a time, indeed during one of the most difficult times in American history, she pushed the reality of unbelief to the fore and made the nation reconsider its assumptions concerning nonbelievers.

In August 1995, the same month she disappeared, Madalyn O'Hair published her last article in *American Atheist*. Appropriately, it was a retrospective on *Murray*, the case that launched her public life. The point she wanted to make, loud and clear, as it continued to hound her, was that she was responsible for the removal of prayer from the public schools. "There is no 'Lord's Prayer' in the public schools of the United States," she wrote, "because I, as an atheist, challenged it specifically. I want that shown in the records of our culture as it is shown in the legal records of just what went on 'back then' in the early 1960s."¹⁰⁸

O'Hair challenged one of the nation's most basic beliefs, in God, with all of the ties between that belief and national identity, during one of the most tumultuous periods in its history. She appeared when the Cold War and the perceived menace of atheistic communism made it unthinkable for Americans to question the sacred artifacts of their culture. And she persisted through the convulsive waves of the civil rights movement, the women's movement, the gay rights movement, and the anti-Vietnam War movement, all of which pounded away at the foundation of the nation. If O'Hair was confrontational and what

she proposed was chaotic in its implications, so too were the other movements and what they portended. To that extent, she was both a product and a shaper of the times in which she lived. Similarly, when the times—or the mood of the nation—changed yet again in the 1980s, and Americans lost their focus on reform and challenging mainstream culture, which continued to be solidly based on belief in God, unbelief lost its capacity to provoke and outrage. With the exception of the Christian Right, Americans no longer hated Madalyn Murray O'Hair, they were simply indifferent to her. O'Hair could deal with—in fact, she capitalized on—hatred; she could not handle indifference.

When his mother's death was confirmed, William Murray wrote: "Mrs. O'Hair is dead. The revolution she helped launch—to expunge religion from our public life—is very much with us."¹⁰⁹ Madalyn was less certain. In an interview in 1993, two years before her disappearance, she summed up her life and work. On the one hand she bemoaned what she saw as the U.S. Supreme Court's "crushing attack" on atheism. It might well return prayer to the schools, she predicted. And the United States would probably return to "a civic religion." It was also likely that American Atheists would not survive the onslaught, she predicted. "I don't think atheism has a chance in the future," the "window of opportunity for nonreligion has closed, not only in the U.S. but perhaps in the world."¹¹⁰

When asked if she agreed with those who said that she helped change the face of America, O'Hair replied: "Actually, I have." She admitted having grown weary of the fight and often harboring doubts as to what she had accomplished. Nevertheless, she was able to conclude: "You know, back in 1959 when I started, the word 'atheist' was never used, never proposed anywhere except in a derogatory way—'communistic atheism, atheistic communism.' I separated communism and atheism. I have popularized the word and made certain that everyone knows about it."¹¹¹

O'Hair spoke of her failing health but said she did not fear death—"What would be the point of the wasted emotion?" She predicted that if American culture went "absolutely Christian," which she thought it would, she would be "stigmatized for good and all times" and she would seldom, if ever, be mentioned again.¹¹² When asked what she wanted on her tombstone, she responded without hesitation: "Woman, atheist, anarchist—and the birth and death dates, I suppose. But I expect there will be no tombstone."¹¹³ There wasn't.

Epilogue

The Strange Disappearance of Madalyn Murray O'Hair

MADALYN MURRAY O'HAIR'S life ended on an appropriately bizarre note, or, as one reporter put it, with "a grisly climax to a life that was, in many respects, the stuff of comic relief."¹ On August 28, 1995 O'Hair (age 77), Jon Garth Murray (age 41), and Robin Murray-O'Hair (age 30), all of whom lived together on Greystone Drive in Austin, disappeared. Some thought they had left Austin for New York to picket the pope's public appearances. But "the world's most famous atheist" never arrived in New York, and as to the group's whereabouts, as one newspaper headline put it ironically, "God only knows."²

Speculation arose that O'Hair had died, perhaps due to complications of diabetes. It was recalled that a decade earlier, in order to prevent her enemies—Christians—from praying over her body, O'Hair had told her family to burn her "carcass" in her backyard. That being impractical, as well as illegal, she suggested they take her body to the San Antonio crematorium. Some believed that the trio had fled the country due to their financial debt, that they were on a mission, or that they absconded with organization money. A few feared they had been kidnapped.³

The story unfolded slowly. Investigators learned that Arnold Via, who described O'Hair as "like my second mother," was one of the last people to see her. He reported that the three had spent a quiet week at his home in Grottoes, Virginia, beginning August 11, 1995, but that "they definitely, absolutely had plans to picket the pope in New York on October 2." They were "in wonderful spirits," he continued. They toured Civil War sites, talked about searching area records for information on Madalyn's ancestors, and of possibly moving archival material,

even American Atheists itself, to Richmond. On August 5, 1995, O'Hair wrote in her diary about the sites she had seen and the modern amenities—"the miracles"—she encountered. "I have lived a long, long time." They returned to Austin and, "then, bang, just like that, they disappeared." Via concluded that they were kidnapped and perhaps killed by one of O'Hair's enemies.⁴

On August 28, 1995, recalled David Travis, who was working for American Atheists at the time: "I went to work and there was a letter taped to the door, and it said, 'We've been called out on an emergency basis, and will call you when we get back.'" ⁵ According to the *Washington Post*, the typewritten note read: "The Murray-O'Hair family has been called out of town on an emergency basis. We do not know how long we will be gone at the time of the writing of this memo."⁶ Orin "Spike" Tyson, who had been running the American Atheists' public access television series, entered their home and discovered that the family "had left in the middle of preparing breakfast, very suddenly." Unfinished breakfasts were still in the kitchen.⁷

Tyson, American Atheists new president, Ellen Johnson, and other organization officers continued to receive telephone calls from the trio on Jon's cell phone. Rather than being in New York City, they reported being on "business" in San Antonio. Johnson, however, reported that "they were being very cagey." They would not tell her what was going on. "They were lying about a lot of things, that was obvious. I was screaming, 'What the hell is going on, are you O.K.?' And they're saying, 'Just calm down. Everything's O.K.'" Everything was not O.K., Johnson suspected. "Robin was totally disturbed, you could hear it in the way she talked." Johnson talked directly to Madalyn only once: "I've talked to her for years. If you were to talk to your mother, you would know when something was wrong. Something terrible had happened." Their last communication with the O'Hairs occurred at 4:30 P.M. on September 28, 1995. After that, Johnson commented: "They just turned the phone off."⁸

Frank Zindler, a former American Atheists board member, indicated that he had daily conversations with Madalyn on her cell phone for about three weeks after she left Austin. "Madalyn said they were fine, they were on some extraordinarily important business that they would explain when they came back," Zindler stated. Then the cellular phone was turned off.⁹

On August 28, the day before they disappeared, Jon started running a classified ad in the *San Antonio Express-News*. He was trying to sell his car: "88 Benz 300 SEL, \$15,000 cash. Firm." Jon listed his cell-phone number. Evan Moore, a reporter for the *Houston Chronicle*, discovered that on or about September 4 a man named Mark Sparrow, a San Antonio real estate agent, answered Jon's ad. Sparrow spoke to Jon and they met at a motel in North San Antonio. "The guy told me he was getting a divorce and didn't want his wife or daughter to get their hands on the car," Sparrow told Moore. "He was in a hurry to sell it." The car was clean, it showed only 24,000 miles on the odometer, and it was priced \$5,000 below blue book.¹⁰ But Jon was not married, and did not have a daughter.

The next day, cash in hand, Sparrow met the guy at a local bar and they closed the deal. He drove the Mercedes to Sparrow's office. He was followed by a man and a woman in a pickup truck, but he would not go to Sparrow's finance office to sign the papers. He, or someone else, did so later on. Sparrow described the guy who identified himself as Jon as in his late forties or early fifties, 5 feet 9, stocky, with light curly hair. The description did not fit Jon, and when Moore showed Sparrow a picture of him, he was certain that the man who sold him the car was not Jon. Jon was 6 feet 2 and had dark hair. He also had a lisp, and the man in question did not. Sparrow could not rule out the possibility that the man in the truck was Jon, but the woman—who was "blond and slight"—was not Robin. Finally, when Moore showed Jon's photo around the bar noted above—Bonnie Jeane's—no one recognized him.¹¹

Plane tickets for Madalyn, Jon, and Robin had been purchased for the first week of October 1995 for New York. Their purpose, they had told nearly everyone with whom they were associated, was to take part in a protest over Pope John Paul II's visit. The tickets were never used. On October 1, 1996, however, Robin's 1985 Porsche 944 was discovered at the long-term parking lot at Robert Mueller Municipal Airport in Austin. Although police found no evidence of foul play, the car had been parked there since late September 1995.¹²

David Travis ignited much speculation when he let it be known that in March 1995 he had discovered a bank statement from the New Zealand Guardian Trust showing an account with \$900,000 to \$1 million in it. At the time, he explained, he was "extremely insulted" to discover the extra cash at a time when the organization was "crying

poor." "I felt betrayed. It was obvious to me they were planning to disappear." After the O'Hairs disappeared, he took his story to the IRS and the newspapers, and they speculated that it might be connected to the disappearance.¹³

American Atheists' officers initially dismissed the idea. They suggested that the money was simply the group's trust fund, from whose interest American Atheists might one day be expected to pay operating expenses. Spike Tyson branded the idea that the trio had taken the money into hiding with them absurd. "We know where every bank account is. Every penny is accounted for."¹⁴ Ellen Johnson stated that O'Hair definitely did not abscond with any funds, and that the disappearance was not linked to theft.¹⁵ By December 1996, however, doubts arose.

The IRS reported that 1995 tax forms for American Atheists' affiliated groups showed that over \$600,000 was missing from the group's net assets. As the money disappeared at about the time the trio left home, the IRS surmised it was in their possession. Tyson and Johnson confirmed that the missing funds were indeed from the New Zealand trust fund, which Johnson admitted was accessible only to Jon, Robin, and herself. The United Secularists of America IRS Form 990 for 1995 made note of \$259,013 in assets held by the group in New Zealand government stock, as well as several hundred dollars paid in taxes to that country. In 1997, bankruptcy receivers for the Murray-O'Hair estates confirmed the existence of two New Zealand bank accounts for Jon Murray totaling \$200,000.¹⁶

In a 1997 *Vanity Fair* article, Mimi Swartz quoted a letter O'Hair wrote to a New Zealand friend, Don Sanders, by then deceased, making reference to apparent preparations for their move. Swartz also claimed that at the end of 1996, Madalyn and Robin were spotted at a Mexican restaurant in Auckland, near the New Zealand Guardian Trust, where, reportedly, they had stashed over \$1 million. A receptionist supposedly identified a photo of Madalyn, but when reporters followed up on the story, they could not find anyone in the restaurant who had seen Madalyn, and the receptionist could not identify Madalyn from her photograph, after all. In 1994 Jon had explored a move during a visit to New Zealand. John Jones, Jon's host, however, claimed that Jon never applied for residency. Bill Cooke, the New Zealand Rationalist Association president, said he had not seen them, and neither had other likely contacts. And Ellen Johnson claimed to have their passports.¹⁷

Speculation continued as to the existence of Madalyn O'Hair's secret bank accounts. William Murray claimed that for years his mother had "tens of millions" of dollars stowed away in foreign bank accounts. San Diego attorney Roy Withers, who deposed and investigated the Murray-O'Hairs as part of the *Truth Seeker* case, reported that a Murray-O'Hair phone log to which he had access featured numbers of a Swiss bank. He added: "Somebody did bad things to these people,"¹⁸ but the idea did not attract much attention, yet.

Instead, many continued to believe that Madalyn had died, and that her relatives had spirited her body away to be buried or cremated in secret. Faced with a sudden health crisis, they reasoned, O'Hair may have arranged to die and be buried on her own terms, and given Jon and Robin permission to jump ship. "Jon told me numerous times that he was pretty fed up with the whole goddamn thing," Arnold Via is quoted as saying. "If he had the opportunity to steal a million and a half dollars or two million and thought he could get by with it, I think he would have got out of the organization."¹⁹

Writer Jon Rappoport provided one scenario: Madalyn, Jon, and Robin made preparations to leave Austin when the IRS was closing in on them. Just before or after they left, however, Madalyn had a health crisis—their credit card purchases for the month after they left were made in an area of San Antonio near a major medical facility with a Veteran's Administration Hospital. At age 77 it was serious, and Madalyn died. Jon and Robin disposed of the body, grabbed what organizational money they could, and vanished, determined to live out their lives under assumed names with false IDs.²⁰

Two of the three family dogs—those belonging to Jon and Robin—disappeared from a locked fenced area behind the American Atheists office building in December 1995. Madalyn's was left behind, leading Rappoport to speculate that after Madalyn died, Jon and Robin returned for their dogs before going into hiding. Rappoport checked with the Bexar County coroner's office, however, and it had no record of Madalyn's death. *Baltimore Sun* reporter Dan Fesperman checked with the VA hospital and found no record of any patient named Mays, Roths, Murray, or O'Hair. And Cox News Service reported that there was no record of O'Hair's cremation in any of the Texas counties with cremation facilities.²¹

O'Hair's disappearance left American Atheists in disarray. In 1998 the Austin headquarters was sold for \$800,000. Ellen Johnson took

control of the organization and moved the headquarters to Crawford, New Jersey.²² Johnson explained the state of American Atheists:

Look at it this way. Suppose your boss has disappeared. You wouldn't be able to deposit any checks because the bank account is not in your name. You can't get into the computers because you don't have the password. You have never done bulk mail. And then your subscribers start calling you, asking you what happened. Yet you don't want to do anything because you keep thinking your boss will come back any day.²³

By 1996 American Atheists reopened for business. American Atheists director Spike Tyson said that it would take at least a year for the organization's operation to return to normal, but Ellen Johnson reported a renewed interest in atheism, upon which they hoped to build.²⁴ As to the still missing Madalyn, Jon, and Robin, in the December 1996 issue of the *American Atheist* newsletter Johnson wrote:

I am leaving no stone unturned. If the O'Hairs are alive they are entitled to disappear or hide if they want to; but we are entitled to recover the missing funds and we shall get the funds back. Some of you may not stick with us through this crisis, and some of you will continue to be very supportive. We will be continuing to move forward with this organization, building a foundation for atheist activism in America no matter what.²⁵

In the December 16, 1996, issue of the IRS Bulletin, the IRS listed the Society of Separationists and the Charles Stevens Library as groups that could no longer accept tax-deductible contributions. Nevertheless, Tyson continued to make a case for the future of American Atheists: "We're more of a family now. We don't have a single charismatic person, a Madalyn O'Hair, but we've got a group that is just as goddamn good if not actually better. . . . We don't have a big name, but the truth is, she didn't have a big name either when she got going."²⁶

William Murray made a bid in probate court to become the legal guardian of his mother's, Jon's, and Robin's estates. On September 24, 1996, he filed a missing persons report, noting that he feared foul play. Up to that point, Austin police had no evidence of either foul play or involuntary absence. No formal request had been made by an interested

party for help, so they had limited their investigation into the disappearance. Dissatisfied with the Austin police's response, Murray appealed to Texas governor George W. Bush to have the Texas Rangers take over the investigation. In his letter to the governor he asserted that someone was still cashing his mother's Social Security and Veteran's Administration checks, part of Richard O'Hair's death benefits, and that someone had placed charges of \$1,000 a month on Robin's American Express Gold Card. He also claimed that interest from the New Zealand trust fund, from which American Atheists leaders claimed Jon removed \$629,570, was not listed on their tax returns. "It is my belief," Murray commented, "that funds were moved from accounts by an unknown person after the date they actually vanished."²⁷

In January 1997 Governor Bush forwarded Murray's letter to federal agencies and to the district attorneys of Bexar and Travis counties. Nevertheless, Murray withdrew from the probate court case in late January. "It is financially too costly and emotionally too costly," he is quoted as explaining in a February 1 newspaper account, after learning that he might have to pay for this investigation into the trio's disappearance, should he be awarded custody.²⁸ On February 4, 1997, Austin police issued a press release providing an update on its investigation. After reviewing the specifics of the case, the report concluded: "None of the information available to APD indicates that there was any foul play involved in this disappearance." Despite the newspaper accounts stating that over \$600,000 was missing from O'Hair's organization's coffers, the police report explained that no theft report had been made in regard to any missing funds and that as a result it was "not conducting a theft investigation."²⁹

The IRS began a money-laundering probe, and on February 18, 1997, it took possession of Madalyn Murray O'Hair's home and personal possessions to pay nearly \$250,000 she owed in back taxes, as well as about \$20,000 more owed by Jon and Robin. Spike Tyson, who was living in the house at the time, protested the seizure, noting that O'Hair had left behind an unsigned agreement with the IRS that would have resolved outstanding tax problems going back to 1980. But the IRS issued a statement that the house and its contents would be sold unless redeemed by "the delinquent taxpayer." They were sold at public auction on March 22.³⁰

Jon Rappoport learned from an IRS representative that O'Hair's property was seized to pay her taxes for 1980, 1986, 1987, and 1988. In

addition, the IRS filed liens against Jon and Robin for their personal back taxes covering the years 1984 and 1990. The tax bill for Jon was \$112,646.32. Robin owed \$954.77. In September 1997 the U.S. Bankruptcy Court, Western District of Texas, began bankruptcy proceedings against the trio's personal estates. On February 1, 1998, the *San Antonio Express News* reported that the IRS had found and seized \$100,000 in Canadian Maple Leaf gold coins left behind by Jon Murray with a rare coin dealer in San Antonio.³¹

In January 1999 the Austin Police Department was still treating the disappearance as a missing-persons case. Sergeant Steve Baker was quoted as saying: "It's still an open case. Nothing indicates foul play. I feel they just took off. It was a planned departure."³² Dallas County detectives, however, had discovered evidence in what they thought was an unrelated case, which changed the course of the O'Hair investigation.

O'Hair had received many threatening letters and even more verbal threats and assaults during her public life. Some of the writers threatened to take her life. G. Richard Bozarth acknowledged incidents that occurred while he worked at the American Atheist Center between December 1978 and July 1980. One particularly serious situation developed in September 1979, when, in the heat of her anti-pope campaign, O'Hair learned that a contract had been placed on her life worth \$75,000.³³ But over the course of the next several years, as she received less media attention and incurred less widespread public wrath, both the number and seriousness of the threats declined.

