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# LIBERTY

A MAGAZINE OF RELIGIOUS FREEDOM



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E. L. CRANDALL

# Are We SELLING OUR LIBERTIES for a Mess of Pottage?

By **HONORABLE PAUL W. SHAFER**

*Member of Congress from Michigan*

OUR FOREFATHERS who hewed this country out of a wilderness knew what they wanted in the way of individual liberty, community freedom, and central government.

They knew that they wanted—and each wanted—a maximum of personal liberty combined with dignity, all possible community freedom consistent with a recognition of the liberty and dignity of others, and a rigorously restrained and limited central government.

In their formative years the States, or colonies, had existed under the exact opposite of these ideals. It was because of their existence for nearly two hundred years under government antithetical to these ideals that the colonists had come to cherish and hope for the proclamation of their own individual liberties secured to them by their own government, designed for this purpose and this purpose only.

The people of the United States declared their independence in 1776 and later established their Constitution for the very definite purpose of getting less government.

It was a natural result of living under a despotic government which had been guilty, in the words of the Declaration, of "a long train of abuses and usurpations."

It was inevitable that the men who were building a new order in a new continent should feel and should declare that their individual and inalienable rights of "life, liberty, and the pursuit of happiness" existed before and above governments and that the function of government was primarily to protect their rights and not to curb, curtail, or restrict any of them.

These men maintained—with words and, when the time came, with force—that government was and should be their creation; that they and their inalienable rights came first; and that government, being their creature, could not be greater than its creator.

They wanted to eliminate a government which had built up a "history of repeated injuries and usurpations, all having in direct object the establishment of an absolute tyranny over these States."

The colonists wanted no tyrannical central government over them and over their community governments. It was clear to them what evils must flow from a despotic over-all government, even though that government might aim to be benevolently paternal.

The evils of such a government, pressing relentlessly on their individual and joint affairs, the founding fathers set forth simply and clearly in their declaration of our independence. And later when they established their own rigidly limited—as they thought—central government, they set forth the evils again, and to guard themselves and their posterity they wrote into our Constitution No after No.

The two documents which are our heritage, the Declaration and the Constitution, were a defiance to a kingly despot and a pledge to make real that defiance and the results flowing from it.

Reading them now, many will read into them not only a recital of past governmental wrongs, but in some instances a warning to posterity in order that posterity might be on its guard to prevent a repetition of the evils which they were casting aside.

All over the world forces are loose which seem to be determined to bring into new birth the evils of despotic central government against which the colonists rebelled

and which they sought to banish forever from the United States at least.

In some countries these evils have already overcome the individual, scotched his rights, and ground him into a supine mass upon which tyrants tramp. In others, forsaking the ideals of individual freedom and seeking always to get from government more than a government of free men can give, peoples have caused their governments to topple at the first push.

In our own country forces are building up which are inimical to our individual liberties and destructive of the form of government best suited to the preservation of such liberties.

Despite the warnings of the founding fathers, despite the pitiful examples of other peoples, we are falling more and more into habits of thought and habits of action which, if we persist in them, will suck from the Declaration of Independence all its vigor, and from the Constitution all its safeguards. When we shall have dined on this expensive bill of fare we shall have a mess of pottage.

Instead of realizing that our strength is in ourselves as individuals, instead of realizing that the strength of our government comes from the same identical source, we as individuals and as groups are seeking to draw from the government, in ever greater degree, that which it cannot give us.

Our Federal Government cannot give to us a single thing unless it takes that thing from some of us. Not one of us can be given a special privilege by government unless government takes some right from another.

And once it is established that government has the power and authority to take away a right from one of its citizens—even to confer privilege upon another citizen—then democracy, as born in the Declaration and the Constitution, ceases to exist.

This tendency of individuals and of groups to seek special favors from the central government is not new. But it has increased to the danger point. This is the logical result of yielding to the first pressure, for it goes in an ever-widening circle. Each new group must be given increasing favors in order to offset the last favor given to the other group. And in the end there simply are not enough favors to go round.

This vicious yielding to groups produces a rot, not only in government, but in the groups and in the people themselves.

Under the operation of the system the individual gives up, slowly and unthinkingly perhaps, his guaranteed rights, his individual liberty and dignity. He ceases to be a free man in a free country. He becomes the creature of his government—his government which he has created. It is a seemingly impossible, but nevertheless actual, condition.

Our free men, our Americans, have in large part lost the faculty of thinking and acting as free men and as Americans. They think of themselves as members of the pressure group to which each one thinks it most advantageous to belong. And each group tries to feed on the government—in effect, on all of us.

We have reached the point where many positions of trust in our Federal Government are not filled by free Americans, but are allotted to the various pressure groups. So many positions on this board are prescribed to be filled by industry. So many positions on that board are prescribed to

And there was the count in the Declaration that the king had forfeited his right to rule over the colonies “for taking away our charters, abolishing our most valuable laws, and altering fundamentally the forms of our governments.”

Of course, in order to meet (or to anticipate) these pressure demands, we have multiplied thousands upon thousands of Federal officeholders. We have sent them into every village and every hamlet, to mingle in every conceivable kind of affair.

And this has been done by the descendants and heirs of those who, in drawing their indictment against the king of Britain, entered as one of the principal counts that: "He has erected a multitude of new offices, and sent hither swarms of officers to harass our people, and eat out their substance."

There are other counts in that indictment that might well be given thought in our present time—and all my expressions in this article are based, not upon our country at war, but upon tendencies which developed long before the war.

There was, for instance, the charge that the king had subverted the judiciary. That "he has made judges dependent on his will alone." That count the founding fathers thought justified rebellion; yet in our day and age there is a dangerous tendency to make our judiciary subservient to the same type of pressure already outlined.

# The Problem of Real Religious Liberty in Latin America

**By GEORGE P. HOWARD**

[Dr. George P. Howard has spent a large portion of his life in Central and South America, and is a sincere friend of the Latin-American peoples. We are glad to present him to our readers, and think no fair-minded person will misunderstand either the contents or the spirit of Doctor Howard's contribution.]

In certain quarters there has been agitation to have the people and the Government of the United States insist that no Protestant religious teachers be sent from our country to our neighbors in Central and South America. Sometimes attempts have been made to have it appear that Protestants are not welcome in the lands to the south of us, where Roman Catholic believers are in the great majority. We think that the men whose words have been quoted by Doctor Howard represent the real spirit of the intelligent Catholics of our sister republics.

[—EDITORS.]

## SECOND QUARTER

And there was the count in the Declaration that the king had forfeited his right to rule over the colonies "for taking away our charters, abolishing our most valuable laws, and altering fundamentally the forms of our governments."

The forms of our State governments, which existed before the Federal Government, and which the Constitution was to protect, have already been altered fundamentally and the change is continuing. The same bribery which has been effective in inducing individuals to yield their liberties has been practiced against the States, and the States have taken the thirty pieces of silver. They will end, unless the course is changed, by destroying themselves.

Our liberties cannot be taken from us.

But we can give them up.  
Many have already yielded.

When we speak of liberties, of course, religious liberty is included. Religious liberty is threatened the same as civil liberty. The same false principles of government that lead to loss of civil liberty open the way to the loss of religious rights. A people who sacrifice their right to protest, who learn to yield in minor matters, are not likely to give strong resistance to major

aggression. We will do well today to heed James Madison's words: "It is proper to take alarm at the first experiment on our liberties." We would do well also to recall what Benjamin Franklin said when he emerged from the Constitutional Convention and was asked what kind of government he had given America. He replied, "A republic if you can keep it."

It is time—if it is not already too late—for Americans to reread our Declaration of Independence and our Constitution and once more, to their preservation and to their adherence, “mutually pledge to each other our lives, our fortunes, and our sacred honor.”

## LIBERTY

**A MAGAZINE OF RELIGIOUS FREEDOM**

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LIBERTY IS THE SLUGGARD OF THE AMERICAN SENTINEL, WHOSE FIRST NUMBER WAS PUBLISHED IN 1900. AT CARLSBACH, CALIFORNIA, HIS NAME WAS CHANGED IN 1900 TO LIBERTY, UNDER WHICH NAME IT HAS BEEN PUBLISHED QUARTERLY SINCE. THE REVIEW AND RECORD PUBLISHING ASSOCIATION, TAMPA, FLA., WASHINGTON, D. C. ENTERED AN SECOND-CLASS MATTER, MAY 1, 1904, AT THE POST OFFICE AT WASHINGTON, D. C. UNDER THE ACT OF CONGRESS OF MARCH 3, 1879. SUBSCRIPTION RATES—ONE YEAR, 5 CENTS; CLUB OF THREE SUBSCRIPTIONS TO SEPARATE ADDRESSES, \$1; FIVE OR MORE COPIES MAILED BY PUBLISHERS TO FIVE ADDRESSES, OR TO ONE ADDRESS, POSTPAID, EACH 5 CENTS. NO SUBSCRIPTIONS FOR LONG TIME NOT RECEIVED. SENT BY POST-OFFICE MONEY ORDER, IF PAYABLE AT WASHINGTON, D. C. POST OFFICE; EXPRESS ORDER, OR SHIPPED ON NEW YORK. CASH COPIES OF SENT BY REGISTERED LETTER. WHEN A CHANGE

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The Capitol Building at Santiago in the Republic of Chile

provided that thou dost respect our rights and liberties, and if not, no."

In parts of northern Europe movements were carried forward which have formed the Protestant democratic peoples of our modern world. Why was this movement retarded in Latin countries?

Part of the answer is the very interesting fact that northern and southern Europe have followed two different traditions, whose synthesis has never yet been achieved. The one is the Greco-Roman classic tradition. The other, which has been the prolific mother of every romantic movement that the world has seen, is the Hebrew-Christian tradition. The Latins have kept closer to the Greco-Roman, while the Anglo-Saxons have followed the Hebrew-Christian tradition.

The democracies of the Middle Ages, like every democracy, were the product of Christianity. The classic tradition made no contribution. Democracy did not exist in the Greek republics. They were true aristocracies or oligarchies composed of a minority that exercised authority over a great mass of slaves. Even less democracy can be found in the imperial tradition of Rome.

Democracy has existed and can exist only among men who believe in God as the common Father of all men, and who believe, therefore, in human equality and fraternity. A democracy has never yet appeared outside the bounds of Christianity, nor will it prosper where personal religion is unknown.

The seed of Christianity fell among the Latin peoples of Europe, and with the development of this new spiritual leaven, a movement toward democracy was started. Then came the Renaissance with the powerful resurrection of interest in the Greco-Roman pagan culture and ideals. The pagan aspects of the Renaissance never reached the northern countries of Europe with very much strength. But southern Europe fell under the spell of the new culture. It must be remembered that this ancient paganism never entirely disappeared in the Latin countries. When it first appeared, it found in those countries poets who sang its praises and sculptors who glorified it in marble. The Renaissance had the tragic effect in the Latin countries of killing the incipient movement toward democracy which Christianity had started.

