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LIBERTY

A MAGAZINE OF RELIGIOUS FREEDOM



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SYMBOLIZING THE FAITH OF EARLY AMERICANS

**Articles on the Appointment of Vatican Representative
Doctor David S. Muzzey of Columbia on Conscience and War**

15 CENTS A COPY

WASHINGTON, D.C.

DECLARATION *of* PRINCIPLES

Religious Liberty Association

1. We believe in God, in the Bible as the word of God, and in the separation of church and state as taught by Jesus Christ.
2. We believe that the ten commandments are the law of God, and that they comprehend man's whole duty to God and man.
3. We believe that the religion of Jesus Christ is founded in the law of love of God, and needs no human power to support or enforce it. Love cannot be forced.
4. We believe in civil government as divinely ordained to protect men in the enjoyment of their natural rights and to rule in civil things, and that in this realm it is entitled to the respectful obedience of all.
5. We believe it is the right, and should be the privilege, of every individual to worship or not to worship, according to the dictates of his own conscience, provided that in the exercise of this right he respects the equal rights of others.
6. We believe that all religious legislation tends to unite church and state, is subversive of human rights, persecuting in character, and opposed to the best interests of both church and state.
7. We believe, therefore, that it is not within the province of civil government to legislate on religious questions.
8. We believe it to be our duty to use every lawful and honorable means to prevent religious legislation, and oppose all movements tending to unite church and state, that all may enjoy the inestimable blessings of civil and religious liberty.
9. We believe in the inalienable and constitutional right of free speech, free press, peaceable assembly, and petition.
10. We also believe in temperance, and regard the liquor traffic as a curse to society.

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A MAGAZINE OF RELIGIOUS FREEDOM

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Our First President at Home With His Family at Mount Vernon

PAINTED BY E. PERCY MORAN



GEORGE WASHINGTON fully believed in the liberty of conscience. He once declared: "If I could have entertained the slightest apprehension that the constitution framed in the convention, where I had the honor to preside, might possibly endanger the religious rights of any ecclesiastical society, certainly I would never have placed my signature to it; and if I could now conceive that the general government might ever be so administered as to render the liberty of conscience insecure, I beg you will be persuaded, that no one would be more zealous than myself to establish effectual barriers against the horrors of spiritual tyranny, and every species of religious persecution. . . . I have often expressed my sentiments, that every man, conducting himself as a good citizen, and being accountable to God alone for his religious opinions, ought to be protected in worshipping the Deity according to the dictates of his own conscience."



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An Air View of Vatican City

The Representative to the Vatican

by C. S. LONGACRE

ON DECEMBER 23, President Roosevelt wrote a letter to Pope Pius XII, notifying him that he had appointed a "personal representative" to the Vatican. High church dignitaries in close touch with the Vatican publicly stated they were "not surprised." Bishop James H. Ryan of Omaha, who, with another high Roman priest, was sent by the President as a special emissary to visit South American governments in behalf of the American Government, said: "Although I am not surprised, I am greatly delighted with this announcement. I am very happy that my old friend, Mr. Myron Taylor, has been selected to serve as liaison between the President and Pope Pius XII."



It seems that the diplomatic circles connected with the Vatican fully expected this action and knew it was coming before anybody else, even Congress, knew anything about it. It did not grow out of recent developments in this present world war. It was understood by the Vatican church organ and so stated at the time Cardinal Pacelli, the present Pope, dined with the President a little more than four years ago, just before he was elected to the Presidency a second time.

The *Port-of-Spain Gazette* of October 2, 1936, published "Italian Press Comments" which came from Vatican circles in Rome. The comments were as follows:

"The sudden departure of the papal state secretary, Cardinal Pacelli, for the United States on Thursday, is the subject of much speculation in the Italian press. It is stated that the cardinal is traveling on an important diplomatic mission from the Vatican so that he will have the opportunity to confer with President Roosevelt and will make certain proposals of an eminent political character. The possible object of the voyage is to propose the appointment of a papal nuncio to the United States where at the present time the Vatican is represented only by an

Father Wilfred Parsons, dean of the Graduate School of Georgetown University, in a speech before members of the University Hospital auxiliary board, stated that the appointment of Myron C. Taylor as special envoy to the Vatican was "one of the most important incidents in American history . . . in our time." He further declared that "the question is not why the President did appoint an envoy, but why it was not done before."—*Washington Post*, Jan. 30, 1940.

apostolic delegate. The establishment of nunciature in America would strengthen the standing of the Catholic Church in America considerably. . . . The opinion also prevails in Rome circles that the voyage of the cardinal may also have connection with the American election campaign."

Immediately following Cardinal Pacelli's visit with President Roosevelt, a few days before the Presidential election in November, 1936, the papal secretary of state issued a public statement to the Associated Press that his visit with President Roosevelt had been "very satisfactory."

Appointment Hailed as Proper Step

Archbishop Spellman, whom President Roosevelt selected as his emissary to convey his letter to Pope Pius XII, expressed the hope that the appointment of Mr. Taylor as the "personal representative" of the President to the Pope "might eventually prove a step toward resumption of diplomatic relations." In fact, an Associated Press dispatch from diplomatic circles in Vatican City on December 24, expressly stated that "belief was expressed in Vatican quarters that the move was further evidence of increasingly cordial relations between the United States and the Holy See. Previous manifestations of this tendency were President Roosevelt's order that the American embassy in Rome receive the late George Cardinal Mundelein with full diplomatic honors on his visit a year ago, and appointment of Ambassador Joseph Kennedy as special representative at the coronation of Pope Pius XII. While Vatican quarters observed cautiously that Taylor's mission was limited, it was felt in these circles that it might eventually prove a step toward resumption of diplomatic relations."—*Washington Post*, Dec. 24, 1939.

The fact that Cardinal Mundelein, under President Roosevelt's orders, was accorded "full diplomatic honors" and was entertained "as a king" by the American embassy in Rome upon his last arrival at the Vatican, led the diplomatic circles in Washington to the conclusion that Mr. Taylor's appointment was "a step in the direction . . . of fully establishing diplomatic relations between the United States and the Vatican."—*Ibid.*

The Associated Press on December 24 stated that "informed observers here [in Washington] ascribed a large share of the credit for Roosevelt's move today to the late Chicago cardinal," Mundelein.—*Ibid.*

Former Relations Broken Off

Formerly diplomatic relations were established with the Vatican when the pope was a king over a large section of the territory of Italy and exercised full temporal power. But when the pope lost most of his temporal possessions, in 1868, the United States



PHOTO COPYRIGHT BY HARRIS & EWING

Myron C. Taylor, Who Has Been Appointed "Personal Representative" of the President to the Vatican

broke off diplomatic relations with the Vatican. His status was reduced to a mayor of a city rather than a king over a temporal state.

Another reason why diplomatic relations were broken off at that time was the fact that the pope had sent a special stone with his inscription to the United States Government to be incorporated into the Washington Monument, which was then in the process of erection in the city of Washington on the banks of the Potomac. That stone suddenly disappeared and its pieces were later found in the Potomac River. The American Protective Association was accused by the Catholic Church of being guilty of this depredation and insult to the pope, though they never were able to furnish the proof. However, the affair resulted in the Vatican's recalling its diplomatic minister, and likewise in Congress's failing to make any more appropriations to send an envoy to the Vatican. President U. S. Grant later took a decided stand against renewing diplomatic relations with the Vatican as a violation of the American principle of a total separation of church and state.

Certainly there are some very significant religious and political implications involved in reestablishing diplomatic relations with the Vatican.

The LIBERTY magazine is not anti-Catholic, anti-Protestant, or anti-Jewish. We believe that all re-

ligions should stand upon the same equality before the law and enjoy the equal protection of the laws. But sending a "representative" to the Vatican is in violation of that principle of equality. It is granting a special privilege and favor to one church which is not granted to other churches. It forms a political alliance with one church not shared by others. This discrimination is bound to foster and provoke dissension and strife between churches and postpone the advancement of peace and harmony.

The Baptist denomination has issued a statement that this appointment of a "representative" to the Vatican has set back the efforts of peace and unity among the churches at least twenty-five years.

Should Religion and Government Be United?

President Roosevelt in his letter to Pope Pius XII gave utterance to certain religious phrases which have a far-reaching significance in governmental functions. The President said: "In these present moments, no spiritual leader, no civil leader, can move forward on a specific plan to terminate destruction and build anew. Yet the time for that will surely come. It is, therefore, my thought that though no given action or given time may now be prophesied, it is well that we encourage a closer association between those in every part of the world—those in religion and those in government—who have a common purpose. . . . When the time shall come for reestablishment of world peace on a surer foundation, it is of the utmost importance to humanity and to religion that common ideals shall have united expression."

We wonder if the President carefully considered the implications involved in the use of those religious phrases as related to government functions! Certainly he cannot be ignorant of the religio-political alliances of medieval times and the baneful consequences of those alliances between the church and the state.

The most dangerous combination ever effected in past history, which crimsoned the streams of Europe with the blood of martyrs, was when "those in religion and those in government—who have a common purpose"—joined forces. When the powerful politico-ecclesiastical organizations of medieval and colonial times, whether Catholic or Protestant, formed alliances with the governments and worked for "a common purpose" and "common ideals," and gave

"united expression" to their objectives, the world became a dreary prison for all dissenters, and both civil and religious liberty perished from the earth.

Lessons From the Past

The President further stated in his letter to Pope Pius XII that "a civilization capable of giving to mankind security and peace" must be "firmly set in the foundations of religious teaching."

When the alliances between the churches and the governments which resulted in the establishment of the Holy Roman Empire were formed, the avowed object was to put a spiritual mold upon all the laws and to make the spiritual head of the state church the supreme arbitrator of all disputes. It was thought that in this way a reign of peace and righteousness would be established upon the earth.

But how did that church-and-state alliance work, with the church and the spiritual head in supreme control basing all his decisions upon "the foundations of religious teaching"? The history of the Dark Ages is the answer. Instead of leading to the establishment of a reign of peace and justice and righteousness, it led to the establishment of the Inquisition.

The Puritans of New England tried a similar experiment when they formed a church-and-state alliance based upon "the foundation of religious teaching" known as "the Holy Commonwealth" of Massachusetts.

Certainly these church-and-state alliances based on "the foundations of religious teaching" have been sufficiently tested in the past and found woefully wanting so that we need not try the experiment over again in order to find out how they work.

The best thing we can hope for in this appointment of a "personal representative" to the Vatican is that the President will live up to the promise he made to the representatives of the Baptists, the Lutherans, and the Seventh-day Adventists when he called them to the White House for a conference concerning the protests they offered to this appointment—that this appointment was only temporary and not permanent, and that diplomatic relations with our Government and the Vatican would be canceled when the special mission for which a representative to the Vatican was sent was fulfilled. Unless this is the case, an era of peace will be farther removed from realization than the termination of the present world war.

Beware of Religio-
Political Alliances

Keep Church and
State Forever Separate



An Un-American Appointment

[The following editorial from the *Christian Century* of January 10, 1940, states so forcefully and succinctly what we believe a majority of thinking people in America must reach as their deliberate conclusion with respect to the matter of the appointment of Mr. Taylor to the Vatican, that we believe it should have the widest possible circulation. Had we written ourselves we would probably have expressed our opinions in a little different language, but we are sure that we could not have hoped to set forth certain fundamental facts in so convincing a manner as is here done. We are glad to give the larger part of this editorial the additional circulation that may be found among our readers.—EDITORS.]