In late March 1999 David Waters, O'Hair's former office manager, and Gary Karr were arrested on weapons charges. Waters was arrested when FBI agents found a large quantity of ammunition in his Austin apartment. Two loaded handguns were found in Karr's Novi, Michigan, apartment. As convicted felons they were forbidden from possessing firearms. Neither man was charged in connection with O'Hair's disappearance, but Waters's attorney acknowledged such allegations had been made. Waters denied any involvement, but Karr reportedly admitted being an accessory to four homicides, including one decapitation, in Texas at his March 26 detention hearing. Karr's lawyer, Richard Helfrick, said that his client cooperated with the FBI on the Texas homicides, but Helfrick would not say if Karr admitted having played a role in any slayings. Karr was charged as well with one count of transporting stolen property across state lines—the property believed to have included some of the Murray-O'Hairs' personal jewelry.³⁴

Waters had a substantial criminal record. In 1964, at age seventeen, near Peoria, Illinois, while on juvenile probation for a burglary, he and three other teenagers fatally bludgeoned a sixteen-year-old boy in a dispute over fifty cents' worth of gasoline. Prosecuted as an adult, he was sentenced to sixty years but was paroled in 1976, only to be imprisoned again for assaulting his mother. He served time for forgery in the 1980s in the same Vienna, Illinois, prison as Karr. He later moved to Florida, and then to Austin, where O'Hair hired him.³⁵

In March and April 1994, while Madalyn, Jon, and Robin were out of town, Waters took \$54,415 from the group's bank accounts. Waters claimed Jon had told him to gradually siphon \$100,000 from the accounts, to keep \$15,000 as a fee, and to stash \$85,000 in Murray's office safe. Murray, Waters alleged, was trying to hide assets. Waters made several withdrawals totaling \$54,415, but then, he said, he got nervous and decided to stop. He claimed his \$15,000 fee and put the remaining \$39,415 in the safe. Waters claimed the trio then framed him for stealing the money, and he had no proof to defend himself. In a deal with prosecutors, Waters pleaded guilty and was put on probation and ordered to make restitution of the entire amount.³⁶

Karr spent more than twenty years in prison for a series of crimes in 1974, including rape, kidnapping, and armed robbery. He left prison in May 1995, four months before O'Hair's disappearance. The *San Antonio Express-News* reported at the time of their arrest that evidence put Karr and Waters in San Antonio about the same time of O'Hair's disappearance in 1995. Waters and Karr were also suspected of killing a Florida man, Danny Fry, whose nude, headless, and handless body was found on the East Fork Trinity River bank, near Dallas, on October 2, 1995, only days after the O'Hairs' disappearance. Fry's family members reported that he had gone to Texas in mid-summer 1995 after his old friend and former roommate, Waters, offered a lucrative—if mysterious—deal. Fry was last heard from September 30, 1995, the day after Madalyn, Jon, and Robin vanished.³⁷

In early April 1999, newspapers reported that FBI agents were searching a ranch near Camp Wood, 125 miles west of San Antonio. The FBI refused to confirm the subject of its investigation, but the Texas Department of Public Safety said that it was helping federal agents in a search for evidence in Madalyn O'Hair's, Jon Garth Murray's, and Robin Murray's disappearance. It was believed by some people close to the case that they were acting on information Karr

provided. A special agent in charge of the FBI's San Antonio office would not comment on the success of the search, but he did say: "It was not a waste of time."³⁸

In late May 1999 authorities said for the first time that they believed Madalyn, Jon, and Robin were dead and that Waters and Karr were involved in their deaths. They identified Waters as having orchestrated their deaths. The accusations came in an affidavit filed in the court by the IRS. Danny Fry was named as an accomplice in the affidavit as well. In August, Waters was charged with violating his probation in the 1995 theft case and sentenced to sixty years in prison.³⁹

In June 2000 Karr was convicted in federal court of extorting more than \$600,000 from O'Hair's United Secularists of America and returned to prison. Prosecutors argued the Karr was involved in the kidnapping, killing, and dismembering as well, but they lacked sufficient evidence to prosecute Karr on those charges. In August 2000 Karr was sentenced to life in prison on the extortion conviction, with U.S. District Judge Sam Sparks ordering a mandatory life sentence under the Federal "three strikes" law that penalized repeat violent offenders. Sparks gave Karr another life sentence for traveling across state lines to commit a violent act and two ten-year terms for committing a criminal act to gain financially and for interstate transaction of stolen property. He also ordered Karr to pay \$543,665 to the missing atheists' estates and to Secularists of America as restitution.⁴⁰

The IRS affidavit leading to Waters's and Karr's arrests provided the agency's theory of what happened. After the theft charge in 1994, it explained, O'Hair excoriated Waters in her newsletter, laying out the details of Waters's criminal record. She even described his attack on his own mother, which involved his beating her with a broom handle and urinating on her. At that point, Agent Edward Martin's affidavit continued, Waters voiced "fantasies of killing Madalyn" and of "seeing Madalyn suffer and snipping off her toes." In the summer of 1995, after buying duct tape, rope, and handcuffs, Waters telephoned two old friends in Florida, Karr and Fry, and invited them to Austin. Martin described Fry as a small-time con man, with a criminal record consisting mainly of drunk-driving arrests. By July 1995 Fry and Karr had moved into Waters's Austin apartment, where the three "planned and executed the scheme to abduct, kidnap, and murder Madalyn Murray O'Hair, Jon Garth Murray and Robin Murray-O'Hair for the purpose of stealing" hundreds of thousands of dollars.⁴¹

Agent Martin's affidavit filled in some of the lapses in the record noted earlier. On August 26, 1995, Gary Karr rented a Ford Windstar minivan in Austin. On August 28 Karr and Waters checked in to a cut-rate residential motel, the Warren Inn, seventy-five miles south of Austin, just north of San Antonio. They told the clerk that they planned on staying until the end of September. Fry joined them. A former maintenance worker later recalled having seen a woman matching O'Hair's description at the motel in September. She was using a walker and struggling to get around.⁴²

Martin discovered a series of financial transactions of a suspicious nature from late August through the end of September in San Antonio. From August 28 to August 31, for instance, Jon cashed checks on various accounts and received cash advances on credit cards totaling \$20,900. By September 29 the figure rose to nearly \$71,000. The story of Jon's car sale has been told earlier, based on other sources. Martin clarified that Mark Sparrow first met with a man who gave his name as Jon Murray outside the Warren Inn. Jon Murray quite likely signed for the check Sparrow left for Jon at Sparrow's bank, but the man at the hotel was identified as Danny Fry.⁴³

On September 14 and 15, Martin found, Jon Murray removed from bank accounts, and drew from credit cards, approximately \$13,000. On September 16 Waters paid cash for a 1990 Cadillac Eldorado in a San Antonio suburb. Also in mid-September, Jon Murray called Cory Ticknor, of Cory's Fine Jewelry and Rare Coins, located four blocks from the Warren Inn, seeking to buy \$600,000 in gold. Murray decided on South African Krugerrands, American Gold Eagles, and Canadian Maple Leafs—1,506 coins in all. On September 15, after a flurry of long-distance calls made on Murray's cell phone, New Zealand Guardian Trust wired \$620,594 to the atheists' organization accounts at a New Jersey bank. On September 21 Murray and a man who called himself Conrad Johnson (assumed to be a fictitious name) flew to New Jersey from San Antonio. Murray visited the New Jersey bank and ordered a \$600,000 wire transfer to Ticknor. On September 29 Murray met Ticknor at a San Antonio bank and collected \$500,000 worth of coins. One hundred thousand dollars in coins had not yet arrived. Murray vowed to return for them, but never did. Jon's money laundering was over. Ticknor tried to reach Murray on October 2, to tell him that the remaining coins had arrived, but he got no answer. Cellular records show that Jon's phone was last used on September 29.⁴⁴

Waters's girlfriend later told Martin that Waters, Karr, and Fry arrived back at Waters's Austin apartment on September 30. She reported that Waters had "thousands of dollars" as well as "a lot of new clothes." He also had a shopping bag with three pairs of bloody sneakers in it. "Fry looked sick," she continued. "It was obvious that Waters and Karr were getting along, but Fry was not part of the group." Fry packed his belongings to return to Florida and left with Waters and Karr, never to be seen or heard from again. Karr left on October 3, after buying himself a new wardrobe.⁴⁵

Fry's body was found October 2, 1995, but the body was not identified for three years. In the summer of 1996, *San Antonio Express-News* reporter John MacCormack took up the year-old O'Hair disappearance. He made little progress until June 1998, when he received a telephone tip. The caller had watched a television report about the three atheists and was struck by the timing of their disappearance and that of his acquaintance, Danny Fry, who had been in San Antonio that same month. The caller said Fry had traveled to Texas to visit a friend, David Waters!⁴⁶

MacCormack found a news report on a "Jon Doe" unsolved homicide near Dallas on October 2, 1995. MacCormack called Dallas County detectives and conveyed the tip he had received, and in January 1999 a DNA test confirmed it was Danny Fry. Now clear that Madalyn, Jon, and Robin had not absconded with organization funds, but rather been the victims of foul play, the disappearance made prime-time television. On July 22 the 1999 ABC News series, *Vanished*, aired "The Mystery of Madalyn O'Hair." Cynthia McFadden, the anchor, reviewed O'Hair's career. She referred to O'Hair variously as the country's "most famous atheist" and "most prominent atheist," and she showed news footage from her best-known public appearances. In a segment from a 1970 documentary, O'Hair is shown commenting to an amused audience: "Do you know that after the moon mission the Pope issued, through the official Vatican paper, an announcement that it was the duty of government soon to put missionaries on those flights . . . [pause for effect] to convert other life forms?" McFadden also interviewed Phil Donahue, on whose show O'Hair had appeared years earlier, and elicited from him the admission that "in many ways" she could be described as a hero, not only over her prayer in the schools case but on its impact on individual freedom and constitutional rights. The Donahue interview concluded with McFadden com-

menting that although authorities were convinced of Waters's and Karr's guilt, they had yet to find the bodies.⁴⁷

In September 2000, David Roland Waters, Danny Fry, Gary Karr, and Gerald Lee "Chico" Osborne were charged with conspiring to kidnap, rob, and murder the O'Hairs. On January 28, 2001, Waters led investigators to the buried remains of the trio in Camp Wood, Texas, close to where they had dug earlier. They found bones that were charred, as was the fabric found with the bones, three skulls, and a metal hip. The serial number of the metal hip matched that of the one implanted in Madalyn a few years earlier. Authorities speculated that a fourth skull and pair of hands also found in the grave belonged to Danny Fry. Waters, by then the chief suspect in the disappearance, who was to stand trial the next day for kidnapping and extortion, had reached a plea bargain. He would be allowed to plead guilty to extortion in exchange for leading authorities to the bodies and given immunity from further prosecution based on the information he provided. For his cooperation Waters, fifty-three, avoided the death penalty but was sentenced to another jail term of up to twenty years in a federal prison, without the possibility of parole, and given a \$250,000 fine.⁴⁸

Investigators concluded that Waters, the mastermind, Gary Karr, and Danny Fry kidnapped Madalyn O'Hair, Jon Garth Murray, and Robin Murray, held them hostage in a San Antonio hotel for a month, extorted \$600,000 from them (including \$500,000 in gold coins), killed them, dismembered their bodies, stored the remains in a North Austin storage unit, burned the remains, and buried them on the Camp Wood ranch. Gerald Lee "Chico" Osborne was convicted of using a fake Social Security number to rent the North Austin storage unit, where, prosecutors alleged, the O'Hair bodies were dismembered.⁴⁹

The press referred to O'Hair's disappearance as "a saga of greed and treachery, of gold coins and metal drums, of disbelief and dismemberment," and as "an unlovely tale, at turns tragic and deeply absurd."⁵⁰ Four years after her disappearance, a reporter for the *Washington Post* summed up the case as follows:

She was obese, slowed by diabetes and a bad heart—a cultural leftover, dimly recalled. She could, and did, still rail and cuss at "the Christers" and at God-fearing piety in all its forms; she was as churlish and foul-mouthed and contentious as ever. But almost no one paid

attention anymore. And when suddenly one morning she was gone, the world just shrugged. Ashes to ashes.⁵¹

Her son William described it differently:

My mother would have enjoyed this. It has brought her back into the limelight, but you'll notice it has nothing to do with her beliefs. It's all about celebrity. She always thought of herself as a major historical figure, more than she was. Now she's receiving more attention than she ever did when she was alive, except for a brief period in the 1960s.⁵²

People responded differently to the discovery of O'Hair's body. A man walked down the road through the ranch gate pulling an eight-foot cross. "I'm not doing it for her. I'm doing it for her family," the self-described Christian missionary explained. "I said, 'What better place to go and pray.'" ⁵³ When authorities confirmed that the remains belonged to his family, William Murray announced publicly that but for the grace of God, he, too, might have been in the charred remains. "I don't know what went on during those final days in Austin. Did they have a chance to accept Jesus? Only when we reach glory will we know." He explained: "At this point in my message, I used to ask people to pray for my mother's salvation. I don't do that anymore. . . . My mother was an evil person. . . . Not for removing prayer from America's schools. . . . No. . . . She was just evil."⁵⁴

American Atheists posted at its website an "In Memoriam," in which editor Frank Zindler spoke of the pain, grief, and "numbing sense of emptiness" felt by those "close comrades" of Madalyn, Jon, and Robin. He described all three as having had "brilliant minds" and "courageous hearts." He praised them for having offered "encouragement at times of self-doubt" and stirred them to action "in imitation of their selfless toil." He praised their "often valiant deeds" and pledged to "continue the struggle against the benighted forces that seek to enslave the American mind, abolish the progress achieved by science, and return us to the Dark Ages of Faith."⁵⁵

William Murray announced that there would be only a private funeral: "I'm not going to turn this into a spectacle. . . . Most of my mother's life was a circus, the last five years when she was missing were even more of a circus, and it's just time for the circus to end." Moreover, he had no intent of praying for their souls: "You cannot pray them out

of hell.”⁵⁶ But the saga of Madalyn Murray O’Hair did not end there. A “small war,” as U.S. Attorney Bill Blagg put it, broke out over who was to get O’Hair’s body. Texas law allowed bodies to be claimed by a relative, but also by a friend or organization to which the deceased belonged. William Murray claimed the body but was immediately challenged by Ellen Johnson, president of American Atheists. “He doesn’t deserve the remains,” Johnson explained. “This was a man who lived his life publicly despising her and making money off her.” Fearing that Murray would provide a religious ceremony, she promised a religion-free burial. So too did O’Hair’s friend and former vice president of American Atheists, Arnold Via, on his property in the Shenandoah Valley of the Blue Ridge Mountains: “Dig a hole in the ground, throw the remains in it. I don’t think she needs a Christian burial.”⁵⁷

In March 2001, following his mother’s oft-stated wishes, William Murray cremated and buried her, his brother, and his daughter in an unmarked grave in an undisclosed cemetery in the hills of central Texas, near Austin. Ellen Johnson and other American Atheist leaders were outraged and vowed to “get those remains back.” The struggle, observers suggested, threatened “to transform O’Hair into a sort of atheist saint.” Gary Laderman, religion professor at Emory University, explained: “The atheists see those remains as a mechanism to reaffirm the community,” incongruously, in what is “clearly a religious activity.”⁵⁸ As of this writing, however, much as she predicted, Madalyn Murray O’Hair remains buried in an unmarked grave, whose location is known only to her son.

Notes

NOTES TO THE INTRODUCTION

1. Paul Duggan, "The Atheists' Cold Case Gets Warmer," *Washington Post*, 16 August 1999, C1.

2. Martin E. Marty, "Freethought and Ethical Movements," in *Encyclopedia of the American Religious Experience*, ed. Charles H. Lippy and Peter W. Williams (New York: Charles Scribner's Sons, 1988), II: 739.

3. James Turner, *Without God, Without Creed: The Origins of Unbelief in America* (Baltimore: Johns Hopkins University Press, 1985); Peter M. Rinaldo, *Atheists, Agnostics, and Deists in America: A Brief History* (Briarcliff Manor, NY: Dor Pete Press, 2000), chap. 1.

4. Rinaldo, 1, 13; Marty, 731.

5. Rinaldo, 2, 13–21, 24; Marty, 732.

6. Marty, 731.

7. Mary Rowlandson, "A Narrative of the Captivity and Restoration of Mrs. Mary Rowlandson," *Anthology of American Literature*, 2d ed., ed. George McMichael (New York: Macmillan, 1980), 1: 183.

8. William Bradford, *Of Plymouth Plantation 1620–1647* (1856; New York: Modern Library, 1981), 227.

9. Rinaldo, 27, 48.

10. Merrill D. Peterson, *Thomas Jefferson and the New Nation: A Biography* (New York: Oxford University Press, 1970), 638.

11. Marty, 732.

12. Madalyn Murray O'Hair, *What on Earth Is an Atheist!* (Austin, TX: American Atheist Press, 1969), 140.

13. Eric Foner, *Tom Paine and Revolutionary America* (New York: Oxford University Press, 1976), 245–70; Jack Fruchtman, Jr., *Thomas Paine and the Religion of Nature* (Baltimore: Johns Hopkins University Press, 1993), 3, 7, 52–53, 157, 160–61; Rinaldo, 47.

14. Sidney Warren, *American Freethought, 1860–1914* (New York: Gordian Press, 1966), 99–105; Stow Persons, *Free Religion, An American Faith* (Boston: Beacon Press, 1963).

15. Howard B. Radest, *Toward Common Ground* (New York: Frederick Ungar, 1969), 17–19, 29; Marty, 734; Robert S. Guttchen, *Felix Adler* (New York: Twayne, 1974), 17–26; Howard B. Radest, *Felix Adler: An Ethical Culture* (New York: Peter Lang, 1998), 9–10.

16. Michael Lienesch, *Redeeming America: Piety and Politics in the New Christian Right* (Chapel Hill: University of North Carolina Press, 1993), 162–64; O’Hair, *What On Earth Is An Atheist*, 15.

17. Rinaldo, 88, 91–92.

18. Rinaldo, chap. 6; Orvin Larson, *American Infidel: Robert G. Ingersoll* (New York: Citadell Press, 1982); C. H. Cramer, *Royal Bob: The Life of Robert G. Ingersoll* (Indianapolis: Bobbs Merrill, 1952).

19. Richard Drinnon, *Rebel in Paradise: A Biography of Emma Goldman* (Chicago: University of Chicago Press, 1961), chap. 5.

20. Alice Wexler, *Emma Goldman: An Intimate Life* (New York: Pantheon Books, 1984), 91–92; Emma Goldman, *Living My Life*, ed. Richard Drinnon (New York: New American Library, 1977), 561.

21. Wexler, chap. 16.

22. Marty, 739.

23. Madalyn Murray O’Hair, *An Atheist Speaks* (Austin, TX: American Atheist Press, 1986), 13–18.

24. Rinaldo, 100, 104; Irving Stone, *Clarence Darrow for the Defense* (Garden City, NY: Doubleday, Doran, 1941), 431; Kevin Tierney, *Darrow: A Biography* (New York: Thomas Y. Crowell, 1979), 355.

25. Marty, 738.

26. Edward L. Ericson, *The Humanist Way: An Introduction to Ethical Humanist Religion* (New York: Continuum, 1998), xii–xiv; Corliss Lamont, *The Philosophy of Humanism*, 8th ed., rev. (Amherst, NY: Humanist Press, 1997), 3.

27. Edwin H. Watson, *The Genesis of a Humanist Manifesto* (Amherst, NY: Humanist Press, 1995), 16–18, 96–99.

28. Marty, 738; Rinaldo, 126–130.

29. Lienesch, 196–97; Marty, 731.

30. Conrad Cherry, *God’s New Israel: Religious Interpretations of American Destiny* (Chapel Hill: University of North Carolina Press, 1998), v.

31. Cherry, 65.

32. Lienesch, 196–97; Robert H. Bellah, *The Broken Covenant: American Civil Religion in Time of Trial*, 2d ed. (Chicago: University of Chicago Press, 1992), 1–60; Marty, 731.

33. Peter J. Kuznick and James Gilbert, “Introduction,” *Rethinking Cold War*

Culture, ed. Peter J. Kuznick and James Gilbert (Washington, DC: Smithsonian Institution Press, 2001), 1, 3.

34. Gus Hall, "The Caricature of Communism," in *Anticommunism and the U.S.: History and Consequences* (Conference Proceedings) (New York: Institute for Media Analysis, 1988), n.p.; Lienesch, 160–61.

35. Kuznick and Gilbert, 2, 11.

36. Lee Strobel, *What Jesus Would Say To: Rush Limbaugh, Madonna, Bill Clinton, Michael Jordan, Bart Simpson, Donald Trump, Murphy Brown, Madalyn Murray O'Hair, Mother Teresa, David Letterman, and You* (Grand Rapids, MI: Zondervan, 1994), 135.

37. Strobel, 123.

38. Lawrence Wright, *Saints and Sinners: Walker Railey, Jimmy Swaggart, Madalyn Murray O'Hair, Anton LaVey, Will Campbell, Matthew Fox* (New York: Vintage Books, 1995), 106.