The influence of the Renaissance was political as well as moral. It stimulated the ideals of absolutism found in Roman law. An intense struggle had been going on between the king and the feudal lords. We can understand the pleasure with which the representatives of the divine right of kings welcomed the old Roman principle that "whatever pleases the prince, shall have the force of law." Universities founded under the scholasticism of the Renaissance taught these doctrines. Thus some of the old uni-

versities of Spain became bulwarks of absolutism. The influence of Caesarism triumphed even in the church.

In the northern countries where the pagan aspects of the Renaissance had not been made so attractive, Christianity was able to continue its quiet work. Thus the Reformation appeared, and we must not forget that just as the Renaissance meant the coming to life of the old paganism, so part of the deep significance of the Protestant Reformation lies in the fact that it was a strong protest against the pagan elements that were powerfully leavening life in the countries of southern Europe.

The trouble with Latin America is that neither the saving influence of the great Latin mystics who tried to turn the tide back in Spain and Italy, nor the invigorating breezes of the Reformation, ever reached its shores. On this point

Dr. Enrique Uribe, director of the National Library of Bogota, Colombia, in an interview I had with him recently, remarked, "It is time that the winds of the Reformation reached our lands. They have delayed too long. We need them to blow through some sections of our country that still struggle along lines of the sixteenth century."

Religion was a constructive, creative force from the very beginning, in the life stream of North America. It was no less so in South America. When a little over a hundred years ago the fight for independence in Latin America was won, the leaders of this revolution faced great difficulties. They found the church well established. The leaders of the independence movement in Latin America were all liberals. But they were only anticlerical, not antireligious. They had to make concessions to the church and act cautiously. They had to consolidate their gains and secure recognition for their newly organized governments. They wanted complete separation of church and state. That was what they saw in the countries from which they had received much of their inspiration, France and the United States. But they dared not emphasize too much the question of religious freedom. Hence they agreed very reluctantly to include a clause in the new constitutions granting the Roman Catholic Church certain privileges. As the church gained greater political power these privileges were increased. But the fight for religious freedom and equality has never ceased. Latin America is a stage upon which is still being enacted the great drama of the struggle of men for freedom. Juan Bautista Alberdi, the Thomas Jefferson of Argentina, pleads for a continent without barriers, and expresses the views of the majority of the great leaders of the independence movement when he says in his *Bases*:

"If you want to have settlers who are moral and religious, do not foment atheism. If you want families who will help create good private customs, respect the altar that you find at the center of every belief. Spanish America, limited to Catholicism with the exclusion of other forms of worship, will become a solitary and silent convent of monks. The dilemma is fatal: to become exclusively Catholic is to remain a thinly peopled country; to be tolerant in religious matters will people our country and make us prosperous. To invite to our shores members of the Anglo-Saxon race and the people of Germany, Sweden, and Switzerland, while we deny them freedom for the exercise of their own forms

**The peoples were not made for kings, but kings for the peoples, nor did the kings create the peoples, but the peoples made them kings.**

—Fueno Juzgo.

**We who are worth as much as thou, make thee  
our king and master, provided that thou dost  
respect our rights and liberties, and if not, no.**

**—The Nobles of Aragon.**

of religion, is the equivalent of not inviting them, or it is an invitation in form only or a demonstration of hypocritical liberalism.

"This is literally true: the exclusion of nonconformist faiths from South America signifies the exclusion of Englishmen, Germans, Swiss, North Americans, who are not Catholics; that is to say, we shall be excluding the type of settlers that this continent most needs. To bring them to our shores without their religious faith means bringing them without that influence which makes them what they are; it means compelling them to live without religion, to be atheists. . . . Is it, by any chance, common sense to desire to foment morality in everyday life and then to proceed to persecute churches that teach the doctrines of Jesus Christ?"

Today the great weight of the best opinion in Latin America is ranged on the side of absolute religious freedom. Nine of the twenty southern republics already have separation of church and state, and they all include in their constitutions a clause guaranteeing religious freedom. Regarding the suggestion from the American Roman Catholic hierarchy that South America should be declared a closed continent, it is interesting to recall some of the innumerable testimonies that we have received opposing or ridiculing any such idea. Mr. Benjamin Subercaseaux is a distinguished Chilean writer and a Roman Catholic. He was invited to this country as a guest of honor in the early part of 1943. He says:

"I believe that the importance of the protest against the activities of the Protestants in our countries has been exaggerated. We in Latin America have duly appreciated and recognized the value of their work, particularly in social service, and in no instance have they endangered the stability of our Catholic faith. On the contrary, they have alleviated both the physical and the spiritual need of the masses and have helped to give impetus and strength to the somewhat feeble activities of some Catholic groups. Besides this, the constitutions of our countries, being openly democratic, have never exerted official pressure to stop Protestants from acting freely in South America. Any inclination of our governments to limit the freedom of any religious sect would be very unfavorably viewed and would raise a storm of protest."

Luis Alberto Sanchez, a well-known Peruvian writer at present lecturing in this country at several universities, has this paragraph in a long written statement studying this problem: "Our Catholics, who constitute the immense majority on our continent, are poor at the practice of their beliefs because they lack that inner fire, and they lack it because they are without a sincere and deep faith. This element of faith is absent because our people never discuss their spiritual problems; they are told what to believe; they never elaborate or work out their beliefs. That is why contact with other creeds could serve as a stimulus to a real faith."

While in Brazil recently I interviewed Dr. Manuel Carlos Ferraz, president of the court of appeals of the state of Sao Paulo. I asked him if he thought it would be wise to close the frontiers of Brazil to all other religions but the Catholic. His answer was: "Protestantism has been a stimulus to the Roman Catholic Church in this country. It is a warning to that church that it must awaken from the sleep into which it has fallen as a result of its isolation from other currents of Christian thought. When the Roman Catholic Church was the state church of Brazil and all other religions were prohibited, Catholicism fell into a state of decadence. The freedom which was later granted to other religious faiths to enter our country, and the separation of church and state, have been favorable to the Catholic Church. She has been compelled to open more schools, to establish more dioceses, and to build more churches."

On his return from a visit to the United States in 1941, Manuel Seoane, editor of Chile's most popular weekly, *Ercilla*, wrote a book, *El Gran Vecino* (The Big Neighbor). He is a Roman Catholic, and one of his sisters is a nun in a teaching order in the United States. Commenting in his book on the situation of the Roman Catholic Church in this country and recognizing the advantage of religious freedom, he says:

"The Catholic Church in the United States is very different from what it is in South America. Being obliged in the former country to hold her own in clean and honest competition with other churches, she has had to improve her methods. Her clergy lead an exemplary life, adapting themselves to American ways."

The spirit that is gaining strength constantly in Latin America was represented delightfully and somewhat humorously by that grand old man of Spain, Dr. Ossorio y Gallardo, former ambassador to Argentina from the Spanish Republic. He is a sincere and loyal Roman Catholic, as many of the supporters of democracy in Spain were. I asked him if he thought that Protestantism had a mission to fulfill in Latin America. With a slight twinkle in his eye he answered:

"On this point you and I will differ. As I respect entirely the dogma and organization of the Catholic Church, I think that the Protestants have nothing to gain here or anywhere else. But as you are a Protestant, you have the right to think that you are free to preach your doctrine wherever you like. That is to say, from a religious standpoint our two questions are irreconcilable; but from the standpoint of civil rights, I, who am a sincere liberal, must respect liberty of worship, preaching, and propaganda. Naturally it is only right that I should wish you to fail in your efforts; but legally I must not allow anybody to molest you in the exercise of your rights."

That is a Christian gentleman's attitude, and it is the spirit which is daily gaining strength in the countries with which we are anxious to behave as good neighbors.



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The Crusaders of the Middle Ages on Their Long March to the Holy Land

# The Crusade to Suppress Wrong Thinking

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

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**T**HERE IS SOMETHING NOBLE in the idea of a crusade. The word means a holy war, a war of the cross. The men of the Middle Ages pinned the cross on their breasts and went out to Palestine to rescue the grave of Christ from the infidels. Yet the crusades degenerated. The so-called fourth crusade became a mere plundering expedition, financed by the spirit of avarice, with the purpose of carving out principalities for Western rulers or driving the Christian emperor from his throne in Constantinople.

There is great inspiration in a concerted movement; and we still speak of crusades—crusades against vice, ignorance, intolerance, prejudice, and other evils. But yet there is a danger in the very association of large bodies of men in even laudable enterprises. It tempts them to rely more on emotional appeal than on clear insight. The same story of the crusades that tells of the first Christian king of Jerusalem refusing to wear a crown of gold where the Saviour wore a crown of thorns, also presents the picture of horses wading up to their bridles in blood. We know how difficult it is to maintain a spirit of judicious balance when the passions are enlisted, especially when they are enlisted in a "holy cause." And we are today the victims of many agitators in what they term holy causes, to prevent the spread of "wrong" opinions and the expression of unwelcome ideas. Professor Cooley, of Michigan, compared our passions to sailors in the fore-castle of a ship, who in times of stress were likely to mutiny and swarm on the deck and dispossess the master of the craft, Reason.

There are three monstrous assumptions made by the champions of the repression of thought. The first is that they alone have the right, and that all who differ with them are in error. Naturally, the men who lead such crusades surround themselves with those of like opinion. We cannot imagine an autocratic king with an entourage of people who protest against the divine right of kingship, or a Torquemada surrounded by a staff of men who doubted the wisdom of applying the torch to heretics. George III packed Parliament with his "friends" who egged him on to the fatal policies which lost him half his empire, while the counsel of the wise and moderate Burkes and Pitts and Carres and Sheridans was shouted down. Make the experiment on yourself. Suppose you are arguing with an opponent on some subject when a third person comes into the argument. If he agrees with you, how instantly you are fortified in your position; but if he takes the other side, you become more careful in your thought and more guarded in your statements.

History demonstrates over and over again that the majorities which have had the power temporarily to suppress unwelcome opinions have been wrong, and a later generation has raised monuments to the prophets who were stoned. Giordano Bruno taught the doctrine of the conservation of energy and the infinite magnitude of the universe. For this he was burned at the stake in the Campo dei Fiori at Rome, in the year 1600, on the spot where three centuries later his statue was raised. But we need not go to distant lands or former times for illustrations of the fallacy of the arbitrary suppression of adventurous thought. A few years ago Mr. Scott Nearing was invited to address a discussion club of the students of Clark University. After he had been speaking for an hour in a quiet tone before an attentive audience, the president of the university came into the hall and ordered the chairman of the students' committee to stop the meeting. When some of the students expostulated, the president told the janitor to lower the lights and clear the hall. It is sufficient comment on such conduct to cite the charter of the university in the words of its founder, Jonas Clark, in 1887:

"And I also declare . . . that it is my earnest desire and direction that the said university, in its practical management, as well as in theory, may be wholly free from any kind of denominational or sectarian control, bias, or limitation, and that its doors may ever be open to all classes of persons, whatever may be their religious faith or political sympathies, or to whatever creed, sect, or party they may belong."

