

California Instituting a New Religion in Public Schools, and It Sure Isn't Christianity

Attorneys with the Thomas More Society are asking a California Superior Court to grant an injunction against the California Department of Education and other government defendants—requiring them to immediately stop Aztec prayers in classrooms.

The request was filed on September 24, 2021, in *Californians for Equal Rights Foundation, et al. v. State of California, et al.* Thomas More Society lawyers are representing the Californians for Equal Rights Foundation and individual taxpayers and parents of school children in the dispute over a statewide curriculum that directs student to pray to Aztec and Yoruba deities.

“Our clients are not opposed to having students learn about different cultures and religions, including the practices of the Aztecs,” noted Paul Jonna, partner at LiMandri & Jonna LLP and Thomas More Society Special Counsel. “But the California State Board of Education’s approved Ethnic Studies Model Curriculum goes far beyond that by directing students to pray to Aztec deities. This portion of the Ethnic Studies Model Curriculum is not only offensive, but blatantly unconstitutional.”

The request for a Temporary Restraining Order asks the court to prohibit the State of California, along with its educational entities and officers, “from authorizing, promoting, or permitting the use of Aztec prayers and the ‘Ashe’ chant in California’s public schools,” and requires the

administration “to direct those under their authority not to use the Aztec prayer or ‘Ashe’ chant in public schools.”

The curriculum in question features the Aztec prayers in a section titled, “Affirmation, Chants, and Energizers.” Among these is the “In Lak Ech Affirmation,” which invokes five Aztec deities, acknowledges their power, asks for their help, and praises them. Additionally, the curriculum includes the Ashe Prayer from the Yoruba religion. Yoruba is an ancient philosophical concept that is the root of many pagan religions, including santeria and Haitian vodou or voodoo.

Sociocultural anthropologist Alan Sandstrom, Ph.D., a professor and scholar with expertise in the culture, religion, and ritual of the Aztec and other Mesoamerican peoples, has submitted a declaration to the court supporting an order prohibiting the inclusion of these prayers.

“I am very much in favor of the Model Curriculum’s stated goals. However, I think its treatment of Mesoamerican culture in the ‘In Lak Ech’ affirmation is a mistake,” writes Sandstrom. “A wealth of information about the Aztec culture, including religion and ethics, is available and can be taught in schools. However, the ‘In Lak Ech’ affirmation bypasses this and uses Aztec or Aztlan religious practice to convey a secondary modern message. In my view, there is no sound reason to invent an Aztec chant or to co-opt the elements of Aztec culture in this way. Doing so undermines genuine understanding and appreciation of these cultures.”

“I strongly believe that children can appropriately be taught about religion, and be taught to respect people of different faiths,” added Sandstrom. “However, I do not see the ‘In Lak Ech’ affirmation as achieving that goal in an appropriate way. The affirmation as presented amounts to a religious activity that I think has no place in a public school.”

Jonna observed that the Supreme Court “has been particularly

vigilant in monitoring compliance with the Establishment Clause in elementary and secondary schools” because “families entrust public schools with the education of their children” and “students in such institutions are impressionable and their attendance is involuntary.”

The inclusion of the Aztec and Yoruba prayers in the curriculum, “Clearly constitutes an unlawful government preference toward a particular religious practice,” according to Frank Xu, president of the Californians for Equal Rights Foundation.

The filing against California’s education authorities records that the high court has also written that, “Children, as they become aware of the religious differences of our people, should be made to understand the true character of the public school’s religious neutrality,” and that, “The religious liberty protected by the Constitution is abridged when the State affirmatively sponsors the particular religious practice of prayer.”

Read the Ex Parte Application for Temporary Restraining Order, and for Order to Show Cause Re: Preliminary Injunction filed September 24, 2021, with the Superior Court of California, County of San Diego—Central Division by Thomas More Society attorneys, in Californians for Equal Rights Foundation, et al. v. State of California, et al.

Read the Declaration of Alan R. Sandstrom, Ph.D. in Support of Ex Parte Application for Temporary Restraining Order, and for Order to Show Cause Re: Preliminary Injunction filed September 24, 2021, with the Superior Court of California, County of San Diego – Central Division by Thomas More Society attorneys, in Californians for Equal Rights Foundation, et al. v. State of California, et al. {eo}

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