39. Wright, 118–19.

40. Wright, 106.

41. Wright, 106.

42. Lienesch, 82.

43. O'Hair, *What on Earth Is an Atheist!*, 13.

44. Madalyn Murray O'Hair, *Why I Am an Atheist*, rev. ed. (Austin, TX: Society of Separationists, 1980), 1.

45. John Whitehead, *The Second American Revolution* (Westchester, IL: Crossway Books, 1982), 74.

46. Wright, 92.

47. Strobel, 125.

48. Wright, 93.

49. Madalyn Murray O'Hair, "The Matter of Prayer," *American Atheist*, August 1995, 28.

NOTES TO CHAPTER I

1. Known volumes of O'Hair's diary cover the years 1953–59, 1972–89, and 1995. They are in possession of Jimmy Nassour of Austin, Texas (hereafter: Nassour Collection).

2. Robert Liston, "Mrs. Murray's War on God," *Saturday Evening Post*, 11 July 1964, 85; *Insider's Newsletter*, June 1980; William J. Murray, *My Life without God* (New York: Thomas Nelson, 1983), 9.

3. Murray, *My Life without God*, 9.

4. Madalyn Murray O'Hair, *An Atheist Epic: The Complete Unexpurgated Story of How Bible and Prayers Were Removed from the Public Schools of the United States* (Austin, TX: American Atheist Press, 1970), vii–viii; Madalyn Murray O'Hair, *What on Earth Is an Atheist!*, (Austin, TX: American Atheist Press, 1969),

74; Liston, 85; Larry Flint, "Madalyn Murray O'Hair—Crusader for Atheism," *Hustler*, October 1979, 29.

5. Murray, *My Life without God*, 10; Jane Kathryn Conrad, *Mad Madalyn* (Brighton, CO: Jane Kathryn Conrad, 1983), 2. See *Polk's Pittsburgh (PA) City Directory* (Pittsburgh, PA: R. L. Polk) for the years 1927, 1928, 1929, and 1930.

6. O'Hair, *An Atheist Epic*, ix; Bynum Shaw, "Nevertheless, God Probably Loves Mrs. Murray," *Esquire*, October 1964, 170.

7. Shaw, 170; Murray, *My Life without God*, 10–11, 27; Conrad, 2.

8. O'Hair, *What on Earth Is an Atheist!*, 108; Murray, *My Life without God*, 10; Jon Murray and Madalyn O'Hair, *All the Questions You Ever Wanted to Ask American Atheists: With All the Answers*, 2d ed. (Austin, TX: American Atheist Press, 1986), 81; O'Hair, *An Atheist Epic*, viii, 10.

9. Murray and O'Hair, *All the Questions*, 82; "Playboy Interview: Madalyn Murray," *Playboy*, October 1965, 62.

10. Murray, *My Life without God*, 10–11; Murray and O'Hair, *All the Questions*, 55, 81.

11. Madalyn O'Hair, *An Atheist Looks at Women and Religion*, rev. ed. (Austin, TX: American Atheist Press, 1994), ix, 111, 170; *Insider's Newsletter*, June 1983.

12. William J. Murray, "Christian Testimony," <http://www.wjmurray.com> (26 June 2001); Murray, *My Life without God*.

13. Murray, *My Life without God*.

14. O'Hair, *What on Earth Is an Atheist!*, 170; O'Hair, *An Atheist Epic*, 277–81.

15. O'Hair, *An Atheist Epic*, 277–81.

16. O'Hair, *An Atheist Epic*, 281–86

17. O'Hair, *An Atheist Epic*, iii, 256–58. Moore was a mailman, who, according to Madalyn, moved from Binghamton, New York, to Baltimore to help the Murrays with their case. They became close friends. Moore was shot on a country road in Alabama during a trip through the South protesting segregation. O'Hair, *An Atheist Epic*, iii, 256–58.

18. O'Hair, *What on Earth Is an Atheist!*, 170; Murray, *My Life without God*, 82.

19. O'Hair, *What on Earth Is an Atheist!*, 171–71; O'Hair, *An Atheist Epic*, 287–88.

20. O'Hair, *An Atheist Epic*, 286–89.

21. O'Hair, *Diary*, 5 August 1995.

22. *Insider's Newsletter*, June 1983; Lawrence Wright, *Saints and Sinners: Walker Railey, Jimmy Swaggart, Madalyn Murray O'Hair, Anton LaVey, Will Campbell, Matthew Fox* (New York: Vintage Books, 1995), 98; Murray, *My Life without God*, 9.

23. Wright, 260.

24. "Madalyn Mays Murray O'Hair," *Contemporary Authors* (Detroit: Gale

Research, 1997): <http://galenet.gale.com>. O'Hair, *An Atheist Epic*, ix; Wright, 99; Murray, *My Life without God*, 11.

25. Murray, *My Life without God*, 11; Madalyn Murray O'Hair, *Why I Am an Atheist*, rev.ed. (Austin, TX: Society of Separationists, 1980), ix; "O'Hair," in *Contemporary Authors*; O'Hair, *An Atheist Epic*, x.

26. "Playboy Interview," 62.

27. Murray, *My Life without God*, 12.

28. Roxanne Evans, "Atheist O'Hair Suggests Horns Alternative to Pope," *Austin American-Statesman*, 11 September 1987, A14.

29. "Playboy Interview," 74, Wright, 100; Murray, *My Life without God*, 12.

30. Murray, *My Life without God*, 137. The divorce decree is in the Nassour Collection.

31. O'Hair, *An Atheist Epic*, 134–35. Madalyn claimed that she wrote a letter to a Roman Catholic placement agency charging William Jr. with the abuse of his adopted daughter, and that thereafter they no longer spoke to each other. Wright, 100; Murray, *My Life without God*, 12–13; O'Hair, Diary, 19 May 1956 and 25 June 1956.

32. Murray, *My Life without God*, 13, 243.

33. Birth certificate in Nassour Collection.

34. Birth certificate in Nassour Collection.

35. Murray, *My Life without God*, 13.

36. "Playboy Interview," 62.

37. "O'Hair," *Contemporary Authors*; Murray, *My Life without God*, 163.

38. Jane Howard, "Madalyn Murray: The Most Hated Woman in America," *Life*, 19 June 1964, 94; *Insider's Newsletter*, June 1980; Murray, *My Life without God*, 16; O'Hair, *An Atheist Epic*, 129.

39. Murray, *My Life without God*, 16; O'Hair, Diary, 5 January 1953.

40. O'Hair, Diary, 5 January 1953.

41. O'Hair, Diary, 5 January 1953.

42. O'Hair, Diary, 5 January 1953 and 7 May 1953.

43. O'Hair, Diary, 5 January 1953 and 7 May 1953.

44. O'Hair, Diary, 7 May 1953.

45. O'Hair, Diary, 5 January 1953.

46. O'Hair, Diary, 14 January 1953.

47. O'Hair, Diary, 16 May 1953, 20 September 1953, and 17 November 1953.

48. O'Hair, Diary, 16 May 1953.

49. O'Hair, Diary, 6 May 1953 and 16 May 1953.

50. O'Hair, Diary, 13 December 1953.

51. Murray, *My Life without God*, 21–23; O'Hair, *Why I Am an Atheist*, x.

52. O'Hair, *Why I Am an Atheist*, x.

53. O'Hair, Diary, 13 December 1953 and 1 May 1954.

54. O'Hair, Diary, 3 July 1953 and 20 September 1953.

55. O'Hair, Diary, 26 November 1953.
56. O'Hair, Diary, 26 November 1953; Murray, *My Life without God*, 17.
57. O'Hair, Diary, 21 March 1954 and 20 May 1954.
58. "Playboy Interview," 74.
59. O'Hair, Diary, 10 May 1954, 2 January 1955, and 16 February 1955. See also Jon G. Murray, "Silver Jubilee Atheist-Style," *American Atheist*, June 1988, 3.
60. O'Hair, Diary, 20 May 1954.
61. Murray, *My Life without God*, 20; Murray and O'Hair, *All the Questions*, 77.
62. Murray and O'Hair, *All the Questions*, 77–78.
63. O'Hair, Diary, 23 February 1955.
64. O'Hair, Diary, 11 January 1957 and 6 April 1957.
65. O'Hair, Diary, 25 September 1957 and 24 June 1957.
66. O'Hair, *An Atheist Epic*, x–xi.
67. Murray, *My Life without God*, 7.
68. William J. Murray, *The Church Is Not for Perfect People* (Eugene, OR: Harvest House, 1987), 12.
69. Murray, *My Life without God*, 18, 29–30.
70. Murray, *My Life without God*, 18–20.
71. O'Hair, Diary, 21 December 1957 and 11 January 1958.
72. O'Hair, Diary, 5 October 1957, 4 November 1957, 12 July 1958, and 11 August 1959.
73. O'Hair, Diary, 11 August 1959; Murray, *My Life without God*, 31–34, 73–74; O'Hair, *An Atheist Epic*, 76–77.
74. O'Hair, Diary, 2 September 1957 and 12 July 1958.
75. O'Hair, Diary, 10 February 1959.
76. O'Hair, Diary, 24 May 1959 and 14 July 1959.
77. O'Hair, Diary, 12 April 1958 and 24 April 1959.
78. Murray, *My Life without God*, 35–36.
79. Murray, *My Life without God*, 41; O'Hair, *An Atheist Epic*, 19; Rick Abrams, "Not in His Mother's Image," *Dallas Life*, 13 March 1983, 1.
80. Murray, *My Life without God*, 46–47; O'Hair, *An Atheist Epic*, 1, 5; O'Hair, Diary, 10 February 1959.
81. Murray, *My Life without God*, 47–48.
82. Murray, *The Church Is Not for Perfect People*, 34.
83. Murray, *The Church Is Not for Perfect People*, 35–36; Water Hill, interview with William Murray, *Washington Journal*, C-Span, 1 February 2001.
84. O'Hair, *An Atheist Epic*, 20–21; "Playboy Interview," 64.
85. Gene Hunter, "Madalyn's Son Seeks New Image," undated newspaper clipping without name of newspaper in Madalyn Murray O'Hair File, U.S. Department of Justice, Federal Bureau of Investigation, File No. 105-HQ-90854 (hereafter O'Hair FBI File).

86. O'Hair, *An Atheist Epic*, 21–23.
87. O'Hair, *An Atheist Epic*, 25.
88. Murray, *My Life without God*, 48–50.
89. O'Hair, *An Atheist Epic*, 27–30.
90. Murray, *My Life without God*, 51–52; O'Hair, *An Atheist Epic*, 32–33, 85; Liston, 85; Madalyn Murray O'Hair, "The Matter of Prayer," *American Atheist*, August 1995, 29.
91. O'Hair, *An Atheist Epic*, 35.
92. O'Hair, *An Atheist Epic*, 35, 40–41.
93. Murray, *My Life without God*, 52.
94. O'Hair, *An Atheist Epic*, 44.
95. O'Hair, *An Atheist Epic*, 44–45.
96. Murray, *My Life without God*, 52; O'Hair, *An Atheist Epic*, 45.
97. Murray, *My Life without God*, 54; Stephen E. Nordlinger, "Boy, 14, Balks at Bible Reading," *Baltimore Sun*, 27 October 1960, 1.
98. Murray, *My Life without God*, 54–55; O'Hair, *An Atheist Epic*, 10–11; Nordlinger, 1.
99. O'Hair, *An Atheist Epic*, 54; Murray, *My Life without God*, 55; "Maryland School Prayer Case Is Likely for Top Court," *Catholic Standard* (Washington, DC), 13 April 1962, 1; O'Hair, "The Matter of Prayer," 29.
100. Nordlinger, 1, 26; Murray, *My Life without God*, 56; O'Hair, *An Atheist Epic*, 51, 53.
101. Murray, *My Life without God*, 56; O'Hair, *An Atheist Epic*, 51, 53; Nordlinger, 1, 26.
102. O'Hair, *An Atheist Epic*, 48–49, 52, 56–57.
103. O'Hair, *An Atheist Epic*, 60–63; Murray, *My Life without God*, 57, 59.
104. O'Hair, *An Atheist Epic*, 61; Murray, *My Life without God*, 59–60.
105. Murray, *My Life without God*, 59–61; O'Hair, *An Atheist Epic*, 67.
106. O'Hair, *An Atheist Epic*, 72–74, 81, 111.
107. O'Hair, *An Atheist Epic*, 62, 85–86.
108. Murray, *My Life without God*, 62–63; O'Hair, *An Atheist Epic*, 108–9.
109. The amendment to the state's school board rules was issued on November 17, 1960. Murray, *My Life without God*, 64; O'Hair, *An Atheist Epic*, 114; O'Hair, "The Matter of Prayer," 29.
110. O'Hair, *An Atheist Epic*, 94–95, 101–4, 114, 240; Murray, *My Life without God*, 66–67.
111. O'Hair, *An Atheist Epic*, 113, 189–90, 195–97.
112. O'Hair, *An Atheist Epic*, 114–16.
113. O'Hair, *An Atheist Epic*, 117–21, 160–62.
114. O'Hair, *An Atheist Epic*, 241–44; Shaw, 169.
115. Murray, *My Life without God*, 67; O'Hair, *An Atheist Epic*, 86–87, 96–97.
116. O'Hair, *An Atheist Epic*, 64–65, 191, 198–201.

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117. O'Hair, *An Atheist Epic*, 100–101.
118. Murray, *My Life without God*, 64; Shaw, 112; O'Hair, *An Atheist Epic*, 139.
119. Murray, *My Life without God*, 74. O'Hair later identified Robert Lee as the communist "Mac" in the case history titled "Come Over Red Rover" in Robert Lindner's book, *The Fifty Minute Hour* (1955). She also reported having met, through Lee, Gus Hall, Norman Thomas, Herbert Apthekar, Alger Hiss, and "every [other] famous or near famous person on the so-called left" (O'Hair, *An Atheist Epic*, 144–45).
120. O'Hair, *An Atheist Epic*, 147, 166; Shaw, 112.
121. Conrad, 51; O'Hair, *An Atheist Epic*, 165.
122. O'Hair, *An Atheist Epic*, 64, 110, 165–66; Murray, *My Life without God*, 64–65.
123. Shaw, 112.
124. Shaw, 112.
125. O'Hair, *An Atheist Epic*, 143; Murray, *My Life without God*, 70–71.
126. O'Hair, *An Atheist Epic*, 206; Murray, *My Life without God*, 71.
127. Murray, *My Life without God*, 72–73; O'Hair, *An Atheist Epic*, 208.
128. Shaw, 168.
129. O'Hair, *An Atheist Epic*, 203–4.
130. O'Hair, *An Atheist Epic*, 233; Murray, *My Life without God*, 76, 84.
131. Conrad, 6, 11; Murray, *My Life without God*, 75.
132. Madalyn Murray O'Hair, *All about Atheists* (Austin, TX: American Atheist Press, 1988), 93–97; O'Hair, "The Matter of Prayer," 30.
133. O'Hair, *An Atheist Epic*, 89–90, 92–93; O'Hair, *All about Atheists*, 125.
134. O'Hair, *An Atheist Epic*, 125, 127.
135. Murray, *My Life without God*, 77; O'Hair, *An Atheist Epic*, 185; O'Hair, *What On Earth Is An Atheist!*, 159; O'Hair, *All about Atheists*, 399.
136. Murray, *My Life without God*, 77; O'Hair, *An Atheist Epic*, 208–9; "Maryland School Prayer Case," 1; O'Hair, "The Matter of Prayer," 32.
137. Murray, *My Life without God*, 77; "Maryland School Prayer Case," 1, 12.

NOTES TO CHAPTER 2

1. Stanley Cohen, "A Study in Nativism: The American Red Scare of 1919–1920," *Political Science Quarterly* 79 (March 1964): 65.
2. Richard M. Fried, *The Russians Are Coming! Pageantry and Patriotism in Cold War America* (New York: Oxford University Press, 1998), 5–7.
3. Emerson Hough, "Round Our Town," *Saturday Evening Post*, 21 February 1920, 102.
4. Fried, 9.

5. Fried, 96–97. In 1864 federal law stipulated that “In God We Trust” be put on coins “when and where sufficient space in the balance of the design” permitted. From the nation’s founding to 1956, *E Pluribus Unum* served as the nation’s motto.

6. Fried, 97; Barbara Ehrenreich, “U.S. Patriots: Without God on their Side,” in *Women Without Superstition: “No Gods-No Masters”: The Collected Writing of Women Freethinkers of the Nineteenth and Twentieth Centuries* (Madison, WI: Freedom from Religion Foundation, 1997), 596.

7. Jesse Jackson’s untitled remarks included in *Anticommunism and the U.S.: History and Consequences* (Conference Proceedings) (New York: Institute for Media Analysis, 1988), 16.

8. Excerpted in Madalyn O’Hair, *War in Viet Nam: The Religious Connection* (Austin, TX: American Atheist Press, 1982), 67.

9. Quoted in Ehrenreich, 596.

10. Ehrenreich, 596–97; Jackson, 19.

11. George Marsden, *Fundamentalism and American Culture: The Shaping of Twentieth-Century Evangelicalism, 1870–1925* (New York: Oxford University Press, 1980), 206–11.

12. Michael Lienesch, *Redeeming America: Piety and Politics in the New Christian Right* (Chapel Hill: University of North Carolina Press, 1993), 211–12.

13. Fried, 82–83.

14. Richard Cardinal Cushing, *An Appeal to All Americans to Join the Battle against Communism* (Boston: Daughters of St. Paul, 1959), 5.

15. Cushing, 7–8.

16. Robert Craig’s untitled remarks included in *Anticommunism and the U.S.*, 23, 27.

17. Craig, 28–29.

18. Fried, 139, 145, 149, 151, 157.

19. Peter J. Kuznick and James Gilbert, “Introduction,” in *Rethinking Cold War Culture*, ed. Peter J. Kuznick and James Gilbert (Washington, DC: Smithsonian Institution Press, 2001), 4; Leo P. Ribuffo, “Will the Sixties Never End? Or Perhaps at Least the Thirties? Or Maybe Even the Progressive Era? Contrarian Thoughts on Change and Continuity in American Political Culture at the Turn of the Millennium,” in *Rethinking Cold War Culture*, 208.

20. Fried, 139–40, 142, 146, 157–58.

21. Leonard W. Levy, *The Establishment Clause: Religion and the First Amendment* (New York: Macmillan, 1986), ix.

22. See, for example: Levy, 63–89; Mark Silk, “Disestablishing Football,” *Religion in the News*, Summer 2000, 3; John E. Semonche, *Religion and Constitutional Government in the United States: A Historical Overview with Sources* (Carboro, NC: Signal Books, 1985), 16.

23. Levy, 121–22; Silk, 3.

24. Thomas J. Curry, *The First Freedom: Church and State in America to the Passage of the First Amendment* (New York: Oxford University Press, 1986), 215.
25. Levy, 123.
26. Levy, 123–24.
27. Levy, 123; Robert S. Alley, *The Supreme Court on Church and State* (New York: Oxford University Press, 1988), 38.
28. Alley, 48; Semonche, 48.
29. Levy, 124.
30. Levy, 126–27, 130.
31. Levy, 144–45; Alley, 173.
32. Semonche, 51.
33. Alley, 183; Semonche, 52; Levy, 146.
34. Semonche, 52.
35. Reprinted in Madalyn Murray O’Hair, *The Atheist World* (Austin, TX: American Atheist Press, 1991), 327–34.
36. O’Hair, *The Atheist World*, 329.
37. O’Hair, *The Atheist World*, 329–30.
38. O’Hair, *The Atheist World*, 332–33.
39. O’Hair, *The Atheist World*, 333–34.
40. Levy, 147; Anthony Lewis, “Ruling Is 6 to 1/Suit Was Brought by 5 L.I. Parents against Education Board,” *New York Times*, 26 June 1962, 17; “Majority Opinion by Justice Black,” *The New York Times*, 26 June 1962, 16.
41. “Majority Opinion by Justice Black,” 16.
42. Lewis, 17; Semonche, 60.
43. “Majority Opinion by Justice Black,” 16.
44. Levy, 147; Semonche, 60; “Majority Opinion by Justice Black,” 16–17; Lewis, 1, 17.
45. “Majority Opinion by Justice Black,” 16.
46. “Concurring Opinion by Justice Douglas,” *New York Times*, 26 June 1962, 16.
47. “Dissenting Opinion by Justice Stewart,” *New York Times*, 26 June 1962, 16.
48. “Dissenting Opinion by Justice Stewart,” 16.
49. Fred M. Hechinger, “Challenges Are Predicted,” *New York Times*, 26 June 1962, 1, 17.
50. Alexander Burnham, “Edict Is Called a Setback by Christian Clerics—Rabbis Praise it,” *New York Times*, 26 June 1962, 1, 17.
51. “Challenges Are Predicted,” 1, 17.
52. “Edict Is Called a Setback,” 17.
53. “Challenges Are Predicted,” 17.
54. “Edict Is Called a Setback,” 17.
55. “Edict Is Called a Setback,” 17.