WITH THE UNOANNY POLITICAL intuition for which he is celebrated, President Roosevelt chose Christmas and the European war as occasion for an executive action which, had it been isolated from this context, would surely have excited widespread criticism and controversy. Woven into this context, it was effectively removed from the reach of general public consideration. The action was the President's appointment of Myron C. Taylor as ambassador to the Vatican. We propose to discuss the political implications of this appointment. Whether this can be done without seeming to disparage the importance of its nonpolitical aspect, remains to be seen. Certainly, the metropolitan press has shown no disposition to consider its political bearings. The reason is easy to understand. It is hardly likely that secular newspapers which are keenly sensitive to Roman Catholic influences will dare so much as to admit that any political question is involved. If in their first news story of the appointment there was a clear hint that the President's action might not be favorably received

by considerable sections of the American public, such a hint was soon smothered under the acclaim with which its noncontroversial aspects were greeted.

The President himself anticipated criticism and sought to turn its edge by assuring the nation that the ambassadorship of Mr. Taylor was not to the Vatican as a temporal power, but to the Pope as the head of the Roman Catholic Church. The distinction, however, is hardly less creditable to Mr. Roosevelt's acumen than it will prove to be reassuring to American opinion. It is doubtful that the people of the United States will be more pleased to have a political ambassador at the headquarters of a world church than they would be to have one at the capital of a temporal state which their Government does not recognize as a state. Mr. Roosevelt escapes censure for performing an illegal act by performing one which, whatever may be said of its legality, is thoroughly inconsistent with American democratic ideals. There might have been precedent for the appointment which the President says he did not make, but the appointment which he says he did make is wholly without precedent.

Innovation in American Policy

For a short period of twenty years, from 1848 to 1868, the United States did have diplomatic relations with the papal power. This relationship ended just before the domains of the pope and his temporal



PHOTO BY P. & A.

The Papal Guards of the Vatican Are Symbolic of the Ancient Prestige of the Papal See

LIBERTY, 1940

sovereignty were absorbed by the kingdom of Italy in 1870. The press has revived this history to make it appear that the President's appointment of Mr. Taylor as ambassador is a resumption of the former relationship. The temporal sovereignty having been restored to the Papacy (by the Lateran Treaty of 1929), it is implied that the appointment is in line with precedent. But Mr. Roosevelt makes no such claim for his action. On the contrary, he is explicit in declaring that his ambassador is not appointed to the Pope as the head of the Vatican State, but to the Pope as the head of the Roman Catholic Church.

It is an unqualified innovation in American policy for this Government to send an ambassador to the head of a church. Our traditional policy has been clearly defined in terms of the hospitable toleration of all religious faiths and the official recognition of none.

President Roosevelt has placed the Roman Catholic Church in a privileged position which is repugnant not only to American tradition, but to democratic principles, and must be offensive to the feelings of America's non-Catholic citizens. He has sought to disguise this implication of his action by emphasizing that Mr. Taylor is to be (1) his *personal* representative (2) to the *Pope*, (3) with the rank of ambassador, (4) charged with the mission of effecting cooperative action between this Government and the Papacy *not only on behalf of peace, but of world reconstruction after peace is secured*. The political significance of this appointment was further disguised (5) by the pretense that the appointee was invested with the rank of ambassador "for social purposes," and (6) by simultaneously extending invitations to Dr. George A. Buttrick as president of the Federal Council of Churches of Christ in America, a Protestant organization, and to Rabbi Cyrus Adler, a conspicuous Jewish leader, to call upon him from time to time to discuss the world situation.

Under these layers of camouflage the political implication of Mr. Roosevelt's action is so effectively hidden that it can be discerned only by those who will take pains to disentangle it from the context in which it has been cleverly woven. If the subject is too delicate for the secular press, even for the press of the opposition party, to deal with it, the *Christian Century* is resolved that no reader of this paper shall allow the incident to pass without at least giving it critical examination.

SECOND QUARTER



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The Vatican. With Part of the Plaza of St. Peter's in the Foreground

Distinction Without Substantial Difference

Mr. Roosevelt affects to distinguish this appointment from regular political appointments by describing Mr. Taylor as his personal representative. This, however, is a distinction without a substantial difference. All our envoys to foreign countries are the personal representatives of the executive head of the Government of the United States. They are his informants and advisers on matters which concern this country's relations with the countries to which they are accredited. They have no independent authority to initiate policies or agreements, or to execute them, or to make decisions of any kind, apart from instructions given directly by the President, or indirectly through the State Department. Mr. Taylor, as ambassador to the head of the Roman Catholic Church, will have the same authority—no less—as that which Mr. Kennedy, ambassador to the king of Great Britain, possesses.

Mr. Taylor will present his credentials to the Pope, as Mr. Kennedy presented his to the king. He will rank in the diplomatic corps at Vatican City with the ambassadors and ministers representing the British Empire, France, Germany, Italy, Spain, and most of the Latin-American countries, all of whom are accredited, not to the Roman Catholic Church, but to the Vatican State. In a social situation—for example, a public reception, or a state dinner—Mr. Taylor's position will be determined by protocol. He will make upon the public the impression that the United States has recognized the Papacy as a temporal power, and his official diplomatic activity will bear out this impression.

It is no surprise, therefore, that the Pope, in acknowledging, through the apostolic delegate in the United States, the appointment of Mr. Taylor, refers

(Continued on page 24)



PHOTO BY KEYSTONE VIEW CO.

American Youth Rehearse for War. May They Be Able to Escape Its Grim Realities

Conscience in Wartime

by **DAVID SAVILLE MUZZEY, Ph.D.**

Department of History, Columbia University

IN SPITE OF the numerous treaties, pacts, disarmament conferences, naval agreements, and kaleidoscopic shifting of alliances, since the great World War, the horrid allies of Mars—greed, jealousy, chauvinism, and the unbridled lust for power—have prevailed over the prayers and efforts of the men of good will, and again war (after an interval of precarious peace which has had all the elements of a state of war) has broken out between the overweening lords of totalitarianism and the harassed defenders of democracy. Today nations comprising four fifths of the world's population are at war, though the actual combat forces are for the moment operating in restricted areas on land and with comparative restraint at sea. We say "for the moment," because no one can tell when or whether the constantly threatened annihilating attack by land, sea, and from the air will be launched against the Western powers.

Intervention and Its Aftermath

The situation in our own country presents a striking contrast to that of a quarter of a century ago. Then, to use the words of President Wilson in his

speech of May 27, 1916, before the League to Enforce Peace, we were "not concerned with the causes and objects of the war." "The obscure fountains from which its stupendous flood has burst forth we are not interested to search for or to explore." Did not three thousand miles of "cooling ocean" roll between us and the deluded peoples of Europe who were bent on wrecking the civilization which they had built through laborious centuries? Were we not free and untrammelled to intervene, when the madness had passed, with the healing counsels of peace and a new order of world brotherhood? The progressive stages, highly complicated by financial, commercial, industrial, political, racial, and emotional considerations, by which we passed from a vaguely benevolent neutrality to the grim implementation of "force, force to the uttermost" through the sweep of a million American soldiers across the ugly terrain of the Argonne, form the tragedy of the Wilson Administration.

The aftermath of that tragedy, in economic dislocations, disillusioned hopes, defaulted debts, frustrated attempts at disarmament, resurgent chauvinism, and the steady advance of a ruthless aggression

that keeps no faith with its plighted word and knows no law but the right of might, has been the constant influence in determining the changed attitude of our people to the "second world war." We are no less unanimous in opinion, from the President down, than we were in 1914 that it would be a calamity for America to be drawn into war. But then our confidence rested on the conviction that such a calamity was unthinkable. We were totally unprepared; our army was insignificant; our industry was not at all geared to a war economy; our neutrality rested on the old isolationist basis laid down by Washington and Jefferson. We did not dream that what was going on in Europe then would necessitate our altering our comfortable policy of exemption from quarrels on another hemisphere.

Problem of the Conscientious Objector

How much closer we are now to the upheavals abroad is shown by the very efforts we have been making in the recent years to avoid their repercussion on our shores: our unprecedented expenditures for national defense, our awakened interest in the study and propagation of our heritage of democracy, our discussion of various propositions, like the Ludlow Resolution, to give the people at large a voice in the declaration of war, our legislation prohibiting loans to countries in debt to us, our tightening of the neutrality laws to avoid exposing our commerce to the perils of war, and in general our country-wide concern to escape another involvement like that of 1917, which 70 per cent of the voters in a recent poll declared to be a national misfortune.

But in all this coincident preparation for another war and provision for its avoidance, one subject of immense importance has received little or no attention. That is the attitude which we may take toward those whose conscience forbids their taking up arms or contributing in any way to the prosecution of war. Of course, that problem will arise only if (which God

forbid!) we should be drawn into the war and if our armed forces are raised in whole or in part by conscription (as will very likely be the case). Then will inevitably arise the problem of the conscientious objector. And, if we can judge by such manifestations as the Oxford pledge against fighting and Albert Einstein's plea for an unequivocal refusal on the part of young men to engage in another war, together with the general disillusionment and disgust inspired in minds of thousands by the utter failure of the last war to bring the end of war and the inauguration of a new and better world order, the number of men who will hold out against conscription bids fair to be many times the few thousand who resisted the draft in the last war.

All this, of course, is hypothetical. But not more so than the eventuality of our entering the war, against which such far-reaching precautions are being taken, and for which so many preparations are being made. During and shortly after the last war a great deal of interest was aroused in the question of the conscientious objectors. Books appeared by Major Kellogg of the National Board of Inquiry, Professor Case, Norman Thomas, and others, discussing the causes, manifestations, and treatment of disobedience to the orders of the War Department. Harrowing accounts were written, like Meyer's "Hay, Yellowbacks!" of the indignities heaped on the alleged "cowards" and "slackers" in the military camps. But for more than a dozen years hardly a word has been said on this important subject.

A Question Which Cannot Be Ignored

In the midst of concern over the military, industrial, commercial, and financial consequences of another possible involvement of the United States in war, the question of conscientious resistance seems to have been entirely overlooked. Yet conscience is not dead. The words, "We ought to obey God rather than men," have not been erased from the hearts of those



PHOTO BY AMERICAN PRESS ASSN.

War Knows No Boundaries. Its Deadly Work Is Extended to Homes Far Behind the Battle Lines

who believe them. The conviction that the state has no right to conscript a man's conscience is probably stronger today than it was before the rise of the totalitarian dictators. Are we to be unprepared only in this serious matter of the treatment of the conscientious objector? Are we to wait until in the heat of war passion his fate shall be entrusted to busy men in uniform who often regard him with scorn? Or are we to try to find a way by which, without cruelty or cynicism, the honest convictions of the man who refuses to wear a uniform or carry a gun may be reconciled with the ready response of the soldier? Until war ceases we shall have this problem to deal with, and, as the realization of the folly of war grows (as it has been growing apace in our days) the problem will become more acute.

It is not a new problem even for the United States, as the terrible antidraft riots in New York and other cities in the midst of the Civil War testify. But it goes far back into medieval and classic days. In the Roman Empire the Jews were exempted from military service on account of their religious views. In the sixteenth century the spiritual descendants of Menno Simons (Mennonites) were likewise exempted in Holland and Zeeland, and even Napoleon excused the sect from any military service except hospital work. When many of them emigrated to America to escape the broken promise of exemption by the czarist government of Russia, they were assured by President Grant that the Constitution of the United States would protect them in the observance of the noncombatant tenets of their religion.