The second monstrous assumption made by the bigoted crusaders who would suppress wrong thinking is that the persons who differ with them in opinion are animated by sinister motives; that they are not only intellectually mistaken but morally perverse, plotting to overthrow the government or abolish the church. St. Augustine, the great Roman father, lauded the martyrs of the Christian faith to the skies in his treatise on "The Soldier's Crown." But for the heretics who went to their martyrdom with equal fortitude Augustine had nothing but scorn. Their faith was not faith, but only what he called *damnosa pravitas*, cursed obstinacy in refusing to confess the truth. When Thomas Jefferson was attempting to persuade men to exercise their right of casting their ballots and taking part in the government, he was accused, by those who believed that the common people should passively obey the masters whom God had set over them, of seeking to overturn the government and destroy religion. Nervous ladies in New

England hid their Bibles under their mattresses on the rumor that if Jefferson was elected he would confiscate all the copies, and the president of Yale College preached a vitriolic sermon in which he compared Jefferson to the atheistic Jacobins of the French Revolution. One New England Federalist actually advocated in the public press that this monster of Monticello should be shot at sight like a wild beast. There seems to be a congenital inability in crusaders for the suppression of wrong thinking to see that a person who differs with them may be as sincere and honest in his opinion as they themselves.

The third and most unfounded assumption of these self-assured guardians of correct opinion is that they can prevent free thinking by persecution. Thought is a function of human beings, no more to be permitted or denied than is breathing. To be sure, the expression of thought can be prevented by force, as we are witnessing to our sorrow in the countries today under the detestable rule of the totalitarian regimes. Obviously, standing up a man before the firing squad will put an end to his thinking. One is reminded of Sam Weller's advice to cut off a youngster's head to cure his squinting. But silencing a man's voice may only serve to intensify its echoes. "The blood of the martyrs is the seed of the church."

Of course, people do change their opinions; but they do so, not by force, but by the weight of evidence presented to their minds. When Galileo discovered the satellite of Jupiter through his telescope, and thereby confirmed the Copernican theory, he was forced to his knees by the Inquisition and made to recant. But even in this moment of weakness for the sake of preserving his life, he is said to have muttered beneath his breath, "Yet the earth does move." Though Martin Luther called Copernicus a "fool" for flying in the face of the Bible, which told that Joshua bade the sun stand still upon Gibeon, and in the words of the psalmist spoke of the sun as proceeding out of his chamber like a bridegroom, yet he was sensible enough to write: "If it were an art to meet heresy with the stake and the ax, then the executioner would be the most learned doctor in the world." So, as the blood of the religious martyrs is the seed of the church, the blood of the political martyrs is the seed of democracy, and the blood of the economic martyrs is the seed of industrial justice. You cannot destroy the fertility of the soil by striking off the heads of the tallest poppies, as Tarquin did, thinking thus to kill the seeds that nourish the growth beneath.

This is not a plea for indifference to truth or an apology for the Laodicean attitude that one opinion is as good as another. Convictions we should have, and be ready to de-

fend all honest and open-minded argument in word and deed. I am thoroughly convinced, for example, of the sphericity of the earth, the doctrine of evolution, the superiority of the democratic form of government, the value of the monogamic family, the indispensability of religion for the highest life in man, and many other things. But I have not the slightest desire to torture, imprison, or defame the man who differs with me. I do not call him an impostor or believe that his intention is to subvert society or destroy religion. Tolerance need not kill convictions. The trouble with the persecutors is not that they hold their convictions strongly, but that they are in reality so uncertain about them that they fear to have them exposed to criticism or argument. The man who is truly convinced is not afraid. It is a strange paradox to assert in one breath that your form of government or your religious faith is so firmly established that no opposition can shake it, and in the next to demand that those who differ are dangerous and wicked persons whom it is necessary to curb by force. We have accomplished much in emancipating man from the oppression of fear and superstition which made him shiver before the forces of nature and try to propitiate the gods by magic, and in emancipating society from the shackles of feudalism, and our political thought from the tyranny of despots presuming to be the appointed instruments of God. But every emancipation has been accomplished by the initiative of men who have paid, often with their lives, for their boldness.

The crusader for the suppression of wrong thinking is really not the bold knight in shining armor, but a timorous apologist who lacks the faith to believe that truth will prevail without the help of such inquisitorial allies as coercion, ostracism, denigration, and persecution. He must also be a victim of singular moral myopia if he thinks that our present civilization, with its injustice, its needless poverty, its squalor and slums, does not need the invigorating currents of criticism to blow through its complacent atmosphere of conformity. We have a precious heritage of spiritual courage from the great souls of the past who have braved obloquy, denunciation, and death itself to remain true to the light of conscience—Socrates, Jesus, Huss, Ridley. If we yield to the apostles of persecution who are intent on suppressing that light, we are traitors to our heritage.

There was a ferocious old Indian chieftain who was asked by those who stood around him as he lay on his deathbed if he did not wish to forgive his enemies before he died. And his answer came with his parting breath: "I have no enemies—I have killed them all."

# Inadequate Religious Safeguards in the American Constitution

By E. F. ALBERTSWORTH, Ph. D., S. J. D.

AS AMERICANS we rightfully reverence the Bill of Rights in our Federal Constitution. It contains numerous civil, and some religious, safeguards to persons against acts of government in the Federal sphere. Because of our dual form of government, dividing powers between the National and State authorities, however, this Bill of Rights does not protect against actions of the several States of the Union. Hence, the latter were obliged by their people to insert in their constitutions adequate safeguards in respect to civil and religious rights. I believe that these State safeguards are, as a whole, stronger than those found in the Federal Constitution. This truth has important implications for the cause of religious liberty.

SECOND QUARTER

## Federal Constitutional Provisions Affecting Religious Freedom

In the Federal Constitution the First Amendment contains but one brief sentence with respect to religious safeguards, namely, "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof." Throughout the remainder of the Constitution there is no further reference to religious rights. The Fifth Amendment prohibits the Federal Government from depriving any person "of life, liberty, or property, without due process of law." This interdiction has been construed



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HOWARD CHANDLER CHRISTY, ARTIST

The Convention of 1787 That Framed Our Federal Constitution

in numerous cases in the Supreme Court to be sufficiently inclusive to prevent the central Government from doing acts violative of fundamental right; as for example, imposing taxes the proceeds of which were to be devoted to private corporations of any kind. But these are judicial decisions only and may be changed by later overruling judgments; they are not expressly written constitutional provisions. Some additional protection may be found in the Ninth Amendment, stating, "The enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people." But this has not been fully explored and construed by the court, and confessedly again leaves to a majority of the court the last word as to its meaning and application—thus making for none-too-complete protection.

### State Constitutional Provisions Protecting Religious Freedom

If we lay alongside the Federal Constitution a more modern document, as for example the constitution of the State of California, we shall at once see in what respects the former is less adequate in its religious safeguards. Section 30 of the California constitution forbids public aid for sectarian purposes, by denying to the State legislature, or any county, city, township, school district, or other municipal corporation, authority to make an appropriation, or pay from any public fund, or grant anything to, or in aid of, any religious sect, church, creed, or sectarian purpose; with a similar prohibition upon gifts of personal or real property for such purposes, or making a gift of government money, or lending or giving its credit to any private institution (secs. 22 and 31).

No such provisions are to be found in the Federal Constitution, and can be obtained only by judicial construction of the "due process" clause already referred to, which is purely a judicial judgment and not compellable by express constitutional phraseology.

Article I, Section 4, of the California constitution is also more replete with respect to liberty of conscience, in providing that "the free exercise and enjoyment of religious profession and worship, without discrimination or preference, shall forever be allowed in this State; and no person shall be rendered incompetent to be a witness on account of his opinions on matters of religious belief." Again, there is absence of such a provision in the Federal Constitution; although here, also, it is possible through judicial construc-

tion to obtain a similar result from construction of the First Amendment to the Federal Constitution, dependent in large part upon the type of judges. There is no certainty that this result will be obtained.

Article 13 of the California constitution, dealing with the exemption from State taxation of church property, provides: "All buildings, and so much of the real property on which they are situated as may be required for the convenient use and occupation of said buildings, when the same are used solely and exclusively for religious worship, shall be free from taxation." The Federal Constitution contains no such prohibition to Federal action. Primarily this is due to the fact that the Federal Government in the several States is not empowered to tax real estate or personal

property directly, its powers being strictly limited. By the Sixteenth Amendment it may tax incomes from such properties, "from whatever sources derived," which would include that received by churches or religious organizations. Federal income tax regulations currently exempt such income; but this is from policy, not from want of power. However, in Federal territories the Federal Government may, and does, tax real and personal property directly, and if it exempts church-owned assets it does so again from policy and not from lack of power, unlike the several States. Important phases of the problem of church and state relations are thus presented.

Also, in the Federal Constitution treatment of the liberties of free speech and press is much too brief. The First Amendment merely provides that "Congress shall make no law . . . abridging the freedom of speech or of the press." In contrast, the California constitution devotes an entire section (9) to this important subject and sets forth a detailed procedure to be followed as to court proceedings and their venue, in order that all possible safeguards may be afforded to the person unjustly accused. To the extent that abuses of free speech and press arise under State jurisdiction in its intrastate affairs, and not through use of interstate channels or the mails, the State safeguards may be adequate for protection of religionists and others seeking through the printed page to further their legitimate objectives. But in the field of Federal authority, the provisions often are not adequate. Only judicial decisions afford some protection, and these may be changed at will, dependent upon the varying outlook of judges. Religious activities should be better safeguarded.

### Dangerous Implications From an All-Powerful Federal Government

During the past decade in America there has been increasing reliance upon the Federal Government for funds and numerous types of regulatory laws with less and less dependence upon the several States. There being no ceiling on public debt or taxation in the Federal Constitution when the central Government acts, it is obvious that popular dependence upon it for financial assistance was a natural development in times of economic stress and crisis. Under its vast "spending powers" for the general welfare, the Federal Government, once it had impounded its funds, was enabled to circumvent court action challenging its authority. Thus it was able to appropriate to numerous pri-

vate corporations (but not religious) vast sums of money in the interest of industrial revival and to stimulate employment. It is commendable that the Government followed as policy the pattern of religious protection outlined in the State constitutions generally. But this may not always be true, and it is regrettable that the Federal organic act does not more adequately set out such policy in express terminology. A violation of the fundamental principle of separation of church and state may occur in the future because of this defect. It will not occur as long as the American people represented in Congress remain watchful of their basic heritages.

## Why the Federal Constitution Has Loopholes in Religious Freedom Protections

Benjamin Franklin was correct when he stated that the American Constitution as it came from the hands of its founders was not a perfect instrument, but the best then obtainable through compromise of conflicting ideas and interests. It was greatly improved a few years later by the addition of the Bill of Rights. But the Constitution and its Bill of Rights were rooted in a soil where church and state, in many of the colonies, were not completely separated, and when liberty of conscience and freedom of religious expression and activity were not so generally recognized as in later times. This explains the absence of the safeguards found in the later and more modern State constitutions.

