

finding based on the evidence, the child's welfare requires that medical treatment and there is a weighing of evidence that the child will be benefitted and in those cases when the evidence is in and the judge is satisfied, the religious conviction takes a back seat to the child's best interests. And I would suggest to Senator Chambers that he stand up and do the same thing and make the same showing and give us that kind of evidence which has to be in there when you override a parental decision that is clothed in religious conviction. That is not what is being asked here. Secondly, the other way to look at that argument is to say, "Well, I know you think it is your religious conviction but I don't think it is a religious conviction. It doesn't comport to my religion, therefore, it is not religion. I see it as education. I don't care if you think it is a matter of religion. I see it as one of education, therefore, since I am the decision maker and I have the power, my definition will be the one that carries the day." That is simply a fallacious argument based on equivocation claiming by definition that which the opponent says is true. As in *U.S. versus Ballard*, the Supreme Court said it is crystal clear that neither the validity of what a person believes nor the reasons for so believing can be contested by an arm of the government. Men may believe what they cannot prove. They may not be put to the proof of their religious doctrines or beliefs. Religious experiences which are as real as life to some may be incomprehensible to others and I would suggest to Senator Chambers that perhaps what he finds as incomprehensible is very real to those who claim that it is their religious conviction that teachers are ministers and that they will not subject their ministry to the certification of the state. Now what about the argument that this is the floodgates? If it is good enough for Christian schools why don't we rip off certification for everybody? Certification does not violate the religious standards of the vast majority of the public. It certainly does not violate mine. I'm glad we have certification. I'm glad to send my children to schools where they have certified teachers and that is consistent with my religious convictions and my educational principles. In a public school system it is reasonable to exact quality control and teacher certification is a reasonable mechanism to do that. I hope we put that question to the trial because I intend to support teacher certification in public schools. What I am saying is, however, that those people who genuinely believe teacher certification to violate their religious convictions should not have those religious convictions contravened unless we can show that the children will suffer otherwise. We have forty some states that do not have certification standards for privately educated children and I have had no evidence given to me that those children suffer by achievement, by entrance into college or