While there were other causes for the resistance to military service, such as the political conviction that a state had no power to coerce a citizen into war, or the constitutional objection that the Thirteenth Amendment guaranteed a man against the "involuntary servitude" of conscription, or the economic argu-

ment that this particular war was an unjust one, fought at the behest and for the protection of the capitalist, or the purely humanitarian one that it was wicked to run a bayonet through a man who had done you no harm, but only wore a different colored uniform; nevertheless, the great majority of conscientious objectors based their resistance on religious grounds.

A New Battlefield for Conscience

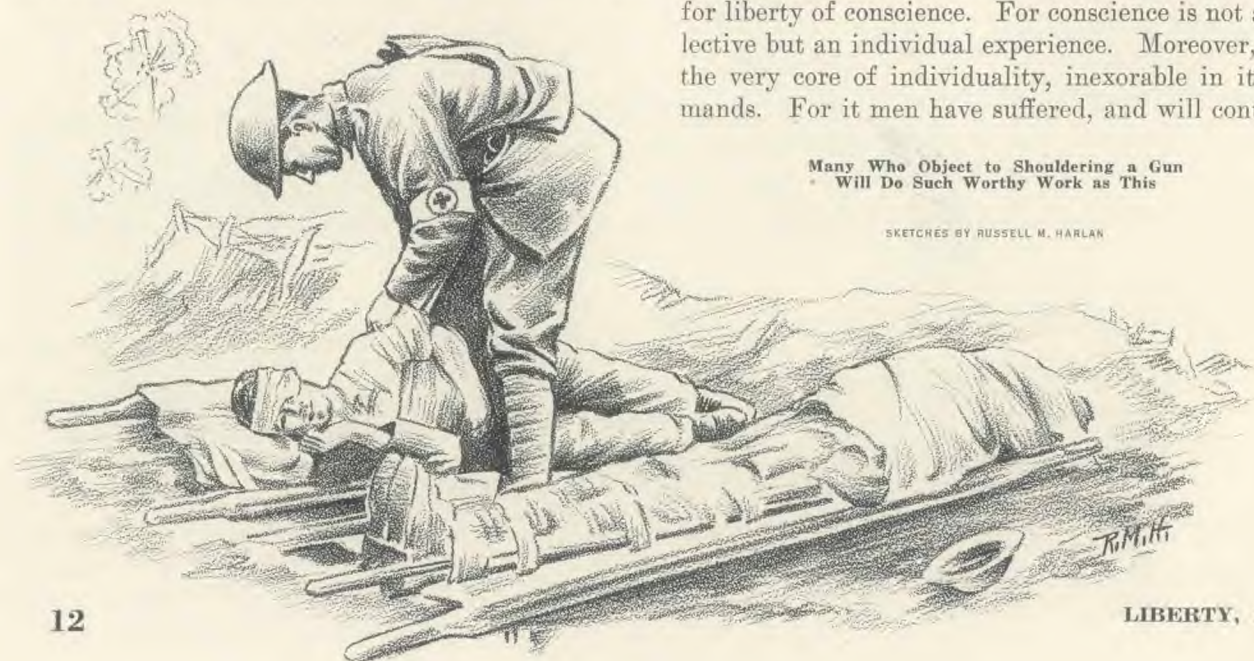
In the course of the last three centuries religious liberty has pretty well won its battle against religious persecution. The churches have ceased to call on the powers of the state to suppress heresy and infidelity, or to pursue the unbeliever with the milder penalties of social disapprobation. The intolerable Puritan busybody of the days of the Cottons and the Mathers has passed away. No one would ask today whether a man was a trinitarian or a unitarian or any other kind of "arian" if it was a question of trusting him with the care of his money or his child. His character and not his creed would count.

But as the interest in theological orthodoxy has waned, a demand for another kind of conformity has been growing. As H. G. Wells once remarked, "a man can say anything he wants to about God" in a group of acquaintances, but if he makes any derogatory remarks about Great Britain, he is likely to stir up a hornets' nest. "My country, right or wrong" (the motto displayed at the masthead of a metropolitan paper during the World War) has taken the place of the Calvinistic categorical in the minds of millions. In the totalitarian countries the state (an abstraction) is elevated to the position of the arbitrary God (without His alleged righteousness), and the individual reduced to an obedient, insignificant automaton.

Here is the new battlefield in the eternal struggle for liberty of conscience. For conscience is not a collective but an individual experience. Moreover, it is the very core of individuality, inexorable in its demands. For it men have suffered, and will continue

Many Who Object to Shouldering a Gun
Will Do Such Worthy Work as This

SKETCHES BY RUSSELL M. HARLAN



to suffer, social ostracism, the loss of earthly goods, persecution, and death. The conscientious objector has been the spearhead of reform through all the ages, and the salt which has preserved society from flabby decay. Is there a more noble figure in history or literature than Sophocles' Antigone, piously performing the burial rites of her slain brother in defiance of the king's decree, and invoking against his unholy law the "unwritten and unchanging laws of Heaven, that are not of today or yesterday, but abide forever"? There is something of this quality of eternity in the convictions of conscience; and in its light human laws must be judged.

Conflict Between Duty to Country and Duty to God

But the practical question confronting the conscientious objector in time of war is conflict between his duty to his country and his duty to God. "Render therefore unto Caesar the things which are Caesar's; and unto God the things that are God's," seems on the face of it to be a clear precept. But what actually are the things that are Caesar's? Or, here in America, what may the duly constituted authorities of government rightly require of a citizen? Obviously, if a great majority of citizens preferred to follow that incorrigible individualist Henry Thoreau to prison rather than pay their taxes, the jails would be full and the treasury empty. Also, if in the forty-eight States of the Union benighted legislators should penalize the teaching in the public schools of accepted scientific truth, our country would be well started on the path to medieval ignorance.

We are generally agreed that laws should be obeyed. The alternative is anarchy. But should *all* laws be obeyed? For example, when the iniquitous Fugitive Slave Law of 1850 was passed, millions of good citizens of the North did not hesitate to flout it. Though motives were undoubtedly less "conscientious" in the infraction of the Fourteenth Amendment, there were plenty of people who were honestly convinced that it was an unjustified exercise of governmental power. All civilized states have ceased to compel men to worship according to a cult which violates their conscience, though such compulsion was once regarded as necessary for the preservation of the authority of the government. Is it too much to expect that the time will come when compulsion to engage in war in violation of one's conscience will not be considered necessary for the preservation of the state?

The conscientious objector is today the rather lonely contender (there were only a few hundred of the "absolutist" class during the World War) for a new advance in liberty of conscience, as the religious heretic was "only yesterday." And his treatment



Caring for the Wounded in Time of War
Calls for Heroic and Wearing Service

shows many likenesses to that of the heretic: the attribution of unworthy motives, the charges of hypocrisy, ridicule, persecution, and torture. A state without men and women who are willing to endure obloquy for the sake of conscience would sink to the level of the herd and, in Tennyson's phrase, "reel back into the beast."

Status of Conscientious Objector Should Be Made Clear

It is time now, rather than postponing it to a day when hurried and harried officials may have to administer a new draft law in the midst of war, to cultivate a sane public opinion on the status of the conscientious objector and to secure if possible such legislation as will let him know definitely what his rights are. No one can doubt from reading the pages of writers far less sympathetic than Norman Thomas with the stand of the conscientious objector how he was "let down" in 1917-20 by an administration which enjoined kind and sympathetic treatment, but permitted insult and brutality.

We were fighting, declared President Wilson, "for the right of men everywhere to choose their way of life and obedience." But there was scant consideration shown in our own land for the men who chose to obey their conscience. That Eugene Debs was kept in prison at Atlanta by the vindictiveness of President Wilson for three years after the Armistice was signed, and long after Great Britain had released all of the war resisters, is a sad commentary on the first article of the Bill of Rights. All the harm that the handful of conscientious objectors (who only asked to be let alone) could have done, or wanted to do, to obstruct the raising of the American army was ludicrously out of proportion to the severity with which they were treated.

One might have expected the military martinet to deal harshly with them and not be surprised that the "red-blooded" Theodore Roosevelt in the *Kansas City Star* adjured them to "forget their present base creed and rise to worthy levels in an atmosphere of self-sacrifice and a struggle for great ideals"—(as if their self-sacrifice were not greater and their ideals higher than the Colonel could understand)—but that the clergy, with few notable exceptions, treated them with less Christian charity than did the War Department is again a sad commentary on the teachings of the Master whom they profess to follow. Said one of them, "Christ's motto in this war would be: 'Strike till the last armed foe expires!'" but the command lacks gospel authority.

Far more important than guesses as to whether Garner or Farley has the better chance to succeed President Roosevelt (granted that anyone has a chance) would be a Gallup poll on the question of the treatment of the conscientious objector in case

of our being involved again in a world struggle. With those who object only to the actual bearing of arms there is little difficulty. Noncombatant service in hospital work, reconstruction, farm furloughs, and the like provides a sufficient employment for these men and is a recognized policy of the War Department. The crux comes in the treatment of conscripts who refuse and resist the right of the Government to compel them to perform any service at all in connection with war. What kind of tests should be applied to determine their sincerity? What pledges should be taken from them to refrain from active encouragement of others to desert or to refuse to enlist? What should be done, or should anything be done, with the few who would give no such pledge? Such questions we should surely have to face if unhappily we are drawn into another war. Would it not be better to face them then on the basis of a thoroughly sifted public opinion than to wait until the evil day, with all its stimulus to rabid emotionalism, is upon us?

Conscientious Objectors in England

by **RUSSELL H. SEIBERT, Ph.D.**

[When a nation is in the turmoil of war and is faced with a struggle for its very life's existence, if it grants to its citizens the freedom that it promises in times of peace, all can know that liberty in that land is more than a theory.

With actual war in many lands, and war clouds over many more, the subject matter of this article by Dr. Russell H. Seibert of the Western State Teachers College, Kalamazoo, Michigan, is certain to be of deep interest to many readers of this journal.—EDITORS.]



their principles." One result has been that both the conscription law and its execution so far have been much more liberal than the treatment accorded conscientious objectors in the last war in either the United States or England.

The last twenty years saw a great upsurge of pacifist feeling in England carried forward by the wave of disillusionment that followed the war. Several hundred thousand persons signed written renunciations of war and pledged themselves never to sanction another. Undoubtedly some of these were peacetime pacifists only, and changed their

CIVIL LIBERTIES INEVITABLY SUFFER in time of war, but toward those who oppose military service on grounds of conscience the English government has been quite tolerant. When the Military Training Act, upon which the present law is based in part, was being debated last spring, Chamberlain admitted "that it was both a useless and an exasperating waste of time and effort to attempt to force [conscientious objectors] to act in a manner which was contrary to

views in the dark days following Munich. But that thousands remained firm in their pacifist convictions is evidenced by the unusually large number of conscientious objectors that have appeared in the first two drafts.

Of a total of 400,000 men called up for service, there are some 8,000 conscientious objectors, or 2 per cent. Only those have been conscripted who are between the ages of 20 and 22. The percentage of



St. Paul's Cathedral in London

conscientious objectors was a little higher in the age group 21 to 22 than in the younger, and it is believed the percentage will increase as older men are called.

After registration those persons who claim to be conscientious objectors are called to appear before a local tribunal, consisting of a judge and four other members, one of whom is a trade-union representative. Though all the members are appointed by the minister of labor, they cannot be removed by the government, and therefore have shown a good deal of independence in interpreting the National Service Act. The act admits the right of "conscientious objection," and as the term is not defined, it can be interpreted to mean objection upon political as well as moral and religious grounds.