Moreover, the difficulty of amending the Federal Constitution has prevented changes and improvements which should have been made in both the economic and religious realms as America progressed in the arts and in enlightenment. We as Americans have therefore had to rely upon conscientious and enlightened interpretation of the Supreme Court, which has endeavored to synchronize the de-

mands of an enlarged sphere of government in modern industrialism with adequate safeguards to the individual in the Bill of Rights. It was inevitable that, due to varying outlooks of judges as they came and went in the Court, changes in judicial decision would result. The cause of religious liberty is upon somewhat uncertain ground where we have a "government of men" and not "of law."

## A Remedy for Lack of Adequate Safeguards

The Scriptures state that it is unsafe to put one's trust in "princes, nor in the son of man, in whom there is no help." Ps. 146:3. All human documents, such as instruments of government, like constitutions, must necessarily be administered and interpreted by men. Fortunately for us as Americans, thus far we have been able to retain our basic civil and religious liberties despite the absence of the safeguards in the American Constitution as I have pointed out. Political expediency and the common sense of the majority of Americans have bridged these loopholes in the organic act. But the time may come when such reliance will be in vain. Then we will wish that we had express and specific written guaranties such as exist in the California and other State constitutions.

For retention of our present religious freedoms, and for wider protection of them, frequent recurrence in school, pulpit, press, and home to the basic heritages of liberty of conscience and freedom of religion is the greatest safeguard for all Americans in the future. Then they will be implanted in the heart and not merely upon "tables of stone." The function and purpose of constitutions are to limit acts of government, not those of individuals unconnected with it. The widest possible protection to religious freedom comes when all individuals, whether connected with government or not, respect and follow the hard-won principles of religious liberty and religious freedom which we currently enjoy in our land of liberty.

# The Brittleness of Tolerance

By FRANK HERMAN YOST, Ph. D.

THE ANCIENT ROMANS were tolerant. To a remarkable degree they tolerated the differing customs of the peoples they absorbed. Tolerance was a feature of Roman policy as it expanded over Italy and throughout the Mediterranean basin. In this extensive area the widest variety of governmental and social customs, and of cult practices prevailed. For these practices Rome did not substitute her own. Certain phases of the Roman legal system were extended over new provinces. But within the limits imposed by the need for general unity, it was easier to allow local people to retain their own laws and customs. Even native kings continued in some instances to rule. Tribal mores were respected as far as possible. Local liberties were maintained unless some marked inconsistencies with, or rebellion against, established Roman custom occurred.

Even in the realm of religion Rome remained for the most part tolerant. The worship of their own ancient deities was the Roman's state religion. To this pantheon of gods were then added in turn the gods which the inhabitants of annexed areas worshiped locally. Why not profit, reasoned the Romans, by the favor of these foreign gods? Let the people who worship them continue to do so. Romans need not worship them, nor need subject or allied



A Court Scene of Ancient Rome

peoples worship the Roman gods, except from choice. But let room be made for all divinities, and thus secure for Rome an additional weight of divine favor.

To this freedom in religion Rome made some exceptions. All must worship *Roma*, the deified abstraction of the divine state. After Rome became an empire it was presently

required of everyone that he worship the *genius* of the emperor. To this the polytheistic peoples of the empire made little objection. It was an understandable and acceptable situation, and conflicted not at all with the freedom which they had to worship their own gods.

The case with the Jews was otherwise. When the Roman general Pompey had taken over Palestine in 63 B. C., he had permitted the native Maccabean kings to remain as titular rulers, but there were many things in Jewish custom and religion difficult for the Romans to understand. It is reported that Pompey was much astonished to learn that in the little temple in Jerusalem, devoid indeed of all statuary, there was not even an image of the God Jehovah. It seemed to the Romans atheistic. The Romans would not balk at receiving Jehovah into their ever-widening circle of gods. It was the Jews who declined to do homage to *Roma* and later to the imperial *genius*. The most the Romans could



TABER PRANG

SIR EDWIN LONG, ARTIST

The Artist Here Depicts a Scene From Ancient Rome, When Christianity Came in Direct Conflict With the State. In Order to Save Her Life the Young Woman, Accused of Being a Christian, Has Only to Offer Incense on the Altar as a Symbol of Her Loyalty to the Roman State. But She Will Not Consent to This Denial of Faith, in Spite of the Entreaties of Her Lover and the Hopes of the Spectators

obtain from a strong-minded people was to pray for the great city and its rulers. On this basis Judaism was accepted as one of the accredited imperial cults.

Thus the Roman policy of tolerance permitted a long list of cults, with the worship of a roster of almost innumerable gods. Idolatries, mystery cults, and philosophies ethical and speculative, in remarkable variety, attracted their adherents and propagated their peculiar teachings and practices with a minimum of interference from the state. To this general toleration there were a few exceptions. The Egyptian mystery cult of Isis was expelled from Rome, because its rites were deemed demoralizing to society. The cult of Bacchus, the Roman god of wine, was ordered dissolved because of its wild orgies. It was not that Isis was unseated as a goddess, or that either the worship of Bacchus or the use of the wine which was his gift was by any means to cease, but that the practices of these cults had become so degraded as to constitute an offense to society: hence their dissolution.

A third cult which was disapproved under the empire was Christianity. It had no acknowledged place in Roman society or religion. The Jewish background of Christianity was known to the Romans. The Jews had toleration; but they refused any identification with the Christian sect, which, in relation to their own beliefs, they considered revolutionary and apostate. Hence, Christianity was left without human sponsorship before the tribunals of Rome. It lived and thrived for almost three centuries without legal recognition, and as an outcast from society.

It was illicit. Because it was seemingly dissociated from the past and from any cult currently existing, it was called an innovation. That it remained thus under the disapproval of society for centuries is explicable. Without acknowledged roots in the past or connections in the present, the Christian cultus was exposed to unrestrained ridicule and libel. Tertullian, whose pictures of early Christian life and manners are the most nearly complete, tells of charges circulated that Christians worshiped an ass's head and practiced both incest and cannibalism in their secret

feasts, to which, of course, only fully initiated Christians were admitted. To the ignorantly or willingly gullible such stories did not increase the popularity of a sect already outside the pale. The common people were prepared to blame, and did blame, the Christians for every fire, earthquake, and epidemic which harassed them.

But the informed and influential class were incensed at Christianity for a quite opposite reason. The sense of universal brotherhood and the high moral tone of Christians was by contrast a rebuke to the laxity and profligacy of pagan Roman society. To insist upon the sanctity and permanency of the family bond, the dignity of labor, and the virtues of inward and personal piety, was irritating.

Moreover, to those who came really to understand the nature of Christianity and the implications of a complete allegiance to the Christ, there was cause for alarm. Christians refused to worship *Roma* or the emperor. That was a negation. It was illegal and annoying. But it was the affirmative side of Christianity that gave cause for grave concern. Christ, they said, is king. He is King of kings and Lord of lords, and is to have a kingdom which shall be universal, in which only the saints may participate. Here was a real danger. How could there be both a Roman state and a kingdom of Christ? Many among both pagans and Christians could give no satisfactory answer. Some who came to understand the Christian doctrine accepted it. More who learned of it resisted and resented it, and even indifference frequently hardened into enmity. Christianity was thought to be revolutionary. It was called anarchistic.

Hence, tolerant imperial Rome became intolerant in the specific direction of Christianity, and its members suffered in consequence. Tertullian has it that the blood of the martyrs was the seed of the church, and a surprising amount of that seed was sown. From the death of Christ until the legalization of Christianity, almost three centuries later, there was probably hardly a time when some Christians somewhere were not witnessing in agony for their faith. In any given locality, however, the persecutions were sporadic.

This sporadic nature of the persecution was occasioned

partly by imperial changes of policy toward the Christians. The early persecutions were capricious outbursts on the part of ill-natured rulers. If an early story may be accepted, Nero made Christians his scapegoat for the burning of Rome. It was probably personal irritation which led Domitian to persecute, although, or perhaps because, he had adherents of the faith in his own household.

It is in the correspondence of Pliny the Younger, one time governor of Bithynia, with his emperor Trajan, that we find formulated a definite imperial policy for dealing with Christians. Pliny took for granted that Christians could not be tolerated, and reported to the emperor for approval of his procedure when numbers of the despised sect were brought before him for trial. He said he found them doing nothing wrong:

"They were in the habit of meeting on a certain fixed day before it was light, when they sang in alternate verses a hymn to Christ, as to a god, and bound themselves by an oath, not to any wicked deeds, but never to commit any fraud, theft, or adultery, never to falsify their word, nor deny a trust when they should be called upon to deliver it up; after which it was their custom to separate, and then to reassemble to partake of food—but food of an ordinary and innocent kind. Even this practice, however, they had abandoned after the publication of my edict, by which, according to your orders, I had forbidden political associations."

Pliny's method was direct:

"I interrogated them whether they were Christians; if they confessed it I repeated the question twice again, adding the threat of capital punishment; if they still persevered, I ordered them executed."

Trajan's answer is of the greatest significance:

"The method you have pursued, my dear Pliny, in sifting the cases of those denounced to you as Christians is extremely proper. . . . No search should be made for these people; when they are denounced and found guilty they must be punished."—Pliny, *Letters*, book x, Letters xcvi and cvii in translation of William Melmoth in Loeb Classical Library, *Pliny*, Vol. II, pp. 403, 405, 401, 407.

Here was a definite policy, laid down by an emperor about the year 110 A. D., which was maintained by the state for nearly one hundred fifty years. Some later emperors were lenient. Some ignored both the policy and those against whom it was directed. Some followed sternly Trajan's procedure.

But at 250 A. D. the policy changed. Some emperors attacked Christianity violently, with the apparent motive of exterminating the entire sect. Half a century later Christians had increased greatly in number, and the Caesar Galerius convinced the emperor Diocletian that Rome must choose whether Rome or the church should survive; there was no other alternative. There was not room for both in the empire. There followed a very thorough and quite widespread destruction of church buildings and of the sacred books and the records of the church, as well as of the lives of many of its bishops. But Christianity survived. It weathered the storm and continued to gather adherents. By the year 313 another and totally different policy pre-

valled when the co-emperors Constantine and Licinius decreed that all men might worship as they desired. Toleration was granted specifically to Christians.

This decree seemed to render completely tolerant a state which for centuries had been nearly so. But Constantine effected a union of church and state. As a substitute for paganism, Christianity became presently the official religion of the empire. When this union occurred toleration ceased entirely. Paganism was, of course, eliminated, either by its conversion to Christian forms or by being driven underground and finally destroyed. But this was not all. Forms of Christianity itself not approved by the bishops, who had the ears of the emperors, were summarily dealt with, and efforts were directed at their suppression. The canons of church councils, and coincidental decrees of the state, specified the forms of belief which were permitted, and named the prelates who must be taken as examples and monitors of the true faith. Pagan Rome had been tolerant of almost every religion but Christianity. When Christianity became first an object of toleration, then of union, the state became completely intolerant, and only the specific Christian cult accepted by the state was permitted to exist.