56. "Edict Is Called a Setback," 17.
57. "Ruling Is 6 to 1," 17.
58. Levy, 148; Leo Pfeffer, *Church, State, and Freedom*, rev. ed. (Boston: Beacon Press, 1967), 466–69; Alley, 194.
59. "Challenges Are Predicted," 17.
60. "Ruling Is 6 to 1," 1.
61. "Text of Supreme Court's Decision on School Prayers and Bible Reading," *New York Times*, 18 June 1963, 28; O'Hair, "The Matter of Prayer," 33–34.
62. "Text of Supreme Court's Decision," 28; Madalyn Murray O'Hair, "The Matter of Prayer," *American Atheist*, August 1995, 34.
63. The file, as received under the Freedom of Information Act, contained seventy-nine pages, almost entirely newspaper clippings without comment from April 1962 to May 1975. A majority of the records cover the period from 1962 to 1965, and are especially heavy on 1964–65, when Madalyn and William Murray fled assault charges in Baltimore to Honolulu and Mexico. The interstate and international flight and extradition cases involved the FBI. One clipping, titled "Russian Magazine Scores Baltimore in Murray Case," was from the Moscow Bureau of *Baltimore Sun*. Dated June 26, 1965, Stephen Nordlinger reported on an article in the Soviet magazine, *Science and Religion*, titled "Freedom of Conscience American Style," which deplored the treatment of Madalyn Murray in the United States. It told the story of Murray's flight for her life from Baltimore to Honolulu, and noted that it was "remarkable that no official state institution came to the defense of the family persecuted by fanatics" for their atheistic beliefs. Nordlinger, it will be recalled, had covered the Murray case, for *The Baltimore Sun*.
64. Richard P. Wiebe and others, "Security Indictments," *Washington Post*, 15 April 1962, no pages noted. Included in O'Hair FBI File.
65. O'Hair, "The Matter of Prayer," 29; Madalyn Murray O'Hair, *An Atheist Epic: The Complete Unexpurgated Story of How Bible and Prayers Were Removed from the Public Schools of the United States* (Austin, TX: American Atheist Press, 1970), 210–11; "Playboy Interview: Madalyn Murray," *Playboy*, October 1965, 64; Bynum Shaw, "Nevertheless, God Probably Loves Mrs. Murray," *Esquire*, October 1964, 168; William J. Murray, *My Life without God* (New York: Thomas Nelson, 1983), 77.
66. O'Hair, *An Atheist Epic*, 211; Shaw, 168.
67. Murray, *My Life without God*, 78–80, 87–88; O'Hair, *An Atheist Epic*, 212, 217; Photo Caption, *American Atheist*, June 1988, 32.
68. O'Hair, *An Atheist Epic*, 272–73.
69. O'Hair, *An Atheist Epic*, 274.
70. O'Hair, *An Atheist Epic*, 217–18.
71. O'Hair, *An Atheist Epic*, 223.
72. O'Hair, *An Atheist Epic*, 225.

73. O'Hair, *An Atheist Epic*, 225–26.
74. O'Hair, *An Atheist Epic*, 226.
75. O'Hair, *An Atheist Epic*, 226–27.
76. O'Hair, *An Atheist Epic*, 227–28.
77. O'Hair, *An Atheist Epic*, 269–70.
78. O'Hair, *An Atheist Epic*, 249, 253.
79. Fried, 19, 40.
80. O'Hair, *An Atheist Epic*, 271–74.
81. Jane Kathryn Conrad, *Mad Madalyn* (Brighton, CO: Jane Kathryn Conrad, 1983), 5; Levy, 48.
82. Murray, *My Life without God*, 85–86.
83. O'Hair, *An Atheist Epic*, 295–96; Murray, *My Life without God*, 86.
84. O'Hair, *An Atheist Epic*, 296–99.
85. O'Hair, *An Atheist Epic*, 297–98.
86. O'Hair, *An Atheist Epic*, 298.
87. "The Bible—Better in School Than in Court," *Life*, 15 March 1963, 4.
88. "The Bible—Better in School," 4.
89. "The Bible—Better in School," 4.
90. "The Bible—Better in School," 4.
91. "The Bible—Better in School," 4.
92. "The Bible—Better in School," 4.
93. "The Bible—Better in School," 4.
94. "The Bible—Better in School," 4.
95. Madalyn Murray, letter to *Life Magazine*, *Life*, 12 April 1963, 63.
96. Florence Karpin, letter to *Life Magazine*, *Life*, 12 April 1963, 63.
97. Daniel McCollum, letter to *Life Magazine*, *Life*, 12 April 1963, 63.
98. Richard Bartlett, letter to *Life Magazine*, *Life*, 12 April 1963, 64; Harriet S. Armstrong, letter to *Life Magazine*, *Life*, 12 April 1963, 64; Robert Schwartz, letter to *Life Magazine*, *Life*, 12 April 1963, 68; Robert H. Spahr, letter to *Life Magazine*, *Life*, 12 April 1963, 68.
99. William E. Poe, letter to *Life Magazine*, *Life*, 12 April 1963, 63; Bronwen M. Mason, letter to *Life Magazine*, *Life*, 12 April 1963, 63; Allen H. Gates, letter to *Life Magazine*, *Life*, 12 April 1963, 64; Melvin H. Harter, letter to *Life Magazine*, *Life*, 12 April 1963, 64.
100. "The Editors' Stand," *Life*, 12 April 1963, 68.
101. "Text of the Supreme Court's Decision," 28; Levy, 149; Alley, 204.
102. Levy, 149.
103. "Text of the Supreme Court's Decision," 28.
104. "Text of the Supreme Court's Decision," 28.
105. "Text of the Supreme Court's Decision," 28.
106. "Text of the Supreme Court's Decision," 28.
107. "Text of the Supreme Court's Decision," 28.

108. "Text of the Supreme Court's Decision," 28.
109. "Text of the Supreme Court's Decision," 28.
110. "Text of the Supreme Court's Decision," 28.
111. "Text of the Supreme Court's Decision," 28.
112. Levy, 148.
113. Semonche, 62–63.
114. "Text of the Supreme Court's Decision," 28–29.
115. "Text of the Supreme Court's Decision," 28–29; Semonche, 203–4; Norman Rosenberg, "School District of Abington Township v. Schempp," in *Religion and American Law: An Encyclopedia*, ed. Paul Finkelman (New York: Garland, 2000), 438. As he had in *Engel*, Justice Douglas implied that any use of public funds for such activities would be unconstitutional, but Justice Brennan wrote that military chaplains as well as chaplains, in prisons and legislatures and other state-supported activities would not be ruled unconstitutional. See Anthony Lewis, "2 Cases Decided," *New York Times*, 18 June 1963, 27.
116. "Text of the Supreme Court's Decision," 29.
117. "Text of the Supreme Court's Decision," 29.
118. O'Hair, *An Atheist Epic*, 146–47.

NOTES TO CHAPTER 3

1. Fred M. Hechinger, "Wide Effect Due," *New York Times*, 18 June 1963, 1.
2. Hechinger, 1.
3. George Dugan, "Churches Divided with Most in Favor," *New York Times*, 18 June 1963, 29.
4. Michael Lienesch, *Redeeming America: Piety and Politics in the New Christian Right* (Chapel Hill: University of North Carolina Press, 1993), 166.
5. Hechinger, 27.
6. Dugan, 29.
7. Hechinger, 1.
8. Madalyn Murray O'Hair, *An Atheist Epic: The Complete Unexpurgated Story of How Bible and Prayers Were Removed from the Public Schools of the United States* (Austin, TX: American Atheist Press, 1970), 305.
9. Madalyn Murray O'Hair, *Atheist Heroes and Heroines* (Austin, TX: American Atheist Press, 1991), 118–19; Madalyn Murray O'Hair, *Nobody Has a Prayer* (Austin, TX: American Atheist Press, 1982), 55–70.
10. Lienesch, 168; William J. Murray, *My Life without God* (New York: Thomas Crown, 1983), 90; Bynum Shaw, "Nevertheless, God Probably Loves Mrs. Murray," *Esquire*, October 1964, 169; O'Hair, *Atheist Heroes and Heroines*, 115; Robert S. Alley, *The Supreme Court on Church and State* (New York: Oxford University Press, 1988), 204.
11. O'Hair, *Atheist Heroes and Heroines*, 116–17.

12. O'Hair, *Atheist Heroes and Heroines*, 119–20.

13. Lawrence Wright, *Saints and Sinners: Walker Railey, Jimmy Swaggart, Madalyn Murray O'Hair, Anton LaVey, Will Campbell, Matthew Fox* (New York: Vintage Books, 1995), 91.

14. "Billy Graham Voices Shock over Decision," *New York Times*, 18 June 1963, 27.

15. Murray, *My Life without God*, 89–90; Leonard W. Levy, *The Establishment Clause: Religion and the First Amendment* (New York: Macmillan, 1986), 149; Leo Pfeffer, *Church, State, and Freedom*, rev.ed. (Boston: Beacon Press, 1967), 466–78.

16. DeYoung moved to Minnesota, where he challenged prayer and Bible reading and the practice of singing Christmas carols in the public schools. Those challenges never made it to court, however, as the school district complied with DeYoung's demands to cease all three. In 1973 he ran unsuccessfully for governor of Minnesota, campaigning on a platform that included taxing church property and income. Madalyn Murray O'Hair, *The Atheist World* (Austin, TX: American Atheist Press, 1991), 239–40, 256–58, 260.

17. Alley, 704.

18. O'Hair, *An Atheist Epic*, 131, 294; Madalyn Murray O'Hair, "The Matter of Prayer," *American Atheist*, August 1995, 35.

19. William J. Murray, "Statement of William J. Murray/on the Burial of Madalyn Murray O'Hair," <http://www.wjmurray.com> (26 June 2001).

20. Gerald Chase, "Mrs. Murray Refused on Pledge Bid," *Baltimore Sun*, 10 April 1964, 46; O'Hair, "The Matter of Prayer," 35.

21. See, for example, O'Hair, "The Matter of Prayer," 29.

22. O'Hair, *An Atheist Epic*, 164–65, 292.

23. Paul Duggan, "The Atheists' Cold Case Gets Warmer," *Washington Post*, 16 August 1999, C1.

24. William Murray Washington Journal/C-SPAN Interview, 1 February 2001.

25. Quoted in Jane Kathryn Conrad, *Mad Madalyn* (Brighton, CO: Jane Kathryn Conrad, 1993), 11.

26. Jon Rappoport, *Madalyn Murray O'Hair: "Most Hated Woman in America"* (San Diego: Truth Seeker, 1998), 17.

27. Jon Murray and Madalyn O'Hair, *All the Questions You Ever Wanted to Ask American Atheists: With All the Answers*, 2d ed. (Austin, TX: American Atheist Press, 1986), 24.

28. See, for example, Murray and O'Hair, *All the Questions*, 229. (Excerpts from O'Hair's speech at the Twelfth Annual National Atheist Convention in Washington, DC, 10 April 1982.)

29. Murray and O'Hair, *All the Questions*, 212. (Excerpts from O'Hair's forum at Southwestern Methodist University in Georgetown, TX, 15 September 1982.)

30. Wright, 95–96.
31. Quoted in Conrad, 7.
32. Conrad, 5–6. Madalyn attributed her title, “Mad Madalyn,” to someone at her local Baltimore post office, who crossed out letters of her first name on her mail so that her name became “Mad Murray” and “Mad Madalyn.” O’Hair, *An Atheist Epic*, 249.
33. Richard B. Saphire, “Torcaso v. Watkins,” in *Religion and American Law: An Encyclopedia*, ed. Paul Finkelman (New York: Garland, 2000), 535–37.
34. Rappoport, 41–42; Fred Woodworth, *A Sleazy Embarrassment to All Who Oppose Religion: Madalyn Murray O’Hair* (Tucson, AZ: Fred Woodworth, n.d.), n.p.
35. Rappoport, 40–42.
36. Conrad, 10–11.
37. Wright, 95; “Madalyn Mays Murray O’Hair,” in *Contemporary Authors* (Detroit: Gale Research, 1997): <http://galenet.gale.com>; Madalyn Murray O’Hair, *Atheists: The Last Minority* (Austin, TX: American Atheist Press, 1990), 3; Lee Strobel, *What Jesus Would Say To: Rush Limbaugh, Madonna, Bill Clinton, Michael Jordan, Bart Simpson, Donald Trump, Murphy Brown, Madalyn Murray O’Hair, Mother Teresa, David Letterman, and You* (Grand Rapids, MI: Zondervan, 1994), 125; O’Hair, *An Atheist Epic*, 308.
38. O’Hair, *An Atheist Epic*, 308–9; Bynum Shaw, “Nevertheless, God Probably Loves Mrs. Murray,” *Esquire*, October, 1994, 170; “Mother Builds an Atheist Center,” an Associated Press article, dated 17 August 1963, Stockton, Kansas. Newspaper not identified. Clipping in O’Hair FBI File; Murray, *My Life without God*, 78–79; Madalyn Murray O’Hair, “A Quarter Century,” *American Atheist*, June 1988, 9.
39. Jon G. Murray, “Silver Jubilee Atheist-Style,” *American Atheist*, June 1988, 3; O’Hair, *An Atheist Epic*, 309.
40. O’Hair, “A Quarter Century,” 9.
41. Murray, *My Life without God*, 94–95. On O’Hair’s claim to have “kicked out” the Marxists, see “O’Hair Cites Achievements/Atheists Won’t Cast ‘Pearls Before Swine,’” *Daily Texan*, 19 April 1979, 9.
42. Madalyn Murray O’Hair, “The American Atheist: A Voice of Reason,” reprinted from *American Atheist*, March 1964, in Madalyn Murray O’Hair, ed., *Atheist Magazines: A Sampling, 1927–1970* (New York: Arno Press and The New York Times, 1972), 1.
43. Madalyn Murray O’Hair, “The American Atheist,” 11–13.
44. Jack Brady, “Pray for Peace,” reprinted from *American Atheist*, January 1964, in O’Hair, ed., *Atheist Magazines*, 14–16.
45. O’Hair, “A Voice of Reason,” January 1964, 25.
46. “Mrs. Murray Resumes Battle against Prayer,” *Baltimore Evening Sun*, 14 February 1964, B24.

47. O'Hair, "A Voice of Reason," March 1964, 1.
48. O'Hair, "A Voice of Reason," March 1964, 1–2.
49. O'Hair, "A Voice of Reason," March 1964, 2.
50. O'Hair, "A Voice of Reason," March 1964, 2.
51. O'Hair, "A Voice of Reason," March 1964, 3–4, 6–7.
52. O'Hair, "A Voice of Reason," March 1964, 25.
53. O'Hair, "A Voice of Reason," March 1964, 4.
54. O'Hair, "A Voice of Reason," March 1964, 5.
55. O'Hair, "A Voice of Reason," March 1964, 5.
56. O'Hair, "A Voice of Reason," March 1964, 10.
57. O'Hair, "A Voice of Reason," March 1964, 16.
58. O'Hair, "A Voice of Reason," March 1964, 16.
59. O'Hair, "A Voice of Reason," March 1964, 20–21.
60. O'Hair, "A Quarter Century," 13.
61. "Drop Deity from Allegiance Pledge, Mrs. Murray Asks," *Baltimore Evening Sun*, 6 April 1964, B22.
62. "Mrs. Murray Refused on Pledge Bid," 46.
63. "Playboy Interview: Madalyn Murray," *Playboy*, October 1965, 65; Kat Sclanders, "Murray Family Flees to Asylum in Hawaii," *Washington Daily News*, 24 June 1964, 2.
64. Murray, *My Life without God*, 100, 102; George Hiltner, "Mrs. Murray and Son Get Jail Terms," *Baltimore Sun*, 23 July 1964, 48; "Judge Refuses Plea to Delay Hearing," *Baltimore Evening Sun*, 22 July 1964, A1; Conrad, 7.
65. The marriage license is in the Nassour Collection. Murray, *My Life without God*, 104; Conrad, 7–8.
66. "Mrs. Murray and Son Get Jail Terms," 48; "Playboy Interview," 66.
67. "Playboy Interview," 66; "Finan Repeats Murray Stand," *News American*, 28 June 1964, C1.
68. "Finan Repeats Murray Stand," C1; Murray, *My Life without God*, 108; "Playboy Interview," 68.
69. O'Hair was quoted in Wright, 259. See also Conrad, 8.
70. Conrad, 8; "Murray Family Flees to Asylum in Hawaii," 2; "Playboy Interview," 68.
71. "Playboy Interview," 68. Madalyn was often quoted as having said: "Eighty percent of the Hawaiians are Buddhist, and Buddhists are absolute atheists who believe in ethics and high principles as I do." Madalyn knew better than to call Buddhists atheists. Either she misspoke or was misquoted. Murray, *My Life without God*, 112; Robert Liston, "Mrs. Murray's War on God," *Saturday Evening Post*, 11 July 1964, 86; "Murray Family Flees to Asylum in Hawaii," 2.
72. "Extension of Remarks of Hon. Frank J. Becker of New York in the House of Representatives," *Congressional Record*, 2 July 1964, 1–2. (Included in O'Hair FBI File.)

73. "Extension of Remarks of Hon. Frank J. Becker," 1.
74. "Extension of Remarks of Hon. Frank J. Becker," 1.
75. "Extension of Remarks of Hon. Frank J. Becker," 2.
76. "Extension of Remarks of Hon. Frank J. Becker," 2.
77. "Playboy Interview," 69; Murray, *My Life without God*, 114.
78. "Mrs. Murray Case Is Due," *Baltimore Sun*, 27 June 1964, 1; "Finan Repeats Murray Stand," C1.
79. "Finan Repeats Murray Stand," C1; Murray, *My Life without God*, 115; "Mrs. Murray Gets Month to Return to Baltimore," *Washington Post*, 1 July 1964, D16; "Hawaii to Get Warrants for Arrest of Murrays," *News American*, 2 July 1964, B1; "Fight Pledged on Atheists' Extradition," *Evening Sun*, 27 June 1964, 1; "Finan Repeats Murray Stand," C1.
80. "Judge Refused Plea to Delay Hearing," A1; Hiltner, "Mrs. Murray and Son Get Jail Terms," 48; "Attorney Says Life in Danger," undated clipping, name of newspaper missing. Included in O'Hair FBI File.
81. "Greenstein Set to Contest Setup of Maryland Courts," *Honolulu Advertiser*, 18 August 1964, A4; "Murrays Will Appeal Order for Extradition," *Honolulu Advertiser*, 19 August 1964, A1.
82. "Murrays Will Appeal Order for Extradition," A1.
83. See *Murray v. Ai* (1965). "Atheist Sues to Block School Pledge to Flag," *Honolulu Advertiser*, 15 September 1964, 1; "New Suit Filed by Mrs. Murray," *Washington Post*, 16 September 1964, B4; O'Hair, "A Quarter Century," 14.
84. "State Answers Suit by Madalyn Murray," *Honolulu Star-Bulletin*, 6 October 1964, 9.
85. See *Murray v. United States* (1968). "Atheist Files Complaint against 15 Radio Stations," *Honolulu Advertiser*, 15 October 1974, B1; O'Hair, "A Quarter Century," 14.
86. "Atheist Files Complaint against 15 Radio Stations," B1; "Mrs. Murray Loses Radio Free Time Bid," *Honolulu Star-Bulletin*, 11 June 1965, A1.
87. "Playboy Interview," 69; "Mrs. Murray Case Is Due," 1; "Hawaii to Get Warrants for Arrest of Murrays," *News American*, 2 July 1964, B1; T. Denton Miller, "Mrs. Murray Claims City Residence," *Baltimore Evening Sun*, 1 August 1964, 18.
88. "Mrs. Murray Case Is Due," 1; "Mrs. Murray Quoted by Atheist Society," *Honolulu Star-Bulletin*, 20 July 1964, 18; Miller, "Mrs. Murray Claims City Residence," 18. See also "Playboy Interview," 69.
89. "Mrs. Murray Renounced by Own Atheist Group," *News American*, 4 August 1964, C1.
90. "Mrs. Murray Renounced by Own Atheist Group," C1.
91. "Atheist Sues to Block School Pledge to Flag," B4.
92. "Mrs. Murray Accuses Son of Stealing Files," *News American*, 3 October 1964, A1; "Son Breaks with Atheist," *Washington Daily News*, 22 October 1964, 5.