The tribunals have no easy task. They attempt to determine the sincerity of the objector's stand—a most difficult assignment, and one made doubly hard by the unnatural situation in which the objector finds himself. On the whole a genuine effort has been made to do a difficult job as well as possible, though on numerous occasions tribunals have acted as though the question for them to decide was, Is pacifism right or wrong? rather than, Is this particular objector conscientiously sincere? Not only must the tribunal decide whether the person is sincere; it must also learn to what extent, if any, the objector can conscientiously go in aiding the prosecution of the war, for the

tribunal has power to dispose of each case in several ways. It can (1) give absolute and unconditional exemption; (2) grant exemption conditional upon the conscientious objector's agreeing to undertake some specified civilian work under civilian control, such as agriculture; (3) give exemption from *combatant* service, but require that the person be placed on the military register for noncombatant duty; and (4) the tribunal can refuse exemption altogether. Both the government and the conscientious objector have the right of appeal.

The great majority of those who appear before the tribunals are receiving at least conditional exemption, though many are being put on the military register for noncombatant service. The London tribunal has been very reluctant to give unconditional exemption, and has often avoided doing so by attempting to obtain from the objector an expression of conscience at an intellectual level quite beyond him. A boy of twenty from the slums will clearly state that he is against all war and wants nothing to do with it. "Yes, yes, we know all about that," a member of the tribunal will cut in, "but do you believe in authority?" Already ill at ease and confused, the underprivileged lad, being unable to answer, is promptly assigned to noncombatant duties in the military service.

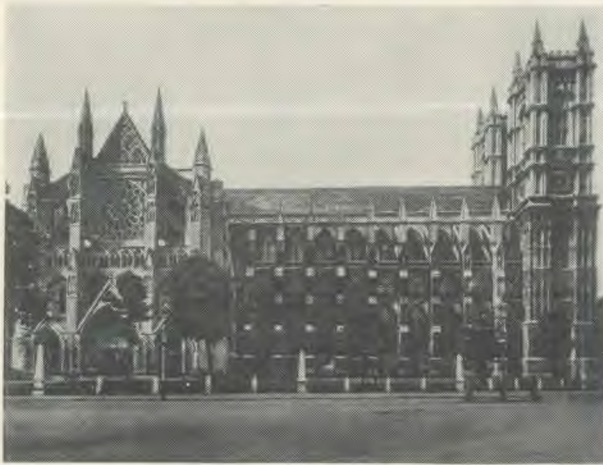
This kind of criticism can be leveled against several other tribunals, but not all. The one at Bristol has been scrupulously fair, and has granted unconditional exemption to a very high percentage of the applicants who have appeared before it.

The difficulties of the judges and the conscientious objectors have been increased by the cry for peace set up by the fascists and communists with whom the public has little patience. Sir Oswald Mosley thinks the war is the work of the Jews, and so demands peace. The communists, who were all for war until new orders arrived from Moscow, are now all for



PHOTO BY VALENTINE

The Horse Guards on Parade in the British Capital



World-Famous Westminster Abbey

peace—with Hitlerism. For the unsophisticated official to separate these views and treat the various elements justly is no mean task.

The English public is showing much more sympathy with the position of the conscientious objector today than it did in the last war. The liberal provisions of the law are proof of that. But there are many other signs as well. All the churches have passed resolutions supporting liberty of conscience, although they also officially support the war. Pacifist organizations have been free to send their literature through the mails, and the Peace Pledge Union ("I renounce war and I will never support or sanction another"), of which George Lansbury is president and which numbers 132,000, gained 5,000 new members in September and October. The Fellowship of Reconciliation reports similar gains. Still another straw in the wind was the Clackmannan by-election in which Andrew Stewart running on a pacifist platform polled over a thousand votes to the successful candidate's 15,645, an indication that public opinion was not completely in favor of war.

Some attempts have been made by the press to whip up feeling against the conscientious objectors, but more recently one or two papers have attacked the bullying methods of certain tribunals. There have also been instances of public disturbances at the tribunals which always seem to be in favor of the objectors. The most publicized of such incidents occurred before the Newcastle-on-Tyne tribunal. To be fair to the judge it must be pointed out that he had listened to five cases in which the applicant had stated his willingness to aid an injured civilian, but not a soldier. Such statements seem irreconcilable with Christian principles, but it must also be noted that the questions were asked in order to obtain an admission from the conscientious objector that medical service in the army was acceptable, and, if not, to make it appear unreasonable for the applicant to refuse it.

During the hearing of the cases Judge Richardson remarked, "What a selfish Christ some of you people imagine," and during the fifth case said, "I am as certain as I sit here that, if Christ were on earth today, He would support this war." The people in the crowded gallery evidently thought this an even stranger conception of Christ, for immediately there were cries of "No" and "Shame," followed by hisses and boos when the thoroughly angry judge ordered the courtroom cleared for two hours. As soon as the court reassembled, the uproar broke out afresh before a word had been said, so that court had to be adjourned until the next day, when the judge apologized for his remarks.

This public demonstration contributed to a decided change in the attitude of the court toward conscientious objectors during the remaining cases, and led one witness called by an applicant to say, "I was not a conscientious objector until yesterday, but certain events have made me seriously reconsider my position."

On the whole the British authorities are showing much greater patience than might be expected in time of war in dealing with what is undoubtedly an irritating problem. That the public and officials alike are dealing tolerantly with the matter of conscience should be a promise that the abuses deplored in the last war will be avoided and reason to hope that civil liberties will not entirely succumb to the god of Mars.

JUSTICE—essential justice—is to render to each his due, whether his skin is black, brown, yellow, red, or white, irrespective of his class, creed, or circumstance. It means to be just and equitable to all men of every faith, race, or nationality in the administration of the laws of the land, and in our social and economic dealings with one another. It is a recognition of the inalienable rights of every individual, with equal justice to all and special privileges to none.



The Law Courts and Fleet Street in the City of London. This Great Metropolis Has Adjusted Itself to the Program of War



PHOTO BY ANNE SHRIBER

Bible Principles Develop Liberty-Loving People and Happy Homes

FROM LIONEL GREEN

The Truth That Makes Men Free

by **JOHN ALEXANDER MACKAY, D.D., LL.D.**

President, Princeton Theological Seminary

ONE OF THE MANY THINGS in modern life which we had accustomed ourselves to take for granted and to regard as an imperishable part of our heritage from the past, was liberty. Until quite recently, no one believed that the great liberties, fruits of long centuries of struggle—liberty of thought and of speech, liberty to dispose of one's goods and one's person, liberty of public assembly and of religious worship—would ever be challenged again. How rudely we have been aroused from our romantic slumber! Not only have those liberties been challenged in places where they had been taken for granted; they have been destroyed in places where they had been regarded as sacred and inviolable.

SECOND QUARTER

The Eclipse of Freedom

The chief symbol of the eclipse of liberty in our time is the coming of the new state. Freedom's death knell has been sounded over wide areas of the world by the founders of the great totalitarian systems. "Liberty is precious," said Lenin, "so precious that we must ration it." "Liberty is dead," said Mussolini, "and its corpse is already putrescent." The rationing and death of freedom in many lands is the most disturbing feature in the human situation today.

The unexpected eclipse of freedom in some parts of the world, and the probability that its torch will grow increasingly dim in others, forces Christians every-

where to rethink what freedom means, and how the freedom they enjoy has been achieved. The new situation has developed so suddenly, that we have all been taken unawares. Not long ago a group of Christian philosophers and jurists were called together to give their counsel upon problems arising from the loss of religious liberty by missionaries and national Christians in certain countries. In the course of discussion, the observation was made that no fundamental treatise had been written on the subject of religious toleration since the days of John Locke in the seventeenth century. The need had not arisen for such a treatise. But now the problem of freedom has become the most crucial in the life of the world and the most worthy of earnest thought.

The Book That Inspires Stand for Liberty

One of the striking and significant things in the present-day crisis of liberty is that the last stand for freedom in many a land is being inspired by the Bible. When we survey the world of today, we discover that the groups which, despite persecution and the loss of all outward liberty, are offering the most resolute resistance to the new despotisms, are groups which have found their inspiration in the Christian Scriptures. The Book whose pages relate the most significant crisis in human history; whose influence has revolutionized the life of individuals and of society, never comes to its own so much as in times of crisis and revolution.

Take, for example, the situation in Germany. When Dr. Albert Einstein came to America some years ago, an exile from his native country, he made a very significant statement. He said that, when National Socialism came into power in Germany and began to challenge the traditional liberties of the country, he felt certain that the standard of revolt would be unfurled within the German universities and learned societies. What was his surprise to discover that the challenge to freedom was met with resolution only within the Christian church—a community which he had until that time despised!

The Book which today inspires men who stand in the last redoubt of freedom, has been itself the great pioneer of human liberty. Let us look at the progress of freedom in the outward lot of mankind through the influence of the Bible and of Biblical religion.

The Great Liberator of the Mind

The Bible has made a supreme contribution to popular education. More than any other book or force in history, it has been the great liberator of the human mind. It has burst open the prison doors of superstition. Its translation into each new language has been a classic event in the educational advance of the people speaking that language. The reign of illiteracy begins to come to an end in the life of a people



PHOTO BY HARLAN

Freedom of Conscience and Freedom of Thought Find Their Source in the Bible

from the time the Bible comes among them, and they are free to listen to its message. . . .

Equally striking is the link between the Bible and civil liberties. It was William Wilberforce—a lover of the Bible, a man who owed his soul to its liberating truth—who led the great crusade to emancipate Negro slaves in the British Empire. It was a contemporary of Wilberforce, Anthony Ashley Cooper, Lord Shaftesbury, a man of one Book from boyhood to old age, who championed the cause of factory workers in industrial England, and succeeded in securing the passage of one act after another through the British Parliament to alleviate their lot.

The same relationship exists between the Book and the rights and privileges of citizens in a democratic order. Those Christian churches that were zealous to order the lives of their members in accordance with the principles of Holy Scripture, became nurseries of liberty and training places for civic and political responsibility. Their insistence, to the point of sacrifice, upon their rights according to the word of God obliged the state to which they belonged to cultivate tolerance and to make provision for the coexistence of

varying viewpoints within the national family. Church membership schooled men and women in the discharge of responsible duties. It prepared them to claim and to exercise the rights of citizens in the affairs of state; it made them sensitive to community needs which it was their responsibility to meet.

The Principal Textbook of Freedom

The extent to which the Christian church has been the great school of democracy, with the Bible as the principal textbook of democratic freedom and responsibility, is best appreciated when we compare the history of democracy in the United States with that of democratic institutions in the sister republics of Latin America. A distinguished Argentine thinker was discussing the long series of revolutions that have marred the political history of Latin-American countries, and the reasons why it has been difficult for democratic principles to become fully indigenous in the Hispanic world. He made this luminous statement:

"Only those countries have ever made a success of democracy," he said in substance, "in which the people, or at least a strong minority of the people, have cultivated personal religion and taken up an attitude of personal loyalty to God. The experience of God and the appeal to God gives people a sense of dignity; it instills into them settled principles of right living, and inspires them with a deep sense of responsible action. In our countries," he went on, "religious inwardness has been lacking throughout our history, with the result that we have not found it possible to be consistently loyal to the democratic system."

The case is not different when we come to the high realms of cultural and religious freedom. Freedom of thought and freedom of conscience—the twin liberties that are most precious to civilized man—without which no civilization is worthy of the name, are children of the Bible. While it is true that the demand for intellectual freedom originated in Greece rather than in Judea, and that the right to think freely has been as much insisted upon by secular as by Christian thinkers, this should be remembered. Greece and her thinkers would have lain buried in their graves and remained lost to history but for a renaissance of the Bible and of interest in the Bible. For "Greece," as has been beautifully said, "arose from the grave with the New Testament in her hand." All this is true despite the fact that Christians have sometimes interpreted the Bible and its teaching in such a way as to show intolerance and bigotry with respect to the ideas and religious practices of other people. Alas, many a scandal has been perpetrated adown the ages in the name of the Bible and in professed loyalty to Biblical truth. But Christianity and the Bible have not been to blame for the misguided zeal of many of their devotees.