Here is a lesson to be learned from history. The union of church and state spells the end of liberty. But there is another lesson. Tolerance is a fragile thing. Rome had a tolerance, not of principle, but of expediency and of indifference. It broke down at the point where government had to deal with a group which innocently enough ran counter to its way of life and aspirations. It proves a fragile thing when it collides with the interests of the majority.

Again, it is sad to note that three of Rome's most distinguished emperors—men most virtuous in the Roman sense—persecuted Christianity severely. The three were Trajan, Antoninus Pius, and Marcus Aurelius. Of these, the last two were Stoics, whose ethics called for utmost consideration for one's fellow men. But tolerance was lost sight of when these rulers estimated the needs of the state. The excellent character of the majority of Christians and the benign influence of their personal lives were not considered. Were Christians a threat to the Roman state? When these emperors found themselves answering in the affirmative, a sense of duty to the state actuated them in wielding the power of the state to persecute.

Can a state grant and maintain liberty to all? Free democracies are seeking today to answer in the affirmative. Can men be fair when fairness requires a wider definition of duty or the sacrifice of an immediate interest? The Romans, even the best of them, and many like them since, have failed at this point.



the Days When Rome Was Mistress  
of the World



# The Church and the Peace Table

By CARROLL W. PARCHER

**O**FFICIAL REPRESENTATION of the church at the peace table following this war, as has been suggested recently—always provided there is to be a “peace table,” which seems less and less probable—would be barren both of opportunity and of honor to the organizations which hold the place of spiritual leadership in the world.

This opinion reflects no low estimate of the power of the churches or of the ability of any representative they might choose. It rests, in part, in a firm belief that no formula, no alliance, no treaty, nor any agreement or combination of world powers that can spring from a peace table ever will solve the problem of enduring world peace.

Nor would any effort along these lines produce any fruit to which any representative of the churches—or any representative of any secular organization, for that matter—could look back upon in future years with any degree of pride and satisfaction.

This opinion—which is the opinion, not of a pessimist, but of a realist—is supported by the plain fact, demonstrated over and over again through the thousands of years of the world's history, that no pact, no treaty, no alliance or agreement of any kind between nations can have any power or binding effect beyond the life of the generation living at the time—or even beyond the tenure of office of the men in authority at the hour of their signing.

As one lone example, witness the Locarno Pact, signed in October, 1925, by representatives of Great Britain, France, Germany, Italy, and Belgium, and described at the time as the “real dividing line between the years of war and the years of peace.”

If you have an exceptionally good memory you may recall the great wave of hope and spiritual exaltation that followed the signing of the agreement. It rated as a tidal wave compared to the ripples of enthusiasm that greeted the Atlantic Charter and the recent Moscow agreement.

But the Locarno Pact was abrogated by Germany in the spring of 1936, less than eleven years later, and no effective protest was made by the other governments involved. And Locarno is only one of the innumerable treaties of “enduring peace” which have paved the way to war through the ages.

So it is better for the churches to have no part in the making of international agreements that can have no lasting effect except to sow new seeds of distrust and bitterness.

But the wisdom of a complete separation of the church and the state rests on a much deeper and broader founda-



tion than the matter of peace pacts and treaties represents.

The state, which means the political machinery by which the will of the people is, or ought to be, expressed and made effective, is created to deal with temporal affairs. Which means, not only affairs pertaining to this mundane existence, but with much more emphasis, the temporary, transient, and fleeting affairs that make up the constantly changing pattern of human existence.

Governments have comparatively little to do with principles that are fixed and established in the common agreement of the people. The real problems of government arise over matters in which there is a differ-

ence of opinion or interest, or matters in which the current conditions or the viewpoint of the people undergoes a change.

The effort to solve these problems always involves compromise—injury, perhaps, to some; advantage, perhaps, to others. The ship of state always must sail through shallow and troubled waters.

But the office of the church, representing the spiritual leadership of the people, should be to see a vision of the far-distant goal, or to sense the direction in which it lies. It should be to inspire the faith, sustain the hope, renew the courage—essentials in keeping the great caravan of human development moving in its endless course across the mountains, over the deserts, and through the swamps and forests.

Spiritual leadership also must maintain its fluidity, for life is not static in any of its spiritual phases any more than in its material phases. As the mental and spiritual power and perceptions of mankind increase and are more and more refined and quickened, the vision of potential human attainment widens—the vista lengthens. And spiritual leadership should be the first to see the wider vision, the first to sense the possibilities that lie beyond the intervening mountains.

“Where there is no vision the people perish.”

Neither churches, religious organizations, nor any other organizations have visions. Visions come to individual not to multitudes in the aggregate. A thousand million people may see the same star, but each man has to see with his own eyes. However, if a thousand million people saw the same star, and not one of them told anyone else what he saw, each man might have cause to distrust his own eyes and to doubt that the star really was there in the sky.

A hundred million people may be thinking of, and wish for, one certain thing. But if there is no medium of communication, what we call public opinion cannot exist. It is only when we discover that many other people are thinking what we think that we are strengthened and reinforced in our own ideas.

It is the province of the press to discover the individual opinions of many people and to make these individual opinions known to all. By this means individual opinions are amalgamated into public opinion and become a potent and effective force.

The province of the churches is to do the same thing for individual spiritual perception, for individual hope and aspiration.

The problem of enduring world peace is linked with a great multitude of problems with which governments and political organizations must struggle on a temporary, fleeting, fragmentary, and always only partially successful basis. The problem will not be solved by treaties or alliances, or by any formula that political science can invent.

The job of spiritual leadership is first to see the vision of the wider, finer, better way of life—to see the star of promise and point it out to the thousands and millions of individuals who are searching the sky to find it. Then this leadership must inspire the faith that this better way of life is attainable.

The church and the state should be completely separate and independent in their actions, because each deals with a special range of human problems. And it is essential,

not only that each be free, but also that the church and the state, alike, maintain that degree of fluidity in ideas, inspiration, and aspiration that is necessary in this moving, flowing current of human existence, where everything that is static and devoid of power to change becomes a dead weight and a burden.

The Constitution of the United States provides for any degree of change in itself and in all the machinery of government set up in accordance with it. But the Constitution also deliberately erected many barriers against sudden, unmeditated changes in any governmental form or process.

This respect for deliberation and certainty of judgment is as essential to progress as the ability to change. And the same principles apply to spiritual leadership. Spiritual leadership must not be static, nor can it succeed if it is as mobile as the wind or as unstable as the waves. And there, again, is another argument for the complete separation of the church and the state.

Organization always tends to crystallization, and crystallization means stagnation. But, as I have tried to point out, without any organization at all there can be no effective force in human mass affairs. The problem is to secure the benefits of organization and at the same time to avoid its dangers.

If the church and state were united, or even if they tried to work in double team—as the proposal to include a direct representative of the church at the peace table presupposes—the difficulty of the necessarily difficult problem would be increased.

# American Baptists and Religious Liberty

By RUFUS W. WEAVER

THE BAPTISTS OF AMERICA from the very beginning have championed religious freedom. The story of Roger Williams and Dr. John Clarke and their founding of the first government with "full liberty in religious concerns," has been told again and again.

Wherever Baptists meet in their associations and in their conventions, resolutions are passed that apply the principle of religious liberty to existing concrete situations, but often little is done to translate into effective action that which has been resolved.

The Southern Baptist Convention in 1936 set up a Committee on Public Relations, commissioned to represent Southern Baptists in negotiating with our own and with other governments as situations arose that so required. The following year the Northern Baptist Convention created a similar commission, and in 1939 the National Baptist Convention of the Negro Baptists also took action. These three representative groups now act as the Joint Conference Committee on Public Relations, and represent nearly 11,000,000 Baptists. This body was active in the endeavor to protect the rights of the religious minorities in Rumania. The Baptists, the Evangelicals, and the Seventh-day Adventists were deprived of their rights; their churches were closed, and many of their ministers were put into prison. With the approval of the State Department, appeals were sent through the Rumanian legation to the home government. These appeals met with a partial success, but when Rumania became one of the Axis powers the churches were



closed and their property confiscated.

The appointment by the President of the United States of a personal representative to the Vatican, having the standing in Rome as an accredited ambassador of this Government, led the Committee on Public Relations to instant action. Forty-eight hours after the announcement of the appointment, the protest was presented to the President, based upon the American Baptist Bill of Rights, a document passed by the Northern, the Southern, and the National Baptist Conventions meeting in their annual sessions in 1939. This document declares, "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." The appointment of Myron C. Taylor as an ambassador to the Vatican was thus contrary to the declaration which had been unanimously taken by the Baptists of America.

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.

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.

Standing as they 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. They admit to membership only those who give evidence that they are regenerated, but they recognize gladly that the grace of God is not limited to those who apply to them, and that their spiritual fellowship embraces all who have experienced the new birth and are walking in newness of life—by whatever name they may be called. They 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.

They acknowledge themselves to be citizens of two commonwealths: one earthly, the United States; the other heavenly, the kingdom of God; and they claim the right to be good citizens of both. They recognize the sovereignty of the state and give allegiance to the state, but they cannot give to the state the control of their consciences. They must obey God rather than men.

The government resorts to coercion; Christians use persuasion. The government has authority over the acts of its citizens; Christians have to do with the motives. The business of the government is to make good laws; the business of Christians 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 Christian endeavor is the establishment of the will of God in the hearts and institutions of men. If a Christian 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 such as 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.

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 lib-

erty 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 claim of religion.

The international spirit of Christianity envisions a world government through which equal justice under law may be administered and the inequalities of life may be softened by the strong bearing the burdens of the weak, to the end that the Spirit of Christ may dominate the relation of men and gain the ascendancy in the institutions of mankind. Evangelical religion asserts that the kingdoms of this world must become the kingdom of our Lord and Christ. In periods of transition and reconstruction great advance is possible. The establishment of freedom of expression and freedom of religion everywhere throughout the world would give to the proclamation of the gospel of Jesus Christ an opportunity never before known. Everywhere all who cherish religious liberty should break through every hindering barrier to unite in the support of this common cause. Far more important than the winning of the war is the winning of a functioning religious freedom for all tongues, tribes, nations, and races.

## SPARKS

It is impossible to legislate hate out of the world and love into it.

THE chief objective of all governments should be to keep all men as free as possible in all their activities.

GEORGE WASHINGTON believed our liberties would be safe as long as the people adhered to the Bill of Rights.

THE greatest men who have accomplished the most for humanity have been noted for their humility and lack of ambition for worldly honor.

HE who advocates throwing our Constitution into a new melting pot for a recasting to fit it to a world supergovernment, does not belong to the political school of the founding fathers.



Roger Williams, Banished From His Home in Massachusetts Bay Colony, Founded in the Wilderness a State Where the Principles of Religious Freedom Became an American Heritage

# The Christian, the Church, and the Nation

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**D**ESPITE A PECULIAR BELIEF among many Americans—that the past is able to teach us very little if anything—there is often much to be learned from those who have gone before us. And in the matter of the relation between the Christian and his church, on the one hand, and the nation on the other, we could do far worse than to turn back to a letter written by an unknown hand during the early centuries of Christianity, and read these words: “The Christians live in their own countries, but only as sojourners; they share the life of citizens, but endure the lot of foreigners; every foreign land is to them a fatherland, and every fatherland a foreign country; they love all men, yet they are persecuted by all; they spend their existence upon earth, but their citizenship is in heaven.”