93. Jane Howard, "Madalyn Murray: The Most Hated Woman in America," *Life*, 19 June 1964, 91–92, 94.
94. Howard, 92, 94.
95. Howard, 94.
96. Liston, 83.
97. Liston, 85.
98. Liston, 85.
99. Liston, 85.
100. Liston, 85.
101. Liston, 86.
102. Liston, 86.
103. Liston, 86.
104. Liston, 86.
105. Liston, 84.
106. Liston, 86.
107. Liston, 86.
108. Liston, 84.
109. Shaw, 111.
110. "Murray-to-Japan Move Faces Test," *News American*, 22 January 1965, C2; "Mrs. Murray Reps Denial of Passport," *Washington Post*, 5 February 1965, A17.
111. Murray, *My Life without God*, 120–21.
112. "Playboy Interview," 74.
113. "Playboy Interview," 74.
114. Murray, *My Life without God*, 125–27, 131; "Mrs. Murray Reportedly in Mexico," *Honolulu Star-Bulletin*, 21 July 1965, A1; "Hawaii Court Orders Murrays to Appear," *News American*, 25 August 1965, C1.
115. "Greenstein to Murray: Go Face the Music," *Honolulu Advertiser*, 2 September 1965, B1; Murray, *My Life without God*, 135–40. When the Murrays fled Hawaii, Greenstein—in whose trust they had been set free pending their appeals—severed all ties with the Murrays. He told Madalyn's brother, Irv, that the group "had been released by the court in my custody and had embarrassed me and abused the trust the court and myself had placed in them." "Greenstein to Murray," B1.
116. "Murray Fined \$100, Is Freed of Charges," *News American*, 20 October 1965, B2; Murray, *My Life without God*, 140–43.
117. "Murray Fined \$100," B2.
118. Gene Hunter, "Madalyn's Son Seeks New Image," undated clipping, name of newspaper missing, no page, included in O'Hair FBI File; "Atheist Suing Her Kinfolk," *Washington Post*, 5 December 1965, A5.
119. Emmett Murray, "God-Toppler Madeline [sic] Murray to Wed Here," *Mexico City Times*, 24 September 1965, 1; Murray, *My Life without God*, 140–41.

120. Conrad, 9; "God-Toppler . . . to Wed," 1; "Madeline [sic] Murray Deported to U.S.," *The News* (Mexico City), 27 September 1965, 1A.

121. "Illegal Shanghai from Mexico?" *Mexico City Times*, 16 December 1965, 5.

122. "Illegal Shanghai from Mexico?" 5.

123. "Mrs. Murray Apprehended," *Evening Star*, 26 September 1965, no page noted, clipping in O'Hair FBI File; "Illegal Shanghai From Mexico?" 5; Mike Powers, "O'Hair/The Lady Who Ate Baltimore," *Austin People Today*, December 1965, 39.

124. "Mrs. Murray Freed Hours after Arrest," *Washington Post*, 27 September 1965, A11; "San Antonio Chapter, Maryland Branch Provide Legal Help to Madalyn Murray," *Civil Liberties*, December 1965, 3.

125. "Madalyn Asks Texas for Asylum," *Honolulu Advertiser*, 6 October 1965, A3; Murray, *My Life without God*, 140–43.

126. "Appeal Made for Atheist," *Baltimore Evening Sun*, 20 October 1965, c36.

127. Murray, *My Life without God*, 143–44; "All Charges against Madalyn Murray O'Hair Dropped," *National Guardian*, 13 November 1965, no page given, clipping included in O'Hair FBI File; "San Antonio Chapter, Maryland Branch Provide Legal Help," 3; Powers, "O'Hair/The Lady Who Ate Baltimore," 39–40.

NOTES TO CHAPTER 4

1. Peter J. Kuznick and James Gilbert, "Introduction," in *Rethinking Cold War Culture*, ed. Peter J. Kuznick and James Gilbert (Washington, DC: Smithsonian Institution Press, 2001), 4; Leo P. Ribuffo, "Will the Sixties Never End? Or Perhaps at least the Thirties? Or Maybe Even the Progressive Era? Contrarian Thoughts on Change and Continuity in American Political Cultures at the Turn of the Millennium," in *Rethinking Cold War Culture*, 208.

2. Ribuffo, 210.

3. Kuznick and Gilbert, "Introduction," 9; Ribuffo, 210.

4. Emmett Murray, "God-Toppler Madeline [sic] Murray to Wed Here," *Mexico City Times*, 24 September 1965, 1.

5. Joe Frolik, "Victim of Cancer/Atheist O'Hair's Husband Dies," *Austin American-Statesman*, 14 March 1978, B1; Lawrence Wright, *Saints and Sinners: Walker Railey, Jimmy Swaggart, Madalyn Murray O'Hair, Anton LaVey, Will Campbell, Matthew Fox* (New York: Vintage Books, 1995), 259; "Madalyn Murray O'Hair," in *Who's Who in America* (Wilmette, IL: Marquis Who's Who, 1987), 2099.

6. "Mrs. Murray Wed to Atheist," 19 October 1965, name of newspaper missing, no page listed, included in O'Hair FBI File.

7. "Playboy Interview: Madalyn Murray," *Playboy*, October 1965, 61.
8. "Playboy Interview," 72.
9. "Playboy Interview," 74.
10. Emmett Murray, 1.
11. Madalyn Murray O'Hair, *An Atheist Speaks* (Austin, TX: American Atheist Press, 1986), 209.
12. William J. Murray, *My Life without God* (New York: Thomas Crown, 1983), 193.
13. Murray, *My Life without God*, 222–23; William J. Murray, *The Church Is Not for Perfect People* (Eugene, OR: Harvest House, 1987), 36.
14. Madalyn Murray O'Hair, *What on Earth Is an Atheist!* (Austin, TX: American Atheist Press, 1969), 108.
15. Madalyn Murray O'Hair, "A Quarter Century," *American Atheist*, June 1988, 9.
16. O'Hair, *What on Earth Is an Atheist!*, 107.
17. O'Hair, *What on Earth Is an Atheist!*, 108–9.
18. O'Hair, *What on Earth Is an Atheist!*, 108–9.
19. O'Hair, *What on Earth Is an Atheist!*, 110.
20. O'Hair, *What on Earth Is an Atheist!*, 110, 112–13.
21. Mike Powers, "O'Hair/The Lady Who Ate Baltimore," *Austin People Today*, December 1965, 49; G. Richard Bozarth, "A Case against Madalyn Murray O'Hair: Inter-related Essays on an Experience," unpublished manuscript (1989), part 1, 22; "The Charles E. Stevens American Atheist Library and Archives, Inc.," *American Atheist*, June 1988, 24–25.
22. "The Charles E. Stevens American Atheist Library," 24–25, 27.
23. "The Charles E. Stevens American Atheist Library," 10; "American Atheist Magazine," *American Atheist*, June 1988, 44–45; Madalyn Murray O'Hair, "The American Atheist: A Voice of Reason," reprinted from *American Atheist*, March 1964, in Madalyn Murray O'Hair, ed. *Atheist Magazines: A Sampling, 1927–1970* (New York: Arno Press and The New York Times, 1972), 19; Cynthia McFadden, anchor, "Vanished: The Mystery of Madalyn O'Hair," on ABC Thursday Night, 22 June 1999, 111 (of transcript).
24. O'Hair, "A Quarter Century," 10; "American Atheist Radio Series," *American Atheist*, June 1988, 21; "American Atheist Television Forum," *American Atheist*, June 1988, 38–39; Chuck Lindell, interview with Madalyn Murray O'Hair, unpublished, cassette recording (1993). (Lindell is a reporter for the *Austin American-Statesman*.) Madalyn Murray O'Hair, *Atheists: The Last Minority* (Austin, TX: American Atheist Press, 1990), iv.
25. O'Hair, "A Quarter Century," 10.
26. Philip Garon, "On the Warpath against 'God'/Mrs. O'Hair Operates Here," *Austin American-Statesman*, 27 August 1968, 12.
27. The addresses, in order, are 4201 Sinclair Street, 4203 Medical Parkway,

4201 Medical Parkway, 4408 Medical Parkway, 2210 Hancock Drive, and 7216 Cameron Road.

28. O'Hair, *What on Earth Is an Atheist!*, 1–2; Madalyn Murray O'Hair, *Why I Am an Atheist*, 2d rev. ed. (Austin, TX: American Atheist Press, 1991), x.

29. "Mrs. O'Hair Fights Now over Taxes," *Washington Post*, 6 April 1966, B5.

30. "Atheist Lecturer at Tulane Draws Cheers, Opposition," date and name of newspaper missing. (Included in O'Hair FBI File.)

31. Madalyn O'Hair, *War in Viet Nam: The Religious Connection* (Austin, TX: American Atheist Press, 1982), 1.

32. O'Hair, *War in Viet Nam*, 1–6.

33. O'Hair, *War in Viet Nam*, 13–24.

34. O'Hair, *War in Viet Nam*, 28–29, 32–33.

35. O'Hair, *War in Viet Nam*, 40–42, 44–45.

36. O'Hair, *War in Viet Nam*, 50–60.

37. O'Hair, *War in Viet Nam*, 61–63.

38. O'Hair, *War in Viet Nam*, 63–64.

39. Madalyn Murray O'Hair, *Atheist Heroes and Heroines* (Austin, TX: American Atheist Press, 1991), 217.

40. The ten churches were the United Methodist Church, the Christian Church (Disciples), the United Presbyterian Church, the American Baptist Convention, the Lutheran Church in America, the Protestant Episcopal Church, the United Church of Christ, the Church of the Brethren, the Presbyterian Church in the United States, and the Unitarian Universalist Association. O'Hair, *Atheist Heroes and Heroines*, 218–19.

41. O'Hair, *What on Earth Is an Atheist!*, 109.

42. O'Hair, *What on Earth Is an Atheist!*, 198–200.

43. O'Hair, *What on Earth Is an Atheist!*, 200.

44. Michael Lienesch, *Redeeming America: Piety and Politics in the New Christian Right* (Chapel Hill: University of North Carolina Press, 1993), 5.

45. Madalyn Murray O'Hair, *The Atheist World* (Austin, TX: American Atheist Press, 1991), 103.

46. Madalyn Murray O'Hair, *All about Atheists* (Austin, TX: American Atheist Press, 1988), 191.

47. O'Hair, *All about Atheists*, 192.

48. O'Hair, *All About Atheists*, 195–96.

49. O'Hair, *All about Atheists*, 196.

50. O'Hair, *All about Atheists*, 196–97.

51. O'Hair, *All about Atheists*, 197.

52. O'Hair, *All about Atheists*, 197–98.

53. O'Hair, *All about Atheists*, 199.

54. O'Hair, *All about Atheists*, 199–200.

55. O'Hair, *All about Atheists*, 200.

56. O'Hair, *All about Atheists*, 200–201.
57. O'Hair, *All about Atheists*, 201–2.
58. O'Hair, *All about Atheists*, 202.
59. O'Hair, *All about Atheists*, 292.
60. O'Hair, *All about Atheists*, 292.
61. O'Hair, *All about Atheists*, 294–95.
62. O'Hair, *What on Earth Is an Atheist!*, 201.
63. O'Hair, *Atheist Heroes and Heroines*, 338–39.
64. O'Hair, *Atheist Heroes and Heroines*, 317.
65. O'Hair, *Atheist Heroes and Heroines*, 318–19.
66. O'Hair, *Atheist Heroes and Heroines*, 325–27, 330.
67. O'Hair, Diary, 1 January 1973 and 6 January 1973.
68. O'Hair, Diary, 1 January 1973.
69. O'Hair, Diary, 1 January 1973 and 6 January 1973.
70. Peter Winterble, "Tax the Churches, Mrs. O'Hair Urges," *Washington Post*, 11 April 1966, A7.
71. Winterble, A7.
72. Winterble, A7.
73. See *Murray v. Comptroller of Treasury* (1966). Norman Dorsen, Paul Bender, and Bart Neuborne, *Political and Civil Right in the United States*, 4th ed. (Boston: Little, Brown, 1976), I: 985; "All Charges against Madalyn Murray O'Hair Dropped," *National Guardian*, 13 November 1965, no page given, clipping in O'Hair FBI File.
74. O'Hair, "A Quarter Century," 13.
75. Wright, 103; Murray, *My Life without God*, 193. Madalyn also claimed to have earned a doctorate in divinity from the Minnesota Institute of Philosophy in 1971. The Institute was run by Garry DeYoung, mentioned earlier, who considered moving it to Austin in 1972 but failed to do so. Jane Kathryn Conrad, *Mad Madalyn* (Brighton, CO: Jane Kathryn Conrad, 1983), 3; O'Hair, *The Atheist World*, 255. "Atheists Organize Church," date and name of newspaper missing, included in O'Hair FBI File.
76. Powers, 40.
77. Frolik, B1.
78. O'Hair, *An Atheist Speaks*, 207.
79. O'Hair, *An Atheist Speaks*, 207.
80. O'Hair, *An Atheist Speaks*, 208.
81. O'Hair, *An Atheist Speaks*, 208.
82. O'Hair, *An Atheist Speaks*, 208–9.
83. O'Hair, *An Atheist Speaks*, 209–11.
84. "Mrs. O'Hair Files Suit to Ban Space Religion," *Dallas Morning News*, 7 August 1969, 17A; O'Hair, "A Quarter Century," 8–10; Nicholas C. Chriss, "Once

on the Moon, Armstrong and Aldrin Made Their Marks/ After Landing: Communion, 3-Hour Walk, Struggle to Sleep," *Houston Chronicle*, 16 July 1989, 1.

85. O'Hair, *An Atheist Speaks*, 79–83.

86. O'Hair, *An Atheist Speaks*, 79–83; Jon Murray and Madalyn O'Hair, *All the Questions You Ever Wanted to Ask American Atheists: With All the Answers*, 2d ed. (Austin: TX: American Atheist Press, 1986), 72.

87. O'Hair, *An Atheist Speaks*, 145.

88. O'Hair indicated that she had passed these letters on to the FBI, which was "good enough to act upon those where the persons were susceptible to identification." O'Hair, *An Atheist Speaks*, 149.

89. O'Hair, *An Atheist Speaks*, 145–46.

90. O'Hair, *An Atheist Speaks*, 146.

91. O'Hair, *An Atheist Speaks*, 146–47.

92. O'Hair, *An Atheist Speaks*, 147.

93. O'Hair, *An Atheist Speaks*, 147.

94. O'Hair, *An Atheist Speaks*, 148.

95. O'Hair, *An Atheist Speaks*, 149.

96. "Prayer Ban Not Wanted in Texas," date and name of newspaper missing, included in O'Hair FBI File.

97. "Prayer Ban Not Wanted in Texas."

98. Wright, 92, 113, 262; Murray, *My Life without God*, 193.

99. "O'Hair Rumor Blazes/Prayer Letters Swamp NASA," *Austin American-Statesman*, 13 July 1975, A14.

100. Murray and O'Hair, *All the Questions*, 190–91.

101. Murray and O'Hair, *All the Questions*, 191.

102. Murray and O'Hair, *All the Questions*, 192–93; Helen Parmley, "O'Hair Myth Lives On," *Dallas Morning News*, 25 January 1986, 38A.

103. O'Hair, *An Atheist Speaks*, 201.

104. O'Hair, *An Atheist Speaks*, 85.

105. O'Hair, *An Atheist Speaks*, 85–88.

106. O'Hair, *An Atheist Speaks*, 86–87. O'Hair continually reported her latest research on church income, property holding, and wealth.

107. O'Hair, *An Atheist Speaks*, 94–95.

108. O'Hair, *An Atheist Speaks*, 88.

109. O'Hair, *An Atheist Speaks*, 89–90.

110. O'Hair, *An Atheist Speaks*, 89–90, 93–94.

111. O'Hair, *An Atheist Speaks*, 90–91.

112. O'Hair, *An Atheist Speaks*, 95–96.

113. O'Hair, *An Atheist Speaks*, 96.

114. O'Hair, *An Atheist Speaks*, 96–97.

115. O'Hair, *Atheist Heroes and Heroines*, 203–4.

116. O'Hair, *An Atheist Speaks*, 97.
117. O'Hair, *An Atheist Speaks*, 98.
118. O'Hair, "A Quarter Century," 14.
119. Conrad, 29; "Picture Prompts \$7 Million O'Hair Suit," *Austin American-Statesman*, 22 September 1975, 12.
120. "O'Hair Instigates Fight with Graham," *Austin American-Statesman*, 25 February 1976, A2.
121. "Atheists Confront the Pope," *American Atheist*, December 1979, 4; the text of Jon Murray's letter is in Bozarth, "A Case against Madalyn Murray O'Hair," part 2: 10.
122. Bozarth, "A Case against Madalyn Murray O'Hair," part 2: 10.
123. Bozarth, "A Case against Madalyn Murray O'Hair," part 2: 10.
124. Bozarth, "A Case against Madalyn Murray O'Hair," part 2: 12.
125. Bozarth, "A Case against Madalyn Murray O'Hair," part 2: 12; "Atheists Confront the Pope," 131; "O'Hair Suit Dismissed, Pope Continues Tour of Country," *Daily Texan*, 4 October 1979, 3; Wright, 92, 113. O'Hair brought suit against the pope and the National Park Service. When the case against the pope was dismissed, *O'Hair v. Wotjka* became *O'Hair v. Andrus* (1979).
126. Bozarth, "A Case against Madalyn Murray O'Hair," part 2: 12–13.
127. Murray and O'Hair, *All the Questions*, 143.
128. Roxanne Evans, "Atheist O'Hair Suggests Horns Alternative to Pope," *Austin American-Statesman*, 11 September 1987, A14.
129. There is no evidence in the file of CIA involvement or the collusion of Richard O'Hair. "FBI File Could Be Splitting (O')Hairs," *Los Angeles Times*, 20 May 1975, part 1: 2.
130. Bozarth, "A Case against Madalyn Murray O'Hair," part 1: 10.
131. Bozarth, "A Case against Madalyn Murray O'Hair," part 1: 10.
132. Bozarth, "A Case against Madalyn Murray O'Hair," part 1: 11.
133. Bozarth, "A Case against Madalyn Murray O'Hair," part 1: 11–12.
134. William Funk, "In God We Trust," in *Religion and American Law: An Encyclopedia*, ed. Paul Finkelman (New York: Garland, 2000), 239; Murray and O'Hair, *All the Questions*, 44.
135. Bozarth, "A Case against Madalyn Murray O'Hair," part 1: 12–14.
136. Quoted in Bozarth, "A Case Against Madalyn Murray O'Hair," Part One, Pages 12–14.
137. Funk, 239–40.
138. O'Hair, *Diary*, 16 May 1979, 11 September 1979, and 18 May 1980.
139. O'Hair, *An Atheist Speaks*, 109–10.
140. O'Hair, *All about Atheists*, 87.
141. O'Hair, *All about Atheists*, 87–88.
142. O'Hair, *All about Atheists*, 91–92; "United World Atheists," *American Atheist*, June 1988, 55.