SECOND QUARTER

Not only so; it was the Bible insistence that truth is one because God is one, that made the scientific spirit and the freedom of scientific research possible. Evangelical Christians have been among the most unswerving champions of freedom of research, even when research was carried out on the Bible itself, and views of the Bible were expressed that conflicted with those traditionally held. Cultural freedom, moreover, will follow the fate of the Bible. Let the Bible be repudiated as the supreme guidebook of mankind, and intellectual freedom will die. The proof of this is the death of intellectual freedom in Russia and in Germany, where Christianity and its records have been rejected.

Bible Promotes Freedom of Conscience

As for freedom of conscience, that is to say, religious freedom, nowhere has it been more effective than in countries where the principles of Biblical Christianity have swayed the popular mind. The United States, which more than any other country was founded by men mastered by the Bible, has been the most hospitable country in history to divergent religious ideas and sects. The battle of religious liberty was won in America by men whose faith was grounded in the Scriptures. Who can forget that that great Christian, Roger Williams, was "the first person in modern Christendom to assert in its plenitude the doctrine of the liberty of conscience, the equality of opinions before the law"? (Bancroft.) How can civilization in America ever forget its debt to the Baptists, "the first body of Christians to formulate and enforce a doctrine of religious liberty"? The Presbyterians, whose historical love of freedom made them the first in the political realm to advocate American independence, have enshrined in their standards the foundation principle of religious liberty that "God alone is Lord of the conscience." Because this principle has been recognized, Protestant and Roman Catholic, Jew and Buddhist, are able to live in this free land in peace and liberty.

Spiritual Freedom Supreme

It is natural that this unbreakable link should have been forged across the centuries between the Bible and human freedom—and that the "book of a thousand tongues" should have taken part in a thousand battles for liberty. Increasing insight adown the centuries into the Bible view of man and his destiny led to the removal of obstacles to the development of free personality. For, in the Bible, man is set forth as a being who has infinite value for God, his Creator and Redeemer. Inasmuch as God has called him to the high destiny of sonship, certain important consequences follow. No human authority has a right to degrade or enslave man or to deprive him of his right to self-development. He should be free to assume responsi

bilities for which he is fitted. None should demand of him a love or loyalty which is due to God alone. It is the duty of society and the state to free men from such conditions as make it difficult for them to fulfill their destiny as children of God.

Freedom, however, means a great deal more than freedom to obtain an education, freedom from inhuman treatment, freedom to assume responsibility according to one's capacity, freedom from the necessity of believing or worshiping in opposition to one's conscience. These liberties are all precious. They have been the birthright of successive generations of people in the Anglo-Saxon world. The Bible has

played a major part in securing them. But one might enjoy all these liberties to the full without being free. A man might be free from all external authority and yet be a slave—a slave to his own self-will. True freedom is positive in character. It is much more than freedom from evil conditions that prevent the full development of personality; it is the freedom that is born when personality in its wholeness dedicates itself to the pursuit of the good. It is freedom in the truth; freedom born of a full commitment to God, in whose love and service man becomes fully free and truly man.—*Address prepared for the American Bible Society.*

Dangerous Un-American Bills Before Congress

by the EDITOR



AMERICANS need to view with alarm some bills pending in Congress which have a very decided un-American flavor, and which threaten the nullification of the bill of human rights in our Federal Constitution. We shall call the attention of the readers of *LIBERTY* to only a few of them.

One, entitled S.4, is referred to the Committee on Post Offices and Post Roads. It aims to set up the Postmaster General of the United States as an absolute censor of "unsolicited merchandise to be sent for the purpose of sale to the addressee, or to induce the addressee to make any gift or donation," and all such mail is to be declared "nonmailable matter, and shall not be deposited in the mails."

Paragraph *b* of this bill states: "If such unsolicited merchandise is deposited in the mails, then, under such regulations as the Postmaster General may prescribe, such unsolicited merchandise shall be returned to the sender charged with postage due at double the regular rates to be collected from him upon delivery. On failure of the sender to pay such return

postage the matter shall be disposed of as other dead matter."

This bill if enacted into law would prevent all solicitation of gifts or donations by mail, or the solicitation of a subscription for a newspaper or magazine mailed to an addressee, or the taking of an order for a book sent for examination or for any other merchandise thus mailed.

Censor Over Mails

But Section 2, paragraph *b*, of this bill makes the Postmaster General the censor of all religious literature or health and medical literature sent on the above conditions through the mail. This section reads:

"The Postmaster General may provide by suitable regulations for the submission and approval of applications by any such religious, charitable, or eleemosynary society or institution, accompanied by satisfactory evidence of its *bona fides* and of the fact that it will be the sole beneficiary of the proceeds

from merchandise mailed by it, for the privilege of sending through the mails unsolicited merchandise bearing the pledge of the sender to pay the return postage if undelivered or refused."

This bill gives the Postmaster General discretionary powers to approve or disapprove of applications to send religious, charitable, health, or medical literature through the mails if it is unsolicited. It absolutely destroys the freedom of the press and the freedom to distribute literature of a religious character through the mails as guaranteed under our matchless Constitution.

Under the First Amendment to the Constitution Congress is expressly prohibited from passing any law which "interferes" with the free exercise of religion, or the press. This bill does not even make it "mandatory" upon the Postmaster General to "approve" and grant the "permission" if the evidence presented in the application is "*bona fides*," but says "the Postmaster may," which makes it absolutely and solely discretionary on his part as a censor of matter going through the mails.

Nonmailable Matter

Another equally dangerous bill is one entitled H. J. Res. 228, which declares "certain papers, pamphlets, books, pictures, and writings nonmailable" and provides a fine of \$5,000 or imprisonment for five years, "or both fine and imprisonment."

This bill expressly states that "all papers, pamphlets, magazines, periodicals, books, pictures, and writings of any kind, and every article and thing designed or adopted or intended to cause racial or religious hatred or bigotry or intolerance . . . are hereby declared nonmailable matter," and anyone who mails such matter or takes it from the mails, "either domestic or foreign" is subject, upon conviction, to a five-thousand-dollar fine or five years' imprisonment, or both. According to this bill if anyone sent through the mails or took from the mails any literature in any form which said anything critical or disparaging about any race or religion or religious creed or dogma, which the Postmaster General might construe as calculated to stir up the spirit of "racial or religious hatred, or bigotry or intolerance," he would be subject to arrest, court trial, and upon conviction might be both fined \$5,000 and imprisoned for five years.

Such a bill would completely destroy the freedom of the press and prevent the circulation of religious literature of a controversial nature. The right to dissent against any religious dogma through mailable literature would be gone, and anyone who attempted it would be subjected to religious persecution and severe penalties by the Government. This is a situation that would be contrary to the American principle of the freedom of conscience.

Setting Up a Religious Day

Another un-American bill is entitled H. R. 5732, designating "Good Friday in each year" as "a day to be dedicated to prayer." But Good Friday is a religious day observed only by certain religious sects, and if all citizens are by law to be summoned to devote the day "to prayer," it would commit our Government to the principle of religious legislation and would establish a dangerous precedent in American jurisprudence.

Thus far Congress has studiously avoided setting aside religious days to be observed. It has only designated patriotic civil days as public holidays. Although more than 150 compulsory Sunday-observance bills have been introduced into Congress since 1888, when the first such religious measure was introduced, yet to date Congress has not a single Sunday-observance law upon its Federal statute books. The First Amendment to the Constitution forbids such legislation as an interference with religious freedom. The Government is supposed to remain neutral upon all religious questions.

The Educational Bills

Two un-American religious measures pending in Congress are entitled H.R. 3517 and H.R. 236, respectively. They are known as the Federal educational bills, one of which aims to appropriate \$540,000,000, and the other \$950,000,000, for both public and parochial schools. The dangerous feature in H. R. 3517 is the following proviso:

"Provided, That nothing in this Act shall be construed to prohibit any State legislature, if it so desires and under such conditions as it may determine consistently with the constitution of such State, or the local school jurisdictions of any State under such conditions as the State legislature may determine, from making available to children legally in attendance at nonpublic schools any services of health, welfare, books, reading materials, or transportation of pupils that may be made available through expenditure of Federal funds for children in attendance at public schools."

The dangerous feature in H.R. 236 is the following proviso:

"The term 'public-school population' means all children between the ages of five and nineteen years."

The danger in the proposed legislation is that this acts as a two-edged sword. It cuts both ways. It is exceedingly dangerous for the government to form a financial alliance with the churches to aid and support their schools. Financial alliances between the governments and the churches in the past have resulted in the financial bankruptcy of the government treasury and unfortunate reprisals of governments against religious organizations which shared in gov-

ernment patronage. Secondly, it is exceedingly dangerous for the churches to accept government financial aid, as in every case in the past it has meant government control, management, and administration of the church schools, and the surrender of their freedom and independence to teach their own curricula, and choose their own textbooks and their own teachers. What the government finances it also controls and administers, and it has a right to do so when it pays for the education given.

More than fourscore resolutions are pending in Congress which propose to alter, change, and amend the Constitution, and some of the proposed amendments would change the Constitution fundamentally and nullify the Bill of Rights.

Americans need to safeguard their liberties, both civil and religious, and defeat these un-American measures. If this is not done, our priceless heritage of civil and religious liberty will be placed in great jeopardy.

The American Baptist Bill of Rights

A Pronouncement Upon Religious Liberty

[The American Baptists, through their proper representatives convened in the annual sessions of the Southern Baptist Convention (May, 1939), the Northern Baptist Convention (June, 1939), and the National Baptist Convention (September, 1939), issued "The American Baptist Bill of Rights—A Pronouncement Upon Religious Liberty."

We are pleased to give additional publicity to this forceful statement of great principles. The Baptists in the United States have a marvelous heritage, being the lineal descendants, spiritually, of Roger Williams. We are glad that the more than ten million adherents of the Baptist belief in the United States are unalterably committed to a defense of religious liberty for every man of every creed.—EDITORS.]

NO ISSUE in modern life is more urgent or more complicated than the relation of organized religion to organized society. The sudden rise of the European dictators to power has changed fundamentally the organic law of the governments through which they exercise sovereignty, and as a result, the institutions of religion are either suppressed or made subservient to the ambitious national programs of these new totalitarian states.

Four Theories of the Relation of Church and State

There are four conceptions of the relation of church and state:

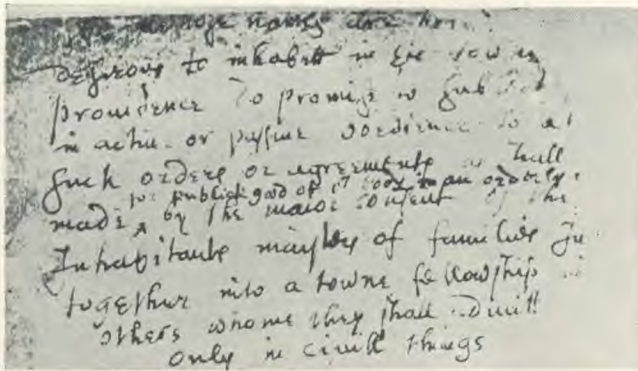
1. The church is above the state, a theory held by those who claim that their ecclesiastical head is the vicar of Christ on earth.
2. The church is alongside of the state, a theory held by the state churches of various countries.
3. The state is above the church, a theory held by the totalitarian governments.
4. The church is separate from the state, championed by the Baptists everywhere, and held by those

governments that have written religious liberty into their fundamental law.