Nearly two thousand years ago the writer of the *Epistle to Diognetus* set down this description of the life of a Christian. And it remains as true today as ever, despite the vicissitudes of history and the strange changes of fortune in the story of the Christian church. In a more modern idiom we may say that the truth there expressed is that a Christian is always an alien in any nation or country, but he is a “resident alien” who is deeply concerned with the way of life here and now, although more deeply concerned with his true fatherland, which is heaven itself. Hence, he has a certain dual citizenship, as St. Augustine pointed out in his great study of history, *The City of God*. He cannot give up either of his allegiances, but he must not confuse them with each other. And what is true of the Christian as an individual is true of the Christian church as a whole.

Because this is true, the Christian is to be a loyal citizen of his own native land—in our case the United States of America. He is also to be loyal to that divine order of love which is God's kingdom. This means that he can never permit governmental agencies to interfere with the life and work of the Christian church; on the other hand, it means that the Christian church cannot exert coercion to make a nation, even our own—professedly Christian as it is—conform to standards which are in themselves intended only for those who are devout and practicing members of the Christian fellowship.

In recent days this kind of distinction, or discrimination, has been brought before us very clearly in the writings of the famous French Roman Catholic philosopher M. Jacques Maritain. His excellent book *True Humanism* is particularly notable in its strong insistence that the modern state is, at best, *neutral* or only concerned with such generally accepted notions of Christian conduct as are included under “the law of nature”; that is, those accepted notions of the nature of man, his rights and his duties, such as (in our own country) are stated in the Bill of Rights. The point to be made is that these rights should be defended and maintained with all the force at our disposal; they are fundamental to man. However, it is not proper for Christians to seek to make all men, without respect to their religious allegiance and conviction, accept and live by a faith and standards that are explicitly and definitely Christian. We may hope that the day will come when all men will be Christian and will undertake for themselves this faith and these standards. But their nature is violated when they are coerced into such acceptance.

It would be too much to say that all our American founding fathers had worked out this discrimination in their own thinking. But it is nonetheless the truth that in their

efforts to care for all citizens they did, in fact, arrive at such a picture of the relation of church and state as does indeed guarantee that essential liberty which belongs to the church, as well as that essential liberty which belongs to the nation. The separation of church and state, the guaranty of freedom for the church to preach and teach and worship without let or hindrance, the liberty of conscience granted each individual—these are a precious part of our American heritage, and they are also involved in a proper understanding of the nature of the church.

The writer is certain of these points, not only from a theological consideration, but also from a study of Christian history. The Christian church flourished under persecution in a more profoundly Christian sense than when, under Constantine and the succeeding emperors of the Roman *Imperium*, it was the recognized and enforced state religion. Indeed, by the time of the emperor Justinian, church and state had become so identified that the church had lost its savor, and to be a Christian meant simply to be a good citizen, and vice versa. Yet it is a mistake to say, as some would, that the state or nation is “of the devil”; it is not evil, but is simply the order of relative and limited justice, and is not to be expected to act in accord with the supernatural faith and standards that are available and possible only for those who are “of the body of Christ.”

It so happens that this writer is an Episcopalian and “a high churchman”; it was therefore amusing for him to be called “a Baptist,” when it came to the matter of the relation of church and state. But it may be correct—in fact, it would seem to be so—to say that the Baptist insistence on the distinction between church and state is closer to the genuine primitive Christian and Catholic view than the historically more recent notion of the merging of church and state, which reached its most egregious expression in certain lands like Russia before the revolution, or Mexico before the revolution.

Most of our citizens believe that there is, in America, little danger of the church's interfering too decidedly in the affairs which properly belong to the state. But there is considerable danger of subtle interference with the church's liberty, and more particularly with the liberty of the individual Christian believer. Here the Christian and the church must ever be on guard, alert to see that the freedom to preach, to teach, and to worship according to conscience is in no way contravened by national or State legislation, governmental agency, or turn of the popular fancy.

As a loyal American, the Christian will act the part of a good citizen, paying his taxes, supporting public officials, co-operating with the Government—so far as conscience will allow—in such matters as the waging of a war, if that is the task in which the nation is engaged. But he will be sure that he remembers that he is, here and now, a sojourner, a pilgrim, with a citizenship in heaven, and that his church is not the agent or servant of any state or nation, of any government or world order, but the mystical body of Christ, supernational in the fullest sense, although planted in many nations. And he will be grateful for, and give support to, any groups or agencies which are concerned to guarantee that separation of church and state which does, in fact, safeguard the church from state interference, and remind the church constantly that the weapon by which it wages its war for the souls of men is never legal force or coercion, but the persuasive power of love.

## State Chaplains Set Up a State Religion

WE HAVE IN OUR POSSESSION a letter written to one who inquired whether denominational religious literature could be distributed to the inmates of a penal institution, provided the literature came from a Christian denomination which observed the seventh day of the week as the Sabbath. The request was denied by the chaplain of a State penal institution supported by public taxation. He said, "We are striving at our place to encourage the Christian Sabbath on Sunday, as practiced by the vast majority of Christendom and as provided for by the laws of the land."

This chaplain stated that he would be glad to distribute religious literature which was in support of Sunday observance, as practiced by the majority of Christendom.

Our Constitution expressly states that all citizens, irrespective of their religious faith, shall stand on the same equality before the law and enjoy equal privileges and opportunities without discrimination. Public officials are supposed to perform all public duties impartially, without discrimination against any religious sect and without favoring exclusively their own religion. A judge on the bench should hand down his decisions without weaving his own religion into them, and a lawmaker in the legislature should enact laws without inserting his own religious opinions into the law.

It is apparent that this State chaplain, whose salary is paid by all citizens alike, believes that he should discriminate against all citizens who observe another day than the day he and the majority of Christians observe, and that he should distribute only religious literature which supports Sunday observance. As a private citizen he enjoys such a prerogative. As a State chaplain of a public institution supported by the public tax funds, he has no right to discriminate against any religion as opposed to his own religion and thereby to set up a standard for a state religion. The practice of the state in paying chaplains out of the tax funds, and appointing and controlling chaplains in the duties they are to perform, has couched in it grave dangers which usually lead to the setting up of a state standard of religion discriminating against all religions which do not conform to that standard. The churches should pay the salaries of their own religious teachers, and the church should control and manage the workers it ordains for religious service. The church makes a fatal mistake when it transfers its peculiar spiritual functions to the state for regulation and financial support. Whatever the state supports it has a right to manage. Let us keep the church and the state separate, not only in teaching religion, but in the functions of religion.

C. S. L.

## Religious Instruction in the Armed Forces

POSSIBLY OUR READERS will think that it is a trite statement and a waste of paper for us to declare again that this journal believes wholeheartedly in a complete separation of church and state. But certain things are now occurring in this country that can be considered nothing less than such a union. We refer specifically to the Navy's V-12 plan for training chaplains.

For a considerable period the Navy Department has been operating a Naval Training School for Chaplains at Williamsburg, Virginia. The New York Times of February 2, 1944, reports that the Navy also has V-12 trainees in the regular classes of the Yale Divinity School.

If the training of chaplains at Government expense, to be used by the Government after their graduation to teach religion and be paid from public funds, is not a union of church and state, then there never has been such a union in the history of the world. The experiences of the past and the practices of the present have shown that sometimes the church is supreme and sometimes the state is in control. Both are bad. Apparently we have a union of church and state in the United States of America now, with the state directing affairs.

We have spoken against this evil before. But some things have been charged that make it imperative that more be said.

The *Christian Beacon*, an organ of the Bible Presbyterian Church, described by *Time* as "a fundamentalist offshoot of the Presbyterian Church in the U. S. A.," in its issue of Thursday, January 20, 1944, presents notarized statements from two ministers concerning the attitude of the Chief of Chaplains of the United States Navy about the work of chaplains under him. One allegation is that the Chief of Chaplains of the United States Navy, in the presence of three ministers of religion, "stated that in his opinion and in accordance with his administrative policies, a Baptist minister who is unwilling to baptize infants is thereby disqualified as a candidate for chaplaincy in the United States Navy."

The other says that "on or about November 16, 1943, the said Chaplain Workman [Chief of Chaplains of the Navy] told me personally that in his opinion and in accordance with his administrative policies, a Lutheran or Episcopalian chaplain who is not willing to administer the sacraments to Christians of other denominations is thereby disqualified as a candidate for chaplaincy in the United States Navy. On this occasion Chaplain Workman further stated that a Protestant chaplain in the Navy is expected, as a part of his necessary duties, to carry a crucifix and rosary for the use of Roman Catholic men to whom he may minister."

We have seen a letter from Chaplain Workman referring to the fact that there are Baptist, Episcopalian, and Lutheran chaplains serving the Navy, and indicating that this constitutes a sufficient answer to the charges made by the men above referred to.

We wonder whether or not it is sufficient to say that such men are naval chaplains. The question in our minds is much broader and cannot be brushed aside so lightly. Even if a Baptist is not forced to administer sprinkling in place of immersion, even if Episcopalian and Lutheran chaplains are not forced to offer the sacraments to members of churches other than their own, even if a Protestant chaplain is not forced "as part of his necessary duties to carry a crucifix and rosary," we wonder why they are not, since the Government is hiring them to minister to anybody who needs their spiritual help. There are no Baptist hospitals in the Navy. There are no ships manned only by Episcopalians. There are no shore stations which have only Lutherans in their personnel.

To our way of thinking, the Navy Chief of Chaplains as a representative of the Government should insist that every man who becomes a chaplain in the Navy be willing to perform any kind of religious rite that any sailor might want. But there is the trouble. To make such demands would show what is really involved in the Government's undertaking to teach religion and would bring a storm of protest.

If the Navy gets only men who are willing to embrace everything and anything in their teachings, who have no firm convictions that would prevent their refusing to follow practices that they believe unscriptural, then may God pity the Navy. It is sometimes charged that it is a sign of bigotry and intolerance to hold firm convictions. Nothing can be

urther from the truth. To be firmly convinced in one's own mind concerning any subject does not mean that one is not willing to give complete freedom to those who disagree. To have no convictions at all is to be spineless.

If we are to have a state religion, let us have one with expressed rules laid down, and let us dismiss from the chaplain service men who are not willing to preach and practice according to the regulations. In every other branch of the Government a fairly clear outline of duties is given to public servants. But in this, in which are considered the most vital questions that ever come to men, we are willing to use tax monies to promulgate almost any kind of doctrine, or apparently no doctrine at all.