143. Bozarth, "A Case against Madalyn Murray O'Hair," part 2: 4, 18–19; "United World Atheists," 55–56.
144. *Insider's Newsletter*, June 1979.
145. Murray and O'Hair, *All the Questions*, 34–35.
146. Murray and O'Hair, *All the Questions*, 34–35.
147. "Madalyn Murray O'Hair," in *Contemporary Authors* (Detroit: Gale Research, 1997): <http://galenet.gale.com>; 405; Larry Flint, "Madalyn Murray O'Hair—Crusader for Atheism," *Hustler*, October 1979, 266.
148. See, for example *Insider's Newsletter*, August 1988, and Bozarth, "A Case against Madalyn Murray O'Hair," part 4: 60.
149. Wright, 106–9. See Hugh Davis Graham and Ted Robert Gurr, *Violence in American Historical and Comparative Perspective* (New York: Bantam Books, 1969), 503.

NOTES TO CHAPTER 5

1. Madalyn Murray O'Hair, *Why I Am an Atheist*, 2d rev. ed. (Austin, TX: American Atheist Press, 1991), 1–2.
2. O'Hair, *Why I Am an Atheist* (Austin: Society of Separationists, 1966), 1–2; O'Hair, *Why I Am an Atheist*, 2d rev. ed., ix.
3. O'Hair, *Why I Am an Atheist*, 7; Peter M. Rinaldo, *Atheists, Agnostics, and Deists in America: A Brief History* (Briarcliff Manor, NY: Dor Pete Press, 2000), 5–7.
4. O'Hair, *Why I Am an Atheist*, 6.
5. O'Hair, *Why I Am an Atheist*, 6–8.
6. Madalyn Murray O'Hair, *What on Earth Is an Atheist!* (Austin, TX: American Atheist Press, 1969), 34–37.
7. O'Hair, *Why I Am an Atheist*, 2.
8. O'Hair, *Why I Am an Atheist*, 3–4. In the 1991 edition, O'Hair changed the word "believes" in this passage to "knows" and "thinks." She refused to use "believe" because its dictionary definition was: "(a) to have firm religious faith, (b) to accept on faith," which, she explained, implied "belief and trust in, or loyalty to, god." O'Hair, *Why I Am an Atheist*, 2d rev. ed., 7, n. 2.
9. O'Hair, *Why I Am an Atheist*, 4.
10. O'Hair, *Why I Am an Atheist*, 8; O'Hair, *Why I Am an Atheist*, 2d rev. ed., 12, n. 7.
11. Madalyn Murray O'Hair, *All about Atheists* (Austin, TX: American Atheist Press, 1986), 353; Jon Murray and Madalyn O'Hair, *All the Questions You Ever Wanted to Ask American Atheists: With All the Answers*, 2d ed. (Austin, TX: American Atheist Press, 1986), 225.
12. O'Hair, *All about Atheists*, 355–56; Murray and O'Hair, *All the Questions*, 226.
13. O'Hair, *All about Atheists*, 356; Murray and O'Hair, *All the Questions*, 229.

14. Murray and O'Hair, *All the Questions*, 229–30.
15. O'Hair, *All about Atheists*, 354–55; Murray and O'Hair, *All the Questions*, 226–27.
16. Murray and O'Hair, *All the Questions*, 227.
17. O'Hair, *All about Atheists*, 356.
18. O'Hair, *All about Atheists*, 356.
19. O'Hair, *All about Atheists*, 356; Murray and O'Hair, *All the Questions*, 231.
20. O'Hair, *Why I Am an Atheist*, 9; Madalyn Murray O'Hair, *What on Earth Is an Atheist!* (Austin, TX: American Atheist Press, 1969), 49.
21. O'Hair, *Why I Am an Atheist*, 9.
22. O'Hair, *Why I Am an Atheist*, 9; O'Hair, *What on Earth Is an Atheist!*, 50.
23. O'Hair, *Why I Am an Atheist*, 10; O'Hair, *What on Earth Is an Atheist!*, 50.
24. O'Hair, *What on Earth Is an Atheist!*, 50–51.
25. O'Hair, *Why I Am an Atheist*, 11; O'Hair, *What on Earth Is an Atheist!*, 51.
26. O'Hair, *Why I Am an Atheist*, 11; O'Hair, *What on Earth Is an Atheist!*, 52.
27. O'Hair, *Why I Am an Atheist*, 11–12; O'Hair, *What on Earth Is an Atheist!*, 52.
28. O'Hair, *Why I Am an Atheist*, 12; O'Hair, *What on Earth Is an Atheist!*, 52.
29. O'Hair, *Why I Am an Atheist*, 12.
30. O'Hair, *Why I Am an Atheist*, 12.
31. O'Hair, *Why I Am an Atheist*, 13.
32. O'Hair, *Why I Am an Atheist*, 15; O'Hair, *All About Atheists*, 278.
33. O'Hair, *All About Atheists*, 279.
34. O'Hair, *All About Atheists*, 267; Madalyn Murray O'Hair, *An Atheist Speaks* (Austin, TX: American Atheist Press, 1986), 169.
35. O'Hair, *An Atheist Speaks*, 121–22.
36. O'Hair, *An Atheist Speaks*, 124.
37. O'Hair, *An Atheist Speaks*, 125.
38. O'Hair, *An Atheist Speaks*, v.
39. O'Hair, *An Atheist Speaks*, iii–iv.
40. Madalyn Murray O'Hair, *The Atheist World* (Austin, TX: American Atheist Press, 1991), 318.
41. Sara Diamond's remarks included in *Anticommunism and the U.S.: History and Consequences* (Conference Proceedings) (New York: Institute for Media Analysis, 1988), 39–40.
42. O'Hair, *What on Earth Is an Atheist!*, iv; O'Hair, *All about Atheists*, 375; Madalyn Murray O'Hair, *Atheist Heroes and Heroines* (Austin, TX: American Atheist Press, 1991), 65.
43. O'Hair, *All about Atheists*, 375.
44. "American Atheist Radio Series," *American Atheist*, June 1988, 18.
45. O'Hair, *All about Atheists*, 376; O'Hair, *Atheist Heroes and Heroines*, 66.
46. O'Hair, *All about Atheists*, 376; O'Hair, *Atheist Heroes and Heroines*, 20.
47. O'Hair, *All about Atheists*, 376–77.

48. O'Hair, *All about Atheists*, 377; O'Hair, *Atheist Heroes and Heroines*, 67.
49. "Rambling along the Pigeon River," undated clipping without name of newspaper in O'Hair FBI File.
50. "Rambling along the Pigeon River."
51. O'Hair, *All about Atheists*, 377–78; "American Atheist Radio Series," 18–19; O'Hair, *Atheist Heroes and Heroines*, 68–70.
52. "American Atheist Radio Series," 19.
53. O'Hair, *All about Atheists*, 381; O'Hair, *Atheist Heroes and Heroines*, 71.
54. O'Hair, *What on Earth Is an Atheist!*, 1, 3; Garon, 12.
55. O'Hair, *What on Earth Is an Atheist!*, 68.
56. O'Hair, *What on Earth Is an Atheist!*, 71.
57. O'Hair, *The Atheist World*, 78.
58. O'Hair, *What on Earth Is an Atheist!*, 7, 14.
59. See O'Hair, *The Atheist World*, 1–7, 9–16, 17–25, 27–34, 35–42, 43–50.
60. O'Hair, *An Atheist Speaks*, 33–35.
61. O'Hair, *An Atheist Speaks*, 38.
62. O'Hair, *What on Earth Is an Atheist!*, 253. See also O'Hair, *An Atheist Speaks*, 38–41, 43–48, 49–54; Madalyn Murray O'Hair, "American Deism," in *Our Constitution: The Way It Was* (Austin, TX: American Atheist Press, 1982), 7–10; Madalyn Murray O'Hair, "Thomas Paine, American Deist and Free Thinker," *Our Constitution: The Way It Was*, 31–34.
63. O'Hair, *An Atheist Speaks*, 3–5
64. Madalyn Murray O'Hair, "Freethought in American Historical Documents," *Our Constitution: The Way It Was*, 23–26; O'Hair, *What on Earth Is an Atheist!*, 7.
65. O'Hair, *What on Earth Is an Atheist!*, 7, 14; O'Hair, *The Atheist World*, 3, 10–12.
66. Madalyn Murray O'Hair, "Rewriting of History by Christians," *Our Constitution: The Way It Was*, 11–13.
67. See O'Hair, "Rewriting of History by Christians," 11.
68. O'Hair, "Rewriting of History by Christians," 13–17.
69. O'Hair, *All about Atheists*, 213.
70. Madalyn Murray O'Hair, "Jefferson on Christianity," in *Our Constitution: The Way It Was*, 51.
71. O'Hair, "Jefferson on Christianity," 51.
72. O'Hair, "Jefferson on Christianity," 52–53.
73. O'Hair, *What on Earth Is an Atheist!*, 8–10; Rinaldo, 43.
74. Jon G. Murray, "Introduction," in *Our Constitution: The Way It Was*, 2.
75. O'Hair, *What on Earth Is an Atheist!*, 235–36. See also Madalyn Murray O'Hair, "Freedom of Religion in Colonial America," in *Our Constitution: The Way It Was*, 3, and Madalyn Murray O'Hair, "The Christianity of Our Founding as a Nation," in *Our Constitution: The Way It Was*, 19–20.

76. O'Hair, *What on Earth Is an Atheist!*, 239, 257–58.
77. O'Hair, "Freedom of Religion in Colonial America," 4.
78. O'Hair, "Freedom of Religion in Colonial America," 5.
79. Madalyn Murray O'Hair, "Jefferson's Idea of Religious Freedom," in *Our Constitution: The Way It Was*, 45.
80. O'Hair, *Atheist Heroes and Heroines*, 199.
81. O'Hair, "Jefferson's Idea of Religious Freedom," 45–46.
82. O'Hair, *Atheist Heroes and Heroines*, 51–52.
83. O'Hair, *An Atheist Speaks*, 7–8.
84. O'Hair, *An Atheist Speaks*, 9.
85. O'Hair, *An Atheist Speaks*, 9.
86. O'Hair, *Atheist Heroes and Heroines*, 53.
87. O'Hair, *An Atheist Speaks*, 140. See also O'Hair, *The Atheist World*, 228–30.
88. O'Hair, *An Atheist Speaks*, 11–12.
89. O'Hair, *What on Earth Is an Atheist!*, 17.
90. O'Hair, *What on Earth Is an Atheist!*, 20–21.
91. Madalyn Murray O'Hair, *Freedom under Siege: The Impact of Organized Religion on Your Liberty and Your Pocketbook* (Los Angeles: J. P. Tarcher, 1974), 10.
92. O'Hair, *Atheist Heroes and Heroines*, 137; O'Hair, *What on Earth Is an Atheist!*, 80.
93. O'Hair, *Atheist Heroes and Heroines*, 143.
94. See, for example, O'Hair's radio shows on 1 and 8 July 1968; 9 and 16 September, and 8 December 1968; 31 January 1972; and 7 February 1972. The printed transcripts for these shows, in order, are in O'Hair, *What on Earth Is an Atheist!*, 22–31, 74–84, 144–49, and O'Hair, *Atheist Heroes and Heroines*, 157–62, 163–68.
95. O'Hair, *What on Earth Is an Atheist!*, 83.
96. O'Hair, *An Atheist Speaks*, 25–26.
97. The show was broadcast on 21 February 1972. For the transcript see O'Hair, *Atheist Heroes and Heroines*, 175–80.
98. O'Hair, *An Atheist Speaks*, 27–28.
99. O'Hair, *What on Earth Is an Atheist!*, 91–92; Alfred H. Kelly, Winfred A. Harbison, and Herman Belz, *The American Constitution: Its Origins and Development*, 6th ed. (New York: W. W. Norton, 1983), 656.
100. O'Hair, *What on Earth Is an Atheist!*, 92; Kelly, Harbison, and Belz, 656.
101. O'Hair, *What on Earth Is an Atheist!*, 92; Kelly Harbison, and Belz, 656.
102. O'Hair, *What on Earth Is an Atheist!*, 92–93.
103. O'Hair, *All about Atheists*, 314.
104. O'Hair, *All about Atheists*, 314.
105. O'Hair, *All about Atheists*, 314.
106. O'Hair, *All about Atheists*, 315.

107. O'Hair, *All about Atheists*, 315.
108. O'Hair, *All about Atheists*, 316–17.
109. O'Hair, *All about Atheists*, 317.
110. O'Hair, *All about Atheists*, 318.
111. O'Hair, *All about Atheists*, 318.
112. O'Hair, *All about Atheists*, 318–19.
113. O'Hair, *The Atheist World*, 51–52.
114. O'Hair, *The Atheist World*, 52.
115. O'Hair, *The Atheist World*, 52–53.
116. O'Hair, *An Atheist Speaks*, 171.
117. O'Hair, *An Atheist Speaks*, 172.
118. O'Hair, *An Atheist Speaks*, 173.
119. O'Hair, *An Atheist Speaks*, 175.
120. O'Hair, *An Atheist Speaks*, 178.
121. O'Hair, *An Atheist Speaks*, 183–84, 187.
122. O'Hair, *An Atheist Speaks*, 189–90.
123. O'Hair, *An Atheist Speaks*, 193.
124. O'Hair, *All about Atheists*, 1.
125. O'Hair, *All about Atheists*, 3–5.
126. O'Hair, *What on Earth Is an Atheist!*, 101.
127. O'Hair, *An Atheist Speaks*, 25.
128. O'Hair, *What on Earth Is an Atheist!*, 101–2.
129. O'Hair, *An Atheist Speaks*, 194.
130. Quoted in G. Richard Bozarth, "A Case against Madalyn Murray O'Hair: Inter-related Essays on an Experience," unpublished manuscript (1989), part 4: 16.
131. O'Hair, *What on Earth Is an Atheist!*, 101–02.
132. "Playboy Interview: Madalyn Murray," *Playboy*, October 1965, 72.
133. "Playboy Interview," 72.
134. "Playboy Interview," 72.
135. Murray and O'Hair, *All the Questions*, 103.
136. See, for example, O'Hair, *All about Atheists*, 337–44.
137. O'Hair, *The Atheist World*, 85.
138. O'Hair, *The Atheist World*, 85–86.
139. O'Hair, *The Atheist World*, 86.
140. O'Hair, *The Atheist World*, 86–87.
141. See, for example, O'Hair's radio shows on 16 September 1972 and 23 September 1972. The transcripts for those shows are in O'Hair, *The Atheist World*, 18–21 and 32–36.
142. O'Hair, *The Atheist World*, 71–76.
143. O'Hair, *An Atheist Speaks*, 133.
144. O'Hair, *An Atheist Speaks*, 133–34.

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145. O'Hair, *An Atheist Speaks*, 134.
146. Murray and O'Hair, *All the Questions*, 167–69.
147. O'Hair, *An Atheist Speaks*, 135–36.
148. O'Hair, *An Atheist Speaks*, 136–37.
149. O'Hair, *What on Earth Is an Atheist!*, 150–51. See Fred S. Elder, *Morals and Religion* (New York: Philosophical Library, 1963).
150. O'Hair, *What on Earth Is an Atheist!*, 152.
151. O'Hair, *What on Earth Is an Atheist!*, 152–53.
152. O'Hair, *What on Earth Is an Atheist!*, 267–68.
153. O'Hair, *What on Earth Is an Atheist!*, 268.
154. O'Hair, *What on Earth Is an Atheist!*, 268–69.
155. O'Hair, *What on Earth Is an Atheist!*, 269.
156. O'Hair, *What on Earth Is an Atheist!*, 269.

NOTES TO CHAPTER 6

1. Lawrence Wright, *Saints and Sinners: Walker Railey, Jimmy Swaggart, Madalyn Murray O'Hair, Anton LaVey, Will Campbell, Matthew Fox* (New York: Vintage Books, 1995), 68.
2. Madalyn Murray O'Hair, *The Atheist World* (Austin, TX: American Atheist Press, 1991), 154–55.
3. O'Hair, *The Atheist World*, 156–58.
4. Madalyn Murray O'Hair, *An Atheist Speaks* (Austin, TX: American Atheist Press, 1986) 69.
5. Madalyn Murray O'Hair, *What on Earth Is an Atheist!* (Austin, TX: American Atheist Press, 1969), 97–100. See also: O'Hair, *An Atheist Speaks*, 279.
6. Madalyn Murray O'Hair, *All about Atheists* (Austin, TX: American Atheist Press, 1988), 141–48.
7. O'Hair, *All about Atheists*, 149–55.
8. O'Hair, *All about Atheists*, 157–64.
9. O'Hair, *All about Atheists*, 165–73.
10. O'Hair, *What on Earth Is an Atheist!*, 240.
11. O'Hair, *What on Earth Is an Atheist!*, 100, 179.
12. O'Hair, *What on Earth Is an Atheist!*, 184–87, 245. See Joseph Campbell, *The Making of God* (New York: Viking Press, 1957).
13. O'Hair, *What on Earth Is an Atheist!*, 246.
14. See, for example O'Hair, *All about Atheists*, 7–13, 15–21.
15. O'Hair, *All about Atheists*, 121–26, 201.
16. O'Hair, *The Atheist World*, 192–97; Madalyn Murray O'Hair, *Atheist Heroes and Heroines* (Austin, TX: American Atheist Press, 1991), 7–13.
17. O'Hair, *The Atheist World*, 210–15.
18. O'Hair, *What on Earth Is an Atheist!*, 260–61.

19. O'Hair, *What on Earth Is an Atheist!*, 263–65.
20. O'Hair, *An Atheist Speaks*, 127.
21. O'Hair, *An Atheist Speaks*, 128.
22. O'Hair, *An Atheist Speaks*, 129.
23. O'Hair, *An Atheist Speaks*, 130–31.
24. See, for example, O'Hair, *An Atheist Speaks*, 213–18, 219–24; O'Hair, *The Atheist World*, 345–49.
25. O'Hair, *An Atheist Speaks*, 231.
26. O'Hair, *An Atheist Speaks*, 225–26.
27. O'Hair, *An Atheist Speaks*, 237.
28. O'Hair, *An Atheist Speaks*, 249, 253–55.
29. "Playboy Interview: Madalyn Murray," *Playboy*, October 1965, 70.
30. Jon Murray and Madalyn O'Hair, *All the Questions You Ever Wanted to Ask American Atheists: With All the Answers*, 2d ed. (Austin, TX: American Atheist Press, 1986), 151.
31. Murray and O'Hair, *All the Questions*, 180.
32. Madalyn Murray O'Hair, *Atheist Heroes and Heroines* (Austin, TX: American Atheist Press, 1991), 128.
33. O'Hair, *An Atheist Speaks*, 293–94.
34. O'Hair, *An Atheist Speaks*, 294.
35. O'Hair, *An Atheist Speaks*, 306–9.
36. O'Hair, *An Atheist Speaks*, 176–77.
37. O'Hair, *What on Earth Is an Atheist!*, 178.
38. O'Hair, *The Atheist World*, 133.
39. O'Hair, *What on Earth Is an Atheist!*, 130. See also Madalyn Murray O'Hair, "The Matter of Prayer," *American Atheist*, August 1995, 28.
40. O'Hair, *What on Earth Is an Atheist!*, 189.
41. O'Hair, *What on Earth Is an Atheist!*, 118–19, 190–91.
42. O'Hair, *What on Earth Is an Atheist!*, 123–24.
43. O'Hair, *What on Earth Is an Atheist!*, 126; O'Hair, *All about Atheists*, 34.
44. O'Hair, *All about Atheists*, 76–77, 79–80.
45. O'Hair, *All about Atheists*, 135–36.
46. O'Hair, *All about Atheists*, 136–37.
47. O'Hair, *The Atheist World*, 143–44.
48. O'Hair, *What on Earth Is an Atheist!*, 191.
49. O'Hair, *What on Earth Is an Atheist!*, 191–92.
50. O'Hair, *What on Earth Is an Atheist!*, 160–61.
51. O'Hair, *What on Earth Is an Atheist!*, 163; O'Hair, *An Atheist Speaks*, 55. See also O'Hair, *The Atheist World*, 167–72; O'Hair, "The Matter of Prayer," 28.
52. O'Hair, *An Atheist Speaks*, 59. See also O'Hair, *The Atheist World*, 175, 177–78.