Baptists Opened the Door of Religious Liberty

Three hundred years have passed since the establishment under Baptist leadership of the first civil government in which full religious liberty was granted to the citizens forming the compact. The original document, preserved in the City Hall, Providence, Rhode Island, is a covenant of citizens: "We, whose names are hereunder, desirous to inhabit in the town of Providence, do promise to subject ourselves in active or passive obedience to all such orders or agreements as shall be made for public good for the body in an orderly way, by the major assent of the present inhabitants, masters of families, incorporated together into a town fellowship, and such others whom they shall admit unto themselves, only in civil things." These four concluding words opened wide the door to religious liberty.

This document was written three hundred years ago by Roger Williams, a Baptist minister and a



The Civil Compact of Providence, Which Concludes With the Words, "Only in Civil Things"

student under Lord Coke, who had been banished from the colony of Massachusetts for his espousal of the freedom of conscience. The founder of a civil commonwealth called the Providence Plantations, he started a political movement which made the colony of Rhode Island the asylum of the persecuted and the home of the free.

Laid the Foundations of Religious Liberty

The Baptists of England through Leonard Busher had in 1614 pleaded with James I for freedom of conscience. Roger Williams became the Apostle of Religious Liberty in colonial America. Dr. John Clarke, the pastor of the Baptist church of Newport, Rhode Island, as agent of the Rhode Island Colony and Providence Plantations, secured from Charles II in 1663 a charter in which the religious liberty claimed by the colonists was guaranteed through a royal decree. For the first time in the history of the world a civil government was founded that guaranteed to its inhabitants absolute religious freedom.

Pleaded for the Religious Rights of All Men

The Baptists of the colony of Virginia where, between 1767 and 1778, forty-two Baptist ministers were jailed for preaching the gospel, through repeated memorials pleaded with the authorities for religious liberty. Favored by the leadership of Thomas Jefferson, James Madison, George Mason, John Leland, and other lovers of freedom, they secured the free exercise of religion through the passage of the statute establishing religious freedom in 1786. Not content with the winning of religious equality in Virginia, Baptists scrutinized the terms of the Federal Constitution and were largely instrumental in securing the passage of the First Amendment, which declares that "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof." As to this, see the letter of George Washington to the Baptists of Virginia.

Religious liberty, as our Baptist forefathers defined it, was an emancipation from governmental and

all other coercive restrictions, that thwarted the free exercise of religion, and the high purpose to achieve a Christlike character.

Baptists Stress Spirituality

The principles that animate the activities of the Baptists, principles which they hold clearly to be taught in the New Testament, are the worth of the individual; the necessity of the new birth; the preservation of Christian truth in Christian symbols; spirituality, or the free pursuit of Christian piety; the persuading of others through personal testimony, by the life of example, the preaching of the gospel and the creation of Christian institutions, to the end that the unbelieving will be reconciled to God through a personal faith in Jesus Christ; the organization of groups of obedient believers into churches of Christ, democratic in the processes and theocratic in the principles of their government, and the continued uplifting of human society through the Spirit of Christ and the ideals of His kingdom, having as its final objective the establishment of the eternal, unchanging purpose of Almighty God in the hearts of men and the institutions of mankind.

Affirm the Competency of the Human Soul in Religion

The conception of the dignity of the individual, as held by Baptists, is grounded in the conviction that every soul possesses the capacity and the inalienable right to deal with God for himself, and to deprive any soul of his right of direct access to God is to usurp the prerogatives of the individual and the function of God.

Free Churches Within a Free State

Standing as we do for the principle of voluntariness in religion, grounded upon the competency of the human soul, Baptists are essentially antagonistic to every form of religious coercion or persecution. We admit to our membership only those who give evidence that they are regenerated, but we recognize gladly that the grace of God is not limited to those who apply to us, and that our spiritual fellowship embraces all who have experienced the new birth and are walking in newness of life, by whatever name they may be called. We hold that the church of Christ, which in the Bible is called "the body of Christ," is not to be identified with any denomination or church that seeks to exercise ecclesiastical authority, but includes all the regenerated whoever and wherever they are, as these are led by the Holy Spirit. This church is a body without formal organization, and therefore cannot enter into contractual relations on any basis with the state. For this reason, Baptists believe in free churches within a free state.

Today Baptists Feel Constrained to Declare Their Position

Since every session of the Congress considers legislation that raises the question as to the relation of the Federal Government to the institutions and the agencies of religion, and since recently many tendencies have appeared that involve the freedom of religion and conscience, and furthermore, since there are some State constitutions which do not have embodied in them the Bill of Rights of the Federal Constitution, American Baptists feel constrained to declare their position and their convictions.

The Trend Toward Paternalism

Today the trend of government, even in democratic countries, lies in the direction of greater centralization. The philanthropic activities of the churches within the United States are being taken over by the Government. The defective, the indigent, and the dependent groups of our social order have long been supported from public funds. The greatest charity agency on earth today is our Federal Government. More and more the people are looking to the state to provide. As a nation we are becoming paternalistic. Efforts are now being made to place in the hands of the Government the pensioning of those who are employed by the churches and the agencies that serve them; to grant to sectarian schools financial aid from tax-raised funds, and to support from public funds institutions that are established and managed by sectarian bodies.

Baptists Condemn the Union of Church and State

Baptists hold that the coercion of religious bodies through special taxes, the use of tax-raised funds for sectarian schools, and the appropriation of public money to institutions created to extend the power and influence of any religious body, violate the spirit of the First Amendment and result in the union of state and church.

Oppose Special Favors Extended to Any Ecclesiastical Body

We oppose the establishing of diplomatic relations with any ecclesiastical body, the extension of special courtesies by our Government to any ecclesiastical official as such, and the employment of any of the branches of our national defense in connection with religious services that are held to honor any ecclesiastical leader. All such violations of principle must be resisted in their beginnings.

Citizens of Two Commonwealths

We acknowledge ourselves to be citizens of two commonwealths, one earthly, the United States, the other heavenly, the kingdom of God, and we claim the

right to be good citizens of both. We recognize the sovereignty of the state and we give allegiance to the state, but we cannot give to the state the control of our consciences. We must obey God rather than men.

The government resorts to coercion; we use persuasion. The government has authority over the acts of its citizens; we have to do with the motives. The business of the government is to make good laws; our business is to make good citizens who continue to demand the enactment of better laws, embodying higher and still higher ethical standards. The end of governmental administration is equal justice under law. The end of our endeavor is the establishment of the will of God in the hearts and institutions of men. If one of us accepts an office in the government, he recognizes it not only as a public trust, but also as a divine entrustment; for the powers that be are ordained of God. In a democracy like ours, it is possible to be a loyal American and a devoted Christian. This is true because religious liberty is an essential part of our fundamental law.

Defenders of Religious Liberty

Believing religious liberty to be not only an inalienable human right, but indispensable to human welfare, a Baptist must exercise himself to the utmost in the maintenance of absolute religious liberty for his Jewish neighbor, his Catholic neighbor, his Protestant neighbor, and for everybody else. Profoundly convinced that any deprivation of this right is a wrong to be challenged, Baptists condemn every form of compulsion in religion or restraint of the free consideration of the claims of religion.

We stand for a civil state, "with full liberty in religious concerns."

An Un-American Appointment

(Continued from page 9)

to him as "ambassador extraordinary." He is indeed an ambassador *extraordinary*, not only in the diplomatic sense of being charged with a special mission, but in the sense that American tradition provides no precedent for such an ambassadorship, and that American principles of democracy are violated by it. The President's claim that Mr. Taylor is merely his *personal* representative, in some sense which would distinguish him from an officially responsible diplomatic representative, is belied by the fact that the State Department acted officially to invest him with the rank of ambassador, by the fact that his rank as an ambassador has no meaning except in his relations with the diplomatic corps at Vatican City whose mem-

bers are all accredited to the Vatican State, and by the fact that the Pope officially recognizes him as an ambassador.

Great Service to Particular Church

What Mr. Roosevelt intended to do by this action should be clear to anyone. He has deliberately undertaken to satisfy the insistent demands of the Catholic hierarchy for the establishment of political relations between the Government of the United States and the government of the Roman Catholic Church, and to accomplish this without due process of public discussion or legislative action. This he could do in a devious and ambiguous manner by virtue of the fact that the Roman Catholic Church is a dual entity—it is both a church and a state. Mr. Roosevelt therefore adopted the ingenious device of appointing an ambassador who was accredited to neither church nor state and yet was accredited to both! By the use of subtle verbalisms, he left open a way of escape from criticism. When he is attacked for illegal action in recognizing the Vatican State, he can take refuge in the claim that he is recognizing only the Vatican church. And when this un-American innovation is attacked, he can take refuge in the claim that Mr. Taylor is only his *personal* representative!

Thus Mr. Roosevelt is able to perform an enormous service to the Roman Catholic Church, for which, no

doubt, his intimate relations with representatives of the hierarchy have duly prepared him. His action is the next logical and appropriate step for him to take in his policy of establishing unique relations between the United States and the Holy See. His order to the American embassy in Rome to receive the late Cardinal Mundelein of Chicago with full diplomatic honors on the occasion of the latter's visit to Rome a year ago, was followed by the appointment of Ambassador Kennedy as special representative at the coronation of Pope Pius XII.

The appointment of Mr. Taylor as ambassador to the Vatican is a natural development of the special relations which Mr. Roosevelt is bent on establishing. The next step will be to make this ambassadorship permanent. It can be easily taken either by Mr. Roosevelt or by his successor. That the ambiguities of the present appointment will fall away in time, is provided for by the indefinite extension of Mr. Taylor's tenure beyond the war period to the period of reconstruction after peace has been attained. Indeed, it is upon this aspect that Mr. Roosevelt's letter lays its chief stress. That period can easily be made long enough to require that the new ambassadorship shall be made "regular," with all ambiguities removed, and that without waking the non-Catholic citizenry of this country to an awareness of what is being done.

Letter to President Roosevelt on Vatican Appointment

[One of the claims of Seventh-day Adventists, made with much insistency, is that their organization stands always for complete separation of church and state everywhere. We believe that our readers will be interested in the letter which was addressed to President Roosevelt by J. L. McElhany, president of the General Conference of Seventh-day Adventists. We think that those who approve of the principles for which this magazine stands will be inclined to praise Adventists for the statement of their president, no matter what they may think of Adventist belief in general.—EDITORS.]

The President
The White House
MY DEAR MR. PRESIDENT:

Seventh-day Adventists join with our fellow citizens of all creeds and religious faiths in fervently praying for peace. In harmony with the teachings of Christ in the gospel we deplore war and all the miseries and horrors that grow out of it. We loyally support you in your earnest and diligent efforts to preserve peace in our own country and to help restore it in other lands which are now at war.

We believe in following the admonition of Scripture to pray for those in authority over us. As the honored Chief Executive of our country, we pray that you may be guided by the providences of an all-wise God. We believe that all Christians should join in this.

We recognize the problems and difficulties confronting the heads of nations today, and sympathize with every right effort to ameliorate the tragic conditions existing in some parts of the world. Praiseworthy as these efforts are, however, we would respectfully

point out a danger which we believe threatens certain fundamental American principles. This danger arises in connection with the appointment of a representative to the Vatican in an endeavor to coordinate your efforts with those of the Pope in working for world peace. While the objective is a worthy one, we believe the method contravenes the principle of the separation of church and state.