So the trend goes; so the union of church and state increases. Since the bars separating them have been let down, proposals are bound to increase for a more closely established union of these two diverse and separate powers. No Government should be responsible for supplying chaplains. The work of the ministry belongs to the church, and the profane hands of politics should be kept off everything that belongs to the sacred work of the gospel ministry. Let the church take up its Heaven-appointed task, and let Christians pay whatever is necessary to furnish the comfort and consolation of the gospel to the men who are doing so much to save for us the heritage of liberty and the separation of church and state, which were secured for us by our fathers.

In *Time*, January 3, 1944, Dr. Daniel Poling presented a report on the state of religion as he found it among the armed forces." In this he says that on the battle fronts that he visited, and in the camps at home, two particular things troubled him. One of these was the "overwhelming indifference to organized religion."

In another issue of *Time*, January 31, 1944, Dr. Bernard Haddings Bell, a "High-Church Episcopalian priest," is credited with saying, "When the ten million and more come marching home again—such of them as do come back—most of them will not be bothering their young but hard-boiled heads any more about religion in the old home parish than they did about religion in their outfits—which was mighty little."

Turning to *Time* once more, February 21, 1944, a Jesuit chaplain is quoted as having written, "If you read the Catholic press nowadays you get the impression that there is a great religious revival going on in the armed forces. Personally I think that is a lot of tripe. So do the few Catholic chaplains I have talked with."

Evidently state-supported religion is not working the miracles that its sponsors claim. Nothing we say must be understood as questioning the motives or belittling the earnest efforts of good men in the Chaplains Corps of either the Army or the Navy. But granting that every man in both is honest, sincere, desperately in earnest, hard-working, and brave does not help matters one whit, or make a wrong system right.

Knowing something of human nature, we venture to guess that real piety in our armed forces would get a tremendous lift if every chaplain laid off his service uniform, stopped striving for advanced rank, and preached his convictions in true humility and Christian charity.

James Madison, an opponent of everything that smacked of a union of church and state, was opposed to all government-supported chaplaincies. Speaking of the fact that preachers had been hired to serve the Senate and House, he said, "Were the establishment to be tried by its fruits, are not the daily devotions conducted by these legal ecclesiastics, already degenerating into a scanty attendance and a tiresome formality?"

Reasoning concerning the principle involved, he added, "If religion consist in voluntary acts of individuals, singly or voluntarily associated, and if it be proper that public functionaries, as well as their constituents, should discharge their religious duties, let them, like their constituents, do so at their own expense."

And Madison was right.

H. H. V.

## The Church at the Peace Table

FROM TIME TO TIME we have referred to the demands of certain religious leaders for representatives of their groups to have places at the peace table.

We note with interest some statements made by Dr. James M. Eagan, a member of the Executive Council of the Catholic Association for International Peace, which appear in an article in *America*, January 22, 1944. Among other things he said:

"There is no doubt but that today the Holy Father occupies a position in the minds and hearts of men which is vastly superior to that which any pope has held since Leo XIII. People of all denominations and creeds listen to him as never before in the history of the modern world. Yet Catholics should not be led into thinking that the Holy Father is the one moral mediator whom all would accept as the final authority in the writing of a peace.

"The immediate reaction in America to such a suggestion might well be suspicion on the part of Protestant and Jewish groups that Catholics were taking advantage of good will manifested by such groups to promote Catholic interests. Protestants and Jews might then demand that they, too, have a representative at the peace table to counteract any idea that the peace would be exclusively Catholic.

"It is very sad but also true that a certain section of the press in the United States still regards the Church as being kindly disposed towards fascism, unwilling to allow freedom of thought and expression, isolationist, anti-Negro, anti-union, and anti-Semitic. The tremendous uproar that such a press might make against a personal appearance of the Holy Father or his representative might undo much of the work that intelligent Catholics have been trying to do. It is well to remember that statesmen at peace conferences in the past have been very susceptible to the views of the press at the time when the treaty was being made. If Catholics, then, denied the right of Protestants or Jews or Confucianists or Buddhists to a seat at the table, the possibility of the Holy Father's accomplishing much would be slight. Instead of harmony and agreement among religious groups as to the kind of peace principles that they desired, there might be bitter recrimination and a great outburst of resentment, not only among different religious groups, but also on the part of those who espouse no religion at all."

The dangers that Doctor Eagan feels are very real. Later suggestions in his article are that Catholics endeavor to spread a knowledge of the principles they believe, and offer concrete proof that their ideas are better than others. He admonishes Catholics to "awake from the calm attitude that they are possessors of the ultimate truth and that the world must perforce listen to them or perish."

All churches would do well to heed such advice. Since clergymen in general have been trained for a specific work, let them stick to that. Their influence may be great in their own realm, but when they leave it for the political arena they generally lose the respect of the laity in their churches.

The power of the church in bringing and supporting peace will not be found in clerical representation at the peace table.

H. H. V.

## Church Progress Under Persecution in Europe

THOSE MISGUIDED RELIGIOUS LEADERS who believe that the sunshine of approval and support of the state is necessary for a healthy growth of the church should carefully study conditions in nearly all Europe today.

In the past we have referred to the magnificent stand of the clergy in Norway, and we think that not one of our

readers has failed to be thrilled by the quiet bravery of Bishop Berggrav, who is charged by Quisling as being a triple traitor. When Quisling said to him, "You deserve to be beheaded," his calm reply was, "Well, here I am."

The bishop and his loyal clergy recognize that there are some things worse than imprisonment and torture and death. If we may believe the accounts that come out of Norway, and they bear all the evidence of being true, the Christian church, instead of losing, is gaining both in membership and in piety.

But Norway does not stand alone. The primate of the Danish church two days before the Nazis put Denmark under martial law sent out this stirring pastoral letter:

"Profound darkness has fallen upon our people. We do not see the road ahead, not even the next step. We feel as if our most precious possessions have been taken away from us.

"However, God is with us in this darkness. Trusting in Him, we will continue our normal duties. In speech and in writing we will do our best to continue to maintain quiet and order.

"We will contribute to counteracting the hatred poisoning our people's souls, but we will not yield an inch from the church's confession, nor will we yield an inch from truth, right, and justice."

American papers have carried considerable news concerning the sufferings of the church in Denmark, and have reported the assassination of Kaj Munk. Besides being a well-known rector of the established church, Mr. Munk was also called Denmark's No. 1 playwright. When the Nazis ordered that prayers for the persecuted Norwegians should cease, Munk wrote: "I intend to disobey. . . . Danish clergymen take an oath on the Bible, but not yet to the foreign secretary. . . . If for fear of men I should sit as a passive onlooker, I should be a traitor to my Christian faith, to my Danish mind, and to my clergyman's oath."—*Time*, Sept. 27, 1943.

The pastors of the Dutch Reformed Church in the Netherlands released a statement last December, a part of which we quote:

"We reject as anti-Christian the doctrine that all things must be subordinated to the welfare of the nation, and when the doctrine is taught that the interests of the state determine what is right and what is wrong, then we hold this to be the destruction of righteousness and the sanctioning of all iniquity, and therefore the complete subversal of God's will."

The resistance of the church to Nazi paganism has been almost, if not altogether, as marked in France, in Czechoslovakia, and in Poland. In Germany, where Hitler's power has been turned against both Protestants and Catholics, it is reported that the Catholic Church has gained very rapidly in membership. In all the other lands mentioned, people who have been indifferent to the church have apparently turned to it in this time of crisis.

The gospel of Jesus Christ does not need the support of the civil power. It has been said that the blood of martyrs is the seed of the church. Persecution has always driven men to God. The church has fallen into decay and its practices have become corrupt when the power and prestige and financial support of the state have been accepted.

H. H. V.

## NEWS NOTES

THE Indianapolis *Star* of January 28, 1944, gave a report of a forum held in Indianapolis to discuss juvenile delinquency. Judge Carl M. Gray, of Petersburg, president of the Indiana State Bar Association, "advocated legislation making it an act of delinquency for the failure of children to attend Sunday school and church regularly, and making it an act of contributing to delinquency if the parents do not see that they attend these church services." We wish

that we could say, Bosh, piffle, and nonsense! If the state can compel children to go to Sunday school and church it can compel grownups to go to Sunday school and church. If the state can compel attendance at Sunday school and church, it can decide to which church both children and grownups should go. We are often amazed at how many good people there are who know nothing of the fundamentals of the separation of church and state. Everybody who is acquainted with conditions as they exist, deplore the evils that are all too apparent, but religion is always purest and its teachings most effective when church and state are separate.

Force in matters pertaining to the conscience can result only in making hypocrites or martyrs. The only service that can be acceptable to the Founder of Christianity is that which is rendered willingly and voluntarily. Worship consists of something more than sitting in a house dedicated to the service of God. To drive with the policeman's club into the house of God those who have no belief in the Deity, no love for His commandments, and no desire for communion with Him, would be to defile every shrine where such folk were found.

SOME time ago Reverend R. A. McGowan, assistant director of the social action department of the National Catholic Welfare Council, was appointed by our Government as a member of a commission to recommend changes in the relations of the United States and Puerto Rico.

In an article which Mr. McGowan contributed to a Catholic journal he says that "Puerto Rico is uniquely handicapped," and then goes on to refer to "a law vetoing the use of Puerto Rican property or money for religious education—or for any religious purpose. . . ."

We fail to see why this is a handicap. Most of the States of the Union have such laws on their statute books, and they have proved very beneficial.

THE Shelbyville (Indiana) *Democrat* in its issue of January 25, 1944, has an article which it calls one "in a series of special stories . . . concerning juvenile delinquency conditions in Shelbyville and Shelby County," and which credits Prosecutor Dale S. Rafferty with the belief "that all children should, by compulsion if necessary, be made to attend some form of church services regularly or be interested in some form of Bible study." Mr. Rafferty is further credited with being "enthusiastic concerning a program now being planned by ministerial associations whereby a religious education will be available outside the school system."

Hardly anyone would disagree with the idea that there is need of more study of the Scriptures, more teaching of religion and morals. The question arises, when is it to be done and by whom? Such teaching belongs first to parents, and second, to the church, and has no place in any tax-supported institution. If compulsion is to be used, as Mr. Rafferty suggests, it should be only by parents upon minor children. A good many people will have a doubt about this being very effective, except in the cases of children so small that parents must make all their decisions for them, and in all other cases persuasion and education will do more than compulsion.

A DISPATCH from Toronto, Canada, which appeared in the Los Angeles *Times* of December 26, 1943, contained the interesting news that "Canadian farmers will be allowed to harvest their crops on Sunday—when the need for such action can be proved—without fear of prosecution under statutes nearly a century old.

"This agreement follows charges of Sabbath violation laid by York Township police—under a statute of Upper Canada, passed before the present Dominion of Canada was constituted in 1867—against three farmers in suburban areas adjoining Toronto.

"The farmers maintained that they were racing to harvest vegetable crops before a threatened frost ruined them.

"Under pressure of public protest Police Chief Robert Alexander of York Township withdrew the charges. . . .

"The federal cabinet passed an order in council providing that no prosecution for alleged violation of any Lord's Day Act may be launched without the consent of the attorney general of the province concerned."