53. O'Hair, *What on Earth Is an Atheist!*, 168. See also Lord Raglan, *The Origins of Religion* (London: Watts, 1949).
54. O'Hair, *What on Earth Is an Atheist!*, 167–69.
55. O'Hair, *An Atheist Speaks*, 151.
56. O'Hair, *An Atheist Speaks*, 152.
57. O'Hair, *An Atheist Speaks*, 152.
58. O'Hair, *An Atheist Speaks*, 153.
59. O'Hair, *An Atheist Speaks*, 153–54.
60. O'Hair, *An Atheist Speaks*, 154–55.
61. O'Hair, *What on Earth Is an Atheist!*, 128–29.
62. Madalyn Murray O'Hair, *Freedom under Siege: The Impact of Organized Religion on Your Liberty and Your Pocketbook* (Los Angeles: J. P. Tarcher, 1974), 1–2.
63. O'Hair, *Freedom under Siege*, 2–3.
64. O'Hair, *Freedom under Siege*, 3, 8, 11.
65. O'Hair, *Freedom under Siege*, 119–20.
66. O'Hair, *Freedom under Siege*, 120, 122–23.
67. O'Hair, *Freedom under Siege*, 124, 127.
68. O'Hair, *Freedom under Siege*, 124–25, 130–31.
69. O'Hair, *Freedom under Siege*, 132–35.
70. O'Hair, *Freedom under Siege*, 142.
71. Peter J. Kuznick and James Gilbert, "Introduction," in *Rethinking Cold War Culture*, ed. Peter J. Kuznick and James Gilbert (Washington, DC: Smithsonian Institution Press, 2001), 9.
72. See, for example, Elaine Tyler May, *Homeward Bound: American Families in the Cold War Era* (New York: Basic Books, 1988).
73. Joanne Meyerowitz, "Sex, Gender, and the Cold War Language of Reform," in *Rethinking Cold War Culture*, 106–123.
74. Kate Weigand, *Red Feminism: American Communism and the Making of Women's Liberation* (Baltimore: Johns Hopkins University Press, 2001), 1–11.
75. Madalyn O'Hair, *An Atheist Looks at Women and Religion*, rev. ed. (Austin, TX: American Atheist Press, 1994), ix–x.
76. O'Hair, *Freedom under Siege*, 163.
77. O'Hair, *Freedom under Siege*, 164–65.
78. O'Hair, *Freedom under Siege*, 165–70.
79. O'Hair, *Freedom under Siege*, 172–74, 177.
80. O'Hair, *Freedom under Siege*, 28–30, 37–38.
81. O'Hair, *Freedom under Siege*, 37–38.
82. O'Hair, *Freedom under Siege*, 38.
83. O'Hair, *All about Atheists*, 218.
84. O'Hair, *Freedom under Siege*, 38, 40–44.
85. O'Hair, *Freedom under Siege*, 48.
86. O'Hair, *Freedom under Siege*, 50.

87. O'Hair, *Freedom under Siege*, 48.
88. O'Hair, *Freedom under Siege*, 50.
89. O'Hair, *Freedom under Siege*, 50–51.
90. O'Hair, *Freedom under Siege*, 51.
91. O'Hair, *Freedom under Siege*, 51.
92. O'Hair, *Freedom under Siege*, 51.
93. O'Hair, *Freedom under Siege*, 51.
94. O'Hair, *Freedom under Siege*, 52.
95. O'Hair, *Freedom under Siege*, 100.
96. O'Hair, *Freedom under Siege*, 53.
97. O'Hair, *Freedom under Siege*, 53–54.
98. O'Hair, *Freedom under Siege*, 92.
99. O'Hair, *Freedom under Siege*, 92–93.
100. O'Hair, *Freedom under Siege*, 93.
101. O'Hair, *Freedom under Siege*, 100–101.
102. O'Hair, *Freedom under Siege*, 102.
103. Tom Freyer, "Everson v. Board of Education," in *Religion and American Law: An Encyclopedia*, ed. Paul Finkelman (New York: Garland, 2000), 173.
104. O'Hair, *Freedom under Siege*, 104.
105. O'Hair, *Freedom under Siege*, 107.
106. O'Hair, *Freedom under Siege*, 108–9.
107. O'Hair, *Freedom under Siege*, 109.
108. O'Hair, *Freedom under Siege*, 110.
109. O'Hair, *Freedom under Siege*, 111.
110. O'Hair, *Freedom under Siege*, 112.
111. O'Hair, *Freedom under Siege*, 112–13. Among O'Hair's other published works that essentially made the same points discussed in chapters 5 and 6 are *Let Us Prey* (1968), *Nobody Has a Prayer* (1982), and *O'Hair on Prayer* (1982), all published by American Atheist Press.

NOTES TO CHAPTER 7

1. Lawrence Wright, *Saints and Sinners: Walker Railey, Jimmy Swaggart, Madalyn Murray O'Hair, Anton LaVey, Will Campbell, Matthew Fox* (New York: Vintage Book, 1995), 93.
2. Wright, 94.
3. Jon Murray and Madalyn O'Hair, *All the Questions You Ever Wanted to Ask American Atheists: With All the Answers*, 2d ed. (Austin, TX: American Atheist Press, 1986), 141.
4. Quoted in Wright, 115.
5. Quoted in Wright, 115.

6. Philip Terzian, "Houses of Worship: Atheist's End," *Wall Street Journal*, 23 March 2001, 17.
7. Madalyn Murray O'Hair, *Atheists: The Last Minority* (Austin, TX: American Atheist Press, 1990), iii–iv.
8. O'Hair, *Atheists: The Last Minority*, viii; Terzian, 17.
9. William J. Murray, *My Life without God* (New York: Thomas Crown, 1983), 149–55.
10. Murray, *My Life without God*, 156–66. William's letter to Madalyn, dated 17 December 1967, is in the Nassour Collection.
11. Murray, *My Life without God*, 167–76.
12. William and Julie's marriage certificate is in the Nassour Collection.
13. Madalyn Murray O'Hair, *What on Earth Is an Atheist!* (Austin, TX: American Atheist Press, 1969), 229.
14. O'Hair, *What on Earth Is an Atheist!*, 230.
15. O'Hair, *What on Earth Is an Atheist!*, 230–33.
16. O'Hair, *What on Earth Is an Atheist!*, 231–32.
17. Murray, *My Life without God*, 177–94.
18. Murray, *My Life without God*, 191–94, 200–201.
19. O'Hair, Diary, 31 October 1972, 14 January 1974, 8 February 1974.
20. Murray, *My Life without God*, 200–9; William J. Murray, *The Church Is Not for Perfect People* (Eugene, OR: Harvest House, 1987), 38.
21. O'Hair, Diary, 1 May 1975, 15 May 1975, 8 June 1975.
22. Murray, *My Life without God*, 211, 214–15.
23. Murray, *My Life without God*, 216; "Atheist O'Hair, Husband Split," *Austin American-Statesman*, 14 January 1976, 5.
24. Murray, *My Life without God*, 210.
25. Murray, *My Life without God*, 215–16.
26. Murray, *My Life without God*, 217.
27. "O'Hair Instigates Fight with Graham," *Austin American Statesman*, 25 February 1976, A2.
28. O'Hair, Diary, 30 July 1976, 17 February 1977, 17 April 1977; "O'Hair to Run for Governor," *Austin Citizen*, 26 July 1976, 9.
29. O'Hair, Diary, 8 February 1974, 2 March 1974, 15 December 1974, 4 March 1975.
30. O'Hair, Diary, 15 December 1975, 8 January 1976, 26 January 1976; "Atheist O'Hair, Husband Split," *Austin American Statesman*, 14 January 1976, 5.
31. O'Hair, Diary, 29 January 1976.
32. Murray, *My Life without God*, 218–21.
33. Murray, *My Life without God*, 221.
34. Murray, *My Life without God*, 222–23.
35. O'Hair, Diary, 17 February 1977, 8 May 1977; Frolik, B1.
36. O'Hair, Diary, 19 June 1977; Murray, *My Life without God*, 231.

37. O'Hair, *Diary*, 25 June 1977, 11 August 1977; Murray, *My Life without God*, 223–224.
38. Murray, *My Life without God*, 224.
39. Murray, *My Life without God*, 224–25.
40. O'Hair, *Diary*, 28 August 1977 and 19 September 1977.
41. Murray, *My Life without God*, 226.
42. O'Hair, *Diary*, 30 April 1974.
43. Murray, *My Life without God*, 227–28; Jane Kathryn Conrad, *Mad Madalyn* (Brighton, CO: Jane Kathryn Conrad, 1983), 18–19; G. Richard Bozarth, "A Case against Madalyn Murray O'Hair: Inter-related Essays on an Experience," unpublished manuscript (1989), part 1: 25 and 33; "O'Hair, Society to Pay \$80,000 in Damage Suit," *Austin American-Statesman*, 2 November 1978, A1.
44. Murray, *My Life without God*, 227–28.
45. O'Hair, *Diary*, 24 October 1977.
46. "I'm Going to Teach Austin a Lesson' / A Lot of Punch Is Left in Hurricane O'Hair," *Austin American-Statesman*, 30 October 1977, A8.
47. "I'm Going to Teach Austin a Lesson," A1; Robert Schwab and Tracy Cortese, "O'Hair Raids Bingo Party," *Austin American-Statesman*, 27 October 1977, A1, A11.
48. "U.S. Judge Throws Out O'Hair's Bingo Lawsuit," *Austin American-Statesman*, 1 June 1978, B1; "O'Hair Lodges Formal Complaint over Bingo," *Austin American-Statesman*, 3 November 1977, D14; O'Hair, *Diary*, 26 October 1977.
49. "I'm Going to Teach Austin a Lesson," A8; Schwab and Cortese, A1.
50. O'Hair, *Diary*, 26 October 1977.
51. "I'm Going to Teach Austin a Lesson," A1.
52. O'Hair, *Diary*, 3 November 1977; Jane Daugherty, "O'Hair Takes on the Nativity," *Austin American-Statesman*, 14 December 1977, B1; "Judge Orders O'Hair to be Tried in State Court," *Austin American-Statesman*, 17 March 1979, B2.
53. Murray, *My Life without God*, 221; Bozarth, part 1: 31–33; "Atheist Loses \$50,000 Suit," *Austin American-Statesman*, 11 December 1978, B1; "O'Hair Ordered to Pay \$50,000 in Slander Suit," *Daily Texan*, 12 December 1978, 1.
54. "I'm Going to Teach Austin a Lesson," A8.
55. "I'm Going to Teach Austin a Lesson," A8.
56. "I'm Going to Teach Austin a Lesson," A8.
57. Becky Brown, "O'Hair's Son Subs for Her," *Austin American-Statesman*, 15 November 1977, B1.
58. Daugherty, B1.
59. Daugherty, B1.
60. Daugherty, B1.
61. "O'Hair Sued / Austin Attorney Has 'Had Enough,'" *Austin American-Statesman*, 20 December, 1977, A1.

62. Murray, *My Life without God*, 228–29; Lee Kelly, “O’Hair’s Son Turns to God,” *Austin American-Statesman*, 11 May 1980, A19.
63. Bozarth, part 1: 8.
64. Murray, *My Life without God*, 228–29; Conrad, 19; Murray, *The Church Is Not for Perfect People*, 40.
65. Murray, *My Life without God*, 230–233.
66. Murray, *My Life without God*, 232–33, 237–38.
67. Murray, *My Life without God*, 238.
68. Murray, *My Life without God*, 239.
69. Murray, *My Life without God*, 239–40.
70. Wright, 112, 262; Kelly, A19; Murray, *My Life without God*, 240–41.
71. Murray, *My Life without God*, 242–44.
72. Murray, *My Life without God*, 245; Murray, *The Church Is Not for Perfect People*, 41.
73. William J. Murray “Christian Testimony,” <http://www/wjmmurray.com> (26 June 2001).
74. Murray, *My Life without God*, 246.
75. Murray, *My Life without God*, 247; Murray, *The Church Is Not for Perfect People*, 42.
76. Murray, *My Life without God*, 247.
77. Murray, *The Church Is Not for Perfect People*, 42–43.
78. Kelly, A1, A19.
79. Kelly, A19.
80. Conrad, 21.
81. Murray, *The Church Is Not for Perfect People*, 44, 130.
82. Murray, *The Church Is Not for Perfect People*, 135–36.
83. Bozarth, part 1: 9.
84. O’Hair, *Diary*, 10 May 1980, 24 May 1980.
85. Murray and O’Hair, *All the Questions*, 134; Murray, *My Life without God*, 249–50.
86. Conrad, 21.
87. Bozarth, part 1: 9; Kelly, A19.
88. Bozarth, part 1: 9.
89. Bozarth, part 2: 21–22; Madalyn Murray O’Hair, “A Quarter Century,” *American Atheist*, June 1988, 13.
90. O’Hair, “A Quarter Century,” 13.
91. Murray and O’Hair, *All the Questions*, 154.
92. See, for example, O’Hair, *Diary*, 1 January 1973.
93. O’Hair, “A Quarter Century,” 13–14.
94. Madalyn Murray O’Hair, *Atheist Heroes and Heroines* (Austin, TX: American Atheist Press, 1991), 36; Madalyn Murray O’Hair, *Why I Am an Atheist*, 2d rev. ed. (Austin, TX: American Atheist Press, 1991), x.

95. See, for example, *Church v. Tennessee* (1975) and *Tirmenstein v. Mississippi* (1979). O'Hair, "A Quarter Century," 14.
96. Bozarth, part 2: 19–20; O'Hair, "A Quarter Century," 14; Murray and O'Hair, *All the Questions*, 202.
97. O'Hair, "A Quarter Century," 13–14.
98. O'Hair, "A Quarter Century," 13–14.
99. Included in Bozarth, part 2: 21–22.
100. In Bozarth, part 4: 8.
101. Text included in Bozarth, part 4: 8–9.
102. O'Hair, "A Quarter Century," 10; O'Hair, *Diary*, 13 January 1981.
103. Leo P. Ribuffo, "Will the Sixties Never End? Or Perhaps at Least the Thirties? Or Maybe Even the Progressive Era? Contrarian Thoughts on Change and Continuity in American Political Cultures at the Turn of the Millennium," in *Rethinking Cold War Culture*, 212–214.
104. O'Hair, *Atheist Heroes and Heroines*, viii.
105. Murray and O'Hair, *All the Questions*, 148.
106. Madalyn Murray O'Hair, *War in Viet Nam: The Religion Connection* (Austin, TX: American Atheist Press, 1982), 69–70.
107. O'Hair, *War in Viet Nam*, 49–74.
108. O'Hair, *War in Viet Nam*, 73–74.
109. O'Hair, *War in Viet Nam*, 83.
110. Murray and O'Hair, *All the Questions*, 117–18.
111. Murray and O'Hair, *All the Questions*, 118, 162, 195.
112. Murray and O'Hair, *All the Questions*, 118.
113. Murray and O'Hair, *All the Questions*, 128.
114. Madalyn Murray O'Hair, *Nobody Has a Prayer* (Austin, TX: American Atheist Press, 1982), 2; Madalyn Murray O'Hair, "The Matter of Prayer," *American Atheist*, August 1995, 32.
115. Murray and O'Hair, *All the Questions*, 128; O'Hair, *Diary*, 3 September 1983.
116. Murray and O'Hair, *All the Questions*, 205.
117. O'Hair, *Diary*, 15 January 1982.
118. O'Hair, *Diary*, 3 December 1982.
119. O'Hair, *Diary*, 20 April 1983, 14 July 1983.
120. Marsha Hamilton, "Soviets Ignore Atheist O'Hair's Message," *Austin American-Statesman*, 16 September 1989, A18.
121. O'Hair, *Diary*, 20 November 1989.
122. O'Hair, *Why I Am an Atheist*, 2d rev. ed., 51, 57; Murray and O'Hair, *All the Questions*, 137; O'Hair, *Diary*, 11 August 1984.
123. O'Hair, *Why I Am an Atheist*, 2d rev. ed., 52.
124. O'Hair, *Diary*, 26 September 1984.
125. "Atheist Leader Rejects Flynt's Porn Empire Gift," *Los Angeles Times*, 31 March 1984, 1A.

126. *Insider's Newsletter*, March 1984; Jon Rappoport, *Madalyn Murray O'Hair: "Most Hated Woman in America"* (San Diego: Truth Seeker, 1998), 80, 116; O'Hair, *Diary*, 18 August 1984; "Atheist Leader Rejects Flynt's Porn Empire Gift," 1A.
127. Rappoport, 79–80; "Atheist Leader Rejects Flynt's Porn Empire Gift," 1A.
128. O'Hair, *Diary*, 26 November 1985, 31 December 1986, 26–27 May 1986, 16 May 1987, 22 August 1988.
129. O'Hair, *Diary*, 6 November 1984.
130. Noted in "Madalyn Mays Murray O'Hair," *Contemporary Authors* (Detroit: Gale Research, 1997): <http://galenet.gale.com>.
131. Dianne King, "Setbacks Predicted for Cause/Atheist Leader Looks to Posterity," *Austin American-Statesman*, A14.
132. King, A14.
133. King, A14.
134. King, A14.
135. O'Hair, *Diary*, 26 November 1985.

NOTES TO CHAPTER 8

1. "Atheist Steps Down, but She Still Fights 'Fantasy Land,'" *Omaha World Herald*, 21 April 1986, 8A; Chuck Lindell and Robert W. Gee, "A Grim Conclusion to a Life of Controversy," *Austin American-Statesman*, 16 March 2001 (Taken from website: www.austin360.com/statesman/editions/today/news).
2. Peter Steinfelds, "Belief: Some Surprising Commonalities in the Status of Believers and Nonbelievers in American Society," *New York Times*, 24 March 2001, B6; Philip Terzian, "House of Worship: Atheist's End," *Wall Street Journal*, 23 March 2001, 17.
3. Jesse Jackson's untitled remarks included in *Anticommunism and the U.S.: History and Consequences* (Conference Proceedings) (New York: Institute for Media Analysis, 1988), 5–10.
4. See Billy James Hargis, *The National Council of Churches Indicts Itself on 50 Counts of Treason to God and Country* (Tulsa, OK: B. J. Hargis, 1963).
5. Diamond's "Remarks," in *Anticommunism and the U.S.*, 46; Harvey Cox's, "Remarks," in *Anticommunism and the U.S.*, 1; "Madalyn Mays Murray O'Hair," in *Contemporary Authors* (Detroit: Gale Research, 1997): <http://galenet.gale.com>; David Van Biema, "Where's Madalyn?" *Time*, 10 February 1997, 56.
6. Jon Murray and Madalyn O'Hair, *All the Questions You Ever Wanted to Ask American Atheists: With All the Answers*, 2d ed. (Austin, TX: American Atheist Press, 1986), 56–57, 90–91.
7. Murray and O'Hair, *All the Questions*, 172.
8. Murray and O'Hair, *All the Questions*, 173, 212. Lloyd and Pam Thoren created the American Atheist Museum in Petersburg, Indiana in 1978. When the

Thorens moved to San Francisco, some of the objects were sent to the American Atheists Center in Austin. "American Atheist Museum," *American Atheist*, June 1988, 54. Lloyd Thoren also conceived of Dial-an-Atheist, a telephone message system, which he launched in 1972. "The Dial-an-Atheist Service," *American Atheist*, June 1988, 47048.

9. Madalyn Murray O'Hair, "A Quarter Century," *American Atheist*, June 1988, 10.

10. Murray and O'Hair, *All the Questions*, 167.

11. William J. Murray, *The Church Is Not for Perfect People* (Eugene, OR: Harvest House, 1987), 129–30; O'Hair, "A Quarter Century," 14.