As a religious body, Seventh-day Adventists are firm believers in the American system of civil government, based on the principle of a total separation of church and state. We do not believe that the state should be dominated by the church, or that the church should be dominated by the state, but that each should be entirely free and untrammelled in its own sphere. The baneful effects of intermingling the affairs of politics and religion are clearly revealed in history.

When our system of government was established by the founding fathers, there was a struggle over the question of whether there should be an established church or whether the church should be free from state control. In the struggle which took place in Virginia and which led to the disestablishment of the church, James Madison prepared that memorable document, "A Memorial and Remonstrance Addressed to the General Assembly of the Commonwealth of Virginia." He stated:

"It is proper to take alarm at the first experiment on our liberties. We hold this prudent jealousy to be the first duty of citizens, and one of the noblest characteristics of the late Revolution. The freemen of America did not wait until usurped power had strengthened itself by exercise and entangled the question in precedents. They saw all the consequences in principle and they avoided the consequences by denying the principle. We revere this lesson too much soon to forget it."

Some years later this same national leader in writing to Edward Everett laid down this principle: "Religion is not in the purview of human government. Religion is essentially distinct from government, and exempt from its cognizance. A connection between them is injurious to both." We believe that the United States has come to occupy its present position of influence and power among the nations largely as a result of the cherishing of these fundamental principles, and that the only safe path is to continue to maintain these exalted ideals.

For a brief time the experiment was tried by our Government of maintaining diplomatic relations with the Vatican, but fortunately, we believe, was later abandoned. We do not believe it is your intention to attempt the establishment of a state church by sending a representative to the Vatican, but with James Madison we believe that we should see the consequences in the principle and avoid the consequences by denying

the principle. As the head of our Government, your acts and those of any representatives you may appoint, may be fairly regarded as official acts. We therefore believe no step should be taken that would favor or honor one religious organization above another.

If we may accept as authentic the reports regarding your proposal, the Vatican and also the diplomatic representatives here in Washington regard your action as laying the foundation for a resumption of diplomatic relations between the United States and the Vatican. As reported in the *Washington Post* of December 24, the Associated Press brings this word: "While Vatican quarters observed cautiously that Taylor's mission was limited, it was felt in these circles that it might eventually prove a step toward resumption of diplomatic relations." A further Associated Press report appearing in the same paper of the same date states: "Although diplomatic relations between the United States and the Vatican are not thus fully established, it was considered in diplomatic circles here [Washington] to be a step in that direction."

The danger in this act is what it may eventually lead to. All other questions aside, it is evident that the Pope's appeal for universal peace is not based on the fact that he is the head of a sovereign state, but rather on the fact that he is the head of a great worldwide religious organization. His power and authority grow out of his relationship to the spiritual organization of which he is head. As innocent seemingly as is this proposal, and as worthy as is the cause of peace, to enter upon a course that may lead to the reestablishment of diplomatic relations with the Papacy is to work contrary to the principles that led to the disestablishment of all state church organizations in the early history of this country.

Religion as represented by the various religious organizations, continues to prosper in this country without state recognition or support. The history of the past serves as a warning against combining of religious and political organizations to serve either political or religious ends. The door which even in principle is likely to lead eventually to the establishment of diplomatic relations between the United States Government and any religious organization whatsoever, should never be opened. What other nations or rulers have done in establishing diplomatic relations with the Vatican should not be regarded as a precedent by the United States Government.

In your capacity as the Chief Executive of our country, you represent every American citizen regardless of creed or religious affiliation. The representatives you appoint likewise become the representatives of every citizen.

We know, Mr. President, that there are many of your fellow citizens who while recognizing the Pope

and the Roman Catholic Church as a great religious force in the world, do not, on principle, believe that the United States should be represented at the Vatican. In your laudable efforts for peace we believe you can be assured of far more united support from the people of this country who are with or without religious affiliations if you refrain from sending such a representative. In behalf of the Seventh-day Adventist Church, I therefore appeal to you to with-

draw the appointment of a personal representative to the Vatican, and thereby safeguard the principles of separation of church and state.

Assuring you of our best wishes and trusting that you may ever be guided by an overruling Providence in your earnest efforts in behalf of peace, I remain

Respectfully yours,

(Signed) J. L. McELHANY, *President*,

General Conference of Seventh-day Adventists.

Editorials

Senator Borah—Staunch Champion of Liberty

IN THE PASSING OF SENATOR WILLIAM EDGAR BORAH from the U. S. Senate and from this earth, not only has the Senate lost a dominant political figure, but the world has lost an able champion of the cause of essential justice, of human rights, and of religious liberty.

The LIBERTY magazine has lost an old-time friend. Not long ago we asked Senator Borah if we might reproduce in our magazine a speech which he made in the Senate in defense of human rights and fundamental principles of government. We told him that we would feel highly honored if he granted us this permission. In granting our request, he said: "I shall feel highly honored to have you print my speech in the LIBERTY magazine."

Senator Borah was an outstanding liberal, but withal, a Fundamentalist. The Constitution of the United States never had an abler defender. He has often been denominated the equal of Daniel Webster. The people of Idaho did him honor a number of years ago in naming the highest pinnacle in the mountains of that State after him. Borah Peak, which looms above all other peaks in Idaho, is a fitting symbol of the dominant vigor and ruggedness of Senator Borah among his peers in the U. S. Senate. The Senate has lost a star of the first magnitude.

On January 11 he made his final speech in the U. S. Senate, just two days before he was stricken in his home. As he reached the climax of that last speech in the Senate, he said:

"Not long ago a traveler from a totalitarian state, after spending months in America, said to his people, 'Before any progress can be made in breaking down American institutions, a way must be found to discredit the American Bill of Rights.' I have said that it is a sacred document. If human liberty is sacred, this document is sacred."

What a wonderful peroration to the final speech of one of the world's greatest orators and statesmen. If Mr. Borah could have known in advance that this was to be the last speech he would ever make in his life career, we doubt if he could have chosen a better climax and more significant words than this meaningful statement in defense of the American Bill of Human Rights.

Throughout his career he was known as the "Great Oppositionist." He pounced like a lion upon every measure that loomed up in the Senate which threatened to contravene human rights, fair play, and essential justice as guaranteed to each citizen under the Federal Constitution. This dominating characteristic begat him the title "Lion of Idaho." Notwithstanding his opposition to what he considered as un-American and unconstitutional legislation, Senator Borah maintained the highest respect for his opponents, and his opponents the deepest and sincerest affection toward him.

When some overzealous religionists hurled unfounded charges against the Mormons and attempted to unseat Senator Smoot of Utah solely because he was of the Mormon faith, Borah defended the Mormons against all unfair charges. Senator Borah was a champion of religious liberty and was opposed to all religious legislation. He aided the cause of liberty in helping to defeat many religious measures introduced into the Senate. Among these measures were numerous compulsory-Sunday-observance bills. He once wrote to one of his constituents, who appealed to him to use his influence to defeat a religious measure pending in the Senate: "I am a believer in the fundamental principles of religious liberty. If the time ever comes when I have to sacrifice my office for those principles, I shall unhesitatingly do so." He could not be bought, bribed, or beaten into line by any man or combination of men, however rich or powerful, against his conscience. When fundamental principles were at stake and needed to be preserved,

he was adamant against all foes. He was always subject to the Constitution. He felt that he had an oath registered in heaven to defend and preserve it. He believed that not only was Congress subject to the Constitution, but that likewise the Chief Executive and the Supreme Court of the United States were subordinated to its authority.

The United States can ill afford in these perilous times to lose this stalwart champion of civil and religious liberty and of constitutional government. Totalitarian principles are steadily being woven into our fabric of government. Senator Borah stood as a faithful sentinel guarding the threshold of American jurisprudence against this enemy of human rights. May a good Providence give America more statesmen of the same mettle and mold.

C. S. L.

Church Wants to Monopolize Sunday

THE MISSION COVENANT CHURCH of Galesburg, Illinois, through J. Alfred Johnson, its pastor, sent a petition to the city council as follows:

"The decision of the city council to draw up an ordinance permitting Sunday bowling, creates, if the proposed ordinance is passed, one more encroachment upon the opportunity of the church to render its service." The petition further stated that the city council should take "steps to decrease, rather than increase, secular Sunday activities, and the churches might again successfully hold Sunday evening services. While bowling is in itself not an evil, if it is done in the proper place at the proper time, it becomes a serious evil when it commercializes the Sabbath and contributes to religious delinquency. The Sabbath is ordained by a merciful Providence to be kept holy in order to provide ample opportunity for the church to minister spiritually to humanity."

The above petition very boldly and baldly admits that this particular church wants to monopolize all activities on Sunday. It says in its petition: "An increasing number of secular Sunday activities capture the interest of many. Consequently the number of people attending the services of the church is steadily decreasing. The ministry of the church is becoming less and less effective. Many churches have had to close their doors on Sunday evenings because of the many activities that draw people elsewhere."

What an admission as to the impotency of the "ministry of the church"! Has the "ministry of the church" which is clamoring for city councils to pass Sunday-closing ordinances, so that no "secular Sunday activities" can operate, ever stopped to consider why the people have ceased to go to church on Sunday? Anyone who knows anything knows that secular forces never filled the church pews. Preachers who

substitute the policeman's club for the cross of Christ never will fill the pews. People will never go to a church to hear a preacher who is so ineffective in his preaching that he cannot fill his church unless he first gets the city council to cooperate with him to close all secular activities on Sunday, so that there is no place left open but the door leading to his church.

Did it ever occur to the political preacher that 56 per cent of the people do not belong to any church and make no profession of religion, and that the state owes a duty to these citizens to see that they have something to entertain them, as well as those who are entertained by the "ministry of the church" on Sunday?

The state is a secular institution and can therefore provide secular activities for the 56 per cent of its secular citizens, but it cannot provide the spiritual activities for the 44 per cent of church members. The church should provide spiritual activities for its members, and the state may properly guarantee to nonchurch members complete freedom to do on Sunday anything that is not illegal on other days of the week. To force nonchurch members to be idle all day Sunday would not only be unfair, but might even lead to the commission of crime. All must agree that no one should be compelled by law to go to church on Sunday, and if such compulsion were tried, real lovers of freedom of conscience would refuse to go. If the preachers succeeded in closing every avenue except the one which leads to the church door, little increase in church attendance would follow.

If the church is to be granted a monopoly of all activities on Sundays, then the world should be granted the right to monopolize all activities on weekdays. As a matter of fact, nobody has a right to monopolize all the activities of any day of the week. This is a land of religious liberty, and no one has a right to make his conscience the criterion for any other man.

It is true that "the Sabbath is . . . to be kept holy." But holiness cannot be enforced by law. It is not the business of the secular authorities to enforce anything but civil matters. The secular authorities are ordained for secular things, and the church for spiritual things. When the church tries to run the state, or the state attempts to run the church, each gets out of its proper sphere. The state is independent in secular matters and the church in spiritual matters. What the state does in secular activities on any day of the week is no concern of the church, and what the church does in spiritual activities for its members is no concern of the state. The state has no business to prescribe a man's religion for him, and the church has no business to prescribe a nonchurch member's "secular Sunday activities" for him.

C. S. L.

Compulsory Flag Saluting Prohibited

PUBLIC-SCHOOL CHILDREN do not have to salute the American flag if that patriotic ceremony violates their religious scruples, was the ruling of the United States Circuit Court of Appeals at Philadelphia, November 10, 1939, in a precedent-shattering decision. The supreme courts of New Jersey, Massachusetts, and Georgia had previously rendered decisions to the contrary.