The action of the authorities in the wartime application of the Canadian statute referred to brings it into line with the first Sunday law that the world ever knew. Generally credited to Constantine, and given on the seventh of March, 321, when Crispus and Constantine were consuls, that edict said:

"Let all judges and all city people and all tradesmen rest upon the *venerable day of the sun*. But let those dwelling in the country freely and with full liberty attend to the culture of their fields; since it frequently happens that no other day is so fit for the sowing of grain or the planting of vines; hence, the favorable time should not be allowed to pass, lest the provisions of heaven be lost."

In Canada the law talks of the Lord's Day. Constantine called it "the venerable day of the sun." Constantine's phraseology is more accurate than the other.

From the edict of 321 there has stemmed a world of evil legislation; a world of attempts by civil powers to enforce what someone has thought is a command of God; a world of mixing up the affairs of church and state. It is too bad that with all the enlightenment that has come to us in this age there are still many who believe that religion can be fostered by coercion. This is absurdity compounded.

OUR readers will remember that some time ago a young high school teacher in West Virginia, Mr. Don McGlothlin, resigned his position rather than attempt to force a child, whose parents were Jehovah's Witnesses, to salute the flag. At our invitation Mr. McGlothlin wrote an article which appeared in *LIBERTY*, 4th quarter, 1942, in which he set forth the beliefs that prompted the action which caused him to be so roundly denounced in certain quarters.

We think our readers will not charge Mr. McGlothlin with any lack of patriotism when they learn that he enlisted in the Navy some time ago and progressed through the classes of yeoman up until he was commissioned an ensign last August. A few words from a letter received from him the other day show the spirit of the man:

"Though I have been in foreign service on active duty against the enemy during a majority of the time I have been in the Navy, and am to leave for an active theater again very soon and may there give my life for freedom from the foreign foe, I feel that my best deed was the blow I struck against the domestic foe of religious persecution when I resigned my position as high school principal rather than force a child to give a salute to the flag when there seemed to be conscientious objection against such act."

If young America can be educated in the principles that have made this nation what it is as thoroughly as Mr. McGlothlin evidently has been, we have no fear for the future.

Though it might be hard to prove any connection between the two incidents, it is significant that an act of the West Virginia State board of education ordering that a salute to the flag become "a regular part of the program of activities in the public schools," and demanding that all teachers and pupils should "be required to participate in the salute honoring the nation represented by the flag," and providing that a refusal to salute the flag be regarded as an act of insubordination, was challenged in the courts. When it came to the District Court of the United States for the Southern District of West Virginia, the three judges unanimously held that in spite of the action of the Supreme Court in the *Gobitis* case in 1940, children could not be forced

to salute the flag or be dismissed from public schools for refusing to do so. As everyone knows, when the case was carried to the Supreme Court of the United States, the opinion of the lower court was upheld.

When Mr. McGlothlin took a firm stand for a great principle, many sneered, and many censured him. But right has a way of prevailing, and men who have stood for it have frequently found that in the minds of the people they have been changed from fanatics to heroes.

ON March 29, last year, Congressman Lynch of New York, introduced a measure "to declare certain papers, pamphlets, books, pictures, and writings nonmailable," and "to provide a penalty for mailing same, and for other purposes." The things that this bill would proscribe particularly are "all papers, pamphlets, magazines, periodicals, books, pictures, and writings of any kind, containing any defamatory and false statements which tend to expose persons designated, identified, or characterized therein by race or religion, any of whom reside in the United States, to hatred, contempt, ridicule, or obloquy, or tend to cause such persons to be shunned or avoided, or to be injured in their business or occupation." It is provided that such literature shall be declared "nonmailable matter, and shall not be conveyed in the mails or delivered from any post office or by any letter carrier, and shall be withdrawn from the mails under such regulations as the Postmaster General shall prescribe."

The original bill provided for a fine of \$5,000 or imprisonment for not more than five years, or both, for the infraction of this bill if enacted into law. An amendment has been offered and favorably considered by a subcommittee of the Committee on the Post Office and Post Roads, which would reduce the penalty from five years to one year imprisonment, and the fine from \$5,000 to \$1,000, for the person who mailed such objectionable literature, and an imprisonment of six months and a fine of not more than \$500, or both fine and imprisonment, for anyone who might take it from the mails for the purpose of circulating it.

Every right-thinking person is naturally opposed to bigotry and intolerance, and can have no sympathy with any attempt that might be made to hold up to scorn or ridicule or abuse others who may belong to a different race or whose religious creed does not agree with theirs, but the bill to which we have referred, if faithfully enforced, would be capable of the grossest abuse. Real freedom of the press would become a dead letter, for some people are easily hurt. They would resent as a personal insult, as obloquy, even a discussion of their beliefs. Many of the most fully authenticated passages of history might be considered by the courts as having been used to bring ridicule upon certain persons. The bill speaks against false statements; the laws of the land already provide penalties for libel, defamation of character, and the circulation of scurrilous literature.

Bills similar to the one under consideration have been introduced in a number of recent sessions of Congress, but, as far as we know, this is the first time that any committee has passed favorably upon any of them. We think lovers of liberty should watch this measure.

America, of December 11, 1943, credited *Religious News Service* with reporting that in Toronto "Catholic and Protestant churchmen have requested the Ottawa government to authorize the establishment of a chaplaincy service in certain of Canada's larger war factories."

Someone may ask, "Well, why not?" To which we reply, There is probably a need for more religion in Canada as well as in the United States. Whether workers in "war factories" need religion more than others in either Canada or the United States, we do not pretend to know. One thing we do know and know right well, and that is this—it is not the business of any civil power to teach religion. A union of church and state is always bad. All history proves this.

If a government is justified in providing money to pay for religious teachers for the workers in war factories, it would be justified in providing religious instruction for any other class—yes, for every other class.

When the state pays the salaries of preachers it naturally expects to direct their teaching; at least it should, for when public monies are spent for any purpose, those who appropriate the funds have a solemn responsibility to see that they are rightly used. Thus civil officers face the duty of deciding what is orthodox and what heterodox.

But why go on? The whole thing is bad. It is a hang-over from the dark days of the past.

Let the church teach religion and pay for it. Let the state keep in its proper realm.

**I**N our issue for the first quarter of the present year we referred to the fact that in Miami, Florida, the school board had dismissed one of their teachers because he was a conscientious objector.

The *Christian Century* of February 2 carries the following news item:

"The Dade County school board has been ordered by the Florida circuit court to reinstate Edward O. Schweitzer, the science teacher and dean of boys in a Miami junior high school, who was discharged by the board because he was a conscientious objector to war. The school board has announced that it will appeal the decision, taking it to the U. S. Supreme Court if necessary."

It will be interesting to follow the progress of this case through the courts.

**A**N Associated Press dispatch of January 1, 1944, which appeared in the *Washington Post* on January 2, reports the establishment of a state religion in Argentina in the following words:

"The government today decreed obligatory Catholic religious instruction for all primary and high school students except those 'whose parents manifest express opposition by reason of membership in other religious sects.'

"The decree said the Catholic religion is the state religion in Argentina."

Argentina's promotion of new ideas in government is apparently giving some concern to American Catholics, for *America*, in its issue of January 15, 1944, says, "American Catholics, however, will find cause for uneasiness in the coincidence of the wiping out of parties by the new regime and its zeal to promote the teaching of their religion to the Catholic children in the schools."

Even in Argentina itself there must be some fears, for *America* goes further to say that the "national ecclesiastical chairman of Catholic Action in Argentina has declared that it 'has not been engaged in, is not engaged in, and will not in the future be engaged in' politics."

This is good doctrine for any church organization, and we hope that Catholic Action in Argentina will stay out of politics, both for its own good and for the good of the state.

**I**N the *Sunday School Times* of January 29, 1944, from an article entitled "A Survey of Religious Life and Thought," we learn that religious instruction is being given in the British Army. It appears that "certain generals in conference concluded that the British soldiers ought to be informed about the religious background of the cause for which they were fighting, to be made to realize that the war has Christian values. A number of experienced and scholarly chaplains were appointed to the task, among them Dr. W. D. Maxwell, senior chaplain to a famous Scottish division, who drew up a syllabus for the teachers. The plan was to explain our Christian faith, and the questions considered were: What is man? What do we know about

God? What is the Bible? Why did Jesus die? How is our Lord's work continued? Such subjects as the incarnation, evil and sin, and the great reconciliation were explained. 'No stone has been left unturned to convey to the men the whole Christian faith.' Attendance has been compulsory for officers and men, Jews and Roman Catholics being excused if desiring it."

This does not seem so strange, perhaps, since it is occurring in Great Britain, for the British nation has a state religion.

We cannot help wondering just how much good compulsory attendance at religious services really accomplishes. We freely admit that the state has a right to conscript its citizens to wage war for its existence. We absolutely deny that any earthly government has a right to conscript its citizens to listen to enforced religious teaching. We deny that any civil power has a right to say what religious teaching shall be given its citizens.

There are happening in various places events that cause us grave concern. Men who ought to know better, men who must know something of the development of the centuries since citizens began to throw off the tyranny of both church and state, seem to have forgotten all the lessons of the past. We sometimes are tempted to think that teachers who sponsor forced religious education are ambitious for power. But we will not let ourselves hold such unkind opinions. We must conclude that their zeal has outrun their knowledge.

It is everlastingly true that no man can be made better by force. The power of religion lies in its love and gentleness and persuasive appeal.

**T**HE *Christian Index*, organ of the Baptist Convention of the State of Georgia, carries an article in its issue for January 13, 1944, from the pen of W. R. White, editorial secretary of the Sunday School Board of the Southern Baptist Convention, that should be read by both churchmen and statesmen. A paragraph or two, in particular, appeal to us very strongly. Speaking of the time when the nations will gather to effect some kind of peace, Mr. White says:

"There is a strong possibility that the Vatican will be represented at the peace table. Perhaps the Greek Orthodox Church representative will be there following Stalin's new program. Likely the World Council of Churches will be represented. This whole matter should be left to the statesmen of the various nations to whom the principles of various religious groups will have been presented beforehand. *If the representatives of religious groups are present, they should not be there as officials of the peace table.* The only capacity in which they might function should be for purposes of conference and information when called upon by the officials of the United Nations. All points of view should be given a serious hearing or none. *The actual peace negotiations and decisions should be wholly in the hands of the statesmen.*" (Italics ours.)

To expect that the presence of churchmen at the peace table could bring about the separation of church and state in most of the countries involved in the present war, is to cherish a vain hope. It is not at all likely that our ally, England, will disestablish its church, nor will Holland or Belgium or Denmark or Norway, even after peace is established. It is extremely unlikely that Italy will have a complete separation of church and state after the war is over. In fact, it is extremely unlikely that Italy will have very much religious freedom, judging by what has happened in the last few years and the power of one church in that country; but why go on? There is much talk of having a new world based on the law of God. Nations are not moral or immoral. Individuals are. In any given land if there are enough individuals who are obedient to the moral law of God, that will be a good country. When will well-meaning men learn that man's ways are not God's ways and that religion cannot be enforced by civil authority?