12. William J. Murray, *My Life without God* (New York: Thomas Crown, 1983), 250.

13. Murray, *My Life without God*, 250–52; Murray, *The Church Is Not for Perfect People*, 151, 155, 158–59.

14. Murray, *The Church Is Not for Perfect People*, 134.

15. "PTL Scandal Called a Ploy," *Omaha World Herald*, 19 April 1987, 7A.

16. "Groups Led by Atheist O'Hair, Estranged Son Clash in Denver," *Omaha World Herald*, 19 April 1987, 4A.

17. "Groups Led by Atheist O'Hair," 4A.

18. Washington Journal/William Murray C-SPAN Interview, 1 February 2001.

19. Jane Kathryn Conrad, *Mad Madalyn* (Brighton, CO: Jane Kathryn Conrad, 1983), 22–23.

20. G. Richard Bozarth, "A Case against Madalyn Murray O'Hair: Inter-related Essays on an Experience," unpublished manuscript (1989), part 1: 17.

21. Jon Rappoport, *Madalyn Murray O'Hair: "Most Hated Woman in America"* (San Diego: Truth Seeker, 1998), 26; Bozarth, part 1: 18.

22. O'Hair, *Diary*, 31 January 1978.

23. Rappoport, 26.

24. "Atheist Split Increases," *Dallas Morning News*, 18 May 1978, 2A.

25. Conrad, 23; Bozarth, part 2: 13, and part 4: 20–21.

26. "Atheist Split Increases," 2A; Van Biema, 3. See also Bozarth, part 1: 17.

27. Rappoport, 30.

28. Bozarth, part 1: 18.

29. Included in Bozarth, part 1: 17.

30. Conrad, 2, 24; Murray and O'Hair, *All the Questions*, 101.

31. Conrad, 25.

32. "Atheist Split Increases," 2A; Murray and O'Hair, *All the Questions*, 222; Madalyn Murray O'Hair, *Atheist Heroes and Heroines* (Austin, TX: American Atheist Press, 1991), 229–231.

33. Conrad, 26; Murray and O'Hair, *All the Questions*, 222–23.

34. Murray and O'Hair, *All the Questions*, 157, 223–24.

35. Bozarth, part 1: 3, 17.
36. Rappoport, 31–32. In email correspondence dated 13 November 2000, Rappoport insists he saw this letter, but he had no idea as to its current location.
37. Murray and O’Hair, *All the Questions*, 165, 185.
38. Murray and O’Hair, *All the Questions*, 165–66, 186.
39. O’Hair, Diary, 19 October 1986.
40. O’Hair, Diary, 2 November 1987, 4 November 1987.
41. Jon G. Murray, “Silver Jubilee Atheist-Style,” *American Atheist*, June 1988, 7.
42. O’Hair, Diary, 1 November 1987.
43. “Atheists Celebrate 25th Year of Prayer-Free Public Schools,” *Omaha World Herald*, 18 June 1988, 7A.
44. Bozarth, part 1: 1; “Atheists Celebrate 25th Year,” 7A; Jon Murray, “Silver Jubilee Atheist-Style,” 3, 7.
45. Madalyn Murray O’Hair, *Atheists: The Last Minority* (Austin, TX: American Atheist Press, 1990), 5–9; Robin Murray, “American Atheists Calls National Rally,” *American Atheists*, June 1992, 19.
46. O’Hair, *Atheists: The Last Minority*, 5–8. *Note*: In the early 1980s, *American Atheist* magazine ran a series of “Lonely Atheist” ads—atheists, mostly men, seeking the company of other atheists. In 1981 O’Hair reported that 80 percent of American Atheists members were men, 65 percent single. She explained that she thought there were “plenty of women atheists,” but that they were afraid to let their unbelief known. “The intellectual woman is scorned by males. . . . If she is going to be an atheist, she is going to be a closet atheist.” She also reported a membership of 100,000, half of whom had incomes of over \$20,000, 47 percent with at least a master’s degree, 65 percent who owned their own house, and 30 percent who were self-employed. See “Lonely Male Atheists Short on Like-Minded Women, O’Hair Says,” *Austin American-Statesman*, 27 November 1981, B13.
47. O’Hair, *Atheists: The Last Minority*, 15, 19, 21, 23.
48. “Atheists: The Next Generation,” *American Atheists*, July 1992, 16–19. See also Murray and O’Hair, *All the Questions*, 3, 5.
49. Dan Fesperman, “Even in Death, Discord Follows O’Hair,” *Baltimore Sun*, 23 March 2000, “Today” Section, 1.
50. Quoted in Lawrence Wright, *Saints and Sinners: Walker Railey, Jimmy Swaggart, Madalyn Murray O’Hair, Anton LaVey, Will Campbell, Matthew Fox* (New York: Vintage Books, 1995), 95.
51. Madalyn Murray O’Hair, *All about Atheists* (Austin, TX: American Atheist Press, 1988), vii–ix.
52. O’Hair, “A Quarter Century,” 15.
53. O’Hair, Diary, 29 July 1988.

54. See Woodworth, *A Sleazy Embarrassment*, n.p.; Fred Woodworth, *The Atheist Cult* (Tucson, AZ: Fred Woodworth, 1991), n.p.
55. Conrad, 1; Bozarth, part 1: 1.
56. Conrad, 9–10.
57. Bozarth, part 2: 8.
58. Robert DeVeroli, "Atheists Face Deep Divisions over Methods," *San Diego Union-Tribune*, 25 March 1989, B4.
59. Van Biema, 3.
60. Armando Acuna, "Unbelievers Crusading for Control of Atheist's Fortune," *Los Angeles Times*, 30 April 1989, 1.
61. O'Hair, *Diary*, 23 January 1975; Bruce Bursma, "Estate Battle Could Have Major Repercussions for Atheism," *Dallas Morning News*, 5 August 1989, 40A; Acuna, 36.
62. Chuck Lindell interview with Madalyn Murray O'Hair, unpublished, cassette recording (1993).
63. Rappoport, 45–47; Bursma, 40A, Acuna, 1.
64. Rappoport, 47–48, 106–7; Bursma, 40A.
65. Rappoport, 49–50; Acuna, 1, 36.
66. Rappoport, 50–52; Bursma, 40A, Acuna, 36, 40.
67. Rappoport, 52–54, 70; Acuna, 40.
68. Rappoport, 54–55; "Madalyn Murray O'Hair Is Battling Again," *Omaha World Herald*, 1 February 1990, 8A.
69. Lindell-O'Hair Interview; Rappoport, 56–57, 62; Chuck Lindell, "Atheist O'Hair Going to Court in Publication Battle," *Austin American-Statesman*, 1 November 1993, A1; Chuck Lindell, "O'Hair's Attorney Prepares for Retrial in San Diego," *Austin American-Statesman*, 20 December, 1993, B2.
70. Quoted in Wright, 114. *Note*: Lynch was fired as treasurer for alleged sexual misconduct, a charge he denied. Wright, 114.
71. Rappoport, 29.
72. Rappoport, 75.
73. Murray and O'Hair, *All the Questions*, 136; Lindell-O'Hair interview.
74. Conrad, 16–17.
75. Rappoport, 101.
76. Murray and O'Hair, *All the Questions*, 125.
77. Quoted in Wright, 115–16.
78. Van Biema, 3.
79. Rappoport, 151.
80. Van Biema, 3; Rappoport, 21; Paul Duggan, "Atheists' Cold Case Gets Warmer," *Washington Post*, 16 August 1999, C1.
81. Van Biema, 3; Duggan, "Atheists' Cold Case," C1.
82. Rappoport, 100; Van Biema, 3; Duggan, "Atheists' Cold Case," C1.
83. Van Biema, 1.

84. Rappoport, 25.
85. DeVeroli, B4.
86. Van Biema, 2.
87. Bozarth, part 1: 1, 8; part 4: 11.
88. See, for example, Philip Garon, "On Warpath Against 'God'/Mrs. O'Hair Operates at Home," *Austin American Statesman*, 27 August 1968, 12; "Religion Is Gaining Ground, But Morality Is Losing Ground," *Emerging Trends*, September 2001, 1-2.
89. Bozarth, part 1: 4.
90. "Atheist Split Increases," 2A.
91. Diane King, "Atheist Leader Looks to Posterity," *Austin American Statesman*, 27 January 1985, A1; Steve Weingarten, "Anniversary for Atheists," *Austin American Statesman*, 17 June 1988, A1.
92. Bozarth, part 1: 5; part 4: 12.
93. Lynch and Sofikits are quoted in Wright, 114, 262.
94. Van Biema, 2; Peter M. Rinaldo, *Atheists, Agnostics, and Deists in America: A Brief History* (Briarcliff Manor, NY: Dor Pete Press, 2000), 134.
95. Bozarth, part 1: 6.
96. Jon Murray, "Silver Jubilee Atheist-Style," 5.
97. Martin E. Marty, "Freethought and Ethical Movements," in *Encyclopedia of the American Religious Experience*, ed. Charles H. Lippy and Peter W. Williams (New York: Charles Scribner's Sons, 1988), II: 739; Rinaldo, 134. See also Marshall Sella, "Godless and Proud of It," *New York Times*, 7 December 1997, 103.
98. Stephen Bates, "The Unfaithful: Led by the Flamboyant Madalyn Murray O'Hair, American Atheists Survived Decades of Open Hostility. Now That She Is Gone, Can They Over-Come Sheer Indifference?" *Washington Post*, 29 July 2001, W14.
99. Bureau of the Census, U.S. Department of Commerce, *Statistical Abstract of the United States, 1999* (Washington, DC: U.S. Government Printing Office, 1999), table 1348, 831.
100. See, for example, O'Hair, *Atheist Heroes and Heroines*, 249-56.
101. Rinaldo, 136.
102. Sella, 104.
103. Quoted in Steinfels, B6. See also Sella, 103-5, 108.
104. Steinfels, B6; Bates, W14.
105. Steinfels, B6.
106. William J. Murray, "My Mother, My Brother, and My Daughter Were Murdered," (26 June 2001): <http://www.wjmurray.com>.
107. Washington Journal/William Murray C-SPAN Interview, 1 February 2001; Hamil R. Harris, "For Son of Slain Atheist, a Close Call," *Washington Post*, 26 February 2001, B2; William J. Murray, "Christian Testimony," (26 June 2001): <http://www.wjmurray.com>.

108. Madalyn Murray O'Hair, "The Matter of Prayer," *American Atheist*, August 1995, 28.

109. William J. Murray, "O'Hair a Casualty of Her Own Revolution," (26 June 2001): <http://www.wjmurray.com>.

110. Lindell-O'Hair interview; Chuck Lindell, Notes from interview with Madalyn Murray O'Hair, July 1993. Lindell is a reporter for the *Austin American-Statesman*. The notes are in his possession.

111. Chuck Lindell, "Religion to Return, Says Atheist O'Hair," *Austin American-Statesman*, 18 July 1993, B1.

112. Lindell, Notes from Interview with Madalyn Murray O'Hair; Lindell, "Religion to Return," B1.

113. Lindell and Gee.

NOTES TO THE EPILOGUE

1. Philip Terzian, "House of Worship: Atheist's End," *Wall Street Journal*, 23 March 2001, 17.

2. "Where's Madalyn O'Hair? It Seems God Only Knows," *Omaha World Herald*, 26 May, 1996, 7.

3. "Where's Madalyn O'Hair?" 7A; Chuck Lindell and Robert W. Gee "A Grim Conclusion to a Life of Controversy," *American Austin Statesman*, 16 March 2001. (Taken from website: www.austin360.com/statesman/edition/today/news/); Rappoport, 19.

4. O'Hair, Diary, 5 August 1995; "Where's Madalyn O'Hair?" 7A; David Van Biema, "Where's Madalyn?" *Time*, 10 February 1997, 56; Jon Rappoport, *Madalyn Murray O'Hair: "Most Hated Woman in America"* (San Diego: Truth Seekers, 1998), 65, 191; Cynthia McFadden, anchor, "Vanished: The Mystery of Madalyn O'Hair," on *ABC Thursday Night*, 22 June 1999.

5. Van Biema, 4.

6. Paul Duggan, "Atheists' Cold Case Gets Warmer," *Washington Post*, 16 August 1999, C1; McFadden.

7. Van Biema, 4; Duggan, "Atheists' Cold Case," C1.

8. Van Biema, 4; McFadden; Duggan, "Atheist's Cold Case," C1.

9. Rappoport, 19–20.

10. Rappoport, 65–66, 70.

11. Rappoport, 66–67; McFadden.

12. Rappoport, 20–21.

13. Van Biema, 4; Duggan, "Atheists' Cold Case," C1.

14. Van Biema, 5.

15. Alex Chadwick, "Madalyn O'Hair Is Missing and No One Seems to Care," *Morning Edition* (National Public Radio), 3 June 1996.

16. Van Biema, 5; Rappoport, 9–10, 158.

17. Rappoport, 117–19, 145–46; Van Biema, 5.
18. Van Biema, 6.
19. Rappoport, 5.
20. Rappoport, 126–27.
21. Rappoport, 154; “Where’s Madalyn O’Hair?” 7A.
22. Lindell and Gee.
23. “Where’s Madalyn O’Hair?” 7A.
24. “Where’s Madalyn O’Hair?” 7A; Van Biema, 6.
25. Rappoport, 151–52.
26. Rappoport, 35; Van Biema, 6.
27. McFadden; Chadwick; Van Biema, 6; Rappoport, 89.
28. Rappoport, 112.
29. Bill Minutaglio, “IRS to Auction Missing Atheist O’Hair’s Possessions March 22,” *Dallas Morning News*, 12 March 1997 (Electronic Library Personal Edition); Rappoport, 113–14.
30. Duggan, “Atheists’ Cold Case,” C1; “Missing Atheist’s Home Seized,” *Omaha World Herald*, 19 February 1997, 9A; “IRA Seizure of House Draws Atheist’s Anger,” *Omaha World Herald*, 6 March 1997, 8A; Minutaglio; Rappoport, 128–29.
31. “IRS Seizure of House Draws Atheist’s Anger,” 8A; Rappoport, 128–29, 159, 169; “Missing Atheists Left \$100,000 in Gold Coins,” *Omaha World Herald*, 2 February 1998, 6A.
32. “The Case of the Missing Atheist,” *Omaha World Herald*, 11 April 1999, 12A; McFadden.
33. Bozarth, part 2: 17. O’Hair reported on the contract in *Insider’s Newsletter*, October 1979.
34. “FBI Keeps Searching Ranch for O’Hair Clues,” *Omaha World Herald*, 9 April 1999, 3A; “Agents Dig but Find No Sign of Missing O’Hair,” *Omaha World Herald*, 3 April 1999, 8; “Second Felon with O’Hair Ties Arrested,” *Omaha World Herald*, 27 March 1999 (Electronic Library Personal Edition); “Felon with Links to O’Hair Arrested,” *Omaha World Herald*, 25 March 1999 (Electronic Library Personal Edition); McFadden; “The Case of the Missing Atheist,” 12A.
35. Duggan, “Atheists’ Cold Case,” C1.
36. Duggan, “Atheists’ Cold Case,” C1; McFadden.
37. “Agents Dig But Find No Signs,” 8; “Second Felon with O’Hair Ties Arrested”; “Second Man Held in Case of Missing Atheist,” *Omaha World Herald*, 28 March 1999 (Electronic Library Personal Edition); Duggan, “Atheists’ Cold Case,” C1; “The Case of the Missing Atheist,” 12A; “Felon with Links to O’Hair Arrested.”
38. “FBI Ends Search for Missing Atheist,” *Omaha World Herald*, 5 April 1999 (Electronic Library Personal Edition); “FBI Keeps Searching for O’Hair Clues,” 3A; “The Case of the Missing Atheist,” 12A.

39. "Officials: Ex-Employee behind Atheist's Death," *Omaha World Herald*, 27 May 1999 (Electronic Library Personal Edition); Duggan, "Atheists' Cold Case," C1; "Atheist-Case Suspect Sentenced to 60 Years," *Omaha World Herald*, 12 August 1999, 4.

40. "O'Hair Case Concludes in Life Term," *Omaha World Herald*, 18 August 2000, 2; "Man Convicted of Extortion in O'Hair Case," *Omaha World Herald*, 3 June 2000, 8.

41. Duggan, "Atheists' Cold Case," C1.

42. Paul Duggan, "Among the Faithless, a Faith Badly Broken," *Washington Post*, 16 August 1999, C1.

43. Duggan, "Among the Faithless," C1.

44. Waters, Karr, and Fry held on to about \$80,000 worth of the coins and put the rest in a suitcase in a rented storage locker. A trio of burglars, unaware of its contents, stole the suitcase. When they were apprehended, none of the coins was recovered except for one that had been fashioned into a brooch by a friend for one of the thieves. Duggan, "Among the Faithless," C1; McFadden.

45. Duggan, "Among the Faithless," C1.

46. Duggan, "Among the Faithless," C1; McFadden.

47. Duggan, "Among the Faithless," C1; McFadden.

48. Nancy San Martin, "Officials Confident That Find Solves O'Hair Mystery," *Dallas Morning News*, 29 January 2001 (DallasNews.com); Andrea Ball and Tony Plohetski, "Bones Found in Search for O'Hair," *Austin American-Statesman*, 28 January 2001, 1; "Remains at Ranch May Be Atheist's," *Omaha World Herald*, 29 January 2001, 5; David Hafetz, "Terms of O'Hair Deal Are Revealed," *Austin American-Statesman*, 30 January 2001, B1; "Remains Identified as Missing Atheist," 16 March 2001 (MSNBC.com/news); Anne Belli Gesalman, "An Atheist's Last Rites," *Newsweek*, 12 February 2001, 27; William J. Murray, "Madalyn Murray O'Hair/The Final Chapter," (26 June 2001): <http://www.wjmurray.com>.

49. Ball and Plohetski, 1; "Remains at Ranch May Be Atheist's," 5; "Search for Atheist Unearths Bones," *Omaha World Herald*, 28 January 2001, 3A; "Remains Identified as Missing Atheist."

50. "The Case of the Missing Atheist," 12A; Duggan, "Atheists' Cold Case," C1.

51. Duggan, "Atheists' Cold Case," C1.

52. Murray is quoted in "The Case of the Missing Atheist," 12A.

53. "Remains at Ranch May Be Atheist's" 5.

54. Megan K. Stack, "Even in Death, O'Hair in the Middle of Battle as Atheists Seek Her Ashes," *Los Angeles Times*, 28 March 2001, A1; William J. Murray, "Statement of William J. Murray," (26 June 2001): <http://www.wjmurray.com>; Murray, "Madalyn Murray O'Hair/The Final Chapter"; Hamil R. Harris, "For Son of Slain Atheist, a Close Call," *Washington Post*, 26 February 2001, B2;

William J. Murray, "My Mother, My Brother, and My Daughter Were Murdered." (26 June 2001): <http://www.wjmurray.com>.

55. Frank R. Zindler, "In Memoriam," *American Atheist* (Spring 2001) (Online edition): <http://americanatheist.org/spr01/T1/editor.html>.

56. Harris, B2; Fesperman, 1; "Bones Found at Ranch Confirmed to Be Those of Atheist and Family," *Berkshire Eagle*, 16 March 2001, A3.

57. Lindell and Gee; "Atheists Group Vows to Fight O'Hair's Son on Burial of Remains," *Omaha World Herald*, 17 March 2001, 4; Gesalman, 27. So far, only one person has been buried at Via's site, which was dedicated to deceased atheists: Frederick Conway. Conway, an inmate at the Richmond State Penitentiary, died in 1983. He was a member of the Prison Atheist League of America, begun by Via. Fesperman, 1.

58. Stack, A1; William J. Murray, "Statement of William J. Murray"; "O'Hair Buried without Prayer, as She Wished," *Houston Chronicle*, 28 March 2001, A22.

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