The court upheld the decision of the U. S. District Court rendered in June, 1938, by Judge Albert Maris, who pointed out in his decision that several State supreme courts had upheld school boards in similar test cases. And Judge Maris observed:

"In so holding it appears to us that the courts overlooked the fundamental principle of religious liberty, namely, that no man, even though he be a school director or a judge, is empowered to censor another's religious convictions or set bounds to the areas of human conduct in which those convictions should be permitted to control his actions, unless compelled to do so by an overriding public necessity, which properly requires the exercises of the police powers."

The U. S. Circuit Court referred to this statement of the U. S. District Court and endorsed it, saying that it was in keeping with the following opinion expressed by George Washington in 1789: "I assure you very explicitly that in my opinion the conscientious scruples of all men should be treated with great delicacy and tenderness; and it is my wish and desire that the laws may always be as extensively accommodated to them as a due regard to the protection and essential interests of the nation may justify and permit."

Justice William Clark, in upholding the decision of the U. S. District Court, said:

"The school board of Minersville [Pennsylvania] has failed to treat the conscientious scruples of all children with that 'great delicacy and tenderness.' We agree with the father of our country that they (the school board) should, and we concur with the learned district court in saying that they must."

Explaining the court's attitude toward the conflict between religious scruples and patriotic observances, the decision continued:

"Compulsory flag saluting is designed to better secure the state by inculcating in its youthful citizens a love of country that will incline their hearts and minds to its more willing defense. That particular compulsion happens to be abhorrent to the particular love of God of the little girl and boy now seeking our protection. One conception or the other must yield. Which is required by our Constitution? We think the material and not the spiritual.

"Compulsion, rather than protection, should be sparingly exercised. Harm usually comes from doing rather than leaving undone, and refraining is generally not sacrilege. We do not find the essential relationship between infant patriotism and the martial spirit.

"That essence we have borrowed from the settled law of another and cognate part of this same provision of the Bill of Rights. Departure from a recently evolved ritualistic form of patriotism is not clear and present assurance of future cowardice or treachery."

Judge Clark's opinion was concurred in by Judges John Biggs, Jr., and Harry E. Kalodner, the other judges of the court.

And now at a public school in Minersville, Pennsylvania, the Gobitis children, William, 12, and Lillian, 13, members of the sect known as Jehovah's Witnesses, stand "in respectful silence" while their classmates and teacher daily salute the flag. The children had been expelled from school by the school board for refusal to salute the flag. The teachings of the sect of Jehovah's Witnesses, said the court, taught them that to salute the flag was to "bow down to a graven image." To do this, their church said, "was a sin against God."

The LIBERTY magazine has never held that the American flag is "a graven image." Nor have we held that saluting the flag is "a sin against God." We are not all agreed on what is "a graven image," nor on what constitutes "a sin against God." The right to differ is a sacred right and should be protected and safeguarded by the government, rather than crushed, so long as the right to differ does not interfere with the equal rights of others. It is not the prerogative of the state to settle religious controversies by law, or to define what are correct religious convictions. It is the duty of the state to protect each individual in the enjoyment of his religious convictions, whether those convictions are right or wrong, so long as the activities of the individual do not infringe upon the equal rights of others.

The U. S. Circuit Court of Appeals did right in upholding the principle of religious liberty as guaranteed to each individual under our Constitution. That Constitution does not allow the state to interfere with the free exercise of the conscience in religious matters. The conscience of the individual is made supreme over the exercise of governmental authority, whether the conscience is right or wrong. That constitutes the grandeur and the glory of our matchless Constitution. The recognition of that fundamental principle of religious freedom is what has made America great and unique in that it has prevented a repetition of the bloody religious persecutions which have drenched so many lands with the blood of martyrs.

C. S. L.

The Inevitables of This World

IT IS IMPOSSIBLE to get entirely rid of some things in this present world. There are certain evils that are destined to be with us as long as people are selfish, covetous, greedy, and sinful. These inevitable evils we cannot legislate out of the world. The best we can hope to do is to minimize and localize the evils by restrictive measures, and vigilant action to deter the evils.

So long as we use money as the standard of values in the transaction of business, there will be counterfeiters; so long as there is a traffic in diamonds, there will be smugglers; so long as there is a law against the importation of narcotics, there will be "dope rings;" so long as taxes are levied on liquor, there will be bootleggers; and so long as men have red, warm blood flowing through their veins in sinful flesh, there will be wars under provocation. The best that can be done is to apprehend the offenders and mete out a penalty commensurate with their transgressions. To give a license to the wrongdoer to do evil provided he pays a "revenue" to the government, fosters and abets the evil instead of minimizing it.

The Good Book tells us that civil governments are ordained of God. The ruler is the "minister of God, a revenger to execute wrath upon him that doeth evil." Rom. 13:4.

Paul, the apostle, makes it very plain "that the law is not made for a righteous man, but for the lawless and disobedient, for the ungodly and for sinners, for unholy and profane, for murderers of fathers and murderers of mothers, for manslayers."

The law is to be a terror to evildoers and not to those who do good works. Any law that interferes with the natural rights of men is a bad law, and any law that protects individuals in wrongdoing in man's relation to man is a curse to society and a blot upon a nation.

The millennium of peace which some men have hoped for here on earth will never be brought about through legislative enactments. The kingdom of God will never be ushered into this world through the gateway of politics, nor by reform legislation and social evolution. The best that we can hope for so far as human legislation is concerned is to reduce all kinds of crime to a minimum by making the law a terror to evildoers and meting out penalties which make the commission of crime unprofitable.

Wars will come and wars will go so long as men have the spirit of fight in their hearts and refuse to submit their problems to arbitration for settlement. The law of self-preservation is the first law of life. Therefore, wars will not cease upon this earth so long as injustice prevails and provocation arises. The only

assurance we have that a time will ever come when wars will be no more, is the promise that the Prince of Peace will come and "make all things new." C. S. L.

NEWS and COMMENT

Sunday Issue in North Carolina.—The Sunday issue—bugaboo of politicians—once again confronts members of the city council of Charlotte, North Carolina. The question of allowing golf, baseball, and other recreational activities on Sunday is to be given a free discussion before the city council. Sunday recreation and diversion seem to be gaining favor. Perhaps the freedom to accept or to reject religious obligations in harmony with one's own conscience will someday prevail in North Carolina.

Sunday Bowling on Referendum.—The city council of Galesburg, Illinois, has proposed to place the Sunday-bowling proposition on the ballot. The ministers of the city are fighting the proposal as a violation of Sunday sacredness and as interfering with church attendance. We wonder what the city council would do if those who observe Saturday as a holy day should petition the city council to stop bowling on Saturdays so as not to interfere with church attendance on Saturday. We imagine that the Sabbatarians would be told to look after the discipline of their own church members instead of referring such religious matters to the city council and the police authorities.

U. S. Constitution Permits Paganism.—"Freedom of worship, as guaranteed by the U. S. Constitution, protects not only the religious rights of Protestants, Catholics, and Jews, but the right of any man to worship any god he pleases." So said the Department of State, Albany, New York, when it granted a charter to a church to establish a pagan religion, which worships the "goddess of love and beauty" the same as the ancient Greeks did. It is known as the "Long Island Church of Aphrodite." It has a high priest and a congregation of thirty-five members. It is given a charter to function as a pagan religion in America and the right to collect funds to support the church. Our Constitution grants religious liberty to all faiths, without determining which is right and which wrong.

Delaware's Blue Laws.—Attorney General James R. Morford, of the State of Delaware, urges the State legislature to repeal or revise Delaware's ancient Sunday blue laws, a strict enforcement of which would cripple the State's future commercial and social life, and destroy the heritage of religious liberty. In the city of Wilmington, the police reported 910 violations of the Sunday blue laws on a single Sunday. The

State legislature has appointed a nine-member commission to study the need of revision of these antiquated laws which were enacted more than 150 years ago. All "worldly employment, labor, or business" is prohibited on Sunday. Traveling by wagon, carriage, stage, cart, or horseback for pleasure or business, unless to and from church is forbidden on Sunday. All games, plays, and recreation on Sundays are placed under the ban of the Sunday blue laws of Delaware. If the Sunday laws were strictly enforced, nearly the entire population of Delaware would be put behind prison bars every Sunday.

Teach What Religion?—Pope Pius XII, in an encyclical issued last November, urges upon the United States the teaching of religion to the pupils of the public schools. Pope Pius XII does not tell us which religion from the many available should be taught in the public schools. Shall all brands be taught, or just one particular creed? All churches claim that their creed is the "true faith." Who shall decide which is the "true faith" and which are false? If every brand of religion were taught in the public schools, the pupils would be confounded instead of edified. If only one brand were taught, it would create dissatisfaction among the various sects, and more harm than good would be done. The question to be settled first, would be: Which religion shall be taught as the "true religion." Whoever settled that question by law would bring upon his head the unanimous and concentrated scorn and attack of every other religion.

Perhaps we should first ask the question: "Is a man good if he is religious? Is he religious if he is good?" Until that is definitely settled we had better leave the teaching of religion to the home and the church instead of the public school.

Churches Protest Envoy to Vatican.—The Baptists, the United Lutherans, the Seventh-day Adventists, and various branches of the Methodist Church have all expressed sympathy with the world peace efforts of President Roosevelt, but all are equally united in asserting their disappointment and regret that it seemed necessary and wise to the President to depart from the traditional practice of our nation in the appointment of an official representative to the Vatican. All these four Protestant denominations also made it clear that their regrets were not based on hostile sectarianism, or narrow nationalism, nor on a spirit of ill will, but on real friendliness toward the Roman Catholic Church. All have expressed the hope that the appointment will be only temporary and not permanent. They claim that if it is permanent, it will do more than anything else to mar and destroy the good will and unity among the various churches, and will provoke a never-ending religious controversy.

SECOND QUARTER

SPARKS From the Editor's Anvil

LIFE is not fatalism, but what we ourselves make it.

IT is easier to corrupt the people than to refine them.

AN idea cannot be suppressed or established by force.

MANY a person is cowed into silence by government patronage.

THOSE who pull on the rope of sin toll their own death knell.

PEACE and stability of government are indivisible and inseparable.

THE sovereignty of right takes its exit when the rule of might enters.

THE Constitution is the Gibraltar of popular liberty and human rights.

DETERIORATION of international morality is the root cause of war between nations.

EVERY government whose powers are not limited by a constitution becomes a despotism.

HE that sweareth to his own hurt, and changeth not, is a man you can trust under trial.

NATIONS rise when their ethical standards are high, and fall when their morality decays.

THE greatest satisfaction, next to the possession of liberty, is the joy gained in pursuing it.

THE quickest way to destroy the bulwarks of the Constitution is to weaken popular government.

HE who waits until he is perfect before he does anything for God, will never do anything in this life.

WHEN temporal peace and righteousness come into conflict, we should follow righteousness rather than peace.

THE best test of a real humorist is the kindly spirit with which he receives a witticism made at his own expense.

A TRUTH cannot be snubbed or rubbed out of existence any more than a cloud can blot out the light of the sun.

THE progress of civilization can be maintained only by a strict adherence to fundamental principles in government.

A NEGATIVE indifference on the part of public servants to the guaranties of civil and religious liberty under the Constitution is sufficient to nullify every provision.

ROGER WILLIAMS

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and Ideals**

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This book should be read by every lover of religious liberty and then lent to someone who does not fully appreciate the meaning and the inestimable value of this principle, which was first enunciated in this country by Roger Williams. The book has been written to meet an imperative need, and is dedicated to the cause of civil and religious freedom.—Rufus W. Weaver, D.D., LL.D.

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